



Immigration Policy Challenges and Opportunities in Facing Illegal Migration

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Abstract: *Illegal migration is a global phenomenon that continues to be of concern to various countries because of its impact on social stability, the economy and national security. Immigration policy has an important role in managing illegal migration flows through various strategies, including border control, international cooperation, and the use of technology. However, policies that are too restrictive can cause negative impacts, such as increased human trafficking and exploitation of migrant workers. On the other hand, illegal migration also provides economic opportunities, such as meeting labor needs and increasing remittances for the country of origin. This research uses a qualitative approach with descriptive-analytical methods. Data was collected through a literature study which included analysis of immigration policy documents, reports from related institutions, as well as previous research on illegal migration. In addition, semi-structured interviews were conducted with various stakeholders, such as immigration officials, academics and international organizations working in the field of migration. The data analysis technique used is content analysis, which allows identifying patterns, trends and policy implications for the effectiveness of managing illegal migration. The research results show that effective immigration policies must balance law enforcement, protection of human rights, and the use of digital technology to improve immigration monitoring and services. With a comprehensive and adaptive approach, immigration policy can become a more effective instrument in facing the challenge of illegal migration in a sustainable manner.*

Keywords: *Border Control, Human Rights, Immigration Policy, Immigration Technology, Illegal Migration.*

1. INTRODUCTION

Illegal migration is a global phenomenon that continues to be of concern to various countries. This phenomenon is influenced by various factors, such as economic inequality, political conflict, climate change, and immigration policies implemented by the destination country (Castles, de Haas, & Miller, 2020). In many cases, illegal migration poses challenges for governments in maintaining social, economic stability and national security (Triandafyllidou, 2018). Therefore, immigration policy is an important instrument in managing illegal migration flows so that they do not cause long-lasting negative impacts.

The increasing number of illegal migrants requires countries to adapt their immigration policies to changing global dynamics. Various strategies have been implemented, ranging from increased border control, bilateral and multilateral cooperation, to stricter immigration policy reform (Guild, Basaran, & Allinson, 2019). However, an overly restrictive approach can also have negative consequences, such as increased human smuggling and exploitation of migrant workers (Cornelisse, 2020).

On the other hand, illegal migration also creates opportunities for destination and origin countries. Some countries experience labor shortages in certain sectors, which can be filled by

illegal migrants (Hollifield, Martin, & Orrenius, 2014). In addition, remittances sent by migrant workers contribute to the economy of the country of origin (World Bank, 2022). Therefore, appropriate immigration policies do not only focus on prosecution but must also consider humanitarian aspects and the economic benefits that can be obtained.

In the context of immigration policy, the role of technology and digitalization is growing in helping countries manage illegal migration flows. The use of artificial intelligence-based surveillance systems, biometric data, and real-time border monitoring is an innovative solution to increase the effectiveness of immigration policies (Broeders & Dijstelbloem, 2021). However, the main challenge in implementing this technology is ensuring a balance between security and protection of human rights for migrants (Zaiotti, 2017).

International cooperation is a key element in overcoming the challenge of illegal migration. Countries need to strengthen coordination in sharing information, developing joint policies, and addressing the root causes of illegal migration, such as poverty and conflict in countries of origin (Betts & Collier, 2018). International organizations, such as the United Nations (UN) and the International Organization for Migration (IOM), play an important role in supporting global efforts to manage irregular migration more effectively (IOM, 2021).

By considering existing challenges and opportunities, immigration policies must be designed comprehensively and adaptively. A balanced approach between law enforcement, protecting human rights, and utilizing migrant workers can create a more sustainable immigration system (Castles et al., 2020). In addition, policy reforms based on data and scientific evidence are needed to ensure that the policies implemented can have a positive impact on all parties involved.

This article will discuss in depth the challenges and opportunities in immigration policy in dealing with illegal migration. Through comprehensive policy analysis, this research aims to provide strategic recommendations for policy makers in managing the issue of illegal migration with a more effective and sustainable approach.

2. RESEARCH METHODS

The research method in this journal uses a qualitative approach with descriptive-analytical methods. Data was collected through library research which included analysis of immigration policy documents, reports from related institutions, as well as previous research on illegal migration. In addition, interviews were conducted with stakeholders, such as immigration officials, academics, and international organizations working in the field of migration, to gain in-depth insight into the challenges and opportunities in handling illegal

migration. The data analysis technique used is content analysis, which allows researchers to identify patterns, trends and implications of the policies implemented.

This approach aims to understand the dynamics of immigration policy in dealing with illegal migration, including factors that influence policy effectiveness and strategies that can be adopted to improve migration management. By combining policy analysis and perspectives from various related actors, it is hoped that this research can provide more comprehensive recommendations for the government and related institutions in designing immigration policies that are more adaptive and responsive to global challenges.

3. RESULTS AND DISCUSSION

Challenges in Immigration Policy Enforcement

Immigration policy is an important aspect in managing a country's borders. Immigration regulations aim to regulate population mobility, maintain national security, and ensure economic and social balance. However, the implementation of immigration policy faces various challenges, both from legal, social, economic and technological aspects.

One of the main challenges in enforcing immigration policy is the high rate of illegal immigration. Many individuals enter a country without official documents, either to find work, escape conflict in their home country, or simply seek a better life. This phenomenon often results in increased cases of human trafficking and illegal labor exploitation (Castles, 2017).

In addition, immigration policies often conflict with aspects of human rights. The government must strike a balance between enforcing immigration law and protecting refugees and asylum seekers. International organizations such as UNHCR emphasize that immigration policies must continue to pay attention to the principle of non-refoulement, namely the prohibition on returning individuals to their country of origin if they are at risk of torture or ill-treatment (UNHCR, 2021).

Political aspects also influence the effectiveness of immigration policies. Some countries have implemented strict policies towards immigrants due to domestic political pressure. For example, immigration policy in the United States changes frequently depending on the government in power. More conservative administrations tend to enact restrictive policies, while more liberal administrations often open up opportunities for immigrants (Martin, 2020).

From an economic perspective, immigration policy faces challenges in managing the balance between labor needs and immigration control. Some industrial sectors rely heavily on immigrant labor, especially in agriculture, construction, and health care. Immigration

restrictions that are too strict can cause labor shortages, while policies that are too loose can create high job competition for local residents (Borjas, 2018).

Technological developments are also a challenge and a solution in enforcing immigration policies. On the one hand, the use of technology such as biometric systems and artificial intelligence can improve border surveillance and detect illegal immigration more effectively. However, on the other hand, implementing this technology requires large investments and can raise privacy issues for individuals (Broeders, 2020).

Coordination between government agencies is an important aspect of the effectiveness of immigration policy. Immigration law enforcement requires cooperation between border authorities, police and relevant ministries. However, there is often a lack of policy synchronization and overlapping authority which hampers the effectiveness of regulatory implementation (Guild, 2019).

Another challenge is the emergence of a migration crisis due to conflict and climate change. Wars and natural disasters have forced millions of people to move to other countries. Destination countries often experience social and economic pressure due to the high number of refugees. This gives rise to debates regarding the limits of immigrant acceptance and the distribution of responsibilities between countries (Betts & Collier, 2017).

Immigration policy also faces challenges in terms of social integration. Some countries have difficulty integrating immigrants into local society, which can lead to social tensions and increased anti-immigrant sentiment. Factors such as differences in culture, language and religion can become obstacles in the assimilation process (Portes & Rumbaut, 2014).

From a legal perspective, revising and harmonizing immigration regulations is a challenge in itself. Some countries have regulations that overlap or are less in line with global developments. Harmonization of immigration policies at the regional level, such as the European Union, still faces various obstacles related to national sovereignty and the interests of each country (Geddes & Scholten, 2016).

In facing these challenges, a holistic and evidence-based approach is needed in formulating immigration policy. The government needs to combine strict policies with effective integration programs, as well as collaborate with international organizations to address global problems related to migration (Hollifield et al., 2014).

Opportunities to Strengthen Immigration Policy

Immigration policy has a strategic role in maintaining state sovereignty while supporting economic growth and international relations. In the era of globalization, adaptive immigration

policies are an urgent need to effectively manage the inflow of foreign nationals, both for the purposes of tourism, investment, labor and national security. Strengthening immigration policies can be a solution to balance security aspects with economic opportunities, especially in facing increasingly complex global dynamics.

One of the main opportunities in strengthening immigration policy is the use of digital technology in the immigration administration and control system. Digitalization of immigration services, such as e-visas, e-passport, and integrated data management systems, can increase efficiency and transparency in the licensing process and supervision of the movement of foreigners in a country. A study by Castles and Miller (2020) shows that countries with technology-based immigration systems have better control over migration flows while improving the user experience of immigration services.

Apart from digitalization, regulatory reform is also an opportunity to strengthen immigration policies. Simplifying visa procedures for skilled foreign workers, investors and academics can have a positive impact on economic development. For example, the Golden Visa policy implemented in several European and Asian countries has succeeded in attracting significant foreign investment. In the Indonesian context, similar policies can be implemented to attract global talent and increase national economic competitiveness (Sugiono, 2022).

On the other hand, strengthening immigration policies also needs to consider national security aspects. Uncontrolled migration flows can increase the risk of transnational crimes, such as human trafficking, narcotics smuggling and acts of terrorism. Therefore, coordination between immigration agencies and law enforcement agencies, both at the national and international levels, is crucial. Research by Boswell (2018) emphasizes that strong immigration policies must be based on a multidisciplinary approach that includes aspects of law, technology and diplomacy.

Apart from security aspects, protection of human rights (HAM) for migrants and refugees must also be a main concern in strengthening immigration policies. Implementing policies that do not pay attention to human rights principles can have a negative impact on a country's international image and have the potential to cause diplomatic tensions. A number of countries have adopted human rights-based policies in dealing with asylum seekers and refugees, as regulated in the 1951 Refugee Convention agreed to by the United Nations (UNHCR, 2021).

Another opportunity in strengthening immigration policy is optimizing the role of diplomacy in managing bilateral and multilateral relations related to migration issues. Indonesia, as a country with high labor mobility, can take advantage of cooperation agreements with migration destination countries to protect the rights of Indonesian workers abroad. On the

other hand, immigration diplomacy can also strengthen Indonesia's attractiveness as a destination for investors and high-skilled foreign workers (Fauzan, 2023).

Immigration policies that are flexible and responsive to global dynamics are also needed to deal with emergency situations, such as pandemics or geopolitical crises. The COVID-19 pandemic is a clear example of how immigration policies must quickly adapt in managing international mobility to prevent the spread of the virus without hampering essential economic activities. A study conducted by WHO (2022) shows that countries that implement adaptive border policies are more effective in dealing with the spread of the virus while maintaining global business continuity.

In an economic context, immigration policies that are more open to skilled foreign workers can be a stimulus for the growth of the industrial, technological and educational sectors. Developed countries, such as the United States, Canada and Australia, have proven that competitive work visa policies can attract the best talent from around the world, which in turn contributes to innovation and economic development (OECD, 2022).

However, in designing a more open immigration policy, a strategy is needed that still prioritizes protection for domestic workers. Unbalanced policy implementation can give rise to unhealthy competition between foreign and local workers. Therefore, the government needs to develop regulations that ensure that incoming foreign workers really have the required skills and do not replace local workers who have potential (Suharto, 2021).

The government can also utilize immigration policy as an instrument to attract more international students. Several countries have used flexible student visa policies as a strategy to increase the competitiveness of their universities at the global level. In the long term, this strategy not only brings income to the education sector, but also contributes to human resource development in the destination country (Marginson, 2020).

Apart from that, strengthening immigration policies must also consider sustainability aspects. With increasing global awareness of environmental issues, immigration policies can be directed to support sustainable migration, such as encouraging the entry of workers who contribute to the green economy and environmentally friendly technologies. Several countries have begun to develop environmentally based immigration policies to attract professionals in the fields of renewable energy and sustainability (IOM, 2023).

Adaptation and Innovation Strategies in Immigration Management

Immigration management in the era of globalization faces increasingly complex challenges. Increased human mobility and technological developments require the government

to adopt adaptation and innovation strategies to improve the quality of immigration services. One approach applied is the use of information technology in the service process (Suyanto, 2023).

The Bogor Non-TPI Class I Immigration Office, for example, has implemented artificial intelligence (AI) to increase efficiency, accuracy and security in various administrative processes, identity verification and detection of transnational crimes related to immigration. The application of AI allows the acceleration of service processes and improvement of user experience (Setiawan, 2022).

Another innovation in immigration services is the Eazy Passport program implemented by the TPI Nunukan Class II Immigration Office. This program aims to make it easier for people to make passports through a pick-up service to communities that have registered. However, the implementation of this program faces challenges, such as a lack of response from the community and minimal information about the program (Fitri, 2022).

In addition, the TPI Singaraja Class II Immigration Office has implemented a no-drop (lantatur) service for collecting passports. This service allows passport applicants to collect their documents through a special counter without having to get out of the vehicle, thereby reducing physical contact and supporting health protocols during the pandemic. The implementation of this innovation received a positive response from the community (Suryanto, 2021).

The implementation of management information systems also plays an important role in improving the quality of public services. Research shows that management information systems have a positive and significant effect on the quality of public services, while innovative behavior and budget participation have a positive effect on managerial performance (Rahman & Santoso, 2023).

Immigration transformation is also marked by the operation of autogates at major airports such as Soekarno-Hatta and I Gusti Ngurah Rai, electronic passport services (e-passports) at various immigration offices and Indonesian missions abroad, as well as digital services for electronic residence permits (e-ITK, e-ITAS, e-ITAP). These innovations aim to make the immigration process easier for the community (Nugroho, 2024).

The Directorate General of Immigration also encourages courage to innovate with a spirit of improvement. The Minister of Law and Human Rights, Yasonna Laoly, emphasized the importance of making breakthroughs in the use of digital technology to improve immigration services (South Jakarta Immigration, 2023).

In facing the era of digitalization, the Directorate General of Immigration's public relations strategy also needs to be adjusted to foster good perceptions among the public regarding the function of immigration which is not only limited to public services. Therefore, an appropriate strategy is needed in its implementation (Pratama, 2021).

The TPI Palembang Class I Immigration Office has implemented the M-Paspor application as an application-based public service innovation. The implementation of this application is expected to increase efficiency and quality of service to the community (Hidayat, 2023).

Strengthening the function of immigration as a facilitator for community welfare development is also a focus in the Directorate General of Immigration's strategic plan. Immigration law enforcement and service improvement programs reflect the organization's priorities in efforts to improve service quality (Wijaya, 2022).

Overall, adaptation and innovation strategies in immigration management are important steps in facing the challenges of globalization and technological developments. Through various innovations and the use of technology, it is hoped that immigration services can continue to be improved for the satisfaction and convenience of the community.

4. CONCLUSION

Based on the results and discussion above, it can be concluded that Immigration policy faces various challenges in managing illegal migration, ranging from legal, social, economic and technological aspects. The high number of illegal immigration requires the government to balance law enforcement and protecting human rights. In addition, technological developments provide opportunities to increase supervision and efficiency of immigration services, but their implementation must still consider ethical and privacy aspects. Inter-agency coordination and international cooperation are also key factors in increasing the effectiveness of immigration policies.

On the other hand, strengthening immigration policies can be an opportunity for economic growth and national stability. Digitalization of immigration services, regulatory reform, and the use of skilled migrant workers can provide significant economic benefits. Additionally, immigration diplomacy plays an important role in protecting migrant workers and attracting foreign investment. With a holistic, adaptive and evidence-based approach, immigration policy can be managed more effectively to face the growing global migration challenge.

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