

Assessing Legal Challenges on Passport Issuance Process in Indonesia as Transnational Crime Prevention by Using CIPP Analysis

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ABSTRACT

The Directorate General of Immigration is one of the agencies within the Ministry of Law and Human Rights, Republic of Indonesia. The technical tasks carried out by an Immigration service provider is to issue the Republic of Indonesia Travel Document (DPRI) or Passport. However, in issuing passports, two functions run simultaneously, which are public service providers and immigration law enforcement. This study will identify legal obstacles in the process of issuing passports at the Immigration Office Class II Non-TPI Tasikmalaya, using passport refusal data, interview, and Customer Satisfaction Index (IKM) in the period January to November 2021, which were analyzed using qualitative doctrinal law methods, through policy evaluation with the scheme Context, Input, Process, and Product (CIPP). The results of this study are that there are no legal issues in the implementation of the passport issuance SOP, where the average evaluation score reaches 19.88 out of 20 (very good). On the other hand, several challenges need to be observed to reduce criminal acts between countries, namely: (1) The condition of the system facilities that need to be improved to support the adjudication function, which potentially slipped away the applicant who are in the blacklist (2) There is no interview guide for officers as a legal basis for justifying applicants who will work. non-procedural and other potential transnational crime, and (3) The need for confirmation through communication media regarding additional requirements, such as letters of recommendation if intending to work, to avoid potential legal claims.

Keywords: CIPP, Immigration, Human Trafficking, Indonesia, Law Enforcement, Passport.

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I. INTRODUCTION

A. Backgrounds

Migration-related issues are still becoming the main challenges faced by many countries today. According to the UNHCR report 2020, more than 272 million people are migrants, equal to 3.5 percent of the world population (McAuliffe & Khadria, 2020). In 2021, 89.3 million people are forcibly displaced, whereas 27.1 million of them are refugees, and 4.6 million of them are asylum seekers, who are categorized as undocumented migrants (UNHCR, 2020). The rising number of migrants worldwide is highly correlated with transnational criminal activities, because most of the world's migrants are living in uncertainty, and are easily involved in illegal activity (Light & Thomas, 2021). The transnational crime, which can be divided into several forms, such as drug trafficking, human trafficking, and smuggling of migrants, is contributed more than 1.5 percent of the world *Gross Domestic Product* (GDP), or 873 US \$ billion in 2009 (Globalized & Economy, 2009).

Along with trafficking activities, transnational crime, especially related to terrorism has grown substantially in recent years. In 2017, 95 percent of all terrorism fatalities occurred in the Middle East, Africa, and Southeast Asia (First, n.d.). From 2007 to 2017, the victims and instances of terrorism have shown growing tendencies, as seen in Table I below.

The trends of the victim convicted of trafficking in person also still show an increasing trend in the southeast Asia country. Based on the data United Nations Office on Drugs and Crime (UNODC) about the human trafficking activities in the Association of South East Nations (ASEAN) member countries, which consist of Indonesia, Thailand, Myanmar, Singapore, Malaysia, Brunei Darussalam, Laos, Vietnam, Cambodia, and The Philipines, the trends of the reported cases, on human trafficking related crimes can be shown in Fig. 1.

TABLE I: NUMBER OF TERRORISM VICTIM FATALITIES WORLDWIDE FROM THE YEAR 2007 TO 2017

Region	Year	Number of Victims
World	2007	12824
World	2008	9157
World	2009	9273
World	2010	7827
World	2011	8246
World	2012	15497
World	2013	22273
World	2014	44490
World	2015	38853
World	2016	34871
World	2017	26445

Source: Ritchie *et al.* (2013).

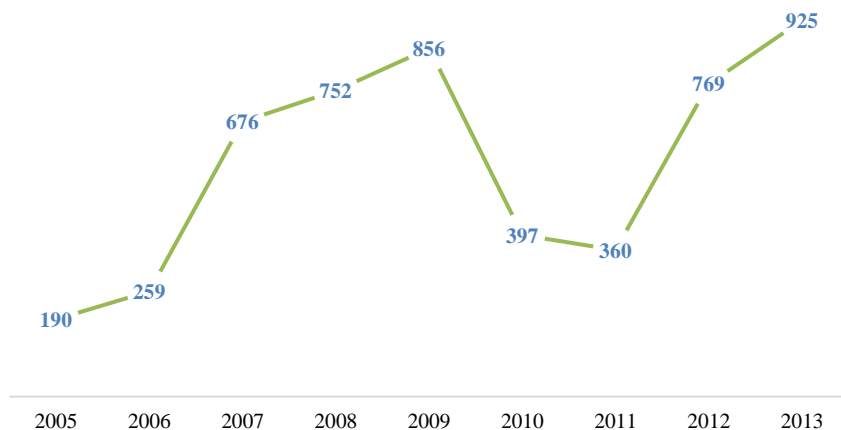


Fig. 1. Reported cases of human trafficking in South East Asia from 2005 to 2013.
Source: UNODOC (2020); Globalized & Economy (2009).

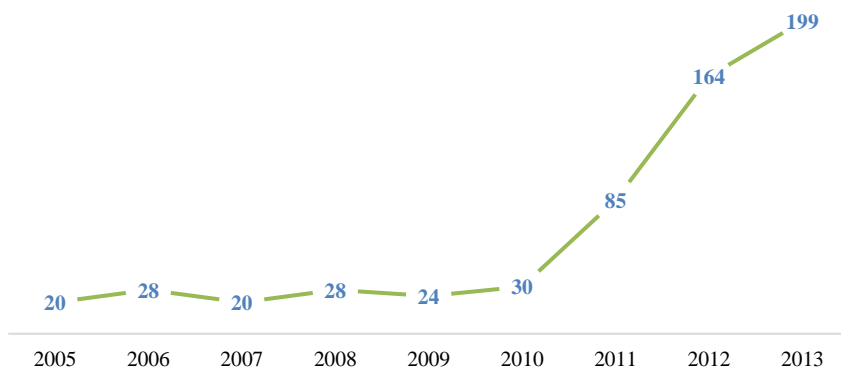


Fig. 2. Reported cases of human trafficking in Indonesia from 2005 to 2013.
Source: UNODOC (2020), Globalized & Economy, (2009).

From the data above (Fig. 1), the transnational crime and terrorism activities related cases are still ongoing in Southeast Asia territory and show an increase in trends. In Indonesia, one of the ASEAN member countries, the related cases of human trafficking also show similar trends as mentioned in ASEAN, which can be shown in Fig. 2.

To minimize the effects of transnational crimes and terrorism activities which have shown an escalated trend, the authorities must take apart to tackle this situation. In Indonesia, human trafficking prevention is regulated by Law No. 21/2007 regarding the Eradication of the Crime of Trafficking in Persons. Based on that law, human trafficking can be described as the act of recruiting, sending, transferring, harboring, or receiving a person employing the threat or use of force, coercion, fraud, forgery, abuse of power, paying, or debt bondage to obtain the consent of a person having control over the person. other matters, whether carried out between countries or within countries, to exploit or cause people to be exploited.

Directorate General of Immigration, Ministry of Law and Human Rights of Republic Indonesia has been given the mandate by the Indonesia government to implement the eradication of human trafficking based on the principle of the selective policy, in line with the Immigration Law No.6/2011(Putra & Wiraputra,

2020). The selective policy is applied to the foreign citizen and Indonesia nationals, for the foreign citizen, only foreigners who provide benefits and do not endanger security and public order will be allowed to enter and be in the territory of the State of Indonesia, this condition is becoming more strict for the calling visa countries, on the other hand, for the Indonesian nationals, only the Indonesian who meet the requirements who can travel aboard for the specific reason (Sande, 2020). To support the selective policy, the directorate general of Immigration, based on the Law have the 4 main functions, whereas public service, Law Enforcement, National Security, and Community welfare development facilitation. The process of passport issuance is present in the immigration function as public service and law enforcement agencies.

In accordance with Immigration as a public service, passport issuance processes should follow the public service delivery standard, which is regulated by Law No. 25 of 2009 on public services. Based on the law, in article 20, the public services must run into a standardized service, carried out with the principle of non-discrimination, directly related to the type of service, having competence, prioritizing deliberation, and paying attention to diversity. Also, based on article 38, the citizen can complain and evaluate the service, and if the citizen is not satisfied, the officers can be penalized. In addition, the passport issuance process also should follow the Law. 52/2014 about the Guidelines for Development of Integrity Zones Towards a corruption-free Area and A Clean and Service Bureaucracy Area in Government Agencies, which standardized the service infrastructure, the standard operational procedures (SOP), and the complaint management system, which evaluated by the citizen as regulated by the Law No. 14/2017 about the customer satisfaction survey (IKM).

On the other hand, in line with the selective policy, to minimize the transnational crimes which may be involving Indonesian, there is a law enforcement function carried out during the passport issuance procedures. In the regulation of the Minister of Law and Human Rights, No.8/2014, in Article 30, the passport issuance can be canceled because of several reasons, those are: (1) The passport was obtained illegally; and (2) The holder provides false or incorrect information. The illegal passport, which is related to counterfeiting activities can lead to transnational crimes and contribute to 40 percent of human trafficking-related crimes such as illegal working and sexual slavery in Southeast Asia (Mulyana, 2020). In line with those issues, knowing that many asylum seekers are utilizing fraudulent documents and false information to obtain their passports (Smith, 2003).

Tasikmalaya Immigration office is one of the major offices in the West Java Area, Indonesia which also serve passport issuance, in accordance with the principle of public service and law enforcement. The analysis in this research will be divided into two parts, First, the CIPP analysis on Standard Operational Procedures (SOP) on the Process of conducting the new passport issuance process, number: IMI-GR.01.01-1102 which started to be in force on 26 June 2013 will be performed to understand the legal aspect of the implementation of the designated procedures. Secondly, after the CIPP analysis is conducted, the legal challenges that may appear in every step will be identified precisely by using not only the doctrinal analysis but also the primary data obtained from the Tasikmalaya Immigration Office during the period from January to November 2021.

B. Research Questions

Based on the description above, the formulation of the problem discussed in this research is as follows:

- 1) How effective are the passport issuance procedures carried out in Tasikmalaya Immigration Office evaluated with the CIPP analysis?
- 2) What are the identified legal challenges related to the transnational crime potential in the passport issuance process in the Tasikmalaya Immigration Office?

II. RESEARCH METHODOLOGY

A. Approach

This research is conducted with qualitative analysis. The goal of qualitative analysis is to examine objects in their natural environments, comprehend and interpret their social reality, and give feedback on many elements of social life (Kristina, 2016). It is concerned with people's emotions, perceptions, and experiences. It differs from quantitative research in terms of data kind, theoretical foundation, and data-gathering instruments used. Qualitative legal research should include a description of the social situation, interpretation of social facts, verification of assumptions, and policy assessment. Its phases include question formulation, data collecting instrument selection, sampling, data collection, analysis, and interpretation.

The qualitative analysis will be conducted by using the Context, Input, Process, and Product (CIPP) analysis method in the framework of evaluating the Standard Operational Procedures (SOP) in the Process of conducting the new passport issuance process, number: IMI-GR.01.01-1102 started to be in force on 26 June 2013. To form the qualitative research, following the CIPP framework analysis, the two steps analysis will be conducted. First, is the evaluation of the Standard Operational Procedures (SOP) on passport issuance achievement in public service, which will be evaluated with the Customer Satisfaction Index

(IKM) survey. Secondly, the legal challenges of passport issuance will be evaluated with the passport cancelation data and deep interviews with the analyst from the Tasikmalaya Immigration office.

B. Data Collection Method

The data used in this research are collected by using the questionnaire, interview, and observation of the passport issuance process. In the detail, the data used in this research can be described as follows:

1) Customer satisfaction index (ikm) data

The IKM data used in this research is collected by using the questionnaire based on the Regulation of the Ministry of State Apparatus Empowerment and Bureaucratic Reform No. 14/2017 about the customer satisfaction survey (IKM), which evaluated the following services (Table II):

TABLE II: ASSESSED SERVICES ON THE CUSTOMER SATISFACTION SURVEY (IKM)

No	Assessed Service	Questionnaire Category
1	Requirements	A
2	Systems, Mechanisms and Procedures	B
3	Completion Time	C
4	Fees/Tariffs	D
5	Product Specification type of service	E
6	Implementing competence	F
7	Executor behavior	G
8	Handling of Complaints, Suggestions and Input	H
9	Facilities and infrastructure	I

Sources: Authors from the Regulation of the Ministry of State Apparatus Empowerment and Bureaucratic Reform No. 14/2017.

The questionnaire to assess those services was filled by the passport applicant at the Tasikmalaya Immigration Office as the survey population, using the links as follows <https://survei.balitbangham.go.id/>. The number of respondents was chosen by using Krejcie and Morgan sampling table (McNaughton & Cowell, 2018). Then the number of samples to evaluate the process of passport evaluation can be determined as follows (Table III):

TABLE III: NUMBER OF THE IKM SURVEY RESPONDENTS

Months	Number of Passport Applicants	Number of Sample
January	1013	278
February	1016	278
March	1088	278
April	414	226
May	334	226
June	443	205
July	211	40
August	546	225
September	572	226
October	887	278
November	445	40

Source: Authors from the Tasikmalaya Immigration Office IKM Report.

The data above was collected from January to November 2021 and used in this research as one of the analysis aspects of the CIPP method analysis framework.

2) Passport rejection dataset

The second data used in this research is the Tasikmalaya Immigration Office Passport rejection dataset, the datasets contain the data, such as (a) Date when the suspension is charged, (b) On which stages the passport is suspended, (c) The data of the applicant whom passport is suspended, and (d) The reason why the applicant passport is suspended. The data obtained from 4 January to 30 November 2021, contains 675 applicant profiles whose passport is suspended. This data will be used to identify the legal challenges, in the framework of the CIPP analysis.

3) Unstructured interview

The third data on identifying the legal challenges is the conducting of the interview. This is the most popular data gathering format in qualitative research. Oakley defines qualitative interviews as a form of a framework in which practices and norms are not just documented, but also attained, questioned, and reinforced. Because no research interview is without structure, most qualitative research interviews are semi-structured, lightly structured, or in-depth. This study used unstructured interviews, which enable respondents to express themselves in their manner and at their own pace, with little control over their comments (Jamshed, 2014).

The interview was done by asking the 2 respondents (T-Immigration Analyst who receive the documents, Y-Immigration analyst who conduct the interview and biometric process) who work as the immigration analyst about the most challenging process of passport issuance based on the Standard Operational Procedures (SOP) in the Process of conducting the new passport issuance process number: IMI-GR.01.01-1102 between 20 to 25 May 2022. The Interview data will be used to evaluate the legal challenges which occurred in the SOP implementation using the CIPP analysis. After collecting the data needed to conduct the analysis, then the next step is to explain how the qualitative analysis is performed by using the CIPP approach which was developed by Stufflebeam as the legal challenges analysis framework.

C. Data Analysis

The data collected will be analyzed by using the CIPP evaluation paradigm, to evaluate the Process of conducting the new passport issuance process number: IMI-GR.01.01-1102, CIPP is used in this study since it is widely recommended in assessment, particularly to evaluate the implementation of the specific Standard Operational Procedures (SOP). The goal of this research is to assess the objectives of each step (*Context, Input, Process, Product*). CIPP is a four-stage review that includes context evaluation, input evaluation, process evaluation, and product evaluation. In the legal framework, the CIPP is explained in Table IV as it follows (Birgili & Kırkıç, 2021):

TABLE IV: CIPP ANALYSIS IN THE LEGAL FRAMEWORK TO ANALYZE THE PASSPORT ISSUANCE PROCESS

Stage of Implementation	Description
Context Evaluation	This evaluation context helps plan decisions, and determine the legal basis and regulation established to support the implementation of the Standard Operational Procedures (SOP) in the Process of conducting the new passport issuance process number: IMI-GR.01.01-1102.
Input Evaluation	This evaluation is focusing on the organization's readiness in implementing the SOP, by analyzing the technical equipment, personnel capabilities, and management system in conducting the passport issuance process.
Process evaluation	Process evaluation is directed at how far the activities carried out in the program have been carried out according to plan. Product evaluation is directed at things that show changes that occur in inputs. The three objectives emphasized in process evaluation are 1) detecting or predicting the procedure design or implementation design during the implementation phase 2) providing information for program decisions and as a record or archive of procedures that have occurred by analyzing every stage of the Standard Operational Procedures (SOP) in on the Process on conducting the new passport issuance process number: IMI-GR.01.01-1102 implementation to understand the legal challenges which appeared and potentially disturbing the process based on the collected data; 3) Identifying challenges and obstacles in SOP implementation.
Product evaluation	Product evaluation to help further decisions, what results have been achieved product evaluation to help make further decisions, both regarding the results that have been achieved and what to do after the program runs by analyzing the implementation of the Standard Operational Procedures (SOP) in on the Process on conducting the new passport issuance process number: IMI-GR.01.01-1102 using the Customer Satisfaction Index (IKM) as the main indicator.

Source: Authors analysis, CIPP for the legal studies (Birgili & Kırkıç, 2021; Hakan & Seval, 2011).

The CIPP as the analysis framework is very widely used mostly in policy and process analysis. In 2021, the CIPP was used for evaluating the village funds policy, which concluded that the process is 87.51 percent effective and found if the accountability challenges are still happening and suggested changing the SOP (Kaharuddin & Rusli, 2021). Also, CIPP is used in the evaluation of the education program, the most important finding is the CIPP is identified if the distribution of the Indonesia Smart Card or Kartu Indonesia Pintar mostly has a wrong target at the funds distribution phase (Hamdi *et al.*, 2020). In the immigration field, the CIPP analysis has been used in forming the effective Standard Operational Procedures (SOP), in the Establishment of the Brebes Immigration Office Working Unit, which cooperated with the local government, the CIPP analysis has successfully identified the challenges in forming the working unit, such as the legal problem in the division of authority (Jazuli, 2020). The previous research has proven that the use of CIPP analysis to evaluate the Standard Operational Procedures (SOP) in the Process of conducting the new passport issuance process number: IMI-GR.01.01-1102 is effective.

III. RESULTS AND DISCUSSION

The CIPP analysis is one of the best practices for evaluating procedures and processes, which consists of 4 main stages of analysis, which are: Context, Input, Process, and Product (CIPP) analysis (AbdiShahshahani *et al.*, 2015). *Context evaluation* is an attempt to describe and detail the environment, in this analysis, the context will analyze the existing legal basis for performing each procedure in passport issuance. *Input evaluation* is an evaluation that aims to provide information to determine how to use the available resources in achieving program objectives. Input evaluation includes personal analysis related to

how the use of available resources, and alternative strategies that must be considered to achieve a program. Identify and assess system capabilities, alternative program strategies, design procedures for implementation strategies, financing, and scheduling. *Process evaluation* is an evaluation that is designed and applied in the practice of implementing activities and identifying procedural problems in managing events and activities. Every activity is monitored for changes that occur honestly and carefully. The recording is useful for determining follow-up improvements and determining the strengths and weaknesses or the relevance of the program to the results found. *Process evaluation* refers to what activities are carried out in the program, and who is appointed as the person in charge of the program when the activities are carried out will be completed. Process evaluation is directed at how far the activities carried out in the program have been carried out following the plans and guidelines set. *Product evaluation* is an evaluation used to measure the success of achieving goals. This evaluation is a record of the achievement of results and decisions for improvement and actualization.

In Indonesia, the immigration legal basis is Law No.6/2011 concerning Immigration. Based on article 1 (16), a passport can be described as a document issued by the Government of the Republic of Indonesia to Indonesian citizens to travel between countries which is valid for a certain period. Moreover, is stated in Article 31 (1) that the Minister or the appointed Immigration Officer has the authority to withdraw or revoke ordinary passports, travel documents like passports, and cross-border travel documents or cross-border passes that have been issued. Furthermore, not every Indonesian citizen is eligible to have a passport as a travel document, only those who meet the requirements can obtain a passport.

The technical details for the Indonesian citizen to obtain a passport, are regulated by the regulation of the Ministry of Law and Human Rights, No. 8/2014 about ordinary passports and travel documents like passports. The minimum requirement to obtain an Indonesian passport based on article 4, can be described as follows:

- 1) Valid identity card or certificate of moving abroad.
- 2) Family card.
- 3) Birth certificate, marriage certificate or marriage book, diploma, or baptism certificate.
- 4) Indonesian citizenship letter for Foreigners who acquire Indonesian citizenship through citizenship or submission of a statement to choose citizenship by the provisions of laws and regulations.
- 5) A letter of stipulation for change of name from the authorized official for those who have changed their name.
- 6) Previous ordinary passport for those who already have a regular passport.

Based on article 9 (4), if the mandatory documents provided by the applicant didn't meet the requirements, the designated Immigration Officer returns the application documents, and the application is considered withdrawn. Also, based on Article 25, the designated immigration officer can withdraw the passport if the holder is having been declared a suspect by the competent authority for a criminal act punishable by a minimum sentence of 5 (five) years or a red notice that has been outside the Indonesian Territory, and the passport holder was on the blacklist.

The Passport also can be canceled, as regulated in article 30, by following these circumstances:

- 1) The ordinary passport was obtained illegally.
- 2) The holder provides false or incorrect information.
- 3) The holder dies during the issuance process.
- 4) Not taken within 1 (one) month from the date of issue; or
- 5) Errors were damaged during the issuance process.

To make sure the process of passport issuance is well managed and follows the fair process principles, the policies, methods, and standards required for the organization's success are provided through standard operating procedures (SOP), which is the SOP number: IMI-GR.01.01-1102 which started to be in force on 26 June 2013. In summary, the general process can be described in Fig. 3 (Imigrasi, 2013).

Based on the previous research, the implementation of the SOP of passport issuance at the Surabaya Immigration office, which was performed by using the *tangibles, responsiveness, and customer care* indicators concluded to be very effective (Samsara, 2013). Also, in the Surakarta Immigration office, the SOP is performed very well, by increasing the issuance speed and removing discrimination by using the online database, which decreases the subjectiveness analysis performed by the Immigration Officer (Nugraha *et al.*, 2020). However, after conducting the literature research, the author didn't find any publications which analyze the SOP identification on the challenge of implementation by using the CIPP analysis, then this research is filling the research gap.

The CIPP analysis of the passport issuance process will be conducted in 4 main steps, which are: context, input, process, and product analysis. Furthermore, following the SOP is considered very important in terms of law activities, because procedural values extend beyond fundamental concepts such as the assurance of an impartial judiciary or the right to present and debate the evidence (All & Corcoran, 2011). They include the right to argue in court about what the law is and how it should apply to one's particular situation. The CIPP analysis carried on by following steps as follows:

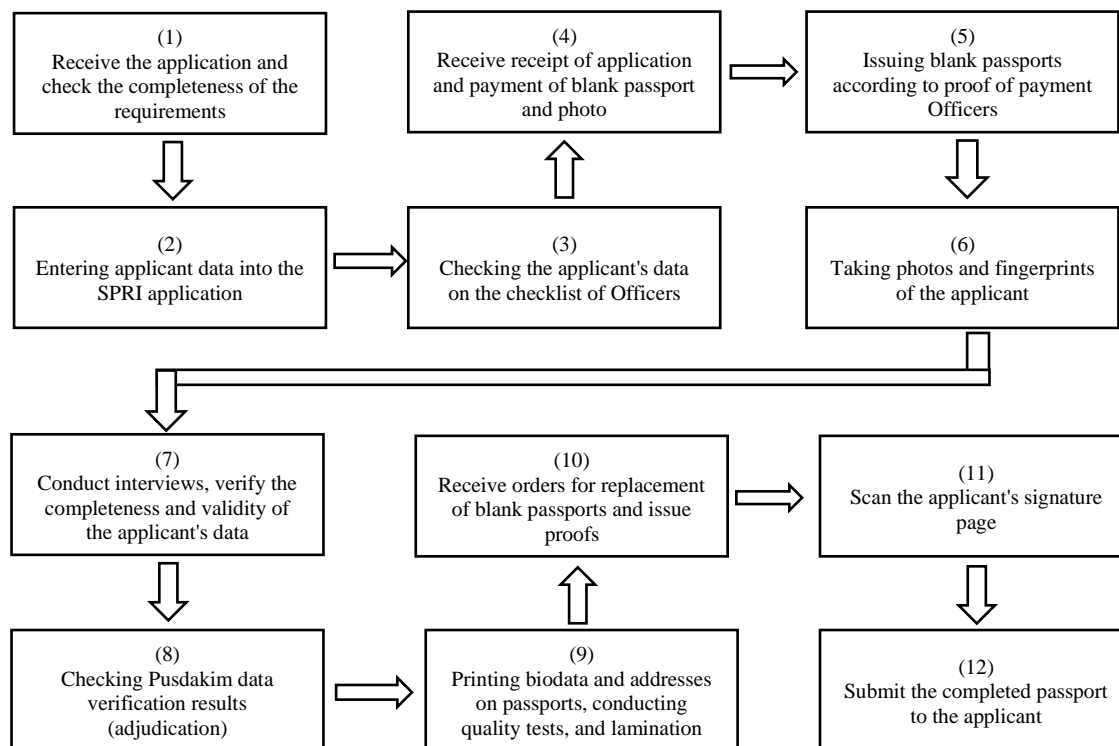


Fig.3. The Process of Passport Issuance in Indonesia.
Source: Authors from the SOP IMI-GR.01.01-1102.

A. Context Analysis

The first analysis is the context analysis, in the legal discussion, the context analysis is performed to understand the legal basis which became the “rule of law” on the designated Procedures. The SOP in the law-related activities is very important to be formed, A Standard Operating Procedure (SOP) is a series of written instructions that document an organization’s normal or recurring operation. SOPs are an essential component of a successful quality system because they give employees the knowledge they need to do a task correctly and promote consistency in the quality and integrity of a product or end-result (Environmental Protection Agency, 2007). SOP development and use reduce variance and enhance quality by ensuring consistent application of a process or procedure across the business, even if personnel changes are temporary or permanent, including how the passport issuance is performed. Then, the steps in the passport issuance process legal basis are analyzed as follows in Table V.

Based on the context analysis conducted, the Procedures for Passport issuance in the Tasikmalaya Immigration Office is already carried out with the relevant law and regulation.

B. Input Analysis

The input evaluation is intended to help determine the program, to make the necessary changes. In addition, it also finds obstacles and potentially available resources. Its main purpose is to assist the program, by assessing alternatives in terms of program needs and objectives. In 2021, the Tasikmalaya Immigration office has received more than 6969 passport applications, with the details as follows in Fig. 4.

To fulfill the needs, the Tasikmalaya Immigration office in 2021, has 14 officers, who perform all of the tasks according to the Standard Operational Procedures on Passport Issuance, and 4 booths for the interview and data verification stage. Based on the data, passport issuance can run effectively, with the total passport processed yearly up to 97 percent of all applicant passports.

However, based on the interview with one of the Immigration Officers (T), the found challenge in the documents receiving stages is many of the applicants who were willing to work abroad didn’t understand well the requirements, as stated by the Ministry of Law and Human Rights No.8/2014, many of them are said if the statement letter from the local authorities which have the responsibility to regulate the worker is not stated in the available information center, which are banner, social media, or website, and potentially created a law problem and increasing the number of complaints.

Furthermore, the other officers in the biometric and interview stages, (Y), stated that the identified challenges are (a) the unstable internet connection, which sometimes makes the data processing time rise, and the matching data process is cannot be optimally carried out, which potentially creating a law-related problem because the blacklisted person can get away with their passport, also (b) when there is hajj and umrah season, the number of the booth and officers are not enough to cover all of the applicants, then the service quality is becoming not optimal.

TABLE V: CONTEXT ANALYSIS IN EVALUATING THE PASSPORT ISSUANCE SOP

Step of Activities	Analysis
Receive the application and check the completeness of the requirements Entering applicant data into the SPRI application	The legal basis to receive the application, and check the documents met the requirements is the Law No. 6/2011 concerning immigration, on article 26, which stated "Ordinary passports are issued for Indonesian citizens" and the Ministry of Law and Human Rights Regulation, No.8/2014 on article 4, which stated "For Indonesian citizens who are domiciled or in the territory of Indonesia, a passport application is usually submitted to the Minister or Immigration Officer appointed at the local Immigration Office by filling out a data application and attaching complete documents requirements," from the legal basis, clearly stated of the Immigration Officer can receive and check whether the documents are meeting the minimum requirements for the passport application. Then, as far as the applicant are meet the stated required documents, the application can be processed. These steps are legally clear.
Checking the applicant's data on the checklist of Officers	The legal basis for checking the applicant data on the system is stated in the Ministry of Law and Human Rights Regulation No.8/2014 article 13, if the immigration officer during checking the applicant data on the checklist If there is a similarity between the applicant's biodata and the preventive list contained in the Immigration Information Management System, the designated Immigration Officer must refuse the application and be followed up following the provisions of the legislation. Then, in article 13 (1), the immigration officer is given the mandate to give the applicant a rejection letter and details of prevention data printed from the Immigration Management Information System (SIMKIM). These steps are legally clear.
Receive a receipt of application and payment of blank passport and photo Issuing blank passports according to proof of payment Officers	The Immigration office can accept the payments for the passport process fee. This mandate is given with the legal basis is the Presidential Regulation No. 28/2019 concerning the Types And Prices For Types Of Non-Tax State Revenue Applicable To The Ministry Of Law And Human Rights. As stated in Article 1, c, one of the Types of the service fee is the Immigration Service. Furthermore, the attachment is clearly stated that the ordinary passport cost is IDR 350.000, Electronic Passport is IDR 650.000, and the passport one-day service is IDR 1.000.000. concluded of this stage of SOP didn't have any legal issues.
Taking photos and fingerprints of the applicant Conduct interviews, verify the completeness and validity of the applicant's data	After paying the passport fee, as stated in the Ministry of Law and Human Rights regulation No.8/2014, Article 15 (1), as far as the applicant data is considered completed and not blacklisted based on the system judgment, the process can be continued by taking photos and the fingerprints which conducted by the immigration officer, with the legal basis is the Ministry of Law and Human Rights regulation No.8/2014, article 11, c, stated if one of the steps to process the passport application is to take the applicant biometric data, and interview to verify the applicant data and the purposes in the passport application, as stated in article 13.
Checking the data verification results (adjudication) Printing biodata and addresses on passports, conducting quality tests, and lamination Officers Receive orders for replacement of blank passports and issue proofs Scan the applicant's signature page Submit the completed passport to the applicant	Based on the Ministry of Law and Human Rights regulation No.8/2014, article 19, The designated Immigration Officer carries out the verification process and adjudication against the issuance of an ordinary Passport. The verification and adjudication as intended are carried out by matching the applicant's biometric data and the database stored in the Immigration Management Information System. If the verification and adjudication stages are not found a duplication of applicant data, the passport issuance process usually continues at the printing and quality test stages. The article 22, regulated if The Minister or Immigration Officer who is appointed to issue an ordinary Passport within a maximum of 4 (four) working days from the date it is issued. Interview. The time limit for issuing ordinary passports as referred to in paragraph (1) also applies to ordinary passports issued by Foreign Service Officials. The completion time of the issuance of the ordinary passport as referred to is excluded for the issuance of the ordinary passport for reasons of replacing a damaged passport, replacing a lost passport, or replacing a duplicate passport. Then. In the article 23. After those process is conducted, the passport can be gave directly to the applicant, or other people who have a legal family relationship with the applicant by showing proof of payment, photocopy family card, and valid taker's identity card, and other people who do not have a family legal relationship with the Applicant by showing proof of payment, power of attorney, and the identity of the legal taker.

Source: Author Analysis.

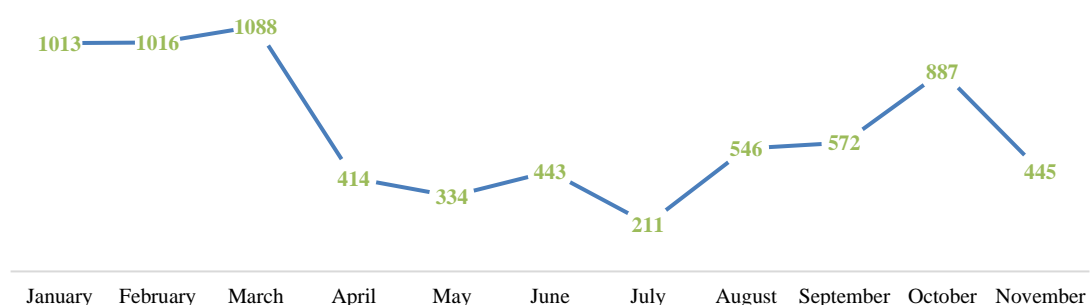


Fig. 4. Monthly number of passport applications in the Tasikmalaya Office 2021.

Source: Author from data analysis.

C. Process Analysis

Process evaluation is directed at how far the activities carried out in the program have been carried out following the plans and guidelines set. Based on the data from the Tasikmalaya Immigration Office analyzed by using the process analysis, the biggest legal challenges happened in the document verification stage, which is the first stage of the passport issuance process, and the unsynchronized data between the results of interview and documents which bring by the applicant, which is the seventh stages of the passport issuance process (Fig. 5).

This challenge is identified by using the passport rejection data, collected from January to November 2021. The Number of rejected passport is about 405, shown as follow in Fig. 6.

Based on the data above, the highest number of passport rejections happened in June, and the lowest is in august 2021. This phenomenon happened because, on June 2021, the International travel restriction is lifted, with the full dose of vaccination as the requirement (Kementerian Perhubungan Republik Indonesia, 2021). Meanwhile, the second vaccination as the main requirement for international travel also started. Also. Many countries are already opened their International border, including airports and seaports. Furthermore, most of the applicants got rejected in document analysis activities conducted by the immigration officer who receives the application and checks the completeness of the requirements, the cases are surprisingly high, reaching up to 403 cases. On the other hand, the immigration officer who rejects the applicant when conducting an interview verifies the completeness and validity of the data in only 2 cases in 2021.

After knowing the most vulnerable process the passport procedures, this research will further analyze the reason why many people are rejected during the process at the Tasikmalaya Immigration Office, (Fig. 7) shown below.



Fig. 5. Identified challenges in passport issuance process.

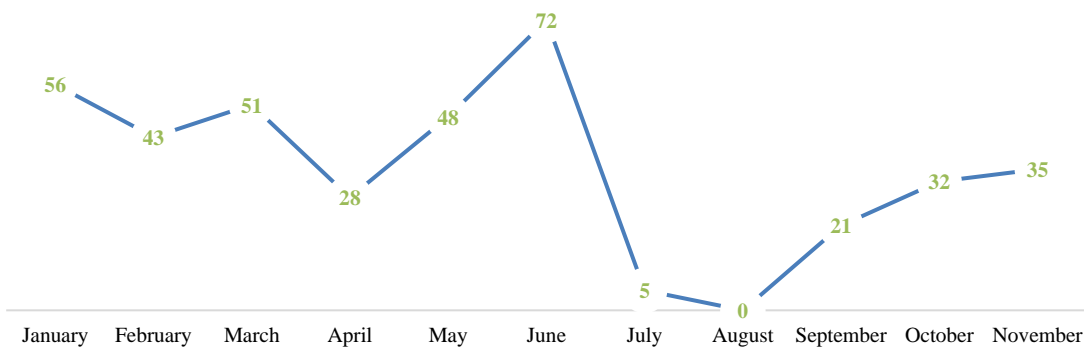


Fig. 6. Rejected Passport Application in Tasikmalaya Office at 2021. Source: Data Analysis.

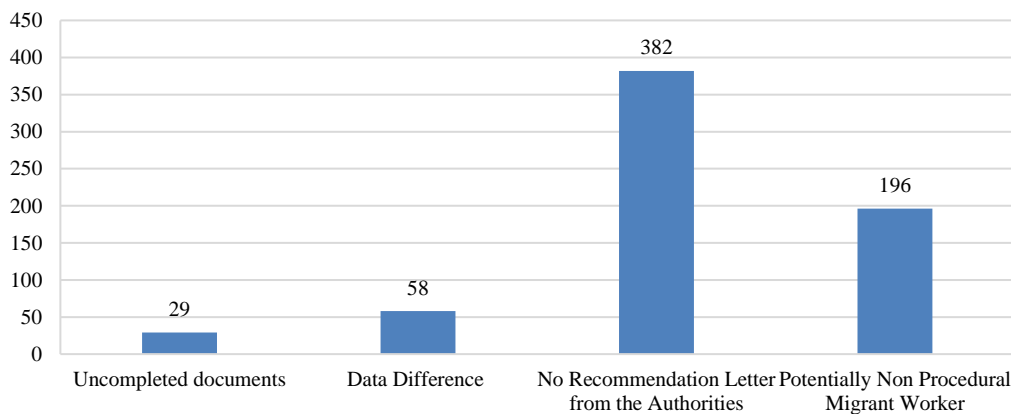


Fig. 7. The reason for the passport application rejection in the Tasikmalaya Immigration Office. Source: Data Analysis.

As shown in the Fig. 7 above, the highest number of passport application rejections is because of no recommendation from the authorities (382 cases). Then, the lowest is because of Uncompleted documents (29 cases). To elaborate more on the meaning of the designated reason will be explained as follows:

Uncompleted documents mean the applicant is not meet the documentation requirements to submit the passport application. As regulated by the Ministry of Law and Human Rights regulation No.8/2014, Article 4, the least documents which need to be fulfilled are the valid identity document, valid family card, birth certificate/diploma certificate/baptism certificate, and the official form for the passport application.

Data Difference means the date stated on the documents given by the applicant is different between the documents. For example, the name and date of birth presented on the national identity card (KTP) are different compared to the same data presented on the family card.

No recommendation letter from the authorities means the application was rejected because the applicant didn't attach the recommendation letter, for specific purposes. For example, as regulated in the Ministry of Law and Human Rights regulation No.8/2014, on article 6, if the applicant is willing to work abroad, they have to submit a recommendation letter from the local authorities which in charge of employment.

Potentially Non-procedural migrant worker means the applicant is considered willing to work abroad without presenting the right document and information, based on the analysis of the immigration officer from the provided information by the applicant.

Based on the Ministry of Law and Human Rights regulation No.8/2014, Article 9 (If the completeness of the required documents is stated as not yet complete, the designated Immigration Officer returns the documents applications, and requests are considered withdrawn). Also, in article 14, If the requirements are not complete, the designated Immigration Officer returns the application requirements documents to the applicant within 1 (one) day from the date of application acceptance. The interesting points are, that most of the applicants are willing to go abroad without presenting a recommendation letter from the authorities, reaching up to 382 cases which is the highest reason why their application is rejected, and the second is the potentially Non-Procedural worker, which reaches up to 196 cases.

D. Product Analysis

Based on the product analysis, which evaluates how well all the process is performed. Product analysis includes investigating the process as the product, its characteristics, pricing, availability, quality, appearance, and other factors. Potential customers, product managers striving to understand competition, and third-party reviewers perform product analysis (Alfitri *et al.*, 2018). In performing the product analysis, his research will use the data from the customer satisfaction survey (IKM), obtained from January to November 2021. The IKM data used in this research is collected by using the questionnaire based on the Regulation of the Ministry of State Apparatus Empowerment and Bureaucratic Reform No. 14/2017 about the customer satisfaction survey (IKM), which evaluated the following remarks (Table VI):

TABLE VI: ASSESSED SERVICES ON THE CUSTOMER SATISFACTION SURVEY (IKM)

No	Assessed Service	Questionnaire Category
1	Requirements	A
2	Systems, Mechanisms and Procedures	B
3	Completion Time	C
4	Fees/Tariffs	D
5	Product Specification type of service	E
6	Implementing competence	F
7	Executor behavior	G
8	Handling of Complaints, Suggestions and Input	H
9	Facilities and infrastructure	I

Sources: Authors from the Regulation of the Ministry of State Apparatus. Empowerment and Bureaucratic Reform No. 14/2017.

After distributing the questionnaire to the random passport applicant by using the purposive random sampling method, which is the non-probability sampling approach in which the respondent picked for the sample are chosen by the researcher's judgment, in this research is the passport applicant at the Tasikmalaya Immigration Office. And conducting the data analysis, for a monthly basis, the results can be shown in Fig. 8.

Based on the data analysis, in 2021, the Customer Satisfaction Index (IKM), shows very good results, with an average mark is 19.88 out of 20. From the product analysis, which stated the SOP in the passport issuance process as the product, can be concluded that the SOP is very well performed and managed in the Tasikmalaya Immigration Office.

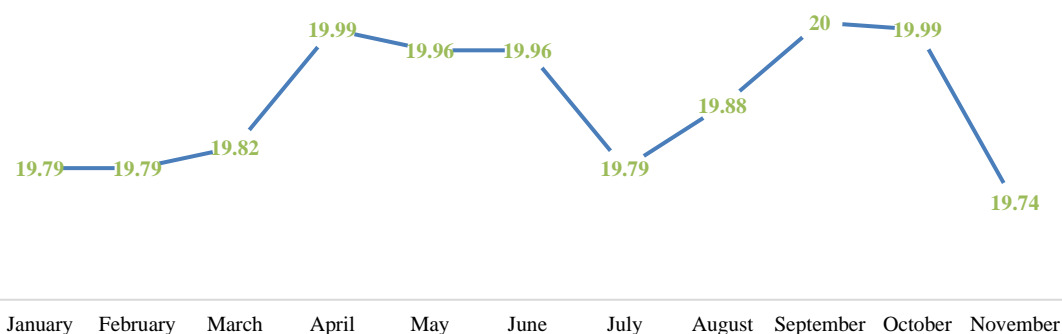


Fig. 8. The Customer Questionnaire Survey (IKM) from January to November 2021. Sources: Authors from data Analysis.

After conducting the CIPP analysis based on the provided data as above, the main challenges already appeared and can be identified. The first challenge is related to the immigration system and application, from the interview conducted by the immigration officer who works as the document recipient (T), many of the applicants are not able to register or access their accounts through the M-Passport Application, the technical details are: (1) The national registration number (NIK) of the applicant are not accessible, (2) The Gmail account which will be used as the main accounts are already registered by someone else, and (3) The M-Passport application sometimes forcing close, and crash, which appeared not to be compatible for several types of the smartphone. Then, based on the interview conducted with one of the Immigration officers in the photo and interview booth (Y), as the system, challenges appeared are: (1) The system cannot retrieve the biometric matching data, which potentially creates legal issues in the future, (2) The passport adjudication process cannot be done because of the slow traffic, which potentially creating the delay on passport issuance.

The Second identified challenge is related to the requirements attached to the passport application. As found in the rejection dataset, the highest number of the reason for rejection is because of the *No recommendation from the authorities*, which reached up to 382 cases. Based on the Interview conducted with the Immigration officer who received the application documents (T), can be known if any of the passport applicants don't know about the additional documents requirement. Then, the needs of the socialization of the related government activities and parties are urgently needed, also the publication with the media.

The Third identified challenge is related to the Biometric and Interview process. As found in this research, 196 applicants are considered to work abroad in a Non-Procedural way. In the Interview conducted with the 2 of the Immigration Officers, (Y) and (B), they are both agree that the subjectivity of the officer has a big role, and to improve the justification process, there is no law instrument to prove if the applicant is willing to go abroad for work illegally. Then, the Interview guide is needed, to improve the legal justification, as used in several immigration departments, such as the United Kingdom (UK) and suggested by the International Civil Aviation Organization (ICAO), stated if the interview guide helps the officers to have the standardized law justification, and decrease the sense of subjectivity (International Civil Aviation Organization, 2016).

IV. CONCLUSION

The Directorate General of Immigration is one of the agencies of the Republic of Indonesia's Ministry of Law and Human Rights. One of the technical activities performed as an Immigration service provider is the issue of the Republic of Indonesia Travel Document (DPRI) or Passport. However, when it comes to passports, two tasks run concurrently: public service providers and immigration law enforcement. This study will identify legal barriers in the process of issuing passports at the Immigration Office Class II Non-TPI Tasikmalaya, using passport refusal data and the achievement of community satisfaction from January to November 2021, which were analyzed using qualitative doctrinal law methods, through policy evaluation with the scheme Context, Input, Process, and Product (CIPP). According to the findings of this study, there are no legal issues in the implementation of the passport issuing SOP, with an average assessment score of 19.88 out of 20. (Very good). On the other hand, several challenges must be addressed to reduce criminal acts between countries, namely: (1) The state of the system facilities, which must be improved to support the adjudication function; and (2) The lack of an interview guide for officers as a legal basis for justifying applicants who will work. non-procedural and other potentially illegal conduct, and (3) The necessity for clarification via communication media of extra needs, such as letters of recommendation if wanting to work, to avoid potential legal claims.

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