

IMPLEMENTATION OF THE IMMIGRATION SUPERVISION POLICY FOR OVERSEAS REFUGEES BY THE TANJUNGPINANG CENTRAL IMMIGRATION REGENCY IN BINTAN REGENCY

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Abstract

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This research aims to analyze the implementation of immigration supervision policies for foreign refugees by RUDENIM Tanjungpinang Center in Bintan Regency. The focus of the research is directed towards the implementation of supervision at the shelter, particularly at the Community House Bhadra Resort Bintan. This research uses the Mazmanian and Sabatier policy implementation theory with three main variables: problem characteristics, policy content, and environmental conditions. The method used is qualitative with a through interviews and documentation with RUDENIM officials, Immigration Supervisory Officers, refugees, and local residents. The research results indicate that the implementation of supervision faces several challenges, including refugees not being present at the shelter location during the supervision, refugees failing to report, and the weak response of officers in addressing refugees who do not report.

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INTRODUCTION

Refugees are individuals who leave their home country due to serious threats to their safety, such as violence, armed conflict, or human rights violations. Indonesia, although not a party to the 1951 Refugee Convention and its 1967 Protocol, continues to play a role in handling refugees on humanitarian grounds. Through Presidential Regulation No. 125 of 2016 concerning the Handling of Refugees from Abroad, the government established a coordinating mechanism for handling refugees, including the involvement of international agencies such as the UNHCR and the IOM (Winda, 2022).

UNHCR data shows that as of September 2024, there were 11,735 refugees and asylum seekers in Indonesia, down from 12,295 at the end of 2023. Since November 2023, 15 ships have been recorded carrying approximately 2,026 Rohingya refugees to



the coasts of Aceh and North Sumatra. In Indonesia, activities involving the movement of people into or out of the country are part of the duties and authority of Immigration, which includes regulating, supervising, and managing the mobility of people to maintain the sovereignty and security of the country (Maharani, 2021).

The Indonesian immigration system has 13 Immigration Detention Centers (RUDENIM) located in Tanjungpinang, Jakarta, Medan, Pekanbaru, Semarang, Surabaya, Pontianak, Balikpapan, Manado, Denpasar, Kupang, Makassar, and Jayapura. Each RUDENIM serves as a temporary holding center for foreigners undergoing deportation or other immigration procedures.

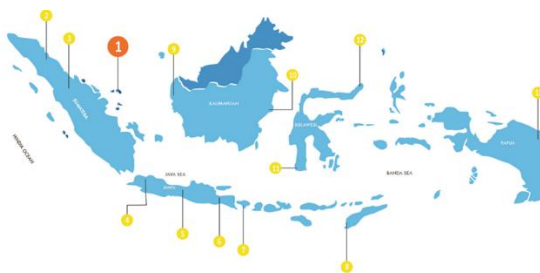


Figure 1. Distribution of RUDENIM in Indonesia

The Riau Islands Province is strategically positioned as a transit point for refugees arriving by sea from neighboring countries. The Tanjungpinang Central Immigration Reform Center (RUDENIM), with its strategic location and the largest facilities in Indonesia, plays a key role in supporting refugee management policies (Alfarizi, 2022) . This institution is responsible for implementing immigration supervision for foreign refugees in accordance with Presidential Regulation No. 125 of 2016, specifically Chapter V concerning immigration supervision (Maharani, 2021) .

Based on Article 13 paragraph (2) and Article 20 paragraph (1), RUDENIM officers are responsible for checking identity, travel documents, and refugee status. Article 35 letters a, b and c regulate the implementation process at the shelter through re-verification of identity, taking photos and fingerprints, and issuing special identity cards for refugees valid for one year. Article 36 paragraphs (1) and (2) require every refugee to report themselves every month to get a stamp on their identity card.

Table 1. Number of Refugees Under Supervision of the Tanjungpinang Central RUDENIM September 2024

| No | Monitoring Location | Amount |
|----|----------------------|--------|
| 1 | Bhadra Resort Bintan | 283 |
| 2 | Independent Refugees | 22 |
| 3 | Hotel Kolekta Batam | 209 |
| 4 | AND Sekupang Batam | 260 |

Source: Performance Achievements of the Tanjungpinang Central RUDENIM, 2024

Data shows that the National Disaster Management Agency (RUDENIM) supervises refugees in three main shelters, with the largest number at Bhadra Resort Bintan (283), followed by AND Sekupang Batam (260), and Hotel Kolekta Batam (209). There are also 22 independent refugees living outside of official shelters.

Prior to the issuance of the 2024 Decree of the Director General of Immigration (KEPDIRJENIM), immigration oversight of refugees was not specifically coordinated by specific departments. Assignments were based on the availability of officers, resulting in weak oversight, particularly in prosecuting refugees who failed to comply with their reporting obligations for three consecutive years.

To strengthen the oversight system, the Directorate General of Immigration issued Decree No. IMI-402.GR.03.06 of 2024 concerning the Implementation of Immigration Supervision and Enforcement of Foreign Refugees. This regulation strengthens the immigration oversight function, starting from the data collection process, issuing proof of self-report, to implementing supervision of refugee activities at the Community House. The decree also stipulates administrative sanctions in the form of temporary placement at the Immigration Detention Center (RUDENIM) for a maximum of six months for refugees who fail to fulfill reporting obligations.

According to Sihar Sihombing in Syamsumardian (2022) , administrative supervision is carried out through the examination of documents or letters, including data collection and processing. This aligns with the provisions of Chapter V, Articles 35 and 36 of Presidential Regulation No. 125 of 2016, which emphasizes the administrative aspect of immigration supervision for refugees.

However, implementation in the field presents various challenges. Refugees are often found not to be in shelters, and administrative procedures are frequently neglected. Furthermore, immigration supervision carried out by the Tanjungpinang Central Immigration Office (RUDENIM) is not yet equipped with Standard Operating Procedures (SOPs), so its implementation only refers to Presidential Regulation No. 125 of 2016 and the Decree of the Director General of Immigration of 2024. This gap between regulation and implementation demonstrates the need for an in-depth analysis of the effectiveness of immigration supervision policies for foreign refugees in Bintan Regency.

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Implementation

Implementation is a control process to ensure that resources and policy objectives are not misdirected. Implementation refers to what occurs after the issuance of regulations and statutes, which are legal instruments that establish priorities for specific programs, expected benefits, or clear outputs. The primary role of implementation is to facilitate the realization of public policy objectives through government action, including the establishment of a policy delivery system (Syahrudin, 2021) .

According to Grindle (1980) in Tresiana (2021) , implementation is a process involving a series of general administrative actions that can be analyzed at the specific program level. This process can only begin after several basic conditions are met: policy goals and objectives have been clearly defined, the necessary program activities have been designed in detail, and the necessary funds are available and ready to be used. Implementation will only proceed if there is thorough preparation in terms of planning and resource allocation to ensure the achievement of predetermined goals.

Policy

The term "policy" is generally used to describe actions or decisions taken by actors such as government officials, groups, or forums in a specific field of activity. While relevant for everyday discussions, its use is often inadequate for more in-depth and systematic public policy analysis, necessitating a more comprehensive and detailed understanding or concept of public policy (Fitriyanti, 2022) .

According to Edward III (1980), too many institutions handling too many matters often lead to overlap, coordination difficulties, and excessive budget expenditures, but efforts to resolve the problems are often minimal. Daniel Mazmanian and Paul Sabatier's model emphasizes the importance of public policy implementation in identifying factors that influence the achievement of predetermined goals by dividing implementation variables into three categories: problem characteristics (tractability of the problems), policy/statutory characteristics (ability of statute to structure implementation), and environmental variables (non-statutory variables affecting implementation) (Syahrudin, 2021) .

Refugee Concept

According to the Big Indonesian Dictionary (KBBI) in Shalihah & Nur (2021) , the word "refugee" comes from the English word "refugee," meaning "to move." A refugee is an individual who changes residence due to certain circumstances. Someone who leaves their country due to a change in political ideology is called a refugee. Refugees occur due to circumstances that force someone to move to maintain their survival, whether caused by a man-made disaster or a natural disaster.

The definition of a refugee set out in the 1951 Convention serves as the basis for countries bound by the 1976 Protocol to adopt the definition of a refugee without any specific time limit. The 1951 Convention and the 1967 Protocol are essentially similar in content, covering three main points: a definition to determine the criteria for refugees, the legal status of refugees that regulates rights and obligations in the country where they seek asylum, and the implementation of agreements that require administrative and diplomatic relations between the country of refugee and their country of origin, as well as collaboration with the UNHCR.

Supervision

Supervision is the process of ensuring that work is carried out in accordance with established goals, plans, or regulations. Anwar (2009) states that supervision or control of the actions of government officials is crucial to ensure that tasks are carried out according to objectives and avoid various forms of deviation. In general, supervision aims to prevent deviations from the desired goals, so that policy implementation can proceed effectively and efficiently according to established plans.

According to Iman Santoso in Syamsumardian (2022) , the operational role of immigration can be summarized in the concept of the Tri Function of Immigration, which includes public service functions, law enforcement functions, and security duties. Sihar Sihombing in Syamsumardian (2022) divides supervision of Foreign Nationals (WNA) into two main types: administrative supervision carried out by verifying official documents or letters through recording, collecting, processing, and distributing information; and field supervision carried out directly through monitoring activities, patrols, and operations in the field.

Scope of Immigration Detention Center

In accordance with Article 3 of Presidential Regulation No. 125 of 2016 concerning the Handling of Refugees from Abroad, the Coordinating Minister for Political, Legal, and Security Affairs of the Republic of Indonesia is responsible for the management of refugees within the territory of the Republic of Indonesia. This responsibility covers the entire process, from discovery, shelter, security, to immigration supervision of refugees. Based on Article 33 of Presidential Regulation No. 125 of 2016, the Immigration Detention Center (RUDENIM) has the responsibility to supervise refugees from the time they are discovered, while in the shelter, outside the shelter, as well as during the process of departure to the destination country, voluntary repatriation, and deportation.

The Immigration Detention Center (RUDENIM) is a facility that provides temporary shelter for foreign nationals who violate the provisions of the Immigration Law. RUDENIM is led by the Head of RUDENIM who is responsible for carrying out various tasks assigned by the Ministry of Law and Human Rights related to the detention of foreigners, with the main function of carrying out action, isolation, as well as repatriation and expulsion or deportation. Decree of the Minister of Justice and Human Rights of the Republic of Indonesia No. M.01.PR.07.04 concerning the Organization and Work Procedures of the Immigration Detention Center stipulates the functions and authorities of RUDENIM in response to the increasing number of migrants arriving and staying in Indonesia, which has the potential to cause various immigration problems.

METHOD STUDY

This study uses a qualitative approach, which according to Bogdan and Taylor in Sutikno & Hadisaputra (2020) is a methodological approach that produces data in the form of words through the researcher's analysis of individuals or observed behavior. The object of the study is the implementation of the Tanjungpinang Central RUDENIM policy in conducting immigration supervision of foreign refugees, with the research location at Bhadra Resort, Bintan Regency, chosen because most refugees are single with a greater potential to escape, and its location is close to sea routes. The focus of the study emphasizes the process of implementing the immigration supervision policy at the shelter location. Data sources include primary data obtained directly through interviews and observations according to Yin in (Lesmono, 2024), as well as secondary data in the form of reports, documents, and relevant regulations (Fitriyanti, 2022). The data collection technique used interviews and documentation in accordance with the opinion of Djaman Satori and Aan Komariah (2011) in Hakim (2024), with informants consisting of the Head of the Registration, Administration & Reporting Section, supervisory officers, refugees at the Community House Bhadra Resort, and the surrounding community. Data analysis was carried out qualitatively with an inductive approach through three stages, namely data reduction, data presentation in the form of descriptive narratives based on the categories of problem characteristics, policy characteristics, and environmental variables according to the Mazmanian and Sabatier model, and drawing conclusions with verification through source triangulation to compare information from various sources.

RESULTS AND DISCUSSION

Characteristics of the Problem (*Tractability of the Problem*)

The implementation of immigration supervision policies for foreign refugees by the Tanjungpinang Central RUDENIM shows complexity in terms of technical difficulties in implementation. Refugee data collection is carried out through the Refugee Registration Standard Operating Procedure (SOP) which includes checking and recording luggage, recording travel documents, storing documents, photographing refugees, and recording biometrics using the Immigration Management Information System (SIMKIM). Although the registration process has been well structured, the implementation of supervision in the field faces challenges because there are no officers on permanent standby at the shelter, but rather is carried out periodically. Immigration supervision is carried out based on Presidential Regulation No. 125 of 2016, specifically Chapter V Article 33 paragraph (2) and Article 35, as well as the Decree of the Director General of Immigration (KEPDIRJENIM) in 2024, with a clear division of tasks between agencies where security is the responsibility of the police and the provision of accommodation is under the authority of the regional government through the Refugee Task Force (Satgas).

Variations in target groups in policy implementation indicate varying levels of compliance among refugees, with behavioral differences being more influenced by individual characteristics than national background. Some refugees demonstrated compliance by following routine data collection procedures and remaining in the shelter, but others failed to report when immigration officials visited the shelter. In response to violations, the Tanjungpinang Central Immigration Detention Center implemented a phased handling mechanism, ranging from verbal warnings up to three times. Continued or serious violations can result in isolation at the Immigration Detention Center. The 2024 Decree of the Director General of Immigration clarified that sanctions for refugees who fail to report for three consecutive times include placement in the Immigration Detention Center for a maximum of six months. Serious violations that endanger public order can result in placement until the refugee leaves Indonesian territory.

The scope of the desired changes in policy implementation faces significant challenges since refugees are no longer housed within the RUDENIM and are moved to external shelters due to human rights considerations. This policy change has limited direct control over refugee activities, where they have the freedom to enter and exit the shelter area for various purposes such as shopping, part-time work, worship, or sports activities. This condition reflects the failure to realize behavioral adjustments from implementers and target groups as expected in the Mazmanian and Sabatier policy implementation theory, especially because until now there has been no SOP that specifically regulates the monitoring mechanism in external shelters, so that the objectives of the monitoring policy have not been fully achieved and the implementation of monitoring has become more difficult to control comprehensively.

Characteristics of Policy/Law (*ability of statute to structure implementation*)

The clarity of the policy content in immigration supervision of foreign refugees has been regulated in Presidential Regulation No. 125 of 2016, Chapter V, which stipulates that RUDENIM officers are responsible for supervising all stages from the time of discovery until repatriation. Article 33 stipulates that supervision is carried out in shelters and outside shelters, while Article 35 establishes a supervision mechanism

through identity re-examination, the preparation of minutes, and the issuance of special identity cards valid for one year. Article 36 stipulates the obligation to report themselves every month with sanctions of placement in RUDENIM for those who do not report themselves for three consecutive times. Although the Presidential Regulation has provided a legal basis, its implementation still requires technical elaboration which was then clarified through the Decree of the Director General of Immigration of September 2024 which regulates open and closed supervision methods, the maximum duration of placement in RUDENIM of six months, and sanctions for refugees who endanger security by leaving Indonesian territory.

Allocation of funding sources is a crucial factor influencing the continuity of immigration oversight. Oversight activities were suspended from November 2024 to early 2025 due to delays in operational budget disbursement, indicating that despite clear regulations, policy implementation is highly dependent on funding availability. The integration of the implementing structure has been clarified in the 2024 Decree of the Director General of Immigration, which assigns the Head of Registration and Care or the Head of the Registration, Administration, and Reporting Section as the coordinator of oversight implementation. However, coordination with the IOM remains limited to refugees undergoing detention at the Immigration Detention Center (RUDENIM). Implementing regulations from policy-making institutions remain weak due to the lack of specific SOPs for refugee oversight, forcing officers to rely solely on interpretations of the Presidential Regulation and the existing Decree of the Director General of Immigration.

The recruitment of implementing officials demonstrates a misalignment between the KEPDIRJENIM mandate and implementation in the field. According to the November 2024 assignment letter, oversight activities at the Bhadra Community House involve five officers: one Immigration Analyst, three detention security officers, and one administration officer, indicating a predominance of security elements over registration functions as mandated by the regulation. Openness to external parties demonstrates RUDENIM's positive attitude in collaborating with the IOM, providing access to media outlets such as the ANTARA News Agency, and being cooperative with academics. This indicates a commitment to transparency and a willingness to share information, while maintaining the confidentiality of refugee data, which can only be accessed through official procedures.

Environmental Variables

The number of refugees in the Riau Islands region has shown a significant decline, from over a thousand in 2023 to around 700. This reduction is due to restrictions on the distribution of new refugees in the Batam and Bintan regions, as well as the implementation of resettlement programs through relocation, voluntary return (AVR), and resettlement. Significant changes have also occurred in the financing aspect since 2018, when the International Organization for Migration (IOM) stopped supporting new refugees entering Indonesia. This situation has forced refugees to become more independent in meeting their living needs, with some even taking on informal work such as teaching English. Economically, the presence of refugees has had a small but significant impact on the local community, particularly as customers of local-owned food stalls.

The attitudes of the target group and the surrounding community showed a

relatively positive dynamic, despite certain limitations. Interactions between refugees and monitoring officers were generally limited to administrative matters such as reporting and inspections, with language barriers being a major communication challenge. The local community demonstrated a neutral and accepting attitude toward the presence of refugees, with no indication of rejection or conflict that disrupted social stability. However, community involvement in the monitoring process was minimal, and they lacked an adequate understanding of the monitoring mechanisms employed by officers, indicating a gap in the socialization process by the implementing authorities.

The commitment and leadership of implementing officials is evident in their regular internal evaluation efforts, particularly in assessing refugees' compliance with self-reporting obligations. These evaluations received increased attention following the issuance of the Decree of the Directorate General of Immigration (KepdirJenim) regulating sanctions for refugees who fail to attend the monitoring process. The routine monthly reports not only document technical activities in the field but also serve as evaluation materials and a basis for policy considerations at the central level. These reports are submitted sequentially and likely form the basis for the Directorate General of Immigration's latest decision regarding refugee management, demonstrating that implementing officials contribute to the evaluation process and strengthen policies at a higher level.

CONCLUSION

The implementation of immigration supervision policies for foreign refugees by the Tanjungpinang Central Immigration Agency (RUDENIM) in Bintan Regency has generally been carried out according to regulations, in the form of administrative supervision through data collection procedures, reporting, and routine visits to shelters. However, implementation in the field faces various obstacles that affect the effectiveness of this supervision. From the aspect of problem characteristics, the implementation of supervision faces challenges in the form of refugees who are not in the shelter when supervision is carried out, accompanied by a tendency for weak responses and follow-up from officers. This condition indicates that the rule enforcement mechanism has not been implemented optimally. Meanwhile, in terms of policy characteristics, the main challenge is not the lack of a legal basis, because the policy has a clear basis through Presidential Regulation No. 125 of 2016 and the Decree of the Director General of Immigration of the Republic of Indonesia of 2024, but rather the unavailability of supporting technical instruments such as specific supervision SOPs.

Social and economic factors present unique challenges to the implementation of surveillance. Since the IOM ceased financial support, refugees have been forced to meet their living needs independently, leading some to engage in informal activities outside the oversight of authorities, making it difficult to track and control their movements. The local community tends to be neutral with minimal involvement, and the lack of public understanding of the surveillance process indicates a lack of adequate outreach efforts by implementing agencies. The Tanjungpinang Central Office of Immigration and Immigration (RUDENIM) is advised to improve cooperation and communication between the divisions and sections involved in refugee surveillance to ensure more focused and mutually supportive activities, particularly in handling refugees who violate administrative regulations. Surveillance officers also need to increase direct communication with refugees to build trust and convey the importance of complying with

routine self-reporting obligations.

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