

Law Enforcement Regarding The Involvement of Indonesian Citizens Affiliated With Global Terrorism Organizations

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Abstract

Indonesia has become one of the top priorities for global terrorist groups. The criminal act of terrorism that occurred in Indonesia is a severe crime and endangers state ideology, state security, state sovereignty, human values, and various aspects of social life. To improve law enforcement against the involvement of Indonesian citizens in global terrorist organizations, cooperation between multiple institutions and related stakeholders is very important. This research aims to determine the obstacles law enforcement faces regarding global terrorist organizations. This research uses normative research methods and primary, secondary, and tertiary legal material sources. Law enforcement related to global terrorist organizations faces several complex obstacles. The complexity of terrorist networks makes it challenging to identify members and collect sufficient evidence. The use of digital technology and covert communications by terrorist organizations makes monitoring and gathering evidence difficult. Jurisdictional limitations and barriers to international cooperation hinder the exchange of information and the extradition of terrorist perpetrators. To overcome these obstacles, inter-agency cooperation, increased technical capacity, effective exchange of information, and strong international cooperation are key factors in law enforcement efforts against global terrorist organizations.

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1. Introduction

Indonesia is the Unitary State of the Republic of Indonesia, founded on legal principles and not the domination of discretionary power. This principle was previously explained in Article 1, paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states, "The State of Indonesia functions as a state-regulated by law." In this context, every action taken by the public and law enforcement officers must comply with the basic legal principles that apply in Indonesia (Assad, 2014). Since the early 2000s, Indonesia has become one of the main priorities for global terrorist groups such as Al-Qaeda and ISIS in recruiting and involving Indonesian citizens in terror activities. One significant example is the bomb attack in Bali in 2002, which caused the deaths of many people, including foreigners. The attack was carried out by a terrorist group with links to Al-Qaeda. This incident opened Indonesia's eyes to severe threats related to terrorism and the importance of effective law enforcement in fighting global terrorist organizations (Brownlie, 2008).

In addition, it is considering that the criminal acts of terrorism that have occurred in Indonesia are serious crimes that endanger state ideology, state security, state sovereignty, human values, and various aspects of social, national and state life, as well as being cross-border, organized and having a vast network and has specific goals so that its eradication needs to be carried out precisely, planned, directed, integrated and sustainable based on Pancasila and the 1945 Constitution of the Republic of Indonesia (Djari, 2013).



Another aspect that is taken into consideration is that there is the involvement of people or groups of people as well as the involvement of Indonesian citizens in organizations within/abroad who intend to carry out an evil conspiracy that leads to criminal acts of terrorism, potentially threatening the security and prosperity of the community, nation, and state as well as peace. World. Apart from terror attacks, Indonesia also faces challenges in terms of the involvement of Indonesian citizens in the civil wars in Syria and Iraq. Several individuals, including men, women, and even children, have joined ISIS to participate in the conflict. For example, in 2014, a group of teenagers from Indonesia went to Syria to join ISIS. In 2014, members and supporters of the Daulah Islamiyah organization affiliated with the Islamic State of Iraq and Syria (ISIS) throughout the world received orders from the Amir of the Islamic Daulah SYEKH ABU IBRAHIM AL HASYIMI to migrate to Syria / the land of the Levant, because in the understanding of the Islamic Daulah If a country does not adhere to Islamic Sharia law, then that country can be categorized as Darul Kufri, which means the land of infidels. Hence, members of the Islamic State in Indonesia migrated to Syria, which is believed to be a country that enforces Islamic Sharia in full. However, the members of the Islamic State who migrated to Syria did not stay forever in Indonesia. Several years later, they returned to Indonesia and were called Foreign Terrorist Fighters. This is a new legal problem for law enforcement against criminal acts of terrorism in Indonesia (Iswari, 2017).

Terrorism cases in Indonesia also show the importance of cooperation between countries in law enforcement against citizen participation in global terrorist organizations. Countries must share information and intelligence to identify and track terrorists in various regions. For example, there are some of the most significant cases of terrorism in Indonesia, namely:

- a. Simultaneous church bombings on Christmas Eve, these explosions occurred in churches in 13 (thirteen) cities in Indonesia on Christmas Eve 2000. The attacks caused 16 (sixteen) people to die, and 96 (ninety-six) were injured. The bomb attack was commanded by Encep Nurjaman alias Ridwan Isamuddin alias Hambali, one of the leaders of Jama'ah Islamiyah (J.I.), a kind of Al-Qaida affiliate in Southeast Asia.
- b. Bali Bomb I: the explosion occurred at three locations on October 12, 2002. The bomb explosion killed 202 (two hundred and two) people, some of whom were foreign nationals. Amrozi, Imam Samudra alias Abdul Aziz, Ali Ghufron, Ali Imron, Mubarak alias Utomo Pamungkas, Suranto Abdul Gani, Dulmatin, and Arif Sunarso alias Zulkarnaen alias Daud alia Abdullah Abdurrohman carried out the bomb attack.
- c. J.W. Marriot bomb The explosion occurred at the J.W. Marriot Mega Kuningan Hotel, Jakarta, on August 5, 2003. The blast killed 14 people and injured 156 people. This attack was the fifth bomb explosion in 2003. Previously, the bombings had occurred in the Wisma Bhayangkara Lobby, Soekarno-Hatta Airport, behind the PBB Building, and in the MPR/DPR/DPD Building courtyard.
- d. Bali Bomb II, the second time an explosion occurred in Bali. The blast occurred again in 2005 at R.AJA's Bar and Restaurant (Kuta), Menega Cafe, and Nyoman Cafe in Jimbaran. In this incident, 23 (twenty-three) people died, including the perpetrator, and hundreds of people were injured.
- e. J.W. Marriot and Ritz Carlton bombs, on July 17, 2009, there were bomb explosions at two five-star hotels, which are American hotel chains, namely JW Marriott and Ritz Carlton, which are located in the Mega Kuningan area, Jakarta. This is the second attack JW Marriott has experienced. In these two incidents, nine people died, of whom six were foreign nationals, and 53 other people were injured. Two of the victims killed were suicide bombers. This attack was carried out by the Jemaah Islamiyah (J.I.) group led by Noordin M. Top. The perpetrators involved in this attack have been sentenced to six years to life in prison. Then, two months after the attack, Noordin M. Top was killed in a shootout during his arrest in Solo.
- f. Bombs and shootouts Thamrin, on January 14, 2016, there was a series of bomb terror attacks and shootouts between terrorists and police in front of the Sarinah

building, Jalan M.H. Thamrin, Central Jakarta. In this incident, eight people died, and 26 other people were injured. The first bomb explosion occurred at a famous coffee shop in the area. A second explosion was heard coming from a police post not far from the first location. After that, a shootout occurred between the two perpetrators and the police. The perpetrators even threw homemade grenades at the police. The action ended after the two perpetrators died due to the explosion of the bomb they were carrying and were shot by the police. Later, it was discovered that the mastermind behind the terror act was Aman Abdurrahman, who is also known as the Chairman of the Islamic State of Iraq and Syria (ISIS) Indonesia. He is also the founder of Jamaah Ansharut Daulah (JAD), a group affiliated with ISIS. At the time of this incident, Aman was a recidivist in a terrorism case who had previously served terror training in Aceh. He was just released by getting remission on August 17, 2017. However, he was then tried again and found guilty and sentenced to death on June 22, 2018. Apart from Aman, another mastermind behind this action was Iwan Darmawan Muntho alias Rois, who at that time was a prisoner on death row for the bomb case at the Australian Embassy, Kuningan, Jakarta. The other perpetrators involved in this action have also been sentenced to prison sentences ranging from four to ten years.

When someone with the status of Foreign Terrorist Fighter returns from Syria and arrives in Indonesia, they cannot immediately be arrested; law enforcement officers (in this case, Densus 88) only carry out monitoring and reconnaissance when Foreign Terrorist Fighters join and merge into terrorist organizations in Indonesia. Meanwhile, in the period before mid-2018, the legal regulations that apply in Indonesia to eradicate criminal acts of terrorism are Law Number 15 of 2003. This could raise doubts about quickly enforcing the law against Foreign Terrorist Fighters upon arrival in Indonesia. In terms of obstacles faced in the law enforcement process related to global terrorist organizations, namely the difference in understanding between the viewpoints of investigators and public prosecutors regarding criminal acts that can be categorized as terrorism (Hidayat, 2021).

Apart from that, law enforcement regarding the involvement of Indonesian citizens in global terrorist organizations also has significant implications in the context of international relations. Indonesia needs to play an active role in international cooperation for the exchange of information, intelligence, and law enforcement support to fight the threat of terrorism that crosses national borders. Cooperation with partner countries regarding arrest, extradition, and prosecution of terrorists is also essential in maintaining justice and security at the regional level. However, in enforcing the law against the involvement of Indonesian citizens in global terrorist organizations, there are several challenges faced (Mardenis, 2013). One of them is the complexity of collecting sufficient evidence to hold trials against perpetrators of terrorism. Terrorism often involves hidden networks and well-coordinated actions, requiring intensive efforts to gather solid evidence. Apart from that, changes in terrorist tactics and strategies also require law enforcers always to adapt and develop more effective investigative methods.

In order to improve law enforcement against the involvement of Indonesian citizens in global terrorist organizations, cooperation between various institutions and related stakeholders is essential. Collaboration between the police, intelligence, military, and other law enforcement agencies has a crucial role in effectively exchanging information, coordinating actions, and developing holistic strategies. In addition, the involvement of civil society, non-governmental organizations, and educational institutions is also significant in increasing public awareness, supporting prevention programs, and involving the community in the fight against terrorism.

This research will use the theory of criminal responsibility as a theoretical basis for solving or answering the problems that researchers study. Based on the background described previously, the problem is drawn regarding the obstacles faced in the law enforcement process related to global theoretical organizations. This research aims to understand the process of

law enforcement regarding the involvement of Indonesian citizens who are affiliated with global terrorism organizations.

2. Method

In carrying out techniques for collecting legal materials, researchers will involve three stages of research: First, they will look for relevant research topics, and then they will collect library materials related to that topic. Second, the stage of carrying out library research. This data was collected from secondary sources, which include primary, secondary, and tertiary legal materials. This stage is also known as document study, a data collection technique commonly used in legal research. Third, in the preparation stage, the data processed and analyzed is compiled as a report. The data sources in this research are primary legal material sources, secondary legal material sources, and tertiary legal material sources. After the overall data is collected, the researcher will analyze the data using qualitative descriptive data analysis. This method involves a good and correct way of describing the data obtained in sentence form.

In legal research, the technique of collecting legal materials is carried out through three main stages in sequence. Here is a detailed explanation of each of these stages:

1. Topic Search and Collection of Library Materials

In the first stage, the researcher must determine a research topic that is relevant and in accordance with the research objectives. This topic should be specific and can be researched further. After determining the topic, the researcher will collect library materials related to the topic. This library material includes a variety of literature, books, articles, and documents that can provide the preliminary information necessary for a deeper understanding of the topic.

2. Implementation of Literature Research (Document Study)

In the second stage, the researcher carried out literature research, which is often also referred to as a document study. Here, researchers collected data from a variety of secondary sources, including primary, secondary, and tertiary legal materials.

Primary legal materials: This includes legal sources that contain legal norms that apply directly, such as laws, regulations, and court decisions.

Secondary legal materials: This includes literature that discusses and analyzes primary legal materials, such as textbooks, journal articles, and legal commentaries.

Tertiary legal materials: These are sources that provide guidance or references to primary and secondary legal materials, such as law encyclopedias, legal dictionaries, or bibliographies.

This technique assists researchers in gathering and organizing information from various sources to build a strong knowledge base regarding the research topic.

3. Report Preparation

In the third stage, the researcher compiled the data that had been collected and analyzed in the form of a report. This process involves:

Data processing and analysis: The data that has been collected is analyzed using qualitative descriptive data analysis methods. This method aims to decipher and explain the data in the form of clear and structured sentences. Preparation of report: The results of the analysis are then expressed in the form of a research report that presents findings and conclusions based on the data that has been collected and analyzed.

By following these three stages, researchers can ensure that legal research is carried out systematically and thoroughly, starting from topic selection, collection of legal materials, to the preparation of a comprehensive research report.

3. Results and Discussion

In criminal law, a person who commits a violation or criminal act must be held accountable by the principles of criminal law. One of the principles of criminal law is *nullum delictum nulla poena sine pravia lege*, often referred to as the principle of legality. This principle is an unwritten basis for punishing people who commit criminal acts, which means a person

can only be punished if a mistake has been made. This means someone can only be held responsible if they make a mistake or violate existing legal regulations. This principle of legality reflects that no act can be punished if it is not previously stated in the law. So, a person can only be held responsible if the act has been previously regulated, and a person cannot be punished or held responsible if the regulation emerged after the criminal act was committed. It is essential to determine whether an act is criminal based on clear rules, and criminal law rules do not apply retroactively (Miyas, 2024).

In an increasingly connected era of globalization, countries, including Indonesia, are very serious about facing the threat of global terrorism. In this context, the theory of criminal responsibility becomes a relevant framework in law enforcement against the participation of Indonesian citizens in global terrorist organizations. According to this theory, a person will be considered legally responsible if they can think, understand the impact of their actions, and control their desires. In this context, Indonesian citizens involved in global terrorist organizations must be criminally punished if they fulfill these elements of responsibility. Law enforcement, which involves the process of investigation, detention, and punishment, is essential to uphold justice and protect public security from the threat of terrorism. Apart from that, criminal responsibility can also be linked to efforts to prevent and early detect the involvement of Indonesian citizens in global terrorist organizations. Law enforcement must now work with intelligence and security agencies to identify potential indications and signs of individuals involved in terrorist activities. Through close collaboration between law enforcement officials, intelligence, and security agencies, preventive measures such as monitoring, investigation, and action can be taken to prevent terrorist activities and protect the Indonesian people from threats that may arise.

Law enforcement against global terrorist organizations that cross national borders is a complex and challenging task. There are several complexities associated with law enforcement in this context (Tawarutubun, 2021):

- a. **Jurisdiction and Authority:** Global terrorist organizations often operate in different countries and regions. This causes complexity in determining jurisdiction and law enforcement authority. Countries must cooperate and build bilateral or multilateral legal cooperation to pursue cross-border criminals and disrupt the flow of terrorist activities;
- b. **National Legal Differences:** Every country has differences in its national legal systems. These include differences in the definition of terrorism, evidence collection procedures, extradition, and prosecution mechanisms. Harmonization of national laws and bilateral or multilateral agreements can help overcome these differences and strengthen cooperation between countries in enforcing terrorism laws;
- c. **Information Confidentiality and Security:** The exchange of information between countries in terrorism law enforcement requires high confidentiality and security. Countries need to ensure that shared information does not fall into the hands of terrorist groups or unauthorized parties. However, there are sometimes challenges in ensuring the security of such information, especially if there is a lack of trust between cooperating countries;
- d. **Intelligence Cooperation:** Accurate and up-to-date intelligence is critical to law enforcement against global terrorist organizations. However, intelligence cooperation between countries often faces political complexity, cultural differences, and different national interests. Countries must overcome these obstacles and establish effective communication channels for efficient intelligence exchange;
- e. **Human Rights Protection:** In law enforcement against terrorist organizations, it is essential to ensure that efforts comply with and protect human rights. Sometimes, there is a risk of human rights violations in aggressive law enforcement actions. States should ensure that their actions are in line with human rights principles and comply with international standards to minimize the risk of human rights violations;

- f. **Border Complexity:** Global terrorist organizations often use gaps in national borders to move, hide, or transmit terrorist members and material. This poses challenges for law enforcement in securing borders and preventing terrorist movements. Close cooperation between law enforcement agencies and security agencies in various countries is needed to improve border security and prevent terrorist infiltration.

Law enforcement against global terrorist organizations that cross national borders requires strong cooperation, harmonization of laws, and effective exchange of information between countries. In the face of this complexity, countries must work together to develop efficient and practical frameworks for combating terrorism across borders. The ability of law enforcement officials to deal with global terrorist organizations is often limited by limited human, technological, and financial resources. First, the human resources involved in law enforcement against terrorism are often insufficient. Complex and sprawling global terrorist organizations require intensive efforts and specially trained teams to track, monitor, and disrupt their activities. However, the available personnel could be increased to meet these demands in law enforcement, intelligence, and data analysis.

Besides that, technological limitations also affect the ability of law enforcement officials to fight global terrorist organizations. Terrorist organizations increasingly use advanced technology and digital communications to plan attacks, communicate, and recruit members. Therefore, law enforcement needs access to equipment and systems to monitor and analyze digital data effectively. However, implementing advanced technology requires significant investment and continuous updates, which limited budgets may only sometimes be able to meet. To overcome these limitations, international cooperation becomes essential. Countries can share human, technological, and financial resources to strengthen collective law enforcement capabilities. Technical and financial assistance from more developed countries can help countries with limited resources to improve their capabilities in fighting terrorism. In addition, investment in research and development of affordable technology can help law enforcement utilize more efficient and effective tools in fighting global terrorist organizations (Muladi, 2002).

International cooperation in law enforcement against global terrorist organizations faces several obstacles that need to be overcome:

- a. Differences in national laws between countries can be an obstacle to practical cooperation. Each country has a different legal framework, including the definition of terrorism, law enforcement procedures, and court mechanisms. These differences can slow the exchange of information and coordination of law enforcement actions between countries.
- b. Political and diplomatic issues can also influence international cooperation in law enforcement against terrorism. Some countries may be reluctant to share information or cooperate actively with other countries due to political disputes or different national interests (Prasetyo, 2010).
- c. Sensitivity to privacy and national security may limit access to data and intelligence needed to uncover and track terrorist activities.
- d. Technical obstacles can also affect international cooperation. Communication systems and technologies used by different countries may need to be more compatible, hindering the effective exchange of information. In addition, the technological gap between developed and developing countries can make it difficult for cooperation regarding access and use of technology needed to fight terrorism.
- e. Trust and security factors are also obstacles to international cooperation.

Countries may hesitate to share classified information or sensitive intelligence because of concerns about leaks or misuse. In the fight against terrorism, it is essential to build mutual trust between countries and improve coordination and secure exchange of information. To overcome these obstacles, continued efforts are needed to build a harmonious legal framework and procedures between countries. Active political cooperation and open dialogue between countries are essential to overcome differences and build trust. Additionally,

investments in developing interoperable technologies and robust information security will facilitate safe and effective data exchange between countries.

The existence of local terrorism networks that support global terrorism organizations has a significant impact on counter-terrorism efforts. The following are some impacts that can be observed (Rani, 2012):

- a. Increased security threats: Local terrorist networks that support global terrorist organizations can increase security threats at local and international levels. They can provide infrastructure, resources, and logistical support for global terrorist organizations to launch attacks or operations. Thus, the existence of local terrorist networks can expand the reach and impact of terrorist activities as a whole.
- b. Spread of radical ideology: Local terrorist networks that support global terrorist organizations play an essential role in spreading radical ideology. They can engage in recruitment, training, and propaganda to spread extremist ideas to vulnerable individuals. In some cases, these local networks can be a "gateway" for individuals seeking to join global terrorist organizations or engage in acts of terrorism.
- c. Cooperation and coordination between terrorist organizations: Local terrorism networks that support global terrorism organizations enable Cooperation and coordination between local and global groups. They can exchange information, resources, and expertise, strengthening terrorism capabilities. This Cooperation can cross national borders and increase the mobility and effectiveness of terrorist organizations.
- d. Difficulties in law enforcement: The existence of local terrorist networks that support global terrorist organizations can make law enforcement difficult. They often have hidden structures, use advanced technology, and have extensive support networks. This makes their identification, infiltration, and capture more complicated. These local networks can also give rise to legal and administrative challenges regarding the extradition and prosecution of suspected terrorist perpetrators.
- e. Psychological and social impacts: The existence of local terrorist networks that support global terrorist organizations can create significant psychological and social impacts. Terrorist attacks can cause fear, threats, and instability in society. Apart from that, local terrorism networks can also influence the social climate, damage inter-community relations, and deepen polarization in society.

Law enforcement officials face significant security risks in their efforts to combat global terrorist organizations. Here are some points that highlight these risks:

- a. Physical threats: Law enforcement officers are at direct risk of physical attack from members or sympathizers of global terrorist organizations. They could become targets of bomb attacks, armed attacks, or other attacks carried out by terrorist groups. These risks make law enforcement's work extremely dangerous and require proper protection, specialized training, and effective security strategies.
- b. Terrorist intelligence: When law enforcement officers investigate and gather intelligence about global terrorist organizations, they may be exposed to the risk of monitoring and Infiltration by terrorists. Terrorist organizations can spy on law enforcement officials, gather information about them, and plan retaliatory attacks. This risk increases complexity and confidentiality in gathering and analyzing intelligence.
- c. Infiltration and Infiltration: Law enforcement officials also face the risk of internal Infiltration by terrorist agents or their sympathizers. Terrorists can attempt to infiltrate law enforcement agencies, whether in the form of police, prisons, or other security institutions. This can affect the integrity of law enforcement operations and reduce public trust in law enforcement officials.
- d. Technology and cyber security: Global terrorist organizations increasingly use advanced Technology, including cyber security, to launch attacks and avoid detection. Law enforcement officials must have adequate expertise and capabilities

to deal with this threat. They must protect their technology infrastructure, prevent cyberattacks, and effectively track and collect digital evidence to pursue perpetrators.

- e. Psychological pressure and stress: The tasks carried out by law enforcement officers in fighting global terrorist organizations are often complete with psychological pressure and high levels of stress. They are often involved in complex, high-stakes investigations and are exposed to traumatic scenes and experiences. These risks can impact their mental and emotional well-being and require substantial support and care.

Law enforcement officers face severe threats in the form of attacks, intimidation, and infiltration by sympathizers or members of terrorist organizations. They are the targets of physical attacks that can threaten their lives, whether through bombings, armed attacks, or other attack tactics. Apart from that, intimidation and direct threats are also dangers faced by law enforcement officers. These threats create fear, disrupt operations, and influence their decisions and actions. Infiltration and infiltration by terrorist groups are a severe threat, with attempts to recruit sympathizers or infiltrate their members into law enforcement agencies. This provides access to sensitive information and can compromise the integrity and effectiveness of law enforcement operations. Additionally, there are risks of blackmail and corruption, where terrorist organizations may use such practices to influence or stop investigations into their activities. To counter this threat, a holistic approach is needed to increase physical security, appropriate training, and intelligence capabilities, strengthen institutional integrity, and cooperation and support from the community and international institutions.

Maintaining a balance between law enforcement efforts and protecting human rights in handling terrorism cases is a complex challenge. While it is essential to counter the threat of terrorism and protect society, there must be no sacrifice of fundamental human rights. The following are several points that discuss this challenge (Sukoco, 2021):

- a. Proportional use of force: Law enforcement must ensure that the actions taken in handling terrorism cases align with the principle of proportionality. This means that the forces and actions used must be balanced with the threat faced. Excessive use of force can lead to human rights violations, such as arbitrary detention, inhumane treatment, or disproportionate use of force.
- b. Protection against discrimination and racial profiling: In handling terrorism cases, it is necessary to avoid discrimination or arbitrary racial profiling against certain groups or individuals. Law enforcement actions must be based on concrete evidence and clear intelligence information, not on unfounded prejudice or stereotypes. Protection of all individuals' rights, regardless of race, religion, or background, must take priority.
- c. Transparency and accountability: It is essential to ensure transparency in handling terrorism cases and accountability for law enforcement agencies. The steps taken must be accountable and independently investigated if there are allegations of human rights violations. Solid and independent oversight mechanisms must be in place to prevent abuse of power and protect individual rights.
- d. Protection of the rights of detained individuals: In handling terrorism cases, individuals suspected of being involved in terrorist activities are often detained. The rights of detained individuals, such as the right to legal defense, the right not to be tortured or treated inhumanely, and the right to a fair legal process, must be fully guaranteed. This involves a robust legal system, access to adequate defense, and humane treatment of detainees.
- e. Collaboration and exchange of information: Another challenge is maintaining a balance between protecting human rights and the need to share information and cooperate in handling terrorism cases. It is essential to ensure that the exchange of information between countries or law enforcement agencies is carried out with due

regard for the privacy and rights of the individuals involved. Strong data protection and privacy mechanisms must be implemented to prevent misuse of such information.

Compliance with human rights principles in the law enforcement process against global terrorist organizations has a significant impact. These principles ensure justice for individuals involved in terrorist activities, protect the integrity and authority of the law, prevent cycles of violence and extremism, build international cooperation, and protect victims and communities. By prioritizing human rights, law enforcement can ensure that perpetrators of threats to justice are meted out, build public trust in law enforcement institutions, prevent the spread of radical narratives, strengthen international cooperation, and protect victims and society. Compliance with human rights is essential for achieving law enforcement goals in fighting global terrorism (Zuhdi, 2020).

Technology and digital communications play a significant role in facilitating the activities of global terrorist organizations. The following are some of how technology and digital communications support the activities of terrorist organizations (Tatara, 2023):

- a. Propaganda and Recruitment: Terrorist organizations use social media, online communication platforms, websites, and other digital channels to spread their propaganda. They use multimedia content such as videos, images, and text to influence and recruit new investigators. Technology and digital communications allow them to reach a wider audience efficiently and communicate their message quickly.
- b. Online Radicalization: The Internet provides a space for vulnerable individuals to be exposed to terrorist ideologies and radicalization processes. Through online forums, discussion groups, and social media platforms, individuals can connect with terrorist groups or members who share radical views. This allows the spread of terrorist ideology, the exchange of information, and a more hidden process of radicalization.
- c. Collection of Funds and Finance: Digital technology and communications facilitate the collection of funds and finance for terrorist organizations. They use online payment platforms, cryptocurrencies, and other methods to collect and transfer funds quickly and anonymously. This provides an efficient way for them to obtain the resources necessary to carry out terrorist activities.
- d. Secret Communications: Terrorist organizations use encryption technology, encrypted messaging applications, and virtual private networks (VPNs) to communicate secretly. This allows them to hide their activities from the oversight of governments and law enforcement agencies and facilitate operational coordination and attack planning.
- e. Dissemination of Instructions and Tactics: Digital communications enable terrorist organizations to disseminate instructions, tactics, and operational guidance to their members. They can use online platforms to train new members to share information about bomb-making, attack strategies, and infiltration techniques. This allows for broader dissemination and exchange of knowledge among members of terrorist organizations.

Tracking and collecting digital evidence in law enforcement processes face several complex challenges. Following are some of the main challenges faced in this context:

- a. Anonymity and Encryption: Encryption technology and encrypted messaging services make it challenging to trace digital communications. Terrorists and criminals often use messaging applications that offer end-to-end encryption, meaning only the sender and recipient can see the message's contents. This makes it difficult for law enforcement agencies to monitor and collect evidence from these communications.
- b. Physical Location and Jurisdiction: In a global digital environment, criminals may operate from multiple countries using technology to hide their identity and location. This creates challenges in determining the applicable jurisdiction and

working with law enforcement agencies from other countries to obtain the necessary evidence.

- c. Large Volumes of Data: Digital technologies generate enormous amounts of data that must be analyzed in law enforcement processes. Filtering, collecting, and analyzing relevant data requires significant resources and sophisticated analytical skills. This challenge concerns adequate technical capabilities and human resources to manage and understand this data.
- d. Privacy Protection and Human Rights: In collecting digital evidence, it is essential to consider the protection of individual privacy and comply with human rights principles. There is a risk of personal information misuse and privacy breaches if there are no appropriate policies and mechanisms to ensure digital data's lawful and proportionate use.
- e. Rapid Technological Development: Digital technology continues to develop rapidly, including encryption, anonymity, and new methods for hiding criminal activity. Law enforcement agencies must continually update their knowledge and skills to overcome the challenges that arise as these technologies develop.

International cooperation, increased technical capacity, and adequate policies in dealing with digital security issues are essential to overcoming these challenges. Governments, law enforcement agencies, and technology service providers must work together to develop effective frameworks for tracking and collecting digital evidence while considering the protection of privacy and human rights.

4. Conclusions

Law enforcement related to global terrorist organizations faces several quite complex obstacles. The complexity associated with terrorist networks makes identifying members and gathering sufficient evidence challenging. The use of digital technology and covert communications by terrorist organizations makes monitoring and gathering evidence difficult. Jurisdictional limitations and obstacles in international cooperation are some obstacles to information exchange transactions and the extradition of terrorist perpetrators. On the other hand, it is necessary to maintain a balance between law enforcement and protecting privacy and human rights. Terrorist organizations periodically develop new tactics and strategies, upgrading their knowledge and skills. Therefore, to overcome these obstacles, it is necessary to increase cooperation between institutions, technical capacity, effective exchange of information, and strong international cooperation as key factors in law enforcement efforts. The author's advice in this research is to propose concrete policies and strategies to improve law enforcement, including capacity building, strengthened international cooperation, a holistic rehabilitation approach, and broader prevention efforts.

Bibliography

- Assad, M. H. 2014. *ISIS Organisasi Teroris Paling Mengerikan Abad Ini*. Jakarta: Zahira
- Brownlie, I. 2008. *Principles of Public International Law*. Seventh Ed. New York: Oxford University Press
- Djari, M. L. 2013. *Terorisme Dan TNI*. Jakarta: CMB Press
- Iswari, F. 2017. Unsur Keadilan dalam Penegakan Hukum Terhadap Pelanggaran HAM di Indonesia. *Pagaruyuang Law Journal*. 1 (1): 125-142
- Hidayat, M. & Husna, S. 2021. Resiliensi Keluarga Teroris Dalam Menghadapi Stigma Negatif Masyarakat dan Diskriminasi. *Sosio Konsepsia: Jurnal Penelitian dan Pengembangan Kesejahteraan Sosial*. 10 (2): 159-176
- Mardenis. 2013. *Pemberantasan Terorisme*. Jakarta: Raja Grafindo Persada
- Miyas, Marzuki & Mustaman. 2024. Penegakan Hukum Tindak Pidana Terorisme Yang Dilakukan Oleh Oknum Prajurit TNI Dalam Perspektif Sistem Peradilan Pidana. *Jurnal Ilmiah Metadata*. 6 (1): 70-82

- Muladi. 2002. Hakekat Terorisme dan Beberapa Prinsip Pengaturan dalam Kriminalisasi. *Jurnal Kriminologi Indonesia FISIP UI*. 2(3): 22
- Prasetyo, T. 2010. *Hukum Pidana*. Depok: Raja Grafindo Persada.
- Rani, F. 2012. Strategi Pemerintah Indonesia Meningkatkan Keamanan Wilayah Perbatasan Menurut Perspektif Sosial Pembangunan. *Jurnal Transnasional*. 4 (1): 12-14
- Sukoco, A., Syauqillah, M. & Ismail, A.U. 2021. Media, Globalisasi dan Ancaman Terorisme. *Journal of Terrorism Studies*. 3 (2): 1-15
- Tatara, B.A., Margiyati, T. & Timur, F.G.C. 2023. Ancaman Terorisme dan Strategi Penanganannya: Studi Pustaka Strategi Kontra-Terrorisme di Kamboja. *JSHP Jurnal Sosial Humaniora dan Pendidikan*. 7 (1): 91-100.
- Tawurutubun, M.F., Tahamata, L.C.O. & Waa, R. M. 2021. Bentuk Tanggung Jawab Negara dalam Memberikan Perlindungan Hukum Bagi Warga Negara yang Terlibat Terorisme Di Negara Lain. *TATOHJ Jurnal Ilmu Hukum*. 1 (2): 78-87
- Zuhdi, M. L. & Hayatullah, I. K. 2020. Narrative for Terrorism and Transnationalism ISIS Theology Through The Doctrine of Religion. *Journal of Terrorism*. 2 (1): 20-31