

IMPLEMENTATION OF IMMIGRATION CONTROL AGAINST TRADITIONAL BORDER CROSSERS IN THE BORDER AREA OF THE REPUBLIC OF INDONESIA AND PAPUA NEW GUINEA IN MERAUKE

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Abstract

The Republic of Indonesia and Papua New Guinea are land and sea neighbors whose borders are located in the Papua Province in the eastern part of Indonesia. The border area consists of Census Divisions within Papua New Guinea and border villages within the Republic of Indonesia as defined, where the border is part of the boundaries of the Census Divisions and the border villages. State border areas are the main manifestation and have an important role in determining border areas, utilization of natural resources, security and territorial integrity. Supervision is very important because it is to maintain and supervise the presence of foreign nationals who enter with all kinds of activities while they are in Indonesian territory until they depart or leave Indonesian territory. The purpose of the study was to determine the process of immigration control of traditional border crossers in the border areas of Indonesia and PNG in Merauke district. The problem approach used is the empirical juridical approach, which is a research approach carried out to analyze the extent to which the effectiveness of a regulation / legislation or law in society, the research location in Merauke Regency, and the Sota Cross-border Post there was a process of traditional crossing of Indonesian citizens and Papuan New Guinea citizens. This study is intended to see how the application of Indonesian legal regulations, especially immigration in traditional border crossers in border areas in Merauke. In the application of Indonesian laws and regulations, the immigration process uses immigration laws and also with the existence of mutual agreements between Indonesian countries and Papua New Guinea. the implementation of immigration checks uses several mechanisms, namely administration, and the field is carried out by immigration officials in the work area of the Class II Immigration Office of TPI Merauke.

Keywords: *Immigration Control; Traditional Border Crossers; Border Area*

INTRODUCTION

The independence achieved by the Indonesian people in 1945 caused Indonesia not only to inherit the entire territory of The Netherlands Dutch East Indies, but also to inherit all border agreements signed by the Netherlands relating to the Dutch East Indies with other countries, including with the Portuguese in the Timor Islands.¹

¹ Dewa Gede Sudika Mangku, Implementation of Technical Sub Committee Border Demarcation and Regulation (TSC-BDR) Agreement Between Indonesia-Timor Leste in the Resolution of the Land Border Dispute. Jurnal IUS Kajian Hukum dan Keadilan. vol.8 no.3 edition of December 2020, pg. 405-419.

The Republic of Indonesia (RI) and Papua New Guinea (PNG) are neighboring countries by land and sea whose borders are located in the Papua Province in the Eastern Indonesia region. Initially, the bilateral relations between Indonesia and PNG had a long history, starting with the opening of the Consulate General between the two countries in 1972.

Relations between Indonesia and PNG have increased to diplomatic relations marked when PNG gained independence from Australia on September 16, 1975. Since then, the two countries agreed to build a bilateral agreement marked by a basic agreement, namely the arrangement of cooperation in handling borders in the Papua Province area, which was previously called Irian Jaya. The agreement is called the Basic Agreement between the Government of the Republic of Indonesia and the Government of Papua New Guinea regarding border arrangements (Basic Agreement between the Government of the Republic of Indonesia and the Government of the Independent State of Papua New Guinea on Border Arrangements) which was signed in 2013.² The Basic Agreement between the two countries, after Papua New Guinea became independent, was signed for the first time on 17 December 1979. Although it has undergone several revisions, but substantively there has been no change. This agreement is the forerunner of the cooperation between Indonesia and PNG in several fields, namely, health, politics, security and economy with the aim of building a better society in the regions of the two countries.

The territory of the Republic of Indonesia, hereinafter referred to as the territory of Indonesia, is the entire territory of Indonesia as well as certain zones which are stipulated based on the statutory zone.³ The border area consists of the Census Divisions within Papua New Guinea and border villages within the Republic of Indonesia as defined, where the borders are part of the census divisions and border villages. State border areas are the main manifestation and have an important role in determining the boundaries of the border areas, exploiting natural resources, security and territorial integrity. The border area has social, economic, and security problems that become complex because it intersects with the sovereignty of other countries. Cooperation at the border in the establishment and implementation of good relations between neighboring countries is necessary to take steps to prevent conflict between the two bordering countries. Of course, by paying attention to the improvement of the welfare of the people in border areas and the optimization of the potential, along with the development of cooperation with neighboring countries, it will also result in minimizing the occurrence of problems. Given the border area as an economic center based on the characteristics of the border area, it has a high intensity in the flow of people and goods. This condition will have a positive or negative impact on both countries.

Merauke class II immigration office as a technical implementation unit that carries out part of the main tasks of the Indonesian Ministry of Law and Human Rights in the immigration sector carried out in Merauke, which is in the southern region of Papua

² Ministry of Foreign Affairs RI, Basic Agreement: between the Government of the Republic of Indonesia and the Government of the Independent State of Papua New Guinea on Border Arrangements.

³ Directorate general of Immigration, Law number 6 of 2011 concerning Immigration, chapter 1 article 1 paragraph 2.

and directly adjacent to Papua New Guinea both land and sea which then overhauls 6 border immigration posts There are two districts, namely Merauke and Boven Digoel districts that cross traditionally, the border posts are as follows: Sota border posts, condo border posts, Erambu border posts, Bulbul border posts, Mindiptana border posts, cross-border waropko.

Based on article 69 of the immigration law and the regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 50 of 2016 concerning the Foreigner Supervision Team, To carry out immigration supervision of the activities of foreigners in Indonesian territory, the Minister forms a foreigner supervision team whose members consist of related government agencies or agencies. , both at the central and regional levels.

The duties and supervision of a border immigration officer adheres to the basic agreement between the government of the Republic of Indonesia and the Government of Papua New Guinea regarding border regulations known as the “Basic Agreement between The Government of The Republic of Indonesia and The Government of The Independent State of Papua New Guinea on Border Arrangements “and special arrangements for the activities of the Cross Border Traditional and the customs of the Republic of Indonesia and Papua New Guinea which are issued by the Government of Papua Province.

The data obtained from the Sota border crossing, the traffic in and out of border crossers is quite significant. With an average number of 18 Indonesians going to PNG and 211 WN-PNG entering, it is not impossible that there will be loopholes for violating the law. With the RI and PNG border areas, there are still frequent incidents of border violations, both in the sea and land border areas. For example, illegal border crossers in the sense that they do not have an entry permit or exit permit in the form of a cross-border pass, there are still many passers who enter or leave not through the designated TPI, there are still many border crossers who cross the line of jurisdiction that they should.

Based on the background above, the problem can be identified is how is the process of implementing immigration control over traditional border crossers in the border areas of RI and PNG in Merauke Regency?

The problem approach used is the empirical juridical approach, To get the suitability of the data in this study, the authors use the law approach, and the sociological approach. The statutory approach is an approach that uses the laws and regulations in force in Indonesia that relate to science, while the sociological approach is an approach that seeks the relationship between law and social conditions in society, which is a research approach carried out to analyze the extent to which the effectiveness of a regulation / legislation or law in society, the research location in Merauke Regency, namely the Class II Merauke Immigration Office and the Sota Cross-border Post there was a process of traditional crossing of Indonesian citizens and Papuan New Guinea citizens. The type of data to be used is primary data, namely data obtained from interviews, observations and literature studies, while secondary data is data obtained from secondary legal materials and secondary legal materials and tertiary legal materials. The data analysis technique

used in this legal research is qualitative data analysis, which is a research methodology that produces descriptive analytical data.

DISCUSSION

Indonesia has immigration laws to regulate the traffic of native Indonesian citizens and foreigners who stop or stay for a certain time.⁴ In general, supervision can be interpreted as an act to see and monitor people in accordance with a predetermined will. According to M. Manullang, supervision is a process to be able to determine what work has been carried out, evaluate it, and also correct it. And if necessary, with a view to carrying out the work according to the original plan. Furthermore, Henry Fayol, Supervision consists of testing whether everything has taken place according to a predetermined plan with the instructions that have been outlined. It has the aim of being able to show or also determine the weaknesses and also errors with a view to correcting and also preventing the recurrence of these mistakes.

According to Sarwoto, supervision is the activity of managers who strive so that the work can be carried out according to a predetermined plan or the desired results. In that definition, Sarwoto explicitly states that subjects who also carry out supervision or have a supervisory function are: manager, as a standard or as a benchmark of a predetermined plan and also the desired results.⁵ Supervision must be carried out efficiently, not hampering the efficiency of work implementation.⁶

From some of the opinions above, it can be concluded that supervision is an important thing in carrying out a plan. With supervision, the plans expected by management can be fulfilled and run well.

Supervision is basically directed entirely to avoid possible deviations or deviations from the objectives to be achieved. Through supervision, it is hoped that it can help implement the policies that have been set to achieve the planned goals effectively and efficiently. In fact, through supervision an activity is created that is closely related to the determination or evaluation of the extent to which the work has been carried out. Supervision can also detect the extent to which leadership policies are implemented and to what extent deviations occur in the implementation of the work.

The concept of such supervision actually shows that supervision is part of the management function, where supervision is considered as a form of inspection or control from the higher party to the lower party. In management science, supervision is placed as the last stage of the management function. From a managerial perspective, supervision also means: "observation of the implementation of all activities of the organizational unit that are examined to ensure that all work being carried out is in accordance with plans and regulations." or "an effort so that a job can be carried out in accordance with a predetermined plan, and with supervision it can minimize the emergence of obstacles,

⁴ Aisyah Nurannisa Muhlisah, Kholis Roisah, Penegakan Hukum Keimigrasian terhadap Penyalahgunaan Visa Izin Tinggal Kunjungan Lewat Batas Waktu (Overstay) pada Warga Negara Asing. *Jurnal Pembangunan Hukum Indonesia*. vol.2 no.2 edition of May 2020, pg. 145-157.

⁵ <https://www.seputarpengetahuan.co.id/2016/10/pengertian-pengawasan-menurut-para-ahli-lengkap.html> accessed on 13 February 2019, at 10.38 WIT.

⁶ Priyo Budiharto, Endang Larasati, Sri Suwitri, Analisis Kebijakan Pengawasan melekat di badan Pengawas Provinsi Jawa Tengah. *Jurnal Ilmu Administrasi dan Kebijakan Publik*. vol.4 no.1 edition of April 2007, pg. 42-61.

while obstacles that have occurred can be identified immediately which can then be taken corrective action”

Meanwhile, in terms of state administrative law, supervision is defined as “a process of activity that compares what is carried out, carried out, or carried out with what is desired, planned, or ordered.” The results of this monitoring must be able to show to what extent there is a match and a discrepancy and find the cause of the discrepancy that arose. In the context of building public government management characterized by good governance, supervision is an important aspect to keep government functions running as they should. In this context, supervision becomes as important as the implementation of good governance itself.

1. Immigration Supervision at the Class II Immigration Office of TPI Merauke

Immigration is the entrance into an alien country of person intending to take a part in the life of that country and to make it their more or less permanent residence.⁷ Etymologically the terms emigration, immigration and transmigration all three come from the Latin migration, which means the movement of people.⁸ Immigration is defined as the entry of residents from one country to another with the aim of settling or leaving the territory of Indonesia. The main task of the immigration agency is to regulate, supervise, and secure the completeness of human travel documents. For every citizen who will come or travel from or abroad through airports or ports during the landing or departure process, he must fulfill the requirements of immigration formalities that should not be violated, namely by reporting his arrival or departure to the immigration officer at the airport or port that has been registered set.

At first the border of a country or state border was formed with the birth of the State. Previously, residents who lived in certain areas did not feel the difference, and it was not uncommon for them to come from the same ethnicity. However, with the emergence of the State they were separated and with the demands of the State they had different citizenships.⁹ Services in terms of providing all immigration permits in the form of visas, entry permits, registration of foreigners, re-entry permits, non-return exit permits, RI travel documents, departure signs, entry signs, immigration certificates and immigration changes. the field or sub-sector of immigration at Indonesian Representatives abroad, traveling in airplanes or ships, immigration checkpoints, the Immigration Office, the Immigration Division at the Regional Office of the Ministry of Law and Human Rights, and the Directorate General of Immigration.¹⁰

One of the immigration requirements is an immigration document. Types of immigration documents include:

⁷ Herlin Wijayanti, 2011. *Hukum Kewarganegaraan dan Keimigrasian*, Bayumedia Publishing, Malang, pg. 129.

⁸ Jazim Hamidi dan Charles Christian.(et.al.), 2015. *Hukum Keimigrasian Bagi Orang Asing di Indonesia*, Sinar Grafika, Jakarta, pg. 1.

⁹ Julianto Jover Jotam Kalalo, 2018, *Politik Hukum Perlindungan Hak Ulayat Masyarakat Hukum Adat di Daerah Perbatasan*, Disertasi Proram Pasca Sarjana Fakultas Hukum Universitas Hasanuddin, Makassar, pg.49

¹⁰ Rumokoy N.K., Penerapan Undang-Undang keimigrasian No. 6 Tahun 2011 Terhadap Pelayanan Publik pada Pemerintahan Kabupaten dan Kota di Indonesia. *Jurnal Hukum Unsrat*, vol.1 no.3 edition of July-September 2013. pp. 98-114.

- (1) passport, which is an official document or certificate issued by a government agency for its citizens who will travel abroad or foreigners who do not have citizenship status, but are domiciled in the country where the passport was issued.¹¹
- (2) visa, which is a recommendation or statement written in a passport or other travel document, which certifies that the holder of the passport or visa is allowed to re-enter the country that granted the visa.¹²

In addition to independent supervision carried out by the Merauke Immigration office, of course supervision is also carried out by involving other elements such as involving elements of CIQS (Custom / Customs, Immigration, Quarantine / Health Quarantine, Fish Quarantine, Agricultural Quarantine, Security / Security). In addition to involving elements of CIQS which incidentally is a Vertical Institution or agency that handles immigration matters, Immigration has also formed a Foreigner Supervision Team (TIMPORA) chaired by the Head of the Class II Immigration Office of TPI Merauke with members from the National and Political Unity Agency, Intel Kodim, Polres, Lantamal, Air Base, Regional Border Management Agency, State Prosecutor, Manpower Service, Population and Civil Registration Service, Culture and Tourism Office, Office of the Ministry of Religion, and the Civil Service Police.

1.1 Administration Supervision

Administrative Supervision is supervision that is carried out through research on letters or documents, in the form of recording, collecting, processing data, and presenting and distributing information manually and electronically, regarding traffic, whereabouts and activities of foreign nationals, and evidence related to identification. immigration.

Based on the results of interviews with the Head of the Immigration Traffic Section as follows:¹³

“We think that administrative supervision is very influential because it provides all the necessary information regarding the identity of oneself or his family in which there is a domicile statement, because from that identity we can find out where the applicant comes from. For example, a resident domiciled in Merauke City, Merauke District, then the person concerned is not the subject of a border crosser. Then the person concerned does not have the right to carry out traditional crossings and the officer has the right and is obliged to refuse the application for the issuance of a Cross-Border Card for the person concerned”.

The same thing was also conveyed by the Head of Person in Charge of the Sota Immigration Post as follows:¹⁴

“administrative supervision is very important considering that at the Sota Border Crossing Post is still traditional, so the crossing is also traditional and only applies to residents who live in the border area, are 17 years old or married, so if there are residents outside the area, Sota border crossing here will apply for a crossing, so I will explain that the person concerned is not from one of the crossing objects, and most of them will understand after I give an explanation.”

¹¹ Republic of Indonesia Law No. 6 of 2011 concerning Immigration Article 1 point 16.

¹² Republic of Indonesia Law No. 6 of 2011 concerning Immigration Article 1 number 18.

¹³ Doni Purwoko interview results, Merauke 05 August 2019, 10:00 WIT.

¹⁴ Charles Hendrik Urop interview results, Sota August 10, 2019, at 15.00 WIT.

On the same occasion, the author also asks for responses to traditional border crossers who often cross the Sota border area, both Indonesian citizens and PNG citizens.:¹⁵

“I am Samzon Hoby, I am a resident of Sota, I often cross next door with various needs, and the biggest need is a family visit, most of my family lives in PNG, so I am a citizen who has the right to cross and is entitled to a Cross-Border Card from the Immigration Post. Sota, and in my opinion managing a Cross-Border Card in Sota is not difficult, the important thing is that there is a self-identity (KTP) which states that I am a resident of Sota, and there are a few interviews conducted by officers, and I think that’s reasonable and maybe it’s one of the things that happened. form of administrative oversight, and I don’t mind that.”

In addition, I also interviewed a PNG citizen, with a little bit of Indonesian who stammered in response to the examination carried out by the Immigration officers against him.:¹⁶

“I went to Sota here with a group, and I as the group leader would shop for basic needs such as rice and vegetable oil, and I passed several checks, one of which was the Immigration check. in Asked about my need to come to Sota and how many days I will be in Sota. And I’m in Sota just going shopping and visiting my family’s house, maybe tomorrow morning I’ll be back in PNG again.”

The results of the interview above can be said that the Immigration supervision of traditional border crossers from the administrative side has been carried out well where this form of administrative supervision is given to the subject of traditional border crossers. So administrative supervision has been carried out when the subject of the border crosser submits an application to the Immigration Office or to the Sota Border Immigration Post.

1.2 Field Monitoring

Field supervision is carried out in the form of monitoring raids, collecting information, searching for people and evidence related to immigration crimes. Field supervision is carried out routinely and in the form of operations. Indications of violations of cross-border defense and security aspects can also be seen by the many found paths of rats that are difficult to detect in border areas with land cover in the form of forest which is misused by a group of people to carry out illegal border crossings. This is due to the not yet optimal service of CIQS cross-border facilities & infrastructure because not all land border areas have adequate PLB.¹⁷

Based on an interview with the Head of the Immigration Enforcement and Supervision Section, the Class II Immigration Office of TPI Merauke, as follows:

“Supervision and control of foreign nationals in general and PNG citizens in particular, in the field we use a combined system that includes two elements, namely the district level and the district level, but there are still some obstacles that we face in the field. For exam-

¹⁵ Samzon Hoby interview results, Sota August 10, 2019, 16.00 WIT.

¹⁶ Waspai Basanga interview results, Sota August 10, 2019, at 16.30 WIT

¹⁷ Insan Firdaus, 2017, Optimalisasi Pos Lintas Batas dalam pelaksanaan Fungsi Keimigrasian, Pusat Pengkajian dan Pengembangan Kebijakan Badan Penelitian dan Pengembangan Hukum dan HAM Kementerian Hukum dan HAM RI. pg. 59.

ple, there are still many people who do not understand our duties, principals and functions as immigration officers, there are still many who are not open if we need information”.¹⁸

At a different time I interviewed Sota Border Immigration Post officers:

“Supervision of foreigners, especially PNG citizens by seeking information from the surrounding community or in lodging places indicated as lodging places for PNG citizens, will be checked for Cross-Border Pass Immigration Documents. If there are illegal PNG citizens without reporting their arrival at the immigration checkpoint or there are PNG citizens who exceed their jurisdiction lines, we will take action by reporting them to the Merauke Immigration office for follow up. Supervision is carried out by means of closed surveillance of PNG citizens in the form of patrols, checking on the rat lane, integrated supervision by CIQS once a month is carried out in border areas such as in the new village of Yanggandur, rat lane, around the Sota and Kaliwanggo borders. immigration will be given a family approach, what we usually do is give a warning and action, deportation after the BAP has been carried out at Merauke immigration,”¹⁹

From the data obtained, the number of traditional border crossers passing through the border immigration posts under the class II immigration office of TPI Merauke is as follows: (Data Tabel 1.2)

Tabel 1.2
Tentang Pelintas Batas Tradisional

BULAN	KONDO				SOTA				ERAMBU				BUPUL				MINDIPTANA				WAROPKO			
	WNI		WNA		WNI		WNA		WNI		WNA		WNI		WNA		WNI		WNA		WNI		WNA	
	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR	LK	PR
Januari					25	7	296	23	18		3		43		4	6								
februari					6	12	208	17	7		11	3	44		20	7								
Maret	5				4	1	249	5	5		5	3	7	2	19	4								
April	5	1			33	15	177	12	5		9		28		30									
Mei			4	1			222	17			5		12	1	21	1								
Juni							584	158					25	3	4									
Juli					15	4	216	65	5	3	11		7	3	27	2								
Agustus																								
September																								
Oktober																								
Nopember																								
Desember																								

Sumber Data Primer : Diolah Tahun 2019

From the data above, it can be concluded that the Sota Border Immigration Post is the entrance to and exit from Indonesia with the most crowded number of crossings, therefore it is necessary to carry out fairly strict supervision. With an average of 12 Indonesian citizens passing through per month and 320 PNG citizens passing through per month, it can be concluded that Sota district is a good enough visit destination for PNG citizens, both family visits and to fulfill basic daily needs, such as clothing and food. PNG residents, especially those living on the border, are still very dependent on Indonesia in terms of meeting their basic needs. They will buy basic needs such as

¹⁸ Izhar Rizky interview results, Merauke, 05 August 2019, 11:30 WIT

¹⁹ Charles Hendrik Urop, interview results, Sota August 10, 2019, at 15.00 WIT.

rice, cooking oil, and other necessities in the Sota district. They will bring prey such as venison, fish, or other items of value and will be exchanged for other goods they need. Sota district is still familiar with the barter system. Sota also has kina exchange services, so if they are going to shop for basic needs in Indonesia, they will exchange their kina money into Indonesian rupiah.

1.3 Supervision at the Sota Cross-Border Post

Basically, the immigration control of traditional border crossers at the Sota border immigration post is the same as the immigration control carried out at the Merauke Immigration Office, which includes: administrative supervision and field supervision. Administrative supervision includes supervision when an Indonesian citizen applies for a cross-border card or cross-border pass, and when a PNG citizen enters the Immigration checkpoint. Red cross-border cards for Indonesian citizens and yellow cross-border cards for PNG citizens are given to the head of the group, while followers can be given separate sheets or commonly referred to as supplements.

Based on data on crossings at the Sota cross-border post, there are very significant numbers compared to other cross-border posts. Of the existing cross-border posts, the most crowded and high-level crossing is the Sota Cross-Border Post. Therefore, extra supervision is needed for the crossing phenomenon which increases over time. Supervision of passers-by in Indonesia includes two main things, namely: entry and exit of people from and from the territory of Indonesia and their presence and activities of foreign nationals in the territory of Indonesia.

In the context of increasing human traffic, the role and function of immigration becomes an important and strategic part, namely minimizing the negative impacts that may arise due to the arrival of foreigners from entering, while in, and carrying out activities in Indonesia until they leave the territory of Indonesia.

Relations between Indonesia and PNG, especially on the Sota border, are very harmonious, this is evident from the data on the existing crossings at the Sota border immigration post. From the results of the author's interview with the Sota Immigration Post officer that every August, the people of PNG will be busy visiting Sota to participate in celebrating Indonesia's Independence Day, as well as in September, where the State of PNG celebrates the anniversary of its independence. living on the border will visit the State of PNG to participate in the celebration of the independence of the State of PNG. Supervision of foreigners while at the Immigration Checkpoint (TPI) is carried out by immigration officials. Immigration officials have the authority to allow or deny foreigners who will enter Indonesian territory.²⁰

*"So the road at Sota here will be crowded in August and September, in August they (PNG citizens) will visit here in order to participate in celebrating the anniversary of Indonesia's independence, and vice versa our people (Indonesian citizens) will visit the other side (PNG).) to participate in celebrating the birthday of the State of PNG. So here the social life has been running harmoniously since the first."*²¹

²⁰ M. Arief Hamdi. Sanksi Bagi Warga Negara Asing Yang Melakukan Penyalahgunaan Bebas Visa Kunjungan. Jurnal Ilmiah Kajian Keimigrasian. vol.2 no.1 edition of April 2019, pg. 85-92

²¹ *ibid*

From the results of the interview, it can be analyzed that the immigration control carried out by the Sota border immigration post is in accordance with the applicable laws and regulations. The perspective of immigration inspection must be seen from the concept of human rights, state sovereignty, border law enforcement, aspects of international law, and the application of information systems. In practice, public services for the implementation of immigration checks must also have a positive impact on a country including an improving and stable economic impact, the creation of multicultural sociocultural conditions, maintaining political stability, establishing cooperation, and conducive national security.²²

1. SUPERVISION FROM CQS RELATED PARTY (Custom, Quarantine, Security)

1.1 Supervision at Customs and Excise (Custom)

This Customs Agency is not a term that has one meaning, but two terms that also have different meanings. Customs itself is an act of levy from the government on exported or imported goods, while excise is a state levy on goods that have the nature or characteristics that have been stipulated in the Excise Law. So, if customs are combined, it means an act of government levies on exported and imported goods as well as goods that have special characteristics.²³ Customs and Excise is defined as the entry of goods from one country to another.

Customs and Excise with a vision and mission to become an international standard service and supervision office, we carry out effective supervision and provide excellent service. And the motto of supervision “ANTS” is agile, energetic, supervising the East End with synergy, modern and tough. The service motto “EYES OF HEART” Serves You Skillfully, Reliable, Warm, Enthusiastic, Best and Sincere.

So the duties and functions of customs at the Cross-Border Post are to formulate and implement policies in the field of supervision, law enforcement, services and optimization of state revenues in the field of customs and excise in accordance with the provisions of laws and regulations. The items that are allowed to enter or leave are: 9 basic necessities, the amount of which cannot be more than 300 US Dollars.

From the results of an interview with the Head of the Hangar and Customs Excise Sub-section, Mr. Izak Noya,²⁴ Customs of the people PNG residents will come to Sota to meet their basic needs, by shopping or by bartering. The people of PNG will bring garden products in the form of tubers, fish, or game meat and exchange them for other necessities such as rice, cooking oil, instant noodles and so on. As for those who are going to shop, they usually use kina as a means of payment. Residents around Sota who do business do not mind if people use quinine as a means of payment, and it is necessary to know that the exchange rate of quinine against rupiah will not be the same every day, but from the results of my research, the exchange rate of quinine against rupiah is quite large, namely 1 kina. valued at Rp. 2,500, - up to Rp. 3,000,-.

²² Ridwan Arifin, Intan Nurkumalawati, Kebijakan Pemeriksaan Keimigrasian Di Indonesia: Bentuk Pelayanan Publik Dan Profesionalisme Petugas Imigrasi. Jurnal Ilmiah Kebijakan Hukum. vol.14 no.2 edition of November 2020, pg. 243-262

²³ <https://www.cermati.com/artikel/bea-cukai-pengertian-fungsi-dan-kebijakan-yang-penting-diketahui>, accessed on 19 August 2019, 18.00 WIT.

²⁴ Izak Noya interview results, Sota 10 September 2019, 11.00 WIT

2.2 Supervision in Quarantine (Health Quarantine, Fish Quarantine, and Agricultural Quarantine)

The definition of Quarantine is a place of isolation and/or action as an effort to prevent the entry and spread of pests and diseases or nuisance organisms from abroad and from one area to another within the country, or their exit from within the territory of the Republic of Indonesia. So the function of quarantine in crossings at the border crossing post is to monitor the entry and exit of pests and disease outbreaks carried both in the body of the passer-by and in his luggage.

There are three types of quarantine work units that oversee each type of quarantine, with different ministries overseeing the three working units, namely;

1). Port Health Office (KKP)

Under the banner of the Ministry of Health of the Republic of Indonesia, the Sota Port Health Office is an extension of the arm or one of the work units under the direct supervision of the Merauke Regency Port Health Office. An office that has duties and functions as prevention of entry and exit of disease, potential disease outbreaks, quarantine, control of environmental health impacts, health services, supervision of drugs, food, cosmetics, and addictive substances.

KKP has at least three scopes of work, namely; prevent disease and health problems, manage health in the airport/port environment, as well as assist local agencies in dealing with problems of disease control and environmental health. Mr. Frederikus Leviter as the person in charge or coordinator of the Sota KKP working area, said that the supervision carried out on the traditional passers-by was carried out directly when the passers-by entered or left, if at the time of the inspection there were found irregularities that referred to an epidemic or infectious disease, it would be Quarantine measures are taken according to the applicable SOP, for example, PNG residents who come are detected with a certain virus, quarantine measures will be taken immediately and if the quarantine party is unable to handle it, they will be referred to the nearest puskesmas or hospital. But so far there has never been a case of quarantine disease in Sota.²⁵

2). Fish Quarantine Office

Fish quarantine is an action as an effort to prevent the spread of pests and diseases found in fish, which if spread can endanger human health as consumers and the environment, including harmful to other types of fish.

Under the auspices of the Ministry of Fisheries and Marine Affairs, the Merauke Regency Fish Quarantine Office oversees the Sota Quarantine Office which is located on the front line of the border.

Based on Government Regulation no. 15 of 2002 concerning fish quarantine carries out its main functions, namely preventing the entry of quarantine pests and diseases of fish into the territory of the Republic of Indonesia, preventing the spread of pests and diseases of fish from one area to another within the territory of the Republic of Indonesia, preventing the release of pests and diseases of fish from one area to another.

²⁵ Frederikus Leviter interview results, Sota 10 September 2019, 12.00 WIT

the territory of the Republic of Indonesia in accordance with the requirements of the importing/destination country.

In general, the forms of quarantine carried out by fish quarantine are as follows: Inspection, Observation, Isolation, treatment, detention, rejection, destruction, release. From the results of an interview with Mr. Tohirin as the person in charge of the Coordinator of the Sota Fish Quarantine work area, he said that:²⁶ administrative supervision at the entrance and exit of Sota is only data collection because at the PNG border itself there is no body that handles this fish, so those from PNG have never brought documents about fisheries even though those brought from there are fish, because here the border is still in nature. traditional so we take policies and still accept them.

3). Agricultural Quarantine Office

The Agricultural Quarantine Agency is one of the Echelon I in the Ministry of Agriculture with the main task and function of preventing the entry, spread and release of Quarantined Animal Diseases and Quarantined Plant Destruction Organisms. Or in a more concise manner, efforts to prevent the entry and spread of animal and plant diseases into the territory of the Republic of Indonesia

For Disota, who at the time of the interview with the person in charge of Sota's working area, Mr. Dias Ramadhani, said that agricultural quarantine handles the issue of quarantine of biological animals and plants that enter or leave the territory of Indonesia. For Disota crossings which are still traditional, the agricultural quarantine only records data as is the case with fisheries quarantine, since PNG residents who pass do not bring documents about animals or plants from PNG because there are no officers at the border of the country who handle quarantine like in Indonesia.

4). Supervision at Security (Pantas TNI / Police)

In the Basic Agreement between the Government of the Republic of Indonesia and the Government of the Independent State of Papua New Guinea on Border Arrangements) which was signed in 2013 in Jakarta and emphasized by special arrangements called special arrangements for cross-border activities traditional and custom between the Republic of Indonesia and Papua New Guinea (special arrangement). The governments of Indonesia and Papua New Guinea impose a Cross Border Card (KLB) for people living on the RI-PNG land border.²⁷ The important role of supervision carried out by security, in this case Pantas TNI and police in border areas, is to maintain security and synergize with the community and related agencies. The following are the functions and duties of Security in the Border Area, namely as a supervisor against the theft of natural resources such as timber theft, theft of fish and marine resources, illegal exploration of energy and minerals. Improve coordination between government agencies involved in securing border areas such as the TNI, Polri, Immigration Office of the Ministry of Law and Human Rights, Ministry of Forestry, Ministry of Marine Affairs and Fisheries, Ministry of Energy

²⁶ Tohirin, interview results, Sota 10 September 2019, 14.00 WIT

²⁷ Samingun Samingun, Julianto Jover Jotam Kalalo, Immigration Law Regulations Against Traditional Border Crossers in the Border Area of Merauke Regency. *Musamus Law Review*, vol.3 no.1 Edition of October 2020, pg. 36-48.

and Mineral Resources, Ministry of Agriculture and Local Government Improve and build an integrated intelligence network in border areas to anticipate the possibility of smuggling of goods, firearms and ammunition as well as drugs, as well as terrorist infiltration and the presence of individuals who can trigger conflict.

From the results of the author's interview with Mr. Edi Setiabudi, as Batih TNI (Administrative Officer) said that: The TNI and the Police are present in the Sota border area as general state security, and in the case of border crossers we are as support from related agencies such as Immigration, quarantine and customs. From the results of the description above, one agency and another are very closely related, so they cannot exist or run independently. The immigration will arrange the travel documents of the person or person. The port health authorities play an important role in terms of viruses or infectious diseases carried by the person. The customs and excise department will coordinate the luggage, whether it is in accordance with the applicable SOP, whether it is prohibited goods, or the number of items brought. Quarantine of fish, animals and plants plays a role in terms of biological control, both coming and going. And security acts as a backup security for both the community and coordinates with the relevant agencies above. In terms of joint supervision, CIQS joint patrols are often held regularly, so as to create synergy between parties in order to create security and supervision in border areas as the gate of the State in maintaining the sovereignty of the nation and the State.

CONCLUSION

The process of monitoring the immigration of traditional border crossers in the Sota border area through two monitoring mechanisms, namely: administrative supervision and field supervision. Migration supervision of traditional border crossers has been carried out where this form of supervision is given to the subject of traditional border crossers. Field supervision is carried out at the Sota Border Immigration Post, which is the entrance to and exit from Indonesia with the busiest number of crossings, therefore it is necessary to carry out fairly strict supervision. Sota district is a good enough visit destination for PNG residents, both for family visits and to fulfill basic daily needs, such as clothing and food. PNG residents, especially those living on the border, are still very compatible with Indonesia in meeting basic needs. There is a need for increased cooperation, both TIMPORA (Foreigner Supervision Team) and CIQS (Custom, Immigration, Quarantine and Security) at the district level, as well as the district in the work area of TPI Merauke Class II Immigration Office.

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