

JURIDICAL ANALYSIS OF THE EFFECTIVENESS OF DIGITAL TRANSFORMATION IN RESIDENCE PERMIT SERVICES TO ACHIEVE TRANSPARENCY AND ACCOUNTABILITY (RESEARCH STUDY AT THE CLASS I SPECIAL IMMIGRATION OFFICE TPI BATAM)

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Abstract

Digital transformation in public services is a form of adaptation to the development of information technology aimed at improving efficiency, transparency, and accountability. In the immigration sector, residence permit services for foreigners are among the strategic services that demand legal certainty, speed, and accuracy. However, various obstacles are still encountered in its implementation, such as system incompatibility, technical disruptions, low digital literacy, and potential procedural deviations. This study aims to analyse, from a legal perspective, the effectiveness of digital transformation in residence permit services to achieve transparency and accountability at the Class I Special Immigration Office TPI Batam. The methods used in this research are normative and empirical legal research methods. The normative approach reviews relevant laws and regulations, such as the 1945 Constitution of the Republic of Indonesia, Law Number 6 of 2011 concerning Immigration, and Presidential Regulation Number 95 of 2018 concerning the Electronic-Based Government System. Meanwhile, using a socio-legal approach, the empirical approach is carried out through interviews and observations of implementing digital services in the field. The research results indicate that, normatively, the regulations governing the digital transformation of residence permit services are already adequate. However, their effectiveness is still not optimal in practice due to various technical, institutional, and social obstacles. The digital system has driven improvements but does not yet fully ensure transparency and accountability due to weak internal supervision and a lack of human resource support. Therefore, updates to the technological system, human resource training, increased public digital literacy, and tightening regulations and supervision are needed as strategic efforts.

Keywords: *Digital Transformation, Residence Permit Services, Transparency, Accountability, Batam Immigration*

INTRODUCTION

Transparent, accountable, and efficient public services are a hallmark of effective governance. In the immigration sector, residence permit services for foreign nationals are a critical component necessitating legal certainty, expediency, and administrative precision, especially in border regions such as Batam, which plays a crucial role in international trade, tourism, and investment (Law No. 6 of 2011 concerning Immigration). Nonetheless, protracted bureaucratic procedures and constrained resources frequently result in maladministration and the risk of corruption, collusion, and nepotism (KKN). Digital transformation has become a significant initiative in bureaucratic reform to attain efficient, transparent, and accountable public services. The Indonesian government has implemented the Electronic-Based Government System (SPBE) policy via Presidential Regulation No. 95 of 2018, promoting the digitalization of public services, including residence permit services. Information technology is anticipated to simplify, enhance efficiency, and increase transparency in administrative operations, hence fostering more public trust in state institutions (Marzuki, 2016). Nonetheless, the execution of digital transformation within the immigration sector encounters obstacles. Identified barriers include inadequate infrastructure, insufficient digital literacy among applicants and officials, and reluctance to the shift from manual to digital processes (Rina Maulida, 2021). These impediments affect the efficacy of digitisation, causing the quality of residency permit services to fall short of the anticipated standards of transparency and accountability (Ahmad Fadhil, 2020).

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Residence permit services are not solely administrative; they are intrinsically connected to safeguarding human rights, as articulated in Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which guarantees every individual the right to equitable legal treatment. Consequently, the digital transformation of immigration services must adhere to legal standards to enhance legal certainty and foster national growth by creating a favourable investment environment (Andika Pratama, 2019). The efficacy of digitalising residency permit services is becoming increasingly vital in Batam's context as an important region and international gateway. The effective execution of a digital system at the Batam Class I Special Immigration Office (TPI) can exemplify technology-driven public services for other border areas in Indonesia. Failure to rapidly resolve technical, institutional, and social impediments will hinder the attainment of digitalisation's core objective: establishing transparent, accountable, and equitable public services. This study examines the efficacy of digital transformation in residence permit services at the Batam Class I Special Immigration Office (TPI) from a legal standpoint, emphasising the degree to which the execution of the digitalisation policy adheres to the principles of transparency and accountability, as well as the challenges faced in practice.

RESEARCH METHOD

This research uses legal research methods with normative and empirical approaches (Soekanto, 2019).

1. Normative Approach

This approach is conducted by examining various laws and regulations that serve as the legal basis for digital transformation in residence permit services, including:

- a. The 1945 Constitution of the Republic of Indonesia, specifically Article 28D paragraph (1) concerning the right to legal certainty;
- b. Law Number 6 of 2011 concerning Immigration and its amendments;
- c. Government Regulation Number 31 of 2013 concerning Implementing Regulations of the Immigration Law;
- d. Presidential Regulation Number 95 of 2018 concerning the Electronic-Based Government System (SPBE);
- e. and other technical regulations from the Ministry of Law and Human Rights.

This normative analysis aims to assess whether the implementation of digital transformation complies with legal principles, particularly transparency and accountability.

2. Empirical Approach

An empirical approach was used to examine the effectiveness of digital transformation implementation in residence permit service practices at the Batam Class I Special Immigration Office (TPI). Empirical data collection was conducted through:

- a. Interviews with immigration officials and officers directly involved in digital-based residence permit services, as well as with several residence permit applicants (foreign nationals);
- b. Observations of the online residence permit service system, including the application, processing, and issuance mechanisms;
- c. Documentation in the form of reports, archives, and secondary data related to implementing digitalisation of public services in the immigration sector.

3. Data Types and Sources

- a. Primary data were obtained from interviews and direct observations at the Batam Class I Special Immigration Office (TPI).
- b. Secondary data was obtained through a literature review, including laws and regulations, academic literature, journals, and relevant previous research (Maulida, 2021; Fadhil, 2020; Pratama, 2019).

4. Data Analysis Techniques

The collected data were analysed qualitatively using a juridical-sociological approach. Normative analysis was conducted on applicable regulations, while empirical analysis examined implementation practices in the field. The analysis results are presented descriptively and analytically to assess the effectiveness of digital transformation in achieving transparency and accountability in residence permit services in Batam.

RESEARCH RESULT

1. Legal Regulations for Digital Transformation in Residence Permit Services

The legal foundation for digital change in public services, including residency permit services, is robust. Article 28D, paragraph (1) of the 1945 Constitution of the Republic of Indonesia asserts that everyone is entitled to recognition, guarantees, protection, equitable legal certainty, and equal treatment under the law. This principle constitutes the constitutional foundation for all public services, including Immigration, ensuring equitable legal certainty for the public and foreign nationals seeking residence permits. The principal legislative framework governing Immigration is established by Law Number 6 of 2011 on Immigration, subsequently amended by Law Number 63 of 2024. This legislation meticulously governs the categories of residence permits, the processing protocols, and the rights and responsibilities of foreign nationals in Indonesia. The legislation stipulates that immigration services shall be conducted professionally, transparently, and accountably to uphold the national interest. Additionally, the technical restrictions concerning residency permits are outlined in Government Regulation Number 31 of 2013, which implements the Immigration Law. This rule offers operational advice from the application process to the issuing of resident permits. Presidential Regulation Number 95 of 2018 regarding the Electronic-Based Government System (SPBE) underscores the significance of digital transformation throughout all government agencies at the modernization policy level. SPBE aims to ensure that all public services are oriented towards information technology to enhance efficiency, transparency, and accountability. Consequently, the legal framework governing digital change in residence permit services is sufficiently robust. Current regulations confer substantial validity for the deployment of digital technology in the immigration industry. Challenges, however, predominantly emerge at the implementation level and require consistent execution in the field.

2. Implementation of Digital Transformation at the Class I Special Immigration Office, Batam TPI

The research findings indicate that the Batam Class I Special Immigration Office (TPI) has established an Immigration Management Information System (SIMKIM) and online residency permit services. Applicants may register, submit documents, track application status, and receive notifications online. This approach is deemed to have diminished service durations, which were once protracted due to manual bureaucracy. The digital system has demonstrated enhanced administrative efficiency. Numerous residence permit applicants indicated that online services are more efficient as they obviate the necessity for multiple visits to the immigration office. Moreover, utilising the internet method diminishes the potential for direct interactions that may result in unlawful charges. This illustrates that digitalisation positively influences the enhancement of transparency and accountability. Nonetheless, execution continues to encounter numerous challenges. Immigration authorities recognized that the system often encounters technological malfunctions, including server outages and sluggish data synchronization. These technical impediments result in transient service disruptions and elicit grievances from applicants. Some foreign nationals encounter challenges in comprehending the mechanisms of the digital system. This pertains to linguistic disparities, insufficient internet literacy, and inadequate outreach efforts. Notwithstanding the hurdles, the digital transformation at the Batam Class I Special Immigration Office (TPI) has resulted in substantial changes. Services formerly linked to lengthy waits and intricate procedures are progressively becoming swifter, more transparent, and more quantifiable. This illustrates that digitisation can enhance public trust in immigration agencies, while its efficacy has not yet been fully maximised.

3. Barriers to Digital Transformation

Research findings indicate that barriers to the digital transformation of residence permit services at the Batam Immigration Office can be categorised into three principal areas. Initially, technical impediments, such as inadequate technology infrastructure, unreliable internet connections, system malfunctions, and obsolete technological gadgets, provide significant obstacles. These diminish service efficiency and result in public discontent. Secondly, institutional obstacles. Not all immigration officials possess sufficient digital competencies. Some individuals remain accustomed to manual systems, hindering their adaptation to the new system. Moreover, the internal evaluation and monitoring processes for digital systems are not yet optimum, rendering their efficacy incapable of precise measurement. Third, societal obstacles. The public's inadequate digital literacy, especially among foreign nationals seeking residency permits, significantly complicates the utilisation of internet services. Insufficient outreach further complicates the issue, as not all applicants comprehend the digitisation processes entirely.

4. Strategic Solutions Taken

This analysis identified various strategic initiatives to surmount these challenges. Initially, enhancements to technological infrastructure are essential, namely regarding internet networks, servers, and data security mechanisms. A resilient infrastructure will establish the groundwork for seamless digital services. Secondly, human resources must be enhanced, both by educating immigration officials and by offering support to service users. Immigration officials must possess digital competencies to navigate the system proficiently, while the public requires comprehensive information on utilizing online services. Offering help desks, video courses, and multilingual resources to assist overseas applicants can enhance public digital literacy. These initiatives will mitigate data entry inaccuracies and accelerate the administrative procedure. Fourth, rules and supervision procedures must be enhanced to ensure digital systems serve as technical modifications and promote openness and accountability. Electronic audits and data-driven reporting systems are essential tools for mitigating the risk of authority misuse. The research findings suggest that the legislation on digital transformation is sufficient. Field deployment has demonstrated considerable enhancements over manual methods; nonetheless, its efficacy remains unfulfilled due to numerous technical, institutional, and social obstacles. The Batam Class I Special Immigration Office (TPI) can exemplify the successful digitalization of public services in Indonesia's border regions with appropriate solutions.

DISCUSSION

1. Legal Regulations and Their Relevance to Batam Conditions

The national regulatory framework for digital transformation is quite robust, but its implementation in Batam faces unique challenges as a border region and international trade hub. Batam's strategic location, directly bordering Singapore and Malaysia, results in a relatively high influx of foreigners. Data from the Batam Immigration Office shows that thousands of foreign nationals apply for residence permits annually, primarily for industrial, tourism, and investment work. Given these conditions, implementing national regulations on digitizing residence permit services is crucial. However, the high number of applicants often overloads the online service system, for example, during peak tourist seasons or the reopening of industrial sectors following the COVID-19 pandemic. This phenomenon demonstrates that without local infrastructure, businesses face challenges even with clear regulations.

2. Implementation of Digitalisation of Residence Permit Services in Batam

Digital residence permit services in Batam have been implemented through an online application and the Immigration Management Information System (SIMKIM). For example, in some cases, applicants for limited stay visas (ITAS) working in the Batam Centre industrial area can register online without waiting in long lines at the immigration office. This contrasts with the situation before digitalisation, when long queues were standard and led to public complaints. However, in practice, not all applicants have the same experience. Some foreign nationals, such as workers from China and the Philippines, reported experiencing difficulties uploading documents due to frequent system errors. Furthermore, language differences made it difficult for some applicants to understand the instructions in the application. This situation demonstrates that while digitalization has increased efficiency, some user groups remain underserved. Another real-life example is a complaint from a foreign employment agency applying for residence permits for its workers. They noted that while the digital system makes things easier, when technical glitches occur, the permit process can take longer than manual procedures. This demonstrates the need for a reliable backup system to ensure consistent service.

3. Obstacles Encountered in the Field

Technical barriers in Batam are more pronounced due to the high volume of applicants. Frequent server overloads are a classic problem, especially for collective applications from large companies. Institutional barriers also arise because not all immigration officers are accustomed to using digital systems. For example, some officers are still more comfortable with manual document processing, so the digitalization process is not uniform across all service lines. Social barriers are also evident in Batam. Some foreign nationals working in the informal sector or tourism often lack adequate digital literacy. For example, foreign workers in the hotel or restaurant sector sometimes still rely on third parties for assistance with online residence permit processing. This creates the potential for brokering, which goes against the spirit of transparency in digitalization.

4. Strategic Solutions and Batam's Potential as a National Model

Under the aforementioned parameters, many pragmatic solutions that can be implemented in Batam include:

- a. Enhancing server and network capacity to accommodate a rise in applications during the peak season.

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- b. We offer multilingual guides (English, Mandarin, and Malay) to facilitate overseas candidates' comprehension of instructions.
- c. Implementing specialised help desks in industrial zones and ports to offer direct technical support.
- d. Regular staff training should be conducted to acclimate them to digital systems and deter a return to manual processes. Consistent implementation of these stages could position Batam as a national exemplar for the digital transformation of immigration services. Batam's development would be strategically vital, as the city is an international gateway with a considerable population of foreign nationals. This corresponds with the principles of good governance, wherein efficient, transparent, and accountable public services would enhance public and investor confidence in the Indonesian government.

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