

The Migration Policy during Covid-19 Outbreak: The Case of Indonesia's Immigration Governance

AFFILIATION:

^{1,2}Politeknik Imigrasi, Indonesia

RIDWAN ARIFIN¹ , ANINDITO WIRAPUTRA² 

CORRESPONDENCE:

ridwan.arifin@flinders.edu.au;
anindito.wiraputra@poltekim.ac.id

ABSTRACT

This paper discusses the case of immigration governance, responding to the Indonesian migration policy during the Covid-19 outbreak. It indicates the immigration policy in Indonesia has quickly changed every month, which becomes serious issues, for example, about overlapped authorities at borders, fragmented policy, border law enforcement disputes, and confusion about visa and residence permits policy. This paper applies the qualitative research methodology of a single case study with a theoretical framework approach. The study finds the migration policy and governance in Indonesia in the Covid-19 pandemic have incorporated the theory of governance with five propositions as described in [Stoker \(1998\)](#). However, the responsibility of cross-border station closure is blurred, which indicates no coordination among border agencies, and this may lead to blaming and scapegoating. The immigration policy at Indonesia's borders illustrates a rigorous policymaking process but inconsistency where the policy instruments were revised and extended every month. The policy has not been designed for the situation after the Covid-19 crisis in Indonesia is declared over by the competent authority. This paper proposed the concept of integrated border management (IBM), policy formulation stages, and adoption of technology.

Keywords: migration governance, migration policy, global migration, border studies

CITATION:

Arifin, R., & Wiraputra, A. (2020). The Migration Policy during Covid-19 Outbreak: The Case of Indonesia's Immigration Governance. *Jurnal Studi Pemerintahan*, 11(3), 327–354.

ARTICLE HISTORY:

Received:

June 29, 2020

Accepted:

October 26, 2020

ABSTRAK

Penelitian ini mengkaji tata kelola keimigrasian di Indonesia dalam rangka penanganan pandemi Covid-19. Kebijakan keimigrasian di Indonesia mengalami perubahan yang cepat di setiap bulan dan telah menjadi isu yang krusial seperti adanya tumpang tindih kewenangan perbatasan, kebijakan yang tidak terintegrasi, sengketa penegakan hukum perbatasan, dan ketidakpastian kebijakan visad an izin tinggal keimigrasian. Penelitian ini menggunakan metodologi penelitian kualitatif dengan pendekatan studi kasus tunggal dalam pendekatan kerangka teoretis. Hasil penelitian ini menunjukkan bahwa kebijakan keimigrasian dan perbatasan di Indonesia berbanding lurus dengan proposisi yang dijelaskan [Stoker \(1998\)](#). Namun, terjadi kesimpangsiuran kebijakan dalam penutupan perbatasan darat yang tanpa koordinasi dengan instansi berwenang lainnya di perbatasan darat bahkan dapat saling menyalahkan atau mencari kambing

hitamnya. Kebijakan keimigrasian selama wabah Covid-19 di Indonesia memperlihatkan proses perumusan kebijakan yang rumit, adanya inkonsistensi, dan banyak proses revisi instrumen kebijakan. Belum ada perumusan kebijakan keimigrasian dan tata kelola perbatasan untuk masa setelah wabah Covid-19 berakhir. Riset ini merekomendasikan konsep IBM, perumusan kebijakan, dan penerapan teknologi.

Kata kunci: tata kelola migrasi, kebijakan keimigrasian, migrasi global, studi perbatasan

INTRODUCTION

The Covid-19 outbreak at the beginning of 2020 across the globe has affected the world's economy, tourism industry, socio-culture, education, politics, and environment. The World Health Organization (WHO) published guidelines to curb the spread of the virus and sustain a human to human transmission. The migration policy and border security in Indonesia have adapted to the global situation because the government in major countries applied the lockdown initiatives and closed their international borders. The Indonesian immigration agency or Directorate General of Immigration (DGI) rolled out the new immigration policy responding to the crisis like the movement of people and travel restrictions for Indonesian citizens and foreign visitors. From March to May 2020, the DGI published series of regulations about visa policy, residence permit policy, immigration control at borders, passport service, then revised them many times, revoked and ceased the formers, and announced the latest revision of regulations.

Before the crisis of Covid-19, Indonesia has the open-border immigration policy allowing visitors from 169 countries to enter Indonesia without obtaining a visa or free visa facility based on the Presidential Regulation No.21 of 2016. This regulation includes the visa on arrival policy for 65 countries with purposes of tourism, business, investment, seminar, governmental visit, or meeting agenda as administered in the Regulation of Law and Human Rights Minister No.39 of 2015. In March 2020, as regulated in the Regulation of Law and Human Rights Minister No.7 of 2020, the DGI suspended visa-free facility, visa on arrival policy to enter Indonesia during the Covid-19 outbreak, issued the emergency residence permit for foreign visitors resid-

ing in Indonesia, waived the overstay penalty, and limited service at immigration offices. Some governors, regents, and mayors at local regions which share borders with neighboring countries closed the border crossing stations for an international movement. In April 2020, the application for a visitor visa and temporary residence visa at the Indonesian Embassy overseas were temporarily closed, and travel restrictions were enforced through points of entry at airports and seaports, as stated in the Regulation of Law and Human Rights Minister No.8 of 2020. In May 2020, the Regulation of Law and Human Rights Minister No.11 of 2020 was published that the controlled border immigration policy has staged by the DGI where temporary residence permits and permanent resident holders (including an expired and will be expired), work visa holders for national strategic projects, were allowed to enter and leave Indonesia.

This paper discusses the case study of immigration governance, responding to the Indonesian migration policy during the Covid-19 outbreak. The study finds the migration policy and governance in Indonesia in the Covid-19 pandemic have incorporated governance as a theory with five propositions as described in [Stoker \(1998\)](#). The migration and border security policy show an overlapping authority among agencies and fragmented policy. The policy has not been designed for the situation after the Covid-19 crisis in Indonesia is declared over by the competent authority. Global governance has become a key issue in Indonesia, and it is a wicked problem with uncertainty.

LITERATURE REVIEW AND RESEARCH FOCUS

GOVERNANCE AS THEORY: FIVE PROPOSITIONS

[Stoker \(1998\)](#) mentions there are five propositions about governance as theory. First, it is described that governance is not limited to the term “government,” but it consists of an institution and actors. This associates with the complexities in making decisions in governance and the regulations to describe government. Second, in governance, there is a blurring responsi-

330 bility for coping with social and economic problems. It may result in ignorance or even blaming one another. Third, governance shows an authority dependency that requires cooperation, collaborative management, and actions. It could worsen the accidental results for the government. Fourth, governance is a network of actors and autonomous governing. However, it can be difficult to achieve accountability. Fifth, governance is to complete the programs, achieve the objectives, not by their power, but a strategic plan by steering not rowing. The governance may fail despite the flexibility of the government in steering. These five propositions are supplemented with its underlying potential risks and implications.

MULTILEVEL GOVERNANCE OF MIGRATION

Most of the prior literature has emphasized the multilevel governance (MLG) study prevails among the scholarships and talks over the top-down and bottom-up policy making, public-private partnerships, and traditional hierarchy in institutions. This is widely extended to five important aspects in the framework of multilevel governance: sanctioning and coordinating authority, provision of capacity, knowledge co-production, framing of co-benefits, and engagement of civil society ([Homsy, Liu, & Warner, 2019](#)). The dynamic of multilevel governance in distinct levels of organizations account for the problem-solving capacity and problem-generating potential consisting of type I and type II architecture ([Maggetti & Trein, 2019](#)). MLG Type I is defined as the communication among a variety of actors from different levels with common objectives or authority over territoriality, while Type II refers to the specific roles and job descriptions with overlapping capabilities. However, one of the main problems in multilevel governance is the capacity between the local governance and the central government. The local government has the rights of authority or power, discretion, and funding the policy in which a conflict-solving is the key solution ([Behnke, Broschek, & Sonnicksen, 2019](#)). The multilevel

governance is dispersed over existing works of literature on multilayer governance across institutions, local government, non-government actors, and problem-solving orientation.

This study focuses on the notion of multilevel governance of migration, which aligns with the discussion of multilevel governance during the Covid-19 outbreak in Indonesia. The multilevel governance of migration predominantly pertains the intergovernmental policymaking, controlling the migration at borders, border integrity, collaborative border management, comprehensive and proactive immigration policy despite its failures ([Scholten & Penninx, 2016, p. 105](#)). Along with similar lines, the migration policy is principally about the policy coordination, and it broadly coexists intergovernmental networks and its interdependency of authority ([Caponio & Jones-Correa, 2018](#)). Migration policy and border studies in multilevel settings should be viewed from different perspectives. Migration and border control are complex and sensitive issues, and the migration and border governance regulations and measures are finalized with other levels of government and non-public sectors.

In so doing, the multilevel governance of migration and border policy emphasizes two perspectives: territorial and analytical, with the bottom-up approach, policy networks, actors at different levels, and the involvement of society ([Kraal, Penninx, & Berger, 2006, p. 269](#)). Whereas, in relation to migration and border policy, multilevel governance requires an applicable equilibrium between the goals of the nation and the needs of local communities ([Leo & August, 2009](#)). Also, the immigration policy and border security do raise not only major matters at the national level but also the political issues at the regional/local level ([Zapata-Barrero, 2009](#)). Decentralization distributes power to the local government to manage the community and its region in terms of politics, economy, culture, security, health, housing, and the environment ([Joppke & Seidle, 2012](#)). As such, the authority of migration control is transferred to the regional levels or provincial cross-borders since the local government policy is

332 overlapping with migration issues ([Hepburn & Zapata-Barrero, 2014, p. 4](#)). It must be noted that the multilevel governance of migration involves a multidisciplinary approach and a proper balance between the central and local governments. An authority over migration policy is devolving to local levels, to avoid overlapping migration policy at cross-border stations.

GLOBAL MIGRATION GOVERNANCE

In addressing the global migration issues, a state has a limited capacity to carry out the unilateral policy. It extensively requires bilateral or multilateral cooperation and strategic partnership on migration governance among actors at intergovernmental organizations, the United Nations, or international organizations. Global migration governance is defined as formalities which comprise regulations, standards, norms, principles, procedures in three levels: multilateralism, embeddedness, informal networks ([Betts, 2010](#)). Besides, it is important to figure out the causes of global migration, inequality and sustainability in the framework of rights and protection in which the global governance on migration promotes the migration management and global policy with “invented” and “invited” spaces ([C. U. Schierup, Ålund, & Likiā Brboriā, 2015](#)). In building policy networks, the scope of cooperation in global migration governance by international organizations shall consider the wide variety of national objectives of every country and common benefits from migration ([Newland, 2012](#)). Of these, organizations must understand the global governance of migration, which concerns the global migration trends, mobility of migrants, organized crime preventions, increasing the national security, nation-state building, and capacity.

The sets of policies at national, regional, and global levels reveal complexities in the global governance of international migration ([Tehrani, 2005](#)). Further, the international migration issue has been evolved into great discussions among governments, formal and informal actors in a regional or global

level, including its collaboration and arrangements ([Ferris & Donato, 2019](#)). In contrast, it is also described the global governance system has failed to set a normative framework of international migration. For instance, the U.N. and International Organization of Migration (IOM), as the intermediary agency in global migration management, have not contributed to the migration protection mandatory and neglected the human-rights aspects. There are three stages of limitations to the global governance of migration: fragmented multilateral formalities, international conventions on people's movement other than immigration policy, and exclusive mechanisms involving states with only political interests or trans-regionalism ([Betts, 2011](#)). Global governance of migration needs regionalism and multilateralism approach along with intergovernmental institutions tailored to international migration rules and standards with the considerations of human rights and individual protection.

As discussed above, therefore, this research focus describes the migration governance and border policy in Indonesia during the Covid-19 pandemic. It examines the immigration control policy at points of entry in Indonesia, the policymaking process, and policy implementations at national and local government institutions.

RESEARCH METHOD

This paper applies the qualitative research methodology of a single case study with a theoretical framework approach. This study raises questions as to how the immigration control and border policy in Indonesia is during the Covid-19 pandemic from the perspectives of governance theory and migration governance. The approach in this single case study, which represents an unprecedented case and reveals a situation ([Yin, 2017](#)), is to analyse the migration governance and its implementation from the perspectives of philosophy and epistemology with methodological and analytical approaches ([Osanloo & Grant, 2016](#)). The existing theories and concepts of governance are synthe-

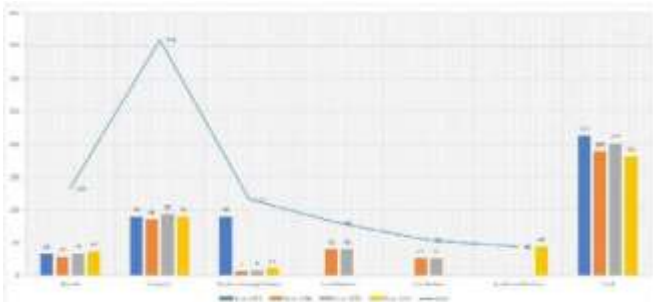
334 sized to support the analysis and arguments. Related regulations, procedures, and standards about migration governance in Indonesia are collected as the secondary data. This paper begins with the discussion about governance as the theory of five propositions, multilevel governance, global governance, and migration governance. After having analysed the case, it proposes the strategies in the policymaking process by the DGI, border governance and migration policy in Indonesia, and the adoption of border technology. The proposed strategies might be employed by the DGI Indonesia during the Covid-19 outbreak, in the new normal or after the crisis is declared over by the competent authority.

RESULT AND DISCUSSION

FIVE PROPOSITIONS IN INDONESIAN IMMIGRATION POLICY

The DGI plays a significant role in protecting and securing the 182 borders at airports, seaports, and border crossing stations across Indonesia. In the Indonesian Immigration Act 2011, the roles of DGI are fourfold: public service delivery, national security, law enforcement, and welfare for the community. Indonesia's immigration policy, which selects the eligible person entering Indonesia, promotes public orders, and generates benefits for Indonesia, is so-called the immigration selective policy. To support immigration officers, the immigration inspections system is deployed at points of entry and exit integrated with passenger movement system and the movement alert list containing names of criminals or most wanted persons. Border security underpins an inspection of individuals and documents towards the exercise of state sovereignty about borders and migration policy ([Chambers, 2015](#)). The following Figure illustrates the fluctuation in the number of designated points of entry and exit in Indonesia for ten years.

FIGURE 1. NUMBERS OF POINTS OF ENTRY AND EXIT ACROSS INDONESIA'S INTERNATIONAL BORDERS

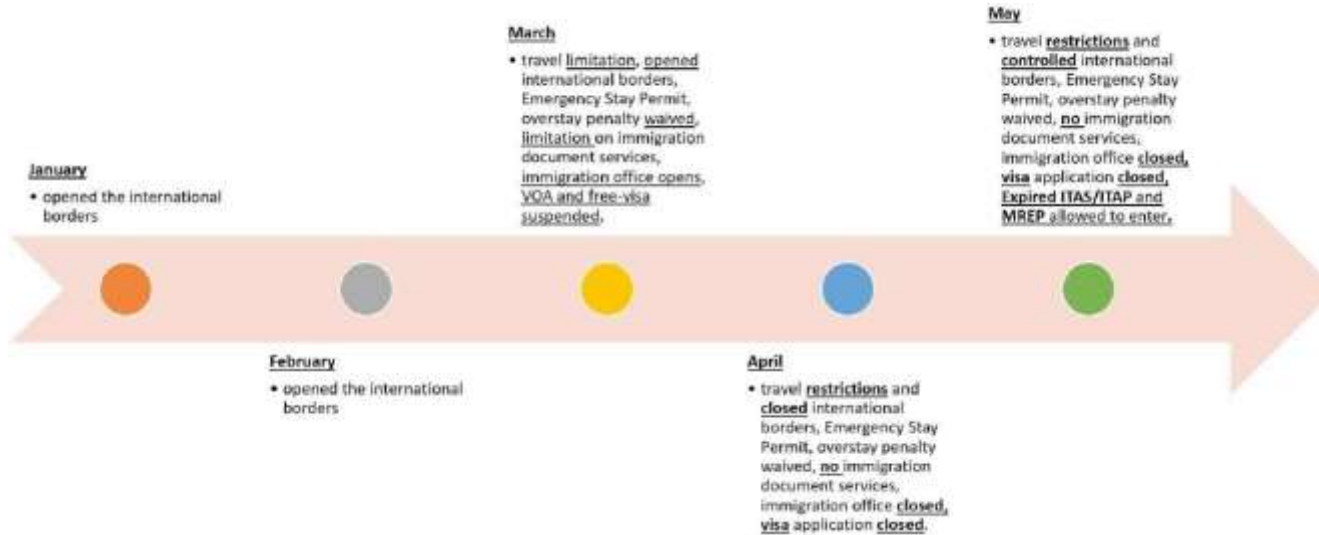


Source: The Decision Letters of Minister of Law and Human Rights Indonesia 2009, 2014, 2018, 2020

The immigration clearance at borders in Indonesia is a complex process, and conflicts among values may rise as well. Border security in the practices of immigration clearance is not a simple process because it acknowledges the multidisciplinary aspects (Kolosso, 2005). In the Indonesian Immigration Act 2011, an immigration clearance process considers the validity of travel documents, visa, eligibility of person, aspects of human rights, lists of wanted persons by the NCB Interpol, and related procedures of immigration control. Border law enforcement involves other agencies such as customs officers, aviation security officers, and airline ground staff. It refers to administrative immigration sanctions by immigration officers to carry out a removal order for an inadmissible person, a deportation order, an investigation, and other actions to tackle international crime. These measures shall conform with the national legal framework, international conventions, and bilateral agreements about land borders.

The Figure describes Indonesia's immigration policy during the Covid-19 outbreak for 5 months in the beginning year of 2020. It indicates the immigration policy in Indonesia has quickly changed every month, which becomes serious issues, for example, about overlapped authorities at borders, fragmented policy, border law enforcement disputes, and confusion about visa and residence permits policy.

FIGURE 2. THE INDOONESIAN MIGRATION POLICY TIMELINE DURING THE COVID-19 OUTBREAK



Source: The Regulation of Minister of Law and Human Rights Indonesia 2020 and Official Letter of Directorate General of Immigration Indonesia 2020.

When the first Covid-19 case in Indonesia was announced by the government at the beginning of March 2020, sets of regulations were immediately published by every Indonesian government institution about health examination protocols, travel restrictions, public transport restrictions, goods and items for customs security, border crossing stations closures, visa and residence permit policy. The DGI declared an entry restriction where only Indonesian citizens and permanent residence can enter Indonesia. The Ministry of Transports Indonesia mentioned the airports and seaports remained open for domestic and international travel, but some border crossing stations had been shut down by the governors, regents, and mayors. Foreign visitors in Indonesia were automatically granted an emergency residence permit as a bridging visa by the DGI because public transports or flights were not available, and their countries were locked down. Foreign visitors holding the valid Indonesian permanent residence and temporary residence permit traveling or staying overseas were not allowed to enter Indonesia.

In the first month of migration policy in response to the Covid-19 outbreak in Indonesia, it indicates the regulations about immigration and borders security were fragmented, and authorities were overlapped. [Stoker \(1998, p. 17\)](#), in the first proposition, mentions the governance, which includes institutions and actors, is complex; the decision-making is not relevant to the existing procedures, which could focus more on the exercise of power but not legitimacy. The government as a policymaker is influenced by the political system from the interest groups subject to economy and welfare development ([Hanson, 2010, p. 190](#)), and the policy within its mechanism might be highly legitimate or vice versa. The immigration governance is about administration and management, which is not limited to running a program, but it is how to respond to and arrange the global or national issues ([Wasem, 2018, p. 117](#)).

The free visa policy, Visa on Arrival, and Visitor Visa of Indonesia were suspended, and the Indonesian Embassy overseas

338 was temporarily closed for a visa application process. The number of international tourists to Indonesia has decreased, and it was a great depression for the national tourism industry. It significantly affected the business, investment, and the economy of the community, which causes a decline in the national tax, non-tax revenues, local small and middle businesses, including the welfare of the society. Therefore, the Indonesian government launched the stimulus package to boost the economy, job-keeper incentives, tax deductions, and customs policy. The small and medium enterprises in some regions survived the crisis by changing the business strategy into an online shop with a delivery order system.

The government is responsible for maintaining the stability of the economy and the inflation rate. However, the question arises as to which government, actors, institutions should be in charge of it; whether by public sectors, government business enterprises, private sectors, non-government organizations, or non-profit organization has the responsibility. It relates to the second proposition of governance as theory ([Stoker, 1998, p. 19](#)) about who will be responsible for the program, which is not implemented or misinterpreted, in particular the government program with public-private partnership scheme. The essence of immigration policy is to generate the positive impacts on the economy, social, culture, business, investment, education, security, and demographics ([Cornelius & Rosenblum, 2004](#); [Hanson, 2012](#); [Matsuyama & Miyazaki, 2017](#)). The government must stand up with multiple points of view during the immigration control policymaking process and persist the insights of immigration control to include in the rules or procedures.

In April 2020, an extensive immigration policy comprised the travel restrictions and closed international borders, granting an Emergency Stay Permit for foreign visitors, waiving the overstay penalty, and no immigration document services because immigration offices were closed. The visitor visa application was not available at the Indonesian Embassy, but the business and

work visa were open, and holders could enter Indonesia. Prior to the visa application, the business and work visa applicants made an application to the Ministry of Manpower Indonesia and waited for approval. If commercial flights or other public transports were available, foreign workers and investors could travel to Indonesia. Under the procedures of the Ministry of Health Indonesia, they shall follow the health protocols and examination upon arrival at airports in Indonesia. Then, their baggage and items will go through a rigorous inspection by the Customs agency, referring to the standard customs clearance during the Covid-19 pandemic. The robust inspections by customs, immigration, and quarantine agencies at points of entry imply the autonomous governing in building networks despite the accountability issues, as mentioned in the fourth proposition ([Stoker, 1998, p. 21](#)). Protecting the border is not restricted to the normative frameworks and procedures, but it includes the responsibility of individuals or officers towards the exercise of national sovereignty. It automatically triggers the front-liners to work together with other border agencies in securing borders from the invisible threats entering Indonesia.

The immigration policy was changed into a controlled border in May 2020 after the Coordinating Ministry of Economy and Investment Indonesia announced an economic stimulus program. Holders with expired Permanent Residence Permits traveling overseas and staying outside Indonesia when the virus outbreak was permitted to enter Indonesia. They were automatically granted an Emergency Stay Permit upon arrival at seven designated points of entry. In a decision-making process, the DGI was unable to stand alone, had to build coordination with related institutions, and involved other law enforcement agencies. Immigration policy incorporates the immigration law, relevant regulations, immigration measures to achieve objectives in the national framework subject to global migration trends ([Czaika & Haas, 2013](#)). The third proposition ([Stoker, 1998, p. 19](#)) is relevant to the collective policymaking, where the DGI is

340 dependent. On the other hand, this coordination stage has underlying meanings and sometimes becomes ambiguous as there is an exchange of information, including political interests, for their trades-off to achieve the goals. In spite of that, [Stoker \(1998, p. 22\)](#) argues the fifth proposition that the responsibility of governance relates to the coordination, collaboration, steering, integration, and regulation. The DGI and other stakeholders have not shown a strategic partnership as it was indicated every organization issued different policy instruments to respond to the spread of Covid-19.

In policy formulation stages either during the Covid-19 or in the new normal, the DGI should involve stakeholders in public organizations and private sectors to make a strategic policy about the migration and border security policy at borders. Policy formulation should be discussed among border agencies and relevant institutions to publish a comprehensive policy in the new normal. For example, the international border in Indonesia remains open with some restrictions and health protocols. This provision may help state-owned enterprises (BUMN) run their business and affect local economic growth.

MULTILEVEL GOVERNANCE IN IMMIGRATION CONTROL AT CROSS-BORDER STATIONS

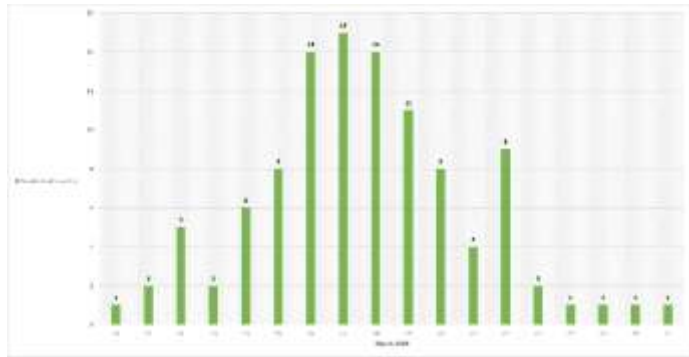
Immigration policy on border control management is a dynamic subject to the nation-state building, which involves various border agencies. The border crossing station closure for international travel is the right decision to prevent the virus by border crossers from neighbouring countries. The National Border Management Agency (BNPP) is responsible for the border station arrangement, facilities, and coordination. According to the Indonesian border crossing law of BNPP 2017 and bilateral agreements, the customs, immigration, and quarantine (CIQ) agencies have the authority to perform the border control management at border crossing stations. The Indonesian immigration agency has the strategic function across Indonesia's

Border for protecting and securing the border based on the Indonesian Immigration Act No.6 of 2011. It encourages two key points in the framework of multilevel governance ([Homsy et al., 2019](#)), coordination among agencies and responsibilities, but it lacks the knowledge management, mutual benefits, and the community engagement. It is assumed this is, however, an example of the overlapping authority in response to the Covid-19 pandemic in Indonesia since the heads of the local government closed the international border crossing stations in March 2020 without any conformity to regulations and with other agencies. It is inferred the border closure measure presents a lack of authority, hierarchy, coordination, and collaborative management among border agencies.

The notion of multilevel governance is defined as a multi-layer government from different institutions and actors at diverse levels with a variety of public policy ([Caponio & Jones-Correa, 2018, p. 1995](#)). On the other hand, the local government has two functions in the governance of migration policy: to implement the national legislations and to concern about local dwellers in the borderlands ([Zincone & Caponio, 2006, p. 279](#)). To address the overlapping authority, the study of migration policy in multilevel governance ([Caponio & Jones-Correa, 2018, p. 2006](#)) suggests three approaches that a policymaking process requires a vertical and horizontal hierarchy among institutions, central and integrated regulations, sharing of power and responsibility for immigration measures. Second, a policy implementation underpins the interdependency and involvement with all levels of actors, including from non-government institutions. Third, this entails an intensive communication or interaction subject to lobbying or negotiations towards an effective and successful concept of multilevel governance. Besides, mixing three governance modes—states, markets, and hierarchy ([Keast, Mandell, & Brown, 2006](#)), is an essential interplay to implement the policy and public service delivery through the integrated arrangements, relationships, and mechanisms.

342 Figure 3 demonstrates the number of countries which closed their international borders in March 2020 in responding to the Covid-19 pandemic. Most countries closed the borders in the middle of March 2020, while Indonesia announced the partial border closure in the framework of travel restrictions on 17 March 2020. The local government closed all its cross-border stations on 18 March 2020. The Indonesian government had fully closed international borders on 2 April 2020.

FIGURE 3. NUMBER OF INTERNATIONAL BORDER CLOSURE IN MARCH 2020



Source: European Commission of Temporary Reintroduction of Border Control 2020

The graph illustrates the peak of the pandemic was in the middle of March 2020. We argue the international border in Indonesia was too late to close because most countries, including neighbouring countries, have shut down their international borders in the middle of March 2020. However, the Indonesian local government had closed the cross-border stations (PLBN) in their area before the airports and seaports were closed. In fact, the movement of people by air is recorded more than those by sea and land borders. It means the international travel by flights is vulnerable since passengers who might be contracted by virus overseas can enter Indonesia.

In Figure 4, it shows most of the countries shut down the international borders at airports, seaports, and border crossing stations on 1 April 2020. International borders in fewer coun-

FIGURE 4. MAPS OF INTERNATIONAL BORDER CLOSURES IN APRIL 2020



Source: Aljazeera, Travel Restrictions and Border Shutdowns by Country 2020

TABLE 1. STAKEHOLDERS OF THE DGI AT IMMIGRATION CONTROL AT INDONESIA'S BORDERS

Immigrati on	Stakeholders
Airport	CIQ, airport authority, airport administrator, aviation security, Indonesian Air Force, airport police, airlines, NCB
Seaports	CIQ, port authority, port administrator, coast guard, Indonesian Navy, marine police, Ministry of Transportation.
Cross-Border	CIQ, BNPP (National Cross-Border Agency), Indonesian Army, Police, Ministry of Transportation, CIQ in

Source: Authors' Document Analysis, 2020

tries were partially closed, and one country remained open, while the data of the country's border status is not found as indicated in the grey colour. We assume the world has realised to lock down their area because the virus can quickly spread and infect humans. By border closures, the government can curb the virus where the movement of people who travel is prohibited by every country. Border closure is not limited to the closure of airports, seaports, or cross-border stations, but it may mean the visa application is suspended for foreign nationals. Also, this

344 border closure could mean the travel restriction policy in which only eligible persons can enter the country, such as their national citizens, permanent residence holders, and immediate family.

The DGI involves various stakeholders in conducting the immigration clearance at borders, as described in Table 1. High impacts stakeholders comprise the customs agency, quarantine or biosecurity agency, Indonesian Coast Guard, Indonesian National Police, and port authority, aviation security, airlines, and includes Registry Office, Ministry of Manpower in immigration services.

Table 1 demonstrates that one border is authorized by more than ten border agencies that play different roles and functions. It indicates the CIQ (Customs, Immigration, Quarantine) is the leading agency at borders with their authority and absolute sovereignty. Besides, it implies border governance is a complex process that requires coordinated measures, integrated technology, and unified policy. Every border agency shall consider the stakeholders in the policymaking process towards a seamless border control process.

Referring to immigration control at cross-border stations in Table 1, it is argued that the governance of migration policy in Indonesia at cross-border stations has two dimensions: to protect the border and to control migration flows. The realm of border control, security, and enforcement at international cross-borders are juxtaposed with the territory and social arrangement. The local government agency has authority over the territory and supports the welfare of the community at borders, not the territoriality of borders ([Sassen, 2013, p. 38](#)). The nexus of borders is the culture of communities at local borderland, including language, ethnics, socio-culture, and economy ([Brunet-Jailly, 2005, p. 637](#)). Meanwhile, the border authority consists of the Indonesian CIQ agencies supported by the national police and military forces to protect the borders ([Abidin & Deliarnoor, 2018](#); [Rusdiyanta, Warella, Suwitri, & Warsono.](#)

2018). Securing and protecting the borders requires collaborative border management by multiple governances because the land border has a national outlook or inward-looking and outward perspective or international viewpoints ([Rusdiyanta, 2017, p. 423](#)). The local government is responsible for the authority over territorial, not territoriality, although there is a transfer of the authority of migration control ([Hepburn & Zapata-Barrero, 2014](#)) from the central to the regional levels or provincial cross-borders due to the overlapping policy on migration issues border protection. The border control management highlights the coordination with other border control agencies to meet the common national objectives and for a seamless border clearance process. The border control inspection should not be recognized as a partial measure from a single institution, and it is not only authority of local government but also the concept of integrated border management.

To address the major issues at border control in Indonesia, the DGI should be encouraged to engage with the integrated border management (IBM) of three concepts: intra-service, inter-service, and international cooperation equipped by the integrated border technology ([Duez, 2016](#)). In addition to IBM, a policy learning from neighbouring countries (Australia, Singapore, Malaysia) is valuable to adapt to the migration governance in terms of territorial sovereignty, irregular migrants' arrangement, and border enforcement in this crisis. Besides that, the adoption of technology by the DGI is significant to utilize, such as the deployment of automated border control or autogates at points of entry across Indonesia, and the activation of information system for existing online visa applications, online residence permits application, sponsor online reporting systems.

MIGRATION AND GLOBAL GOVERNANCE IN INDONESIA

Migration policy and border security have emerged as the global trends affecting the proliferation of international crime.

346 The notion of global governance encompasses the activity of actors from any levels and different states to overcome global issues together ([Benedict, 2001](#); [Bevir & Hall, 2011](#)). In the global governance, states involved in international organizations to formulate conventions, agreements, norms, principles, standards to solve problems ([Bernstein & van der Ven, 2017](#); [Bevir, 2009](#); [Johnson, 2019](#)). As far as we have compiled, Indonesia has ratified the international conventions related to immigration border control and security like the United Nations (U.N.) Conventions on Law of the Sea (UNCLOS), maritime (IMO FAL), human rights (UDHR), international civil aviation (ICAO Annex), drugs, and crime (UNODC), transnational organized crime (UNTOC), albeit refugees and asylum seekers (UNHCR and IOM). Despite travel restrictions and international closed border policy, these international standards still apply for immigration clearance at Indonesia's borders. The practices of border inspection for eligible persons to enter Indonesia through borders shall comply with the global standards of the World Health Organization (WHO). The global governance denotes the national sovereignty rests on the migration policy and border security during the Covid-19 outbreak in Indonesia.

Indeed, issues of global governance rise in terms of the legitimacy of intergovernmental organizations ([Buchanan & Keohane, 2006](#)), transparency, accountability, regionalism, civil society ([Scholte, 2011](#)), power ([Alonso & Ocampo, 2015](#)), and politics and economy ([Cerutti, 2012](#)). The legitimacy of international organizations might be associated with the concept of jurisdiction and the exercise of sovereignty ([Buchanan & Keohane, 2006, p. 434](#)). Yet, global governance is a considerable challenge when international organizations are unable to fight against transnational organized crime, which is supported by the advanced technology despite the authority and sovereignty of states ([Weiss, 2000, p. 808](#)). It underlines an essential message that the Indonesian government must be aware of international crime during the Covid-19 outbreak.

Other than crime, debates on the refugees in Indonesia who seek an asylum seeker status to a destination country have risen since the UNCHR and IOM offices are situated in Jakarta. Refugee entering Indonesia's territory is a wicked problem because Indonesia has not ratified the Geneva Convention 1951 about refugees. Meanwhile, their migration status is being reviewed at the UNCHR and IOM offices, and this pandemic affects the application processing time. The host country, which has ratified the Refugee Convention, is responsible for granting the asylum seeker status ([Ferris & Donato, 2019](#)). International border closures in the destination country could harm their migration process, which raises the social issues in Indonesia. The inability or failure of states to promote human rights in global migration governance is caused by imperfect international policy instruments than nation-states have, lack of concerns, and refusal of initiating cooperation ([Chimienti, 2018](#)). This situation leads to the uncertainty of immigration governance in Indonesia.

The international migration issue has been discussed by the regional and global actors and how collaboration and arrangements can be proposed ([Ferris & Donato, 2019](#)). On the one hand, the global governance system has not succeeded in designing the normative framework of international migration. The migration protection mandatory and neglected the human rights aspects are neglected by the U.N. and International Organization of Migration (IOM), as the intermediary agency in global migration management. There are three weaknesses ([Betts, 2011](#)) of global governance of migration: fragmented multilateral formalities, international conventions on people's movement other than immigration policy, and exclusive mechanisms involving states with only political interests or trans-regionalism.

The immigration governance in Indonesia during this outbreak has not adapted to situations of neighbouring states such as Singapore, Malaysia, and Australia's migration governance.

348 For example, Australia has closed the international borders since the beginning of March 2020, and only Australian citizens, permanent residents, and immediate family who will be allowed to enter ([Dickie, 2020](#)). It is to prevent the incoming people who have been infected by the virus from overseas. Australia has suspended all visa applications, and the Prime Minister recommended international tourists and students who could not afford their financial condition to return to their home country. Visitors staying in Australia can apply the bridging visa if their visa will expire soon or while extending their visa. On the contrary, the Ruby Princess cruise ship debacle has become a serious policy issue indicating an overlapping authority among agencies ([Dennis, 2020](#)). Malaysia and Singapore had closed their international border on 16 March 2020 because of lockdown initiatives ([Agarwal, 2020](#)), but Indonesia's cross-border stations remained open. With policy learning, the Indonesian government might follow the policymaking stages with the evidence-based policymaking strategy and engage with other strategic stakeholders.

Intergovernmental organizations play vital functions to figure out global issues and provide strategic solutions, but this Covid-19 is a complex intergovernmental problem in terms of cooperation and system ([Paquet & Schertzer, 2020](#)). The global governance issue is not limited to the economy, politics, and social aspects, but it extends to the global security problem, particularly border security, movement of people, irregular migration seeking employment as extreme exploitation ([C.-U. Schierup, Likic-Brboric, Delgado Wise, & Toksöz, 2019, p. 737](#)), and international crime. During the Covid-19 pandemic, irregular migrants, violating the visa in Indonesia for working, have been detained and imposed on a deportation order by the DGI ([Junianto, 2020](#); [Ramadhan, 2020](#)). However, the DGI encountered constraints on conducting a detention procedure because of health protocols and a deportation process due to the unavailability of commercial flights. Besides deportees, dozens of

foreign tourists and visitors are stranded in Indonesia with an uncertain situation due to a lack of policy instruments. In this case, the DGI had made coordination with their host governments at the foreign embassy in Indonesia in terms of a removal order. As a result, they are held in custody at the immigration detention centre until the commercial transports are available. It is not found the DGI released the extraordinary rules and procedures about investigations, detention, deportation order in this pandemic.

To tackle the issues on intergovernmental organizations in Indonesia, the free visa policy and visa on arrival should be suspended until the pandemic ends, but a visitor visa and work visa will be allowed to enter Indonesia. The DGI must initiate coordination and build communication with the foreign embassy in Indonesia about the migration policy and border governance during the Covid-19 pandemic. The DGI should publish new standards and procedures in the new normal about an immigration operation or raid, an investigation, a detention order, and a deportation order. The DGI shall have a repatriation program for Indonesian citizens and removal orders for foreign nationals with the scheduled dates, including the grace period for overstayers. The Indonesian government should have a bargaining position with intense diplomacy to request the countries for returning their citizens from Indonesia, for instance, by a charter flight.

CONCLUSION

The case of migration governance in Indonesia during the Covid-19 pandemic considerably incorporates the five propositions of governance theory by [Stoker \(1998\)](#). The immigration control policy and border governance in Indonesia signify the complexities in policymaking by the institutions and actors, distorting of authority and responsibility, interdependency with mutual actions, self-governing collaboration, and the capacity of government institutions. The immigration policy at

350 Indonesia's borders illustrates a rigorous policymaking process but inconsistency where the policy instruments were revised and extended every month. The responsibility of cross-border station closure is blurred, which indicates no coordination among border agencies, and this may lead to blaming and scapegoating. The global governance in migration concludes dilemma: Indonesia follows the international agreement about health protocols and migration or borders, but Indonesia faces a wicked problem on detention, removal, and deportation orders of irregular migrants. The migration and border security policy has not been set up when the Covid-19 crisis in Indonesia is declared over by the competent authority. It indicates the DGI has not paid attention to the border control issues. At the same time, the residence permits policy for foreign nationals in Indonesia is cautiously well-managed through standards and procedures.

In response to the issues of migration governance in Indonesia during the Covid-19 outbreak, this study recommends the concept of integrated border management or IBM ([Duez, 2016](#); "European Commission: Guidelines for integrated border management in the Western Balkans," 2004; *Guidelines for Integrated Border Management in the Western Balkans* 2007; [Koslowski, 2003](#)) engaging with three concepts: intra-service, inter-service, and international cooperation equipped by the integrated border technology. A policy learning from neighbouring countries (Australia, Singapore, Malaysia) is valuable to adapt to the migration governance in terms of territorial sovereignty, irregular migrants' arrangement, and border enforcement in this crisis. It is advised to formulate a strategic policy about the migration and border security policy at borders after the new normal is declared by the competent authority, and the Covid-19 crisis in Indonesia is declared over. Policy formulation should be discussed among border agencies and relevant institutions to publish a strategic policy in the new normal. For example, the international border in Indonesia remains open with some restrictions and health protocols. Free visa policy and visa on arrival

should be suspended until the pandemic ends, but visitor visa and work visa will be allowed to enter Indonesia. The DGI should publish new standards and procedures in the new normal about an immigration operation or raid, an investigation, a detention order, and a deportation order. The DGI shall have a repatriation program and removal order with the dates, including the grace period for overstayers.

The adoption of technology is significant to utilize, such as the deployment of automated border control or autogates at points of entry across Indonesia, and the activation of information systems for existing online visa applications, online residence permits application, sponsor online reporting systems. The Indonesian government should have a bargaining position with strong diplomacy to request the countries for returning their citizens from Indonesia, for instance, by a charter flight. To fill the needs of the study about the immigration policy in Indonesia during the Covid-19 crisis, it may consider the further discussion about the migration governance and border control policy in Indonesia after the Covid-19 pandemic ends in terms of visa policy, residence permits policy, technology adoption and integrated border management.

ACKNOWLEDGMENT

We would like to thank to the Directorate General of Immigration Indonesia, Immigration Polytechnics Indonesia, and the Flinders University for the motivation, their published data, and reports, including academic supports. The authors confirm there is no potential conflicts of interest, financial or otherwise to disclose. This paper has not been previously published in any publications.

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