

BORDER MANAGEMENT: CHALLENGES AND ISSUES AT THE BORDER IN INDONESIA

Mochamad Rizqi Setiawan Setiawan¹

Erza Lasoturia Anansih Mendrofa²

Gede Maha Aditya Pramana³

¹Immigration Law Diploma Program, Immigration Polytechnic, Indonesia

²Immigration Administration Diploma Program, Immigration Polytechnic, Indonesia

³Immigration Administration Diploma Program, Immigration Polytechnic, Indonesia

Email: *rizqimochamad007@gmail.com*

Email: *erzasoturia@gmail.com*

Email: *premanaditya@gmail.com*

ARTICLE INFORMATION

Received date

[30-09-2020]

Revision

[28-10-2020]

Accepted date

[22-12-2020]

ABSTRACT

This paper aims to give a comprehensive account of the border management in Indonesia through the challenges faced by the CIQS (Customs, Immigration, Quarantine, and Security) and offered strategies to curb the challenges. The cross-border activities potentially bring the illegal movement to both the people and the goods. Indonesia, as an archipelagic country, should build border management and border control policies that able to overcome those challenges with the Coordinated Border Management (CBM) strategy. This study uses qualitative methodology with a descriptive analysis through document analysis of government reports, journal articles, or any related documents. This research uses SWOT Analysis by observing the internal and external aspects of border agencies in Indonesia, especially the Directorate General of Immigration (DGI). This paper affirmed that immigration and border control policy in Indonesia should be reassessed and updated to comply with the rapid development of globalization, suit the national interest, and use the CBM approach strategy to secure the border effectively.

Keywords: *border superintendence, plan of action, policy re-evaluation, national significance*

INTRODUCTION

The flux of migration might also impact national security and national identity, on the ethnic and religious composition of the people, and political stability in receiving countries (Weiner, 1993). Helsen (1990), Jager (1991), and Van Dijk (1984) depict immigrants as a threat to the social system, deviant, unable to integrate, criminal, and having a different culture. On the other hand, migration cannot be avoided because some aspects encourage migration itself, such as the political factor, economic factor, and national security factor. So, it seems that migration has a negative impact, but it cannot be avoided because there are some insisting factors.

The movement of people among countries brings an important role nowadays. There is a point that everyone will pass when they move from one country to another country called a border. Border controls are essential to secure the flow of migrants since it organizes territorial demarcation (Bigo, 2002), and in the term of modern context, borders must be preserved (Antonio Carrizo Moreira, 2018). The notion of border control and preservation is in line with the realist theory, through anti-immigrant discourse by tightening their border control from unwanted aliens, the realist believes that security and state of abiding are dependent on the role of borders (Joseph N. Bayeh, 2019). It is clearly stated that the terms of border control refer to the part of migration control by securing the territory from unwanted people to fit the national regime and interest (Fauser, 2006). While according to Edward Alden a senior fellow at Council on Foreign Relations, in terms of US Perspective, border control is a security method performed by the nation to secure its territory through border systems and personnel to ensure that legal channels are the only available method to enter a nation (US) (Alden, 2012). In terms of globalization, border control is exclusively understood in terms of people movements and create a challenge due to the dramatically grown numbers of migrant. Therefore, border control must enforce border policies connected and supported by enhanced systems and technology like barbed wires, satellites, and motion sense detectors (Koslowski, 2011).

The state controls all movements of people and goods entering and leaving the state's territory through the border (Hasyim & Subagyo, 2017). Management of border areas is very closely related to the state's concept as an entity that has sovereignty, population, territory, and perception of the threats faced (Marwasta, 2016). Why do states pay attention to control border areas? I argue borders have always been areas that are vulnerable to external threats. Some issues that may happen in border areas are ideology invasion and foreign cultures, transnational crimes,

illegal logging, illegal fishing, exploitation of natural resources, human trafficking (especially women and children), illegal immigrants, people smuggling, the development of drugs networks, the entrance of terrorist, and social-culture conflicts (Marwasta, 2016).

The border checkpoint is the border guard, which helps facilitate the trade, and helps suppress and prevent undetected crime and penetrates the country through the screening process by relevant agencies such as Immigration, Customs, Quarantine, and Security Agencies in the border checkpoint area (Boriboonrat, 2013). In Indonesia, the border guard also faces a complex problem such as human trafficking, people smuggling, transnational crime organization, illegal migrant, and also drug trafficking, which requires a win-win collaboration among institutions involved in border management like CIQS (Customs, Immigration, Quarantine, and Security), to ensure Indonesia gained the positive outcome from globalization through the movement facilitation of goods and people without disregarding the security aspects. In fact, the institution involved in border security like the CIQS (Customs, Immigration, Quarantine, and Security) has not implemented effective border management, which leads to some overlapping regulation and border practices implemented by the institutions and creating an ineffective control of the border movement and disregards the security aspects. Those problems cannot be handled by only one institution. Boriboonrat (2013) argue to solve the problems of border crossing, it requires the involvement and association of many sectors that must work together to share information to help diagnose the problems. A border crossing management also needs to move away from traditional management, emphasizing the regulations, patterns, command, and control with the structure of strict regulations towards the management of inter-agency cooperation with flexibility and adaptability.

The basic conditions for the implementation of CBM in practice should be coordination and cooperation of all parties working on the border of the Ministry of Home Affairs, Police (POLRI), Military (TNI), Ministry of Finance, Ministry of Agriculture, Ministry of Health, Ministry of Marine Affairs and other related institutions (Rusdiyanta, 2017). In Indonesia, there is an institution named Badan Nasional Penyelenggara Perbatasan (BNPP), which has the main task to make coordinate the planning and implementation of border management. The establishment of BNPP based on Presidential Decree No.12 / 2010 is a process of the absence of communication and inter-sector coordination into communication, consultation, and coordination, both horizontally and vertically in the management of the country and region. The execution of

management in Indonesia is carried out at three levels by the central government by BNPP, provincial government by Provincial BPPD, and regency/city government by regency/city BPPD

Rusdiyanta (2017) also argues that the advantage of border management with the CBM approach increases the efficiency of administrative procedures and infrastructure and reduces transaction costs and delays in the transport of goods and people on the border. McLinden et al. (2011) review, CBM can reduce the cost of international trade and enhance countries' competitiveness and export. While the European Commission (2009) pointed out that when the level of cooperation of border agencies increases, it will reduce illegal activities' lagging detection. Aniszewski (2009) also identified the benefits of CBM to reduce the contradictions and divergences of border policies, and from a resource perspective, the generation of savings from economies of scale. It also enhances the transparency of border management and can reduce opportunities for corruption. (Mc. Linden et al., 2011)

LITERATURE REVIEW AND HYPOTHESIS DEVELOPMENT

Customs Inspection Policy

Globalization has pursued the ease of global trade across borders due to the rapid development of technology, communication, and transportation. As the World Trade Organization states it, approximately one-fourth of global production is exported worldwide, 2019 the export of manufactured goods and agriculture grew significantly (WTO, 2019). Regarding this situation, Custom agencies played a pivotal role to selectively organize the movement of trade and goods to a country and ensure that only legal channels are available to a country through certain policies. A custom policy is an essential tool to regulate the flow of goods and trade to prevent arbitrary and overlapping decisions by the officers.

In Indonesia, The Ministry of Finance as an economic policymaker in Indonesia has to increase the effectiveness and efficiency of allocation in every activity's use of resources. One form of activity is customs clearance, which is authorized to the Directorate General of Customs and Excise (DJBC) in the form of administrative research in documents, and physical inspection of goods (bahandle) must be carried out effectively and efficiently. The Directorate General of Customs and Excise is also the main institution in charge of import and export regulation. On the other side, practically a custom policy is regulated by its function and the perspective and

coordination improvement among law enforcement agencies, customs, and other border institutions (Albram, 2017).

Understandably, the policy is intended to control and manage actions conducted by certain communities (Wies, 1994). The policy involves a substantive and administrative form that affects on how the community reacts to certain phenomena (Torjman, 2005). In accordance with the definition of policy, it is acceptable that custom inspection policy manages the value of customs procedure, because not all goods and trade are allowed and accepted in certain countries. Therefore, the policy implemented is distinguished from one country to another (Comnenus, 2017). Customs inspection policy is implemented into several procedures like the scan procedures which focused on matching the content and cargo description through several inspections by the customs officers through the scanning process, and physical inspection which focused on the physical check of the content by the officers through scrutiny measures and physical inspections directly (Evergreen Line, n.d.)

The custom inspection policy includes several inspections regulations that ensure that only legal goods and official trade can enter a country. The Directorate General of Customs and Excise value a good based on its worth when crossing the border through tax. Tax is a form of fee to a state held by the national law (Purwanto & Indrawan, 2020). Every import activity should be registered through the Import Declaration (PIB). Regulation of the Minister of Trade No. 17/M-DAG/PER/3/2010 mentions that the importer has to fill the Angka Pengenal Importir Umum and got the identification number from the provincial office (Comnenus, 2017). Based on Regulation of Minister of Finance No. 845/KMK.01/2016, Directorate General of Customs and Excise inspecting goods with the management of risk approach. There is the physical inspection of goods (bahandle) with the profiling analysis by computer in implementing customs clearance. There are two categories of profiling: 1) Importer profile is the observation of risk and scoring by tracking through the importer record. 2) Commodity profile is the scoring of the commodity or goods that are imported into the country (Firdiansyah & Nugroho, 2017)

More generally, these basic findings are consistent with the research showing that custom inspection policy plays an important role in managing the flow of goods and trade across borders and ensuring that only legal channels are available to the country. Customs inspection policy is implemented through several agendas, both substantive and administration processes, by the Directorate General of Customs and Excise. Policy development for custom inspection is

necessary to provide a more effective and efficient policy to handle the rapid transformation of challenges towards the global trade of goods.

Immigration Control Policy

Terrorism, human trafficking, and other sources of security threats emerged transnationally nowadays have challenged the concept of migration flow. Migration presents as a two-edged sword, which somehow could benefit the host country and *vice versa* (Fauser, 2006). Arguably, immigration poses threats to a country's particular aspect from national identity, state of the economy, political instability, and security (Aleshkovski, 2017). In response to these problems, most countries published immigration policy control as a general response to labor market needs and demographic issues by implementing law, regulations, and programs focused on increasing, decreasing, or maintaining immigration volume in the host country (United Nations, 2013). Therefore, the challenges that migration brought to the host country rang the alarm bell and urged the host country to immediately take action through specific immigration policy control to control the immigration flows and take full benefit from it.

An immigration control policy is defined as a tool to control and limit migrants' movement through multiple control policies suited to the national interest of a host country (Ahlén & Boräng, 2018). Immigration control is likely concerned about the notion of security through border control that ensures only legal channels are provided to enter a country. An immigration control policy is essential for a country as the best answer to curb the challenges offered by the flow of migrants to a country. The policy implemented will respond to internal and external in the matter of socioeconomic and environmental changes. For example, in the case of restricting immigration control policy, Japan was as a response to ensure and protect their national interest for their culture (Akashi, 2013). However, a restrictive immigration control policy is not always effective and essentials as a response to cases like external and internal security. A combination of multidiscipline approaches and variables is needed to create the best outcome because not all restrictive policies produced fruitful results (Choi, 2018). A country must determine the immigration control policy based on its national interest and structural factors to have the best outcome.

Immigration control policy responds to a particular condition, especially when the immigrant population's size arouses and initiates a burden for the government and society. The policy implemented can be categorized into two groups: a direct policy that affects the immigrants

directly (immigrant housing, language training, immigrant's children school, and others), an indirect policy that affects the whole community (Hammar, 2011). Policy control being implemented can range through three analytical areas; border regulation (who gains entry), immigrant rights (what rights immigrant receive), and enforcement (how the border is enforced) (Choi, 2018). An immigration control policy is constructed by five factors: economy (economic competition between natives and immigrants), the volume of immigration (racial dissimilarities emerged and affect the society), foreign policy (restriction in one country policy can increase the migratory pressure in another country), Wars (wars causes a massive flux of forced migration), ideological cycle (democratic nation will have a different policy with the communist nation), some countries might have certain similarities from their migration control policy, and others might experience differ policy, the interdependence of socioeconomic and foreign policy affect the similarity while structural factors of every country like demographic, geopolitics, and economic structures differ the policy obtained in each country (Meyers, 2004)

This conclusion follows from the fact that migration control policy is an important tool to limit the flow and volume of migrants in a country. Too many or fewer migrants appears to become a problem in a particular aspect in the host country from the economy, demography, political instability, and even society. Therefore, migration control policy plays a significant role in regulating the flow and suits it with the national interest of a country. A restrictive policy might not be the best solution, and vice versa; the key lies in each country's structural factor.

Border Control Management (BCM)

Globalization brought massive development in many sectors for every state; cross border movement has become an indivisible part of modern society. This situation resulted from the interdependencies and the connection that globalization has brought through the development of technologies and communication, which led to the terms of the borderless border (Dasar, 2015). Borders played a pivotal role for every state; in the context of a modern world, borders not only demarcate nation territory but borders have evolved in a more complicated manner which includes certain aspects like politic, socio-cultural, and even economy through the regulations of taxes, tariffs, and currencies; borders must be preserved (Pugliese, 2017). The evolving complexities that modern borders have brought resulted from the multi-agencies involved in border responsibility, from border force, immigration, custom, and also quarantine, to work efficiently and effectively comprehensive border management should be implemented.

Border control management can be understood as a collaborative partnership between sectors involved in border activity so that border activity could be implemented effectively and efficiently, it involves every facilities and efficiency of every institution which are responsible in the management of border including border force, customs, immigration, and quarantine through cooperation, joint task force, personnel training and information sharing to ensure only legal channel are provided to enter the country through the port of entry in the land, sea, or even air through the airport (Rusdiyanta, 2017). Evolving complexities in the border urged several agencies to coordinate their work through diverse institutions to ease and facilitate people moving along with the trade of goods concerned with the national security (Polner, 2011). Several institutions involved in border control management are; Coordinated border management (CBM) terms from the World Customs Organization to define the border control management, Integrated Border Management (IBM) which is brought by the European Union, Collaborative Border Management which was initiated by the world bank and Comprehensive Border Management which was used by the Organization for Security and Cooperation in Europe. Although many definitions served for the terminology of border control management institutions, mostly they have the same mission to ease and facilitate people's movement along with the trade of goods is concerned with national security and the legal procedures implemented.

As stated As stated by The World Bank, Crappy border management leads to the increase of risk and threats poses to national security and creating a high-cost economy and inefficiencies due to the overlapping procedures and document as the implication of the disintegration between agencies involved in the border management and security, this situation perhaps will reduce the investor trust to a single country and the key point to overcome these issues are through collaboration (Mclinden, 2012). The fact is that traffic delays of people movement and goods happened in one country especially the developing country are mostly caused by poorly managed border and also lack of cooperation between agencies involved in the border management, it needs a couple of days longer, many more documents applied, also a long way procedure either to transport goods or people movement (World Bank, 2020). Therefore the urgency to provide a systematic border management approach through collaborative border management, coordinated border management, or even integrated border management is essential to provide effective border management and security especially to facilitate the trade of goods and people movement in-line with the security strategy; these holistic approaches are alike each other and also have the same

goal, the government has the role in determining which approach is suitable for their nation because every country has their unique circumstances.

The World Customs Organization underlines that Coordinated Border Management is implemented into two specific border area which is (Aniszewski, 2009) ;

1. Domestic Border Management which highlights the area of intra-service organization and inter-agency cooperation
2. International Border Management which involves international cooperation

the terms of Coordinated Border Management, as it is brought by the World Customs Organization, is understood as a collaborative approach done by the border agencies to create efficiencies in terms of trade and travel of goods and people without disregarding the concept of security. In the domestic field of border management, the collaborative approach of the intra-service organization is made through different coordination and cooperation of authoritative level which involves state bodies and various distinct agencies involved in the border, while the inter-agency cooperation highlights the partnership of different ministries with the certain task at the border done at the local, regional, and also central level (Doyle, 2010). While the international border management approach relies on the collaborative teamwork of agencies involved in the border of one country with another in the scale of local, bilateral, and also multilateral coordination. All the approach offered through the concept of coordinated border management can effectively be implemented through the robust coordination and legal framework involved by each country.

The key terms to implement efficiencies in the flow of trade and people, the inter-agency cooperation and international border cooperation implemented through coordinated border management involves an approach namely the single window system. The World Customs Organization defines the single window system as a feature that grants the agencies entailed in the border such as the CIQS (Customs, Immigration, Quarantine, and Security) to systematize and regulate all kinds of information and documents required with one single entry to manage all the requirements towards trade, people movement, and security management (The World Customs Organization, n.d.). The exchange of information and data through the single window, which could be implemented nationally or even internationally, provides more efficiencies in border management such as economic savings because it cuts off long bureaucratic procedures because all the requirements are based on IT. However, the single window still could be implemented more

conventionally through the coordination of each agency manually. It also presents more efficient risk management because all intelligence data can be shared among agencies, and high security can be effectively gained by targeting high-risk passenger and shipments.

Points out the widespread, it is essential to put border responsibilities to every agency involved through the border control management. Every burden could be shared equally for every agency, and border control could be effectively and efficiently implemented through collaboration, joint task force, and information sharing through certain particular border management approaches like collaborative border management, integrated border management, and the coordinated border management. Each approach has the same similarities that ease and facilitate people's movement. Along with the trade of goods is concerned with national security and the legal procedures implemented, unique circumstances of one nation play an important role in the selection.

Border Control

In the twentieth century, border control was a central characteristic of state sovereignty (Takle, 2012). This situation implies that a country's power in protecting their territory is reflected in the power of its border control. Immigration control that is expected to satisfy social, economic, and security needs immigration regulations (Brochmann & Hammar, 1999). Border control also has purposes of protecting a country's sovereignty, making the 'border control' part of Immigration control. On the other hand, there are some different things in the border control component, in which border control consists of some aspects involved. Marianne (2012) argues that policies on border control, asylum, immigration, judicial cooperation, and police cooperation are consolidated in a comprehensive approach to border control. The combination of different security aspects and various levels of authority requires coordination of policies with substantially different goals and goes beyond mere border control. Besides that, there is a new actor involved in controlling migration in the border, such as airline carriers that are required to check their passengers' right to travel to their country of destination (Guiraudon & Joppke, 2001). Several authors have recognized that border control reflects the power of a state in protecting their sovereignty, which consists of some aspects and a part of Immigration control.

What is border control? Harison and Sabrina (2019) mention that border control's scope in this sense means a place of immigration checkpoints where immigration of a country takes a role to reject or prevent people from coming in or get out of a country's territory. Besides, the Regulation (EU) 2016/399 of The European Parliament and of The Council of 9 March 2016

defines that border control means the activity carried out at a border, in accordance with and for the purposes of this regulation, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance. However, border control activity is not always conducted in the border as what Antoine and Paul (2006) argue that border controls are delocalized, taking place far away from the geographical location of borders such as Mexico or Morocco which become buffer zones to contain migration from Latin America or Sub-Saharan Africa.

Based on the Regulation (EU) 2016/399 of The European Parliament and of The Council of 9 March 2016, in paragraph (6) stated that "Border control is in the interest not only of the member state at whose external borders it is carried out but of all member states which have abolished internal border control." Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the member states' internal security, public policy, public health, and international relations." It means border control is carried out in order not only to protect one country but also more, and mention the specific issue that border control should face. Also, paragraph (8) shows that Border control does comprise not only the persons but also an analysis of the risks for security both in internal and even external borders. Therefore, it needs to create the conditions, criteria, and detailed rules governing checks at border crossing points and surveillance at the border.

It seems border control defines steps made by the government of a country to regulate where the border and how the procedure should work to protect a nation's sovereignty. It governs the entry and exit of people, animals, and goods across a country's border. Border control also consists of some components that should be integrated. The outcome of the border control will have an impact on the economy, security, and even the human rights aspect in a country.

Border Security in Indonesia

The borders are the boundaries of the state's land or sea areas that it claims as territory. In particular, this border applies internationally, not domestically (Okhonmina, 2010). Furthermore, the border as the line between two states always becomes a dangerous place for the activities that can harm the state. The borders often experience poverty, conflict with neighboring countries, and cross-border crime (Ulfa et al., 2018). As the largest archipelagic country in the world, Indonesia has more than 17,000 islands (Purwanto & Mangku, 2019). Border regions consist of 16 cities across Indonesia, with a total length of land border is 2,374.9 km (Prasetyo et al., 2013). Indonesia

shares borders with ten countries: Malaysia, Timor-Leste, Papua New Guinea, Singapore, Vietnam, the Philippines, Palau, India, Thailand, and Australia (Mangku, 2018).

Indonesia's borders are facing problems with the inadequate infrastructure and the number of border guard personnel that do not balance with the long line of Indonesia's land borders (Prasetyo et al., 2013). This phenomenon leads to some negative impacts such as the low level of community welfare at the borders, illegal logging, smuggling, and human trafficking. Considering those threats at borders, the question that arises is what kind of border security that suitable for Indonesia? With the special condition that Indonesia has, such as the archipelago form of state also the social, economic, and culture of community at the borders, I argue that the soft border will work best for securing Indonesia's borders.

The literature review shows that some states are implementing a hard border in the form of physical barriers to secure the border. The physical barriers (such as fences, walls, roads, etc.) of border security are the consequence and a long-term effect from the 'global war on terror' (Jones, 2012). A hard border between Canada and the US helps both countries enforce each other national regulations and policies, especially those that have vital differences, for instance, in terms of availability of handguns and refugee policy (Tannous & Hayward, 2017). In contrast, some other states implement a soft border. For example, the Schengen Agreement facilitates the cross-border movement of persons, services, and goods of its states member, also cooperation in border-related police work (Felbermayr et al., 2017). It implies that both the hard border and the soft border have their advantages. It just depends on the condition of the country that runs it.

Moreover, the state is the only actor to protect the nation by putting military force along the boundaries in the hard border (Okhonmina, 2010). Based on what happened in the US, Israel, and India, the execution of the barriers would take years of consideration by force of high cost and local resistance (Jones, 2012). Also, the border walls do not seem to support the 'world without borders' (Vallet, 2016). The physical barriers will forcibly cut the relationship of a region because the cities on both sides of a border actually share the same culture and intimacy before the existence of the state (Payan & Vasquez, 2007). Nevertheless, the soft borders involve various actors with a different point of view of threats and solutions. It shows that besides the importance of security, a state also prior to the well-being of the community at the border (Ulfa et al., 2018). Through Border Trade Agreement (BTA), Indonesia and Malaysia regulate the flows of goods and people who live around the border to be able to fulfill their needs with selling or buying in each other country (A.

B. & Mugaseta, 2011). It implies that the soft border fits with that agreement. It enforces human security by giving them the way to welfare their selves and support life.

I believe that each state has its reason to implement any type of border security based on the condition, threats, and relation with neighboring countries. In addition, to keep pace with technological developments, a state could combine a hard border or soft border with the smart border's innovation. it utilizes technology to detect terrorism activities with screening, biometrics, and information technology (Patrick, 2007). The main conclusion of these findings is that the soft border is suitable the best for Indonesia border security. Regarding the low level of welfare of the borders and the lack of human resources as the border guards. Not only military force, but the soft borders also involve community and markets to raise the socioeconomic condition at the borders (Ulfa et al., 2018). So, the state not only prior the national security in general but also the human security to support their lives.

RESEARCH METHODS

This study employs a qualitative research methodology with a descriptive analysis. To address the issues as mentioned, the question arises as to how are the border control practices in Indonesia employed with the CBM approach? CBM approach leads to border agencies' action to coordinate in running border management effectively (Polner, 2011) as the border cannot be handled by one institution only (Rusdiyanta, 2017). The use of qualitative methods investigates and analyzes the importance of establishing a border control policy based on national interests and the CBM approach strategy in managing the borders that cannot be measured through a quantitative approach. The data analysis is applying the document analysis by collecting online data from government reports, journal articles, or any related documents and observing the border agencies especially DGI, through the SWOT Analysis.

ANALYSIS AND DISCUSSION

An Immigration clearance process at border controls in Indonesia is the fundamental aspect of a border security, national sovereignty, and law enforcement. Barberis (1998) argues that accountability still becomes the most noticeable aspect in everyday tasks and duties in the government organization and to succeed in a democratic process in a parliament. The conduct of immigration clearance refers to the Chicago Convention 1944 about the establishment of the

International Civil Aviation Organization (ICAO) and designated as Annex 9 about Standards and Recommended Practices – Facilitation. It is also supported by a legal framework of national rules of law consisting of the Indonesian Immigration Act No.6 of 2011, the Government Regulation No.31 of 2013 about the Implementation of Indonesian Immigration Act, and the Law and Human Rights Minister's Regulation No.44 of 2015 about the Procedures of Immigration Clearance when Entering and Leaving Indonesia through Border Controls. Further, the Directorate General of Immigration (DGI) Indonesia declares an immigration policy called "the selective policy", written in the Indonesian Immigration Act No.6 of 2011, which is related to the border integrity on who is eligible to enter Indonesia and brings about benefits, security and prosperity. These regulations are the policy instruments where the DGI has legal powers and authority to perform the border law enforcement and security in immigration control in Indonesia towards effective public accountability.

The SWOT Analysis

In this section, we design the SWOT analysis for the organization. From the internal factors, there are strengths of the DGI, which could underpin the Indonesian national security, strong border, and law enforcement. The DGI has technical work units referred to as a place or office, part of the DGI, that have been assigned to accomplish specific tasks. This can also refer to a physical location such as an office space or other work areas such as Immigration offices and Detention centers. According to the Law and Human Rights Minister's Regulation 2017, a total of 124 Immigration offices are in the districts/regencies, cities/municipality, or sub-district regions across Indonesia. While the immigration controls and border officers are deployed at 29 airports, 120 seaports, 31 border crossing stations, or other appointed checkpoints as the point of entry and exit throughout the Indonesian territory. The immigration controls are equipped with the Border Control Management or BCM system to process the data of every person arriving and departing from Indonesia by recording, storing, and arranging passenger's movement data among the headquarter of immigration agency and immigration offices under the big data of SIMKIM (Immigration Management Information System).

The DGI has built a strategic partnership with national and international law enforcement agencies. Besides, the structural organization of DGI already-fit up the comprehensive scope of immigration. Based on Law and Human Rights Minister's Regulation in 2015, DGI consist of the Directorate of Immigration Traffic, Directorate of Supervision and Immigration Enforcement,

Directorate of Immigration Cooperation, Directorate of Immigration Intelligence, Directorate of Resident permit and Immigration Status and Directorate of Immigration Information System. In the Border, not only DGI that take the role, but also customs. Customs in Indonesia are already equipped with good condition machine and tools operation, equalization deployment of human resources, the routine human resources development program, and a comprehensive database (PSA PAU, PNR, SHIT AC).

Meanwhile, this organization's weaknesses indicate problems of policy instruments, human resources, equipment, and technology use. The Indonesian Immigration Law No. 6 was enacted in 2011 without any new revisions responding to immigration's global and national condition. This instrument is not relevant to the development and dynamic of immigration issues in 2020. The Indonesian Immigration Law No. 6 of 2011 does not regulate the handling of refugees and immigration checks on transportation that are running (not anchored or landed), which are better known as 'on shipping' and 'onboard'. Immigration offices and immigration controls suffer from shortages of officers, especially at the border between Indonesia and another country. For example, the immigration officers placed at the Segumon traditional border under the Entikong Immigration Office. There are only two officers; one is a regular staff (JFU) at Entikong Immigration Office that switches every month because of the shortages of Immigration human resources. The other one is an honorary employee who is a local citizen that works every day. (Firdaus, 2018). Besides that quantity issue, the human resources management of placing is also in the spotlight. This is related to the quality problem of Immigration human resources. The newly recruit officers have not been assigned at every immigration office and immigration control accordingly. They have not been through a training program, yet they were deployed in immigration control at airports, seaports, and border crossing stations.

The border-crosser record of the Border Crossing Card Holder is still using a conventional way. They do not go through any system checking when traveling out or into Indonesia. They only recorded with a note on a paper. This will affect the ineffectiveness and inaccuracy of border crossers' administrative processing (Tjiptabudi & Igon, 2018). This organization does not have enough patrol vehicles such as cars, speed boats, or trucks to safeguard the borders. In 2008, the DGI rolled out the BCM system for immigration clearance, but it is not integrated with the Advance Passenger Information System (APIS) with airlines, vessels, and other transport operators.

From the system and technology aspect, there is no integrated information system among CIQS. Whereas the cross-border movement is about both the people and the goods, they are carrying. Also, there is no integrated inspection of the border-crosser among CIQS; the practice is still fragmented and independent. This results in differences in law enforcement among the border agencies as the border guard. For instance, the Customs finds illegal goods passing through the border; there are no procedures regarding the immigration response and vice versa. This leads to incompatibility between agencies in securing borders.

The Indonesian immigration policy offers opportunities that may result in a competitive advantage for this organization and the nation from external outlooks. The visa waiver policy that has been adopted since 2015 generates tourists to visit Indonesia for stays not exceeding 30 days. The work visa reform is to invite investors, professional workers, experts, and businessmen to benefit from an economic boost and national prosperity. As a result, it increases the number of highly skilled and professional foreigners to reside in Indonesia who transfer their knowledge or technology, so-called "brain gain", and it develops the competency of human resources in Indonesia.

Looking into current situations, threats may arise and would affect the performance of this organization. The DGI faces internal complexities because more visitors come to Indonesia from all entry points and stay in every province like suburbs or remote areas. Illegal entrants, irregular migrants (Ananta & Arifin, 2014), and unlawful stayers who reside in Indonesia exceeding the date of their visa permits (overstay) are not easily detected by officers. Most visitors to Indonesia have violated the visa conditions where they work with their visitor's visa. In addition to overstayers, refugees arriving in Indonesia as a transit country turn up to be wicked problems. They enter Indonesia by sea and air to continue their journey to a destination country like Australia. It remains unclear that they have been waiting for their refugee status by the UNHCR in Indonesia without any notifications when their status will be granted.

The following table is an analysis of the International Border Management Standard based on the World Customs Organization, World Bank, and European Commission and the implementation in Indonesia.

Table 1. *The Comparison Between International Border Management Standard and Border Control Management in Indonesia*

No.	Standards Framework for Effective Border Management (BCM & IBM)		Implementation
1	Intra-Service Cooperation		No, standardized regulations and procedures of border management involving the CIQS in Indonesian border are missing, the cooperation involved by the agencies applied differently in each border which could lead to the increase of economic cost, ineffective, and overlapping border procedures and regulations
2	Inter-Agency Cooperation		No, because in fact, the procedure of people and goods influx in Indonesia border handled by the different agencies, there is no national single windows system that causes inefficiency and economic loss. Besides, this also decreases the ease of doing business in Indonesia
3	International Cooperation	Local Cooperation Officials on Both Country at The Border	Yes. Each border with another country in Indonesia already has a specific MOU regarding the flow of goods and people, agreement on opening hours, and joint maintenance of the infrastructure (for example, the road construction by both Indonesia and Malaysia at the Border of Entikong)
		Bilateral Cooperation between Neighboring Country	No, Indonesian border agencies involved, which include the CIQS as a whole does not have any single system or cooperation regarding the exchange of information or tracking system with other country and the bilateral cooperation are held by each agency separately, as far only customs agency which has the integrated single system worldwide
		Multinational Cooperation	No, there is no international cooperation related to the whole CIQS. However, there is a cooperation between international organizations and CIQS in Indonesia but only for a single agency, for example, World Customs Organization (WCO) for Custom, International Civil Aviation Organization (ICAO) for Immigration, and International Police (Interpol) for Security.

CONCLUSION

Broadly translated, it is understandable that the Indonesian government's border management and border control policy needs to be improved and well managed in every case based on the national interest. The CBM approach through BNPP secures the border effectively by integrating the borders agencies, which includes Customs, Immigration, Quarantine, and Security.

Because the border is a place where cross-border movement phenomenon happened both the people and the goods and it cannot be handled only by one agency but all institutions and agencies are supposed to work together. CBM approach leads to coordinate the action of border agencies to overcome the problems at the borders that potentially hurt the national sovereignty. Indonesia's immigration policy named “the selective policy,” needs to be reassessed to comply with the vision and mission offered by the DGI. Officers shortages and smart borders managements are important challenges to be solved and implement effectively. In supporting the CBM approach, there is a need for CIQS to share information systems among the agencies, also work together in practicing inspection of the border-crosser, and coordinate in enforcing the law. Multi-disciplinary approaches are essential to implement and solve the challenges of conducting a suitable policy for border management. However, to fulfill the gaps from this paper, further research is needed to develop border management and border control policy in Indonesia.

LIMITATION AND SUGGESTION

This paper research data is limited only to secondary data, which was gained from document analysis applied by collecting online data from government reports, journal articles, or any related documents. It would be more objective to provide and combine primary data such as observation, interviews, and official documents from border institutions with the secondary data to better analyze. The findings of this paper are also limited only to immigration and customs agencies at the border, meanwhile, border control management also involves several agencies like quarantine and security agencies.

This paper gives several recommendations to the border agencies, mainly the CIQS agencies, to develop a connected system that can be accessed by each institution to share information to secure the border. The CIQS agencies, including customs, immigration, quarantine, and security agencies, should develop a connected system to implement effective border management. An integrated scrutiny inspection by the CIQS for the border-crosser are also essential because practically the inspections are fragmented done independently which leads to the incompatibility and overlapping decision by the agencies to secure the border

REFERENCES

- Albram, D. (2017). Implementasi Tata Kelola Kewenangan Bea dan Cukai di Bidang Hak Kekayaan Intelektual (HKI) di Indonesia (Implementation of Customs and Excise Authority Governance of Intellectual Property In Indonesia). Pg 80
- Alden, E. (2012). Immigration and Border Control. *Cato Journal Vol.32 No.1*, 107-124.
- Ananta, A., & Arifin, E. N. (2014). Emerging patterns of Indonesia's international migration. *Malaysian Journal of Economic Studies*, 51(1), 29-41.
- Aniszewski, S. (2009). Coordinated Border Management – a concept paper. World Customs Organization Journal, 2. http://www.wcoomd.org/en/topics/research/activities-and-programmes/~/_/media/07A938B0E7E74757B0DE18557FDF35BB.ashx
- Antonio Carrizo Moreira, S. M. (2018). Irrelevant Borders: Perspectives of Globalization. 1-15.
- Barberis, P. (1998). The new public management and a new accountability. 76(3), 451-470.
- Bigo, D. (2002). Security and Immigration: Toward a Critique of the Governmentality of Unease. *Alternatives 27 (2002), Special Issue*, 63-92,
- Boriboonrat, P. (2013). Collaborative Border Management in Thailand and Neighboring Countries: Needs, Challenges and Issues. *International Journal of Criminal Justice Sciences*, 8(1), 1.
- Brochman, G., & Hammar, T. (1999). *Mechanism of Immigration Control: A Comparative Analysis of European Regulation Policies*. Routledge
- Citrawan, H., & Nadilla, S. (2019). Model Kontrol Keimigrasian dalam Mencegah Tindak Pidana Terorisme di Indonesia. *Lentera Hukum*, 6(1), 69. <https://doi.org/10.19184/ejrh.v6i1.9819>
- Comnenus, Dr. iur. G. (2016). *Customs Structures in ASEAN (Indonesia, Malaysia, Singapore, Thailand, and Vietnam)*. EU Del. SG. & the NL Embassy to SG.
- Council, O. F. T. H. E. (2016). Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code). *Official Journal of the European Union, L 77(562)*, 1–47. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0399&from=EN>
- Cornelius, W. A., & Rosenblum, M. R. (2004). Immigration and Politics. *The Center for Comparative Immigration Studies* (8), 99-119.
- Dasar, J. P. (2015). Dampak Pengaruh Globalisasi Bagi Kehidupan Bangsa Indonesia. *Jurnal Pesona Dasar*, 3(3), 1–14.
- Donaldson, T. (1993). Kant's Global Rationalism. In T. Nardin, D. R. Mapel, & S. Smith (Eds.), *Traditions of international ethics*. Melbourne: Cambridge University Press.
- Doyle, T. (2010). Collaborative border management. *World Customs Journal*, 4(1), 15–22.
- European Commission. (2009). *Guidelines for Integrated Border Management in EC External Cooperation*. November.
- Evergreen Line. (n.d.). Customs Scan and Physical Inspection. <https://www.shipmentlink.com/nl/timp/html/CustomsScanandPhysicalInspection.pdf>
- Fausser, M. (2006). *Transnational Migration- A National Security Risk? Securitization of Migration Policies in Germany, Spain, and The United Kingdom*. Warszawa: Center for International Relations.
- Firdiansyah, A., & Nugroho, A. S. (2017). Evaluasi Kebijakan Pemeriksaan Fisik Barang Pada Direktorat Jenderal Bea Dan Cukai. *Jurnal Perspektif Bea Dan Cukai*, 1(1). <https://doi.org/10.31092/jpbc.v1i1.121>
- Foreign Workers Arrangements in Indonesia, 20 C.F.R. (2018).

- Hanson, G. H. (2012). Immigration and economic growth. *Cato J.*, 32, 25.
- Harison Citrawan., & Sabrina Nadilla.” Model Kontrol Keimigrasian dalam Mencegah Tindak Pidana Terorisme di Indonesia.” *Lentera Hukum*, (2019), 89
- Hasyim, A. W., & Subagyo, A. (2017). *Pengelolaan Wilayah Perbatasan*. UB Press.
- Hossain, A. (2017). National, Regional, and International Cooperation and Its Effectiveness to Enhance Border Security and Safety: Past, Present, and Future. *BORDER SECURITY AND SAFETY*, 215.
- Indonesian Immigration Act, 6 C.F.R. (2011).
- Joseph N. Bayeh, G. C. (2019). From a Culture of Borders to Borders of Cultures: Nationalism and the “Clash of Civilizations” in International Relations Theory. *Journal of Educational and Social Research Vol 9 No 1*, 9-20
- Koslowski, R. (2011). *The Evolution of Border Controls as Mechanism to Prevent Illegal Migrants*. Washington DC: Migration Policy Institute.
- Marwasta, D. (2016). *Pendampingan Pengelolaan Wilayah Perbatasan di Indonesia: Lesson Learned dari KKN-PPM UGM di Kawasan Perbatasan. 01*.
- Matsuyama, T., & Miyazaki, T. (2017). *The Effects of Immigration on Social Expenditure in Host Countries*. Retrieved from
- Mclinden, G. (2012). Collaborative Border Management: A New Approach to an Old Problem.
- Muchtar, M. (2019). Analisis Swot Untuk Menentukan Strategi Penanganan Barang Jasa Titip (Studi Kasus Kpu Bc Tipe C Soekarno-Hatta). *Jurnal Perspektif Bea Dan Cukai*, 3(2). <https://doi.org/10.31092/jpbc.v3i2.521>
- Ozdowski, S. (1985). The Law, Immigration and Human Rights: Changing the Australian Immigration Control System. *International Migration Review*, 19(3), 535. doi:10.2307/2545855
- Pécoud, A., & de Guchteneire, P. (2006). International migration, border controls and human rights: Assessing the relevance of a right to mobility. *Journal of Borderlands Studies*, 21(1), 69–86. <https://doi.org/10.1080/08865655.2006.9695652>
- Polner, M. (2011). Coordinated Border Management: From Theory to Practice. *World Customs Journal*, 5, 49–64.
- Pugliatitii, L. (2011). Cloud Single Window: Legal Implications of a New Model of Cross-Border Single Window. *World Customs Journal*, 5, 3–20.
- Pugliese, J. (2017). Border Control and Immigration. *The Wiley-Blackwell Encyclopedia of Social Theory, Lyon 2005*, 1–3. <https://doi.org/10.1002/9781118430873.est0580>
- Purwanto, & Indrawan, R. (2020). Determinants of Tax Evasion in Directorate General of Customs and Excise Jakarta. *Atlantis Press*, 127, 187–190.
- Radnor, Z., & McGuire, M. (2004). Performance management in the public sector: fact or fiction? *International Journal of Productivity and Performance Management*, 53(3), 245-260. doi:10.1108/17410400410523783
- Rusdiyanta. (2017). Collaborative Border Management as the Strategic Revitalization of State Border Management in Indonesia. *International Journal of Pure and Applied Mathematics*, 116, 415–426.
- Sassen, S. (1996). Beyond Sovereignty: Immigration Policy Making Today. *Social Justice*, 23(3), 9-20.
- Takle, M. (2012). The Treaty of Lisbon and The European Border Control Regime. *Journal of Contemporary European Research*, 8(3), 280–299.
- The World Bank Poverty Reduction and Economic Management Network, 67869(78), 1–6.

- The World Customs Organization. (n.d.). The Single Window Concept (Issue 2).
- Torjman, S. (2005). What is Policy? September.
- Wies, R. (1994). Policy Definition and Classification : Aspects , Criteria , and Examples 1
Introduction : Differences in Policy Definitions. International Workshop on Distributed
Systems: Operations & Management, Toulouse, France., January, 10–12.
- WTO. (2019). World Trade Statistical Review. WTO Statistical Publication, 53(9), 1689–1699.
<https://doi.org/10.1017/CBO9781107415324.004s>
- World Bank. (2020). Doing Business 2020. In World Bank Publications.
<https://espanol.doingbusiness.org/es/reports/global-reports/doing-business-2020>