

Analysis of State Policy Towards the Citizenship Status of Families Sympathizing with ISIS According to International Law

Desi Natalia Sihombing^{1*}, Djayeng Tirto², Arifuddin Uksan³, Achmed Sukendro⁴, Herlina Juni Risma Saragih⁵, Pujo Widodo⁶
Defense University

Corresponding Author: Desi Natalia Sihombing desihombing05@gmail.com

ARTICLE INFO

Keywords: ISIS, Citizenship, International Law, Policy

Received: 12 July

Revised: 19 August

Accepted: 21 September

©2024 Sihombing, Tirto, Uksan, Sukendro, Saragih, Widodo: This is an open-access article distributed under the terms of the [Creative Commons Atribusi 4.0 Internasional](https://creativecommons.org/licenses/by/4.0/).



ABSTRACT

The importance of an individual's citizenship status has led the international community to establish several legal instruments related to citizenship status. The right to renounce citizenship is based on the principle that individuals have the right to determine their own citizenship, subject to the reasonable requirements of the laws of the involved states. This research method employs a qualitative approach, focusing on examining the application of legal norms and principles to legal theories and doctrines. This involves identifying the policies of various states regarding the citizenship status of families who sympathize with ISIS. Consequently, the research aims to formulate policy considerations of states concerning international legal provisions

INTRODUCTION

The development of dynamic inter-state relations is very open, making it inevitable for a country to engage with the international community (Asshiddiqie, 2020). Citizenship is a form of identity that allows individuals to experience a sense of belonging, social rights, and obligations within the state (Winarno, 2019). The concept of citizenship is crucial in traditional international law to explain the relationship between individuals who lack a standing in international law and the state, which is a significant topic in legal discussions (Philip, 2019).

Due to the importance of an individual's citizenship status, the international community has created several legal instruments related to citizenship status (Sigit, 2018). As stipulated in Article 15 of the Universal Declaration of Human Rights 1948: "Everyone has the right to a nationality, and no one shall be arbitrarily deprived of their nationality nor denied the right to change their nationality." This declaration thus acknowledges the legal and practical importance of citizenship for the fulfillment of human rights. Consequently, governments must work to ensure that every person has a nationality.

Article 24 (3) of the International Covenant on Civil and Political Rights 1966 also addresses the right to nationality, stating: "Every child has the right to acquire a nationality." Furthermore, Article 7 of the Convention on the Rights of the Child 1989 states: "The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality, and, as far as possible, the right to know and be cared for by his or her parents." Additionally, Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women 1979 states: "Women shall have equal rights with men to acquire, change, or retain their nationality." Recognition of the right to nationality is also found in the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

The majority of international law consists of provisions that bind states, and only in a minority of cases, though an important minority, do legal scholars need to focus their attention on individuals and non-state entities or associations as subjects of international law (Starke, 2008). In the practice of certain countries, international law is explicitly treated as having the same binding force as domestic law on the citizens. An international regime is an agreement between states on a specific issue. In contrast, a convention is a form of informal institution with implicit understandings that encourage coordination among relevant actors, thus promoting compliance and mutual awareness (without coercion) in the short term (Soetjipto, 2015).

In early 2014, a new entity emerged that threatened global security by declaring itself a state. The Islamic State of Iraq (ISI), which had transformed into the Islamic State of Iraq and Syria (ISIS), shifted its focus back to Iraq (Weiss & Hassan, 2015). ISIS claimed to have a populace, territory, and governance. However, ISIS cannot engage in diplomatic relations with other states, let alone obtain sovereign recognition from them, which excludes ISIS from being classified as a state (Zaki, 2017).

It is estimated that around 20,000 to 30,000 ISIS supporters were in Syria, and after ISIS's defeat in Syria, many of them became illegal immigrants attempting to return to their respective countries. Despite territorial losses, ISIS still poses ideological risks. Among the 20,000 to 30,000 ISIS sympathizers, there are Indonesian nationals who desire to return home. Following the defeat, approximately 70,000 former ISIS sympathizers, including fighters' families, women, and children, were gathered in the overcrowded Al-Hol camp in Syria (Sumawiharja & Ismunandar, 2020).

Various countries have adopted different policy options regarding the repatriation of former ISIS sympathizers and their families. Sixteen countries, including Indonesia, have decided not to repatriate them, while five countries, such as France and Germany, have chosen to repatriate them. Four other countries, like Russia and Malaysia, have opted for repatriation under certain conditions. The policy option of revoking citizenship as a punishment for ISIS sympathizers could be counterproductive, potentially legitimizing ISIS as a political entity (Narasi Team, 2020). Therefore, the policy of citizenship revocation adopted by some countries remains a subject of debate, necessitating comprehensive analysis of the policies countries adopt regarding the citizenship status of individuals and families of former ISIS sympathizers.

LITERATURE REVIEW

Social Modern Citizenship Theory

Citizenship is a matter of utmost importance. In the realm of public law, citizenship plays a crucial role. It demonstrates the significance of an individual's citizenship status in the relationship between the state and the individual (Yulianto, 2018). Citizenship is delineated based on evolving national approaches within each country. Just like most categorizations, this perspective consists of groups of ideas with shared dimensions of arrangement, rather than neatly categorizing specific concepts about citizenship (Jones & Gaventa, 2002). Citizenship exists within space and time but is also bounded by them. The first limitation of citizenship is territorial (space). Citizenship relates to specific territories; citizens are citizens of delimited territories, and citizenship rights exist within specific areas (Baruchello, 2018).

The liberal tradition strongly emphasizes the ideology of individualism, highlighting individual freedom, particularly freedom from state and societal interference. The theory within the liberal tradition argues that citizens are authorities empowered to make choices and exercise rights. This perspective is characterized by its emphasis on individuals and is rights-based (Effendi, 2018). Following World War II, this theory underwent significant development, marked by the emergence of modern liberal citizenship theory.

Modern liberal citizenship theory, supported by T.H. Marshall in his work "Citizenship and Social Class," provides two understandings of citizenship. Firstly, citizenship is a status inherent to a community, and secondly, it is a status where members have rights and responsibilities. Each society presents different rights and obligations for its citizens (Sujatmoko, 2021). In T.H. Marshall's conception, citizens are every member of a political community who stands as equals and enjoys three rights protected and guaranteed by the state: civil rights, political rights, and social rights (Robert & Tohi, 2014). Rights hold meaning in institutional contexts and can only be achieved under material conditions. Marshall adds that the development of citizenship is not solely the result of state development; changes in citizenship can be achieved through conflicts between social institutions and among social groups (Marshall, 1950).

In this theory, citizens are often understood as members of a legal society who are free to act according to the law and to seek legal protection. This means that citizenship typically emphasizes citizenship as a legal status. One liberal conception of citizenship frequently articulated by T.H. Marshall identifies the expansion of citizenship with the extension of rights from civil to political and to social and economic rights. He argues that citizenship is about ensuring everyone as a full and equal member of society, and this goal can be achieved by granting increasing civil rights to citizens (Zheng, 2019). In the context of social rights, modern liberal citizenship theory now considers the fulfillment of basic rights and civil liberties, arguing that civil rights and liberties fundamentally imply and necessitate social rights, and these are not in conflict with the state.

Citizenship as universal and identity as particular not only creates an artificial separation between citizenship and identity but also assumes that every individual and group understands, experiences, and practices citizenship in the same way. This overlooks the point that individual identity and citizenship mutually shape each other (Sklar, 2020). Citizens who have information and mobilization are clearly in a better position to engage and utilize the spaces opened by participatory processes. They can use their institutions to demand accountability, transparency, and responsiveness from government institutions (Cornwall & Gaventa, 2001). As citizenship is defined as a unity of specific rights and obligations, such approaches focus on the right to possess rights. Advocating for one's own perception of rights shifts the emphasis towards the process of claiming rights rather than the substance of those rights themselves.

Incorporation Theory

Essentially, international law is the law that governs relations between nations (the Law of Nations) or relations between states. Therefore, the primary subjects of international law are indeed states (Ariadno, 2008). In general, states have varying practices concerning the incorporation of international law into their national legal systems. In Monist theory, which prioritizes international law, it is believed that national law derives from international law, which inherently holds a higher hierarchical position.

The primacy of international law, viewed by Kelsen as a traditional doctrine, emphasizes the approach of international law in understanding the relationship between international law and national law. This perspective places states intrinsically within the framework of international law, thereby determining all elements of the state according to international law (Kelsen, 1991). A nation's domestic policy regarding international treaty matters is subject to international law. However, the participation of a state in an international convention is contingent upon its national legal sovereignty, which allows for such participation.

The theory of incorporation is a continuation of the monist perspective, which sees national and international law as a unified entity. Therefore, the theory of incorporation views international law as part of national law, and the application of international law within the national legal system does not require legislative approval beforehand but automatically applies when an international agreement is approved by the government of a country. Conversely, legal products produced by the state should, as much as possible, be made consistent with and conform to international law (Kusumaatmadja, 2003).

Some experts refer to this doctrine as "automatic standing incorporation." According to the doctrine of incorporation, provisions of international law automatically become part of national law without requiring a transformation process into national law. This doctrine appears to be influenced by the monist school with its primacy of international law. This can be seen, among other reasons, in why a country adopts this approach. The main reason is that these provisions constitute international law. In other words, international law is claimed to be superior to national law (Harjianti, 2011).

METHODOLOGY

The method used in this research is qualitative research. In this type of legal research, law is conceptualized as what is written in legislation (law in books) or law is conceived as rules or norms that serve as benchmarks for human behavior deemed appropriate by harmonizing various existing regulations, using the method of legal synchronization. The study focuses on harmonization with international legal instruments (Amiruddin & Asikin, 2004).

In this research, international legal materials are used as primary research materials, consisting of the Universal Declaration of Human Rights 1948; International Convention relating to the Status of Stateless Persons 1954; International Convention on the Reduction of Statelessness 1961; International Covenant on Civil and Political Rights 1966; Convention on the Elimination of All Forms of Discrimination against Women 1979; and Convention on the Rights of the Child 1989.

The primary research materials will be combined with publications on law, which are unofficial documents. These publications include textbooks discussing one or more legal issues, including undergraduate theses, legal dissertations, law dictionaries, law journals, and commentaries on judicial decisions. And tertiary legal materials, which provide guidance or explanations on primary and secondary legal materials, such as law dictionaries (Ali, 2013).

The research employs approaches to international law, case-based analysis, and analytical methods. It is a descriptive analysis aiming to describe and analyze the issue through detailed case analysis of facts and relevant legal considerations. The goal is to concretely describe the analysis of national policy considerations by states regarding decisions to revoke citizenship status from families sympathetic to ISIS (Islamic State of Iraq and Syria) based on international legal provisions.

RESULT AND DISCUSSION

Most state laws contain provisions that allow the state to revoke an individual's citizenship under certain conditions (Philip, 2019). In cases concerning citizenship status after the decline of ISIS, the related countries have adopted policies to either not repatriate (revoke citizenship), repatriate (without revoking citizenship), or repatriate conditionally (without revoking citizenship) (Narasi Team, 2020).

Countries with policies to not repatriate all (families of ISIS sympathizers and sympathizers) between 2019-2021 include Albania, Azerbaijan, Bulgaria, Egypt, India, Indonesia, Kazakhstan, Kuwait, Macedonia, Libya, Pakistan, Serbia, Sri Lanka, Trinidad, Turkey, and Australia. Furthermore, countries with policies to repatriate all (families of ISIS sympathizers and former sympathizers) are France, Belgium, Denmark, Sweden, and Germany. Countries with policies to repatriate with certain conditions are Russia, Malaysia, Uzbekistan, and Kosovo (Narasi Team, 2020). Legal provisions that allow the state to revoke citizenship take the form of imposing legal consequences on the positive law of the country, affecting individual rights and freedoms (Philip, 2019). The insistence on the right to citizenship status is a justified demand as long as the world is governed on the basis of nation-states.

The policy of revoking the citizenship of families of ISIS sympathizers in conflict areas has faced opposition from various quarters, necessitating a revision of such revocation rules. This has occurred in countries such as Azerbaijan, Kazakhstan, Turkey, Albania, Macedonia, and Australia. Initially, the government of Azerbaijan agreed to revoke the citizenship of all citizens in conflict areas. Azerbaijan's consideration to revoke the citizenship of ISIS sympathizers' families was based on a 2018 report by the State Committee for Work with Religious Associations, stating that 92 individuals were prosecuted upon their return, and 260 lost their citizenship (Abushov, 2018).

The option to not revoke the citizenship of families of ISIS sympathizers was chosen because most Azerbaijani citizens who joined terrorist groups in Syria and Iraq were radicalized within their own country before their departure (Ratelle et al., 2017). Policy considerations also related to terrorism claim that effectively addressing terrorism can be achieved through a combination of soft and hard policies that have already been implemented (Kamilsoy, 2018).

Kazakhstan is considered a true leader in the world, as it has revised its policy from revoking citizenship to not revoking the citizenship of former sympathizers and families of ISIS sympathizers in conflict areas, ensuring that they face justice for their crimes, and including family members in advanced and effective rehabilitation and reintegration program (U.S. Mission Kazakhstan, 2020). The decision to repatriate Kazakhstani citizens was made by President N. Nazarbayev without gauging public opinion on the matter. The Kazakhstani government has developed a complex multi-layered and multi-stakeholder approach to implement the '3R' policy: repatriation, rehabilitation, and reintegration. Since this is a new policy, it has yet to develop best practices. Essentially, learning by doing has been the only option available for the country (Widagdo et al., 2021).

At the end of May 2020, Turkey received a total of 188 children repatriated by the conflict-ridden country, Iraq. Previously, Turkey had announced a policy to revoke the citizenship of families of ISIS sympathizers in conflict areas. The repatriation carried out by Iraq was seen as an obligation. Turkey, which shares borders with Iraq and Syria, plays a crucial role in our fight against ISIS, and Turkey hosts 3.6 million Syrian refugees (Bilgiç, 2019). It seems like you're discussing the situation involving Albanian children trapped in Syria due to their parents' involvement with ISIS or other extremist groups. The situation in the al-Hawl refugee camp, controlled by the Syrian Democratic Forces, is dire, with humanitarian organizations warning of worsening conditions. Relatives of these children protested in Tirana earlier this year, urging the Albanian government to take more action to bring them home. About 140 Albanian citizens are known to have joined ISIS or other militant groups in Syria (Mejdini & Tirana, 2020).

The policy to repatriate most Albanian citizens is based on protests that occurred in September 2020 when families protested on Monday outside the Prime Minister's office in Albania, calling for concrete steps to bring back around 50 children taken by their parents to join ISIS in Syria and Iraq about six years ago and now trapped in camps there. The protest, held symbolically on the first day of the new school year in Albania, highlights the deteriorating conditions of children in the Al-Hol camp in Syria, where they have been living for the past two years after ISIS's defeat (Mejdini & Tirana, 2020).

North Macedonia is one of the first countries to elaborate a national 'whole-of-society' framework supported by a multidisciplinary approach to address a range of complex risks. The plan outlines the roles and responsibilities of various national institutions, from intelligence agencies to health authorities, which can perform functions such as determining whether there is sufficient evidence to prosecute a returnee, assessing the level of risk they pose, evaluating their health needs, and so on. The information gathered then determines the mix of

prosecution, counseling, social support, or other services required (Rosand et al., 2020).

The Danish government is a country that makes policies to revoke citizenship, after in late December 2019 making policies not to revoke citizenship, but at the end of March making a draft law where children born abroad from jihadists will not have Danish citizenship (Rosand et al., 2020). Furthermore, India, which has experienced fluctuations in amendments to the Citizenship Act to revoke the citizenship of ISIS sympathizers' families. Official policies involve not engaging with affected residents, the use of harsh measures against protesters, and refusal to act against vigilante groups involved in several incidents of violence targeting Muslims, ultimately leading to the creation of a hostile environment fostering violent extremism. In this context, ISIS's calls for patience and firm violent actions through alternative means become relevant (Bibhu & Routray, 2020).

Twenty-five countries have continued policies after the collapse of ISIS. Eighteen countries chose to repatriate women and children from conflict areas based on humanitarian considerations and applicable national legal requirements. Seven other countries opted not to repatriate and to revoke citizenship of women and children in conflict areas due to concerns that their return could threaten national security. Countries like India and Denmark enacted regulations in early 2020 to support policies of revoking citizenship rights for women and children in conflict zones (Sihombing, et.al., 2021).

The revocation of citizenship applies not only to ISIS militants but also extends to their families, including women and underage children. This has led to statelessness because they do not have citizenship, even though they did not join ISIS voluntarily and did not participate in the serious human rights abuses committed by ISIS. Changes in citizenship through voluntary expatriation and naturalization result from individual free will practices. Other changes in citizenship often occur due to legal operations (Hare, 1915).

Lauterpacht, in the International Bill of the Rights of Man, includes the right to citizenship in its declaration. He is particularly concerned with the anomaly of statelessness in international law and the difficulties experienced by individuals who do not have citizenship (Lauterpacht, 2013). Since the defeat of the ISIS caliphate group, families of ISIS fighters, including women and children, have been placed in overcrowded refugee camps with over 70,000 people. In dire conditions, abandoned by their husbands, ignored by the caliphate, and local conflict governments (Ramadhan & Aditya, 2013)

Social status determines individual participation in politics, and except in cases of national emergency where one should act solely as a citizen, regardless of class or party membership. In this regard, women and children in conflict areas, considered by some countries such as the UK, Tunisia, Denmark, and Trinidad & Tobago as cases posing a national security threat of emergency, should act as citizens, not otherwise.

The Universal Declaration of Human Rights is a fundamental instrument for the protection of human rights and freedoms, as well as the principles of non-discrimination and equality. As stated in Article 15, paragraphs 1 and 2 of the Universal Declaration of Human Rights, 'Everyone has the right to a nationality, and no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality (Ramadhan & Aditya, 2013). Within the framework of protecting ethnic and other minority groups, this general principle is further elaborated in international instruments. These instruments include the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention Against Discrimination in Education, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Declaration on Race and Racial Prejudice (Yolla & Wibowo, 2018).

As a measure to prevent the increase in the number of stateless persons, regulations on statelessness were established by UNHCR, namely the Convention Relating to the Status of Stateless Persons 1954 and the Convention on the Reduction of Statelessness 1961. These conventions include provisions for countries that have agreed not to arbitrarily revoke citizenship or leave individuals stateless, as stated in Article 8(1) of the Convention on the Reduction of Statelessness 1961 (Lukman, 2019) Article 9 states that a country retains the right to take preventive measures or defer consideration that someone is considered a stateless person as long as this is essential for national security interests (Printz-Erdtman, 1963).

In the book 'Citizenship and Social Class,' T. Marshall outlines that differential status related to tasks, functions, and family has been replaced by a uniform citizenship status, which provides the foundation for equality upon which structures of inequality can be built. Thus, citizenship is a status granted to those who are full members of the community. All those with this status are equal in terms of rights and duties conferred (Hall et al., n.d.) If citizenship is used to assert rights, the associated duties cannot be ignored. This does not require individuals to sacrifice their personal freedoms or unquestionably submit to every demand made by the government. However, it does require that their actions be inspired by a living sense of responsibility towards the welfare of society (Printz-Erdtman, 1963).

Regarding a country's consideration of policies to revoke citizenship from women and children who are family members of ISIS sympathizers, this is based on the consideration of potential threats to national security. Such considerations are valid if they have clear positive legal provisions. As explained in Article 7(1)(a) of the Convention on the Reduction of Statelessness 1961, 'If the laws of a country require loss or renunciation of nationality, such renunciation shall not result in statelessness unless the person concerned possesses or acquires another nationality

If citizenship is a legacy towards the right to claim rights, then the individual must also have obligations regulated by the state. Citizenship of women and children in conflict areas can be revoked if proven to violate duties stipulated by the state and/or if proven to pose a threat to national security according to regulations. Denial of citizenship shall only apply if a citizen is proven to have acted against the principles stated in Articles 13 and 14 of the Universal Declaration of Human Rights, which include declaring a change of citizenship and committing non-political crimes

Specifically, citizenship as a right to claim rights is a form of relationship between human rights and statelessness. Resolving this issue is done through three processes: preemptive remedies, minimization remedies, and naturalizing remedies (Weissbrodt & Collins, 2006). Preemptive remedies are efforts to address statelessness before the issue escalates. The goal of these efforts is to prevent someone from becoming stateless, typically applied to women and children. Minimization remedies, in this context, are efforts to address the obstacles faced by stateless individuals. These efforts do not change a stateless person into a citizen but are seen as steps towards improving their situation. Naturalizing remedies involve granting citizenship to these individuals. As long as statelessness exists, these three efforts are crucial and essential (Weissbrodt & Collins, 2006).

In relation to the interpretation of stateless persons under Articles 13 and 14 of the Convention on the Reduction of Statelessness 1961, it must not lead to a reduction in the number of stateless persons that may be included in the laws of any participating state now or in the future. It further asserts that, in case of disputes regarding the interpretation or application of this Convention that cannot be resolved through other means, it shall be referred to the International Court of Justice upon request of any party involved

CONCLUSIONS AND RECOMMENDATIONS

The citizenship status of individuals related to families of sympathizers of the Islamic State in Iraq and Syria (ISIS) in conflict areas, according to international law provisions, reaffirms citizenship rights that must be well upheld by the state or upheld by citizens organized within countries regarding the citizenship status held by families of ISIS sympathizers. A country's consideration of policies to revoke citizenship of family members of ISIS sympathizers is based on two reasons: national security threats and valid positive legal provisions. Specifically, citizenship as a right to claim rights, thus international law provisions provide regulations to eliminate statelessness. In this aspect, it can be seen that states, with their sovereignty, are still unable to fully perform the functions of fulfilling and protecting every individual citizen.

The considerations made by states regarding the citizenship status of families of ISIS sympathizers must not be superficial. Citizens identified as violating human rights under national law must undergo legal processes, as stipulated in international law, which prohibits states from allowing impunity without legal process. Enforcement is entrusted to the state, subject to review by an international authority, where constitutional rights may first be considered by

national courts and ultimately by higher courts, thus creating a flexibly developed administrative procedure.

ADVANCED RESEARCH

The limitation in the research lies in the researcher's inability to further elaborate on the political considerations occurring in each country. Further research is needed on the legal policies adopted by each country, in order to provide a more comprehensive and holistic understanding.

REFERENCES

1238-3058-2-PB. (n.d.).

39087-EN-kedudukan-hukum-internasional-dalam-sistem-hukum-nasional. (n.d.).

Abushov, V. (2018, February 18). *Another Azerbaijan Killed in Syria*. APA Reports.

Ali, Z. (2013). *Metode Penelitian Hukum*. Sinar Grafika.

Amiruddin, & Asikin, Z. (2004). *Pengantar Metode Penelitian Hukum*. Alumni.

Asshiddiqie, J. (2020). *Pengantar Ilmu Hukum Tata Negara*. Rajawali Pers.

Baruchello, G. (2018). A Theory of Citizenship Rights. *Nordicum-Mediterraneum Humanities International Complete*, 13(1).

Bibhu, D., & Routray, P. (2020). *ISPSW Strategy Series: Focus on Defense and International Security Islamic State in India: Wilayat-e-Hind*. <https://www.indiatoday.in/india/story/delhi-terror-strike-averted-islamic-state-isis-men-arrested-with-ied->

Bilgiç, B. N. (2019, December 12). *Turkey Crucial in Anti-ISIS/ Daesh Fight:Bulgaria*. Anadolu Ajansi.

Chapter Two Theoretical Conceptions of Citizenship: An Exploration. (n.d.).

Cornwall, A., & Gaventa, J. (2001). 7.

Diajukan, S., & Persyaratan, U. M. (n.d.). *STATUS KEWARGANEGARAAN MANTAN MILISI ISLAMIC STATE OF IRAQ AND SYRIA DI INDONESIA*.

Emma Jones & John Gaventa. (n.d.).

Fokus_Kajian_Mengenai_Repartiasi_WNI_eks. (n.d.).

Hall, T. H. M., House, B., American, N. W. I., & York, N. (n.d.). *CITIZENSHIP AND SOCIAL CLASS and other essays* CAMBRIDGE AT THE UNIVERSITY PRESS 1950 PUBLISHED BY THE SYNDICS OF THE CAMBRIDGE UNIVERSITY PRESS.

Hare, M. V. (1915, December 6). *Syllabus U.S. Supreme Court*. Justia.

Harjianti, S. D. (2011). *Negara Hukum yang Berkeadilan*. Pusat Studi Kebijakan Negara Fakultas Hukum Universitas Padjajaran.

jurnaladm,+Yolla. (n.d.).

Kamilsoy, N. (n.d.). *Dealing with returning foreign fighters in Azerbaijan: reintegration for deradicalization?*
<https://doi.org/10.13140/RG.2.2.10927.18080>

Kelsen, H. (1991). *General Theory*. Oxford University Press.

Kusumaatmadja, M. (2003). *Pengantar Hukum Internasional*. Sinar Grafika.

Lauterpacht, H. (2013). *An International Bill of The Rights of Man*. Oxford Scholarly Authorities on International Law.

Liberal Citizenship, Republican Citizenship, and Environmental Challenges. (2019).

Mejdini, F., & Tirana. (2020, September 15). *Families of Albanian Children In Syrian Camps Rally For Their Return*. BIRN.

Narasi Team. (2020). *Menangkis ISIS Istana Vs Komnas HAM Soal Polemik ISIS*.

Philip. (2019). *A Modern Law of Nations* (Cet. 2). Nuansa Cendikia.

Printz-Erdtman, G. (1963). Papers by gunnar erdtman published 1920–1963.
Grana Palynologica, 4(3), 339–354.
<https://doi.org/10.1080/00173136309429107>

- Ratelle, J.-F., Cecire, M. H., & Geybulla, A. (2017). Caucasus Analytical Digest: Political Islam. In *Caucasus Analytical Digest (CAD)*.
- Robert, R., & Tohi, H. B. (2014). *Pengantar Sosiologi Kewarganegaraan: dari Marx Sampai Agamben*. Marjin Kiri.
- Rosand, E., Ellis, H., & Weine, S. (2020, September 14). *Repatriating ISIS Family Members: A North Macedonia Mode? Just Security*.
- Sigit, R. N. (2018). *Perlindungan Terhadap Orang Tanpa Kewarganegaraan (Stateless People) Dalam Hukum Internasional (Studi Kasus Etnis Rohingya Di Myanmar)*. Universitas Jambi.
- Soetjipto, Ani. W. (2015). *HAM dan Politik Internasional: Sebuah Pengantar*. Yayasan Pustaka Obor Indonesia.
- Starke, J. G. (2008). *Pengantar Hukum Internasional (10th ed., Vol. 1)*. Sinar Grafika.
- Sujatmoko, A. (2021). *Hukum HAM dan Hukum Humaniter (1st ed.)*. Rajawali Pers.
- Sumawiharja, F. A., & Ismunandar, A. I. (2020). Analisa Kebijakan Penerimaan WNI Mantan Simpatisan ISIS di Suriah (Policy Analysis of Re-Acceptance Indonesia Citizenship former ISIS in Suriah). *Jurnal Keamanan Nasional Sekolah Kajian Stratejik Dan Global Universitas Indonesia*, VI(1).
- TINJAUAN YURIDIS STATUS KEWARGANEGARAAN INDIVIDU TERHADAP KELUARGA SIMPATISAN ISLAMIC STATE OF IRAQ AND SYRIA YANG BERADA DI WILAYAH KONFLIK BERDASARKAN HAK ASASI MANUSIA INTERNASIONAL. (n.d.).
- U.S. Mission Kazakhstan. (2020, June 25). *Country Reports On Terrorism 2019*. U.S. Department of State.
- Weiss, M., & Hassan, H. (2015). *ISIS : The Inside Story* (Tri. BS. Wibowo, Ed.; 1st ed.). Prenadamedia Group.

- Weissbrodt, D., & Collins, C. (2006). *Scholarship Repository Scholarship Repository The Human Rights of Stateless Persons The Human Rights of Stateless Persons The Human Rights of Stateless Persons*.
https://scholarship.law.umn.edu/faculty_articles
- Widagdo, S., Indrayanti, K. W., & Saraswati, A. A. A. N. (2021). Repatriation as a Human Rights Approach to State Options in Dealing with Returning ISIS Foreign Terrorist Fighters. *SAGE Open*, 11(3).
<https://doi.org/10.1177/21582440211032679>
- Winarno. (2019). *Paradigma Baru Pendidikan Kewarganegaraan: Panduan Kuliah di Perguruan Tinggi*. Bumi Aksara.
- Yulianto, H. (2018). *Gagasan Pengujian Peraturan Daerah Kabupaten/Kota Terhadap Peraturan Daerah Provinsi*. Universitas Jember.
- Zaki, R. (2017). ISIS Sebagai Subjek Hukum Internasional. *Bina Nusantara*.