

The Role of Immigration Intelligence In Tackling Human Smuggling Crimes at Soekarno-Hatta International Airport In 2023

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KEYWORDS	ABSTRACT
intelligence; smuggling crimes; international migration	The purpose of this study is to determine the role of immigration intelligence in tackling human smuggling crimes at Soekarno-Hatta International Airport in 2023. This study used qualitative research methods in this study. This Study uses this method to explain and describe the analysis related to the role and function of the immigration intelligence apparatus in tackling human smuggling crimes. Based on the case study that occurred, human smuggling actors are in Indonesia to ensure that 'victims' can enter Indonesian territory and successfully exit Indonesian territory. The Indonesian state is a transit location for foreigners to be smuggled because of its strategic location and is considered to have no advanced technology in detecting fake passports. Based on the results of this study, it is necessary to apply further studies related to training and education on intelligence specifically related to immigration for Immigration apparatus assigned to the Field of Intelligence and Immigration Enforcement.

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Introduction

International migration can be explained through three important stages, namely the country of origin, country of transit, and country of destination. That from each of these stages, there are elements, impacts, and problems in the process of movement or movement of people internationally. The problem of international migration arises when the movement of people is accompanied by one of the transnational crimes, people *smuggling*. According to *the United Nations Office on Drugs and Crime* (UNODC) in its *Global Study on Smuggling of Migrants* (2018), in 2016, people smuggling to enter Europe and the Middle East by air increased through flights in transit countries in Southeast Asia. In addition, the Australian government has viewed people smuggling as a threat, where Indonesia is strategically located to prevent illegal immigrants from entering Australia's sovereign territory. In the *United Nations High Commissioner* (UNHCR) report in July 2023, there are 12,097 refugees and asylum seekers who are a

problem in Indonesia. Of these, there is a possibility that refugees and asylum seekers become 'victims' in human smuggling crimes both by land, sea, and air.

The crime of people smuggling becomes a very lucrative and profitable industry or business for perpetrators and has little risk for people to be smuggled. In *The Global Initiative Against Transnational Organized Crime on Understanding Contemporary Human Smuggling as a Vector of Migration* (2018) explains that human smuggling crime is a large industry that occurs because of demand and supply. According to a July 2018 UNODC report, every Afghan, Iranian, Iraqi, and Pakistani national smuggled through Malaysia and Indonesia to Australia or Europe pays \$6,000 to \$7,000 to a human smuggler. Meanwhile, according to UNODC *in the Global Study on Smuggling of Migrants* (2018: 125) states that Pakistani citizens who will go to Australia by sea in Indonesia pay \$ 10,000 - \$ 12,000 US dollars per person. The amount is a cumulative of \$7000 from Pakistan to Indonesia, and \$4000 from Indonesia to Australia illegally.

Access and accommodation to enter and exit a country's territory by sea, land, and air are influenced by each country's migration policy. Illegal migration is the result of difficult access and accommodation to exit or enter certain countries. Legal migration is carried out through procedural procedures by complying with the rules and laws applicable in the territory of the country of origin, transit, and destination. Procedures in international migration are inseparable from the views of a country responding to border issues and global issues. These issues are in the economic, political, and economic context that drives population movement at the international level (Dewi, 2013). In addition, the Covid-19 pandemic has become a global issue that limits human movement both domestically and internationally. However, after the end of the Covid-19 Pandemic, the movement of people across the territory of a country has become easy through the relaxation of migration and accommodation policies.

The movement of population between countries through the boundaries of state territorial sovereignty has both positive and negative impacts. Positively, the movement of people in and out of a region of a country is considered to boost the economy. However, there are negative impacts that have the potential to pose a threat to a country in terms of cross-country population movement. The existence of transnational crimes such as human smuggling is one indication of the need for the participation of a country or government in making policies and rules related to international migration.

In all countries in the world, immigration is an organization that is a *leading sector* in guarding the country's gates playing a role in preventing and overcoming human smuggling that occurs through the boundaries of a country's territorial sovereignty. While in Indonesia, government policy related to international migration through the Directorate General of Immigration is '*selective policy*' through '*security and prosperity approaches*'. The policy explains that immigration as the agency authorized to grant entry permits and be in Indonesian territory for foreign nationals who can only provide benefits, do not disturb national security, and public order through the immigration clearance process . The mechanism reflects Indonesia's territorial sovereignty.

In terms of geography, Indonesia is a country that has a strategic geographical location in the world. Indonesia is a transit location for human movement. Especially people who enter Australian territory, either by sea or air. Its very strategic location as a transit country and destination country for foreign nationals is an attraction for people smuggling criminals to carry out their actions beyond territorial borders. This has the potential and vulnerability to crime between countries. One of the crimes between countries, namely people smuggling often occurs through a combination of air, sea, and

land routes. The trend of people smuggling crimes through airports is carried out in line with the strictness and higher level of risk if people smuggling crimes are carried out by sea or land.

The territory of Indonesia, which has a vast coastline and coast, facilitates access to human smuggling by sea. While smuggling by land is used to avoid the reach of sea patrols. Land, sea, and air routes are often used in combination to facilitate technical transit and modes to reach destination countries for people smugglers. The mode and combination of people smuggling is often carried out using Travel Documents in the form of invalid or fake passports. Mobility and modes of movement of people across borders of countries of origin, transit, and destination countries are evolving with increasing security and technological sophistication. In addition, the policies of government agencies authorized in tackling human smuggling crimes have developed in a wider scope as a transnational issue. The crime of human smuggling is considered a threat that needs special handling both at the domestic and international levels.

According to *the International Organization for Migration* or IOM in the Manual for Handling Human Smuggling Crimes in 2012 explained that human smuggling occurs by involving foreign nationals, both as *smugglers* and as people who are smuggled or often called migrant workers or migrant *workers*. The foreign nationals see and pay attention to the routes that will be used in the people smuggling process. In addition to the strategic geographical location of a country, the characteristics of people in transit countries and countries of origin affect human smuggling. According to Muhar Junef (2020: 86), typical people who have low economic conditions will facilitate access and *safe houses* for people smuggling.

In 2023, there will be an increase in the intensity of Foreign Nationals' traffic, as can be seen from the increase in the number of international flights and passengers at Soekarno-Hatta International Airport in line with the implementation of the *'New Normal'* policy and the ease of immigration policies related to Visas and Stay Permits for Foreign Nationals. In addition, the ease of access to air transportation with the opening of flight paths by several airlines at Soekarno-Hatta International Airport increases the number of Foreign Nationals in Indonesian Territory for vacation and work. From information obtained from Liputan6.com with the news title *'Passenger Traffic at Soekarno-Hatta Airport Soars 78.19 Percent Throughout 2023'*, that the increase has increased dramatically when compared to 2022. In 2023, the total number of Indonesian citizens and foreigners entering Indonesian territory is 6,590,359 people as of December 27, 2023, while in 2022 it will be 3,614,058 people. Meanwhile, the crossing of Indonesian citizens and foreigners abroad amounted to 6,666,998 people in 2023. The number of crossings illustrates the increase and ease of travel access through airports. The increase in Indonesian citizens abroad to the majority of them to worship Umrah. As for foreigners, the ease of access attracts foreign nationals to vacation in Indonesia as well as a strategic transit point to continue the journey to Australia, Europe, and America. In addition to attracting tourists and investors, the ease of access to air transportation is also attractive for people smuggling criminals to carry out their actions. Data on human crossings at Soekarno-Hatta International Airport can make Indonesia vulnerable to people smuggling.

The increase in the number of international departures and arrivals at Soekarno-Hatta Airport has the potential to cause human smuggling crimes that need attention by the Indonesian government. Often the crime of people smuggling is combined by land, sea, and air. The crime is a crime against the state, explaining that there is no term 'victim'

in People Smuggling. In contrast, the crime of Trafficking in Persons is considered a form of crime against humans through fraud, coercion, violence, and extortion.

From the perspective of intelligence for state security, the crime of people smuggling by foreigners through air transport poses a low level of threat to state sovereignty. However, these crimes trigger vulnerabilities in the form of espionage and propaganda in an intelligence perspective through *covert action* or *cover-ups* that are sometimes accompanied by the use of fake Travel Documents or Passports when crossing national borders.

Excerpted from a News.detik.com news on December 10, 2021 with the title '*Chronology of Iranian Citizens with Fake Passports and Carrying 10 Mobile Phones Arrested in Soetta*', there is a case of revealing alleged espionage activities of foreign intelligence agents by Iranian citizens who used Fake Passports to enter and exit Indonesian territory in 2021. An Iranian national by the name of Ghassem Saberi Gilchalan used a fake Bulgarian passport to facilitate access through Soekarno-Hatta International Airport. Upon his arrest, Ghassem was found to be in possession of two Fake Bulgarian Passports and one genuine Iranian Nationality Passport. It is alleged that Ghassem formed an Iranian intelligence network in Bali and operated for the release of the Tangker Ship captured by Bakamla. Ghassem was later sentenced to 2 years in prison for having been legally proven to have used false documents. The sentence is based on a violation of Article 119 of the Immigration Law, which carries a maximum threat of 5 years in prison.

From the case of the Iranian citizen, it can be taken a study that there is no Indonesian Government regulation that regulates and imposes penalties for specific foreign espionage activities. In addition, the importance of the role of immigration in the prevention and deterrence of Foreigners who are suspected of violating public order or endangering national stability. Through the perspective of immigration intelligence, mapping threats arising from foreigners can be done to create national security. The use of fake passports is one of the methods of cross-border crime. Travel documents in the form of fake Passports or *Travel Certificates* are also used by people smugglers. From an immigration point of view, the existence of human smuggling crimes is considered an Immigration Crime based on Article 120 of Law Number 06 of 2011 concerning Immigration.

There are several cases related to human smuggling crimes in Indonesia. Launched from Sampir.imigrasi.com with the headline "*22 International Fugitives Successfully Arrested by Immigration Throughout 2023*", in November 2023, the Directorate General of Immigration arrested the perpetrator of the *Love Scamming* cyber crime with the initials WL, a Chinese national who committed the crime of human smuggling under the guise of romance. This guise of romance is the modus operandi carried out by WL to trick Immigration officers at the border that Indonesian citizens brought by Chinese citizens are wives or relatives. This social engineering will facilitate access to international migration, both from origin and transit countries. WL's arrest is the result of the development of human smuggling cases in Singkawang, Batam, and Belakang Padang.

People smuggling cases that occur in Indonesia are often related to people smuggling cases at Soekarno-Hatta International Airport. Given the high number of foreign nationals entering and exiting the territory of Indonesia at the airport. This is related to the ease of flight access to various regions of the country provided by several airlines. There are several cases related to Human Smuggling Criminal Acts at Soekarno-Hatta International Airport, both before, during, and after the Covid-19 Pandemic. Based

on searches through news, from 2017 to 2024, human smuggling cases often occur at Soekarno-Hatta International Airport through various modus operandi. These cases become the main duties and functions and authorities of Immigration in carrying out prevention, mitigation, and punishment.

On November 16, 2017, following a Kompas.com story titled "*2 Pakistani Nationals in Soetta Who Forged British Passports Claiming Not to Be Related to People Smuggling*", there were arrests of two Pakistani nationals suspected of being related to people smuggling. The two men were initiated RR and AA who used fake passports of British nationality to go to their destination countries and seek a better life. The fake British passport was obtained in Malaysia for \$23,000. The case reflects that people smuggling was carried out with awareness and by the Pakistani national. They acknowledged that Indonesia became a transit country before heading to the destination country. The action taken by the Immigration officer is the prevention of Immigration Crime based on Article 120 Undangng-Law on Immigration related to people smuggling and Article 119 related to falsification of travel documents.

The people smuggling case occurred in early 2023. Removed from Megapolitan.com with the headline "*Immigration Reveals People Smuggling Syndicate, Starting from Foreigners Want to Go to Australia Using Fake Visas*". Soekarno-Hatta immigration officers arrested two people out of a total of five foreign nationals who were about to leave for Australia using fake visas. Suspects JS and VK are Indian nationals. The two nationals forged Australian Visas when they were about to check-in at Soekarno-Hatta Airport. The two also tricked immigration officials with unclear intentions during their stay in Indonesia. These perpetrators, used Fake Passports to enter Indonesia through Ngurah Rai International Airport, Bali. They admitted they were studying flight paths to smuggle people into Australia. The two Indian nationals were given accommodation while in Indonesia by a person with the initials SS who is an Indonesian citizen and SS an Indian citizen. However, the two perpetrators have not been caught. This case is an example of the prevention and disclosure of human smuggling crimes controlled from inside and outside Indonesian territory.

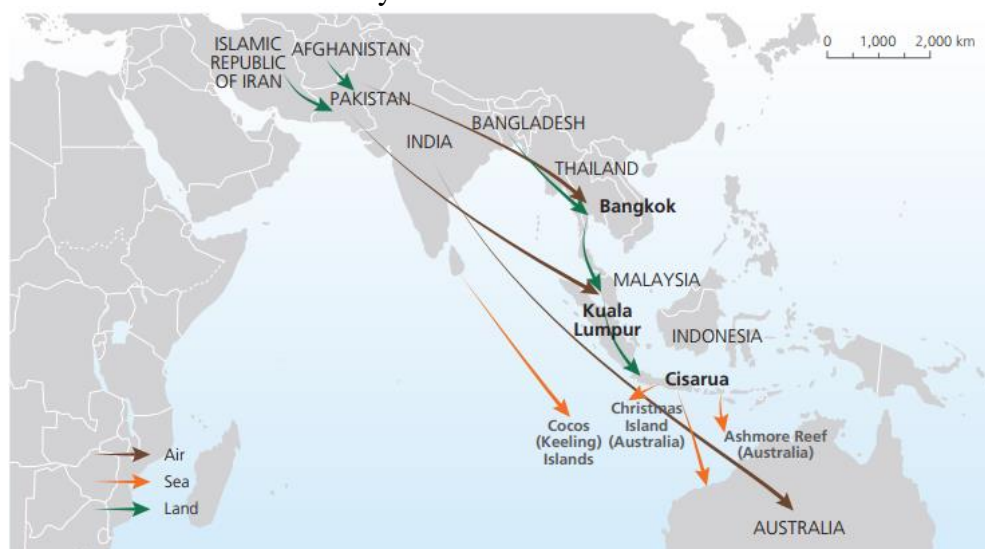


Figure 1

People smuggling routes by sea, land and air

(Source: United Nations Office on Drugs and Crime – Global Study on Smuggling of Migrants, 2018: 122)

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In addition, Soekarno-Hatta International Airport Immigration officers arrested people smuggling perpetrators to the United States. Excerpted from Nasional.kompas.com news on August 02, 2023 with the title "*Directorate General of Immigration Reveals Human Smuggling Case, Uses Fake Immigration Stamp*". The Directorate General of Immigration has included ODG's name in the List of Prevent Overseas since 2022. ODG perpetrators who are Indonesian nationals have made attempts to smuggle people into the United States by visa processing at the United States Embassy. The perpetrator made and displayed false Immigration Stamp from various countries. ODG was arrested at Soekarno-Hatta International Airport on April 22, 2023 while traveling to Malaysia. From this case, the mode of human smuggling to the United States is carried out by displaying false immigration stamps of several countries to illustrate that the owner of the passport and has been accepted in several countries. This mode is used to trick the United States Embassy that it seems as if the passport owner has often traveled abroad, so it is easy and approved for United States visa applications.

On July 04, 2023, it was reported by Medcom.id with the title "*Italian Citizen Arrested by Soetta Immigration for Human Smuggling*". The arrest of the human smuggling perpetrator on behalf of GA is a development of the human smuggling case of a Sri Lankan citizen with the initials PJ in 2023. GA perpetrators helped PJ who is a Sri Lankan citizen to leave for the destination country using a fake Italian passport using a Garuda Indonesia plane. The arrest of GA perpetrators was carried out at a luxury hotel in Central Jakarta. The GA perpetrator was then sentenced by the Tangerang District Court for 1 year and 6 months and fined Rp150,000,000.00 plus 2 months imprisonment. From this case, the existence and activities of foreign nationals in Indonesia need attention, considering that GA Perpetrators commit their actions while in Indonesian territory with a relatively new modus operandi of human smuggling.

According to (Santoso et al., 2014), even if a little information, will still be meaningful in an intelligence investigation activity. Thus, for immigration intelligence, information is useful to advise policy design and leadership decisions in explaining strategies to deal with immigration crimes such as the use of Fake Passports in people smuggling.

People smuggling crimes that occur in low numbers or frequency have a great impact. Meanwhile, problems that have a high number or frequency, such as Immigration Violations, have little impact. In the perspective of immigration intelligence, human smuggling crimes have the potential for *strategic surprise* that requires early detection and early prevention. Early detection and early prevention activities are part of *the sense of belonging* to state sovereignty during Immigration Inspection of Foreign Nationals' traffic at the Airport and *sense of crisis* to the activities and presence of Foreign Nationals in Indonesian territory.

With this background, researchers hope that this research can become a study of intelligence in an immigration perspective. The researcher explained academically efforts to overcome human smuggling crimes through airports as one of the impacts of globalization and international migration schemes on the borders of Indonesia's sovereign territory. Thus, the author conducted research to raise a different phenomenon from migration studies or border studies, namely in border resilience studies in the perspective of immigration intelligence with the title: **The Role of Immigration Intelligence in Combating Human Smuggling Crimes at Soekarno-Hatta International Airport in 2023.**

Literature Review

Globalization increases and facilitates the flow of people from one country to another. The increase in the number of people passing by can have a positive or negative impact on a country. The movement of people from one country to another or migration for a while, such as on vacation for example, can increase economic opportunities in tourism for the destination country. Meanwhile, migration to settle in the country can increase the acculturation process (Achsin & Rosalinda, 2021).

There are several negative impacts of the ease of movement of people or people across national borders such as human *trafficking*, people *smuggling*, *human trafficking especially women and children*, illegal arms trafficking, organ sales, prostitution, cybercrime, drugs, falsification of travel documents, or visa abuse or an immigration stay permit. The negative impact of international migration of people needs to be a concern and prevention nationally and internationally.

From the point of view of the traffic in and out of people from the territory of one country to another, the authority in determining and granting Entry or Exit Permits from Indonesian territory belongs to the Immigration Agency. So based on existing laws and regulations, the immigration apparatus is authorized to carry out prevention and deterrence.

According to (Santoso et al., 2014), the problem faced by immigration agencies related to international migration lies in the development of migration patterns in the world over time. The changing migration patterns of the world community create *transnational crime and transnational organized crime schemes*.

High human traffic through national borders will lead to immigration policies that are adaptive to new security concerns. So that state policy through immigration regulations can be a tool for state protection against transnational organized *crime*. The strict migration policy in a country is an obstacle to migrating legally. For example, illegal migration patterns will be at the root of people smuggling and will create illegal immigrants who have a negative impact on the country.

Previous Studies

There is some scientific literature and previous research on Human Smuggling Crime both from the lens of immigration, national resilience, normative legal perspective.

Table 2 Previous Research

No.	Research Title and Author	Variable	Research Results
1.	<i>Conflict Potential Study, the Existence of Illegal Immigrants That Threatens the National Resilience in the Context of People Smuggling.</i> (Susanti, 2020)	National Resilience, Conflict, Transnational Crime, People Smuggling.	Indonesia does not yet have a specific policy governing people smuggling. People smuggling in Indonesia can pose a threat to national security.
2.	<i>Upaya Penanggulangan Tindak Pidana Penyelundupan Manusia Melalui Perkawinan Campuran di Kantor Imigrasi Kelas 1 TPI Bandung.</i>	People Smuggling, Immigration, Camouran Marriage	The regulation of mixed marriage is law Number 6 of 2011 concerning Immigration Articles 13,42,89,120 which has not specifically addressed the determination of punishment for perpetrators. Human Smuggling through Mixed Marriage can be prevented if it prevents

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	(Marpaung et al., 2022)		unlawful production of marriage or identity documents.
3.	<i>Optimalisasi Peran Penyidik Pegawai Negeri Sipil Keimigrasian dalam Penanggulangan Tindak Pidana Penyelundupan Manusia</i>	Civil Servants, Crime, Immigration, People Smuggling	Entering people illegally with or without valid immigration travel documents without going through Immigration Checks is subject to criminal sanctions with the threat of 15 years in prison and a fine of Rp.1,500,000,000,-. The Immigration Civil Affairs Investigator has the function of investigation and investigation to carry out coordination with the National Police and other law enforcement agencies.
	(Prabaswara, 2021)		
4.	<i>Kasus Pengungkapan Jaringan Penyelundupan Manusia oleh Polri di Dumai dalam Lensa Penindakan Keimigrasian.</i>	Law Enforcement, People Smuggling, Immigration	There is no regulation that specifically regulates Human Smuggling in detail. Prevention of human smuggling by Riau Regional Police through socialization, operations, raids, forming informant networks, and dialogical patrols to the community. The need for increased supervision of ports or illegal routes in Dumai.
	(Pratama & Wiraputra, 2019)		
5.	<i>Penguatan Kebijakan Imigrasi dalam Pencegahan Tindak Pidana Penyelundupan Manusia Lintas Negara.</i>	Prevention, People Smuggling, Transnational	The need to strengthen Community-Based Management in monitoring Transnational Crimes. The cause of Transnational Crime is due to massive and uncontrolled mass movement from one country to another. There are technological advances that facilitate community relations between nations, between communities, and between individuals so as to create <i>borderless</i> .
	(Bondi et al., 2023)		
6.	<i>Pertanggungjawaban Pidana terhadap Tindak Pidana Penyelundupan Orang (People Smuggling)</i>	People Smuggling, Transnational Crime, Positive Law in Indonesia	There are still weaknesses in Law Number 6 of 2011 concerning Immigration which regulates Human Smuggling. Criminal Responsibility for Human Smuggling Crimes based on Law Number 6 of 2011 Article 120 carries a maximum prison sentence of 5 years and a maximum of 15 years imprisonment. If carried out by a corporation, the criminal threat is 3 (three) times the criminal fine of Article 120.
	(Paembonan, 2014)		
7.	<i>Tindak Pidana Penyelundupan Manusia dan Penerapan Pidananya (Suatu Penelitian di Wilayah Hukum Pengadilan Negeri Tanjung Balai)</i>	Criminal Offences, People Smuggling	The judge's judgment and ruled a relatively light crime against the perpetrators of people smuggling from Malaysian vessels due to non-judicial considerations.

	(Sarmawati & Hadi, 2022)		The importance of optimizing law enforcement officials to understand the modus operandi of perpetrators. These crimes can lead to other crimes such as trafficking in persons, terrorism, and narcotics.
8.	<i>Penyelundupan Manusia sebagai Tindak Pidana Keimigrasian yang membahayakan Kedaulatan Negara</i>	Criminal liability, criminal acts, people smuggling.	There are difficulties in supervising the vast and strategic Indonesian archipelago as a favorite country for transit. The weakness of national legal instruments on people smuggling caused the crime to develop into a profitable business in Indonesia.
	(Nuryani & Imigrasi, 2019)		
9.	<i>Peran Intelijen Keimigrasian dalam Upaya Pencegahan Kejahatan Transnasional di Indonesia</i>	Immigration Supervision, Role of Immigration Intelligence, Directorate General of Immigration.	The existence of obstacles to immigration supervision is constrained by the absence of an evenly distributed Technical Service Unit in cross-border cities in Indonesia. The Directorate General of Immigration issues policies to enhance the role of immigration intelligence and human resources.
	(Antomarta & Mansur, 2021)		
10.	<i>Implikasi Kerjasama Keimigrasian dalam Upaya Peningkatan Kinerja Intelijen Keimigrasian.</i>	Immigration Intelligence, Directorate General of Immigration, Immigration Cooperation.	Immigration Intelligence is responsible for the early detection process of threats to national stability arising by foreigners. Immigration Intelligence conducts data processing and in-depth analysis of the Immigration Information Management System (SIMKIM). Immigration Intelligence enhances interagency cooperation at the central and regional levels. Immigration Intelligence works closely with the National Police through the use of the I-24/7 Program to identify fugitives, lost or stolen passport data.
	(Hutagalung et al., 2023)		
11.	<i>Peran Intelijen Keimigrasian Dalam Rangka Antisipasi Terhadap Potensi Kerawanan yang ditimbulkan oleh Orang Asing di Wilayah Indonesia.</i>	Immigration Intelligence, Foreigners, Threats, Interference.	Anticipatory steps by immigration intelligence are carried out in terms of the construction of a Foreign Nationals reporting system (APOA) to report the presence and activities of Foreigners in Indonesia. Immigration Intelligence forms an intelligence community with BIN, TNI, POLRI, and Ministries/agencies that organize state intelligence. Immigration Intelligence signed a cooperation in the use of the I-24/7 application owned by the National Police.
	(Nugroho & Wahyudi, 2018)		

In addition to the research above, there are several other interesting studies to be discussed in more depth to provide an overview of the phenomenon of human smuggling from the lens of international migration and immigration.

According to (Dhiba, 2019) in her research, the prevention of human smuggling is closely related to the role and performance of immigration. From the results of his research, *people smuggling* is a form of threat that can be viewed from two points of view. First, the point of view from within the territory of Indonesia. Human smuggling carried out in Indonesian territory is carried out by Indonesian citizens themselves who will work abroad using travel documents in the form of fake passports or crossing illegal routes to exit Indonesian territory. The Indonesian citizen is referred to as a Non-Procedural Indonesian Worker. In addition to Indonesian Citizens, Foreign Nationals can be caught in human smuggling cases when they are in Indonesian territory or about to leave Indonesian territory using fake or falsified Travel Documents. In this research, prevention and control of human smuggling needs to be carried out through synergy and cooperation between agencies and authorized institutions in Indonesia.

In addition to the research above, research related to human smuggling was conducted by (Setiawan, 2019). In the study, there are several backgrounds of the occurrence of human smuggling crimes seen in terms of weak regulations in Indonesia. Often, people smuggling occurs driven by the low level of human security in the country of origin, which then encourages migration to other countries for a better or decent life. This is a motivating factor for refugees from several conflict countries to try to enter Indonesian territory, both as transit countries and destination countries. The refugee will try to obtain a change of status in the transit country or destination country. From refugee status to asylum seeker status. This is because migrants or refugees who enter illegally are considered 'victims', so the Right to Asylum can be obtained from UNHCR through certain conditions requires a long administrative process and time. Thus, the existence of these refugees often causes social problems.

Research related to human smuggling is often normative related to applicable regulations in Indonesia. People smuggling locations are often discussed and researched based on their paths, methods, and modes. One of the studies related to the crime of human smuggling through mixed marriage explains a new method carried out by *smugglers* (Marpaung et al., 2022). The method of mixed marriage or *love scamming* is carried out by utilizing the psychological condition and economic background of prospective brides of Indonesian citizens who will be married by foreign nationals. The mixed marriage is carried out to trick immigration officers both in the country of origin and destination with the aim of obtaining easy access to live or enter the destination country. The mixed brides engaged in unlawful means of fulfilling the requirements of mixed marriage through the unauthorized creation of documents. According to the study, tackling the crime of human smuggling through mixed marriage does not specifically ensnare the perpetrators of mixed marriages or the masterminds of these marriages with special immigration criminal laws. The research shows that there are still legal loopholes in immigration laws in regulating mixed marriages. In addition, the study emphasized the strengthening and safeguarding carried out by government agencies in the issuance or printing of identity documents for citizens. Thus, the prevention of human smuggling through mixed marriages can be prevented if mixed marriages do not take place.

In addition, the results of research according to *the Annual Threat Assessment of The U.S. Intelligence Community* (2023: 26) illustrate that human smuggling has become a transnational issue after the Covid-19 Pandemic which is a priority threat and is

considered to need collaborative handling from the intelligence community in the United States. The threat of transnational crime is created because of traditional threats that complexly create space for the entry of international threats to national security in the United States. One of the causes of transnational threats is increased capacity for the movement of people in and out of a country's territory or international migration that has an impact on the national security of the United States. In addition, the rapid development of digital technology facilitates access to information about destination countries which is an attraction for *foreign migrant workers* to work abroad to improve their welfare.

Based on the above studies, the majority of Human Smuggling Crime research is studied through the perspective of the rule of law and its criminal threat. The latest element of this research is to raise a phenomenon of human smuggling from the point of view of immigration intelligence strategically and tactically. This study analyzes and examines in more depth the modus operandi and case studies of Human Smuggling Crimes that occurred at Soekarno-Hatta International Airport in 2023 after the Covid-19 Pandemic. The choice of location and timing of this study will illustrate changing patterns of threats, challenges, barriers, and disturbances in the perspective of international migration and national resilience.

Research Methods

This study used qualitative research methods in this study. This Study uses this method to explain and describe the analysis related to the role and function of the immigration intelligence apparatus in tackling human smuggling crimes. According to (Sugiyono, 2017), qualitative research is used by researchers as a key instrument to conduct inductive data analysis. Inductive data collection techniques are the process of analyzing data based on facts connected with the theory used in research.

With this method, the author obtains data related to policies and actions taken by the immigration intelligence apparatus during the course of their duties. Qualitative research describes the relationship between facts and phenomena under study (Moleong, 2019). In this study, data processing was carried out after an interview process with related parties. In addition, direct observation and observation are carried out with a case study approach of people smuggling that has occurred to describe the countermeasures process.

The research site is a research location chosen by researchers to obtain research data. In this study, researchers determined the Special Class I Immigration Office of TPI Soekarno-Hatta and Soekarno-Hatta International Airport as the location of the study. The research period will take place within 2023 for interviews and case study research on Smuggling Crimes that occur through literature studies of the Immigration Investigation File.

The research discusses how the role and function of immigration intelligence in countering human smuggling crimes as the focus of research and Soekarno-Hatta International Airport as a research locus . The author uses the results of interviews with sources or research objects who are authorities in disclosing and combating human smuggling crimes. This study used primary data and secondary data. First, the author collects primary data directly from the source that intersects with the object of research. Second, secondary data as research material in the form of case file documents for the Immigration Investigation process of Human Smuggling Crimes as occurring in the working area of the Soekarno-Hatta TPI Special Class I Immigration Office. Documents related to human smuggling cases become a collective case study. According to

(Endraswara, 2016), a collective case study is an appointment of a case or event that occurs by understanding other cases, so that the author can obtain more in-depth data. Therefore, secondary data support primary data to examine and understand human smuggling as a reality behind the phenomenon.

Results and Discussions

Human Smuggling Threat Mapping at Soekarno-Hatta International Airport

From the results of the study, the process of mapping the threat of Human Smuggling Crime was carried out by the immigration intelligence apparatus through supervision of Foreigners in the Soekarno Hatta International Airport area and the Cengkareng and Kalideres areas. The pattern of threats of Human Smuggling Crime begins with the process of the arrival of Foreigners who do not have the legal right to enter Indonesian territory, both for the purpose and use of Fake Travel Documents. Once in Indonesia, the foreigner can become a 'victim' or perpetrator at the same time. As a 'victim' according to the Case Study, a Sri Lankan Foreigner voluntarily paid a sum of money to an Italian Foreign National to arrange his arrival in Indonesia and departure abroad using a fake Italian Passport. Based on this, Sri Lankan citizens who are prevented from going abroad violate Article 119 of Law Number 06 of 2011 concerning Immigration, while Italian citizens are convicted under Article 120 concerning Human Smuggling Crime.

The threat map related to these criminal acts can be seen from the self-report process at the Airlines at Soekarno-Hatta International Airport and Immigration Check when Foreigners are at the Immigration Checkpoint. For this reason, the intelligence apparatus built an information network related to foreigners by forming an intelligence community at Soekarno-Hatta International Airport. The immigration intelligence apparatus builds a network of informants related to the suspected departure and arrival of foreigners to Indonesian territory, so that the prevention and early detection process can be carried out optimally. In addition, the threat mapping process is carried out through clustering information data that has been processed into intelligence products. The clustering of data is generated through estimates of circumstances related to the number of arrivals and departures of foreign nationals based on country of origin. Data clustering is grouped into safe, vulnerable, highly vulnerable, and crisis states. From the results of the study, security conditions and vulnerabilities related to the arrival and departure of foreigners at Soekarno-Hatta International Airport are influenced by the traffic policies of citizens. From the results of interviews with speakers, Visa On Arrival policies for 97 countries and Visa Exemption for ASEAN countries increase the number of foreign arrivals.

The role of immigration intelligence is to carry out the process of early detection and early prevention of Human Smuggling Crimes by Foreign Nationals

From the results of interviews with resource persons, in order to improve the efficiency and effectiveness of the role of the immigration intelligence apparatus in tackling Human Smuggling Crimes by Foreign Nationals, it is necessary to strengthen the early detection and early prevention processes. Early detection of Human Smuggling Crime is carried out through monitoring the number of traffic flows of Foreigners entering and leaving Indonesian Territory. In addition, the early prevention process is carried out by the immigration intelligence apparatus through the implementation of the basic intelligence cycle.

The Immigration intelligence apparatus conducts several stages to process information into intelligence through evaluation tests and validity tests of the facts of

Foreign activities suspected of violating Immigration regulations. Then, assess the results of the analysis to determine whether the information can be carried out in the process of investigation or immigration investigation. Furthermore, the process is the result of 'sorting, separating, and selecting' relevant information into information for the decision-making process and policy of immigration intelligence leaders. From the results of interviews and case studies of Human Smuggling Crimes, early prevention patterns can also be carried out through detection of patterns of these crimes. The immigration intelligence apparatus can find patterns of people smuggling through several cases that occur in Indonesia and abroad. Thus, prevention can be done when the 'victim' of human smuggling has not entered Indonesian territory. Thus, Indonesia as a transit country can prevent victims of human smuggling before entering Indonesian territory, when in Indonesian territory, or when going out of Indonesian territory. For this reason, early detection can be done through a pattern of cooperation and information exchange between countries, both countries of origin, transit countries, and destination countries.

Due to its transnational and organized nature, there is a need for a periodically-intensive communication forum, both on a regional and global scale in the prevention of human smuggling crimes.

The process of exchanging information can be in the form of exchanging patterns or *modus operandi*, the validity of travel documents, supervisory procedures and bureaucracy with other countries and agencies in Indonesia. In addition, cooperation with other countries is related to how to handle victims of Human Smuggling Crimes based on national and international regulations. Each country has different but globally the same regulations, namely relating to Travel Documents or Passports. The validity of the Passport in each country has a guarantee of safety and quality features to ensure that the Passport is not misused, forged, or issued by the competent authorities illegally or unlawfully.

The Head of Immigration Intelligence and Enforcement provides an activity plan and sets goals and directions for the immigration intelligence apparatus. In this study, the resource person gave an example that the process of giving orders through a Warrant is a process of delegation of authority for the immigration intelligence apparatus to carry out immigration supervision of the presence and activities of Foreigners in the Working Area of the Soekarno-Hatta TPI Special Class I Immigration Office. The collection of information that is converted into intelligence products in the form of reports is a process of collecting data in immigration investigation activities related to Human Smuggling Crimes.

The participation of the immigration intelligence apparatus is also related to the investigation process to assist the investigation process of human smuggling crimes that occurred at Soekarno-Hatta International Airport. Based on a case study that occurred at Soekarno-Hatta International Airport, a Sri Lankan citizen initiated by PY, a man used a fake document in the form of an Italian passport to facilitate entering European territory. The Sri Lankan citizen was sentenced to a criminal sanction under Article 119 paragraph (2) of the Immigration Law related to the use of Fake Travel Documents with a maximum threat of five years in prison and a maximum fine of Rp500,000,000.00. These crimes fall into the realm of Special Immigration Crimes. Moreover, after further investigation and investigation of the case, it was found that there was an actor who assisted PY in obtaining a Fake Passport and assisted his departure through Soekarno-Hatta International Airport. An Italian citizen with the initials GA, helped produce a fake Italian Passport used by PY. GA, who was in Indonesian territory, was then arrested and tried based on the criminal

charges of Article 120 paragraph (2) of Immigration Law Number 06 of 2011 concerning Human Smuggling Crimes. It can be concluded that the use of Fake Passports often has actors or actors who facilitate the misuse of these passports both at home and abroad.

Mitigation measures for potential threats of Human Smuggling Crimes arising from the presence of Foreign Nationals in Cengkareng and Kalideres Districts.

From the results of interviews with immigration intelligence officials, Smuggling cases that occurred in the working area of the Soekarno Hatta TPI Special Class I Immigration Office occurred due to lack of supervision of Foreigners. The supervision includes administrative supervision through Foreign Data in the Immigration Stay Permit System and field supervision related to the collection of information on the activities and presence of Foreigners in the Cengkareng and Kalideres areas.

To overcome the potential threat of Human Smuggling Crime, there needs to be several parties involved to overcome the crime from occurring. Supervision of the activities of Foreigners needs to be carried out in collaboration between the Immigration Intelligence apparatus with BABINSA and BHABINKAMTIBMAS, local RT and RW devices, and other government agencies related to Foreigners. The Immigration Intelligence Apparatus in the Field of Immigration Intelligence and Enforcement, according to sources, routinely conducts TIMPORA Meeting activities, namely the Foreign Surveillance Team.

In practical terms, the immigration intelligence apparatus investigates the whereabouts of foreigners through several stages. First, planning is the first stage to conduct a detailed and thorough analysis of the working area of the Soekarno-Hatta TPI Special Class I Immigration Office. Once done. According to the results of interviews with resource persons, it is necessary to carry out logistic planning and support for the purposes of investigating Foreigners in the region, namely the Head of Office's Warrant related to the implementation of activities. Based on its main duties and functions in accordance with the Regulation of the Minister of Law and Human Rights Number 08 of 2022, immigration supervision is an integral part of Immigration Intelligence activities. According to Article 1, Immigration intelligence operations are activities carried out based on a plan to achieve specific activities and determined by the Immigration Officer or the competent authority. In this case, the Head of the Special Class I Immigration Office of TPI Soekarno-Hatta is the authority in granting and delegating authority for immigration intelligence activities through a Warrant.

Literally, immigration intelligence is an immigration investigation and immigration security activity. Based on the theory of the intelligence cycle, the immigration intelligence apparatus is obliged to collect information material that is the result of the analysis of information related to immigration.

The presence of foreigners residing in the Cengkareng and Kalideres areas should report themselves to the Special Class I Immigration Office of TPI Soekarno-Hatta. Immigration supervision in the field aims to conduct periodic immigration supervision and mitigate the threat of the presence of Foreigners who are suspected of violating laws and regulations. Human Smuggling Crime that occurred at Soekarno-Hatta International Airport became a threat and challenge the immigration intelligence apparatus to ascertain the actors or masterminds of these crimes who were in Indonesian Territory. Based on its transnational nature, the crime,

Based on the case study that occurred, human smuggling actors are in Indonesia to ensure that 'victims' can enter Indonesian territory and successfully exit Indonesian territory. The Indonesian state is a transit location for foreigners to be smuggled because

of its strategic location and is considered to have no advanced technology in detecting fake passports. According to the Minutes of Examination, the Fake Passport used, sent from abroad and then given to Foreigners who will be smuggled to enter the territory of the destination country, namely Europe.

Conclusion

Based on the results of this study, it is necessary to apply further studies related to training and education on intelligence specifically related to immigration for Immigration apparatus assigned to the Field of Intelligence and Immigration Enforcement. In addition, in general, there is a need for a special division of authority and an immigration intelligence operation mechanism in handling and supervising Foreigners who are suspected of violating Immigration laws and regulations in the working area of the Soekarno-Hatta TPI Special Class I Immigration Office. Furthermore, it is necessary to optimize Human Resources in the disclosure of Human Smuggling Crimes which begins with the examination of valid Travel Documents. For this reason, it is necessary to increase cooperation between agencies at Soekarno-Hatta International Airport for the construction of informant networks and exchange of information related to the supervision of Foreigners in accordance with the duties, principals, and functions of each agency. Given the preventive intelligence function in providing early detection in the interest of national resilience in terms of vulnerability of an organization facing threats to state sovereignty.

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