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STRATEGY OF IMMIGRATION OFFICE CLASS 1 BATAM IN REDUCING PASSPORT ABUSE BY THE PROSPECTIVE INDONESIAN LABOR IN NONPROCEDURAL

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Abstract

The existence of nonprocedural Indonesian Workers who work abroad in a weak position, because they do not have legal status or there is no legal regulation that protects their workforce. Non-procedural TKI are those who do not have a work contract, work visa / permit, insurance and labor documents. Non-procedural TKI go to work abroad only using an ordinary passport, the passport used for visits. This study aims to find out what are the strategies and how the implementation of the Batam Special Class 1 Immigration Office strategy policy in reducing passport abuse by prospective non-procedural Indonesian workers. The research results are described by theory in the strategic dimension according to James Brian Quinn, namely, the objectives, policies and programs that will produce a strategy. The results showed the strategy carried out by the Batam Special Class 1 Immigration Office was to tighten the issuance of passports by conducting careful and selective checks on the correctness of formal and material requirements. Office policy Immigration, namely prospective Indonesian Workers will be asked to attach a passport application recommendation letter issued by the Manpower Office, and the Class 1 Special Batam Immigration Office program through the provision of passport making services using the One Stop Service System to reduce passport abuse by prospective Indonesian Workers Nonprocedural..

Keywords: Strategy, Policy, Labor, Non-procedural

1. INTRODUCTION

In the 1990s and 2000s, the era of TKI workers had skills marked by an interest in working in industrial sectors such as factories in Japan. Even though it has entered the era of sending migrant workers with better educational backgrounds and skills than the 1980s, it still does not diminish the interest in working with the skills as they are. This is inseparable from the continuing demand and availability and it is no less important that the business of sending Indonesian workers is a profitable business. The deployment of TKI in the last few years in the era of the late 2000s to the 2016 period in general has been a lot of improvements from related agencies, but they are also no less clever. PJTKIs or illegal PPTKIS are looking for shipping loopholes that are not complicated, easy and provide benefits from sending TKIs which are actually not the least nuanced. trafficking in people or people smuggling

Many workers decide to work abroad to make ends meet without thinking about the risks that must be faced in a foreign country. Until now, the most victims of human trafficking are workers who leave without knowing the official procedure, or even don't want to pay attention to the official procedure. From the national immigration data, it can be seen that there are many parties who become brokers for sending migrant workers to Malaysia. These brokers are not official government agencies, so of course the migrant workers who use the services of these brokers will have the status of non-procedural Indonesian workers, as a result they do not get legal protection in Malaysia, with the easier procedures for going abroad, many Indonesians decide to work in Malaysia regardless of the risks they face.

The problem of sending TKI, whether through procedure or non-procedure, is one of the main labor phenomena in Indonesia. This fact becomes even more crucial, because it turns out that the phenomenon of the spread of workers abroad is increasing from year to year. Even in large numbers, many of them are nonprocedural. With minimal skill capital, these nonprocedural TKIs face many problems, especially being the object of human trafficking, violence, unsuitable wages, and incomplete administrative problems which ultimately decide to return home on their own or be repatriated by the country of origin.

The existence of nonprocedural Indonesian Workers who work abroad in a weak position, because they do not have legal status or there is no legal regulation that protects their workforce. So that when there is a problem, the TKI will be disadvantaged and the government will find it difficult to provide legal protection assistance related to their rights. Non-procedural TKI are those who do not have a work contract, work visa / permit, insurance and labor documents. Non-procedural TKI go to work abroad only using a passport. Prospective non-procedural TKI usually transit first before leaving the country. These transit areas include Surabaya, Semarang, Jakarta, Batam, the border areas of West Kalimantan, East Kalimantan and North Kalimantan.

One of the transit points for prospective non-procedural TKI is Batam City, this is because Batam Island, which is strategically located directly adjacent to Singapore and Malaysia, makes it an area prone to the Crime of Human Trafficking. The sinking of a non-procedural TKI transport ship in Nongsa waters, Batam, last Wednesday (3/11/2016), is evidence that the practice of sending non-procedural TKI from Batam to Malaysia and vice versa is still fertile. There are nine points for sending and returning non-procedural TKI. Seven points in Batam and two other points in Bintan. Seven points, namely, Nongsa Pantai, Jabi Village, Teluk Mata Ikan, Punggur, Serip Mangrove, Batumerah-Batuampar, and Sekupang. Meanwhile, the two points in Bintan are in Sungai Kecil and Tanjung Berakit.

There are two modes of sending non-procedural TKI, namely sending TKI without supporting documents, be it passport or KTP and sending TKI using ordinary passport, passport used for visits, sending TKI like foreign tourists. In 2015, it was recorded that there were 400 to 500 migrant workers who departed from Batam Center Port to Malaysia using ordinary passports for visits. The number of TKI who work using ordinary passports for visits to Malaysia, is currently estimated at 11,000 people.

The Directorate General of Immigration issued Circular Number IMI-0277.GR.02.06 of 2017 concerning Prevention of Non-procedural Indonesian Workers. The rise of Indonesian citizens abroad who become victims of the Crime of Trafficking in Persons begins with the sending of non-procedural Indonesian Workers with the modus operandi of including Hajj, Umrah,

internships, special job fair programs, scholarships, placement of migrant workers and cultural ambassadors.

In the context of preventing the occurrence of Non-procedural Indonesian Workers during the passport issuance process and / or immigration checks at the Immigration Checkpoints. To be used as a guide for all levels of immigration during the process of issuing passports and / or immigration checks at the Immigration Checkpoints in order to prevent the occurrence of Non-procedural Indonesian Workers.

Why is it called nonprocedural?

Non-procedural means unofficial, namely, among others;

1. Since departing not through the correct procedure, only armed with a passport or even without a passport at all or the alias of entering another country illegally.
2. Going abroad with the aim of working but not having a work visa, but using a temporary visit visa with a limited validity period.
3. When leaving for abroad, they do go through official procedures and have documents as a TKI, but from their original place of work they move around or run away to other workplaces without arranging new work documents.
4. Work documents and residence permits in the country have expired, but the person concerned continues to work or stay in the country without renewing the documents.

METHODOLOGY

This type of research uses descriptive qualitative, namely to find out and describe the reality of the problem of passport abuse committed by prospective nonprocedural Indonesian workers. The data source of the primary data comes from the Class 1 Special Batam Immigration Office, namely by conducting field observations and direct interviews with Immigration Office employees. In this study the data obtained from the results of studying, exploring and quoting theories that have to do with the problems observed, the data are in the form of books on immigration, books on immigration legislation.

The technique of collecting data through observations is carried out by looking at the conditions in the field and going to the field at the Batam Special Class 1 Immigration Office so that you will get a clear picture of the problem of passport abuse committed by prospective non-procedural Indonesian workers. In this study also using semistructured interviews, this type of interview is included in the category of in-dept interview (in-depth) in its implementation more freely. In conducting interviews, the researcher listens carefully and records what the informants say. Interviews in the study were conducted with employees of the Class 1 Special Batam Immigration Office. The documentation in this study is by studying literature books related to the immigration field.

Population and sample used in this study amounted to 187 people, which are all employees of the Class 1 Immigration office specifically Batam. The sampling technique used in this study was purposive sampling. The sample taken in this study amounted to 5 people who are employees of the Class 1 immigration office specifically for Batam. Researchers select and take employee respondents who have the task of providing travel documents or passports as well as conducting research on the correctness of evidence regarding their citizenship status at the Batam Special Class 1 Immigration Office and employees who perform tasks in examining

the use of passport travel documents to be granted entry permits and outside the territory of Indonesia at the Batam International Ferry Port Immigration Checkpoint.

Duties and Functions of the Batam Special Class 1 Immigration Office

The Batam Special Class 1 Immigration Office is a Technical Implementation Unit (UPT) in the Riau Islands Regional Office of the Ministry of Law and Human Rights, which has the task of carrying out some of the main tasks and functions of the Indonesian Ministry of Law and Human Rights in the immigration sector, especially in the Riau Islands region. The main duties and functions of the Batam Special Class 1 Immigration Office include one section and 5 fields, namely:

1. Administration section, conducts personnel affairs, finance, correspondence and household equipment;
2. Immigration Information and communication facilities, performs collection, review, data analysis, evaluation, presentation of information and dissemination for immigration investigations, conducts maintenance, safeguards immigration documentation and uses and maintains communication facilities;
3. In the field of traffic and immigration status, providing travel documents, leaving permits and returning permits, determining immigration status for foreigners who are in Indonesia, conducting research on the validity of evidence of one's citizenship regarding citizenship status;
4. The field of immigration control and prosecution, monitoring immigration licensing violations and conducting cooperation between agencies in the field of foreign supervision, conducting investigations and prosecution of immigration violations, and
5. Landing and entry permits, conducting research on the use of travel documents by any person who enters or exits Indonesian territory, refusing to give departure marks and / or entry permits for any person who meets applicable regulations.

DISCUSSION

Batam Special Class 1 Immigration Office Strategy

As the agency authorized to issue passports, it plays an important role in reducing misuse of passports by prospective nonposedural migrant workers. The strategy carried out by the Batam Special Class 1 Immigration Office is to tighten the issuance of passports by conducting careful and selective checks on the correctness of the formal and material requirements attached to the passport applicant and checking passports at the time of departure abroad at the Immigration Checkpoint, technical efforts made by Immigration officers that is, for the purpose of visiting tours and family visits, you must show a return / two-way ticket or commonly called a return ticket (PP).



Figure 1. Map of Batam City

Table 1: List of Passport Application Refusals

No	Kind of Rejection	Year 2016
1.	System	118
2.	Interview	300
Amount		418

Source: Batam Special Class 1 Immigration Office

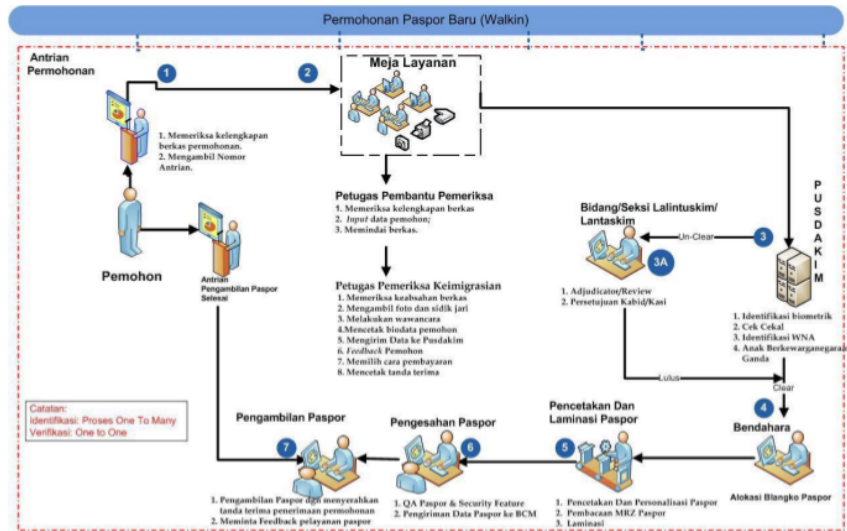
The Batam Special Class 1 Immigration Office throughout 2016 has refused to apply for passports of 418 applicants. A total of 118 applicants were rejected when inputting their fingerprint data because they already had passport ownership data with different identities and 300 applicants were rejected at the time of the interview because they did not provide correct information or could not provide clear information regarding their overseas destinations, complicated, belit answered questions about the purpose of applying for a passport and could not prove the intention of making a passport.

The policies carried out by the Batam Special Class 1 Immigration Office in reducing passport misuse by prospective Non-procedural Indonesian Workers are:

- a) Carry out careful and selective examinations of the correctness of the formal and material requirements attached as well as check / verify the validity of the Identity Card or TKI recommendation available on the portal of the Directorate General of Immigration;
- b) Applicants who are going to work abroad (CTKI) must attach a Passport recommendation letter from the Regency / City Office in charge of manpower with a verified TKI ID and included in the TKI ID Validation System Application on the Portal of the Directorate General of Immigration;
- c) For applicants who are going to travel abroad in the context of performing the special Hajj / Umrah pilgrimage, request a letter of recommendation from the Regency / City Ministry of Religion and a certificate from the Special Hajj / Umrah Travel Organizer (PPIH / PPIU);
- d) Applicants who are going to travel abroad for apprenticeship and special job market programs request a letter of recommendation from the Director General of Training and Productivity Development of the Ministry of Manpower;
- e) If there is a strong indication that the applicant who will work abroad does not comply with the provisions (Non-procedural TKI) by reason of family visits and / or tours, so that the officers do the following:
 - 1) Required to deepen the interview process while still paying attention to profiling, gesture, body language in order to gain confidence in the goals and objectives of going abroad;
 - 2) Requesting a letter of invitation or guarantee and a photocopy of the passport from the family to be visited, and / or;
 - 3) Request other supporting documents that can confirm the truth of the aims and objectives of abroad.

³ Law number 39 of 2004 concerning the placement and protection of Indonesian workers abroad states that Indonesian Workers are every Indonesian citizen who meets the requirements to work abroad in an employment relationship for a certain period by receiving wages while Indonesian Workers Candidate is every Indonesian citizen who meets the requirements as a job seeker who will work abroad and is registered with the Regency / City government agency responsible for manpower affairs.

Figure 1: One Stop Service Passport Issuance Workflow



Sumber: Kantor Imigrasi Kelas 1 Khusus Batam

The One Stop Service system is in the form of simplifying the long service procedure flow, which previously had to come 3 (three) times to 2 (two) times and previously queued 4 (four) times to 1 (one) time to service the passport making process. With this system, it is hoped that it will be able to reduce the practice of brokering which could lead to misuse of the passports used by non-procedural TKI.

CONCLUSION

Based on the discussion and research that has been carried out on how the strategy of the Class 1 Special Batam Immigration Office in reducing passport abuse by prospective Non-procedural Indonesian Workers in 2016, researchers can draw a conclusion that the strategy carried out by the Immigration Office is to tighten the issuance of passports by conducting careful and selective examinations, regarding the correctness of the formal and material requirements and at the Immigration Check-point checks a return / two-way ticket or commonly called a return ticket (PP) which aims to visit tours and family visits.

Researchers analyzed a number of data obtained using the theory of strategic dimensions by James Brian Quinn, namely the objectives, policies and programs carried out by the Class 1 Special Batam Immigration Office in reducing passport abuse by prospective Indonesian Migrant Workers in 2016, namely: (1). what the Immigration Office wants to achieve is to provide legal protection and the rights that must be obtained as a prospective Indonesian Worker when working abroad in order to avoid problems in terms of not getting a salary, receiving torture from the employer, and avoiding the presence of Non-procedural Indonesian Workers to return home through unofficial channels;

(2) The policy is a series of decisions and actions by the Immigration Office is to carry out careful and selective examinations of the attached requirements, from the requirements for an Identity Card, Family Card, Birth Certificate or Diploma, and applicants for prospective Non-procedural Indonesian Workers must attach a recommendation letter from the Office of Manpower and the National Agency for Placement and Protection of Indonesian Workers, as

well as conducting interviews with passport applicants to get confidence in the intent and purpose of making a passport and for applicants for tours or family visits requested a letter of recommendation for a photocopy of the passport or family work permit; and

(3) The program is a sequence of actions taken in achieving the specified goal, the Immigration Office uses the One Stop Service program in the passport process which also speeds up checks in verifying the authenticity of files at the time of inputting fingerprints providing information on whether the applicant has ever owned a passport with Other identities with accuracy and a tightened interview process are also deepened regarding the intent and purpose of making a passport in identifying applicants for a passport to be used for nonprocedural work.

The Immigration Office carries out a careful and selective examination of the attached requirements, from the requirements for an Identity Card, Family Card, Birth Certificate or Certificate, and applicants for prospective Non-procedural Indonesian Workers must attach a recommendation letter from the Manpower Office and the National Agency for Placement and Protection of Workers Work in Indonesia, as well as conducting interviews with passport applicants to get confidence in the intent and purpose of making a passport and applicants for tours or family visits are asked for a recommendation letter photocopy of their passport or family work permit.

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