Juvenile Offenders in Terrorism: A Criminal Law Analysis of the Indonesian Juvenile Justice System

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Abstract
This article aims to analyze how the Juvenile Criminal Justice System in Indonesia—as stipulated in Law Number 11 of 2012—responds to cases involving children who commit acts of terrorism. The analysis focuses on core principles of child protection, the application of diversion, and legal limitations in addressing offenses categorized as "extraordinary crimes." The research employs a normative approach, examining legislation, court rulings, and criminal law doctrine. The findings reveal a tension between the state's need to ensure public security and its obligation to protect the rights of children. In practice, diversion is difficult to apply in terrorism cases due to the gravity of the offenses. Nevertheless, a specialized approach—emphasizing rehabilitation, deradicalization, and the social reintegration of the child—remains necessary, without disregarding the requirements of law enforcement. This article concludes that Indonesia's legal system requires more adaptive regulations and policies for cases involving children who commit acts of terrorism. Such efforts must integrate perspectives on child protection and national security with long-term prevention strategies, including education and community-based supervision. In this way, the juvenile criminal justice system can serve as an instrument of justice that is not merely repressive, but also transformative.

I. Introduction

Terrorism is categorized as an extraordinary crime that threatens national security, political stability, and public order. In practice, terrorism is understood as the use of violence or the threat of violence by individuals or groups for political, ideological, or religious purposes, deliberately intended to instill fear in the wider society.[1].The phenomenon of terrorism is not new. History records that acts of terror have been employed for centuries, dating back to the French Revolution in the eighteenth century, when regimes used terror as a means of maintaining power. However, over time, modern terrorism has undergone transformations in its motivations, methods, and reach. In the twentieth century, terrorism became increasingly prominent through various forms of political and ideological resistance. Armed groups, separatists, and revolutionary movements frequently employed terror as a strategy to oppose states or specific parties. Its manifestations have extended beyond physical attacks to include psychological threats intended to undermine a nation's stability[2]. As globalization progressed, terrorism was no longer confined to the national boundaries of individual states but evolved into a transnational phenomenon. The September 11, 2001 attacks in the United States brought terrorism to the forefront of global concerns and attracted widespread international attention. The attacks not only claimed thousands of lives but also reshaped global security policies, leading to the emergence of the United States-led "War on Terror." In various parts of the world, numerous terrorist organizations emerged, including Al-Qaeda, the Islamic State of Iraq and Syria (ISIS), Boko Haram, the Taliban, and separatist groups that exploited radical ideologies as a means of mobilization[3].This phenomenon demonstrates that terrorism recognizes no national, racial, or religious boundaries but constitutes a universal threat.At the global level, terrorism has evolved into a transnational phenomenon involving not only individual states but also international networks with well-organized structures.

Modern global terrorism is characterized by transnational ideologies, whereby terrorist groups pursue missions that extend beyond local interests, such as establishing a state or creating a new global political order. Another characteristic is the existence of global networks that facilitate the cross-border exchange of funds, weapons, and personnel while exploiting migration flows and armed conflicts in particular regions. Furthermore, digital technology, particularly the internet and social media, is utilized as a means of propaganda, recruitment, and the dissemination of operational instructions. Given its cross-border nature, global terrorism is regarded as a threat to international security, prompting numerous states and international organizations, such as the United Nations, to establish joint policies for its prevention and eradication [4]. Indonesia is no stranger to the threat of terrorism. Terrorist

[1] Rd. Yudi Anton Rikmadani and Puguh Aji Hari Setiawan, "The Implementation of the Juvenile Justice System in Terrorism: Indonesia Case," *Jurnal Kajian Pembaruan Hukum* 2, no. 1 (January 31, 2022): 33, doi:10.19184/jkph.v2i1.27642.
[2] Bart Schuurman, "Research on Terrorism, 2007–2016: A Review of Data, Methods, and Authorship," *Terrorism and Political Violence* 32, no. 5 (July 3, 2020): 1011–26, doi:10.1080/09546553.2018.1439023.
[3] Ibid.
[4] Yernar N Begaliyev et al., "Features of Criminal Liability of Juvenile Criminals: International Legal and Comparative Analysis," *International Journal of Criminology and Sociology* 9 (2020): 1579–86.

attacks have occurred since the early 2000s, beginning with the 2002 Bali bombings, which killed more than 200 people, most of whom were foreign tourists. The attacks marked a turning point in the Indonesian government's awareness of the need to strengthen its counterterrorism regulations. Since then, Indonesia has experienced several bombing attacks, including the 2003 JW Marriott bombing, the 2004 Kuningan bombing, the 2005 Bali II bombings, and the 2016 Thamrin attack. In the Indonesian context, most terrorist attacks have been associated with the Jemaah Islamiyah (JI) network and radical groups affiliated with the Islamic State of Iraq and Syria (ISIS)[5]. Ideology, social inequality, and the manipulation of religion are among the primary factors driving the recruitment of new members.

Terrorism in Indonesia is regarded as an extraordinary crime that threatens national security, public order, and national unity. The characteristics of terrorism in Indonesia can be observed through several aspects. First, ideological and religious factors, whereby radical groups often exploit narrow interpretations of religious teachings as a means of legitimization. Second, the use of small-cell networks, which makes terrorist activities more difficult for law enforcement authorities to detect. Third, financing and recruitment activities, which are often conducted through social institutions, non-formal educational institutions, and community networks. Fourth, links to global issues, as some groups in Indonesia are affiliated with international networks, resulting in their strategies and doctrines being influenced by global radicalization trends. Furthermore, terrorism in Indonesia has also developed through a process of regeneration. Although law enforcement authorities have succeeded in dismantling certain groups, new networks frequently emerge with more covert recruitment methods, including targeting vulnerable groups such as adolescents and children[6]. Emerging terrorist networks involving children in such acts have become a new and alarming phenomenon. Children are exploited as propaganda tools, recruiters, couriers, and even perpetrators of attacks. This raises serious concerns because children are in a vulnerable position; they often have little choice and may be coerced, indoctrinated, or raised in radicalized family environments. At the international level, the Islamic State of Iraq and Syria (ISIS) provides a clear example of how children are exploited.[7]

Many children have been recruited as "Cubs of the Caliphate," trained to use weapons from an early age, and even involved in the execution of captives. In Africa, Boko Haram in Nigeria has also exploited children, particularly girls, as suicide bombers.

Cases involving children in terrorist activities in Indonesia have been documented in several incidents. One of the most tragic examples was the 2018 Surabaya bombings, in which a family, including children, was involved in suicide bombings targeting three churches. This

[5] Syamsuddin Muchtar et al., "Juvenile Criminal Responsibility in Justice Systems: A Comparative Study of Judicial Interpretations in Indonesia and Australia," *Jambe Law Journal* 7, no. 2 (2024): 371–94, doi:10.22437/jlj.7.2.371-394.
[6] Delbert S. Elliott et al., "Evidence-Based Juvenile Justice Programs and Practices: A Critical Review," *Criminology and Public Policy* 19, no. 4 (November 1, 2020): 1305–28, doi:10.1111/1745-9133.12520.
[7] Conrad Nyamutata, "Young Terrorists or Child Soldiers? ISIS Children, International Law and Victimhood," *Journal of Conflict and Security Law* 25 (2020): 237–61, doi:10.1093/JCSL/KRZ034/33654143/KRZ034.PDF.

incident revealed to the public that radicalization could penetrate the family environment and involve children as "martyrs." Furthermore, reports from the National Counterterrorism Agency (BNPT) have also documented cases of children arrested on suspicion of participating in military training in Poso, while others were recruited to disseminate radical propaganda through social media. This phenomenon underscores that children are not merely perpetrators but also victims of terrorism. They are deprived of their right to normal development, subjected to indoctrination, and ultimately brought into contact with a legal system that is not yet adequately equipped to address such complex cases [8].

The criminal justice system in Indonesia is fundamentally designed to ensure justice, legal certainty, and utility in addressing criminal offenses. However, when the perpetrator is a child, the criminal justice approach cannot be equated with that applied to adults. This is because children are considered to be at a stage of physical and psychological development, making it more appropriate to treat them as individuals who require guidance and protection rather than merely punishment[9]. This principle is reflected in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Juvenile Justice System Law), which replaced Law Number 3 of 1997. This law stipulates that children in conflict with the law must be processed with an emphasis on restorative justice and diversion. Restorative justice prioritizes the restoration of relationships between children, victims, and the community, while diversion refers to the transfer of a child's case from judicial proceedings to alternative mechanisms outside the formal court system. However, these principles face challenges when children become involved in extraordinary crimes, including terrorism. Terrorism is considered a threat to national security and public safety, prompting criminal law to demand firm and decisive enforcement. In this context, a tension arises between two competing interests: the protection of children's rights and the need to safeguard national security[10]. The Juvenile Criminal Justice System Law (Juvenile Justice System Law) emphasizes that legal proceedings involving children must prioritize restorative justice, diversion, and rehabilitation. However, when children become involved in terrorist offenses, the application of these principles becomes problematic. The state is required to impose appropriate punishment to safeguard public security, while national and international law mandate the protection of children's rights. This conflict provides an important background for research examining the criminal law analysis of the juvenile justice system in handling terrorism cases.

This research offers an original contribution to the study of criminal law in Indonesia by integrating an analysis of the Juvenile Criminal Justice System Law and the Law on the Eradication of Criminal Acts of Terrorism, specifically in the context of children who commit terrorist offenses. Previous studies have predominantly positioned children as victims of

[8] Agus Sugiarto, "TINJAUAN YURIDIS ANAK SEBAGAI PELAKU TINDAK PIDANA TERORISME TENTANG SISTEM PERADILAN PIDANA ANAK," *Jurnal Syntax Transformation* 1, no. 9 (2020).
[9] Sausan Afifah Denadin, Andi Najemi, and Nys Arfa, "Pendekatan Diversi Dalam Sistem Peradilan Pidana Anak (SPPA)," *PAMPAS: Journal of Criminal Law* 2 (2021), http://online-journal.unja.ac.id/Pampas/article/view.
[10] Muliani S et al., "Reformulasi Syarat Pelaksanaan Diversi Dalam Sistem Peradilan Pidana Anak Di Indonesia," *Jurnal Pembangunan Hukum Indonesia* 5, no. 2 (2023): 358–73.

radicalization or focused solely on aspects of child protection. This research introduces a new perspective by examining the normative tension between the principle of restorative justice for children and the extraordinary crime nature of terrorism, providing regulatory recommendations that balance the interests of child protection and national security, and presenting a comparative conceptual analysis of practices in other countries facing similar phenomena.

The urgency of this research is significant because the involvement of children in terrorism not only harms the children themselves but also threatens the nation's future. If not addressed appropriately, children exposed to radicalism may potentially become the next generation of terrorists. This research is urgently needed to provide an academic foundation for policymakers, law enforcement authorities, and child protection institutions in formulating strategies for addressing children who commit terrorist offenses that are fairer, more effective, and consistent with human rights principles. Based on these considerations, this paper is designed to address the following principal research questions:

1. How is criminal law applied to children involved in terrorist offenses within the framework of Indonesia's Juvenile Criminal Justice System?
2. How can the protection of children's rights be balanced with the interests of safeguarding national security in handling cases involving children who commit terrorist offenses?

This research aims to identify and analyze the legal position of children who commit terrorist offenses within Indonesia's criminal justice system. It also seeks to examine the application of the Juvenile Criminal Justice System to terrorist offenses, identify legal and practical obstacles in handling cases involving children who commit terrorist offenses, and provide legal policy recommendations that integrate child protection with the need to combat terrorism.

3. Research Method

This research employs normative legal research (legal research), focusing on the examination of legislation, legal doctrines, and relevant legal literature. It does not emphasize empirical field data but rather the legal framework and normative analysis of applicable regulations. This research adopts a normative-descriptive approach, as the central issue concerns the application of criminal law to children who commit terrorist offenses within the framework of Indonesia's Juvenile Criminal Justice System. The approaches employed include the statutory approach, which examines Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Juvenile Justice System Law), Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism, and other relevant provisions. In addition, the conceptual approach is employed by examining the concepts of restorative justice, child protection, and extraordinary crimes from the perspective of criminal law. A limited comparative approach is also adopted by reviewing legal practices in several other

countries concerning the handling of children involved in terrorist offenses. The research materials consist of primary, secondary, and tertiary legal materials.

4. Results and Discussion

Criminal Liability of Children in Terrorist Offenses

Criminal liability is a fundamental concept in criminal law that determines the extent to which a person can be held accountable for unlawful conduct. In the context of children, criminal liability has specific characteristics because children are considered not to have attained full psychological maturity or complete maturity in understanding the legal consequences of their actions. Therefore, Indonesian law provides different treatment for children and adults. Under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Juvenile Justice System Law), children may be held criminally liable only if they are at least 12 years old and under 18 years old at the time of committing an offense. Accordingly, children within this age range may be subject to legal proceedings if they are involved in criminal offenses, including terrorist offenses. However, the mechanisms for imposing criminal sanctions must not be equated with those applicable to adults, as they must remain grounded in the principles of child protection and the best interests of the child (the best interest of the child)[11].

Terrorist offenses, as regulated under Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism, are categorized as extraordinary crimes that carry severe criminal penalties, including the death penalty for adults. However, Indonesian criminal law imposes limitations on the punishment of children. Children cannot be sentenced to death or life imprisonment. Instead, sanctions are imposed in the form of imprisonment subject to specific maximum limits, educational and rehabilitative measures, or other rehabilitative actions[12]. The findings reveal a normative tension between the protection of children under the Juvenile Criminal Justice System Law and the demands of law enforcement under the Terrorism Law. The state has an obligation to take firm action against perpetrators of terrorism to safeguard public security while simultaneously bearing the responsibility to protect children's rights, as guaranteed by the Constitution and international conventions[13].This raises the dilemma of whether children who commit terrorist acts should be treated primarily as perpetrators of crimes or also as victims of indoctrination and exploitation by terrorist networks.

The practice of establishing criminal liability for children involved in terrorism should not focus solely on punishment but must also take into account deradicalization and

[11] Denadin, Najemi, and Arfa, "Pendekatan Diversi Dalam Sistem Peradilan Pidana Anak (SPPA)."
[12] Andi Rief Irfandi, Anak Agung Gede Putra Arjawa, and Ida Bagus Anggapurana, "Legal Consequences for Children Who Commit Criminal Acts of Terrorism Based on Law Number 5 of 2018 Concerning the Eradication of Criminal Acts of Terrorism," *Sharia Oikonomia Law Journal* 1, no. 4 (December 31, 2023): 255–63, doi:10.55849/solj.v1i4.644.
[13] Indah Pangestu Amaritasari, "Philosophical Legal Review on The Implementation of the Rights of the Child for Youth Offender Associated with Terrorism Case in Indonesia," *Jurnal Hukum Sasana* 8, no. 2 (2022): 365–91, doi:10.59999/v8i2.1650.

rehabilitation. In other words, the primary objective is not merely to punish but also to rehabilitate children so that they are not re-exposed to radical ideologies. Therefore, judges, prosecutors, and juvenile investigators play an important role in ensuring that legal proceedings remain fair, proportionate, and oriented toward children's futures without disregarding national security interests. The practice of imposing criminal liability on children for terrorist acts in other countries, such as the United States, tends to be more repressive and more closely aligned with the adult criminal justice system. Following the September 11, 2001 attacks, the United States tightened its counterterrorism laws through the Patriot Act. Children suspected of involvement in terrorist activities, particularly those associated with international networks or threats to national security, may be prosecuted under federal jurisdiction. Although the United States has a juvenile justice system, children involved in terrorism cases are sometimes tried as "adult offenders" when considered serious threats. One example of this practice involves cases in which adolescents have been convicted of attempting to join terrorist groups such as ISIS, resulting in lengthy prison sentences and placement in specialized facilities under strict supervision.

This demonstrates that, in the United States, child protection may be subordinated to national security interests, while rehabilitation and deradicalization tend to receive less emphasis in the handling of such cases [14]. The approaches adopted in the United States and Indonesia differ due to Indonesia's ratification of the Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 of 1990. This means that Indonesia is bound under international law to guarantee children's rights, including the prohibition of the death penalty and life imprisonment without the possibility of release for offenses committed by children, as well as the right to special protection during legal proceedings and the right to rehabilitation and social reintegration[15]. Indonesia's approach to criminal offenses involving children is relatively similar to Malaysia's, as both countries seek to balance child protection with law enforcement. Under the Prevention of Terrorism Act (POTA) 2015 and relevant child protection regulations, children involved in terrorism cases are not automatically subjected to severe criminal penalties. The Malaysian government tends to emphasize rehabilitation and deradicalization, particularly when children are at an early stage of involvement. Malaysia's deradicalization programs are considered relatively comprehensive, involving psychologists, religious scholars, and counselors. Children arrested on suspicion of involvement in terrorism are generally placed in rehabilitation centers designed to address radical ideologies and support the development of their personalities. However, if a child's involvement is proven to be serious, such as participation in attack planning, criminal penalties may still be imposed, although they must be adjusted in accordance with the principles of child protection[16].

The comparative analysis indicates that approaches to the criminal liability of children

[14] James Gacek et al., "Youth and Young Terror: Canadian Case Law and the Socio-Carceral Dynamics of Youth and Young Offenders Convicted of Terrorism Offences," *Crime and Delinquency* 71, no. 3 (March 1, 2025): 740–68, doi:10.1177/00111287241258735.
[15] Pedro Sutanto and R Rahaditya, "Perlindungan Hukum Terhadap Anak Sebagai Pelaku Tindak Pidana Dalam Sistem Peradilan Pidana Anak Di Indonesia," *Unes Law Review* 6, no. 4 (2024), doi:10.31933/unesrev.v6i4.
[16] Norshamimi Mohd Mazlan and Aminuddin Mustaffa, "The Malaysian Juvenile Justice System: The Compelling Need to Implement Diversion in Handling the Issue of Juvenile Delinquency," *International Journal of Law, Policy and Social Review* 4, no. 1 (2022): 16–23, https://www.researchgate.net/publication/370068726.

involved in terrorist offenses vary significantly across countries, depending on their legal paradigms and sociopolitical contexts. The United States places greater emphasis on a repressive approach by viewing terrorism as a serious threat to national security, resulting in children often being treated similarly to adults in judicial proceedings. This approach is clearly unsuitable for adoption in Indonesia because it conflicts with the principles of child protection and the international commitments ratified through the Convention on the Rights of the Child (CRC). In contrast, Malaysia demonstrates an approach more closely aligned with Indonesia's, emphasizing rehabilitation and deradicalization, although its system differs through the use of preventive detention mechanisms. Malaysia is considered more effective in implementing centralized and consistent deradicalization programs; however, aspects of child rights protection remain subject to debate. For Indonesia, the ideal approach is to remain consistent with the principles of child protection under the Juvenile Criminal Justice System Law while simultaneously strengthening institutions, coordination, and the quality of rehabilitation and deradicalization programs. Accordingly, criminal liability for children involved in terrorist offenses in Indonesia should not only serve to enforce the law but also guarantee children's rights to rehabilitation and reintegration into society while preventing the emergence of a new generation of terrorist perpetrators.

Application of the Juvenile Criminal Justice System to Terrorist Offenses

The application of the Juvenile Criminal Justice System (SPPA) to terrorist offenses in Indonesia faces significant challenges, given the differences in nature between ordinary criminal offenses and extraordinary crimes. The SPPA, as regulated under Law Number 11 of 2012, was fundamentally designed to provide maximum protection for children by emphasizing the principles of restorative justice and diversion[17].However, this principle is not easily applied to terrorism cases due to their serious and systematic nature and their broad implications for national security. Diversion is one of the essential pillars of the Juvenile Criminal Justice System (SPPA), which aims to redirect the resolution of children's cases from the criminal justice system to non-litigation mechanisms through deliberation involving the child, parents, victims, law enforcement authorities, and other relevant parties [18]. This principle is based on the notion that formal punishment is not always the best course of action for children who are still in the developmental stage. However, in the context of terrorist offenses, the possibility of applying diversion is very limited. Article 7 paragraph (2) of the Juvenile Criminal Justice System Law stipulates that diversion may only be applied if the offense committed by the child is punishable by imprisonment for less than seven years and is not a repeat offense[19]. Terrorist offenses, under Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism, carry penalties substantially exceeding seven years of imprisonment and may even result in the death penalty for adult offenders. This means that, from the outset, children involved in terrorist offenses automatically fall outside the

[17] Denadin, Najemi, and Arfa, "Pendekatan Diversi Dalam Sistem Peradilan Pidana Anak (SPPA)."
[18] S et al., "Reformulasi Syarat Pelaksanaan Diversi Dalam Sistem Peradilan Pidana Anak Di Indonesia."
[19] Vivi Nurqalbi, "Analysis of Diversion Arrangements in the Beijing Rules and the Juvenile Criminal Justice System in Indonesia," *European Journal of Law and Political Science* 2, no. 1 (February 26, 2023): 52–55, doi:10.24018/ejpolitics.2023.2.1.53.

scope of diversion mechanisms.

This limitation has important implications: cases involving children who commit terrorist offenses can no longer be resolved through deliberative mechanisms or restorative justice but must instead be processed through formal criminal proceedings. This reflects the state's view that terrorism constitutes an extraordinary crime requiring serious handling, even when the perpetrator is a child[20]. Thus, the limitations on diversion in terrorism cases reveal a tension between the principle of child protection and the state's need to safeguard public security. This disharmony indicates the need for regulatory synchronization. The legal system must be capable of balancing child protection with the enforcement of counterterrorism laws. Without harmonization, the handling of children who commit terrorist offenses risks becoming unbalanced: an approach that is too lenient may be perceived as disregarding security concerns, while an excessively harsh approach may be considered a violation of children's rights. Children who commit criminal offenses cannot be treated in the same manner as adult offenders. This is consistent with the principles of child protection established under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Juvenile Justice System Law). These principles also apply to terrorist offenses, even though terrorism is categorized as an extraordinary crime carrying severe penalties. Although diversion is not available, the Juvenile Criminal Justice System Law continues to provide special treatment for children in sentencing. Children cannot be sentenced to death or life imprisonment. The maximum sanctions that may be imposed generally include imprisonment subject to specific limits, educational measures, or rehabilitative measures. Furthermore, children who commit terrorist offenses are placed in Special Child Development Institutions (Lembaga Pembinaan Khusus Anak or LPKA), rather than general correctional institutions, to prevent their exposure to adult inmates.

This differentiated approach to sentencing reflects the state's effort to maintain a balance: on the one hand, holding children involved in terrorism accountable in the interests of security, while on the other hand, preserving opportunities for rehabilitation in accordance with the principle of the best interests of the child[21].' Legal proceedings under the Juvenile Criminal Justice System (SPPA) involving children must involve law enforcement officials with specialized competence. Child investigators, child prosecutors, and juvenile judges are responsible for ensuring that legal proceedings respect children's rights, including the right to legal counsel, parental assistance, and psychosocial services. However, in terrorism cases, the state's focus on security often results in the inadequate protection of children's rights, for example, during arrest or detention, which tends to be repressive. Accordingly, the roles of child investigators, prosecutors, and judges extend beyond law enforcement; they also serve as primary guardians in ensuring that judicial proceedings remain oriented toward protecting children's rights, even when children are involved in serious terrorist offenses. The implementation of the Juvenile Criminal Justice System (SPPA) in handling cases involving children and terrorism faces several complex challenges. Normatively, the SPPA is designed

[20] Irfandi, Arjawa, and Anggapurana, "Legal Consequences for Children Who Commit Criminal Acts of Terrorism Based on Law Number 5 of 2018 Concerning the Eradication of Criminal Acts of Terrorism."
[21] Rikmadani and Setiawan, "The Implementation of the Juvenile Justice System in Terrorism: Indonesia Case."

to protect children by prioritizing the principle of restorative justice. In practice, however, this principle is difficult to realize when dealing with terrorist offenses, which are classified as extraordinary crimes. One of the main challenges is the regulatory disharmony between the Juvenile Criminal Justice System Law and the Law on the Eradication of Criminal Acts of Terrorism. The Juvenile Criminal Justice System Law prioritizes rehabilitation, whereas the Terrorism Law places greater emphasis on repressive measures in the interests of national security. This situation often puts law enforcement officials in a dilemma when determining the appropriate approach[22].

Limited human resources (HR) constitute one of the challenges in handling terrorism cases involving children. Therefore, personnel with specialized competencies are needed to handle children involved in terrorism. Not all investigators, prosecutors, or juvenile judges fully understand psychosocial approaches or deradicalization strategies. Specialized facilities, such as Special Child Development Institutions (Lembaga Pembinaan Khusus Anak or LPKA) with integrated deradicalization programs, also remain very limited. Another challenge is social stigma. Children who have been involved in terrorist networks often face rejection when returning to their social environments, making reintegration difficult. Without community support, children are at risk of returning to their former networks or even reoffending. Children's involvement in terrorism often begins with processes of indoctrination, exploitation, and environmental influence. Therefore, one of the legal measures that can be implemented is to require integration with deradicalization programs. In Indonesia, deradicalization programs are generally implemented by the National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme or BNPT) in collaboration with relevant institutions, including the Ministry of Social Affairs, the Ministry of Religious Affairs, psychologists, and educational institutions. For children, deradicalization encompasses religious guidance based on a moderate approach, psychological counseling, formal education, and skills training to prepare them for their return to society[23].

This integration is essential to ensure that children are not viewed solely as perpetrators of crimes but also as victims who require recovery. The deradicalization process must proceed alongside the stages of judicial proceedings, from investigation to the post-judgment phase. For example, children placed in Special Child Development Institutions (Lembaga Pembinaan Khusus Anak or LPKA) should not merely serve prison sentences but should also receive systematic rehabilitation and deradicalization programs. Through this integration, the handling of children involved in terrorism can become more comprehensive. The state continues to fulfill its obligations to enforce the law and maintain security while ensuring that children have the opportunity to return to a healthy, productive way of life, free from radical ideologies. The implementation of the Juvenile Criminal Justice System (Sistem Peradilan Pidana Anak or SPPA) in terrorism cases involving children continues to present legal and practical challenges. Although the juvenile criminal justice system

[22] Wawan Edi Prastiyo and I. Ketut Rai Setiabudhi, "Children Involvement in Terrorism Activities: Perpetrator or Victim? (A Study on the Circle of Violence)," *Padjadjaran Jurnal Ilmu Hukum* 8, no. 2 (2021): 213–31, doi:10.22304/pjih.v8n2.a3.
[23] Irfandi, Arjawa, and Anggapurana, "Legal Consequences for Children Who Commit Criminal Acts of Terrorism Based on Law Number 5 of 2018 Concerning the Eradication of Criminal Acts of Terrorism."

fundamentally provides protection and differentiated treatment for children, its capacity to address extraordinary crimes remains limited. Stronger integration between the SPPA, the Terrorism Law, and deradicalization programs is necessary to ensure that children involved in terrorism are subjected to fair legal proceedings without compromising national security.

Rehabilitation and Deradicalization Efforts for Children

Children involved in terrorism-related criminal offenses should not only be viewed as perpetrators but also as victims of indoctrination, exploitation, and manipulation by terrorist networks. Therefore, punitive measures alone are insufficient. Rehabilitation and deradicalization efforts must be integrated into the Juvenile Criminal Justice System (SPPA) to enable children to return to a normal way of life and avoid future exposure to radical ideologies. One study has highlighted the importance of integrating deradicalization programs and social rehabilitation into juvenile judicial proceedings. The National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme or BNPT) and the Ministry of Social Affairs have initiated deradicalization programs, but their implementation remains limited. Children involved in terrorism-related criminal offenses require a multidisciplinary approach encompassing education, psychological counseling, moderate religious guidance, and reintegration into their families and communities[24]. The rehabilitation of children involved in terrorism is an essential component of a humane and preventive approach to law enforcement. Children involved in terrorism-related criminal offenses are generally still undergoing psychological and cognitive development, making them more vulnerable to exploitation by terrorist networks. Therefore, their treatment cannot be equated with that of adult perpetrators.

The rehabilitation process for children involved in terrorism encompasses psychological, social, and educational recovery. Psychologically, children require intensive counseling to help them overcome trauma, fear, and deeply ingrained indoctrination. From a social perspective, children are guided toward healthy interactions with their families and communities to prevent isolation and reduce the risk of returning to radical networks. Meanwhile, the educational aspect of rehabilitation emphasizes the importance of both formal and non-formal education in building a better future[25]. Rehabilitation also requires the active involvement of families and communities. Without support from their immediate environments, the recovery process will not be effective. Children returning to society must be accepted as individuals who are working to improve themselves rather than stigmatized as "former terrorists." Thus, the rehabilitation of children involved in terrorism is not only a form of legal protection in accordance with the principle of the best interests of the child but also a long-term strategy to prevent the emergence of a new generation of terrorists in the future[26].

[24] Elliott et al., "Evidence-Based Juvenile Justice Programs and Practices: A Critical Review."
[25] Bintara Sura Priambada, Hartiwiningsih, and Hari Purwadi, "Restorative Justice in The Shadow of Terrorism: Child Rehabilitation or the Illusion of Judgment?," *Journal of Law and Sustainable Development* 11, no. 12 (December 4, 2023): e1873, doi:10.55908/sdgs.v11i12.1873.
[26] Ibid.

The next step involves the implementation of deradicalization programs, which constitute strategic efforts designed to change the perspectives, attitudes, and behaviors of individuals exposed to radical ideologies, including children involved in terrorism-related criminal offenses. The measures undertaken include religious guidance emphasizing moderate interpretations, psychosocial counseling to foster healthy thought patterns, and life skills training to help children develop a positive outlook for the future. These programs typically involve various stakeholders, including the National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme or BNPT), educational institutions, religious leaders, psychologists, and community organizations. Cross-sectoral collaboration is essential because children exposed to radicalism require a holistic approach that extends beyond the legal dimension.

Therefore, the success of deradicalization programs depends largely on the support of families and communities, as well as consistent state policies that safeguard the best interests of the child. Rehabilitation and deradicalization approaches cannot operate independently of the legal framework. This is where the Juvenile Criminal Justice System (Sistem Peradilan Pidana Anak or SPPA) plays a central role. To be effective, rehabilitation and deradicalization programs must be integrated into the judicial system so that legal proceedings involving children implicated in terrorism are not merely repressive but also restorative and oriented toward rebuilding their futures. The Juvenile Criminal Justice System (SPPA) emphasizes the principle of the best interests of the child and prioritizes a restorative approach[27]. This integration can be achieved through juvenile court decisions imposing measures rather than solely criminal penalties, such as placing children in Special Child Development Institutions (Lembaga Pembinaan Khusus Anak or LPKA) with a deradicalization curriculum or implementing community-based supervision with the support of counselors, psychologists, and religious leaders. In this way, legal proceedings do not merely emphasize the repressive dimension but also serve as a means of recovery and social reintegration.

The integration of the Juvenile Criminal Justice System (SPPA) with deradicalization programs also encourages interagency coordination, including among law enforcement officials, the National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme or BNPT), the Ministry of Social Affairs, and educational institutions. This cross-sectoral synergy is essential to ensure that child protection proceeds alongside the objective of maintaining national security. Thus, integrating rehabilitation and deradicalization programs into the SPPA is key to ensuring that children involved in terrorism are not viewed merely as threats but as individuals entitled to recovery and given the opportunity to build a better future.

Legal and Policy Implications

The discussion of children involved in terrorism-related criminal offenses concerns

[27] Priambada, Hartiwiningsih, and Purwadi, "Restorative Justice in The Shadow of Terrorism: Child Rehabilitation or the Illusion of Judgment?"

not only the normative aspects of the Juvenile Criminal Justice System (SPPA) but also has implications for the direction of national legal policy. Terrorism is classified as an extraordinary crime that threatens state sovereignty, while child protection constitutes a constitutional mandate and an international obligation following Indonesia's ratification of the Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 of 1990. This situation gives rise to legal and policy implications that require in-depth analysis[28]. From a legal perspective, normative tensions arise between the Juvenile Criminal Justice System Law (SPPA Law) and the Terrorism Eradication Law. The SPPA Law prioritizes the principle of the best interests of the child through diversion mechanisms, restrictions on sentencing, and special treatment. This disharmony creates legal uncertainty in judicial practice, as law enforcement officials often face a dilemma between protecting children's rights and prioritizing national security interests[29].

From a policy perspective, cases involving children implicated in terrorism underscore the need for an integrative approach that does not rely solely on judicial proceedings but also incorporates rehabilitation and deradicalization programs. Policies that place excessive emphasis on repressive measures risk perpetuating stigma and strengthening children's ties to radical networks. Conversely, policies that focus exclusively on rehabilitation without robust monitoring mechanisms may overlook national security considerations[30]. Another policy implication is the need for cross-sectoral synergy. The government, through the National Counterterrorism Agency (BNPT), the Ministry of Social Affairs, the Ministry of Religious Affairs, and the judiciary, must formulate a coordinated strategy for addressing cases involving children implicated in terrorism. This can be achieved through the establishment of specialized child rehabilitation institutions with integrated deradicalization programs, as well as capacity-building for law enforcement officials to improve their understanding of child psychology and the dynamics of radicalization. Policy reform should also emphasize early prevention through education, digital literacy, and strengthening the role of families as the primary safeguard against children's exposure to radical ideologies.[31]. Thus, the legal and policy implications arising from this issue must not only be corrective but also preventive and transformative, enabling Indonesia to develop a legal system that is fairer, more humane, and more effective in addressing the threat of terrorism involving children.

5. Conclusion

This study demonstrates that children's involvement in terrorism-related criminal offenses is a complex phenomenon that poses significant dilemmas for Indonesia's legal system. On the one hand, the Juvenile Criminal Justice System Law (SPPA Law) emphasizes

[28] Rikmadani and Setiawan, "The Implementation of the Juvenile Justice System in Terrorism: Indonesia Case."
[29] Denadin, Najemi, and Arfa, "Pendekatan Diversi Dalam Sistem Peradilan Pidana Anak (SPPA)."
[30] Priambada, Hartiwiningsih, and Purwadi, "Restorative Justice in The Shadow of Terrorism: Child Rehabilitation or the Illusion of Judgment?"
[31] Steven Barracosa and James March, "Dealing With Radicalised Youth Offenders: The Development and Implementation of a Youth-Specific Framework," *Frontiers in Psychiatry* 12 (January 13, 2022), doi:10.3389/fpsyt.2021.773545.

child protection through the principle of the best interests of the child, diversion mechanisms, restrictions on criminal penalties, and a rehabilitative orientation. On the other hand, the Terrorism Eradication Law classifies terrorism as an extraordinary crime that demands repressive measures to safeguard national security. This regulatory disharmony creates legal uncertainty in law enforcement practice. The criminal liability of children in terrorism cases must be understood not merely as the imposition of sanctions but also as a comprehensive effort to integrate rehabilitation and deradicalization into the SPPA framework. Children involved in terrorism are often victims of exploitation and indoctrination; therefore, an exclusively repressive legal approach risks reinforcing stigma and hindering social reintegration. From a policy perspective, this study underscores the importance of cross-sectoral synergy among law enforcement officials, the National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme or BNPT), educational institutions, religious leaders, and communities in implementing rehabilitation and deradicalization programs integrated with the judicial system. National legal reform is also necessary to align child protection with counterterrorism efforts and prevent the legal framework from disproportionately favoring either interest. Accordingly, the handling of children involved in terrorism must balance two principal interests: the protection of children's rights as a constitutional mandate and an international obligation, and the safeguarding of national security as a collective societal interest. Legal harmonization, a humane approach, and multisectoral support are essential to achieving justice that not only punishes but also restores and prevents the emergence of a new generation of terrorists in the future.

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