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Statement by Commissioner General Boy Rafli Amar, Head of the National Counter Terrorism Agency, Indonesia

Second United Nations High-Level Conference of Heads of Counter-Terrorism Agencies of Member States

Breakout session B: Demands of a new decade and strengthening a criminal justice response to countering terrorism

29 June 2021, 3 – 4:30 p.m.

Ms. Ghada Fathi Waly, Under Secretary-General and Executive Director, UNODC,
Distinguished Speakers,
Ladies and Gentlemen.

Good afternoon to you all.

It is an honour for Indonesia to speak at this Breakout Session on “demands of a new decade and strengthening a criminal justice response to countering terrorism”. Allow me to share with you Indonesia’s views and thoughts on the topic at hand.

Distinguished Delegates,

According to the latest Global Peace Index 2021, although there is a slight decrease of peacefulness globally, however, it was also acknowledged that the impact of terrorism has shown signs of improvement globally. This is in line with the report of the Secretary General A/75/ 729 of January 2021, that terrorism-related attacks and deaths have declined since 2017 in most regions of the world.

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However, it was also reported that the threat posed by terrorism to international peace and security, has not diminished during the pandemic. Pre-pandemic trends in global terrorism have continued to evolve in different ways in conflict and non-conflict zones, and that the pandemic has magnified several emerging challenges.

In this regard, allow me to highlight some of emerging counter terrorism challenges faced by Indonesia against the backdrop of the pandemic, as follows:

First, the misuse of the internet for terrorist purposes.

During the pandemic, terrorist groups have maximized their on-line activities for various purposes namely propaganda, recruitment, planning, preparation, perpetration, and financing. A growing concern, is the phenomena of on-line self-radicalization from years to only months, where youth are being targeted for indoctrination. The case of a young woman, attacking the Police Headquarter in Jakarta, is a case in point. Another concern is the use of on-line platforms for terrorist financing, in particular through crowd-funding in various social-media. Indonesia's FIU have indicated an increase of suspicious transactions reports (STRs) by 101 percent during the Pandemic.

Second, the involvement of women as perpetrators. A growing number of women have served not only as supporters or recruiters of terrorism but also as perpetrators of terrorism. A study by the Soufan Center (in June, 2021) found that the trend is likely to increase within Southeast Asia. Statistically, since 2015 the number of women arrested based on terrorism charges have increased from 3 in 2015 to around 40 during 2016 to 2021.

A growing concern is the involvement of women as suicide bombers. In the last three years, Indonesia has witnessed such cases as in Surabaya (East Java), Sibolga (North Sumatera), and recently in Makassar (South Sulawesi). This is coupled with the fact that families are involved in perpetrating such acts. The term "from the backyard to the dinner table" serves as a reminder of the phenomena.

Third, the issue of recidivism.

Indonesia has reported a significant number of success rate in its deradicalization program. However, since the Bali Bombing in 2002, it was also found that 94 individuals have committed a second terrorism related crime, after having served their sentence in prison, such as joining ISIS in Syria. According to a study by the Institute for Policy Analysis and Conflict (IPAC) in September 2020, several factors are associated with recidivism, namely:

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a high level of radicalism in prison; contact with a militant spouse or other close family member who are still militant after release; and the availability of a powerful ideological concept that carries with it the possibility of collective physical action.

Fourth, the issue of FTF returnees and deportees.

Looking into the Post-Pandemic situation, where movement of people may resume, the issue of FTF returnees and their dependents, raises the concern of balancing between humanitarian and security considerations. As an example, Indonesia estimates that around 600 to 700 Indonesian nationals are placed in various camps and detention centres in North-eastern parts of Syria. It is estimated that the majority of Indonesians are women and children located in the camps in Syria. The challenge Indonesia will face focuses on the effective means for prosecution (for those having committed terrorism crimes in Syria), as well as effective means for rehabilitation and reintegration for those dependents (women and children). An effective tailored-made rehabilitation and reintegration programs, based on the needs of women and children, is a case in point.

Distinguished Delegates,

Against the backdrop of these challenges, allow me to pinpoint some of the means of Indonesia's criminal justice response, as follows:

Through the revised Anti-Terrorism Law based on Law Number 5 of 2018, with its new features of

- Criminalizing the acts of joining and supporting international terrorism, such as joining ISIS;
- Prohibiting incitement to terrorism, such as apprehending individuals inciting terrorism on-line;
- Criminalizing the acts of preparation, providing means for effective law enforcement to prevent acts of terrorism from happening; and
- Balancing between law enforcement and means for terrorist prevention through
 - National Preparedness;
 - Counter-Radicalization; and
 - Deradicalization

As mandated under the Revised Counter Terrorism Law, Indonesia also enacted Governmental Regulation Number 77 of 2019 on the Prevention of Terrorism and the Protection of Law Enforcement Officers. This specific regulation complements the existing Law in improving

the means for implementing various prevention programs, by among others, involving various stakeholders including civil society organizations (CSOs) and political figures (including Islamic Scholars or Muslim Clerics). Moreover, the Government has also enacted Governmental Regulation Number 35 of 2020, which also catered to providing better means for protection of victims of terrorism, such as through restitutions and compensation.

In complimenting the existing CT legislation, Indonesia has also passed the Presidential Regulation Number 7 of 2021 on the “National Action Plan on Preventing and Countering Violent Extremism that Leads to Terrorism”. This National Action Plan provides means for a “whole of government and society approach” in implementing specific action lines in a coordinated and comprehensive manner. The National Action Plan basically consists of three pillars, namely:

- Prevention;
- Law Enforcement, Witness and Victim Protection, and Strengthening Legislative Frameworks; and
- Partnership and International Cooperation.

Basically, the National Action Plan is aimed at mitigating the harms of violent extremism, by provision of security for the people of Indonesia, while at the same time, encompassing the principles of Human Rights, Youth Empowerment, Community Resilience, Women’s Empowerment and Gender Mainstreaming, Good Governance, Rule of Law, among others.

Distinguished Delegates,

In conclusion, in addressing the demands of a new decade for countering terrorism, through a criminal justice response, Indonesia believes that a balance should be maintained and sustained between hard and soft approach. Relying on policies geared towards law enforcement, may not bear fruitful outcome in the long-term. Means for prevention of terrorism or a soft approach needs to be furthered to achieve a long-term objective of countering terrorism. Such means are aimed at mitigating the various CT challenges, in this new decade.

I thank you.