

**ANALYSIS OF GAPS IN IMMIGRATION POLICY AT IMMIGRATION CHECKPOINTS (TPI)
IN INDONESIA**

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ABSTRACT

This study aims to analyze gaps in immigration policy at Immigration Checkpoints (TPI) in Indonesia and their impact on the supervision of foreign nationals (WNA). The research employs a qualitative approach with a critical realist paradigm, using literature review and document analysis methods. Data were obtained from laws and regulations, scientific journals, and official reports related to immigration. The results indicate that there are various gaps in the immigration system, particularly in document verification, data integration among agencies, and the monitoring of foreign nationals' activities. These gaps are exploited by foreign nationals to commit violations such as visa misuse, overstaying, and other illegal activities. In addition, weak inter-agency coordination and the suboptimal use of technology further exacerbate these issues. From the perspective of state sovereignty, these policy gaps pose potential threats to national security. Therefore, strengthening regulations, enhancing supervision, and implementing an integrated digital immigration system are necessary to close existing policy gaps and improve the effectiveness of immigration management in Indonesia.

Keywords: Immigration; TPI; Foreign Nationals; Policy; State Sovereignty

INTRODUCTION

In the era of globalization, cross-border mobility has increased significantly. This development is inseparable from technological advancements, the improvement in the quality of human resources, and the expansion of transportation and communication infrastructure, all of which make it easier for individuals to travel from one country to another. The presence of foreign nationals in a country also influences immigration regulations and policies, thus the growing flow of international movement must be balanced with an effective monitoring system (Muhlisa & Roisah, 2020). This phenomenon has become an important concern for all countries, including Indonesia, as every state possesses full sovereign rights to regulate, protect, and supervise the movement of foreign nationals entering and leaving its jurisdiction. This is in line with the view of (Rudianto et al., 2025), which states that state sovereignty includes full authority in managing cross-border human mobility as part of safeguarding territorial integrity and national interests.

Immigration Checkpoints (TPI) play a highly strategic role in Indonesia's immigration system, as they serve as the primary entry and exit points for individuals entering and leaving the country. TPI functions not only as a site for administrative inspection but also as a supervisory instrument that filters individuals who may pose threats to national security and public order. In practice, immigration officers at TPI are authorized to verify travel documents, assess an individual's eligibility for entry, and detect potential immigration violations at an early stage (Setiawan, 2019). Therefore, the effectiveness of TPI management is a key factor in maintaining state sovereignty, as any loopholes in the inspection system can be exploited by certain parties to commit violations, such as visa misuse or the entry of individuals who do not meet the required criteria (Lesmana et al., 2020). Thus, strengthening the functions and supervisory systems at TPI is essential to ensure that the immigration system operates optimally and is capable of addressing increasingly complex global challenges.

Immigration control is not limited to foreign nationals but also includes Indonesian citizens, particularly in processes such as applying for travel documents and activities related to entering and leaving the country. In addition, supervision is also directed at foreign nationals entering Indonesia, especially those utilizing the visa-free visit policy. (Akbar et al., 2024) explain that, in practice, various immigration violations are still found, such as the misuse of residence permits or overstaying beyond the permitted period.

In this regard, immigration measures against foreign nationals who commit violations, such as visa misuse or abuse of residence permits, are explicitly regulated under Law Number 6 of 2011 on Immigration. The provisions stipulate that foreign tourists as well as foreign workers residing in Indonesia are required to possess valid residence permits, as regulated in Article 48 of Law Number 6 of 2011. Furthermore, every foreign national entering the territory of Indonesia is obliged to fulfill administrative immigration requirements. One of the key provisions is stated in Article 8 paragraph (2), which affirms that every foreign national entering Indonesia must hold a valid and unexpired visa, unless otherwise specified by law or international agreements (Wardana, 2019).

In line with these provisions, every individual entering the territory of a country must possess a travel document in the form of a visa. Based on Article 1 paragraph (18) of Law Number 6 of 2011 on Immigration, an Indonesian visa is defined as a written authorization issued by an authorized official at an Indonesian diplomatic mission or another location designated by the Government of the Republic of Indonesia, granting approval for foreign nationals to travel to Indonesia and serving as the basis for granting a residence permit. Furthermore, Article 34 of Law Number 6 of 2011 stipulates that visas consist of diplomatic visas, service visas, visit visas, and limited stay visas. In general, the type of visa granted to an individual is adjusted to the purpose of their visit, such as for employment, education, or other activities. (Saputra et al., 2025) emphasize that these different types of visas carry distinct legal implications; therefore, any mismatch between the type of visa and the activities undertaken by foreign nationals may lead to immigration violations.

In line with the role of visas as an instrument for controlling the entry of foreign nationals into a country, the ease of human mobility in the era of globalization not only brings positive impacts but also creates opportunities for various forms of deviation. Mismatches between the type of visa and the purpose of entry, along with weak supervision and the implementation of legal policies, can trigger an increase in transnational crimes. Transnational crime poses a serious threat as it can cause widespread harm to many countries around the world. Various forms of such deviations, including human exploitation and immigration violations, are often exacerbated by persistent poverty and social inequality. Therefore, transnational crime is not merely a national issue but also an

international concern that requires cooperation among countries as well as comprehensive and sustainable efforts to address it (Ilmih, 2017).

In relation to the increasing prevalence of transnational crime and the potential misuse of visas, immigration holds a highly strategic position in carrying out control and supervisory functions over foreign nationals. This role not only requires the optimization of immigration policies but also serves as a crucial instrument in maintaining state stability and sovereignty. The high mobility of migrants across countries has contributed to the emergence of various immigration-related issues that pose real threats to national security. Some common forms of violations include overstay, where foreign nationals remain beyond the permitted duration of their stay, and illegal entry, referring to the entry of foreign nationals into Indonesian territory without valid documents or without undergoing inspection at Immigration Checkpoints (TPI). This condition further emphasizes the importance of effective immigration control in preventing violations that may impact state sovereignty (Hendrawan et al., 2022). Moreover, in an era of globalization that upholds cross-border human mobility, efforts to strengthen supervisory systems and law enforcement become vital instruments in safeguarding the integrity of state sovereignty and ensuring legal certainty for all stakeholders within Indonesia's jurisdiction (Astiniasih, 2025).

RESEARCH METHODS

This study employs a qualitative approach with a critical realist paradigm. The qualitative approach is chosen because this research aims to gain an in-depth understanding of the phenomenon of gaps in immigration policy and how these gaps are exploited by foreign nationals (WNA) (Sugiyono, 2016). The critical realist paradigm is used to examine social reality based on the underlying structures, mechanisms, and contextual factors. The object of this study is immigration policy in Indonesia, particularly those related to Immigration Checkpoints (TPI) as entry and exit points of the country. The focus is on identifying policy gaps, forms of misuse by foreign nationals, and their impact on state sovereignty.

The data used in this study are secondary data obtained from various sources, including laws and regulations related to immigration, nationally indexed scientific journals (SINTA), official reports from the Directorate General of Immigration, and other scholarly literature relevant to public policy and immigration. Data collection techniques were carried out through library research and document analysis. The literature review was used to examine theories and findings from previous studies, while document analysis was conducted to identify policy content and uncover potential gaps within the existing immigration system.

Furthermore, the data analysis technique in this study employs qualitative descriptive analysis through several stages, namely data reduction, data presentation, and conclusion drawing. Data reduction is carried out by selecting and simplifying data relevant to the research focus (Haryono, 2020). Data presentation is conducted in the form of systematic narratives and tables to facilitate understanding. Meanwhile, conclusions are drawn by interpreting the data to identify patterns, relationships, and meanings from the phenomena under study. To ensure data validity, this research applies source triangulation by comparing various data sources, thereby enhancing the credibility and reliability of the findings.

RESULTS AND DISCUSSION

The results of the study indicate that there are various policy gaps within Indonesia's immigration system, particularly at Immigration Checkpoints (TPI) as the primary gateways for entry and exit from the country. These gaps are found not only in the regulatory framework but also in policy implementation and the still suboptimal supervision system. One of the main findings is the weakness in the document verification process, which remains largely administrative and is not yet fully supported by an integrated digital system. This condition allows for data manipulation or the use of invalid documents by foreign nationals (WNA) (Herzegovina et al., 2022). Furthermore, the lack of data integration among agencies is another significant factor that increases the likelihood of violations, as available information is not connected in real time (Kindi et al., 2025).

As a concrete example of an immigration violation, there is a case of overstay committed by a Malaysian foreign national handled by the Class I Immigration Office TPI Bandung (Putri & Jaman, 2025). The individual entered Indonesian territory using the visa-free visit facility but subsequently violated the provisions by remaining beyond the permitted period of stay.

Based on the results of the examination, the violation was categorized as an overstay of less

than 60 days, resulting in administrative action in the form of deportation in accordance with applicable regulations (H et al., 2024). The deportation process was carried out through Soekarno-Hatta International Airport under the supervision of immigration officers as a form of firm immigration law enforcement. This case illustrates that immigration violations continue to occur frequently and remain a significant challenge in the supervision of foreign nationals in Indonesia (Khalis et al., 2019).

In addition to issues within the verification system, this study also finds that the monitoring of foreign nationals' activities after entering Indonesian territory remains relatively weak. Limitations in human resources, along with the lack of an effective monitoring system, result in many activities of foreign nationals not being optimally supervised (Herzegovina et al., 2022). This condition creates opportunities for foreign nationals to commit various violations, such as visa misuse, unauthorized employment, and engaging in activities that do not align with the purpose of their entry (Dani, 2020). Thus, it can be concluded that existing policy gaps occur not only at the point of entry but also during the supervision stage while foreign nationals are residing within Indonesia.

From a discussion perspective, these findings indicate that weaknesses in Indonesia's immigration system are structural and systemic in nature. This means that the problems do not only lie in the existing regulations but also in the implementation of policies in the field, which has not yet been carried out optimally. This is in line with the view of (Pakpahan et al., 2024) which states that weaknesses in public policy are often caused by gaps between regulation and its implementation. In this context, although immigration regulations have been relatively well established, their implementation still faces various challenges, such as a lack of inter-agency coordination and the suboptimal utilization of technology.

Furthermore, from the perspective of state sovereignty, these gaps in immigration policy can pose serious threats. State sovereignty is not only related to territorial control but also to the state's ability to regulate and monitor the movement of foreign nationals entering and leaving its territory (Rudianto et al., 2025). If the immigration system is unable to effectively carry out its supervisory function, the potential threats to national security will increase. This is supported by the view of (Sumartini et al., 2022) which states that immigration plays a strategic role in maintaining national stability and security.

To address these issues, comprehensive strategic measures are required, one of which is the digitalization of an integrated immigration system across agencies. With an integrated system, verification and monitoring processes can be carried out more quickly, accurately, and efficiently (Muhlisa & Roisah, 2020). In addition, improving human resource capacity and strengthening regulations are also essential factors in closing existing policy gaps. Immigration policy reform must be carried out continuously to adapt to increasingly complex global dynamics (Saputra et al., 2025).

Thus, the results and discussion of this study emphasize that improving the immigration system requires not only changes in the regulatory aspect but also advancements in technology, stronger inter-agency coordination, and the enhancement of human resource quality. These efforts are crucial to ensure that Indonesia's immigration system functions optimally in safeguarding state sovereignty and preventing violations by foreign nationals.

CONCLUSIONS

Based on the results and discussion of this study, it can be concluded that Indonesia's immigration system, particularly at Immigration Checkpoints (TPI), still contains various policy gaps that can potentially be exploited by foreign nationals (WNA). These gaps include weaknesses in the document verification process, lack of data integration among agencies, and weak supervision of foreign nationals' activities after entering Indonesian territory. This condition enables various immigration violations such as visa misuse, overstaying, and other illegal activities. Furthermore, the issues identified are not only regulatory in nature but also structural and systemic, particularly in terms of suboptimal policy implementation, limited human resources, and the insufficient use of technology in the monitoring system. From the perspective of state sovereignty, these policy gaps can pose serious threats to national security and stability. Therefore, strategic measures are required, including strengthening regulations, improving inter-agency coordination, and implementing an integrated digital-based immigration system. These efforts are expected to close existing policy gaps and enhance the effectiveness of immigration supervision in safeguarding Indonesia's state sovereignty.

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