

THE IMMIGRATION SYSTEM: E-GOVERNANCE VISIBILITY SHAPE ON ENFORCEMENT

SISTEM IMIGRASI: DAMPAK VISIBILITAS TATA KELOLA ELEKTRONIK (E-GOVERNANCE) TERHADAP PENEGAKAN HUKUM

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Arief Rianto Kurniawan
arie050@brin.go.id
National Research and Innovation Agency

Fuzi Narindrani
narindranisujadi.348@gmail.com
National Research and Innovation Agency

Dotty Wimpertiwi
dotty.wimpertiwi@binus.ac.id
Bina Nusantara University

Rasona Sunara Akbar
akbarrasona@gmail.com
Immigration and Correctional Polytechnic
Indonesia

Abstract (In English). This study explores the critical role of the Immigration Management Information System (SIMKIM) in improving immigration management and law enforcement in Indonesia, with a focus on e-governance. Citizenship, linked to immigration, involves legal status, human rights, identity, and participation. Indonesia faces challenges in balancing legal sovereignty and human rights amid globalization and free movement. The paper explores how e-governance, through systems like SIMKIM and the Foreigner Supervision Application (APOA), can improve immigration processes by enhancing effectiveness, efficiency, transparency, and accountability. Despite the advancements, issues such as inadequate coordination among agencies and ineffective mapping of foreigners remain. This qualitative study, based on interviews with key stakeholders and document analysis, highlights the potential of synchronized digital systems to streamline operations, improve data processing, and support evidence-based policymaking in immigration governance. Recommendations include further integration of SIMKIM and APOA and continued research on optimizing e-governance for immigration supervision and law enforcement. While the findings underscore the benefits of technological integration, they also acknowledge the need for addressing non-technological factors and broader stakeholder engagement to fully realize the potential of e-governance in immigration.

Keywords: e-governance, immigration law enforcement, data synchronization, Indonesia

Abstract (In Bahasa). Penelitian ini mengeksplorasi peran penting Sistem Informasi Manajemen Keimigrasian (SIMKIM) dalam meningkatkan manajemen keimigrasian dan penegakan hukum keimigrasian di Indonesia dengan berfokus pada penerapan e-governance. Kewarganegaraan, yang berkaitan erat dengan keimigrasian, mencakup status hukum, hak asasi manusia, identitas, dan partisipasi warga negara. Indonesia menghadapi tantangan dalam menyeimbangkan kedaulatan hukum dan perlindungan hak asasi manusia di tengah arus globalisasi dan meningkatnya mobilitas manusia lintas negara. Penelitian ini mengkaji bagaimana e-governance melalui sistem seperti SIMKIM dan Aplikasi Pelaporan Orang Asing (APOA) dapat meningkatkan proses keimigrasian dengan memperkuat efektivitas, efisiensi, transparansi, dan akuntabilitas layanan. Meskipun berbagai kemajuan telah dicapai, masih terdapat permasalahan seperti kurang



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optimalnya koordinasi antarinstansi dan belum efektifnya pemetaan keberadaan orang asing. Penelitian kualitatif ini dilakukan melalui wawancara dengan para pemangku kepentingan utama serta analisis dokumen. Hasil penelitian menunjukkan bahwa sinkronisasi sistem digital berpotensi menyederhanakan proses operasional, meningkatkan pengolahan data, serta mendukung perumusan kebijakan berbasis bukti dalam tata kelola keimigrasian. Rekomendasi yang diajukan meliputi peningkatan integrasi antara SIMKIM dan APOA serta penelitian lanjutan mengenai optimalisasi e-governance dalam pengawasan dan penegakan hukum keimigrasian. Temuan penelitian ini menegaskan manfaat integrasi teknologi, sekaligus menunjukkan pentingnya memperhatikan faktor nonteknologi dan memperluas keterlibatan para pemangku kepentingan guna mewujudkan potensi e-governance secara optimal dalam bidang keimigrasian.

Keywords: e-governance, penegakan hukum keimigrasian, sinkronisasi data, Indonesia

1. INTRODUCTIONS

The role of immigration is intrinsically linked to citizenship, defined as the association of individuals within a socio-political community. Citizenship encompasses four main dimensions: legal status, human rights, identity, and participation. Individually, it relates to one's legal status and identity within a community. Socially, it pertains to citizens' rights and participatory roles within a socio-political framework. Globally, immigration is a key aspect of citizenship. Immigrants, typically defined as individuals born in one country and residing in another, are considered legally and socio-politically outsiders. They often move intending to settle in a new location.

Indonesia faces challenges in balancing legal sovereignty and human rights in the context of globalization and freedom of movement. The country recognizes these rights through Law No. 11 of 2005 and the 1945 Constitution, which guarantees the freedom of movement, residence choice, and the right to return. The Indonesian Immigration Law (Badan Pemeriksa Keuangan Republik Indonesia, 2011) defines immigration as regulating and supervising individuals entering or exiting the country to maintain state sovereignty. The law outlines four main functions of immigration: community service, law enforcement, state security, and fostering a prosperous society.

This paper focuses on the role of immigration in supervision and law enforcement, particularly through the lens of e-governance. Previous literature stated that e-governance can enhance these functions by leveraging technology for better effectiveness, efficiency, transparency, and accountability in immigration processes. Furthermore, e-governance simplifies information access and public service delivery for citizens and businesses, increasing participation in decision-making while saving time and money. It improves government transparency, accountability, and confidence by facilitating communication and collaboration via digital channels (Singh, 2023).

Citizenship in Indonesia is a process that foreigners must go through to obtain citizenship by applying, and foreigners are not considered Indonesian citizens. This highlights two key dimensions of immigration: law enforcement and state sovereignty. However, many foreigners in Indonesia live without clear citizenship status, often entering the country with documents that do not match their purpose. For instance, some use tourist visas for work or business visas for other purposes. In Bitung Regency, North Sulawesi, around 455 undocumented foreigners were recorded in 2021 (Kurniawan, 2023).

Immigration and citizenship laws in Indonesia cover foreign nationals (WNA) and foreigners, but other ministries manage many citizenship documents and do not involve immigration authorities. Recently, in Banyuwangi, foreigners were found working without valid documents (Kabar Banyuwangi, 2024). In Bandung, some foreigners had overstayed their residence permits, living for more than 5 years without proper documentation (Wahyudianto, 2024). These cases highlight the challenges in immigration surveillance and enforcement.

E-government refers to using information and communication technology (ICT) in government activities, connecting various stakeholders. Technological advancements and citizens' demands for better services have made digital governance essential. According to a United Nations survey (2018), all 193 member states, including Indonesia, have implemented e-government, with Indonesia achieving a high ranking in the e-government development index. Incorporating digital technology into governance processes enhances efficiency and expedites the provision of public services. While e-government aims to enhance transparency, prevent corruption, and build public trust, its implementation in immigration law enforcement is still lacking.

This study explores how important integrating data-driven immigration and citizenship processes can be for improving the monitoring and enforcement of immigration laws while simplifying the bureaucracy for effective functioning in both traditional and digital governance.

2. LITERATURE REVIEW

2.1. Definition and scope of governance and e-governance

Governance refers to the processes, systems, and institutions that allow stakeholders to express concerns, exercise legal rights, fulfill responsibilities, and resolve disputes. It involves a variety of activities, including decision-making, policy creation, and policy implementation across different sectors, including the public sector (Kjær, 2004). In recent years, technology has improved communication between citizens and the public and business sectors, resulting in more effective governance through e-governance. The widespread usage of the Internet has contributed to accelerating the emergence of e-governance, which has considerably enhanced public service delivery (Oloyede, 2024). Furthermore, it is a crucial component of innovation governance to guarantee coordination and integration and provide improved service performance (Cavalcante, 2022).

E-governance is using technology to enhance administrative efficiency and service delivery to citizens. It also entails taking the necessary procedures to successfully implement the e-governance policy and achieve what is expected (Singh, 2023). Moreover, e-governance enhances the efficiency and accessibility of government services by simplifying information accumulation and enabling citizens and businesses to access policies and participate in decision-making processes. E-governance development relies on the integration of online public services, a strong communications infrastructure, and skilled human resources, all of which are essential for providing successful services to citizens (Doran et al., 2023). Furthermore, e-governance boosts democratic values, accountability, and coordination while saving time and resources by automating services, improving communication, and bridging the trust gap through digital platforms. (Singh, 2023). This paper discusses e-governance related to immigration.

2.2. The Immigration Management Information System and the Role

The Immigration Management Information System (SIMKIM) has been used in Indonesia since 2008 to support immigration duties and functions. SIMKIM collects, processes, and presents data to facilitate immigration operations, management, and decision-making. It integrates various immigration functions, connecting immigration offices, border controls, detention centers, and overseas representative offices (Akasy, 2021).

SIMKIM is compatible with many systems from 20 ministries and government agencies, including the Ministry of Home Affairs and the Indonesian National Police. It has also been connected to the Interpol Surveillance System (I- 24/7) since 2016, allowing for international cooperation (Putra & Arifin, 2020). This system demonstrates effective technology integration, despite different platforms being used by various parties.

Immigration relies heavily on information systems. The Enterprise Data Access System (EDAS) serves as the main database, accessible to 125 immigration offices, 79 checkpoints, 13 detention houses, and 64 embassies. The E- Office system supports visa and stay permit services, allowing electronic processing and supervision of these applications. In 2017, the Directorate General of Immigration launched applications for online visas, passport queues, stay permits, and foreigner reports, all integrated within the E- Office system.

Immigration law enforcement in Indonesia involves two phases: control and enforcement. These processes apply to both Indonesian and foreign citizens. Supervision begins with passport and visa applications and continues through border crossings and stay permit applications. If violations are detected, enforcement actions are taken. Effective immigration law enforcement requires coordination among various parties, making data synchronization and regulatory oversight crucial. E-governance plays a vital role in ensuring this coordination and can be further strengthened through regulations derived from the 2011 Immigration Law (Maulana, 2021).

3. METHODS

This study employs a qualitative research design to explore the effectiveness of the Immigration Management Information System (SIMKIM) in enhancing immigration management and law enforcement in Indonesia. A qualitative approach is chosen to gain in-depth insights into the experiences, perspectives, and challenges faced by immigration officers and other stakeholders involved in the implementation and utilization of SIMKIM.

Data Collection: Documents, reports, and records related to SIMKIM implementation will be reviewed. Observations of SIMKIM operations in these offices will also be conducted. In-depth interviews are conducted to obtain detailed and nuanced information from key stakeholders involved in the development, implementation, and daily use of SIMKIM, and APOA.

- **Participants:** Key informants, including immigration officers who are responsible for SIMKIM, lecturer and practitioners in Immigration.
- **Interview Guide:** A semi-structured interview guide with open-ended questions is used to allow flexibility in exploring specific issues and obtaining rich, detailed responses.

- Procedure: Interviews are conducted face-to-face, via phone, and through video conferencing. Each interview is expected to last between 45 to 60 minutes.

Data collected will be analyzed using thematic analysis. This involves identifying, analyzing, and reporting patterns (themes) within the data. The steps in the analysis include:

- 3.1. Reading and re-reading the data to become immersed and familiar with its content.
- 3.2. Generating from the data to identify meaningful segments related to the research questions.
- 3.3. Collating into potential themes and reviewing them to ensure they accurately represent the data.
- 3.4. Defining and naming themes to create a coherent narrative that addresses the research objectives.
- 3.5. Synthesizing the findings and illustrating them with direct quotes from interviews and data from case studies and surveys.

4. RESULT

3.1. KEY FACTORS CONTRIBUTING TO THE SUCCESS AND SOLUTION OF E-GOVERNANCE IN THE FIELD OF IMMIGRATION

The success of e-governance in the immigration sector, especially in the field of supervision and law enforcement, is greatly influenced by several factors.

First, the provision of the necessary resources and policies, which greatly influence the success of implementing e-governance. -governance in the fields of services, supervision, and enforcement of immigration law (Taufik et al., 2023). Competent and trained human resources are also an important factor in the success of e-governance. Ability in the technical field of immigration alone is not enough. The use of appropriate technology and information accompanied by competent human resources is the backbone of e-governance implementation because it plays an important role in increasing the effectiveness and efficiency of services, supervision, and enforcement of immigration law. Integrated information system technology allows the process to be more accurate and faster (Dewi & Haryanto, 2013). Employee competencies and capabilities can strengthen the organization's capacity to face immigration challenges.

Second, as stated by lecturer and practitioner Mr. R,

"Currently the immigration applications used are SIMKIN and APOA. And the availability of the SIMKIM and APOA applications [Alien Monitoring Application] is a significant supporting factor in implementing electronic-based immigration supervision and law enforcement governance."

This statement underscores the important role these technological tools play in modernizing immigration governance. Mr. R further explained,

"This data can then be used by the Foreigners Monitoring Team [TIMPORA] in carrying out immigration supervision and law enforcement."

This happens with the availability of qualified human resources in managing application-based systems so that all information, including supervision and law

enforcement, can be processed into concrete data that is reliable and valid. However, currently what is happening is a lack of competence and capability of the employees who handle these two information systems, so that implementation is not yet optimal. As explained by Mr. R in the interview.

3.2. CHALLENGES AND STRATEGIES TO OVERCOME THEM

The phenomenon in immigration supervision and law enforcement, as part of the [internal] challenges, is the non- optimal functioning of the Foreigner Supervision Application (APOA) which can facilitate the work of the Foreigner Supervision Team (TIMPORA) which is integrated with the coordination of immigration supervision and law enforcement.

“Despite its intended role in enhancing immigration supervision, the Foreigner Supervision Application (APOA) has not been functioning optimally. This shortcoming directly affects the Foreigner Supervision Team's (TIMPORA) effectiveness, leading to inefficiencies in coordination and enforcement. The system's flaws often hinder our ability to maintain seamless operations and accurate oversight.” - Mr. C, Lecturer and Immigration Practitioner.

The use of information technology is an important step in overcoming problems, especially immigration supervision and law enforcement. Thus, it is important to create an integrated and connected information system from the supervision process to law enforcement. The synchronization of SIMKIM and APOA is expected to overcome challenges and at the same time be a relevant, effective, and efficient strategy for implementing immigration supervision and law enforcement in Indonesia. In terms of external challenges, cooperation between agencies and law enforcement institutions related to foreigners/foreign nationals is lacking, which causes the absence of boundaries of duties and functions of each agency/institution that carries out supervision, so that in practice there is often abuse of authority (Kurnia, 2023).

“One of the major hurdles we face is the lack of coordination with external departments. Despite having robust systems like SIMKIM and APOA in place, the absence of clear boundaries and defined roles often leads to confusion and overlaps in duties. This not only hampers our efficiency but also sometimes results in the abuse of authority.” - Immigration Officer A.

Another external challenge is the lack of mapping of foreigners living in Indonesia by referring to the rampant immigration violations by foreigners, especially holders of visa-free visits, which adds to the complexity of immigration law enforcement and supervision problems (Aji et al., 2022).

“We face significant difficulties due to the lack of comprehensive mapping of foreigners residing in Indonesia. Many individuals, especially those on visa-free visits, are not accurately tracked, which complicates our ability to enforce immigration laws and address violations effectively. Without proper data, it's challenging to manage and supervise these cases appropriately.” - Immigration Officer B.

Referring to the two previous challenges, the contribution of electronic-based management to the work of immigration law enforcement and supervision across ministries/law enforcement agencies and the work of supervision of foreigners/foreign through TIMPORA can be used as a medium/coordination tool between law enforcement agencies to avoid overlapping authority and abuse of authority. Furthermore, the management in question can also be a medium for unifying

understanding of the typology and mode of violations (Aji et al., 2022).

3.3. SCALABILITY AND ADAPTATION IN POTENTIAL WITH DIFFERENT CONTEXTS

Information technology usage is the main capital for carrying out current immigration functions and an important aspect in increasing the scalability of supervision and law enforcement governance in Indonesia. An integrated and connected information system is very helpful in efforts to collect, process, and present immigration data between institutions so that it can avoid overlapping programs and improve cooperation and coordination in the supervision and enforcement of immigration law (Aji et al., 2022). In addition, this can ensure that all parties work together and are well-managed in facing the challenges and problems of the entry of foreigners.

One possibility for developing electronic-based governance is to enable the mapping of foreigners living in Indonesia without ignoring selective policies, and this mapping facilitates supervision and law enforcement. With the right evidence-based policy, it is hoped that all activities of foreigners can be properly supervised under applicable regulations. Furthermore, increasing transparency in the supervision and law enforcement process is important to prioritize accountability for the performance of law enforcement for foreigners in Indonesia. This transparency is important to ensure that all foreign nationals living in Indonesia are properly supervised and comply with applicable regulations.

3.4. RECOMMENDATIONS

Implementing e-governance in immigration law enforcement and supervision as a solution.

- 4.1.1.1. Synchronization of SIMKIM and APOA applications, so that all information related to the activities of foreigners/foreign nationals can be processed into data that is used for the work of TIMPORA;
- 4.1.1.2. Utilizing the synchronization of SIMKIM and APOA as a basis for determining immigration supervision and law enforcement policies, as well as a form of electronic-based immigration supervision and law enforcement governance; and

Conduct further research on how the synchronization of the immigration system and its policy designs can be made to implement electronic-based supervision and law enforcement for foreigners.

4. CONCLUSION

This study explores the critical role of the Immigration Management Information System (SIMKIM) in enhancing immigration management and law enforcement in Indonesia, with a particular focus on the application of e-governance. The analysis highlights the integration of SIMKIM into various immigration functions, emphasizing its ability to streamline operations, enhance efficiency, and improve transparency.

Key findings demonstrate that SIMKIM, with its robust interoperability with multiple systems across different ministries and agencies, has significantly contributed to the effective supervision and enforcement of immigration laws. The system's integration with the enterprise data access system (EDAS) and the e-office system has facilitated comprehensive data collection, processing, and presentation, thereby supporting

decision-making and operational efficiency.

However, challenges remain in fully realizing the potential of e-governance in immigration law enforcement. Issues such as the non-optimal functioning of the Foreigner Supervision Application (APOA), inadequate coordination among law enforcement agencies, and the lack of effective mapping of foreigners underscore the need for further improvements. Addressing these challenges requires enhanced cooperation, data synchronization, and regulatory oversight.

The study concludes that leveraging technology through the synchronization of SIMKIM and APOA can significantly enhance the effectiveness of immigration supervision and law enforcement. Such integration will facilitate accurate data processing, improve inter-agency coordination, and support evidence-based policy-making, ultimately contributing to better governance in the field of immigration.

While this study provides valuable insights into the role of SIMKIM in immigration management, several limitations should be acknowledged:

1. The study primarily relies on data from selected immigration offices and key informants. The findings may not fully capture the experiences and challenges faced by all immigration offices across Indonesia.
2. Given the qualitative nature of the research, the findings are context-specific and may not be generalizable to other countries with different immigration systems and governance structures.
3. The study emphasizes technological solutions, which may overlook non-technological factors such as cultural, organizational, and political aspects that also influence the effectiveness of immigration management.
4. The reliance on interviews with key stakeholders may introduce bias, as participants might have differing perspectives and interests that influence their responses.

Future research should address these limitations by incorporating a broader range of data sources, extending the study to different contexts, and considering the interplay of technological and non-technological factors in immigration governance.

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