

*Research Article***Immigration Intelligence and Counterterrorism Strategies in Indonesia**Dini Dewi Heniarti<sup>1\*</sup>, Zico Junius Fernando<sup>2</sup>, Fardana Kusumah<sup>3</sup><sup>1</sup>Faculty of Law, Universitas Islam Bandung, Indonesia<sup>2</sup>Faculty of Law, Universitas Bengkulu, Indonesia<sup>3</sup>School of Law, Central China Normal University, China

\*diniheniarti@unisba.ac.id

**ABSTRACT**

The background of this study is the increasing volume of international human mobility, which presents serious challenges for Indonesia's immigration system in preventing terrorism and maintaining state security. The Directorate General of Immigration struggles with outdated infrastructure, limited technological support, and insufficient human resource capabilities, all of which hinder effective immigration checks and the identification of high-risk individuals. Terrorists have exploited loopholes in Indonesia's immigration system to enter or flee the country. The purpose of this research is to investigate whether the immigration intelligence approach can serve as an effective and comprehensive strategy for combating terrorism in Indonesia. The method employed in this study is qualitative, involving library research that analyses secondary sources, including legislation, case studies (e.g., the 2016 Sarinah attack and the 2018 Surabaya bombing), government reports, and scholarly literature. The results obtained indicate that immigration intelligence through mechanisms such as risk profiling, early detection, inter-agency collaboration, and technological integration plays a crucial role in identifying and preventing terrorist threats before they occur. Conclusions that can be drawn from this study are that immigration intelligence offers significant preventive advantages but requires strengthened infrastructure, improved coordination among institutions, and international cooperation to be fully effective in Indonesia's counterterrorism efforts.

**Keywords:** Immigration; Intelligence; Terrorism.**A. INTRODUCTION**

In the present era, massive flows of people and contraband transcend international boundaries (Meierotto, 2020). One of the most influential causes is immigration. Some observers argued that immigration is the root of a number of problems in a country, such as politics, social issues, and economics, while in the past, this immigration emphasized white privilege, inevitable capitalism, and increasing inequality throughout the world (Mcnamara, 2020). If traced back to the 1980s, international mobility, some call it global, resulted from industrialization and

globalization, labor market integration, and the institutionalization of visa regulations. The state really has a very important role in creating and implementing transnational mobilization regulations (Schubert, Plümmer, & Bayok, 2021).

International mobility has both positive and negative impacts. The former will increase the importance of international and regional organizations whose purpose is to evolve norms and regulations on immigration that can later not only be implemented in the transnational immigration system and practice but also subnationally and internationally (Zulfikar &

Aminah, 2020). Meanwhile, the latter will create challenges related to the perceived import of religious extremism and terrorism as well as economic and cultural threats. Therefore, scholars and journalists reflexively labelled people as “pro-immigrant” or “anti-immigrant” based on public reactions to several policies made by the government (Levy & Wright, 2020).

If it is implemented in Indonesia, both people are protected by the regulation in a mandate from Article 28E of the 1945 Constitution, which provides a constitutional basis that every human being is allowed to reside in a country and is even given the right to return to their country of origin. This advanced development has had the impact of rapid traffic movements and human mobility, which has become a driving force for increasing the role and function of immigration (Syahrin, 2018). However, located between two continents and oceans as well as becoming a country with a majority Muslim population, Indonesia has become a target for the spread of radicalism and the ideology of terrorism. The existence of this terrorist group threatens the security and sovereignty of the country (Baylis, Smith, & Owens, 2020; Nugroho, 2018).

In January 2016, a bomb attack and shooting occurred at the Sarinah shopping center in Jakarta by the ISIS terrorist group. This killed four civilians and four suspected perpetrators of the attack. Two years later, in May 2018, suicide bomb attacks occurred on three churches in Surabaya by the terrorist group Jamaah Ansharut Daulah (JAD), killing 28 people, including the

perpetrator (Yeo & Rahman, 2022). In line with this, strict supervision of the movement of foreigners is very important in dealing with the threat of terrorism (Rasji, Joshua, & Saly, 2023) by carrying out the functions of immigration, such as immigration intelligence, immigration supervision, and border checks (Citrawan & Nadila, 2019).

By looking at the cases above, it is necessary to overcome criminal acts of terrorism, especially in immigration policy, which plays an essential role in preventing criminal acts of terrorism (Kusumawardhani, Samekto, & Sularto). Indonesia needs to tighten supervision of foreigners entering its territory, including by carrying out strict selection of prospective immigrants and optimizing the function of immigration in dealing with criminal acts of terrorism by understanding the connection between immigration and terrorism, the challenges of immigration, and the approach to be implemented as the solution (Hananto et al., 2019).

In this investigation, the integration of an intelligence-led paradigm within the immigration framework is regarded as essential, particularly in the Indonesian context, which occupies a strategically significant geographical location and experiences elevated levels of human mobility (Roisah et al., 2022). To elucidate the imperative nature of this approach in a theoretical manner, this research utilizes several pivotal theoretical constructs. Primarily, the doctrine of extraordinary crime posits that terrorism, classified as an

extraordinary crime, necessitates an exceptional legal response, encompassing preventive measures prior to the occurrence of criminal acts, facilitated by a robust intelligence apparatus. This methodology is further substantiated by the national security intelligence system theory, which underscores the necessity of systematic information gathering, analysis, and dissemination as fundamental elements of the national defense strategy. Additionally, the theory of security criminology presents a viewpoint that terrorism is not solely attributable to ideological motivations but also emerges from global disparities, geopolitical tensions, and the incapacity of states to safeguard their citizenry. Within this framework, immigration functions transcend mere administrative responsibilities and assume a strategic role in the identification of potential infiltrations by terrorist networks. To foster inter-agency collaboration in confronting these challenges, collaborative governance theory is employed to scrutinize the significance of coordination and data integration among immigration entities, law enforcement bodies, intelligence organizations, and international agencies such as Interpol. Nevertheless, given that terrorism threats exhibit adaptability and strategic maneuvering, game theory is utilized in this inquiry to elucidate the dynamic interactions between state and non-state actors who mutually influence one another in the realms of planning and preventive measures. From a global and human rights standpoint, postcolonial theory is applied to investigate how immigration-focused

security policies may inadvertently result in discriminatory practices against specific ethnic or religious demographics. In numerous instances, anti-immigrant discourses in Western nations have been leveraged to rationalize exclusionary and disproportionate policies that encroach upon civil liberties. Consequently, this research incorporates the intelligence-led policing (ILP) theory, an approach demonstrated to be effective in various countries for the proactive and precise integration of intelligence data into law enforcement and immigration decision-making processes. Ultimately, intelligence cycle theory furnishes a technical basis for comprehending the operational stages of intelligence processes, which include direction, collection, processing, analysis, dissemination, and feedback, all of which should ideally be entrenched within the institutional architecture of Indonesia's immigration framework. From a normative legal standpoint (*das sollen*), Indonesia has established a regulatory foundation for immigration intelligence through Law No. 6 of 2011 on Immigration and the Minister of Law and Human Rights Regulation No. 30 of 2016, regarding Immigration Intelligence. These legislative instruments provide a legal framework empowering immigration officials to conduct investigations, protect sensitive information, and execute intelligence operations. However, from an empirical perspective (*das sein*), the implementation of these provisions encounters numerous challenges, including inadequate technological capabilities, insufficiently trained

personnel, and weak inter-agency coordination. The disparity between legal prescriptions and practical applications is evidenced by historical cases of terrorism wherein offenders successfully evaded immigration control mechanisms. This divergence illustrates the incongruity between policy development and its execution in real-world contexts. It is of paramount importance to analyze the necessary reorganization of Indonesia's immigration intelligence system to align it with contemporary security requirements. This research distinguishes itself from previous investigations by emphasizing the legal-operational nexus of immigration intelligence within Indonesia, which integrates normative legal scrutiny with empirical policy assessment. This study's primary objectives are to evaluate the effectiveness of the immigration intelligence strategy in countering terrorism and to suggest specific institutional and legal reforms to strengthen Indonesia's counterterrorism efforts (Prananda et al., 2023).

Numerous scholarly investigations have scrutinized the interrelationship between immigration and terrorism, yet the predominant emphasis has been on Western environments. Demleitner (2024), within the *Routledge Handbook on Immigration and Crime*, underscores the securitization of immigration frameworks in the United States and Europe; however, it overlooks an analysis of Southeast Asian methodologies (Demleitner, 2024). In a similar vein, Helbling et al. (2023), in *Defence and Peace Economics*, examine the correlation

between public endorsement for stringent immigration policies and the incidence of terrorism, yet they provide scant insights into intelligence-driven methodologies (Helbling, Meierrieks, & Pardos-Prad, 2023). In the context of Indonesia, Citrawan and Nadila (2019), in *Lentera Hukum*, accentuate the imperative for immigration regulation as a mechanism to thwart terrorism, albeit they do not delve into a comprehensive examination of intelligence strategies (Citrawan & Nadilla, 2019). Triyana et al. (2023), in *Comte: Jurnal Sosial Politik dan Humaniora*, illuminate the overarching role of immigration in counterterrorism efforts but neglect to consider inter-agency collaboration or the preparedness of technological resources (Triyana, Sianturi, & Afriansyah, 2023). Lastly, Pradnyana (2022), in *Politicos: Jurnal Politik dan Pemerintahan*, deliberates on ASEAN's collaborative counterterrorism initiatives, yet it does not specifically address immigration intelligence as a distinct policy instrument (Pradnyana, 2022).

## B. RESEARCH METHODS

This research utilizes a normative legal research methodology (Sinaga et al., 2024) by incorporating several analytical frameworks: statutory, conceptual, comparative, and case-based (Kristanto et al., 2024). The statutory framework facilitates an examination of the legal norms pertinent to immigration intelligence and counterterrorism within the Indonesian context. Primary legal sources encompass Law No. 6 of

2011 concerning Immigration, Regulation of the Minister of Law and Human Rights No. 30 of 2016 pertaining to Immigration Intelligence, and the ASEAN Convention on Counter-Terrorism (ACCT). These legal instruments furnish a formal legal foundation for scrutinizing the operational dynamics of immigration intelligence within the national legal architecture. A conceptual framework is engaged to investigate theoretical constructs that underpin the study, including the doctrine of extraordinary crimes, intelligence-led policing (ILP), collaborative governance theory, and security criminology. These theoretical paradigms provide valuable insights into the legal strategies implemented to combat terrorism through preventive measures and inter-agency intelligence collaboration. The comparative framework enables an assessment of Indonesia's immigration intelligence apparatus by juxtaposing it with models employed in other nations, particularly those possessing more developed counter-terrorism infrastructures, such as the United States and select ASEAN member states. This comparative analysis aids in identifying best practices that could enhance Indonesia's legal and institutional responses. The case-based approach is employed through the examination of actual terrorist incidents in Indonesia, particularly the 2016 Sarinah bombing and the 2018 Surabaya church bombings. These specific cases exemplify the vulnerabilities in immigration oversight that have been exploited and highlight the practical significance of immigration intelligence in relation to national security. This

study adopts a descriptive-prescriptive orientation (Kontesa & Fernando, 2024). It aspires to systematically delineate the legal and empirical milieu while proffering normative recommendations aimed at the enhancement of legal mechanisms. All gathered data underwent rigorous content analysis, concentrating on the interpretation of legal texts, scholarly literature, and official documents (Fernando et al., 2023). This methodological approach guarantees that the conclusions are underpinned by evidence and logically derived from both legal and factual sources.

## C. RESULTS AND DISCUSSION

### 1. The Connection between Immigration and Terrorism

The term immigration comes from the Latin migration, meaning the movement of people from one region or country to another. The phenomenon of immigration is not new and has been part of the human experience for a long time for various reasons, such as economic, political, religious, marriage, and adventure (Asmara & Basniwati, 2020). The process for each person varies and is frequently long and complex. However, it is certain that they have the same goal: to get a life that can be more decent and peaceful for them (Meilaender, 2001). In addition, the destination countries respond in various ways: either happy or not and accepting or rejecting for various reasons (Segal, Elliott, & Mayadas, 2010). Thus, it cannot be said that migration from one country to another is related to terrorism or that

terrorism spreads through migration (Schubert, Plümmer, & Bayok, 2021).

In immigration provisions, every country has the authority to allow or prohibit someone from entering. Indonesia has also implemented the same policy. Those entering and leaving Indonesian territory must have valid documents (Demleitner, 2024). Moreover, Indonesian legal policy has placed terrorism as an extraordinary crime, so that steps are needed that normatively reflect efforts to handle extraordinary crime, one of which is by carrying out the function of immigration together with intelligence reporting (Trihastuti et al., 2024). Practically, the Directorate General of Immigration has collaborated with Interpol to examine people, especially Indonesian citizens, who are suspected of being foreign terrorist fighters (FTF) by means of tourist travel to certain countries as transit points (Citrawan & Nadila, 2019). The issue of Foreign Terrorist Fighters (FTF) has increasingly become a central theme of discussion at the global, regional and national levels. It has garnered significant attention in policy-making circles and academic and security studies. Numerous scholarly works and empirical studies have highlighted the complex dynamics and far-reaching implications of the FTF phenomenon, particularly concerning cross-border movements, radicalization pathways, and transnational threats. These studies consistently demonstrate a strong and intricate relationship between patterns of migration, whether voluntary or forced, and the heightened possibility of involvement in terrorist

networks or extremist activities. This nexus continues to pose serious challenges to state security, legal systems, and international cooperation frameworks (Surwandono, Herningtyas, & Nursita, 2018).

Numerous empirical investigations have shown that terrorist acts engender heightened aggression among citizens toward immigrant populations due to two main factors. First, when a terrorist incident is linked to immigrant groups, such as if a foreign terrorist organization is responsible for the attack, it amplifies the perceived threat and fosters antagonistic sentiments toward those groups. This occurs because these groups often share ethnic or religious identities with the foreign perpetrators. Second, the fear induced by a terrorist act generates feelings of unpredictability and diminished control. To restore order and mitigate the potential for subsequent attacks, more stringent immigration regulations may be deemed necessary. Nonetheless, such policies may be advantageous after terrorist attacks because they provide the populace with a sense of security and the perception that they have agency over their circumstances (Helbling, Meierrieks, & Pardos-Prado, 2023). Therefore, to address increasingly complex issues, it is crucial to carry out immigration functions as outlined below (Firdaus, 2018):

#### a. Immigration services

This function embodies the realization of state governance and sovereignty, particularly in the regulation of population mobility. It ensures

that Indonesian citizens can obtain travel documents, such as passports, facilitating lawful international travel while maintaining precise records of citizens traveling abroad. This service is also made available to foreign nationals through the issuance of relevant visas and permits, thus ensuring legal clarity and administrative oversight of cross-border movements.

#### b. Law Enforcement

Immigration plays a key role in enforcing administrative regulations by exercising jurisdiction over Indonesian citizens and foreign residents. This includes conducting immigration investigations, identifying infractions such as overstaying or improperly using residence permits, and taking necessary legal measures. Immigration officers are responsible for executing deportations, detentions, and entry prohibitions in accordance with national immigration statutes when violations are detected.

#### c. State Security

The Directorate General of Immigration is the primary institution responsible for determining the admissibility of individuals entering or exiting Indonesia. As initial and final custodians, immigration officials uphold the sanctity of national borders by implementing security protocols, including background investigations, intelligence collaboration, and early detection mechanisms. The security function is carried out through preventive and deterrent measures aimed at minimizing threats such as terrorism,

transnational criminal activities, and unauthorized entries.

#### d. Facilitator of Community Welfare Development

In addition to its administrative and security responsibilities, the Directorate General of Immigration plays a vital role in national development by facilitating lawful migration, which has positive economic repercussions. This includes attracting skilled foreign labor, enhancing tourism through visa regulations, and facilitating investment mobility. The economic relevance of immigration management is evident in its role in balancing openness and regulation, which promotes community welfare and bolsters national competitiveness.

In line with this, three interrelated focal points emerge: migration, terrorism, and international diffusion (Pradana & Setiyono, 2021). At a fundamental level, migrants can unintentionally become conduits that facilitate the transnational movement of terrorist ideologies and actors to the host country. Their mobility, social networks, and cultural knowledge have the potential to influence interstate relations and may contribute to the transmission of policies, ideological frameworks, and behavioral patterns that can be exploited by terrorist networks. From a diffusion theory perspective, it is suggested that policies and behaviors are not confined within national borders but can spread across countries, particularly when there is spatial or relational proximity. This means that actors in one national setting may shape, inspire, or reinforce the decisions and strategies of actors in another,

thereby fostering a transnational environment in which terrorism can propagate through shared ideologies and mutual influence (Bove & Böhmelt, 2016).

Although terrorism prevention cannot be achieved completely, there is a new model in the form of network fusion for organizations to share information and intelligence, which is the goal of some centrally controlled systems, provided they are organized as integrated network members, transcending traditional organizational boundaries for a faster and more intelligent understanding of the threat environment. Its function is to connect not only law enforcement and intelligence communities aiming at prevention and protection but also other key components of the emergency response community, such as firefighters and health care systems, for mitigation, response, and recovery efforts. The future of network fusion centers will depend on their ability to collaborate with other organizations for prevention and response and their capacity to push and pull information in real time across the network. Successful network fusion centers have distinct advantages: faster direct communication with decision-makers and those in charge (Hoffman, 2017).

In recent years, the movement of terrorist organizations has grown rapidly, with an increased number of terrorists and a better understanding of access to new information, communications, and weapons technologies. In some cases, the technology they use is more sophisticated and faster than the technology

possessed by even some developed countries needed to counter it. In countering terrorism, police and intelligence services require timely and effective access to terrorist communications, the ability to intercept weapons shipments, and other logistics as a basic requirement for a realistic threat assessment, which evaluates the nature and evolution of foreign and domestic threats. Unfortunately, based on the National Commission Report 2004, many things in this area in recent years have been misinterpreted by inaccurate speculation and hyperbole, as the 9/11 Commission described in detail. After 9/11, there was a lack of relevant baselines and gaps in scholarly work showing the direct connection between migration and security (Ullah et al., 2020).

In this framework, terrorist entities will persistently endeavor to outwit governmental mechanisms by procuring and manipulating strategic intelligence indispensable for the formulation and execution of their operations. Analogous to the necessity for terrorists to obtain intelligence to discern vulnerabilities and evade detection, states rely on precise and prompt intelligence to foresee and thwart terrorist endeavors. Consequently, the acquisition of intelligence concerning terrorist networks constitutes a legitimate and crucial element of a proactive and preemptive counterterrorism paradigm. This principle resonates with the enduring military doctrine articulated by the ancient strategist Sun Tzu, who posited that "foreknowledge" the capacity to comprehend the



adversary prior to engagement is fundamental to achieving success in warfare. In the aftermath of the 9/11 counterterrorism milieu, an unparalleled volume of intelligence has been generated to address the dynamic threats. Nevertheless, it is imperative to recognize that not all pivotal intelligence emanates from formal state apparatuses. Non-state entities, private intelligence organizations, digital platforms, and open-source networks have progressively assumed a role in the collection, analysis, and dissemination of intelligence. This transformation accentuates the shifting nature of intelligence endeavors and the necessity for states to recalibrate their counterterrorism frameworks by integrating both conventional and unconventional sources of intelligence (Richards, 2019). Within the ambit of terrorist organizations, such as Al Qaeda and others, there remains an ongoing imperative to monitor the progression of these entities, their operational capacities, and their infrastructural frameworks. There exists some evidence suggesting that Al Qaeda has transitioned from a hierarchical to a franchise model (Wagner, 2007).

International terrorism has exerted a catastrophic influence on affected nations and has compelled countries globally to expeditiously concentrate on enhancing their border counterterrorism strategies. The majority of nations unscathed by terrorism continue to prioritize economic regulations due to the implications of international travel. However, over time, the exponential escalation in international

travel has led to the emergence of competing border management systems and the concomitant additional risks, including mass casualty terrorist incidents, augmented illegal immigration, and human trafficking, which have unveiled vulnerabilities in countries' capacities to effectively administer their borders (Opon, Okoth, & Onkware, 2015). To mitigate these risks, numerous countries have made substantial investments in border management. The implementation of these strategies is facilitated when nations acknowledge the critical role of intelligence through signals intelligence, liaison, document exploitation, and interrogation. Moreover, intelligence analysis and engagement with policymakers exhibit significant variance in the context of counterterrorism (Putra & Setyawanta, 2020).

Terrorists typically engage in meticulous planning and preparation prior to executing an attack by selecting a target, recruiting and training operatives, securing financial backing, and traversing to the nation where the target resides. To evade preemption by law enforcement authorities, they may obscure their identities and disguise activities pertinent to the attack. Although challenging, it is feasible to identify potential terrorist attacks through the application of information technology. By scrutinizing communication patterns and activities among terrorists and their associates, detecting fraudulent identities, or employing various surveillance and monitoring methodologies, intelligence and warning systems can provide

timely critical alerts and notifications to avert the occurrence of attacks or criminal acts (Reid & Chen, 2007).

Legal scholars have examined the shift toward precursor offenses, pre-crime, and preemptive criminal justice in counterterrorism, creating models such as "authoritarian legality" to understand its implications for the rule of law. Meanwhile, scholars have employed science and technology studies, as well as the materialist canon, to trace digital counterterrorism tools that preemptively secure individuals based on algorithmically derived data transfers, profiling, behavioral patterns, and correlations in datasets. Scholars have used several approaches to analyze these tools, which also relates to academic research. The first is Game Theory, which analyzes the interactions between terrorist actors and states by allowing for the idea that each is critically dependent on the other. Postcolonial theory is also useful for identifying historical continuities in policing practices, legal discrimination, and discourses that marginalize, brutalize, and pathologize people experiencing racism. This approach traces these practices from imperialism to contemporary counterterrorism (Heath-Kelly, 2024).

## **2. The Strategic Role of Immigration in Monitoring and Overcoming the Threat of Terrorism in Indonesia**

Immigration, which holds a pivotal role in the oversight and regulation of foreign nationals, necessitates an optimal function in executing its mandate concerning the formulation of

immigration policies intended to yield advantages for the home nation. The phenomenon of human trafficking also engenders complications and undoubtedly requires ongoing enhancement in capabilities to adapt to and anticipate swift transformations (Bahri, 2017). The governance of foreign nationals' ingress, transit, and residency within a nation's jurisdiction has become increasingly paramount within the framework of contemporary globalization. As international travel escalates, whether for purposes of tourism, labor migration, commercial endeavors, education, or political asylum, states encounter the dilemma of maintaining internal order while fulfilling their obligations under international legal standards. The oversight of human traffic, layovers, and temporary accommodations necessitates not only definitive legal frameworks but also advanced enforcement mechanisms to guarantee that the presence of foreign nationals remains lawful, orderly, and congruent with national interests. Regulatory frameworks must encompass diverse dimensions, including visa policies, entry-exit oversight, residency permits, and the surveillance of overstays or undocumented migration. Concurrently, the progressively interdependent nature of nations necessitates that these regulatory initiatives be executed in a collaborative spirit. Bilateral and multilateral partnerships, whether through mutual legal assistance treaties, immigration information-sharing systems, or coordinated operations, are critical for effectively managing cross-border movements while preserving diplomatic relations.

Such collaboration ensures that migration governance does not adversely affect international relations, trade, and security frameworks. Consequently, immigration oversight must be fortified by legal instruments and institutional capacities that facilitate coordination with other nations, particularly concerning shared threats such as human trafficking, transnational criminal activities, and terrorism. Furthermore, the alignment of immigration practices across regions can foster more predictable and secure border environments while upholding national sovereignty and jurisdictional authority (Sihombing, 2013).

Though significant empirical research indicates that the relationship between migration and terrorism is neither direct nor causal, many Western nations continue to endorse policy narratives that portray immigration as a threat to national security. This narrative often resurfaces in relation to incidents involving radical Islamic factions, as seen in the attacks in Paris (2015), Brussels (2016), and Manchester (2017). In these attacks, the perpetrators had migration backgrounds or came from diaspora communities. Consequently, immigration policies have been intensified, particularly for asylum seekers and refugees from Muslim-majority countries. For instance, the European Union has implemented the hotspot approach and established agreements with third countries, such as Turkey and Libya, to reduce refugee influxes under the pretext of safeguarding internal security and stability. Similarly, during the Trump

administration, the United States implemented visa restrictions targeting several Muslim-majority countries. This policy, commonly referred to as the "Muslim Ban," faced widespread condemnation from the international community as an instance of systemic discrimination. This methodology, based on the securitization of migration, redefines migration as a security threat rather than a social or economic concern, thereby justifying the enhancement of control, surveillance, and detention mechanisms. Conversely, Australia enacted an exceedingly stringent policy: an offshore processing system wherein asylum seekers arriving by sea are detained in third-country facilities, such as those in Nauru and Papua New Guinea. Australia rationalizes this policy as a strategy to prevent extremist organizations from infiltrating the country via unauthorized migration pathways, despite the lack of substantial evidence linking maritime asylum seekers to terrorism. In contrast, Scandinavian nations, such as Sweden and Norway, initially adopted more permissive refugee policies. However, in response to mounting social and political pressures, often exacerbated by politicized criminal events, these countries have transitioned toward stricter immigration oversight while continuing to prioritize human rights protection. These countries generally emphasize social integration initiatives and deradicalization programs rather than relying solely on restrictive border enforcement measures. In Southeast Asia, Singapore has pursued a different strategy, combining highly restrictive migration controls

with advanced, technology-driven surveillance systems and internalizing national security values throughout its institutions. This comparative analysis reveals that, while the threat of terrorism is global, national responses to migration and security are profoundly influenced by domestic political contexts, historical policy trajectories, and societal perceptions of security rather than by empirical data on migrant involvement in terrorist activities (Demleitner, 2024).

Immigration in Indonesia is defined as a sector with the authority to regulate and supervise the traffic of foreigners entering or leaving its territory. Immigration covers all aspects related to the provisions of visas, permits to stay and reside, and the associated examination procedures. Indonesia has a Directorate General of Immigration, which acts as an institution with the task of implementing immigration regulations in the territory of Indonesia and leading every foreigner to comply with the applicable rules of immigration functions and roles, one of which is to maintain state sovereignty. As immigration is responsible for monitoring the traffic of foreigners, they must ensure that every individual who comes to Indonesia has fulfilled the applicable rules and is not a threat to state sovereignty (Nakoh & Soegiharto, 2023). The Indonesian government implements a visa-free visit policy stipulated by Presidential Decree Number 69 of 2015. The government considers this policy useful for increasing foreign exchange income in the field of tourism in the country; however, this creates a number of potential problems, one of which is the

threat of terrorism (Damayanti, Naray, & Karyoprawiro, 2023).

In the realm of counterterrorism efforts, immigration intelligence plays a critical role in Indonesia and is inherently linked to the fundamental responsibilities and operations of immigration, as outlined in the national legal framework. According to Law Number 6 of 2011 on Immigration, specifically Chapter VI on Immigration Oversight, Article 74(2), immigration intelligence is defined as a strategic apparatus that protects state sovereignty and national security against potential threats from foreign nationals entering Indonesia. The responsibilities inherent to this function include: (1) immigration investigations involving the systematic collection of data on the locations and activities of foreign individuals suspected of posing security risks, (2) immigration security executed through preventive and detective strategies to detect and mitigate possible incursions by malicious entities, (3) conducting field assessments of sites or facilities presumed to harbor pertinent intelligence to acquire direct information from strategic or high-risk locales; and (4) implementing immigration intelligence operations, which are clandestine, meticulously planned initiatives aimed at exposing transnational criminal organizations and prospective terrorist threats. Additionally, immigration intelligence involves safeguarding immigration information systems, necessitating the protection of the confidentiality and integrity of sensitive information maintained by the Directorate General of Immigration. This includes

databases that record foreign nationals' travel histories, visa applications, visitation logs, and watchlists of individuals prohibited from entering the country or under surveillance. This data is systematically managed through platforms such as the Immigration Management Information System (SIMKIM) and augmented by data-sharing partnerships with Interpol and other international entities. These datasets are processed into intelligence outputs that facilitate rapid and precise threat identification and response. These operations are conducted by immigration officers with specialized authority, as delineated in Minister of Law and Human Rights Regulation No. 30 of 2016 on immigration intelligence. These officers can access internal government databases and collect information from the public, local government bodies, and non-governmental organizations about foreign nationals' presence and activities. This extensive information-gathering framework strengthens the foundation of immigration intelligence and facilitates the development of early warning systems to identify individuals and groups with potential terrorist affiliations. In practical terms, the immigration intelligence strategy is characterized by a proactive and preemptive posture aimed at forestalling criminal activities before they occur. For example, when an individual from a high-risk country tries to enter Indonesia for tourism, immigration intelligence can profile the individual, examine their digital footprint, and collaborate with national or regional counterterrorism units. This methodology is

particularly pertinent in the context of foreign terrorist fighters (FTFs), as several Indonesian citizens have allied with terrorist factions abroad and attempted to return through conventional migration routes. Thus, immigration intelligence's role extends beyond administrative immigration duties to become a strategic cornerstone of Indonesia's national security framework. Immigration intelligence acts as a conduit between migration management and the state's obligation to combat global terrorism, which is increasingly adaptive, clandestine, and decentralized (Triyana, Sianturi, & Afriansyah, 2023).

### **3. The Role of Immigration Intelligence in Countering Terrorism and Enhancing National Security in Indonesia and ASEAN**

Immigration intelligence plays a critical role in the early detection of potential threats posed by foreigners entering or conducting activities within the territory of Indonesia. This detection is carried out through the collection, processing, analysis, and reporting of foreigner-related data to the relevant authorities. The data includes information obtained from travel documents, such as individual profiles, travel history, and criminal records, which can be accessed through systems like Sikkim and Interpol (Mustain, 2016). The accurate information generated from this detection process is integrated into the Immigration Information System, which then produces an intelligence product. Subsequently, a reporting system is established to monitor the whereabouts and activities of foreigners,

facilitating the formation of an intelligence community composed of the state intelligence agency, the National Police, and relevant ministries to exchange information. In addition, cooperation with Interpol enables the detection of passport holder data (Nugroho, 2018).

Another significant role of immigration intelligence in preventing terrorism is the identification and prevention of terrorist movements before they occur. This is achieved through selective policies and profiling at immigration offices or in the field, utilizing data filtering techniques and in-depth analysis. The aim of this process is to identify potential terrorist threats by collaborating with national and international intelligence agencies. Information gathering in immigration intelligence is not limited to a single source, although human intelligence is considered the most reliable (Ronczkowski, 2017). In line with Law Number 6 of 2011 concerning Immigration, Article 1, Number 30, immigration intelligence refers to investigative and security activities aimed at providing information through analysis to assess the immigration situation. This includes monitoring people trafficking in and out of Indonesia's borders and ensuring the maintenance of state sovereignty. Immigration control can be effectively implemented when security and intelligence frameworks are in place (Assilah et al., 2022).

In immigration surveillance and intelligence, there is an essential terrorism-anticipation mechanism to prevent and address the threat of terrorism. The first mechanism is

Risk and Intelligence Assessments, in which immigration intelligence teams conduct risk assessments of individuals entering and leaving the country. They use data and intelligence to identify individuals or groups potentially involved in terrorist activities. This involves collaboration with other intelligence agencies and effective information exchange. Second, it is the Travel Document Check, in which immigration officers carry out strict checks on travel documents, such as passports and visas. They verify the authenticity of documents, compare personal data with existing databases, and suspect indications of forgery. This examination aims to identify individuals with malicious intentions or links to terrorist networks. The next mechanism is Behavioral Monitoring and Analysis, in which immigration officers are trained to observe suspicious behavior. They notice signs such as excessive anxiety, tension, and unusual actions. This monitoring involves visual observation, interviews, and interactions with individuals entering and leaving the country (Rasji et al., 2023).

At the ASEAN level, the ASEAN Convention on Counter Terrorism (ACCT) was published in 2007, which later became ASEAN's main reference in the fight against terrorism. The next ASEAN counter-terrorism policy instrument is based on the ACCT. Later, the ACCT framework became ASEAN's legal product for comprehensive counter-terrorism regulation. Although they share the ACCT, ASEAN member states have no absolute similarities in the

counterterrorism policy paradigm. For example, Indonesia and Singapore tend to use non-military policing methods to address this challenge. Meanwhile, the Philippines, Malaysia, and Thailand rely on stronger military countermeasures. Historical considerations play an important role in ASEAN countries' strategic choices in combating terrorism. This is due to the principle of non-intervention or non-interference. ASEAN was built in the spirit of cohesion, respecting the values of non-intervention. This means that ASEAN and other member states are not allowed to intervene, even in the form of policy. However, several successfully deployed counterterrorism policy instruments demonstrate ASEAN's commitment to proactive counterterrorism at the regional and national levels (Pradnyana, 2022).

Globally, countering and preventing terrorism is one of the top priorities of law enforcement agencies. Counterterrorism efforts can be divided into two main categories: pre-crime and post-crime. The former is commonly seen as "proactive," in which intelligence is crucial in averting occurrences and acts of terrorism, while the latter addresses terrorist activities that have already taken place. Strong collaboration in intelligence sharing between counterterrorism actors and pertinent agencies is necessary for proactive countermeasures (Magistri, 2020). In actuality, collaboration in the fight against terrorism depends on intelligence-sharing. For instance, one of the most prominent and successful applications of preventative

counterterrorism in the US and UK has been the Intelligence-Led Policing (ILP) strategy, which is currently seen as a "promising" patrolling model that can help prevent and reduce significant crimes such as organized crime, trans-organized crime and terrorism. The ILP's fundamental structure is proactive in that it offers a cooperative approach to law enforcement, strengthened by intelligence and built on information exchange and police accountability (Paripurna, 2017).

Currently, the characteristics of the ILP approach are also embodied in Indonesia to target, prioritize, and focus on operations. Although law enforcement intelligence has been successful in guiding police activities to combat terrorism, police operate within a fragmented intelligence structure. Cooperation and information sharing occur on a limited scale, usually only at the strategic level, while tactical and operational ones are only loosely discussed simultaneously. Theoretically, this principle is highly efficient for improving the use of intelligence and information across agencies. However, even in countries with well-established governance and legal systems, implementation can be an administrative challenge. The Indonesian counterterrorism police have attempted to implement some ILP tactics; for example, the police use criminal intelligence from other agencies to disrupt terrorist activities. However, the effectiveness of these efforts has been hampered by a lack of coherent organizational leadership, clear guidelines, mechanisms, or guidance, and the difficulty of

management and coordination. This is because of the disjointed and unclear organizational structure, especially the absence of clear tasks and responsibilities for each agency regarding data collection, storage, and exchange (Paripurna, 2017).

Information exchange in the context of intelligence cooperation can be used to obtain accurate and timely information. Information is cognitively processed with a certain meaning for the beneficiary or can be interpreted as communication and news that make someone aware of a situation; clarification about someone or something, all information and documentation materials and sources; and each new element in relation to previous knowledge about the meaning of a symbol or group of symbols. Intelligence is collected under the same umbrella as the components of national security information, internal and external policies, and certain aspects of international security in cases across global entities (countries and organizations). The process of requiring, gathering, analyzing, and presenting specific kinds of information thought to be crucial to national security as a basis for decisions is known as intelligence activities (Eggers, Steinberg, & Graham, 2003). These activities can take place at various immigration locations, such as immigration checkpoints, where there are various activities, such as checking travel documents, granting permission to people to enter or leave territory, and carrying out supervision in the context of immigration duties (Hutagalung, Adhyatma, & Putri, 2023).

As a reference to the intelligence approach, understanding the historical experience of information mismanagement is crucial to comprehending the weaknesses that allowed the United States to be vulnerable to the terrorist attacks of 9/11/01 and the hints that led the United States and Great Britain to misinterpret the intelligence and go to war with Iraq. However, intelligence methods have recently come under unprecedented scrutiny and visibility owing to issues related to terrorism and war. A country's security depends on better information and intelligence management (Dearstyne, 2005). Countering terrorist activities aims to neutralize terrorist groups and, in this context, render the source of the threat benign and minimize its potential impact. The options for solving the problem of terrorism depend on various strategies and tactics to predict, prevent, and counter the threat of terrorism (Saidin & Khalid, 2023).

The key to the intelligence approach is the exchange of information, as the standard for gathering information includes what is called human intelligence (HUMINT), interception of phone calls, emails, and other signals (Signal Intelligence/SIGINT), and imaging of terrorist activity (Image Intelligence/IMINT). Spies have been around for thousands of years (often referred to as the second oldest profession), while SIGINT and IMINT played a major role in the Cold War against the Soviet Union and other non-terrorist targets. Terrorists still need to have a location to live and interact with one another despite all these advantages. To launch a



successful attack, they also need to gather the necessary supplies, scout the objective, get there, and get past any defenses. Furthermore, terrorists are human beings who talk about things, have families, commit crimes, strive to be the greatest in their organization, become avaricious, distribute drugs, and engage in sexual activity, all of which present opportunities for information collection and counterterrorism in general. This information is important for quick policymaking (Flavius-Cristian & Andreea, 2013).

Rapid identification of terrorist threats and infrastructure vulnerabilities requires clear guidelines and a seamless, cooperative information network from the government, private sector, and public. Information technology can help reduce these conflicts by facilitating collaboration and ensuring that the appropriate information reaches the right people at the right time. Policies that guarantee responsibility and supervision can ensure that the knowledge gained from past mistakes fortifies a nation's information warfare tactics against terrorism (Eggers, Steinberg, & Graham, 2003). The effective implementation of decision-making plans depends on the extent to which government and private sector partners engage in systematic, effective, and multidirectional information sharing and analysis. The actors involved in anti-terror coordination bodies can be electronic infrastructure owners and operators, government agencies, officials responsible for decision-making, military and civilian intelligence agencies,

expert advisory groups, and local and regional authorities (Mujib & Halkis, 2022).

In this regard, Malaysia, one of the countries in the Southeast Asia region that is fighting against acts of terrorism, has transformed itself in response to non-traditional security threats. Terrorism has religious motives, especially the concept of jihad, since this country is based on Islamic law. Hence, it will be easy for terrorist groups, such as The Islamic State of Iraq and Syria (ISIS), with religious motives to develop. Since the 2010s, Malaysia has expanded the territorial reach of its immigration law enforcement through trilateral border patrols and multilateral defence institutions involving the military, institutionalization of border externalization, and strengthening ASEAN regional immigration cooperation. Malaysia's concerns about threats have led to extraterritorial control measures with policies largely implemented through the ASEAN framework (Low, 2019).

Malaysia's experience in dealing with terrorism has made the government aware of its potential consequences. The failure of the military approach in handling terrorism results in the creation of the CVE (Community Engagement and Vigilance) concept, which aims to prevent acts of terrorism before they actually appear in a region, community or individual. This concept also strictly avoids the involvement of military aspects in the handling of terrorism. The CVE concept is used to prevent radicalization from the center. In fact, the threat of terrorism and security issues

must be fully understood to identify the long-term patterns and impacts on the economy, politics, and society (Ramlan et al., 2022).

In Indonesia, in the context of immigration based on Article 74 Paragraph 2 of the Immigration Law, Immigration Investigation refers to the activities or actions carried out by Immigration Officials to seek and discover an incident that is suspected of being an immigration crime. Meanwhile, Immigration Intelligence Operations refer to activities carried out based on a plan to achieve specific objectives and are determined by the orders of authorized Immigration Officials. More technically, based on Minister of Law and Human Rights Regulation Number 30 of 2016 concerning Immigration Intelligence, this function includes two aspects: Immigration Intelligence investigations and Immigration Intelligence security. The former is conducted to seek, obtain, and process data or information about target objects in the immigration sector, while the latter is implemented to detect and prevent threats, challenges, obstacles, and disruptions to the implementation of immigration functions (Citrawan & Nadila, 2019).

To successfully achieve their goal, intelligence analysts must have both subject matter knowledge relevant to their specific analytic focus and the knowledge required to describe, explain, evaluate, and forecast the actions of the adversary or the environment, as well as process knowledge relevant to how to perform the analysis. Area studies, comparative politics, international relations, and other subject

matter disciplines can provide important subject matter expertise for aiding intelligence analysis (Marrin 2020). During its development, surveillance was carried out through other forms, such as data mining and data retention. Data mining is a technology for obtaining valuable information from certain general data (low-value inputs). Data retention is a mechanism for storing data for a certain period of time, which can be used at any time (recalling) (Landau & Diffie, 2007).

In assessing this threat, immigration intelligence data can be directed at the following points related to the enemy: type (terrorist, activist, employee, and other), category (foreign or domestic, terrorist or criminal, insider and/or outsider of the organization), objective (theft, sabotage, mass destruction (maximum casualties), sociopolitical statement, and other), number (individual suicide bomber, grouping or "cells" of operatives/terrorists, gangs, are other), capability (knowledge, motivation, skills, weapons and tools), target (critical infrastructure, governmental buildings, national monuments, and other), range of tactics (stealth, force, deceit, combination, and other), planning (long-term "casing", photography, monitoring police and security patrol patterns, and other), and timing of attacks (at rush hour, at night, and other). From an organizational perspective, intelligence can be defined as the collection, analysis, interpretation, and distribution of strategic information at the right time for use in decision-making (Porter & Detampel, 1995). However, in several countries,

managing immigration intelligence data has encountered challenges related to protecting human rights, one of which is surveillance as a form of intrusion into someone's private life (Djafar & Fadhli, 2015).

#### D. CONCLUSION

This scholarly investigation evaluated the effectiveness of an intelligence-oriented immigration strategy in mitigating terrorism in Indonesia. The study was motivated by the nation's increasing vulnerability at immigration checkpoints, exacerbated by substantial human mobility, insufficient infrastructure development, and limited human resources. Transnational terrorist organizations have exploited these vulnerabilities, as demonstrated by the 2016 Sarinah bombing and the 2018 Surabaya church attacks. This study examines whether Indonesia's current immigration framework, enhanced through an intelligence-based approach, can foster a more proactive and coordinated counterterrorism strategy. The study uses a normative legal research methodology that integrates statutory, conceptual, comparative, and case-based analytical techniques. The legal instruments examined include Law No. 6 of 2011 on Immigration, Ministerial Regulation No. 30 of 2016 on Immigration Intelligence, and the ASEAN Convention on Counter-Terrorism (ACCT). This study is theoretically grounded in the extraordinary crime doctrine, which views terrorism as an exceptional threat requiring unique legal interventions; the national security

intelligence system theory, which emphasizes the importance of systematic data collection and analysis for safeguarding state security; and security criminology, which conceptualizes terrorism as a socio-legal phenomenon influenced by global networks and state vulnerabilities. The theory of collaborative governance highlights the critical importance of interagency cooperation and data integration in establishing an effective immigration intelligence framework. Results indicate that Indonesia's traditional immigration control apparatus, which is primarily administrative, is inadequately structured to identify and mitigate individuals at elevated risk of engaging in terrorism. Conversely, an immigration intelligence approach enables the early identification of threats and strategic responses by collecting, analyzing, and applying immigration-related data. However, institutional deficiencies, legal fragmentation, and technological limitations hinder the comprehensive implementation of such a system. Comparative analyses from other jurisdictions, notably the United States and ASEAN counterparts, demonstrate the benefits of integrating intelligence-driven policing strategies into immigration procedures to bolster national resilience and curb cross-border terrorism. This paper posits that immigration intelligence must transcend bureaucratic checkpoint operations and be reconceptualized as a strategic pillar of national security. To achieve this transformation, immigration legislation must be reformed to more effectively align with counterterrorism initiatives.

Furthermore, substantial investments in digital infrastructure, training for immigration personnel, and sustained intercountry coordination within the region are imperative. Additionally, intelligence capabilities must be embedded within immigration agencies under well-defined legislative mandates and robust oversight to ensure efficacy and accountability. Ultimately, integrating immigration data into Indonesia's national security framework paves the way for developing a more adaptable, responsive, and intelligence-driven legislative architecture aimed at countering terrorism. Theoretically, this research bridges criminological and security perspectives with legal analysis and offers prescriptive insights that may inform legislative advancement and policy innovation in immigration and counterterrorism.

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