

The Role of the Class I Immigration Office of TPI Yogyakarta in preventing illegal Indonesian migrant workers based on Law Number 6 of 2011

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Abstract

The role of the Class I Immigration Office of TPI Yogyakarta in preventing Illegal Indonesian Migrant Workers based on law number 6 of 2011. This is against the background of the large number of unemployed people who make Migrant Workers willing to work anything to be able to continue life. One of the solutions is to become an Indonesian Migrant Worker, because of the large demand for migrant workers from abroad and also the large number of people who want to become migrant workers with convoluted and expensive immigration procedures that make these prospective Indonesian Migrant Workers prefer to become Illegal Indonesian Migrant Workers. The research uses qualitative methods and data processing using interview techniques, field observations and document and literature studies, namely collecting data by systematic observation and recording directly at the research site. One of the efforts made to anticipate the misuse of purposes and objectives in the process of making Travel Documents of the Republic of Indonesia (DPRI) is to select and avoid the issuance of Travel Documents of the Republic of Indonesia with the intention of family visits, tourist visits to countries receiving Indonesian Migrant Workers, in this case the provision of Travel Documents of the Republic of Indonesia for prospective migrant workers should be in accordance with the provisions of the regulations applicable legislation. What is meant here is that the requirements in applying for a Travel Document of the Republic of Indonesia should be considered more carefully, because there are so many data forgeries carried out by prospective Migrant Workers. The Class I Immigration Office of TPI Yogyakarta can act decisively if there are suspicious things in submitting a passport application. To further improve coordination between the Class I Immigration Office of TPI Yogyakarta and the Distributor of Indonesian Migrant Worker Services related to Indonesian Migrant Workers. Therefore, regular meetings should be held that can be held every month to discuss problems that arise or to find solutions to the problem of illegal migrant workers.

Keywords: Immigration, Migrant, Illegal



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INTRODUCTION

The globalization of the world has had an impact on increasing the traffic of people between nations, national boundaries are getting easier to pass through and penetrate therefore it is a concern for countries. The development of this era of globalization encourages the increasing mobility of the world's population which causes various impacts, both beneficial and detrimental to the interests and life of the nation and the State of the Republic of Indonesia (Afifah. 2012).

Indonesia is a country with an area that is among the largest in the world if the Asian level category of Indonesia's area is no. 2 after China and is the largest area in Southeast Asia. The form of the territory of this Indonesian state is an archipelago because indeed the territory of Indonesia consists of several large islands such as the island of Sumatra, the island of Kalimantan, the island of Java, the island of Sulawesi and the island of Papua. So that in addition to the land area, Indonesia also has an ocean area which in total reaches two-thirds



of the total area owned by Indonesia.

Indonesia's vast territory, is also a place for every Indonesian population that currently has a large population of +278 million people which will reflect how the world of work is going which if the population is large then the employment opportunities must also be greater. This large population is also a big problem for the Indonesian government's efforts to prosper the life of its nation. This can be seen in the development of the number of labor force that is not balanced with the ability to absorb labor, which has resulted in an increase in the number of unemployed in Indonesia. The Indonesian state in the development of the law cannot be separated from its connection to the law that regulates Indonesian citizens who will leave their country. Therefore, the enactment of a law that aims to overshadow all forms of movement both in and out of the territory of the country. The Indonesian state has regulations on displacement known as immigration.

Immigration law has undergone various forms and improvements in developments towards national and international interests, especially in the fields of tourism, technology and transportation. This encourages an increase in people to enter and leave the Territory of the Republic of Indonesia with various needs such as work, entrepreneurship, travel and visiting family. The economic crisis that has befallen the Indonesian state has also had a direct influence on the field of labor, which has since been very vulnerable to changes that have occurred in the economic field. For the people themselves, this economic downturn has a very big impact on their lives. The influences that have arisen include the price of goods increasing but a fixed income is sometimes even less, there are many terminations in many companies and many other problems that until now have not found a bright spot that leads to indonesia's economic recovery.

As a result of the large number of unemployed people themselves, the workforce is willing to work anything to be able to continue life so that it runs back to normal. One of the solutions is to become an Indonesian Workforce. The opportunity to become an Indonesian Migrant Worker is a breath of fresh air in the midst of their lack of living conditions. Due to the large demand for labor from abroad and also the large number of people who want to become labor with complicated and expensive immigration procedures, Indonesian Migrant Workers prefer to become illegal Indonesian Migrant Workers, the considerable flow of illegal labor reflects three things, namely:

1. The problem of unemployment and limited employment opportunities in Indonesia is already very critical, so many workers are forced to take high risks, namely by becoming illegal in order to pursue job opportunities abroad.
2. The appreciation of Indonesian entrepreneurs and families for their work is very low. This can be seen from the difference in the amount of salary received by these workers.
3. Managing the delivery of Indonesian Migrant Workers requires high costs to go through complicated bureaucracy. Subject to limited funding from these prospective workers, many of them cut corners by becoming Illegal Migrant Workers (Payman J, 2015)

Considering that Law No. 6 of 2011 immigration is part of the realization of the implementation of marine enforcement of Indonesian territory in order to maintain the order of national and state life towards a just and prosperous society based on Pancasila and the 1945 Constitution of the Republic of Indonesia, today's global development encourages the increasing mobility of the world's population which causes various impacts, both beneficial and detrimental the interests and life of the nation of the Republic of Indonesia, so that laws and regulations are needed that ensure legal certainty in line with the respect, protection, and promotion of human rights, and Law No. 9 of 1992 concerning immigration is no longer



adequate to meet the various developments of regulatory needs, services, and supervision in the field of immigration so it needs to be repealed and replaced with a new law that is more comprehensive and able to answer the existing challenges.

Daerah Istimewah Yogyakarta (DIY) is an area in Indonesia that is famous as a city of students and tourism. Many Indonesian citizens (WNI) in Yogyakarta get scholarships and job opportunities as well as for other purposes abroad, so there are some who become Indonesian Migrant Workers sometimes do problems. The problem that occurs is using a paslu visa or a visa whose authenticity is doubtful. In 2019, there were still many Indonesian Migrant Workers from Bantul who departed without the official knowledge of the Bantul Regency Government and the official company distributing Indonesian Migrant Workers. Usually, Indonesian Migrant Workers who leave independently because they are invited by family, relatives, or friends who have worked abroad before (Fuska, 2019)

Therefore, the role of Immigration in preventing the existence of illegal Indonesian Migrant Workers is very important. In this series of tasks, immigration has a role that can be applied in the service process by providing conveniences provided to prospective workers. In addition to having a role and service, immigration also plays a role in the departure and arrival process for every Indonesian Migrant Worker who will go abroad or return to Indonesia. In this regard, the author takes the title "The Role of the Immigration Office class I TPI Yogyakarta in the Prevention of Illegal Indonesian Migrant Workers Based on Law Number 6 of 2011".

Based on the background of the problem above, the formulation of the problem in this study can be identified as follows: What is the role of the Class I Immigration office of TPI Yogyakarta to prevent illegal Indonesian Migrant Workers based on Law Number 6 of 2011? What are the obstacles faced by the Class I Immigration Office of TPI Yogyakarta in its role to prevent the existence of Illegal Indonesian Migrant Workers based on Law Number 6 of 2011 and how are the efforts of the Class I Immigration office of TPI Yogyakarta to overcome these obstacles? The objectives of the study are formulated declaratively and are statements, of what is to be achieved with the writing. Based on the above problems, the purpose of this study is: To understand the role of the Class I Immigration Office of TPI Yogyakarta in preventing the existence of Illegal Indonesian Migrant Workers based on Law Number 6 of 2011, and to find out the obstacles faced by the Class I Immigration Office of TPI Yogyakarta in its role to prevent illegal Indonesian Migrant Workers based on Law Number 6 of 2011 and how the efforts of the Class I Immigration Office of TPI Yogyakarta to overcome those obstacles.

RESEARCH METHODS

This research is a qualitative descriptive research using qualitative research methods. Qualitative research methods are methods used to research on the condition of natural objects, where researchers are as key instruments, data analysis is inductive / qualitative, and the results of their research emphasize meaning more than generalizations (Sugiyono, 2011). Qualitative data can be obtained through various data collection techniques such as interviews, document analysis, or observations that have been outlined in field notes (transkrip). Research instruments are all tools used to collect, examine, investigate a problem or collect, process, analyze and present data systematically and objectively with the aim of solving a problem or testing a hypothesis (Alsa, 2011). This research is a qualitative research so that the instrument tool used is the researcher himself, so that the researcher can make adjustments in line with the realities that occur in the field. Researchers also function to establish the focus of the research, select informants as data sources, carry out data collection,



assess data quality, analyze data, interpret data and make conclusions.

According to Nurgiansah (2018) location or place is the place where research obtains information about the necessary data. The research location is the place where the research will be carried out. Site selection must be based on considerations, attractiveness, uniqueness, and suitability to the chosen topic and is a place where researchers will conduct research, especially in capturing phenomena or events that actually occur from the research object under study in order to obtain accurate research data. The place where this research is carried out at the Class I Immigration Office of TPI Yogyakarta to obtain data that is in accordance with the problem, the research will carry out observations on the role of Immigration in the prevention of Illegal Indonesian Migrant Workers at the Class I Immigration Office of TPI Yogyakarta for a predetermined time. Research time is a series of observation values taken during the time used by the researcher for this study to be carried out since the issuance of a research permit within a certain period of time. The time for this study was carried out from January 18-28, 2022. On the object of the role of immigration in the prevention of Illegal Indonesian Migrant Workers as a research center for the discussion of Thesis Tasks.

The object and subject of the study are the targets to obtain certain goals about something that will be proven objectively. The definition of the object of the research subject according to Sugiyono (2016) is as follows. Subject is a trait or value of a person, object or activity that has certain variables set to be studied and drawn conclusions. Based on this understanding, it can be seen that the subject of the study becomes very important in a study, this is related to the title of the research and the necessary data. The object of research is also important because the object of research is used to obtain data according to certain purposes and uses. If the determination of the object of the study does not support the title and research data, it becomes a big obstacle and affects the results of the study. The object of this study was focused on the Class I Immigration Office of TPI Yogyakarta.

According to Nurgiansah (2018) the subject of research is a source that can provide purposively selected information and its implementation in accordance with certain purposes or objectives. According to Meleong (2017) the subject is a description of the research subject as an informant, which means the research person who is used to provide information about the situation and conditions of the research background. The subject of this study was focused on the Key Informants and informants on the role of immigration in the prevention of Indonesian Migrant Workers at the Class I Immigration office of TPI Yogyakarta. The Informant's Key is detailed information and is the main source. In this study, the Key Informant was the Head of Intelligence and Immigration Enforcement (INTELDAKIM) of the Class I Immigration Office of TPI Yogyakarta. Informants are additional data collection for researchers in disclosing problems encountered during research. The informant in this study was a Member of the Inteldakim Immigration Office Class I TPI Yogyakarta.

Data collection in this study used the following methods:

1. Observation Methods. The observation method is the collection of data that is carried out deliberately and systematically with the intention of studying directly if you feel that the results obtained are not right. Observations were made directly on immigration activities in the prevention of Illegal Indonesian Migrant Workers at the Class I Immigration Office of TPI Yogyakarta.
2. Interview Methods. The interview method is a meeting of two or more people to exchange information and ideas through question and answer, so that meaning can be constructed in a certain topic (Sutrisno, 2013). In this study, researchers used the free interview method, namely there was a free question and answer between the interviewer and the respondent,



but the interviewer used the purpose of the study as a guideline. The good thing in using this method is that the respondent is not fully aware that he is being interviewed. So researchers conducted direct interviews with immigration officials related to research problems.

3. Documentation Methods. The documentation method is a record of past events. Documents can be in the form of writings, drawings, or monumental works of a person (Sugiyono, 2016). In this study, the documentation method was used as a supporting data collection technique by collecting documents related to the discussion of the thesis.

RESULTS OF RESEARCH AND DISCUSSION

Research Results

Data Description

The Yogyakarta Immigration Office was established and inaugurated by the Head of the Regional Office of the Ministry of Justice and Human Rights on April 10, 1974. The Class I Immigration Office of TPI Yogyakarta is located on km 10 road, built on a land area of 2,329 M2 which has 4 regencies and 1 Yogyakarta City.



Figure 2. Map of Class I Immigration Office TPI Yogyakarta

Source : Google Maps

Class I Immigration Office Yogyakarta has 5 working areas, namely: Yogyakarta Municipality; Gunung Kidul Regency; Kulonprogo District; Bantul County; Sleman County. Originally, the Yogyakarta Immigration Office was called the Yogyakarta Class II Immigration Office. On August 19, 2004, the Yogyakarta Immigration Office changed its name to the Class I Immigration Office of Yogyakarta. Based on the Regulation of the Minister of Law and Human Rights Number 19 of 2018, the name of the Yogyakarta Class I Immigration Office changed to, Class I Immigration Office TPI Yogyakarta. Class I Immigration Office TPI Yogyakarta has 6 (six) Organizational Structures, namely: Head of Class I Immigration Office TPI Yogyakarta; Administrative Subdivision; Immigration Traffic Section; Residence Permits and Immigration Status Section; Immigration Intelligence and Enforcement Section; Immigration Information and Communication Technology Section.

Immigration law has experienced various forms and improvements in the development of national and international interests, especially in the fields of tourism, technology and transportation, one of the solutions is to become an Indonesian Migrant Worker. The opportunity to become an Indonesian Migrant Worker is a breath of fresh air in the midst of their lack of living conditions. Due to the large demand for labor from abroad and also the large number of people who want to become labor with complicated and expensive immigration procedures, Indonesian Migrant Workers prefer to become Illegal Indonesian Migrant Workers.



Discussion

How is the role of the Class I Immigration Office of TPI Yogyakarta to prevent illegal Indonesian Migrant Workers based on Law Number 6 of 2011.

The Immigration Office is a technical implementation unit in the field of immigration within the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia which is under the Head of the Regional Office and must also be responsible to the head of the Regional Office. As stated in Law Number 6 of 2011 article 4 (paragraph 1) Immigration establishes Immigration Offices in Regencies and Cities, one of which is in the city of Yogyakarta to carry out its functions.

The provision of immigration documents to Indonesian Migrant Workers in this case the Travel Document of the Republic of Indonesia (DPRI) is basically a manifestation of human rights protection to travel abroad with any intention and purpose as long as it is not challenged by the provisions of the applicable laws and regulations. As a facility provider in the placement of Indonesian Migrant Workers, Immigration is obliged to provide a Travel Document of the Republic of Indonesia (DPRI) to every citizen who will travel abroad as long as there are no burdensome things. This obligation is also the embodiment of respect for human rights.

Carrying out the Obligations of the Class I Immigration Office of TPI Yogyakarta

Obligations for the Class I Immigration Office of TPI Yogyakarta as the leading party in maintaining the state gate through activities: Providing services in the process of issuing Travel Documents of the Republic of Indonesia intended for Indonesian Migrant Workers who have met predetermined requirements. Passport Application Procedure: Prospective Indonesian Migrant Workers must prepare and undergo the requirements and processes that have been set by the Class I Immigration Office of TPI Yogyakarta.

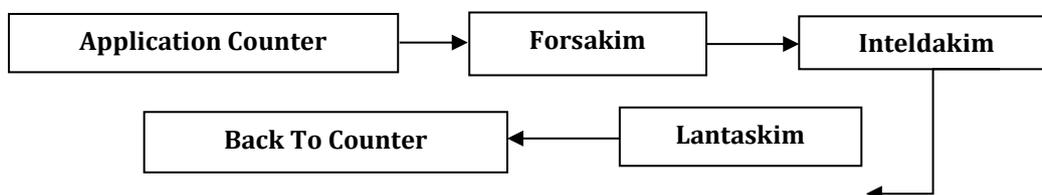
Passport Application Requirements

Regarding the requirements for submitting a passport application for Indonesian Migrant Workers, it is basically the same as the requirements for submitting an ordinary or general passport application by attaching: KTP, Family Card, Birth Certificate, Diploma, Marriage Certificate (For those who are married), Sponsorship Letter / Place of Destination. Meanwhile, the manufacture of passports for children under the age of 17 years must have: Parental Marriage Certificate, Parent's Passport. However, the requirements for making passports for Indonesian Migrant Workers are different: They must have permission from the Immigration Traffic section (because of the regional ID card). Must obtain permission from the Interstate Inter-Employment Center (AKAN) in order to obtain a recommendation for passport issuance by the Directorate of Lantaskim and so that the Identity Card of Indonesian Migrant Workers from the Ministry of Manpower can be issued. Must get a letter of recommendation from the Ministry of Manpower.

Passport Application Process

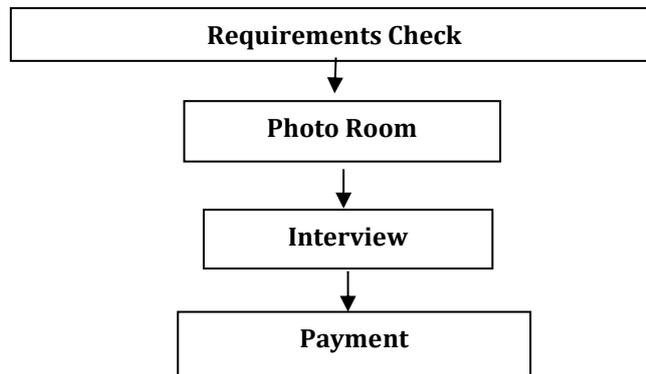
The Passport Application Process is divided into 3 parts, namely:

1. Approval Process

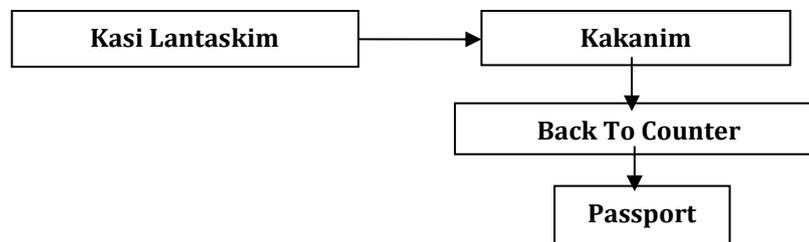




2. Implementation Process



3. Proses Penyelesaian



- The applicant will get a Passport after 3 days of payment.
- If the applicant has not paid after 7 days of passport making, then the passport is declared void/forfeited.
- Legal Limit of Indonesian Migrant Workers for 3 years, provision of Passport renewal services in countries where Indonesian Migrant Workers work.

Conducting the Interview Process at the Class I Immigration Office of TPI Yogyakarta

Carry out the Interview Process to be able to obtain data during the interview process for applicants for Travel Documents of the Republic of Indonesia. This interview plays an important role in the process of issuing Travel Documents of the Republic of Indonesia (DPRI) because immigration officers can conduct interviews directly with applicants and can ask questions about the reasons for making a Travel Document of the Republic of Indonesia (DPRI). If there is any doubt in providing an answer, it will immediately be known so that the immigration officer can immediately decide whether the person concerned can obtain a Travel Document of the Republic of Indonesia (DPRI) or not. It can be known that Indonesian Migrant Workers who are going abroad must be equipped with valid immigration documents. Basically, the Travel Document of the Republic of Indonesia or Passport used by Indonesian Migrant Workers to go abroad are ordinary 24-page passports.

Obstacles faced by the Class I Immigration Office of TPI Yogyakarta in its Role to Prevent the Existence of Illegal Indonesian Migrant Workers Based on Law Number 6 of 2011.

In carrying out the task of preventing the occurrence of Illegal Indonesian Migrant Workers, the Class I Immigration Office of TPI Yogyakarta has these obstacles. Prospective Indonesian Migrant Workers who still often forge Travel Documents of the Republic of Indonesia (DPRI). Prospective Indonesian Migrant Workers who still often misuse travel documents of the Republic of Indonesia (DPRI).



Efforts of the Class I Immigration Office of TPI Yogyakarta to Overcome These Obstacles

Associated with the problem regarding Illegal Indonesian Migrant Workers, the Class I Immigration Office of TPI Yogyakarta has a role in anticipating the existence of Illegal Indonesian Migrant Workers, namely in the process of issuing Travel Documents of the Republic of Indonesia or Passports for Indonesian Citizens who will travel abroad is a form of legal protection provided by the Indonesian Government to its citizens abroad. To overcome the obstacles, the Class I Immigration Office of TPI Yogyakarta conducts: Prospective Indonesian Migrant Workers who still often forge Travel Documents of the Republic of Indonesia (DPRI). Prospective Indonesian Migrant Workers who still often misuse travel documents of the Republic of Indonesia (DPRI).

Efforts of the Class I Immigration Office of TPI Yogyakarta to Overcome These Obstacles

Associated with the problem regarding Illegal Indonesian Migrant Workers, the Class I Immigration Office of TPI Yogyakarta has a role in anticipating the existence of Illegal Indonesian Migrant Workers, namely in the process of issuing Travel Documents of the Republic of Indonesia or Passports for Indonesian Citizens who will travel abroad is a form of legal protection provided by the Indonesian Government to its citizens abroad. To overcome the obstacles, the Class I Immigration Office of TPI Yogyakarta conducts: Conducting Socialization to the Community, more precisely in Gunung Kidul and Bantul because most Indonesian Migrant Workers come from there. Through the Application System (M-PASPOR). Through the Interview Process to Every Prospective Indonesian Migrant Worker.

1. Socializing the Community. Socialization is a process of interaction and learning carried out by a human being in a community culture in order to recognize the environment he will later live in, both physical and social environments. The Class I Immigration Office of TPI Yogyakarta together with the Manpower Office (DISNAKER) Conducted Socialization to the Community in order to help provide understanding to know and understand how when becoming a Legal and Illegal Indonesian Migrant Worker. That way the Manpower Office and Class I Immigration Office of TPI Yogyakarta conducted socialization to several districts in Yogyakarta, especially, Gunung Kidul Regency and Bantul Regency, many of which became Indonesian Migrant Workers. The Manpower Office and Class I Immigration Office of TPI Yogyakarta hope that by Conducting Socialization to the Community, they can cooperate with all parties to avoid illegal pmi departures and prevent the public from being tempted to work as illegal Indonesian Migrant Workers.
2. Through the Application System (M-PASSPORT). To avoid the attempt to forge Travel Documents of the Republic of Indonesia (DPRI), the Class I Immigration Office of TPI Yogyakarta uses new innovations in the process of making Travel Documents of the Republic of Indonesia, namely by using the M-Passport Application System. What is meant by the M-Passport Application System here is taking photos and uploading the required files for applicants for Travel Documents of the Republic of Indonesia by using the M-Passport Application System. Steps to Use the M-Passport Application:



Figure 3. Steps to Use the M-Passport Application

Source : M-Passport Application

3. Through the Interview Process to Every Prospective Indonesian Migrant Worker. In addition to using travel documents of the Republic of Indonesia, prospective Indonesian migrant workers also go through many official procedures in obtaining passports. These prospective Indonesian Migrant Workers apply for a Passport by saying that their intention and purpose is to visit relatives who are abroad and which is a characteristic that the applicant is an Indonesian Migrant Worker. This has happened very often at the Class I Immigration Office of TPI Yogyakarta. After prevention efforts have been carried out, users of Indonesian Migrant Workers services should not open up opportunities that can be utilized by Indonesian Migrant Worker Service Distributors to send Indonesian Migrant Workers. Because of what has been happening, users of Indonesian Migrant Workers services seem to legalize the smuggling of Illegal Migrant Workers, because there are many benefits that can be obtained, including that users do not need to spend large costs to provide wages to Illegal Indonesian Migrant Workers. This can happen because if the Illegal Indonesian Migrant Worker refuses the amount of salary given, the user will report to the authorities that the Migrant Worker is an Illegal Migrant Worker which results in the Migrant Worker being arrested and will be deported to the country of origin, namely Indonesia.

CONCLUSION

Based on the problems in the discussion chapter, a conclusion can be drawn, namely: The role of the Class I Immigration Office of TPI Yogyakarta in its efforts to prevent Indonesian Migrant Workers from Carrying out the Obligations of the Class I Immigration Office of TPI Yogyakarta; Providing services in the process of issuing Travel Documents of the Republic of Indonesia intended for Indonesian Migrant Workers who have met predetermined requirements; Providing services for the extension of Travel Documents of the Republic of Indonesia in countries where Indonesian Migrant Workers work; and Services in issuing Passport-Like Travel Letters for Indonesian Migrant Workers who do not have a Travel Document of the Republic of Indonesia to travel back to Indonesia.

Carrying out the Interview Process at the Class I Immigration Office of TPI Yogyakarta: One of the efforts made to anticipate the misuse of the purposes and objectives in the process of making Travel Documents of the Republic of Indonesia is to investigate and avoid the



issuance of Travel Documents of the Republic of Indonesia with the intention of family visits, tourist visits to countries receiving Indonesian Migrant Workers (PMI) where the passage of Travel Documents of the Republic of Indonesia can only be obtained justified after all formal requirements and truths such as identity, name, address, age, physical condition and so on have been believed and not doubted and in that case do not grant any dispensation or relief to anyone.

The Class I Immigration Office of TPI Yogyakarta also has obstacles to carrying out its role in the business of illegal migrant workers, the obstacles are: Prospective Indonesian Migrant Workers who still often forge Travel Documents of the Republic of Indonesia (DPRI); Prospective Indonesian Migrant Workers who still often misuse travel documents of the Republic of Indonesia. Efforts of the Class I Immigration Office of TPI Yogyakarta to overcome its obstacles: M-Passport Application System: To avoid attempts to forge Travel Documents of the Republic of Indonesia (DPRI), the Class I Immigration Office of TPI Yogyakarta uses new innovations in the process of making Travel Documents of the Republic of Indonesia, namely by using the M-Passport Application System. What is meant by the M-Passport Application System here is taking photos and uploading the required files for applicants for Travel Documents of the Republic of Indonesia by using the M-Passport Application System.

The suggestions that the author conveys include: In this case, the provision of Travel Documents of the Republic of Indonesia for prospective Migrant Workers should be in accordance with the provisions of the applicable laws and regulations. Regarding the requirements in applying for travel documents of the Republic of Indonesia, it should be considered more carefully, because there are so many data forgeries carried out by prospective migrant workers. Related to the issue of time and cost, the Class I Immigration Office of TPI Yogyakarta must pay attention to and strictly implement the Service Operational Standards in the form of diagrams, flows, banners so that applicants who come or are served immediately know the cost, duration of completion time for making a Passport. Because making a Passport takes a long time so that Indonesian Migrant Workers prefer to follow the rat's path in order to get a Passport Travel Letter faster.

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