

Research Article

# Analysis of Border Crossing Inspection in Immigration Law at Class I Immigration Checkpoint Tanjung Perak Surabaya

Raden Satrio Wibowo <sup>1\*</sup>, Siti Marwiyah <sup>2</sup>, Wahyu Prawesthi <sup>3</sup>

<sup>1,2,3</sup> Faculty of Law, Universitas Dr. Soetomo, Indonesia, [radenwibowo23@gmail.com](mailto:radenwibowo23@gmail.com)

\* Corresponding Author Raden Satrio Wibowo

**Abstract:** This research examines law enforcement against immigration violations and the factors influencing the effectiveness of border crossing inspection at the Immigration Checkpoint (TPI) of Tanjung Perak, Surabaya. Immigration inspection plays a vital role in safeguarding national sovereignty and monitoring cross-border human movement. Using a normative juridical approach with statutory and conceptual approaches, the findings demonstrate that enforcement procedures include document verification, identification of violations, administrative actions, and deportation in accordance with Law Number 6 of 2011 concerning Immigration. Common violations found include misuse of stay permits, travel document forgery, unauthorized border crossers, and illegal activities by foreign nationals beyond visa provisions. However, implementation still faces challenges such as limited human resources, inadequate infrastructure, and weak inter-agency coordination. Several factors affect the effectiveness of inspections, including personnel quality, technological support, legal frameworks, infrastructure capacity, traveler volume, inter-agency cooperation, political and international relations factors, socio-cultural dynamics, financial and logistical support, as well as internal supervision and accountability systems. The research concludes that institutional capacity building, policy integration, regulatory harmonization, and strengthened internal supervision are essential to ensure optimal immigration control at TPI Tanjung Perak in facing global challenges.

Received: July 16, 2025;  
Revised: September 20, 2025;  
Accepted: November 18, 2025;  
Published: January 13, 2026;  
Curr. Ver.: January 13, 2026.

**Keywords:** Border Crossing; Immigration Checkpoint; Immigration Law; Law Enforcement; Tanjung Perak.

## 1. Introduction

The phenomenon of globalization has created new dynamics in cross-border human mobility. Human exchange occurs not only for tourism and education purposes but also involves labor migration, forced displacement due to conflict, and illegal activities such as human trafficking and people smuggling. This demands a strategic role from immigration institutions in maintaining national stability through inspection and supervision of people moving in and out of the country's territory (Hadi, 2020). In the Indonesian context, the Directorate General of Immigration under the Ministry of Law and Human Rights bears primary responsibility for implementing immigration inspection functions at Immigration Checkpoints (TPI), whether located at airports, seaports, or land border posts.



Copyright: © 2025 by the authors.  
Submitted for possible open access  
publication under the terms and  
conditions of the Creative  
Commons Attribution (CC BY SA)  
license  
(<https://creativecommons.org/licenses/by-sa/4.0/>)

One TPI with a vital role is the Class I Immigration Office TPI Tanjung Perak located at Tanjung Perak Port, Surabaya. As one of the main international ports in Indonesia, this port serves as an entry and exit point for thousands of people daily (Kemenkumham, 2023). Throughout 2023, the Tanjung Perak Immigration Office handled more than 70,000 crossings, consisting of 32,707 people entering and 39,842 people leaving Indonesian territory via sea routes. Additionally, during the same period, there were 2,595 Foreign Nationals (WNA) with stay permits in the office's working area, indicating high interaction intensity between Immigration and foreign subjects. This crossing volume is predicted to increase along with the recovery of post-pandemic global activities and increasing maritime trade and tourism flows.

Immigration inspection at TPI constitutes the first line of defense in detecting and preventing immigration violations and transnational crimes. However, its implementation is inseparable from various challenges, both internal and external. These challenges include limited human resources, delays in information system integration, and increasingly complex and sophisticated international crime *modi operandi* (Sutanto, 2021). Particularly, developments in digital identity technology and document forgery, such as passports and visas, increasingly complicate Immigration officers in accurately identifying individuals through manual inspection alone. Although modernization efforts such as autogate installation and biometric systems have been implemented, the technology implementation has not fully reached all inspection lines.

Additionally, limited coordination among agencies in the Foreign Surveillance Team (TIMPORA) also weakens inspection effectiveness. In some cases, immigration violations such as overstays or visa misuse are only discovered after the foreign national has been in Indonesian territory for some time, indicating that entry point supervision is not yet optimal (Kemenkumham RI, 2022). Equally important, global challenges such as human trafficking and labor exploitation also require Immigration officers' sharpness in profiling passengers who may become victims or perpetrators (Ombudsman R, 2023). Based on this background, this research is important to comprehensively examine how immigration inspection is implemented at TPI Tanjung Perak and analyze factors affecting its effectiveness in facing global challenges.

## **2. Literature Review**

### **Legal Protection Theory**

In legal research, theoretical frameworks serve as conceptual foundations directing the researcher's perspective toward the study object. Legal protection essentially represents the state's responsibility in guaranteeing security, justice, and legal certainty for every individual. According to Satjipto Rahardjo, legal protection constitutes a concrete form of law's function that is not merely repressive but also preventive, namely, preventing violations and providing a sense of security to individuals from the outset. Legal protection encompasses two main aspects: preventive protection provided before rights violations occur, generally in the form of regulation and supervision by the state through fair regulations; and repressive protection provided after violations or harmful legal events occur, aiming to restore conditions to a fair situation through legal mechanisms such as courts or rights restoration.

In Indonesia's legal system, legal protection constitutes a constitutional mandate as stated in Article 28D paragraph (1) of the 1945 Constitution, declaring that every person has the right to recognition, guarantee, protection, and fair legal certainty as well as equal treatment before the law. This principle demonstrates that the state must be present in protecting citizens' basic rights. Therefore, legal protection theory becomes highly relevant in analyzing policies, regulations, and applicable legal practices, providing a framework for examining how legislation and law enforcement institutions can function effectively in protecting people's rights (Friedman, 1975).

### **Legal Certainty Theory**

Legal certainty theory constitutes one of the main pillars in modern legal systems. Legal certainty means that the law must provide clarity, regularity, and predictability for society in carrying out daily life. Without legal certainty, legal norms will lose their authority, and society cannot use law as a guide in acting. Conceptually, Gustav Radbruch, a prominent German legal philosopher, divided legal objectives into three basic values: justice (*gerechtigkeit*), utility (*zweckmassigkeit*), and legal certainty (*rechtssicherheit*). Among these three, legal certainty is a formal and technical value but very important because it becomes the basis enabling law to function consistently (Utrecht, 1980).

In Indonesia, the legal certainty principle is explicitly reflected in Article 28D paragraph (1) of the 1945 Constitution. This provision becomes the normative foundation for all legal products and state policies to provide clarity of rights and obligations for citizens. However, in practice, realizing legal certainty often faces challenges. Overlapping regulations, a lack of synchronization between agencies, or even discriminatory and changing policies can weaken this principle. Therefore, it is important to ensure that every legal regulation is drafted through participatory legislative processes, well-socialized, and has effective supervision and evaluation mechanisms (Baylis et al., 2010).

### **Legal Justice Theory**

Justice theory constitutes one of the fundamental theories in legal science, serving as a moral, ethical, and normative foundation in law formation and implementation. Justice in law means that every individual is treated equally and receives their rights according to their proportion, and does not experience discrimination or arbitrary treatment. In the modern context, John Rawls is a central figure with his theoretical approach known as "Justice as Fairness." Rawls proposed that justice must start from the original position where everyone is in an equal situation, and they will agree on two main principles: first, everyone has equal rights to basic freedoms; second, social and economic inequalities can only be justified if they provide the greatest benefit to the least advantaged (Steers, 1985).

This legal justice theory is highly relevant in Indonesia's legal system, which places justice as the primary goal of law, as reflected in the Preamble of the 1945 Constitution, particularly in the phrase "realizing social justice for all Indonesian people." This demonstrates that Indonesian law not only demands certainty and utility but must also be oriented toward achieving substantive justice. Therefore, by making justice theory part of the theoretical framework, legal research can analyze the extent to which regulations, policies, or legal decisions have fulfilled justice principles that should be the purpose of law's existence itself.

### 3. Research Methods

This research employs a normative research type, where the main objective is to examine or analyze primary and secondary legal materials by understanding law as a set of regulations or positive norms in the legislation system regulating human life (Zakaria et al., 2023). In this research context, the researcher analyzes the implementation of immigration inspection at Immigration Checkpoint (TPI) Class I Immigration Office TPI Tanjung Perak from a normative juridical perspective, referring to national immigration regulations and state administrative practices.

The approaches used in this research are the statutory approach and the conceptual approach. The statutory approach is conducted by examining and analyzing positive legal provisions governing immigration, particularly those related to immigration inspection implementation at Immigration Checkpoints. Reference legislation includes Law Number 6 of 2011 concerning Immigration, Government Regulations, Minister of Law and Human Rights Regulations, and technical regulations issued by the Directorate General of Immigration. Meanwhile, the conceptual approach is used to understand effectiveness concepts in the context of state administrative law and cross-border human movement supervision in the globalization era.

Primary legal materials include Law Number 6 of 2011 concerning Immigration and Government Regulation Number 31 of 2013. Secondary legal materials comprise literature in the form of books, scientific journals, legal articles, and expert opinions relevant to the discussion. Tertiary legal materials include supporting materials that help understand primary and secondary legal materials, such as legal dictionaries and encyclopedias. Legal material analysis in this research is conducted descriptively and qualitatively, by elaborating the content of legislation and relevant legal doctrines, then interpreting and relating them to research problems.

### 4. Results and Discussion

#### Provisions for Border Crossing Inspection in Immigration at Immigration Offices

Immigration law enforcement in Indonesia constitutes part of the national legal system with a strategic role in maintaining state security and sovereignty. In the current globalization era, human mobility between countries is increasingly high, whether for tourism, business, education, or labor migration. This situation creates major challenges for the state in controlling the flow of people in and out, preventing misuse of stay permits, and anticipating security threats that may arise from foreign national crossings (Arga Wijayanto et al., 2023). Indonesian immigration law is regulated through Law Number 6 of 2011 concerning Immigration, which replaced Law Number 9 of 1992. This law serves as the main legal umbrella regulating entry and exit procedures from Indonesian territory, foreign nationals' legal status, and supervision and enforcement mechanisms against immigration violations.

The Class I Immigration Office TPI Tanjung Perak Surabaya becomes one of the strategic TPIs with high crossing traffic levels, especially from international shipping routes. Tanjung Perak Port is the largest port in East Java and serves as the main sea gateway connecting Indonesia with various countries in Southeast Asia and beyond (Dhiba et al., 2021).

Several forms of immigration violations commonly found at TPI Tanjung Perak include: entering or leaving Indonesian territory without valid documents including use of forged passports, inappropriate visas, or no travel documents at all; misuse of stay permits where many foreign nationals enter with visit visas but use the opportunity to work, trade, or conduct other activities inconsistent with visit purposes; overstay or staying beyond the granted permit period; travel document forgery including passport, visa, stay permit, immigration stamp, or other identity document forgery; and people smuggling and human trafficking (Aktivanto et al., 2023).

The legal basis for enforcement against immigration violations includes Law Number 6 of 2011 concerning Immigration with key provisions: Article 75 authorizing immigration officials to take administrative immigration actions against foreign nationals endangering public security and order; Article 78 regulating sanctions for foreign nationals staying beyond stay permit period (overstay); Articles 113-122 detailing criminal sanctions for violations such as entry without going through TPI, misuse of stay permits, and helping others violate immigration provisions; and Article 126 affirming that anyone providing false data or information in immigration document applications can be subject to imprisonment and/or fines. Government Regulation Number 31 of 2013 provides technical implementation details, while Minister of Law and Human Rights Regulations, such as Permenkumham Number 44 of 2015, regulate immigration inspection procedures at Immigration Checkpoints (Annisaa Luthfi Amalia & Sugito, 2023).

### **Law Enforcement Against Immigration Law Violations**

Immigration law enforcement at TPI Tanjung Perak Surabaya is implemented through a series of systematic and structured processes based on applicable legislation. This process is not only administrative but can also develop into criminal legal action if serious violation elements are found. This enforcement is conducted by Immigration Officials with authority to conduct inspection, investigation, and impose sanctions (Nugrawan Suci & Pratiwi, 2023). The first stage in the law enforcement process is primary inspection, conducted on every person intending to leave or enter Indonesian territory. At this stage, immigration officers examine travel document completeness, such as passports, visas, and travel tickets. Inspection is also conducted on biometric data integrated with the Immigration Management Information System (SIMKIM) and the border control management system.

If violation indications or suspicious data are found during primary inspection, the individual will be directed to the secondary inspection stage with more in-depth examination, including document authenticity analysis, background interviews, and verification through immigration information systems. If violations are proven, Immigration Officials can take Administrative Immigration Actions (TAK), including movement restriction to certain areas, placement at Immigration Detention Centers, and deportation. In more serious cases, immigration officers can also conduct investigations as Civil Servant Investigators (PPNS) who have the authority to handle immigration criminal cases. Deportation is the final action taken against foreign nationals who seriously violate immigration provisions, conducted after completing administrative or legal processes and aimed at removing violators from Indonesian territory to their country of origin or third country (Gunawan et al., 2023).

### Factors Affecting Immigration Inspection Effectiveness

Immigration inspection effectiveness at TPI Tanjung Perak is influenced by many factors, both internal and external. The first factor is human resource quality, where the number and quality of immigration officers become the main determining factors for inspection effectiveness. Officers must have competence in document verification, cross-cultural interviewing, biometric technology use, and an understanding of applicable immigration law. Periodic training and capacity-building programs are essential for officers to stay updated with developing violation modes and international crime patterns. The second factor is information technology, where the use of sophisticated technology such as biometric systems, border control management systems, and integration with national and international databases can significantly improve detection capability. However, technology implementation has not yet fully covered all aspects, and there are still system integration obstacles between agencies (Sutanto, 2021).

The third factor is regulations and policies, where the clarity and consistency of immigration regulations greatly affect implementation in the field. Overlapping or unclear regulations can cause different interpretations among officers and weaken enforcement. The fourth factor is infrastructure and logistics, where adequate physical facilities such as inspection buildings, interview rooms, detention rooms, and scanning equipment become the foundation for smooth inspection processes. The fifth factor is crossing volume and characteristics, where high crossing volumes with diverse backgrounds create complexity requiring readiness and high accuracy from officers. The sixth factor is inter-agency coordination, where law enforcement at TPI Tanjung Perak requires synergy with various other agencies such as Customs, Quarantine, Police, Navy, and port authorities. Weak coordination can cause overlapping authority and slow response handling (Dhiba et al., 2021).

The seventh factor is politics and international relations, where diplomatic relations between Indonesia and crossers' countries of origin influence how inspection is conducted. Bilateral or multilateral agreements in the immigration field also affect the inspection scope. The eighth factor is social and cultural aspects, where interaction between immigration officers and border crossers involves social, cultural, and cross-cultural communication elements, which can affect inspection effectiveness and quality. The ninth factor is financial and logistics, where adequate budget allocation and efficient logistics management are essential to support operational activities, supervision, and enforcement. The tenth factor is internal supervision and accountability, where strong internal supervision systems and a transparent accountability culture are fundamental in ensuring all inspection processes proceed according to standard operating procedures and public service principles (Aktivanto et al., 2023).

### 5. Conclusion

Based on the analysis conducted, two main conclusions can be drawn. First, law enforcement against immigration violations at TPI Tanjung Perak has been implemented in accordance with Law Number 6 of 2011 concerning Immigration and its derivative regulations. The law enforcement process includes inspection stages, violation detection, administrative immigration actions, deportation, and prevention if necessary. Common violation forms found include misuse of stay permits, travel document forgery, crossers without official permits, and illegal activities by foreign nationals beyond visa provisions. Law

enforcement is conducted with a professional and procedural approach, although still facing several obstacles such as limited facilities, overlapping authority, and continuously developing legal dynamics.

Second, immigration inspection effectiveness at TPI Tanjung Perak is influenced by many factors, both internal and external. Internal factors include human resource quality, information technology sophistication, regulatory clarity, adequate infrastructure and logistics, and strong internal supervision systems. Meanwhile, external factors include high crossing volumes, crossing character complexity, suboptimal inter-agency cooperation, political and international relations influences, and socio-cultural dynamics around the port area. All these factors are interrelated and directly affect the success of the immigration supervision system in the field.

This research recommends several matters. First, for the Class I Immigration Office TPI Tanjung Perak, it is advisable to continue improving human resource capacity through continuous training, especially in forged document detection, immigration interviewing, and the use of the latest inspection technology. Second, there needs to be improved inter-agency coordination operating in the port area, such as Customs, Quarantine, Police, and port authorities, through regular forums and integrated SOP formulation to avoid overlapping authority and speed up violation handling response. Third, the central government, through the Directorate General of Immigration, needs to adjust immigration regulations with global and local dynamics, including the need for more flexible policy formulation in responding to extraordinary conditions. Fourth, strengthening internal supervision systems and public complaints becomes important to prevent potential abuse of authority by officers and build an accountable and professional work culture. Fifth, the importance of utilizing information technology and inter-agency system integration to accelerate cross-agency identification processes, data exchange, and real-time violation reporting.

**Author Contributions:** Conceptualization, R.S.W. and S.M.; Methodology, R.S.W.; Validation, S.M. and W.P.; Formal Analysis, R.S.W.; Investigation, R.S.W.; Writing – Original Draft, R.S.W.; Writing – Review & Editing, S.M. and W.P.; Supervision, S.M. and W.P.

**Funding:** This research received no external funding.

**Data Availability Statement:** All data generated or analyzed during this study are included in this published article.

**Acknowledgments:** The authors would like to express sincere gratitude to the Faculty of Law, Universitas Dr. Soetomo, and Class I Immigration Office TPI Tanjung Perak Surabaya for support in completing this research.

**Conflicts of Interest:** The authors declare no conflict of interest.

## References

- Aktivanto, L., Mirwanto, T., & Aji, K. P. (2023). Pelaksanaan pengawasan keimigrasian terkait kepatuhan pelaporan perubahan alamat orang asing. *Mimbar Keadilan*, 16(1), 92–102. <https://doi.org/10.30996/mk.v16i1.7726>
- Amalia, A. L., & Sugito. (2023). Peran keimigrasian dalam menangani kasus penyalahgunaan izin tinggal oleh warga negara asing. *Kertha Wicaksana*, 17(2), 93–102. <https://doi.org/10.22225/kw.17.2.2023.93-102>
- Baylis, J., Wirtz, J. J., & Gray, C. S. (2010). *Strategy in the contemporary world*. Oxford University Press.

- Dhiba, H. F., Santoso, M. I., & Julianto, A. (2021). Tinjauan yuridis terbentuknya kerjasama keimigrasian oleh Direktorat Jenderal Imigrasi. *Jurnal Keimigrasian*, 4(1), 89–102.
- Friedman, L. M. (1975). *The legal system: A social science perspective*. Russell Sage Foundation.
- Gunawan, A. R., Sulistyowati, E., & Pratama, R. (2023). Meninjau peran Direktorat Jenderal Imigrasi dalam penanggulangan transnational organized crime. *Jurnal Yustisiabel*, 7(1), 103–117. <https://doi.org/10.32529/yustisiabel.v7i1.2015>
- Hadi, S. (2020). *Globalisasi dan implikasi hukum keimigrasian*. Sinar Grafika.
- Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia. (2022). *Pedoman TIMPORA dan penanganan orang asing*. Direktorat Jenderal Imigrasi.
- Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia. (2023). *Data lalu lintas perlintasan imigrasi Tanjung Perak tahun 2023*.
- Nugrawan Suci, D., & Pratiwi, S. (2023). Analisis yuridis dampak overkriminalisasi dalam penegakan hukum keimigrasian. *Jurnal Ilmu Hukum*, 10(3), 45–58.
- Ombudsman Republik Indonesia. (2023). *Laporan tahunan: Evaluasi pelayanan keimigrasian*.
- Steers, R. M. (1985). *Organizational effectiveness: A behavioral view*. Goodyear Publishing Company.
- Sutanto, R. (2021). Tantangan penegakan hukum keimigrasian di era digital. *Jurnal Ilmu Hukum*, 8(2), 112–128.
- Utrecht, E. (1980). *Pengantar hukum administrasi negara Indonesia*. Ichtiar Baru van Hoeve.
- Wijayanto, D. A., Sihombing, E. H. A., & Setyawan, A. A. (2023). Penegakan hukum tindak pidana keimigrasian penyalahgunaan izin tinggal: Sebuah perspektif kriminologi. *Innovative: Journal of Social Science Research*, 3, 11347–11362.
- Zakaria, R., Sidarta, D. D., & Subekti. (2023). Pertanggungjawaban pidana bagi pelaku tindak pidana penganiayaan di Kota Surabaya. *Court Review: Jurnal Penelitian Hukum*, 3(6), 8–14. <https://doi.org/10.69957/cr.v3i06.1513>