

# JURIDICAL ANALYSIS OF THE EFFECTIVENESS OF IMMIGRATION SUPERVISION AT BATAM CENTER PORT IN PREVENTING HUMAN TRAFFICKING CRIMES (A RESEARCH STUDY AT THE CLASS I SPECIAL IMMIGRATION OFFICE TPI BATAM)

<sup>1</sup>Baginda Raja Harahap\*, <sup>2</sup>Parameshwara, <sup>3</sup>Bachtiar Simatupang

<sup>1-3</sup> Faculty of Laws, Universitas Batam, Batam, Indonesia

E-mail: 74123032@univbatam.ac.id

Received : 25 July 2025

Revised : 13 August 2025

Accepted : 29 August 2025

Published : 09 September 2025

DOI : <https://doi.org/10.54443/ijset.v4i10.1133>

Link Publish : <https://www.ijset.org/index.php/ijset/index>

## Abstract

The criminal act of human trafficking (TPPO) is a highly complex form of transnational crime that continues to increase, especially in border areas such as the city of Batam. As a gateway for people entering and leaving the country, Batam Centre International Port is highly vulnerable to TPPO practices, both in the form of non-procedural migrant worker dispatches and cross-border human exploitation. Therefore, immigration supervision plays a central role in preventing this crime. This study aims to analyse the legal regulations, implementation, obstacles, and efforts undertaken by the Class I Special Immigration Office TPI Batam in carrying out immigration supervision functions to prevent TIP in the Batam Centre Port work area. This research uses normative and empirical juridical methods with a statute and socio-legal approach. Data were obtained through literature study and direct interviews with Immigration officers and related agencies. The theories used as analytical tools consist of the Theory of Legal Effectiveness, Crime Prevention Theory, and the Theory of State Administration Functions. The research results indicate that although various policies have regulated immigration supervision, their implementation has not been optimal due to limited human resources, technology, and a lack of coordination between agencies. These obstacles affect the effectiveness of preventive measures against TIP. Therefore, it is recommended that inter-agency information systems be integrated, regulations updated, regular training for officers provided, and multi-sector collaboration strengthened as measures to reinforce the immigration supervision system at international ports.

**Keywords:** *Effectiveness, Immigration Supervision, Human Trafficking Crime, Immigration Office*

## INTRODUCTION

Human trafficking is a transnational crime that poses a significant issue in numerous nations, including Indonesia. Human trafficking constitutes not just a breach of criminal law but also a grave infringement of human rights. Victims are commonly subjected to forced labour, modern slavery, and sexual exploitation, which undermine their dignity and humanity (IOM, 2023; UNODC, 2022). The Palermo Protocol of 2000 defines human trafficking as the recruitment, transit, housing, or receiving of individuals through coercion or force for exploitation. Indonesia exhibits significant susceptibility to TPPO owing to its key geographical location along international trade routes and the socio-economic circumstances of its populace, characterised by elevated unemployment and poverty rates (Wahyuni, 2021). The Riau Islands, particularly Batam, are among the most susceptible regions due to their closeness to Singapore and Malaysia. The Batam Centre International Port functions as a conduit for thousands of individuals entering and departing the country every day, rendering it susceptible to abuse by human trafficking networks (BP3MI, 2024). Data indicates that between 2024 and March 2025, the Batam Class I Special Immigration Office postponed the departure of 2,936 individuals suspected of illicit transportation via the Batam Centre Port (Kemenkumham, 2025). This accomplishment reflects significant efforts in oversight; nonetheless, numerous human trafficking cases continue to elude official detection. In October 2024, the Riau Islands Regional Police intercepted the trafficking of illegal migrant labourers to Singapore via this port, implicating officials in the operation (Polda Kepri, 2024). This finding demonstrates that official ports continue to be the preferred pathway for people

# **JURIDICAL ANALYSIS OF THE EFFECTIVENESS OF IMMIGRATION SUPERVISION AT BATAM CENTER PORT IN PREVENTING HUMAN TRAFFICKING CRIMES (A RESEARCH STUDY AT THE CLASS I SPECIAL IMMIGRATION OFFICE TPI BATAM)**

Baginda Raja Harahap et al

trafficking syndicates because of inadequate safeguards and constrained resources. Regarding the law, immigration control is the first line of defence in the fight against TPPO. Immigration personnel are granted the authority to verify travel documents, record identities, and monitor foreigners and Indonesian nationals who are passing through Immigration Checkpoints (TPI) as a result of Law No. 6 of 2011 on Immigration. On the other hand, the effectiveness of its execution is frequently hampered by several factors, including technology restrictions, low personnel numbers, and inadequate coordination across agencies (Soekanto, 2019; Hiariej, 2020). In addition to this, the method of operation of human trafficking has become increasingly complicated over time. According to UNICEF (2022), the recruitment of victims using social media platforms, the use of bogus travel credentials, and the masquerade of migrant workers as procedural workers all contribute to the difficulty of early detection. To do this, it is necessary for many agencies, such as Immigration, the Police, BP2MI, and international organisations like IOM and INTERPOL, to work together in a coordinated manner. Immigration surveillance tends to be just administrative and cannot significantly prevent crime if not conducted with other agencies and an integrated information system.

The ramifications of inadequate oversight of TPPO extend beyond the suffering of individual victims, significantly affecting both societal structures and state integrity. Individuals subjected to harm endure a spectrum of physical, psychological, and social distress. At the same time, the state incurs a loss of productive labour capacity and is tasked with the responsibility of facilitating victim recovery. Conversely, the significant prevalence of TPPO undermines Indonesia's standing on the global stage, casting it as a nation that has not adequately safeguarded its populace (Savitri, 2020). Consequently, enhancing the efficacy of immigration supervision at international ports, especially Batam Centre, has emerged as a pressing imperative. This study undertakes a legal examination of the efficacy of immigration control measures at Batam Centre Port in their role in mitigating human trafficking and people smuggling. It aims to enhance the theoretical framework surrounding immigration and transnational criminal law while offering pragmatic suggestions to bolster control capabilities, foster inter-agency collaboration, and safeguard human rights in border regions.

## **RESEARCH METHOD**

This research employs both a normative legal framework and an empirical legal methodology. The normative legal analysis involved a thorough examination of the laws and regulations that oversee immigration supervision in the context of preventing human trafficking. This includes an exploration of Law No. 6 of 2011 on Immigration, Law No. 21 of 2007 on the Eradication of Human Trafficking, and their respective implementing regulations. In the interim, the empirical legal methodology is employed to examine the practical application of these legal provisions in the field, specifically at the Batam Special Class I Immigration Office. This research is characterised by a descriptive-analytical approach, detailing the legal phenomena associated with immigration supervision and subsequently analysing the effectiveness of its implementation in preventing TPPO. The dataset comprises both primary and secondary sources of information. Primary data was gathered through comprehensive interviews with Batam Immigration officials, law enforcement personnel, and pertinent agencies such as BP3MI. Data was sourced from a comprehensive review of literature encompassing primary legal materials, such as laws and regulations, secondary legal materials, including scholarly articles and official reports, and tertiary legal materials like legal dictionaries and encyclopedias, among other supportive documents.

The data collection methodologies were executed by examining documentation, comprehensive literature reviews, and implementing structured interviews. Literature analyses were employed to investigate pertinent theories and regulations, while interviews sought to gather empirical data regarding challenges and immigration enforcement initiatives in the domain. Data analysis was conducted through qualitative methods, involving systematically processing and interpreting information to yield coherent conclusions. The analysis of normative data was conducted through legal interpretation methods, employing both a statute approach and a conceptual approach. In contrast, empirical data were examined using a socio-legal framework to elucidate the disparity between legal norms and their practical implementation in the field (Soemitro, 2010; Marzuki, 2017). This amalgamation of methodologies aims to furnish an exhaustive analysis of the efficacy of immigration oversight at Batam Centre Port in curbing TPPO, yielding actionable insights for policymakers and legal professionals.

## **RESEARCH RESULT**

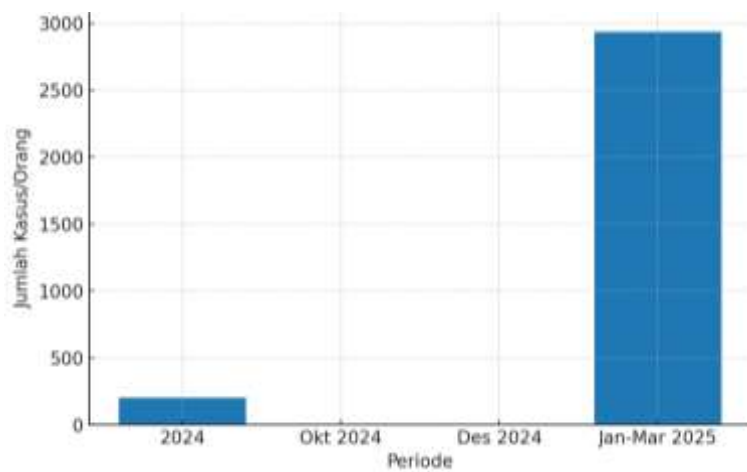
### **1. Legal Regulations on Immigration Supervision Functions in Preventing TPPO**

Immigration supervision is typically governed by Law Number 6 of 2011 concerning Immigration, which mandates that immigration officials conduct inspections of all individuals entering or exiting Indonesian territory at Immigration Checkpoints (TPI). This provision is further substantiated by Article 1 paragraph (1) of Law Number

21 of 2007 concerning the Eradication of Human Trafficking, which defines human trafficking as the act of recruiting, transporting, harbouring, sending, transferring, or receiving a person for exploitation through threats of violence, confinement, fraud, or abuse of power. Additionally, technical regulations, such as Regulation of the Minister of Law and Human Rights Number 44 of 2015 concerning Procedures for Immigration Checkpoints, support immigration supervision. This regulation allows officers to postpone the departure of suspected individuals. It is a guideline for examining travel, identity, and other supporting documents. The Class I Special Immigration Office at the Batam TPI is fully authorised to take preventive action against human trafficking on the premise of this legal basis. Although the legal framework is sufficient, its execution is still faulty. Several regulations are not fully responsive to the new modus operandi of human trafficking, including the recruitment of victims through social media, the use of false electronic documents, or the disguise of procedural migrant workers. To prevent human trafficking, immigration officials must exercise additional caution and collaborate with other agencies due to these regulatory deficiencies.

**2. Implementation of Immigration Control at Batam Centre Port**

The Batam Class I Immigration Office (TPI) conducts surveillance at Batam Centre Port via three primary methods: administrative inspections, physical inspections, and interviews. Administrative inspections examine travel documents and visas, whereas physical inspections employ biometric verification technologies. Interviews are administered to suspected border crossers based on profile criteria, including age, trip purpose, and departure patterns. Data indicates that between 2024 and March 2025, 2,936 individuals had departure delays due to allegations of unlawful exit via Batam Centre Port. This figure indicates a significant degree of attentiveness by immigration authorities. Specific instances have revealed the participation of syndicates, exemplified by the transportation of five illegal migrant workers to Malaysia in December 2024, orchestrated via official routes utilising private vehicles to the port. Moreover, the Immigration Office partners with the Riau Islands Regional Police, the Water Police Directorate, the Indonesian Migrant Workers Protection Agency, and port authorities. This teamwork manifests as coordinated operations, intelligence sharing, and collaborative training. A coordinated operation in January 2025 effectively disrupted the smuggling of numerous potential illegal migrant labourers to Singapore. This collaboration illustrates that inter-agency teamwork is essential for effectively preventing human trafficking. Additional initiatives encompass outreach and education for the public, especially potential female migrant workers. These initiatives seek to enhance awareness of the perils of human trafficking, the significance of legitimate travel documents, and secure migration protocols. Although these efforts have not permeated all societal strata, they have helped diminish the number of potential victims leaving without appropriate paperwork.



**Graph 1. Data on TPPO Cases in Batam Centre**

**3. Obstacles in Immigration Control**

Even though monitoring is now being carried out, the study has uncovered several significant hurdles. To begin, there are just a few human resources (HR). The number of immigration officials stationed at Batam Centre is frequently insufficient to accommodate the number of people crossing the border daily, which can approach thousands. Because of this, inspections are frequently hurried, which increases the likelihood that prospective victims of human trafficking may be overlooked.

# JURIDICAL ANALYSIS OF THE EFFECTIVENESS OF IMMIGRATION SUPERVISION AT BATAM CENTER PORT IN PREVENTING HUMAN TRAFFICKING CRIMES (A RESEARCH STUDY AT THE CLASS I SPECIAL IMMIGRATION OFFICE TPI BATAM)

Baginda Raja Harahap et al

To continue, there is a lack of supporting technology. Some inspection sites do not have technologically advanced biometric systems installed. This makes it possible for organisations that engage in human trafficking to utilise forged documents or multiple identities in order to go undetected. In addition, the database systems used by Immigration, the Police, and the BP3MI (Indonesian Migrant Workers' Agency for Migrant Workers) are not yet fully integrated. As a result, information regarding possible victims or suspects is not always accessible in real time. In the third place, inter-agency collaboration continues to be difficult. Various factors contribute to the ineffectiveness of preventative measures, including differences in non-work systems, sectoral egos, and restricted data-sharing methods. There are even certain incidents that point to the involvement of specific officers in human trafficking syndicates, which further undermines the public's faith in the monitoring system of the government. The practice of human trafficking is evolving, which brings us to the fourth point. The perpetrators are growing more sophisticated, employing methods such as false job contracts, recruitment through social media, and even the misuse of official channels with legal documentation. As a result of this modification to the standard operating procedure, immigration officers must continually modernise their knowledge and abilities to avoid falling behind criminals.

## 4. Improvement Efforts Undertaken

To tackle these challenges, the Batam Special Class I Immigration Office has implemented several strategic measures, including the following:

- a. Regular training is needed to improve human resource capacity, particularly in identifying fraudulent documents, profiling border crossers, and conducting investigative interviews.
- b. Enhancing surveillance technology, including implementing an integrated biometric check system and utilising big data to analyse travel patterns.
- c. Enhancing cross-sector collaboration with international organisations such as IOM, BP3MI, port authorities, and the police. This collaboration encompasses collaborative operations at official ports and illegal routes, data exchange, and joint training.
- d. Disseminating the law to the community, with a particular emphasis on vulnerable groups such as young people and prospective female migrant workers, to facilitate their comprehension of the hazards of TPPO and secure migration procedures.

Despite numerous impediments, these endeavours demonstrate that the Batam Immigration Office is striving to enhance the efficacy of supervision at Batam Centre Port through a preventive, detective, and repressive strategy.

## DISCUSSION

### 1. The Effectiveness of Immigration Supervision Legal Regulations in Preventing Human Trafficking

The research findings indicate that immigration oversight is distinctly governed by Law Number 6 of 2011 about Immigration and Law Number 21 of 2007 about the Eradication of Human Trafficking. These regulations establish a robust legal foundation for immigration authorities to postpone departure or refuse entry to suspected border crossers. Nonetheless, the efficacy of this legislation is hindered by alterations in the operational methods of human trafficking syndicates. Soekanto (2019) posited that the efficacy of law enforcement is contingent upon legal considerations, officials, resources, societal elements, and legal culture. In the context of Batam, these variables constitute the primary impediments. Despite sufficient regulations, field execution is sometimes inconsistent owing to inadequate personnel and technology. This corresponds with Wahyuni's (2021) conclusions that the elevated incidence of human trafficking in Indonesia is attributable to insufficient legal enforcement, rather than a deficiency of rules. Consequently, although current legislation is sufficient, its efficacy will be maximised only with the backing of infrastructure, technology, and officer integrity.

### 2. Implementation of Immigration Supervision at Batam Centre Port

From January to March 2025, the research data reveal a substantial rise in the number of potential victims who had delays in their departure, which amounted to 2,936 individuals. Given this reality, it is clear that the power of cops to detect crimes at an early stage has increased. On the other hand, the fact that examples of human trafficking continue to be discovered through legitimate ports, such as those that occurred in October and December 2024, suggests that oversight has not entirely closed the gaps. Immigration supervision is a type of preventive law enforcement geared toward preventing crimes before they occur (Hiariej, 2020). This is the definition of immigration supervision from the standpoint of administrative law theory. It is possible to view the postponement of thousands of people's departure as an effective preventative action with positive results. Nevertheless, this achievement also



sheds light on another aspect: the persistently high degree of public interest in unlawfully departing, which indicates a lack of public understanding of the risks associated with human trafficking. This finding is supported by the findings of Savitri's (2020) research, which states that the prevention of human trafficking in Indonesia is primarily successful at the interception stage at the exit point, but that it is still lacking in the areas of community empowerment and syndicate prosecution. Therefore, it is necessary to balance preventative measures taken at ports and upstream measures, including education, recruiting, monitoring, and disciplinary measures against recruitment agencies.

### **3. Obstacles and Efforts to Strengthen the Supervisory System**

There are several challenges that the Batam Immigration Office must contend with, including a lack of technology, inadequate inter-agency cooperation, a limited number of human resources, and an increasingly complicated mode of operation. It is consistent with Friedman's (2011) notion of law in action vs law on the books, which asserts that written laws are frequently ineffectual due to the presence of social, economic, and institutional elements. These impediments are in line with this theory. Previous research has uncovered several comparable hurdles. According to the findings of research conducted by Utami (2021), the inter-agency synergy in the prevention of human trafficking in Indonesia continues to be partial, which contributes to overlapping jurisdiction. According to UNICEF (2022), the expansion of digital technology makes it increasingly impossible to prevent victim recruitment without a monitoring system based on digital technology. The difficulties that Batam is experiencing reflect structural issues that are evident in other vulnerable locations. A constructive policy direction is shown by the remedial actions that have been taken, which include expanded officer training, the utilisation of biometric systems, and collaboration with the BP3MI (Indonesian Migrant Workers' Agency for Migrant Workers), the Riau Islands Regional Police (Polda Riau Islands), and international organisations. However, these stages must be expanded into a nationally integrated system integrating data from Immigration, the Police, the Ministry of Manpower, and BP3MI into a single network. This is something that needs to be done. Considering the implications of this conversation, a multi-sectoral strategy is necessary to prevent human trafficking. Immigration is, in fact, the frontline at ports, but the effectiveness of oversight will continue to be restricted if it does not get cooperation from the community, other law enforcement agencies, and an integrated technological system.

### **4. Research Assumptions**

This investigation was carried out with several fundamental presumptions present. First, the existing legislative framework is enough to serve as a foundation for immigration oversight; hence, the primary challenge resides in applying this framework in the field. In the second place, this research assumes that the information collected from the Batam Immigration Office and other connected authorities is reliable and trustworthy, even though some instances are not documented or formally reported. The third assumption is that the postponement of the departure of 2,936 individuals is a true reflection of the efficacy of human trafficking prevention. However, in reality, it is possible that some of these individuals are not victims of human trafficking but rather individuals who have not satisfied the administrative criteria. These assumptions are essential for evaluating the results because, without an awareness of the context, the data supplied can inject bias into evaluating the efficiency of immigration monitoring.

### **5. Research Limitations**

This study has multiple drawbacks. The research is confined to Batam Centre Port; hence, the findings cannot be extrapolated to encompass all of Indonesia. The empirical evidence predominantly derives from interviews with authorities and official papers, resulting in a limited representation of trafficking victims' perspectives in this analysis. Third, this study has not thoroughly employed a more extensive quantitative methodology, such as community surveys or longitudinal data, to assess long-term changes. Another constraint is the sensitivity of trafficking case data, rendering certain information, especially concerning syndicate networks and specific authorities, inaccessible to the public. This undoubtedly influences the thoroughness of the analysis in evaluating the elements contributing to inadequate oversight. Nonetheless, these constraints do not undermine the study's significance but create avenues for additional investigation. Subsequent research could compare official ports and unofficial channels (rat routes), incorporate victim accounts, and employ quantitative methodologies to enhance the empirical results.

## REFERENCES

- Badan Perlindungan Pekerja Migran Indonesia (BP3MI). (2024). Laporan Tahunan Pencegahan Pekerja Migran Non-Prosedural. Jakarta: BP3MI.
- Direktorat Jenderal Imigrasi. (2023). Immigration Clearance System Guidelines. Jakarta: Kemenkumham RI.
- Friedman, L. M. (2011). The Legal System: A Social Science Perspective. New York: Russell Sage Foundation.
- Hiariej, E. O. S. (2020). Prinsip-Prinsip Hukum Pidana. Jakarta: Erlangga.
- International Organisation for Migration (IOM). (2023). World Migration Report 2023. Geneva: IOM.
- Kementerian Hukum dan HAM RI. (2025). Data Pencegahan TPPO oleh Imigrasi Batam. Jakarta: Ditjen Imigrasi.
- Marzuki, P. M. (2017). Penelitian Hukum. Jakarta: Kencana Prenada Media.
- Peraturan Menteri Hukum dan HAM Nomor 44 Tahun 2015 tentang Tata Cara Pemeriksaan Keimigrasian di Tempat Pemeriksaan Imigrasi.
- Polda Kepulauan Riau. (2024). Laporan Penindakan Tindak Pidana Perdagangan Orang. Batam: Humas Polda Kepri.
- Republik Indonesia. (2007). Undang-Undang Nomor 21 Tahun 2007 tentang Pemberantasan Tindak Pidana Perdagangan Orang. Lembaran Negara Republik Indonesia Tahun 2007 Nomor 58.
- Republik Indonesia. (2011). Undang-Undang Nomor 6 Tahun 2011 tentang Keimigrasian. Lembaran Negara Republik Indonesia Tahun 2011 Nomor 52.
- Republik Indonesia. (1945). Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
- Savitri, R. (2020). Perdagangan Orang di Indonesia: Antara Penegakan Hukum dan Perlindungan HAM. *Journal HAM*, 11(2), 145–160.
- Soekanto, S. (2019). Faktor-Faktor yang Mempengaruhi Penegakan Hukum. Jakarta: Rajawali Pers.
- Soemitro, R. H. (2010). Metodologi Penelitian Hukum dan Jurimetri. Jakarta: Ghalia Indonesia.
- UNICEF. (2022). Child Trafficking in Southeast Asia. Bangkok: UNICEF Regional Office.
- United Nations Office on Drugs and Crime (UNODC). (2022). Global Report on Trafficking in Persons 2022. Vienna: United Nations.
- Utami, N. P. (2021). Sinergitas Antarinstansi dalam Pencegahan Perdagangan Orang di Indonesia. *Jurnal Penegakan Hukum Indonesia*, 12(1), 75–92.
- Wahyuni, D. (2021). Human Trafficking di Indonesia: Analisis Faktor Penyebab dan Upaya Pencegahan. *Jurnal Kriminologi Indonesia*, 17(1), 25–40.
- Wijayanti, L. (2020). Peran Imigrasi dalam Pencegahan Perdagangan Orang di Wilayah Perbatasan. *Jurnal Hukum & Pembangunan*, 50(3), 412–430.
- Interpol. (2023). Annual Report on Human Trafficking Networks. Lyon: Interpol.
- Amnesty International. (2021). Exploited and Abandoned: Migrant Workers in Southeast Asia. London: Amnesty International.
- Aditya, R. (2020). Efektivitas Pengawasan Imigrasi dalam Pencegahan TPPO di Nunukan. *Jurnal Ilmu Hukum*, 8(2), 220–235.
- Wahid, A. (2019). Keimigrasian dalam Perspektif Hukum Nasional dan Internasional. Bandung: Refika Aditama.
- Gunarto, G. (2022). Strategi Pencegahan TPPO melalui Penguatan Pengawasan Keimigrasian. *Jurnal Hukum Humaniter*, 3(1), 55–70.
- Kurniawan, B. (2021). Migrasi Ilegal dan Tantangan Keamanan Nasional Indonesia. *Jurnal Pertahanan dan Bela Negara*, 11(2), 189–207.
- ASEAN Secretariat. (2022). ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) Implementation Report. Jakarta: ASEAN.
- Yuliana, M. (2020). Kerjasama Internasional dalam Pencegahan TPPO di Asia Tenggara. *Jurnal Hubungan Internasional*, 8(1), 101–118.
- Lestari, D. (2021). Analisis Yuridis tentang Perlindungan Korban TPPO di Indonesia. *Jurnal Hukum Prioris*, 9(2), 134–150.
- Komnas Perempuan. (2023). Catatan Tahunan Kekerasan terhadap Perempuan. Jakarta: Komnas Perempuan.