

# **TERRORISM, RECIDIVISM AND PLANNED RELEASES IN INDONESIA**

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## I. INTRODUCTION

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Indonesia needs to look more closely at the patterns of recidivism among terrorism offenders, because many are due for release in the next 18 months. Since it passed a strengthened counter-terrorism law after the May 2018 Surabaya bombings, Indonesia has allowed the police to make “preventive strikes” against men and women suspected of being members of extremist organisations. Hundreds have been arrested since, including for non-violent roles – among them hiding fugitives, withholding information, purchasing food supplies, buying airplane tickets and attending meetings. Many have received short sentences of two to three years. This means the prisons have become even more of a revolving door for convicted terrorists than they have been in the past, with individuals released after minimal in-prison counselling programs and with almost no capacity on the part of the government for sustained post-release monitoring. In 2021, more than 150 of these prisoners will be freed. Most will not commit a second terrorism offence or related crime after release, but the challenge is to understand the factors that could tempt individuals to re-engage with extremist organisations and the program interventions that might dissuade them.

This report examines the cases of 94 repeat offenders among a total of 825 men and women convicted of terrorism and released between 2002 and May 2020. Most were re-arrested after committing a second terrorist crime, but we have also included those who joined ISIS in Syria after their release and a few others who might not fit a strict definition of recidivism but who clearly re-engaged with violent extremism.

The report suggests that several factors are associated with recidivism: a high level of radicalism in prison, a militant spouse or other close family member who is a close contact after release; and the availability of a powerful ideological concept that carries with it the possibility of collective physical action. Three of these concepts have been particularly potent for recidivists: the idea of *jihad tamkin*, or jihad in the service of Islamic governance, that was linked to a training camp in Aceh in 2010; the transfer of this idea to Poso, under the banner of the Mujahidin of Eastern Indonesia (Mujahidin Indonesian Timur, MIT) from 2012 to 2016; and the call to emigrate (*berhijra*) to the new Islamic State from 2014 to 2017. Without the opportunity for action, ideological commitment and radicalised family members alone might not be enough to convince a released prisoner to return to violence. These are not the only factors, to be sure, but they bear particular scrutiny.

The report looks at different definitions of recidivism and why they matter. It analyses available data on repeat offenders based on one of these definitions and looks at the patterns of re-engagement that these data reveal; and then applies these lessons to the planned releases for the remainder of 2020 and 2021.

## II. THE DATA

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A widely read study published in April 2020 suggested that recidivism rates among terrorists are actually much lower than is often assumed, and that a few high-profile cases distort the actual situation.<sup>1</sup> This is also true in Indonesia, where every new incident involving a former prisoner brings anguished hand-wringing about the country’s failure to manage released prisoners effectively. The one agency that consistently downplays the problem is the one with the most responsibility for addressing it: the National Counter-Terrorism Agency (Badan Nasional Penanggulangan Terorisme, BNPT). In 2018, the then head of BNPT claimed that Indonesia had only had

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1 Thomas Renard, “Overblown: Exploring the Gap between the Fear of Terrorist Recidivism and the Evidence,” *CTC Sentinel*, April 2020.

three terrorist recidivists since 2002 and that this was due to the 100 per cent success rate of its deradicalisation program.<sup>2</sup> A good article by a former prisoner on his friends who had returned to extremism suggested the figure was closer to 80 between 2009 and 2019.<sup>3</sup> IPAC calculates that since the Bali bombing in 2002, at least 94 convicted terrorists, possibly more, have committed a second terrorist offence.

To arrive at this figure, we started with information from the Corrections Directorate of the Ministry of Law and Human Rights that between 2002 and the arrests following the Bali bombing, through the end of May 2020, 825 individuals had been arrested on terrorism charges, convicted, and released after serving their sentences.<sup>4</sup> That figure includes a few dozen cases not linked to Islamist extremism, such as miscellaneous bomb threats and other crimes where the perpetrators were charged with terrorism.<sup>5</sup> IPAC independently maintains a database on Islamists arrested on terrorism charges, so in most cases we have information both on the backgrounds as well as on the various judicial procedures that the prisoners went through.

The Indonesian criminal code defines recidivism as the commission of a repeat offence, the same as or similar to the first crime, within a specified time after release (the time varies depending on the offence, but generally five years).<sup>6</sup>

This definition would include all released terrorists who were subsequently re-arrested on terrorism charges or killed in police anti-terrorism operations. These are the first two categories in Table 1, below. It would include released terrorists who tried to go abroad to join ISIS-linked groups but were caught en route, deported and arrested on arrival in Indonesia. It would not necessarily include former prisoners arrested overseas for terrorism activities who were then imprisoned in the country where they were caught. An example is Syarif Tarabubun, released in 2016 after ten and a half years in prison for terrorist actions in Ambon in 2005. He was arrested in Sabah, Malaysia in 2017 for trying to get Mindanao to obtain guns and three years later remained in a Malaysian prison. The above definition would also not include released prisoners known to have later joined ISIS in Syria but who were then killed or simply disappeared from view. Abdul Rauf, released in 2011 after serving just under ten years of a 16-year sentence for his role in the Bali bombings, is one such case. In 2014, he became one of the first Indonesians to be killed fighting for ISIS in Ramadi, Iraq. IPAC, however, considers both Tarabubun and Abdul Rauf to be recidivists and includes them and similar cases in its count.<sup>7</sup>

We have also included another category that falls outside Indonesia's definition. It consists of the convicted terrorists who committed a second terrorism offence while in prison, leading to a new trial and increased sentence without the prisoners ever having been released. Individuals in this category include the sentenced prisoners (as opposed to the remand detainees) who took

2 "BNPT Klaim Program Deradikalisasi Berhasil 100 persen", nasional.kompas.com, 22 May 2018. The three recidivists, according to Suhardi, were Sunakim, perpetrator of the so-called Thamrin attack in Jakarta in January 2016; Juhanda, who threw a grenade at a church in Samarinda, East Kalimantan in November 2016, and Yayat Cahdiyat, involved in a bombing in Bandung in February 2017.

3 Arif Budi Setyawan, "Cerita Residivisme Pelaku Terorisme," ruangobrol.id, 24 April 2020.

4 Information from Corrections Directorate on convicted terrorists released after completing their sentences, 2002 through May 2020 as conveyed in interview, Jakarta, June 2020.

5 One well-known non-Islamist example is that of a man named Leopard Wisnu Kamala who between July and October 2015 placed four bombs around Tangerang, a Jakarta suburb, including at the Alam Sutera Mall, in an effort to extort money.

6 Prianter Jaya Hairi, "Konsep dan Pembaruan Residivisme dalam Hukum Pidana di Indonesia," Pusat Penelitian Badan Keahlian DPR RI, 1 November 2018. Recidivism generally entails increased punishment.

7 IPAC does not include in its tally of recidivists those Indonesians who were first arrested outside Indonesia for terrorist offences and who then were arrested or killed after their return to Indonesia in connection with terrorist activities. One example would be Ahmad Sayid Maulana, first arrested in Sabah, Malaysia under the Internal Security Act in 2003 while returning to Indonesia from training in Mindanao. He was released and returned to Indonesia in 2008, only to get involved in the Aceh camp. He was killed in 2010 in a police operation to track down camp fugitives.

part in a May 2018 uprising in the detention centre of the Mobile Police Brigade (Brimob) and the inmates who in 2016 arranged to steal guns from a weapons depot inside their prison with the intention of sending them to extremists in Poso, Central Sulawesi.

Together the individuals in these categories total 94, which then as a percentage of the 825 tried and released produces a recidivism rate of 11.39 per cent.

**Table 1: Categories of Recidivists/Re-engaged 2002-2020**

No	Category	N=
1.	Tried for a second terrorist offence after being convicted and released for an earlier terror offence.	68
2	Re-engaged in terrorism after release and then killed in police CT operations	6
3	Went to Syria or joined another jihad after conviction and release for a terrorist offence	7
4	Tried for a second terrorist offence committed in prison while serving a sentence for a first terrorist offence	13
<b>TOTAL</b>		<b>94</b>

It is important to note that this figure undercounts the true numbers of people who pass through Indonesians prisons only to join extremist organisations after their release. For example, the pool of 825 only involves prisoners whose first offence was terrorism. It does not include ordinary criminals recruited by extremists while in prison who may have been first convicted for theft or drugs but who then joined their new friends for a jihad operation after their release and were then arrested on terrorism charges. Between 2002 and 2020, 44 men were arrested in this way. They deserve a separate study, but details on their backgrounds and first offence are often too sketchy to do a proper analysis. While they are not included among our 94, we have nevertheless included a brief section on them in this report, because the phenomenon of criminals radicalised in prison so frequently comes up in discussions of recidivism.

Of the group of 94 examined here, all are men. Women extremists only began being arrested in significant numbers in 2018, and none of the handful arrested and released before that have committed a second offence. (See forthcoming IPAC paper “Extremist Women Behind Bars in Indonesia”.) In terms of geographic origin, Java and Sulawesi together account for more than 80 per cent of the cases, with Sumatra, Sumbawa and Maluku making up the rest (see Appendix 1, Figure 1). Most were in their peak years (mid-20s and 30s) when they were released and committed their second offence within three years.

### III. WHY FORMER PRISONERS RETURN TO EXTREMISM

What prompts these men to risk all and return to terrorism after serving time in prison? The factors can be both personal and ideological, but some interesting patterns emerge from the group of 94. Family, status and reputation and the availability of an ideologically attractive movement to join can combine to exert a powerful pull.

#### A. Personal Factors

The personal factors appear to be often linked to status and desire for acceptance, though the evidence is mostly anecdotal. In several cases, the released prisoner found himself suspected by his old comrades of “singing” to police during his incarceration and wanted to prove he was still clean. The easiest way to do this was through taking part in a jihadi action. This was reportedly the motivation of Bagus Budi Pranoto (Urwah) for re-engaging with Noordin Top in 2009, two

years after his release. It is also a factor mentioned by a former prisoner in an article describing seven of his friends from prison who returned to extremism.<sup>8</sup>

A second factor may be the presence at home after release of radical family members who can put pressure on the newly released son, brother, or husband (and perhaps in the future, wife or daughter) to return to violent extremism. Here the data are spotty but there are several cases. Arman Galaxi, for example, spent more than ten years in prison for his role in the 2002 Makassar bombing. He went home in 2013 to a wife who was deeply engaged in pro-ISIS activities with former members of Laskar Jundullah. Within two years, he had left for Syria. In the case of another convicted Makassar bomber, Anton Labbase, who had not been particularly hardline in prison, it was his father who pressed him back into service for MIT once he got out. Darwin Gobel, a Poso recidivist, was also under pressure from his father.<sup>9</sup> Several other released prisoners had wives who were as hardline as they were, if not more so.

Status can also be an issue, especially for those who are built up in prison as leaders of the hardline “rejectionists” and either want to maintain that status after their release or are expected by their followers to do so.<sup>10</sup> Ustadz Yasin, arrested for the third time on 2 September 2020, would fall in this category.<sup>11</sup> This observation corresponds with IPAC’s findings that 38 men out of the 94, or 40 per cent, had been ranked as “highly ideological” by prison authorities, using a rough index of high, medium and low to assess ideological commitment of terrorist inmates (See Appendix 1, Figure 8).<sup>12</sup> Those ranked “high” refuse to take part in any prison activities, have made a concerted effort to radicalise other prisoners and refuse to request remissions or conditional releases on the grounds that to do so would be acknowledging the legitimacy of a non-Islamic legal system. Those ranked “medium” refuse some activities but not all and maintain close ties to the ideologues; ten men among the 94 fell in this category. Those ranked “low” generally take part in all activities from flag-raising to Friday prayers in the prison mosque. A high level of ideological commitment may lead former prisoners back to extremism especially when another factor is present: the availability of a movement that exerts a strong ideological pull.

### B. *The Case of Asrak from Bima*

One striking case that combines several of these factors is that of Asrak, from Dompu, Bima. Born in 1986, he was first arrested at the age of 25 in 2011 for his involvement in a siege at a radical boarding school, Pesantren Umar bin Khattab (UBK) where a teacher accidentally killed himself making a bomb. Asrak had been a member of the municipal police (*pamong praja*) but left after he began to attend study sessions of Jamaah Ansharul Tauhid (JAT) where police were portrayed as anti-Islamic oppressors. He became more radical after marrying a woman from a

8 Arif Budi Setyawan, op.cit.

9 “Darwin Gobel dan Residivisme Mantan Napiter,” PAKAR, 23 April 2020, <https://www.radicalismstudies.org/wp-content/uploads/2020/04/Darwin-dan-Residivisme-Mantan-Napiter.pdf>.

10 Arif Budi Setyawan, op.cit

11 Sutomo bin Sudarto alias Ustadz (teacher) Yasin was born in Semarang on 5 July 1965. He studied both accounting and architecture after high school but never got his university degree. He was one of the first JI teachers to be sent to Poso in late 2000 as part of the “Uhud Project” under the direction of senior JI leader Abu Tholut, designed to build a mass base in the Poso-Palu area through religious outreach (*dakwah*). While teaching at the al-Amanah pesantren there, he worked as a religious broadcaster and sold clothes for a living. He was wounded in a clash in Poso between JI supporters and police on 22 January 2007 and turned himself in. He served most of his subsequent five-year sentence in Palu, where he systematically recruited and radicalised ordinary criminal offenders. He was out in a few years and established two pesantrens in the Poso area, both called Darul Anshar, that became centres of extremist teaching. In 2012 he was arrested again and sentenced to four years for support of Santoso’s armed group in Poso. He was released in 2016, by then a committed ISIS supporter, and continued to use his schools as centres for recruitment and radicalisation. He was arrested again on 2 September 2020.

12 IPAC interviews, staff of Corrections Directorate, Ministry of Law and Human Rights, May 2020, Jakarta.

radical family who had graduated from a JI-affiliated boarding school for girls, Maratus Sholihah, in Bekasi, outside Jakarta.<sup>13</sup> Several of her siblings taught at the UBK school, and the man who blew himself up was her brother-in-law. Another brother-in-law joined MIT in Poso and was killed there.

For his role in the UBK siege, Asrak was sentenced to three years and six months. While he was in prison, in 2014, yet another of his wife's brothers-in-law was killed by police at the family home under disputed circumstances.<sup>14</sup> Asrak was initially placed in Tangerang prison where several other UBK prisoners were held, including the leader of group, Abrory, who was the head of the UBK pesantren. Abrory, an extremist ideologue, was eventually transferred to a maximum security prison on Nusakambangan after he began radicalising other inmates. Asrak himself was transferred to a different prison in the Nusakambangan complex where he came under the influence of a radical inmate from Cirebon named Yadi al-Hasan. Yadi persuaded him to take the oath of allegiance to Abubakr al-Baghdadi, the ISIS leader, and by the time Asrak was released in November 2014, he was a committed ISIS supporter.

Asrak returned to Bima where he was treated as a hero by other JAT members – now transformed into the pro-ISIS organisation JAD – for having demonstrated his commitment to jihad by never cooperating with authorities or requesting early release. At the same time, he showed little inclination to follow in the footsteps of JAD members who had gone to fight in Poso or attacked local police. Instead he focused on religious study through JAD meetings at the Istiqomah Mosque, a known gathering place for extremists in Bima's Penato'i neighbourhood. He had clearly re-engaged, because in addition to the meetings, he took part in outdoor fitness training and taught martial arts to JAD recruits, but initially, he went no further.

Then in April 2018, the spokesman for ISIS Central exhorted supporters to disrupt Iraq's election and warned that voting centres and voters would be the "target of our swords."<sup>15</sup> ISIS supporters in Bima decided this meant they should disrupt Indonesia's April 2019 election, too.<sup>16</sup> Asrak and his friends stepped up their training and found a firearm that had belonged to one of his wife's late brother-in-laws, with the aim of carrying out an anti-election plot.

A month before the election, however, the widow of MIT's leader Santoso, a young Bima woman named Jumiatur, was released from prison after serving a short sentence for having been one of Indonesia's first female combatants in Poso. Asrak offered to marry her as his second wife. She accepted, and they were married in April as the national election was taking place. Plans for an attack were put on hold, briefly, while the newlyweds had a honeymoon and Asrak went to Poso to retrieve Jumiatur's young daughter. Before they could proceed further with plans for an attack, Detachment 88 arrested Asrak for the second time. He was sentenced to five years in prison in May 2020.

Many factors were likely involved in Asrak's re-engagement with extremism, although IPAC could not interview him directly to ask. His family, and particularly his first wife, would likely have been a stimulus, not a deterrent, to rejoining the group, especially with the deaths of three relatives to avenge. It is unlikely that Santoso's widow, Jumiatur, would have accepted the offer of marriage from a known extremist if she herself did not want to continue her first husband's fight. The status question was also likely a factor, given Asrak's warm reception by his former comrades as someone whose legitimacy was enhanced by his time in prison. And he was released

13 For more on the school, see its Facebook page, <https://www.facebook.com/amsbekasi/>. The founder, Yusuf Irianto, an alumnus of the al-Mukmin pesantren in Ngruki class of 1980-81, left for Syria to join ISIS in September 2015.

14 Police, who were conducting a larger operation to round up terrorist suspects in Bima, said Nurdin was getting ready to throw a bomb; his family said he was praying. "Sempat Lempar Bom Nurdin Tewas Saat Disergap Densus 88, tribunews.com, 21 September 2014.

15 Borzou Daragahi, "Iraq's Looming Election Has ISIS Spooked," *Atlantic Monthly*, 10 May 2018.

16 IPAC telephone interview with police official, Jakarta, 15 May 2020.

from prison just as ISIS was exerting its strongest pull on supporters around the world to join the new caliphate. Under the circumstances, it would have been hard for Asrak to pull back, even if his initial reluctance to join in violence immediately after his release might have been a tiny opening for a determined mentor and disengagement counsellor to build on, had one been available.

### *C. The Revealing Nature of the Second Offence*

The first crimes of the Indonesian recidivists do not fall into any obvious pattern. They cover most of the major terrorist acts that Indonesia has experienced, including the first Bali bombing, the 2002 Makassar bombing, the 2004 explosion in Cimanggis, and the 2004 Australian embassy bombing as well as a host of failed and foiled terrorist plots, fund-raising robberies and attacks in Ambon and Poso.

The second offences, however, fall into three large clusters: support for the Mujahidin of Eastern Indonesia (Mujahidin Indonesia Timur, MIT) in Poso; involvement in the 2010 Aceh training camp; and pro-ISIS activities. These three clusters account for 85 per cent of the repeat offences (Appendix 1, Figures 4 and 5).

The clusters become clearer if we look at when the second offences were committed (Appendix 1, Figure 6). The spikes are in 2010, the year the Aceh camp was started, broken up and produced a wave of actions in revenge; 2014, as MIT in Poso, founded two years earlier, proclaimed itself the armed force of Islamic State in Indonesia; and 2016 to 2018, the peak period for hijra to Syria and for waging war at home as travel to Syria through Turkey became more difficult. The fact that there were only four cases of recidivism before 2010 can be explained at least in part by the fact that there was no strong pull factor between the Bali bombs and the Aceh camp. Jemaah Islamiyah did not produce many recidivists, except for local recruits in Poso, and many of those getting released before 2010 were JI. Noordin Top, head of a JI splinter group, was active but the people he attracted were either fugitives or new recruits – they were mostly not people who had spent time in prison. Urwah, mentioned above, was an exception.

## **IV. THE THREE CLUSTERS: POSO, ACEH AND ISIS**

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The three clusters of Poso, Aceh and ISIS all represent a powerful triple whammy: a powerful concept; the possibility, indeed the obligation for physical training or battle; and backing by influential clerics. In an ideal world, officials would always be one step ahead of the next big ideological idea to come along. In practice, they have their hands full taking care of the last one.

### *A. Poso*

Poso clearly stands out as a problem area. Of the 21 cases where the first offence was Poso-related, 16 men or 76 per cent committed their second offence also in relation to Poso, (for example, helping with supplies for MIT) even though only half were actually from the area (10 of 21).

There are several possible explanations for why the temptation to return to fight in Poso is so high. Poso is the only place in Indonesia where a territorially-linked jihad has taken place continuously since 2000.<sup>17</sup> It thus has taken on a symbolic significance out of all proportion to

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<sup>17</sup> Poso was the site of conflict between Muslim and Christian communities from 1998 to 2001, with the most intense fighting taking place in 2000-2001, which is when extremist organisations arrived there: Jemaah Islamiyah, KOMPAK, Laskar Jundullah and factions of Darul Islam from West Java/Banten and Makassar. A peace agreement known as the Malino Accords ended the communal fighting in 2001 but the local affiliates of JI and KOMPAK continued terrorist attacks on Christians.

its size. From 2000 to 2007, when JI and its local affiliate in the neighbourhood of Tanah Runtuh were the paramount extremist groups, Poso was also seen as a “secure base” for the broader struggle for an Islamic state, a place that could serve as the nucleus of an Islamic community and which had the potential, in the form of abandoned plantations, to replace Malaysia as JI’s economic base. At the same time, many in the local Muslim community saw Poso as the site of unfinished business, where the peace agreement’s promised justice and prosperity was not delivered and where the desire for vengeance for lives and property lost was still high. A major clash with the police in the streets of Poso city in January 2007 brought an uneasy peace for two years, and JI itself decided from that point on to cease conducting any form of violent jihad on Indonesian soil, a decision it has stood by to this day. Abu Bakar Ba’asyir’s Jamaah Anshorul Tauhid (JAT), founded in 2008, opened a branch with a military wing in Poso in late 2009, drawing in many ex-JI, and after the collapse of the Aceh camp in 2010, JAT-Poso stood ready to further the aim of a regional training centre that would again be a secure base for an Islamic state. It was the military wing of JAT-Poso, led by Santoso, that developed into MIT in late 2012 or early 2013.<sup>18</sup>

The Poso recidivists among the group of 94 represent three groups: pre-2007, post-Aceh to the emergence of ISIS (2010-2013), and pro-ISIS (2014-2020). For each, Poso represented an attractive ideological cause, but in many cases there also would have been strong personal reasons to re-engage, including peer pressure.<sup>19</sup> On 15 April 2020, two former prisoners arrested for involvement in MIT were killed by police after rejoining MIT almost immediately upon their release. Amirudin alias Aco Gula Merah, had been released in 2018 after serving a six-year sentence; Darwin Gobel was released in 2019 after serving a two-year sentence. He was 19 at the time of his death.

Under the circumstances, the surprising fact is not how many became repeat offenders but how many more decided to disengage.<sup>20</sup>

### B. *Lessons from the Aceh Camp*

The constellation of recidivists around the 2010 Aceh training camp, like Poso, looms large both as a first and second offence among recidivists. Many people who had never been arrested before were caught and prosecuted for having taken part in this training camp that organisers hoped would bring all extremist groups in the country together and serve as the nucleus of an Islamic community. More than 100 people were arrested after the camp was discovered and broken up by police in early 2010. It also, however, exerted such an attraction that 15 ex-prisoners (12 arrested for terrorism and three former criminal offenders), including those who had been model inmates and fully cooperative with prison authorities, were willing to take part. Participation in the Aceh camp thus became the second offence that turned them into recidivists.

In the Aceh case, the powerful idea was *jihad tamkin*. As conceived by Jordanian scholar Abu Muhammed al-Maqdisi, then translated and promoted by Aman Abdurrahman, it was a rejection of indiscriminate bombing against the enemy in support of a more strategic approach that saw jihad in the service of Islamic governance. Noordin Top and his bombing of luxury hotels in Jakarta achieved little, because he only aimed at creating fear, whereas Indonesian

18 For more on this period see International Crisis Group, “How Indonesian Extremists Regroup”, Asia Report No.228, 16 July 2012, pp.6-8.

19 Seven of the first-offence Poso cases were carried out by members of Jamaah Islamiyah or its local affiliate in Poso’s Tanah Runtuh neighborhood in the period up to 2007, including several arrested in connection with the January 2007 clash. Only three of the men were Poso natives, but all committed their second offence there, several almost as soon as they got out.

20 Julie Chernov Hwang, Rizal Panggabean and Ihsan Ali Fauzi, “The Disengagement of Jihadis in Poso, Indonesia,” *Asian Survey*, Vol.53, No.4, pp.754-777, 2013 and Julie Chernov Hwang, *Why Terrorists Quit: The Disengagement of Indonesian Jihadists*, Ithaca, NY, 2018.

militants, Aman argued, should be working to establish a community that could enforce Islamic law. Where better than in Aceh, which since 2001 was the only province in Indonesia allowed to apply some aspects of *shari'ah*?<sup>21</sup> The idea came at a critical time, as the Islamic State in Iraq (ISI) of Abu Mus'ab Zarqawi was moving in just this direction. It had the support of Indonesia's best-known ideologues – Abu Bakar Ba'asyir, who was willing to use his network for fund-raising, and Aman himself – and one man whose militant credentials were second to none: Dulmatin, one of the Bali bombers, who had secretly returned from Mindanao in 2007. It was a collective enterprise, involving virtually every salafi jihadi organisation in Indonesia except for JI.

### C. *ISIS and the Syria Conflict*

The establishment of a new caliphate in Syria and Iraq was biggest idea of all, one that constituted a huge draw for Indonesians, including for former prisoners. It was backed not only by leading clerics like Ba'ashir and Aman Abdurrahman but also by Islamic prophecies. The conflict in Syria heralded the Islamic Armageddon, the final battle at the end of time, *al malhamah qubra*, in which Islam would be victorious, and Islamic State was the caliphate of the Prophet, *khilafah ala minhajul nubuwah*, that would then appear. At such, it exerted a powerful pull, including on prisoners just out or due to be released, as well as on prisoners released long before.

There was also the pull of what ISIS propaganda portrayed as a functioning Islamic state where Islamic law was fully and perfectly applied. This was also a powerful attraction, particularly for families with children.

Of the 94, 43 were linked to pro-ISIS activities, including the cases of the 13 men arrested for committing crimes in prison. Twelve tried to join jihads overseas. Of these, three were arrested trying to join pro-ISIS groups in the Philippines (one arrested in central Mindanao, two in Malaysia trying to leave for Mindanao from Sabah). One, Hari Kuncoro alias Uceng, was arrested in Indonesia after being stopped at the airport in 2019 trying to leave for Afghanistan. The others tried to leave for Syria and five successfully did so. Of those four were killed and the fate of one, Dr Syarif Usman, remains unknown.<sup>22</sup>

Those who elected to stay in Indonesia and wage war at home engaged in a wide range of crimes as their second offence, from attacks on police to bomb plots. Of the 38 men with “high” ideological commitment according to the correction officials' index, 26 were involved in pro-ISIS crimes as their second offence.

## V. THE CRIMINAL CASES

As noted above, the Corrections Directorate's list of 825 only includes those tried for terrorism offences and released. It does not include those whose first offence was an ordinary crime, and they are therefore not included in the group of 94. But the 44 men who were arrested first for a criminal offence, often drugs or petty theft, who then went on to become radicalised in prison, are still worth noting. The data are incomplete, mostly because in many cases we lack detailed information about the nature of their first crimes. Arrests for minor drug offences, motorcycle thefts, or purse-snatching are not newsworthy, and it is often only possible to even know about first offences in the context of material that comes out at trials for the second crimes. Generally, however, they become drawn to the extremist side because of appeals to repent; availability of more resources among the terrorists; or appreciation on the part of the latter for criminal skills,

21 For more on the background to Aceh, see International Crisis Group, “Jihadi Surprise in Aceh,” Asia Report No.189, Jakarta/Brussels, 20 April 2010.

22 Those killed were Abdul Rauf, Syaiful Bahri alias Apuy; Arman Galaksi, and Sholeh.

access to weapons and familiarity with violence.

Until communications and movement of convicted terrorist inmates was substantially tightened in 2017-8, intermixing of terrorists and criminals was common, with radicalisation of some of the latter a frequent result. Association with the terrorists could provide protection and status, particularly for a group of ordinary criminal offenders known as “lost children” – those never visited by family members, with no access to extra food, cash or cigarettes that other prisoners receive and that are vital to survival inside poorly resourced prisons.<sup>23</sup> When the hardcore extremists in the maximum security prisons on Nusakambangan island were moved to single-occupancy cells in 2018, they left behind many ordinary criminals who had joined them and who were now in a position to recruit others. This means, among other things, that radicalisation in prison takes place not just from terrorists to criminals but from radicalised criminals to other criminal inmates.

Suherman alias Herman is one case of a “lost child.” A Cirebon man born in 1987, he was given a sixteen-year sentence in 2007 for killing a mosque watchman in a fit of rage when the watchman tried to stop him cuddling his girlfriend. He was released in 2014 but re-arrested in 2018 for several pro-ISIS activities. In prison, Herman had been taken under the wing of the extremists arrested for their role in the 2011 bombing of the Cirebon police mosque. Herman had begun to study religion anyway, believing it could help him control his emotions. With the arrival of the Cirebon group, he not only had new teachers, he had something approaching a new family. They introduced him to writings and audio lectures of Aman Abdurrahman and he became a committed follower. After he was released, he joined JAD Cirebon and in 2016 swore an oath of allegiance to Abubakr al-Baghdadi. The same year he married a radical widow who was the elder sister of a JAD Cirebon member from Brebes named Rajendra. In May 2018 after the uprising at Brimob headquarters, Herman wanted to heed the call from ISIS Central to assist the detainees in the prison takeover. He joined his brother-in-law and another JAD member, then travelled to Tasikmalaya where they joined a JAD group there in preparing Molotov bombs to aid the rioting inmates. Police got wind of the plan and arrested several of the plotters but Herman and Rajendra got away. As fugitives, they stepped up attacks, hacking a policeman in Brebes with a machete on 11 July 2018, then attacking two traffic police on 22 August 2018, killing one. Rajendra and another friend were tracked down and killed by police. Herman was eventually captured, tried and sentenced to death on 13 October 2019.<sup>24</sup>

Others like Herman who are released after being radicalised have a high potential for recidivism, but they will likely not be monitored closely – or be included in the government’s recidivism statistics.

## VI. PLANNED RELEASES IN 2020 AND 2021

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By the end of 2020, more than 120 convicted terrorists will have been released. Of these, most will be released from the prison system under the direction of the Corrections Directorate, but this does not include many convicted prisoners in police custody at Jakarta Metropolitan Police Headquarters (Polda Metro Jaya) or Cikeas, the remand centre south of Jakarta which houses some recently convicted prisoners. In 2021, over 150 are due for release from the prison system,

23 See IPAC, “Update on Indonesian Pro-ISIS Prisoners and Deradicalisation Efforts,” Report No.34, 14 December 2016, pp.9-11.

24 Death sentences for terrorism are relatively rare. Three of the Bali bombers were judicially executed in 2008, and three other prisoners remain on death row: Ahmad Hasan and Iwan Dharmawan alias Rois, involved in the second Bali bombing in 2005, and Aman Abdurrahman, accused of having masterminded the 2016 Jakarta attack from his prison cell. IPAC is opposed to the death sentence as a matter of principle and believes all these sentences should be commuted to life in prison.

again not counting those in police custody. (There are some slight discrepancies between IPAC and government figures due to differences in definition or calculation in some cases, but they are not significant.)

If we look at the number of convicted terrorists due for release in 2020-2021, 83 were arrested in 2018 or later, with most getting two- or three-year sentences. When asked why they even bothered with expensive prosecution and trial procedures if many of the suspects were going to be released within two years or less, one police officer said, “This way we have control over them, even for a short time, so we have a possibility to change them.”<sup>25</sup> There is no system in place, however, for an evaluation of whether any change has taken place.

The short sentences reflect the increasing tendency, especially since the new anti-terrorism law went into force, of police making what they call “preventive strikes”, arresting individuals involved in extremist organisations who have not committed violent acts. They may have taken part in activities such as outdoor fitness training, disseminating ISIS propaganda, hiding a fugitive, or playing a minor role in helping arrange travel to Syria. In one case, a newly released but high-risk prisoner – already a recidivist – was re-arrested, tried and given a one-year sentence, simply for having been in contact with former JAD friends. The re-arrest hardly seems worth it.

BNPT programs are largely ineffective, partly because they mostly draw in prisoners who have already decided on their own to disengage (if indeed they ever used violence in the first place). In one study of released prisoners, mostly from JI, personal factors such as the birth of a first child, disillusionment with leaders or tactics, and individual cost-benefit analyses were found to be more important than any government interventions.<sup>26</sup> For some of the more ideologically-inclined pro-ISIS prisoners, exposure in prison to arguments developed by al-Qaeda clerics against ISIS have been persuasive, if delivered through appropriate channels. Some astute police officers have also exploited divisions within extremist groups to woo one set of inmates away from the rest.

The BNPT programs are voluntary, and many prisoners are not interested. They also focus more on instilling loyalty to the Indonesian state than on giving prisoners, while still in detention or after release, new goals, marketable skills or access to new networks. In 2018, of 630 released prisoners eligible for post-release programs, only 325 elected to take part.<sup>27</sup> These were the men and women who had signed an oath of loyalty to the NKRI. The problem is that just as BNPT and some local initiatives – often better focused, with better knowledge of the economic and political context – try sporadically to help, extremist organisations target the same individuals, offering assistance and trying to ensure their ideological commitment stays high. These organisations include the 1,000 A Day Movement (Gerakan Sehari Seribu, GASHIBU), the Alif Centre, the Anfiq Center and other organisations that raise money online or in mosque meetings to help detained or just-released extremists, thereby creating a moral debt.

Anfiq Center is a case in point. It was founded by ISIS supporters from Solo and managed by Alfandy Suko Andrenanto, son of a convicted terrorist serving his sentence in Pasir Putih, one of Nusakambangan’s maximum security prisons. Anfiq ran many programs, including a house in Cilacap (the nearest city on the mainland of Java to the prison complex) for relatives of detained extremists, where they could stay overnight before going to visit family members, and a van service, Samudera Travel, to assist them with transport to and from their homes. In addition, Anfiq provided families with small amounts of cash assistance, about Rp.500,000 (US\$34) a month; helped pay for medicines if family members became ill; helped with expenses for celebrations at the end of the fasting month; and occasionally helped with small amounts of

25 IPAC interview with police officer, Jakarta, 19 May 2020.

26 Julie Chernov Hwang, *Why Terrorists Quit: The Disengagement of Indonesian Jihadists*, Ithaca, 2017, pp.50-78.

27 “Dari 630 eks napiter, baru 325 mengikuti program deradikalisasi,” merdeka.com, 26 May 2018.

capital for micro-business projects. Given the attention paid to the families by these pro-ISIS humanitarian organisations, it is small wonder that in many cases, BNPT and local NGOs looked ineffective by comparison.

The question for Indonesian authorities is whether changing procedures – more draconian detention regimes and shorter sentences – will have any impact on the recidivism rate. It would be worth setting up a study now within the Corrections Directorate to collect data.

## VII. CONCLUSIONS: PREVENTING RECIDIVISM

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It is important to underscore that while recidivism is a bigger problem than BNPT has been willing to admit, it is not as big as many in the public or even in the police assume. Almost 90 per cent of prisoners convicted of terrorism will *not* commit a second offence after their release. This paper suggests that some of the factors involved for those who do is the radicalism of their immediate family members; their ideological commitment and status in prison; and the availability of a movement once they are out to join that combines a powerful idea with the opportunity for action.

Of these factors, there is little that authorities can do about the last, but the first and second have more possibilities. One suggestion from a detained terrorist is that if the family is known to be radical, the individual in question should be detained in a prison as far away from the family's home as possible, but this could just encourage extremist charitable organisations to come to the rescue with funding for visits. A better strategy, which is already being applied in some areas, is for prison authorities to get to know family members who come for visits and see if there are any opportunities for identifying needs or opportunities – such as the offer of medical assistance to a sick child – that might prompt a change in attitude. If prison officials notice an opening in the case of a hitherto hardline inmate, they can offer longer visits or more opportunities for communication as an incentive to cooperate. These efforts tend to be ad hoc, however, and depend on the skills, experience and interest of individual prison staff in their charges. At the very least, the organisational affiliations of an inmate's immediate family should be mapped while the prisoner is still in custody so that scarce monitoring resources can be better deployed once an inmate with known radical relatives is released.

On the issue of ideological commitment, there may be scope for a more systematic counselling program, using texts that directly challenge ISIS arguments with targeted discussions led by clerics with religious credentials seen as legitimate by the inmates in question. Such initiatives take place now, but more on an ad hoc basis, and often only after a prisoner has given some indication of openness.

The limited number of geographic areas that produce recidivists suggests the need for a more focused set of rehabilitation activities, targeted in particular areas. Particular resources need to go to into building a different pattern of police-community relations in these areas, since distrust of police runs particularly high in known radical neighbourhoods.

One of the most important tasks is to closely monitor the activities of the men and women arrested in 2018 under the letter or spirit of the new anti-terrorism law whose sentences are now coming to an end. It will be important to assess whether after such short sentences, the released prisoners are coming back more ideologically committed, less committed or the same as when they went in. If incarceration produces no positive change, then it might be worth considering non-custodial sentences, but with reporting requirements, for relatively minor and non-violent crimes.

Finally, as professional capacity increases within Detachment 88 to monitor social media, it will be important to look for signs of the next big attraction, ideologically or geographically, although the appeal of ISIS, even if on the wane, is not going to disappear any time soon.

## APPENDIX 1

Figure 1: **RECIDIVISTS BY AREA OF ORIGIN (2002-2020)**

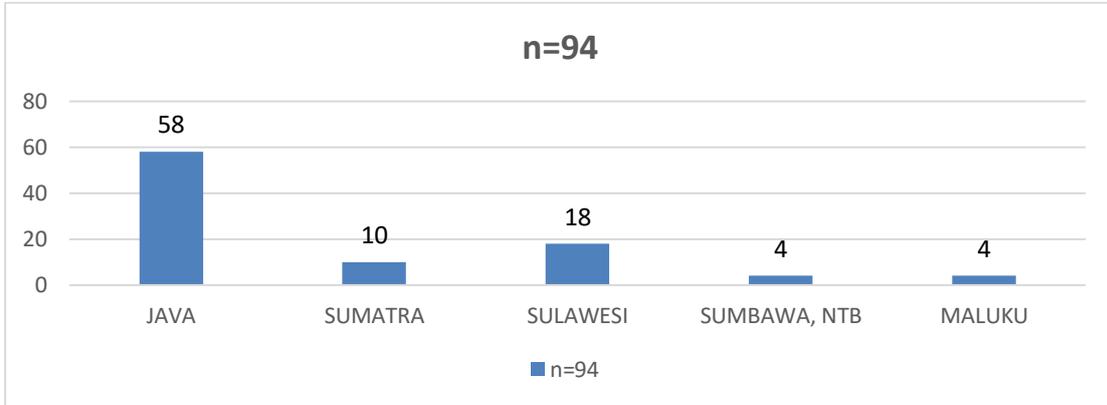


Figure 2: **LENGTH OF FIRST SENTENCE FOR RECIDIVISTS**

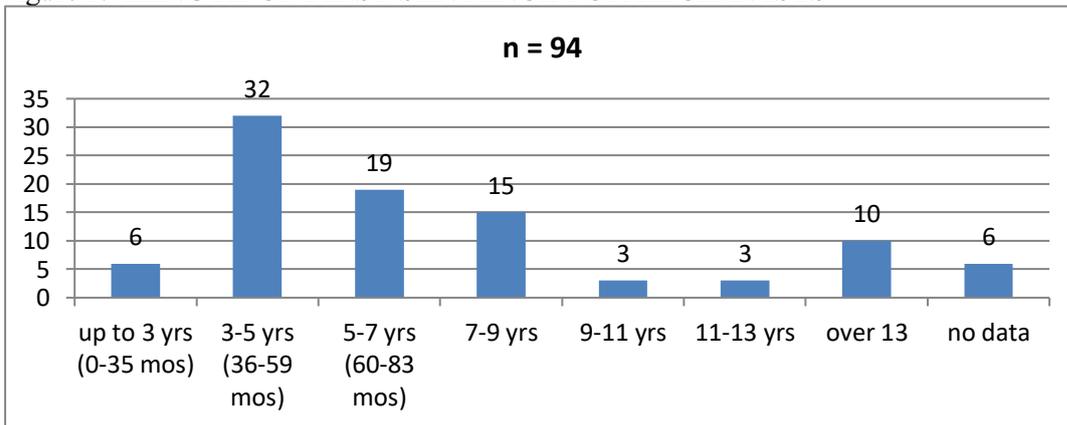


Figure 3: **AGE AT RELEASE FROM PRISON AFTER FIRST OFFENCE**

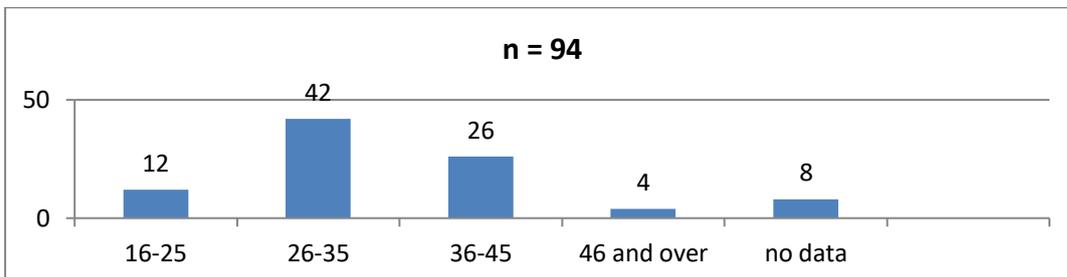


Figure 4: NATURE OF 1<sup>ST</sup> OFFENCE

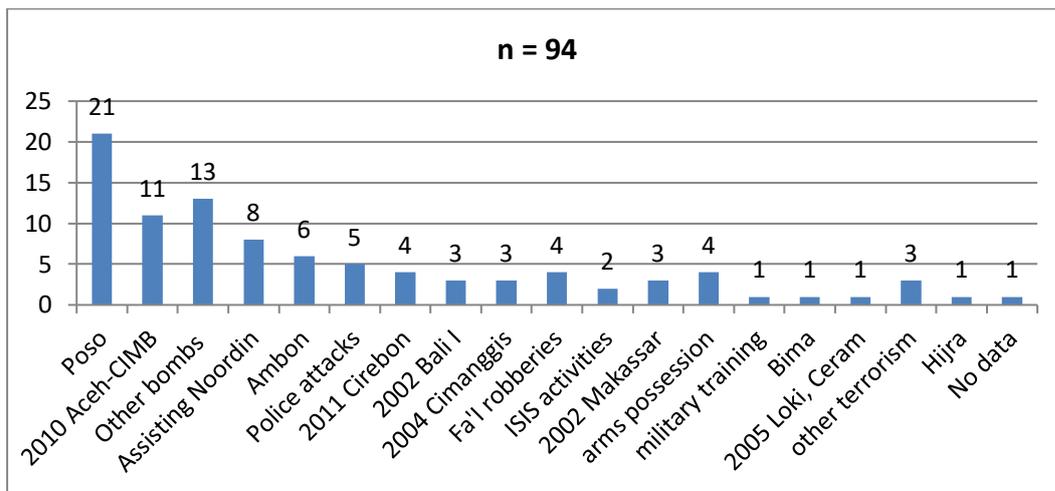


Figure 5: NATURE OF 2<sup>ND</sup> OFFENCE

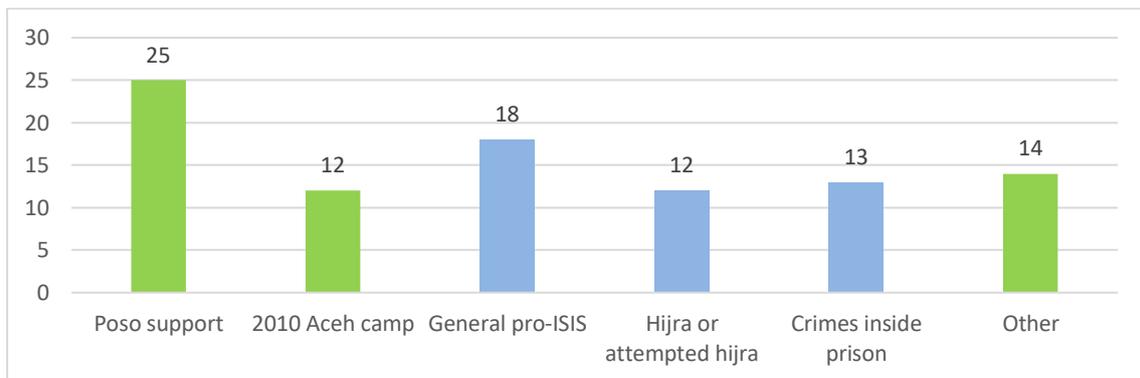
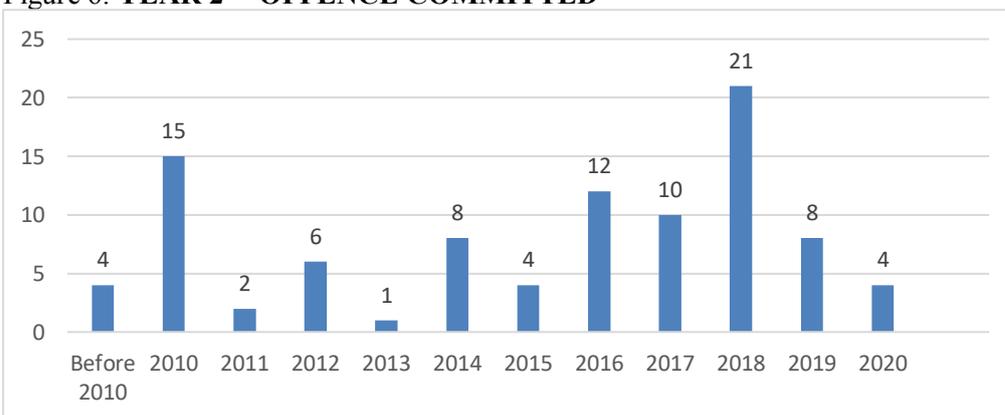
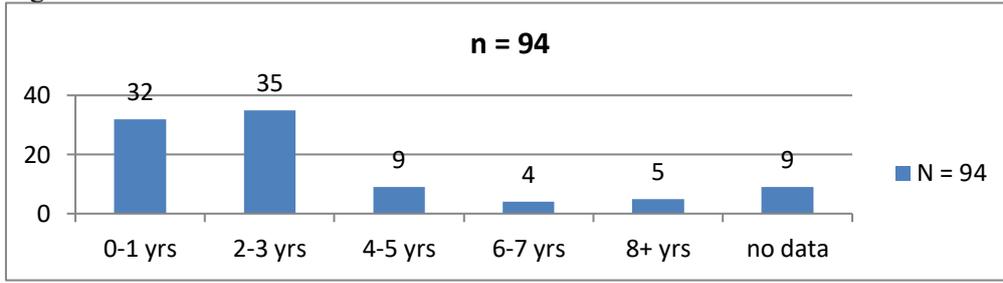


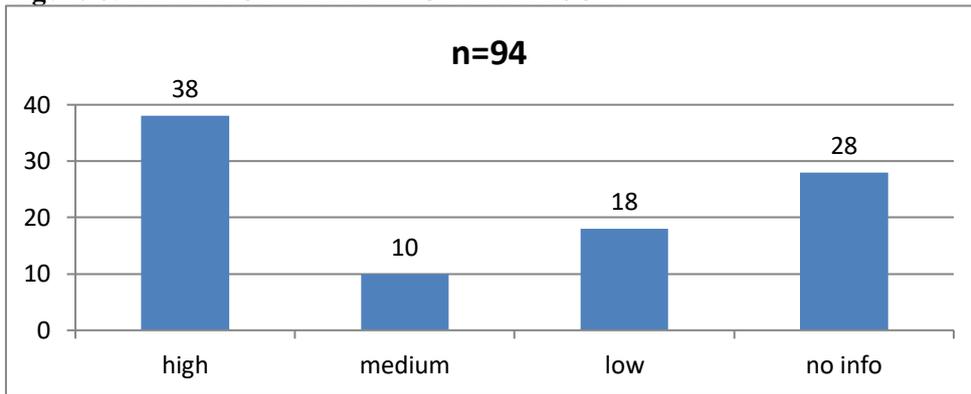
Figure 6: YEAR 2<sup>ND</sup> OFFENCE COMMITTED



**Figure 7: LENGTH OF TIME BETWEEN RELEASE AND COMMISSION OF 2<sup>ND</sup> OFFENCE**



**Figure 8: LEVEL OF MILITANCY IN PRISON**



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