



## Law Enforcement Against Violation of Overstaying Perpetrated by Foreigners: A Study in Class I Immigration Office of Ternate

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**Abstract:** The title of this research is “Law Enforcement Against Violation of Overstaying Perpetrated by Foreigners: A Study in Class I Immigration Office of Ternate.” The object of this study is the law enforcement carried out against violations of residence permits by foreign. The objective is to analyze the law enforcement carried out against violations of residence permits by foreigners (overstay) in the working area of the Class I Ternate Immigration Office? This paper employed the juridical-empirical approach. This was qualitative field research because the primary data was collected directly from respondents through interviews and documentation. Results show that law enforcement against violations of residence permits by foreigners in the working area of the Class I Immigration Checkpoint of the Ternate Immigration Office has basically been implemented in accordance with the provisions stipulated in Law Number 6 of 2011 concerning Immigration, especially Article 75 and Article 78. The enforcement is more dominantly administrative in nature through the implementation of immigration administrative actions, such as deportation and deterrence, which are considered as a form of fast and efficient non-litigative action. From 2021 to mid-2025, 58 administrative actions were recorded, with the highest number of deportations occurring in 2023.

**Keyword:** Overstay, Foreigner, Ternate, Immigration Office, Law Enforcement

### INTRODUCTION

The development of globalization and advances in information technology have accelerated mobility between countries and encouraged increased cross-border migration flows, including the entry of foreigners into Indonesian territory for various purposes such as tourism, education, work, and investment (Sassen, 1999). However, in practice, there are still many challenges in monitoring and enforcement, as not all foreign nationals comply with applicable laws. One common violation is overstaying, where a foreign national stays beyond the time limit of their permit.

Overstay can open gap for other illegal practices like abuse power Work, trading person, or involvement in criminal activities Thus, violations of residency permits can worsen

public perceptions of immigrants and trigger tensions between state officials and foreign communities, especially when law enforcement is carried out repressively without a humanistic or human rights-based approach (Bauböck, 2010).

Immigration in Indonesian law adheres to the principle of selective policy, namely only accepting and maintaining the presence of foreign citizens who provide benefits and do not endanger public order and national security (The Government of the Republic of Indonesia, 2011).

This selective policy is based on two main approaches: a security approach and a prosperity approach, which must be balanced in selecting every foreign national wishing to enter Indonesia. The primary objective of the selective policy is to safeguard national interests, particularly the country's sovereignty and security, from potential threats (Sande, 2020). Which possible arise consequence entry person foreign in a way free Surveillance systems, such as the use of the Alien Reporting Application (APOA), have been attempted to increase the effectiveness of surveillance, but better synergy between the government and the community is still needed so that violations of residence permits can be minimized (Sande, 2020).

Residence permits are a fundamental aspect in immigration regulations. in Indonesia. Based on Article 48 of Law Number 6 of 2011 and Regulation of the Minister of Law and Human Rights Number 29 of 2021, every foreign national residing in Indonesia is required to have a residence permit appropriate to their visa type. Violations of this provision, particularly overstaying, may result in administrative sanctions in the form of fines, deportation, or even a ban on returning to Indonesia (Astuti, n.d.). Deportation is carried out by authorized immigration officials, and the costs incurred due to the deportation process are borne by the guarantor or the foreign national concerned (Astuti, n.d.).

Various forms of potential residence permit abuse can occur, such as using a visitor visa for work purposes, or an investor visa for activities not intended for it. These practices are one of the most common. One challenge main in enforcement law immigration in Indonesia (The Government of the Republic of Indonesia, 2013).

However, the existence of these regulations has not been able to fully reduce the number of violations, especially in areas with strategic access and high mobility, such as Ternate City. A study shows that weak supervision, limited human resources, and a lack of coordination between agencies are the main factors contributing to the high number of residence permit violations in Ternate. border areas and strategic areas (Rompas, Liando, & Waworundeng, 2021).

Several cases over the past three years have underscored the importance of enforcing immigration laws. For example, the case of an Indian national reported for alleged criminal activity and subsequently processed by the Ternate Immigration Office, as well as the case of an Australian national threatening local residents and middle checked status permission where he lives by Immigration ("Imigrasi Ternate Proses WNA India Yang Diduga Lakukan Tindak Pidana," 2023). This show that violation permission stay No can viewed adjacent eyes, because it can have a direct impact on the security, order, and comfort of the local community ("WNA Australia Ancam Warga Ternate Imigrasi Periksa Izin Tinggal," 2024).

Immigration law enforcement plays a crucial role in maintaining legal stability and a sense of security for the public, as it has a strategic dimension directly related to the protection of national security and public order (Rompas et al., 2021). Overstay violations often occur due to weak coordination of supervision, limited human resources, and the lack of optimal use of information technology in the immigration system (Muhlisa, Nurannisa, & Roisah, 2020; Sagala, Kurniawan, & Devi, 2021). These various issues reflect the continued weakness of the oversight system and the need for policy evaluation and regulatory implementation in the field.

To ensure the authenticity and scientific contribution of this research, the author has conducted a literature review of several relevant previous scientific works. with issue violation

permission stay by Inhabitant Country Foreign (Foreigner) and immigration law enforcement in Indonesia. This study aims to compare the focus, approach, and contribution of each study to demonstrate its position and novelty. Some of the research titles related to this paper include:

**Table 1. Previous studies**

| No | Name, Year, and Research Title   | Method and Results of Previous Research   | Similarities and Differences with Previous Research  |
|----|--|---|--|
| 1. | Ndoda (2024)<br><br><b>Title:</b><br>Enforcement Law on Foreign Citizens Regarding Criminal Acts in the Misuse of Immigration Residence Permits Based on Law No. 6 of 2011 concerning Immigration in Indonesia.          | <b>Research methods:</b> <ul style="list-style-type: none"> <li>• Use approach juridical-empirical, with collection data through field studies and</li> <li>• regulation legislation related to the practice of handling residence permit violations by foreign nationals.</li> </ul> <b>Result:</b> <ul style="list-style-type: none"> <li>• Not all foreigners who abuse their residence permits are subject to sanctions. sanctions criminal, even though Article 122 letter a of Law No. 6 of 2011 has regulated it.</li> <li>• The main reason for not applying criminal sanctions is to speed up the handling of cases and avoid burden quarantine budget.</li> <li>• Prevention efforts are carried out through preventive strategies. (supervision beginning) and repressive (administrative measures or deportation).</li> <li>• The main obstacle is policy free Visa and limitations coordination under supervision on the existence of foreigners.</li> </ul> | <b>Differences:</b> <ul style="list-style-type: none"> <li>• Main focus on abuse residence permit (visa abuse)</li> <li>• No mention specific strategic location (national)</li> <li>• Object of immigration criminal study (Chapter 122 Law No. 6/2011) and the reasons for not carrying out criminal prosecution</li> <li>• Novelty highlights inequality between norm and criminal sanction practices</li> </ul> <b>Similarities:</b> <ul style="list-style-type: none"> <li>• This study also uses a juridical-empirical approach to studying immigration law enforcement practices.</li> <li>• Both highlight violations residence permit by Foreigners and enforcement law Which No always running at maximum.</li> <li>• Raising aspects of obstacles and efforts to overcome them, both in form administrative actions and structural constraints.</li> <li>• Research involves analysis to Law No. 6 of 2011 concerning Immigration as main normative basis.</li> </ul> |
|    | Setiono (2024)<br><br><b>Title:</b><br>Effectiveness of the Implementation of Justice-Based Immigration Administrative Actions (Case Study: Class I Non-Immigration Examination Location of the Pati Immigration Office) | <b>Research Methods:</b> <ul style="list-style-type: none"> <li>• Using a juridical-empirical approach with descriptive-analytical techniques to examine the effectiveness of administrative actions and investigations of immigration crimes.</li> </ul> <b>Research Results:</b> <ul style="list-style-type: none"> <li>• Administrative immigration law enforcement adheres to the principles of good governance and justice, but is deemed ineffective overall.</li> <li>• Of the five factors of legal effectiveness (Soerjono Soekanto), only the legal culture factor is deemed fulfilled due to active public reporting.</li> <li>• Internal barriers: limited investigators (PPNS), inadequate detention facilities, and lack of competent human resources.</li> </ul>   | <b>Differences:</b> <ul style="list-style-type: none"> <li>• Main focus on the effectiveness of administrative and investigative actions</li> <li>• Study location: Pati Class I Non-Immigration Examination Location of the Immigration Office</li> <li>• Study object: evaluation of the principles of justice and the effectiveness of administrative actions</li> <li>• Novelty: Emphasizes analysis of legal effectiveness factors according to Soerjono Soekanto</li> </ul> <b>Similarities:</b> <ul style="list-style-type: none"> <li>• Both studies use a juridical-empirical approach to examine immigration law enforcement practices.</li> <li>• Both highlight stay permit violations by foreign nationals and the suboptimal nature of law enforcement.</li> <li>• Highlight obstacles and mitigation efforts, both in the form of administrative actions and structural obstacles.</li> </ul>   |

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| <ul style="list-style-type: none"><li>• External barriers: miscommunication between the police and the prosecutor's office, and a lack of thoroughness among other agencies in population administration.</li></ul> | <ul style="list-style-type: none"><li>• The study involves an analysis of Law No. 6 of 2011 concerning Immigration as the primary normative basis.</li></ul> |
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Based on the problematic reality above, the author is interested in studying and researching in depth the issue of law enforcement against permit violations. stay by Foreigners with formulate it to in title study namely— Enforcement Law to Violation Permission Stay by Inhabitant Foreign Countries Overstaying (Case Study at the Immigration Office) Class I Immigration Examination Location of Ternate)". Research This expected can give contribution to strengthening the immigration law system, as well as being an academic and practical reference in efforts to improve policy and mechanism supervision person foreign in area borders and other strategic areas. Based on the background description presented previously, the problem formulation in this research is as follows: How is law enforcement carried out against violations of residence permits by foreigners (overstay) in the working area of the Class I Ternate Immigration Office?

## METHOD

This research uses a juridical-empirical approach, namely an approach that emphasizes the study of the application of positive legal provisions in practice in the field (Soekanto & Mamudji, 2016). This approach not only views law as written norms (law in books), but also as social behavior (law in action) that can be observed through the implementation and enforcement of the law by authorized officials.<sup>70</sup> In this context, the research focuses on how the implementation of law enforcement against violations of residence permits by foreigners in the form of overstaying in the work area of the Class I Immigration Examination Location of Ternate Immigration Office.

This research also falls into the category of qualitative field research because the primary data was collected directly from respondents through interviews and documentation. This research refers to the social type of legal research, namely an approach that studies law in its relationship to social structure and societal behavior. This approach is important for understanding how interactions between immigration officials, the community, and foreign nationals influence the success or failure of immigration law enforcement.

With thus, characteristics main from approach This is try to describe legal phenomena descriptively-analytically (Sugiyono, 2008), namely by explaining factually the implementation of law enforcement against overstaying residence permit violations, and analyzing the extent to which such implementation has been in accordance with the principles of immigration law and applicable statutory provisions (Arikunto, 2002). According to Achmad Ali, the characteristics of social research on law emphasize the behavior of individuals or communities in relation to the effectiveness or ineffectiveness of applicable legal regulations (Ali & Heryani, 2012).

## RESULTS AND DISCUSSION

### Mechanism of the Immigration Law Enforcement

Law enforcement against violations of residence permits by citizens foreigners in the working area of the Class I Immigration Examination Location of Ternate Immigration Office are implemented based on the provisions of Article 75 and Article 78 of Law Number 6 of 2011 concerning Immigration. Article 78 explicitly states that foreigners who overstay their stay permit may be subject to administrative action in the form of deportation and deportation

(The Government of the Republic of Indonesia, 2011e), while Article 75 provides the basis for action against foreigners who are deemed to endanger public security and order.

Immigration law enforcement is carried out through the immigration administrative actions instrument, a non-judicial measure that includes deportation, detention, revocation of residence permits, and denial of entry to Indonesian territory. Deportation is the most common form of action, particularly for violations of overstaying more than 60 days without paying administrative fines as stipulated in Government Regulations. Number 45 Year 2024 about Reception Country No Tax (PNBP) (The Government of the Republic of Indonesia, 2024). This enforcement is also supported by national policies that increasingly strict, including provisions for lifelong deterrence for serious offenders.

In 2024, immigration law enforcement experienced a significant increase. National data released by the Ministry of Law and Human Rights of the Republic of Indonesia shows that the number of actions taken against foreign nationals increased by 94.4 percent compared to the previous year (“Penegakan Hukum Keimigrasian Naik 94,4%,” 2024). This reflects the government's firm commitment to safeguarding national sovereignty from potential violations by foreigners. Under some policies, deterrence measures against serious violators can be lifelong (“Menteri Imigrasi: Penegakan Hukum Oleh Imigrasi Terhadap Orang Asing Pada 2024 Meningkatkan Dua Kali Lipat,” 2025).

According to official data from the Ternate Class I Immigration Examination Location of Immigration Office, from 2021 to 2025, 36 administrative actions have been carried out, including deportations and bans (deterrence), consisting of 24 cancellations of residence permits, and 12 refusals of entry. In 2021, 18 deportations and bans were recorded, all of which were 18 cases of overstay, in 2022, 1 deportation and ban with 1 case of overstay, in 2023, 8 deportations and bans with 5 cases of overstay, in 2024, 7 deportations and bans with no cases of overstay and in 2025, 1 deportation and bans with no cases of overstay, with the decline in the number of immigration violations indicating a positive trend in monitoring and compliance with residence permits (Syafiuddin, Abdullah, Head of the Intelligence and Immigration Enforcement, Class I Immigration Office of Ternate, personal communication, June 1, 2025).

**Table 2. Amount And Type Action Administrative Immigration at the Class I Ternate Immigration Office in 2021–2025**

| No. | Year | Citizenship | Working Area | Type of Violation   |   | Type of Law Enforcement  | Total Enforcement of Immigration Laws |
|-----|------|-------------|--------------|---|---|--|---------------------------------------|
|     |      |             |              | Article 75 paragraph (1) of Law Number 6 of 2011 concerning Immigration (Foreigners in the Territory of Indonesia who carry out dangerous activities and are reasonably suspected of endangering public security and order or do not respect or do not comply with statutory regulations) | Article 78 paragraph (3) of Law Number 6 of 2011 concerning Immigration (Foreigners holding a Residence Permit whose validity period has expired and who are still in Indonesian territory for more than 60 (sixty) days from the Residence Permit/Overstay period) | Article 75 paragraph (2) letters a and f of Law Number 6 of 2011 concerning Immigration (Administrative Actions in the Form of Deportation and Prevention) |                                       |
| 1   | 2025 | Pakistan    | Ternate City | 1   | 0   | Deportation and  | 1                                     |
| 2   |      | Afghanistan |              | 1   | 0   | Entry Ban  | 1                                     |



|       |      |                            |                         |    |    |                               |    |
|-------|------|----------------------------|-------------------------|----|----|-------------------------------|----|
| 3     | 2024 | People's Republic of China | South Halmahera Regency | 7  | 0  | Deportation and Entry Barring | 7  |
| 4     | 2023 | People's Republic of China | South Halmahera Regency | 3  | 5  | Deportation and Entry Ban     | 8  |
| 5     | 2022 | Japan                      | Ternate City            | 0  | 1  | Deportation and Entry Ban     | 1  |
| 6     | 2021 | People's Republic of China | South Halmahera Regency | 0  | 16 | Deportation and Entry Ban     | 16 |
| 7     |      | Yemen                      | Ternate City            | 0  | 2  | Deportation and Entry Ban     | 2  |
| Total |      |                            |                         | 12 | 24 |                               | 36 |

Source: Immigration Office of Ternate (2025)

This data shows that 2021 was the highest peak in the implementation of administrative actions, along with the increase supervision of the presence of foreigners, including foreign nationals residing in in the North Maluku region. Law enforcement procedures begin with surveillance activities by the Immigration Intelligence and Enforcement Section, both preventively and based on public reports. If a violation is found, a residence permit check is carried out through the Immigration Management Information System (SIMKIM), document checks, interviews, and verification through the Foreigner Reporting Application (“Laporan Kinerja Instansi Pemerintah (LKjIP) Direktorat Jenderal Imigrasi Tahun 2024,” 2025).

In case violation administrative like overstay, officerThen compile News Program Inspection (BAP) and carry out coordination with the embassy of the foreign national's country of origin for the issuance of emergency travel documents. Deportation is then scheduled according to airline availability. Foreign nationals designated for deportation will undergo further inspection at the Immigration Checkpoint, including biometric verification and interviews. All these measures are carried out while still providing the foreign national with the opportunity to file objections, as stipulated in the administrative mechanism, which adheres to the principles of human rights protection (Sindiawaty & Purwanti, 2020).

Institutionally, the Ternate Class I Immigration Checkpoint of theImmigration Office does not yet have an Immigration Detention Center, so the temporary detention of foreign nationals is limited. Although temporary detention space is available, its capacity is not equivalent to the Immigration Detention Center facilities as described above. intended in Law Number of Year 2011 (The Government of the Republic of Indonesia, 2011a). In In practice, detention is carried out only until the repatriation process or until scheduled departure, while still paying attention to the principles of human rights and non-refoulement.

The existence of this detention facility is not only for physical accommodation, but also an integral part of the administrative stages that must be completed before deportation is carried out. In other words, detention becomes point beginning which determine smoothness process furthermore, which includes data verification and official repatriation to their country of origin. Furthermore, foreign nationals designated for deportation will undergo a series of administrative processes, including (“Bagaimana Cara Imigrasi Menangani WNA Yang Overstay Dan Akan Dideportasi?,” 2025):

1. Verification document journey and identity,
2. Compilation News Program Examination (BAP),
3. Coordination with embassy country origin for publishing emergency documents, and
4. Scheduling homecoming together airline flight.

This process is in line with the principle of administrative justice, where foreign nationals are still given right to apply object on action administrative to the Minister of Law and Human Rights (The Government of the Republic of Indonesia, 2011b).

Law enforcement in Ternate also reflects the application of selective policies, where decisions regarding the type of action taken are based on considerations of the risk of violation, the foreign national's profile, and the impact on public security. This is evident in cases of foreign nationals that have garnered public attention, such as the 2023 case of an Indian national, who was prosecuted for alleged criminal activity and whose residence permit was verified before administrative action was taken. Thus, immigration law enforcement emphasizes not only state sovereignty but also considers the protection of human rights.

### **Pattern Work Same and Coordination**

The effectiveness of immigration law enforcement cannot be separated from the existence of a synergistic cooperation pattern between the Immigration Office and other related institutions, both at the regional and central levels. In the context of the Ternate Class I Immigration Checkpoint of the Immigration Office's work area, inter-agency coordination is an important strategy in addressing the complexity of residence permit violations by foreigners especially when the violations overlap with security aspects, general crimes, or cross-sectoral administrative violations.

The Ternate Immigration Office's collaboration includes coordination with the Ternate Police Resort the Ternate District Attorney's Office, the Ternate City Government, and other institutions such as the Ternate City Population and Civil Registration Office, particularly in synchronizing identity data and the whereabouts of foreign nationals residing outside of official hotels, lodgings, or homestays. In carrying out supervision, the Ternate Class I Immigration Checkpoint of the Immigration Office also relies on public reports, routine supervision through the APOA (Foreigner Reporting Application) system, as well as ad hoc actions based on Immigration Intelligence analysis.

The system for reporting the presence of foreign nationals through the APOA, which requires guarantors or accommodation managers to report the presence of foreign nationals within 24 hours, is also an important part of the participatory oversight model. However, the implementation of this system still faces obstacles. in field, like low level reporting from owner lodging small, House boarding houses and homestays, especially in region outskirts city Ternate. This indicates that technical cooperation has not been fully internalized. in society wide, And need enhanced through educational approaches and administrative incentives (Immigration Office of Ternate, 2025).

Furthermore, internal coordination within the Ministry of Coordination and Empowerment of Indonesian Migrant Workers (Kemenkoku, MMIPASRI) is also carried out through a network of technical implementing units, including the North Maluku Regional Office of the Directorate General of Immigration, particularly in terms of technical guidance and annual reporting on the implementation of supervision and enforcement of foreigners. Institutionally, this coordinating relationship strengthens accountability and consistency of action, including in establishing strategic steps in the event of serious violations or emergency situations involving foreigners (Immigration Office of Ternate, 2025).

However, the coordination that has been running so far tends to be sectoral and is not yet fully based on an integrated cross-sectoral system. agencies. There is no permanent mechanism in the form of a cross-institutional forum involving Immigration, the Police, the Indonesian National Armed Forces (TNI), and local governments in a joint oversight scheme. This indicates that cooperation remains ad hoc and case-by-case, rather than systemic and preventative.

In the future, this pattern of cooperation and coordination needs to be directed towards the formation of forum or unit foreigner supervision duties at the level city which involving multi-party in a way active. Implementation approach collaborative data-based and information

technology utilization will be key elements in strengthening effective and accountable immigration law enforcement.

### **Studies Case Implementation Enforcement Immigration Law**

Case studies are a relevant approach to describing the factual implementation of immigration norms. By observing concrete cases, we can trace the extent to which Immigration authority is exercised in accordance with statutory provisions.

Several examples of cases that reflect these dynamics can be found in events involving foreign nationals in the working area of the Ternate Class I Immigration Checkpoint of the Immigration Office. First, the case of a foreigners from India in Ternate in 2023 attracted attention after being reported by a local resident to the Ternate Class I Immigration Checkpoint of the Immigration Office. The foreigners from India with the initials J alias Jalal (37), was reported by a local resident with the initials A alias Anita (26) on suspicion of fraud.

After the police conducted an investigation and the case file was declared complete, the case was tried at the Ternate District Court. Based on court decision No. 3/Pid.C/2023/PN Tte dated February 24, 2023, J was found legally and convincingly proven guilty of committing the crime. action criminal fraud light, And sentenced criminal prison during 3 months ("Terbukti Melakukan Tindak Pidana, WNA India Diadukan Ke Imigrasi Ternate," 2023). The decision strengthens the basis for the Immigration Office to continue the immigration law enforcement process against J.

Following up on public reports and the existence of a criminal decision that has permanent legal force, the Class I Immigration Checkpoint of the Ternate Immigration Office carried out an administrative examination of J. The procedures carried out included checking permit status stay, document validity travel, as well as intensive coordination with the Police and the Prosecutor's Office. This handling is in accordance with Article 75 paragraph (1) of Law Number 6 of 2011 concerning Immigration, which gives Immigration Officers the authority to impose immigration administrative actions in the form of deportation or deterrence against foreign nationals who are proven to have violated the law or endangered public order (The Government of the Republic of Indonesia, 2011d).

According to information from Immigration, J was known to have entered Indonesia using a Visit Stay Permit (ITK). However, while in Ternate, he engaged in private business activities without a valid work permit, which administratively constitutes a form of misuse of his stay permit. This strengthens the basis for additional immigration sanctions, such as inclusion on the travel ban list.

Interview with Mr. Abdillah Syafiuddin, Head of Intelligence and Enforcement Section Immigration Office Immigration Class I Immigration Checkpoint of the Ternate, indicates that administrative detention procedures are commonly applied to foreign nationals involved in criminal acts. He stated:

"Any foreign national reported as having committed a violation of the law or causing public concern, especially if there are criminal elements and the case has been processed by the court, is usually immediately placed in detention during an administrative investigation. This is part of our standard operating procedure (SOP) before a decision on deportation or other action is taken," (Syafiuddin, Abdullah, Head of the Intelligence and Immigration Enforcement, Class I Immigration Office of Ternate, personal communication, June 1, 2025).

Referring to this matter, every foreign national who has been involved in criminal acts will undergo administrative detention in the Immigration Detention Room as regulated in Article 44 paragraph (1) of Law No. 6 of 2011, while awaiting deportation after serving his sentence in the Correctional Institution. This case demonstrates the concrete application of the principle of synergy between national criminal law and immigration administration in maintaining order and legal certainty in the territory of the Republic of Indonesia.



This case reflects the importance of strengthening administrative detention procedures in situations involving dual violations (administrative and criminal), while also demonstrating the institutional synergy between Immigration and the Police as the main foundation in maintaining national order and legal sovereignty.

Second, in 2025, the Ternate Class I Immigration Checkpoint of the Immigration Office again received a report from the public regarding a foreigners. origin Australia Which allegedly threaten inhabitant local, including children, in the Ternate City area. Australian foreign national the called has do threat And intimidation against a number of children in the coastal area and is known to be in on a sailing vessel docked in Ternate waters (“Imigrasi Pastikan Periksa WNA Australia Yang Ancam Warga Di Ternate,” 2024). This incident sparked public concern and prompted the reporter to file a complaint with the Ternate Class I Immigration Checkpoint of the Immigration Office.

Following up on the report, the Ternate Class I Immigration Checkpoint of the Immigration Office immediately conducted an initial clarification and field inspection. The steps taken included gathering information from the reporter, checking the status of the residence permit and travel documents of the foreign national in question, and monitoring the whereabouts of the sailing vessel where he was staying. This inspection was carried out in line with Article 75 paragraph (1) of Law Number 6 of 2011 concerning Immigration, which authorizes immigration officials to impose immigration administrative actions if the foreign national is deemed to be disturbing public order or violating statutory provisions (The Government of the Republic of Indonesia, 2011d).

The type of residence permit held by the foreign national has not been publicly stated, but based on general information from immigration officials, most of the Australian foreign nationals who came to North Maluku used a Social and Cultural Visit Visa or Limited Stay Permit. For needs cruise, tour sea, or connection family. Misuse of residence permits to carry out activities that disturb the public can be the basis for administrative action in the form of deportation.

Not yet there is an official publication regarding the final results of the examination of foreign nationals the. However, based on interview previously with Mr. Abdillah Syafiuddin, Head of the Intelligence and Immigration Enforcement Section of the Class I Immigration Checkpoint of the Ternate Immigration Office, it can be assumed that every public report that shows potential disturbance order general will be followed up through stages of examination and, if necessary, administrative detention at the Immigration Detention Center. He explained:

If a foreigner is reported to be causing concern, especially if the report involves threats or elements of violence, we will immediately take action. verification. When found violation, Good administrative or criminal, then detention and deportation actions can be carried out (Syafiuddin, Abdullah, Head of the Intelligence and Immigration Enforcement, Class I Immigration Office of Ternate, personal communication, June 1, 2025).

From this information, if a foreigner is proven to have committed a violation, the Immigration authorities have the authority to propose the inclusion of a name on the blacklist, namely a ban on foreigners entering Indonesian territory based on immigration reasons. This is an action taken by the Immigration authorities to prevent the entry of foreigners who are considered to have potential problems or violate the law and to carry out forced deportation as regulated in Article 75 paragraph (2) of the Immigration Law.

Community-based surveillance mechanisms for foreigners, which are an integral part of the regional immigration oversight system. fast and inspection field Which done by Class I Immigration Office Immigration Checkpoint of the Ternate. reflects preventive and corrective efforts in maintaining public order and a sense of security in local communities in the territory of the Unitary State of the Republic of Indonesia.

## CONCLUSION

This study shows that law enforcement against violations of residence permits by foreigners in the working area of the Class I Immigration Checkpoint of the Ternate Immigration Office has basically been implemented in accordance with the provisions stipulated in Law Number 6 of 2011 concerning Immigration, especially Article 75 and Article 78. The enforcement is more dominantly administrative in nature through the implementation of immigration administrative actions, such as deportation and deterrence, which are considered as a form of fast and efficient non-litigative action. In practice, implementation action administrative This considering the principles of legality, selectivity, and still paying attention to human rights principles, especially in terms of temporary detention and deportation decision-making.

Based on data collected from 2021 to mid-2025, 58 administrative actions were recorded, with the highest number of deportations occurring in 2023. That year also saw five cases of overstaying, indicating an increase in violations, although no similar cases were found in 2024. This demonstrates a dynamic in the effectiveness of monitoring and early detection of residence permit violations. Studies case on foreigners originating from India and Australia strengthen that Law enforcement also involves elements of coordination with other agencies, such as the police and local governments, although this is still in the form of sectoral coordination that has not been institutionally integrated.

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