The Role of Intelligence, Overcoming People Smuggling in the Illegal Crossing Phenomenon of Indonesian Migrant Workers

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ABSTRACT: This paper is the result of research that discusses people smuggling, where the role of intelligence is to identify the existence of organized crime groups in Indonesia, Batam City. Batam is a city located in the Riau Islands, Indonesia. The city is often used as a location for transnational human smuggling into Malaysia. In discussing this topic, it is also identified how the role of people smuggling crimes that occurred in Batam. The results of this study indicate the need to optimize the role of intelligence in preventing people smuggling. Although the crime of people smuggling is difficult to eliminate, this crime can be minimized by carrying out strict supervision.

KEYWORD: Organized Crime, People Smuggling, Intelligence Comunity.

INTRODUCTION

People smuggling is one of the transnational crimes faced by most countries. People smuggling does not only occur in Europe, this practice also takes place in Asia. Based on data from the United Nations Office on Drug And Crime (UNODC) issued in the "Global Report On Trafficking In Person 2018" edition, it was stated that there was an increase of 40 percent of people smuggling practices in the world in 2016. In this data, UNODC describes the increase in victims of smuggling. People beings are also followed by the phenomenon of an increase in criminals/facilitators who employ these people/victims (UNODC, 2018).

Based on this phenomenon, the arrival of illegal immigrants to a country from certain ports without official documents can cause problems for violating the law, one of which is falsification of state documents and security for themselves. They embezzle state administration such as passports and visas to work. The next implication that arises is a violation of peopleity because immigrants enter and work illegally, do not have good skills so that they are often employed at low prices and without legal protection.

This people smuggling activity is certainly a threat to all countries in the world, including Indonesia. Indonesia as a maritime country with the longest coastline in the world reaching 99,083 km, is also inseparable from people smuggling practices (KKP, 2019). Indonesia has 10 international airports and 5 international ports. The number of exits and exits to and from foreign countries makes Indonesia more vulnerable to illegal immigrants.

Like the arrest of Indonesian Migrant Workers (PMI) in January 2022. The arrests were made for 8 PMIs who wanted to go to Malaysia without documents through the illegal Batam port. This practice is inseparable from the existence of smuggling service providers who facilitate PMI to enter and exit illegally through ports. People smugglers are known to be able to carry out this practice by forming networks at all levels to find out the criminal responsibility of people smugglers according to Indonesian Positive Law (Edwin H:2001). The smugglers will choose a path that is not detected by the authorities to avoid arrest.

In an effort to detect this practice, the Regional Intelligence Community (Intelijen) participates in its prevention. The role of State Intelligence in carrying out efforts, work, activities, and actions for early detection and early warning in the context of prevention, deterrence, and countermeasures against any nature of threats that arise to national security.

METHOD

This research will use a qualitative approach with descriptive analysis. Like many other approaches, the essence of this method is the comparison between facts as they are, with various possible events. In this research, a stage will be carried out whose core activity is to select and find facts relevant to the research to facilitate identification. Researchers will study existing materials to understand mindsets, explore networks that may be built and uncover something behind the existence of illegal immigrants in Indonesia. (Creswell, 2011, pp. 1-2). This research includes basic research to improve the basic understanding of a phenomenon. The analysis of this research starts from the phenomenon of people smuggling that is used by smuggling groups.

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RESULT AND DISCUSSION
Phenomenon of Migrant Workers

Quoted from the Detikbali page, it is not uncommon for criminals to give promises or lure to work somewhere with a fairly large salary, so it is not uncommon for people to want to get the job. Police Commissioner. Nyoman Budiarja as Director of the Water and Air Police (Polairud) of East Nusa Tenggara (NTT) revealed that this activity was able to provide billions of rupiah in profits. This profit is obtained if the victims deposit up to 85 million rupiah. This activity has harmed as many as 26 victims from various regions in Indonesia such as Bali, West Sumatra, East Java, West Southeast, West Java, and Central Java (DetikBali, 2018).

Illegal people smuggling is always influenced by social, economic and global community security conditions. Migration is carried out when an individual or group of individuals wants to seek a better life, both in the economic and personal fields. The majority of victims of PMI activities are lulled by the lure of high salaries and looking for work. Iam as one of the perpetrators of PMI crimes agrees that economic motives are one of the factors that contribute to the rise of PMI activities because of the people's desire to easily get jobs with large salaries without having to fulfill administrative or legal requirements required by the state. Through direct observation, researchers see that the phenomenon of people smuggling can be categorized as a fairly serious crime. This crime ignores other elements and only cares about profit for the organized smugglers. This smuggling organization is widely seen in Batam, however, for ordinary people it is very easy to detect because the location used is on the outskirts of the beach which is insulated by rocks. However, it is possible for people smugglers to use official ports as departure points, the majority of which are non-procedural PMIs.

Based on data, throughout 2022 the number of people smuggling cases reached tens of victims. In January 2022, 8 PMIs were arrested who wanted to go to Malaysia without documents through the illegal Batam port. Commissioner Nugroho Tri Nuryanto explained that the police had arrested 6 suspects and rescued 50 potential migrant workers without documents (Kompas.id). People smuggling is increasingly becoming a business activity carried out by criminals to reap a lot of profit from every action taken. In the interview with the informant, there were actors who had subordinates who were around the port of Nongsa, Batam became spies in seeing the situation and conditions that occurred to be able to carry out smuggling. This crew from Ac*n has the task of observing the phenomenon of the situation when the ship that will be used for smuggling is dispatched.

In addition to a*in, there is also a field coordinator who is a prompter to his superiors to provide information about the current situation and conditions. The field coordinators will report to the Controller / Movers so that they can be used as reference material in securing conditions. As stated in Howard Abadinsky's explanation, one of the factors of Organize Crime is the existence of an industry or entrepreneur, which is in the form of a clearly structured, hierarchical, specialized collectivity (there is a division of labor). The division of labor carried out by smugglers in Batam is the existence of a victim search agent, which is often called salles, then the field coordinator has the task of providing information to the boss to approve it, and the boss will analyze the advantages and disadvantages that will be experienced when receiving information from the field coordinator.

Motives and Methods of Smugglers

Following that thought, the smugglers try to devise a fraudulent strategy to manipulate all means to seek a profit. This is not much different from a business / commercial system. However, these perpetrators do not make their victims / PMI an object of sale. They will provide services or access they have to smuggle prospective PMI no procedural into Malaysia. Apart from Malaysia, they also have access to smuggle non-procedural PMI into Singapore. The profits will be divided according to the responsibilities of members in the organizational structure.

In the context of recognition and power, the perpetrators do have the intention to be recognized in the community, such as the ruler who owns the area. Until now, this dynamic is still happening. The existence of community participation factors in supporting this activity greatly impacts the existence of this group. So what can be confirmed from this actor is to seek power and finance (finacial). No political elements have been found in it, although in some cases they will come into contact with politicians who have interests around the smuggling area.

. The increasing dynamics of people smuggling is due to the existence of "rat port", which is a small port that is managed individually by the community, whether it has a permit (legal) or does not have a permit (illegal). The small port was abused by irresponsible managers to smuggle people in and this activity lasted for a long time. is a small port that is managed individually by the community, whether it has a permit (legal) or does not have a permit (illegal), which is used by the community to become a means of people smuggling. This is in accordance with the explanation of Demetrios (2005) that smuggling of immigrants occurs because there are ports that are not monitored by security forces, both in terms of numbers and locations. These schemes are because the location of the Sea and Coast is the basis for determining population movements which are difficult to detect. Just like in other countries in the European Region there are thousands of illegal immigrants moving by sea. It is also difficult to detect by the maritime security authorities themselves. As for what has happened so far, smuggling (PMI) has occurred because of an illegal port that has existed for a long time in Batam.

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So that activities at the port eventually become a feature, it is even possible for some people to become port workers, a job that their parents have done for generations. This fact is a challenge for port supervisory officers, not including intelligence agencies who carry out investigations for early detection and prevention of actions that disrupt national security. If it is associated with the concept of Organize Crime, the use of illegal media to achieve goals and maintain them is a natural thing. Likewise, the use of illegal or unlawful means or other forms of crime. However, no violence factor has been found in such dynamics.

Threat to National Security

National security is essentially an effort to improve welfare and security. Based on the Indonesian national defense system (Astagatra) which consists of geography, natural resources, demography, ideology, politics, economy, socio-culture, and defense and security, security threats posed by people smuggling that occurred in Batam include defense and security threats, threats to people resources natural wealth, demographic threats, ideological threats, political threats, economic threats, and socio-cultural threats.

Defense and security threats are caused by access to Indonesian territory without the supervision of officers. Besides being able to weaken Indonesia's defense and security system, this action is a violation of territorial integrity. The threat of natural resources due to people smuggling has resulted in foreigners being able to take marine products which are rights for Indonesian citizens. Demographic threats can also occur due to people smuggling who stay for a long time and grow into unofficial residents of Batam. The ideological threat arises because smuggled people come from other countries who can bring ideological ideas that are contrary to the ideology of the Republic of Indonesia.

Political threats can arise due to political tensions between countries when citizens of the home country are treated unfairly by the destination country. This can damage diplomatic relations between countries. Meanwhile, economic threats can occur when people smuggling occurs simultaneously with the smuggling of necessities. This can disrupt the distribution of goods, tax revenues, and the trust of authorized traders (importers) to the Indonesian government. As well as socio-cultural threats can also occur when people smuggling brings narcotics and prostitution practices that can cause disruption of the socio-cultural joints in Batam. National security is essentially an effort to improve welfare and security. Based on the Indonesian national defense system (Astagatra) which consists of geography, natural resources, demography, ideology, politics, economy, socio-culture, and defense and security, security threats posed by people smuggling that occurred in Batam include defense and security threats, threats to people resources natural wealth, demographic threats, ideological threats, political threats, economic threats, and socio-cultural threats.

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Intelligence

The role of Intelligence in dealing with people smuggling cases is in line with the Intelligence Turning Wheel (RPI) process with the aim of carrying out early prevention and early detection through Investigation, Security and Initiation. However, the findings in the field when carrying out investigations were carried out by Intelligence members trying to collect information marked from 2019 Intelligence data information, the members were unable to collect this information comprehensively. This is because there are Intelligence members from K/L who incidentally will send first to their superiors. So that it becomes an obstacle in the cycle of Intelligence, namely information processing and information analysis. The impact of these dynamics, strategic Intelligence has not yet been seen. Policies in preventing people smuggling are based on their respective agencies. If viewed from the concept of Strategic Intelligence itself, Intelligence should be able to answer challenges when policies at the regional level are implemented.

In dealing with people smugglers, the involvement of government officials at the port makes this group more sensitive to officers. The eyes and ears of the smugglers are these former officers. So that all activities related to the police investigation will be known in advance by this person. Given the large number of involvements of the general public in people smuggling, the fundraising conducted by Intelligence has experienced difficulties because it has not used appropriate motivation/reward-based fundraising so that the public has not provided optimal information. On the other hand, people earn money when they hide information related to smuggling. Batam intelligence is also hampered by the available facilities and infrastructure. One of them is that intelligence does not have the technology to get to illegal ports.

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CONCLUSION

People smuggling is a form of organized crime and is transnational in nature. People Smuggling in Batam has been going on for a long time. There are no exact figures on the number of smuggling cases that occurred, but in January 2022, 56 cases of people smuggling failures were found, consisting of illegal, or non-procedural, Indonesian Migrant Workers. In the context of people smuggling that occurs in Batam, the perpetrators use several patterns that they have mastered, such as taking advantage of the many "rat ports", namely small ports that are managed by individuals or illegal ports that are often found around Batam. Batam has 33 legal ports that are managed by individuals, and dozens of illegal ports without the supervision of the authorities. The use of illegal ports controlled by the community as a strategic location to deceive security officers. Supervision and early prevention efforts from the Intelligence and related officials have been carried out with the facilities and infrastructure they have, but the obstacles experienced by the officers are the existence of an illegal port that is covered with high rocks making it difficult to reach it.

People smuggling also uses mutually beneficial networks. It is not uncommon for people smuggling to be used as a source of livelihood because in many cases, these smugglers have to pay brokers for transportation and accommodation costs. Supported by Indonesia's strategic geographical and cultural location, making Indonesia a transit destination country which later became an alternative destination country. Then in the development of the smuggling process, it is not uncommon for the community to also be involved as providing "protection." When security forces carry out inspection operations, these smugglers hide in people's homes as a camouflage tactic to trick the pursuit of officers. Usually people will protect them under the pretext that they are guests or visiting relatives. For this protection, the community gets paid as the cost of "protection services". This of course becomes an obstacle for the authorities to carry out surveillance.

People smuggling as an organized crime uses several posts guarded by one person in charge. These people in charge will report every activity that is around the location, both at sea and at illegal ports. The involvement of former officers in it makes this group more sensitive to officers. The eyes and ears of the smugglers are these former officers. So that all activities related to the police investigation will be known in advance by this person. This is one of the obstacles for Intelligence in conducting investigations, security and fundraising.

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