

## LEGAL ANALYSIS OF THE ONLINE VISA SYSTEM FOR FOREIGNERS ENTERING INDONESIA

Muhammad Fadhil Thalib <sup>1\*</sup>, Laily Washliati <sup>2</sup> and Ramon Nofrial <sup>3</sup>

<sup>1, 2, 3 1-4</sup> Faculty of Laws, Universitas Batam, Batam, Indonesia

email: 74123010@univbatam.ac.id

\*Corresponding Author : Muhammad Fadhil Thalib

Received	: 25 July 2025	Published	: 08 September 2025
Revised	: 11 August 2025	DOI	: <a href="https://doi.org/10.54443/ijerlas.v5i5.4015">https://doi.org/10.54443/ijerlas.v5i5.4015</a>
Accepted	: 29 August 2025	Link Publish	: <a href="https://radjapublika.com/index.php/IJERLAS">https://radjapublika.com/index.php/IJERLAS</a>

### Abstract

Digital transformation in public services is a strategic step towards achieving effective, efficient, and accountable services. One manifestation of this transformation is the implementation of an online visa system by the Directorate General of Immigration as part of immigration service reform. This research is motivated by the importance of legal certainty and the effectiveness of the online visa system for foreigners wishing to enter Indonesia, considering that this system concerns the legal and administrative rights of foreign citizens, as well as the credibility of Indonesian public services at the global level. This research aims to analyze laws and regulations, assess the effectiveness of the online visa system implementation, and identify obstacles and efforts to overcome them in order to strengthen legal certainty and service efficiency. The method used is a legal research method with a normative and empirical legal approach, using secondary data in the form of laws and regulations, official documents, and primary data in the form of interviews with immigration officials and visa applicants in Batam City. The results show that the legal framework of the online visa system is structured hierarchically, but there are still inconsistencies between the substance of the regulations and their implementation in practice. This system has improved process efficiency, but is not yet fully effective due to technical challenges, disparities in understanding among officials, and low digital literacy among some applicants. Mitigation efforts have been implemented through digital innovation and strengthened regulations, but further integration of the structure, substance, and culture of fairness in the legal system is still needed. The study recommends that the government and relevant agencies improve staff training, simplify technical procedures, expand reach, and ensure equal access for all service users to achieve an effective online visa system based on legal certainty.

**Keywords:** *Online Visa System; Legal Certainty; Service Effectiveness; Immigration; Empirical Jurisprudence*

### 1. Introduction

In the era of globalization, human mobility across countries has increased significantly, whether for tourism, business, education, or work purposes. Indonesia, as one of the strategic destination countries in Southeast Asia, has adopted digital technology to simplify immigration administration processes, including through the implementation of an online visa system. This system is expected to provide easier access for foreigners wishing to enter Indonesia, while also improving the efficiency and transparency of immigration services. However, despite its benefits, the implementation of the online visa system is not without challenges, particularly regarding its effectiveness and legal certainty for users. Unclear procedures, technical issues, and differing legal interpretations on the ground often create obstacles for foreigners using the system, especially in areas that serve as international gateways like Batam City. Legal certainty is a fundamental element in any public policy, including immigration services. The online visa system should provide foreign nationals with a sense of security and clarity regarding their rights and obligations during the visa application process. However, in practice, various obstacles have been identified that undermine the effectiveness of this system, such as errors in data entry, delays in processing, and a lack of clear information regarding requirements. As one of the impacts of globalization, the number of tourists and foreign workers entering Indonesia continues to increase every year. Based on data from the World Tourism Organization (UNWTO), the number of international trips reached 1.5 billion in 2019, before the COVID-19 pandemic halted most cross-border movements.

This increase has created new challenges for destination countries, including the legal and safe management of foreign entry. In this context, visa regulations have become an important tool for managing such mobility. Indonesia, with 17,000 islands spread across two continents and two oceans, is strategically located on international trade and movement routes. This geographical location makes Indonesia a gateway to Southeast Asia and the world. This is supported by a UNESCAP report which states that Indonesia has great potential to become an international logistics and trade hub due to its strategic location [1]. Batam's status as a Special Economic Zone (SEZ) adds to its appeal for international businesses and tourists. Based on Law No. 39 of 2009 on Special Economic Zones, Batam is designed to improve Indonesia's competitiveness in the global market [2]. This position makes the management of foreign entry, whether for tourism or business purposes, very important in maintaining the smooth running of economic activities and national security. However, the high intensity of foreign traffic in Batam also poses various challenges, such as potential immigration violations and security risks. For example, in a 2022 report by the Directorate General of Immigration, several cases of visa abuse by foreigners entering through Batam were found [3]. A visa is an important legal instrument in regulating the movement of foreigners entering a country. A visa not only serves as an entry permit, but also as a means of control by the state over the activities of foreigners while in its territory. According to Satjipto Rahardjo, a visa is a form of legal control over foreign nationals, which aims to maintain security and order within the country [4].

The online visa system, which has been implemented in Indonesia, is expected to improve the efficiency and effectiveness of the visa application process. By utilizing information technology, this system allows foreigners to apply for visas without having to visit the embassy or consulate in person. This is in line with the principles of fast, transparent, and accountable public services as stipulated in Law No. 25 of 2009 on Public Services [5]. In the context of immigration services, the online visa system allows foreigners to apply for entry permits to a country without having to visit an embassy or consulate. Indonesia has begun adopting this system as part of its efforts to enhance its competitiveness in international tourism and investment. This technology is expected to reduce the time and costs typically associated with manual processes. As stated by Nugroho, information technology provides significant convenience and efficiency in managing data-driven public services [6].

The Indonesian government, through the Directorate General of Immigration, has launched an online visa system as part of bureaucratic reform in the field of immigration. This policy is based on Law No. 6 of 2011 on Immigration, which emphasizes the importance of innovation to support the smooth flow of foreign nationals entering and leaving the country [7]. The modernization of immigration services also reflects Indonesia's commitment to following global trends in human mobility management. According to a UNCTAD report, countries that have adopted digital technology in public services have shown significant improvements in efficiency and global competitiveness [8]. One of the main benefits of the online visa system is efficiency in managing the visa application process. With digitization, processing time can be significantly reduced, thereby reducing the administrative burden on both applicants and immigration officials. According to Dwiyanto, efficiency in public services is key to increasing public trust in the government. In the context of immigration, this is particularly relevant given the high volume of visa applications that must be processed each year [9].

In addition to external challenges, the implementation of the online visa system also faces various technical problems. One of the most common problems is delays in the visa application process due to server disruptions or unresponsive systems. According to a report from the Directorate General of Immigration, technical disruptions such as these are often caused by high volumes of applications that cannot be handled by server capacity [10]. Data entry errors by applicants are also a common obstacle in online visa systems. Discrepancies between the data entered and the documents uploaded often result in visa applications being rejected. In many cases, these errors are not solely due to applicant negligence, but also to an unintuitive user interface [11]. Another technical problem is the lack of direct assistance mechanisms for applicants who encounter difficulties. When errors or system failures occur, many applicants do not know who to contact or how to resolve the problem [12].

This legal uncertainty not only harms visa applicants, but also negatively impacts Indonesia's image as a tourist and investment destination. According to a report by the World Economic Forum, legal certainty is one of the main indicators that influence a country's competitiveness in the tourism and international economy sectors. Therefore, the government needs to ensure that every policy implemented, including the online visa system, provides adequate legal certainty for all parties [13]. Legal certainty is a fundamental principle in the implementation of public policy, including in the application of an online visa system for foreigners. An online visa system that does not provide legal certainty has the potential to create distrust among users, especially foreigners who use this service to enter Indonesia. According to Satjipto Rahardjo, legal certainty refers to the clarity of rules, procedures, and the protection of individual rights when interacting with the law. In the context of an online visa system, legal certainty is necessary to

ensure that visa applicants receive fair treatment and a transparent process [14]. Batam's strategic location not only supports tourism and investment but also makes it a crucial point in immigration management. Batam is a place where foreigners with various interests, including tourists, migrant workers, and investors, enter and exit. This makes Batam highly dependent on an efficient and reliable immigration system to ensure the smooth flow of people and national security. Therefore, the implementation of an online visa system holds significant relevance in managing cross-border mobility in this city. However, the implementation of an online visa system also presents challenges, particularly in managing the surge in visa applications. Some applicants face technical issues, such as errors in data entry or server disruptions, which can hinder the entry of foreign nationals.

As one of the main entry points to Indonesia, Batam requires an online visa system that is not only efficient but also capable of addressing technical issues to ensure the smooth flow of cross-border mobility. The data above shows that in the last three years, the number of visas issued in Indonesia has fluctuated significantly, with a large spike in 2024 reaching more than 6 million issuances, before declining again in 2025. Although the rejection rate is relatively low (an average of 0.19%), the absolute number of rejections reached 23,196 cases over the past three years. These visa rejections indicate the presence of administrative, technical, or regulatory issues that require further investigation, particularly regarding the clarity of procedures, completeness of documents, or technical errors in the online visa system. The high number of applications and the variation in rejection rates indicate the need for an evaluation of the effectiveness of the online visa system, both in terms of regulations and technical implementation. Research on this issue is important because it directly relates to Indonesia's public service image in the eyes of the world, the influx of foreigners that impacts the economy and security, and the state's obligation to provide legal certainty for visa applicants. Therefore, a comprehensive study on legal regulations, implementation, obstacles, and solutions to improve the effectiveness of the online visa system is warranted and relevant to ensure a transparent, fair, and efficient system.

## **2. Literature Review**

### **2.1. Definition and Principles of the Immigration System**

The immigration system is one of the public service sectors that is greatly influenced by the principle of legal certainty. Legal certainty in the immigration system ensures that the procedures for the entry and stay of foreigners in a country are clearly regulated, consistent, and predictable, thereby preventing arbitrary actions and human rights violations. The application of technology in the immigration system, such as online visa systems, must be supported by clear regulations and adequate infrastructure to ensure that these services can run effectively and efficiently. According to research published in the *Journal of Legal Policy*, the implementation of e-government in public service units, including immigration, can improve the quality of services to the public if supported by adequate regulations and infrastructure. Thus, legal certainty in the immigration system not only protects individual rights but also enhances public trust in public services and supports the creation of good governance. Therefore, efforts to enhance legal certainty in the immigration system should be a priority in public policy development, particularly in the context of technology-based services. Legal certainty is one of the fundamental principles of the legal system, ensuring that the law functions as a clear and predictable guide for behavior. According to Gustav Radbruch, legal certainty is one of the primary objectives of law, requiring that legal rules be formulated clearly, consistently, and not easily changed, so that individuals can know with certainty what is expected of them by the law [15].

### **2.2 Implementation of Public Policy in the Immigration System**

The implementation of public policy in Indonesia's immigration system plays an important role in regulating the movement of people entering and leaving the country. This policy is regulated in Law Number 6 of 2011 concerning Immigration, which stipulates that immigration functions include community service, law enforcement, and national security. Public services include issuing passports to Indonesian citizens and residence permits to foreign nationals. Law enforcement involves the application of immigration regulations to all individuals within Indonesian territory, regardless of nationality. National security functions involve monitoring foreign nationals entering and staying in Indonesia to prevent threats to public safety and order [16]. Effectiveness in public policy implementation refers to the extent to which policy objectives and targets can be achieved in accordance with the plan. According to Ratminto and Atik Septi Winarsih, effectiveness is the success of a formulated objective, including the targets to be achieved. They emphasize that effectiveness is closely related to the achievement of predetermined objectives [17].

### **2.3 Information Technology and Immigration Services**

E-Government, or electronic government, is defined as the use of information and communication technology, particularly the internet, by governments to provide information and services to citizens, businesses, and other government entities. According to Indrajit, e-government is a new mechanism for interaction between government and citizens and other stakeholders, with the aim of improving the quality of public services [18]. In the context of the immigration system, the implementation of e-government can be seen through the digitization of immigration services, such as the Immigration Management Information System (SIMKIM). SIMKIM is a centralized system used by the Directorate General of Immigration to manage immigration data and processes electronically, from passport issuance to residence permits. The implementation of e-government in the immigration system aims to improve performance and public services, minimize manual errors, and increase the accuracy and speed of services. A study by Wibowo (2019) shows that the implementation of e-government at the Class I Immigration Office in Semarang through SIMKIM has improved the efficiency and effectiveness of immigration services [19].

### **2.4 Online Visa System at Immigration in Indonesia**

Law No. 25 of 2009 on Public Services is the legal basis governing the provision of public services in Indonesia. This law aims to provide legal certainty in the relationship between the public and public service providers, as well as to encourage improvements in the quality of services provided by the government and corporations. One of the main focuses of this law is the establishment of service standards that must be adhered to by public service providers. These standards cover aspects such as procedures, completion time, costs, service products, facilities and infrastructure, competence of personnel, and internal oversight. With these standards in place, it is hoped that public services will operate in a transparent, accountable, and manner consistent with public expectations. The application of technology in public services has become a major focus of public policy in Indonesia. Technology-based service standards are designed to improve the efficiency, effectiveness, and accessibility of services to the public. According to Fachrizal et al., the development of mobile applications in public services aims to facilitate public access to government services [20]. The implementation of the online visa system aims to improve the quality of immigration services by utilizing information technology. According to the Directorate General of Immigration (2020), online visa services are an innovation that simplifies the application process for various types of visas with simple and easy-to-follow procedures [21].

### **2.5 Efficiency in the Visa Application Process**

The application of technology in the visa application process has improved the efficiency of immigration services. According to research by Maulinda and Hidayat, the implementation of e-Visa in the management of Hajj and Umrah visas has reduced the application time from several weeks to just a few days [22]. Justice in immigration services is reflected through the consistent application of service standards for all applicants, without discrimination. According to Law Number 6 of 2011 concerning Immigration, good and excellent service is the first step in creating a clean and service-oriented government bureaucracy. Additionally, the digitalization of immigration services through applications such as M-Paspor supports the principles of good governance by enhancing transparency and accountability in public service processes. Thus, the implementation of technology in immigration services not only improves efficiency but also ensures that the process is transparent and fair for all applicants. The digitization of immigration services provides easy access for international visa applicants. Through an online platform, applicants can apply for visas from anywhere without having to visit a representative office in person. The collaboration between the Directorate General of Immigration and VFS Global expands the scope of services by enabling visa applications through VFS Global's network of offices in various countries. This simplifies the process for international visa applicants seeking entry permits to Indonesia.

## **3. Methodology**

Specifically, according to type, nature, and purpose, Bambang Sugono distinguishes between normative legal research and sociological or empirical legal research. Normative legal research is also referred to as doctrinal legal research, library research, or document study. Researchers conducting research on this subject have established specifications for normative legal research [23]. The approach used in this study is a combination of the normative approach of "legal research" and the empirical approach of "juridical sociologies." The research mechanism using this combined approach is carried out by analyzing the research explanation using inductive methods leading to deductive methods and vice versa. This approach was adopted by the author to help clarify the relationships between the research variables and the research objects, thereby providing a comprehensive understanding that is particularly



beneficial for readers, researchers, and academics. The location of this study was carried out in the working area of the Directorate General of Immigration, which is authorized to issue visas. This location was determined based on the data that was the subject of this thesis. In the thesis research entitled “Legal Analysis of the Effectiveness of the Online Visa System for Foreigners Entering Indonesia from the Perspective of Legal Certainty (A Study in Batam City),” the data collection techniques used consisted of library research and field research. Library research was conducted by reviewing various legal sources, such as legislation (e.g., Law No. 6 of 2011 on Immigration and Regulation of the Ministry of Law and Human Rights No. 26 of 2020), legal journals, scientific literature, legal textbooks, official immigration documents, and relevant previous research findings. This technique aims to obtain a strong theoretical and normative basis in constructing a legal analysis framework and to trace the concepts of legal certainty and legal effectiveness in technology-based public services.

Meanwhile, field studies were conducted through semi-structured interviews with key informants, such as officials at the Batam Special Class I Immigration Office, users of online visa services (foreign visa applicants), and legal experts or academics who understand immigration regulations. In addition to interviews, documentation was also used as an additional technique to obtain administrative data and documents on the implementation of the online visa system, such as technical guidelines, service SOPs, and statistics on e-Visa applications and realizations in Batam. This technique aims to understand factually how the online visa system is implemented, identify obstacles encountered, and assess the extent to which the principle of legal certainty is reflected in practice. The combination of these two techniques allows researchers to conduct a comprehensive analysis from both normative and empirical perspectives.

## **4. Results and Discussion**

### **4.1 Legal Regulations Related to the Online Visa System in Indonesia, Specifically in**

#### **Providing Legal Certainty for Foreigners Who Wish to Enter Indonesian Territory**

The online visa system in Indonesia is part of the digital transformation of public services in the field of immigration, aimed at providing easy access, efficient services, and ensuring legal certainty for foreigners wishing to enter Indonesian territory. The main basis for regulating this visa system is found in Law Number 6 of 2011 concerning Immigration, which is the highest legal basis in the field of immigration. Under Article 1(18), a visa is defined as a document issued by an immigration officer to a foreign national authorizing them to enter Indonesian territory. Further provisions regarding the types of visas and the procedures for their issuance are outlined in subsequent articles, emphasizing the importance of legal certainty, the principle of caution, and oversight of foreign nationals within Indonesian territory. As implementing regulations of the aforementioned law, Government Regulation No. 31 of 2013 as amended by Government Regulation No. 48 of 2021 provides technical details on the procedures for applying for visas, the types of visas, and the mechanisms for granting residence permits. In this regulation, the principles of openness and administrative regularity are part of legal certainty in visa services. The online visa system itself has begun to be accommodated as part of service modernization, although it is not explicitly mentioned in the Government Regulation, but its provisions are translated in more detail in subordinate regulations in the form of ministerial regulations.

Furthermore, Permenkumham No. 26 of 2020 became an important milestone in the regulation of immigration policy during the adaptation to new habits (COVID-19 pandemic), which also marked the beginning of the formalization of the e-Visa system. This regulation specifically stipulates that visa applications can be made electronically through the immigration information system. This marks a paradigm shift from a manual service system to a more efficient and adaptable digital system in emergency situations. These provisions were subsequently updated and strengthened through Permenkumham No. 29 of 2021 and Permenkumham No. 22 of 2023, which further refine the legal aspects, procedural substance, and clarity of the rights and obligations of visa applicants. It is also important to note that the legal framework for the online visa system must align with the principles of the Electronic-Based Government System (SPBE) as stipulated in Presidential Regulation No. 95 of 2018. In this presidential regulation, all government agencies are encouraged to provide digital, integrated, and accountable public services. The integration of the online visa system into the SPBE architecture underscores that the system is not merely administrative in nature but also part of national bureaucratic reform based on transparency and efficiency in public services. In the context of immigration services, Permenkumham No. 24 of 2016 and subsequent regulations serve as technical regulations that further elaborate on the procedures for applying for visit visas and limited stay visas, including document formats and electronic visa approval mechanisms. This is a concrete manifestation of the government's efforts to provide a clear legal basis for foreigners so that they can understand and follow immigration procedures in an orderly manner. Clarity in these regulations is an important part of the principle of legal certainty, as explained by

Sudikno Mertokusumo that the law must be written, accessible, and predictable by the public. In addition to technical regulations, the Immigration and Correctional Regulation No. 3 of 2025 introduces a new dimension to the online visa system by accommodating the needs of diaspora and descendants of Indonesian citizens abroad. This signifies that the online visa system is not only intended for tourists or foreign workers but also takes into account social and cultural aspects. The recognition of the diaspora through easier access to electronic visas shows how this system is evolving in line with the complexity of transnational relations and the protection of citizens' rights in a global context. From a statutory approach perspective, the online visa system in Indonesia has a fairly comprehensive and structured normative basis. From laws, government regulations, to ministerial regulations and presidential regulations, this entire framework forms a legal system that legitimizes the digitization of immigration services. However, to achieve optimal effectiveness, the system needs to be implemented consistently and supported by infrastructure readiness and human resources in the field. Legal certainty in the online visa system is not only reflected in the availability of regulations, but also in the clarity, consistency, and coherence of the applicable regulations. Each layer of regulation must be mutually supportive and not give rise to multiple interpretations. Legal certainty also means that every visa applicant, whether an individual or a corporation, can understand their rights and obligations as well as the procedures they must go through without confusion. When the online visa system is well regulated and implemented transparently, it will increase the international community's trust in Indonesia's legal system. Thus, a legal analysis of the legal framework for the online visa system shows that Indonesia has a relatively adequate legal foundation to support the implementation of a digital system in immigration services.

However, the main challenges still lie in the harmonization of regulations, enforcement of service standards, and protection of legal certainty for foreign visa applicants. The existing legal framework must continue to be adapted to global dynamics and developments in information technology in order to provide effective, fair, and sustainable legal protection. The online visa system in Indonesia, as part of the digital reform of public immigration services, must comply with the basic principles of administrative law, namely the principles of legality, fairness, and non-discrimination. The principle of legality requires that all actions taken by public officials in processing visa applications must be based on valid legal regulations. In this context, the online visa system has obtained legal legitimacy through Law No. 6 of 2011 on Immigration and various implementing regulations, such as Ministerial Regulation No. 26 of 2020 and Ministerial Regulation No. 29 of 2021. This demonstrates that the visa digitalization process has a clear legal basis, thereby fulfilling the principle of legality. Thus, the results of the study indicate that, normatively, Indonesia's online visa system is in line with the principles of legality, fairness, and non-discrimination and reflects the principles of legal certainty. However, in practice, there are still implementation challenges that affect the quality of substantive justice and legal certainty as perceived by applicants. Therefore, regulatory improvements, infrastructure strengthening, and policy adjustments based on social justice must continue to be implemented to ensure that this system is truly fair, effective, and consistent with the constitutional mandate and modern legal theory.

#### **4.2 Effectiveness of the Online Visa System in Facilitating the Visa Application Process for Foreigners in Indonesia**

The Directorate General of Immigration (Ditjen Imigrasi) is one of the first-level agencies under the Ministry of Law and Human Rights of the Republic of Indonesia, tasked with strategic functions in implementing government policies in the field of immigration. The primary responsibilities of Ditjen Imigrasi include regulating, supervising, and providing immigration services, such as issuing travel documents, visas, residence permits, and monitoring the movement of people entering and exiting Indonesia. In the context of the online visa system, the Directorate General of Immigration acts as a policy maker, regulator, and manager of the technological infrastructure that supports electronic-based services, with the aim of realizing fast, transparent, and accountable public services in accordance with the principles of the Electronic-Based Government System (SPBE).

In line with the development of information technology and efficiency demands, the Directorate General of Immigration has developed an online visa platform (e-Visa) as an innovative service that allows applicants, particularly foreigners, to apply for visas without having to visit Indonesian diplomatic missions in person. This system is integrated with national databases and digital verification mechanisms to minimize administrative errors, shorten processing times, and support the government's efforts to enhance the competitiveness of the tourism, investment, and international relations sectors. The implementation of this policy also serves as a benchmark for the country's ability to apply the principle of legal certainty in the field of immigration. The Batam Class I Special Immigration Office is one of the technical implementation units (UPT) of the Directorate General of Immigration with unique characteristics due to its location in an area that serves as the closest international gateway to Singapore and Malaysia. With its status as an Immigration Checkpoint (TPI) serving international ports such as Batam Center, Harbour Bay,

Sekupang, and Nongsapura, this office handles a very high volume of foreign passenger traffic daily. This situation demands speed, accuracy, and high professionalism in service delivery, including in the management of the online visa system, to support safe and orderly cross-border mobility. As the subject of this thesis, the Batam Class I Special Immigration Office at the IIC is of significant relevance due to its role as the frontline implementer of online visa policies in the field. In addition to carrying out e-Visa issuance procedures in accordance with the regulations of the Directorate General of Immigration, this office also plays a role in providing information, assisting applicants who encounter technical difficulties, and ensuring that every application is processed in accordance with the principles of legality and legal certainty. With its high service intensity and diverse case complexities, the Batam Immigration Office is an ideal location to assess the extent of the effectiveness and challenges of implementing the online visa system in Indonesia.

The implementation of the online visa system by the Directorate General of Immigration under the Ministry of Law and Human Rights is part of a digital public service policy aimed at enhancing the efficiency and transparency of immigration services. Based on field research conducted at the Batam Class I Special TPI Immigration Office, it was found that the e-Visa application process consists of five main stages: user account registration on the official immigration website ([evisa.imigrasi.go.id](http://evisa.imigrasi.go.id)), filling out the form and uploading documents, administrative and document verification, online visa fee payment, and issuance and download of the e-Visa sent via the applicant's official email. The first stage, namely registration and form filling, was considered fairly easy by most respondents from among visa applicants, especially those with good digital literacy skills. However, for applicants from non-English-speaking countries or those less familiar with technology, the forms in Indonesian and English sometimes cause confusion. Immigration officers in Batam confirmed that many applicants from countries such as Bangladesh, Vietnam, and Myanmar sought assistance from agents or representatives, resulting in the system's effectiveness not being uniformly felt by all groups.

The verification stage is the most critical point in the e-Visa application process. Based on interviews with immigration officers, document verification requires high accuracy because uploaded documents often do not meet the specified standards (PDF format, file size, and document authenticity). The average time required for the verification process is 1–3 working days, depending on the completeness of the documents and the volume of applications received. Field results also show delays in verification if applications are made on weekends or national holidays, as the system is not yet fully automated and still relies on manual checks by officers. After the verification stage, payment is made through a payment gateway system that works with several banks. According to the applicants interviewed, this process is considered fairly easy as it can be done using an international credit card. However, some applicants complained that the payment system does not yet support certain platforms such as PayPal or debit cards from some African and Middle Eastern countries. This is a technical obstacle that affects the perception of the online visa system's effectiveness as a global service system.

The next stage is visa application approval. Based on interviews, the approval time generally ranges from 1–2 working days if the documents are complete and the payment has been verified. However, there are cases where approval takes more than five days due to the need for additional confirmation from immigration representatives abroad. Officers stated that these delays are usually caused by questionable data or the need to recheck the status of applicants who are on the immigration watch list. This shows that the effectiveness of the system is highly dependent on the readiness of infrastructure and coordination across units. The final stage is the electronic issuance of the e-Visa, where the final result is sent to the applicant's email in the form of a PDF file with a QR code and visa registration number. Based on responses from five respondents, they expressed satisfaction because they no longer need to visit the embassy or immigration office. However, two respondents complained that they did not receive notification via email and had to check manually through the system. Officials acknowledged that sometimes notification emails were sent to spam folders or were delayed due to server disruptions.

In general, the effectiveness of the online visa system was considered quite good in terms of time and cost efficiency. On average, applicants stated that they were able to complete the entire process in less than seven working days, compared to the previous manual system, which took up to two weeks or more. The system also allows applicants from abroad to access services without having to visit the Indonesian representative office, which significantly reduces the workload at immigration offices and physical queues. However, this empirical study also found that the system's effectiveness is not yet fully optimal due to constraints in digital infrastructure and public understanding of online procedures. Some applicants still rely on third-party services (visa agents), which risks giving rise to illegal practices or additional costs that are not regulated by regulations. This indicates that although the system has been structurally optimized, aspects of legal culture and digital literacy among the public remain challenges that need to be addressed.

Thus, based on an empirical legal approach, it can be concluded that the online visa system in Indonesia has normatively fulfilled the principles of effective public service, but in practice, improvements are still needed in technical and educational aspects. Support for improving the capacity of immigration human resources, optimizing information technology systems, and disseminating information to international users must be prioritized so that the main objectives of visa system digitalization—efficiency, ease of access, and legal certainty—can be achieved evenly and sustainably. In assessing the effectiveness of the implementation of the online visa system in Indonesia, Lawrence M. Friedman's legal system theory approach is highly relevant as it provides an analytical framework for three important elements, namely legal structure, legal substance, and legal culture.

Based on field research at the Class I Special TPI Batam Immigration Office, these three elements directly influence the quality of electronic visa services for foreigners. The structural dimension includes immigration institutions and apparatus, the substance covers regulations and procedures, while the legal culture reflects the perceptions and attitudes of users toward the system. From a legal structure perspective, interviews with immigration officers at the Immigration Office indicate that the institutional structure has generally been able to implement the online visa system in accordance with technical requirements. Immigration officers have access to a nationally integrated e-Visa system equipped with a dashboard for monitoring applications. However, challenges still arise in terms of human resource capacity, particularly in handling surges in applications from certain countries, as well as the lack of regular training on system updates. Additionally, technical support structures for applicants abroad remain limited, resulting in applicants from certain regions relying on service agents rather than official services. Meanwhile, in terms of legal substance, the online visa system has a relatively complete and hierarchical legal basis, starting from Law No. 6 of 2011, Government Regulation No. 31 of 2013 as amended by Government Regulation No. 48 of 2021, to Ministry of Law and Human Rights Regulation No. 22 of 2023. Field research findings indicate that this legal substance is sufficiently clear in regulating the application process, visa classification, and administrative requirements. However, visa applicants interviewed revealed discrepancies in the interpretation of supporting documents and changes in procedures that are not always communicated transparently, leading to uncertainty in the process.

From a legal culture perspective, public understanding and acceptance, particularly among foreign service users, are key determinants of the effectiveness of the online visa system. Based on interviews with several applicants in Batam, they generally view the e-Visa system as a positive advancement that provides convenience and efficiency. However, some of them stated that the lack of clarity in information and language barriers are the main obstacles in following the procedures independently. The reliance on third-party services indicates that a legal culture based on active participation and digital literacy has not yet been fully established among foreign applicants. Based on visa issuance and rejection data over the past three years, the online visa system has become the primary instrument for managing the inflow of foreigners into Indonesia. In 2023, the number of visas issued reached 1,338,749 with 2,496 applications rejected, while in 2024 there was a significant increase to 6,030,894 visas issued with 13,863 rejections. In 2025, there was a decrease in the number of visas issued to 4,642,381 with 6,837 applications rejected. These fluctuations reflect the dynamics of online visa demand influenced by economic factors, immigration policies, and post-pandemic international mobility.

The online visa application process, which includes registration, document upload, payment, verification, and e-Visa issuance, has been designed to streamline bureaucratic procedures and simplify the process for applicants, whether for tourism, business, or limited stay permits. However, the rejection rate, though small in percentage terms (averaging 0.19% of total applications), still indicates challenges in meeting requirements, data entry errors, or technical system issues. The high volume of applications, particularly in 2024, tested the system's capacity and the readiness of human resources at the immigration technical implementation units. The use of online visas facilitates the entry of foreign nationals into Indonesia through Immigration Checkpoints (TPI), including the TPI in Batam City, which serves as one of the main gateways from Singapore and Malaysia. The e-Visa system enables faster border checks as visa holders' data is already recorded in the immigration system. However, the effectiveness of online visa usage remains dependent on inter-sectoral coordination, the reliability of the technological system, and data integrity between the central Directorate General of Immigration and regional implementation units.

Based on these findings, it is clear that although the online visa system has brought significant improvements in immigration services, there is room for improvement that needs to be addressed immediately. The rejections that occurred, although small in percentage, can create a negative perception of service quality if not addressed through improved regulatory clarity, technological system enhancements, and expanded digital literacy for prospective applicants. Therefore, a comprehensive evaluation of the online visa application and usage process is an important step to maintain legal certainty and enhance Indonesia's competitiveness as an international destination. In comparison, Singapore's online visa system is known as one of the most efficient in Southeast Asia. The application process is



carried out through the ICA e-Services system, with an average processing time of only 1-3 working days. The entire procedure can be completed through a single portal, accompanied by multilingual guides and automatic document verification features. Based on literature reviews and interviews with an international travel agent in Batam who has handled Singapore visas, applicants feel more confident applying independently due to the straightforward procedure and the system's minimal disruptions. Similarly, in the United Arab Emirates (UAE), the online visa system managed by the General Directorate of Residency and Foreigners Affairs (GDRFA) offers an integrated application, including live chat support, email notifications, and a choice of various international payment methods. According to an Indian applicant interviewed in Batam, the experience of applying for a visa to the UAE was much faster and more transparent than the process in Indonesia, despite the relatively higher application fees.

This demonstrates that the integration of systems and the quality of digital services significantly influence perceptions of fairness and efficiency in public services. This comparison confirms that the effectiveness of an online visa system is not only determined by the existence of regulations (substance), but also by structural readiness and the level of legal literacy of system users. Singapore and the UAE demonstrate that effective online visa services are always supported by good public communication systems, stable IT systems, and responsive staff who address complaints and policy updates. Indonesia, in this case, still needs to strengthen the educational function and accessibility of immigration services as a whole, especially in entry points such as Batam. From the empirical juridical approach used in this study, it can be concluded that the effectiveness of the online visa system in Indonesia is still relative. Normatively, the legal structure and substance are in place, but implementation at the level of legal culture still faces challenges in the form of low literacy, dependence on agents, and limited public information. Therefore, strengthening legal education for foreigners, developing multilingual features in the e-Visa system, and improving the integrity of procedure implementation are urgent agendas to ensure equality and effectiveness of service. Thus, the online visa system in Indonesia is currently in transition towards ideal digital public services. An evaluation based on Lawrence M. Friedman's legal system theory and a comparison with international practices shows that the effectiveness of the system is highly dependent on the balance between three elements: adaptive structure, consistent legal substance, and inclusive legal culture. The recommendations from the field findings should serve as evaluation material for policymakers to ensure that the online visa system truly becomes a fair, efficient, and legally certain public service instrument.

#### **4.3 Obstacles and Efforts to Overcome Them in the Implementation of the Online Visa System in Indonesia to Improve Legal Certainty and System Efficiency**

The implementation of the online visa system in Indonesia, despite having an adequate legal framework, still faces significant regulatory obstacles. Based on interviews with officials at the Batam Special Class I Immigration Office, there is a lack of clarity in the interpretation of a number of technical provisions in Permenkumham No. 22 of 2023, particularly regarding the types of supporting documents and visa classifications available electronically. Some regulations are also considered to change rapidly, yet have not been adequately disseminated to visa applicants or field officers. This uncertainty leads to slow verification processes and inconsistent decisions across immigration offices. From a technical perspective, the online visa system frequently experiences operational disruptions, such as difficulties in uploading documents, errors on the user dashboard, and delays in sending e-Visa notifications to applicants' emails. Field findings indicate that some applicants from India and Vietnam had to repeat the application process more than once because the system failed to save their data. Immigration officers also mentioned that the e-Visa system still depends on the central server connection, so that when there is network maintenance or an increase in applicant traffic, the system can slow down significantly. This reduces the perceived effectiveness of a system that is supposed to simplify the administrative process.

Another major challenge is the limited human resources and uneven technological infrastructure. In Batam, for example, despite being a strategic border area, several immigration offices still experience limitations in terms of computer equipment, local server capacity, and a lack of IT personnel capable of quickly handling system disruptions. In addition, regular training for visa officers on system updates is often not conducted thoroughly, causing technical disparities in understanding among officers. This has the potential to lead to administrative errors and slow visa services for foreigners. Inter-agency coordination is also a serious problem in the implementation of the online visa system. Based on empirical observations, the visa verification process often involves confirmation from foreign representatives, other ministries, and airport authorities. This lack of synergy causes delays in the approval and rejection of visa applications. Officers in the field complain that the absence of an integrated cross-sectoral system makes the process of checking applicant information time-consuming and sometimes impossible to complete without

manual intervention through communication between agencies. Another obstacle identified in the field study is the low level of digital literacy among some visa users. Applicants from countries with limited digital infrastructure, such as Timor-Leste, Bangladesh, or Myanmar, tend to have difficulty following online procedures without assistance. Some of them do not understand how to use the e-Visa platform, are not familiar with international online payment systems, and are even unaware that Indonesian visa applications are now done online. This shows that the system transformation has not been fully inclusive and friendly to vulnerable or low-educated groups. Considering these obstacles, systemic and sustainable mitigation measures are needed. Regulations must be formulated in a more operational manner and accompanied by applicable technical guidelines, and the public information system needs to be improved in terms of clarity, accuracy, and multilingualism. The government also needs to strengthen technological infrastructure, expand training for immigration officers, and establish digital-based coordination mechanisms between agencies. Equally important, outreach and education for the international community and foreign visa applicants must be continuously expanded to ensure that the online visa system is truly accepted and used effectively by all users.

In efforts to enhance the effectiveness and legal certainty of the online visa system, digital innovation is a key pillar. Based on interviews with immigration officers at the Batam Special Class I Immigration Office, the Directorate General of Immigration has implemented several updates to the e-Visa system, including the development of a more user-friendly interface, integration of automatic email notifications, and updates to the digital document verification system. These innovations aim to speed up the service process and reduce face-to-face interactions, in line with the principles of technology-based public services and administrative efficiency. However, from the applicants' perspective, the success of these innovations remains limited if not accompanied by clear technical guidelines and a stable system. In addition to technological innovations, improving the quality of human resources (HR) is an integral strategic effort. Field findings indicate that many visa officers have not fully mastered the regular system updates. Some officers acknowledge that the training provided is still theoretical and does not address technical operational issues in depth. To improve the effectiveness of the system, regular practice-based training and a responsive internal reporting system are urgent needs. Without commensurate HR improvements, digital transformation will remain symbolic and fail to address the root causes of service issues.

Efforts to strengthen the regulatory framework are also an important part of improving legal certainty. Based on field observations, there are discrepancies between technical regulations (Permenkumham and internal SOPs) and actual implementation in the field. For example, provisions regarding the time frame for processing visa applications often do not match actual practice due to technical factors and a lack of clarity in the document requirements. This has the potential to create uncertainty for visa applicants. Therefore, there is a need to harmonize regulations with implementation practices and to develop operational guidelines that are disseminated thoroughly. From the perspective of Lawrence M. Friedman's legal system theory, the efforts that have been made are still partial and have not fully addressed the integration between structure, substance, and legal culture. Technological innovation is part of the structure, while human resource training and regulatory strengthening are aspects of substance. However, the cultural element of law—namely, public and official awareness of the importance of administrative order, procedural compliance, and responsibility for public service—remains suboptimal. Failure to build a healthy legal culture can lead to resistance to the use of the system and distrust of services. From the perspective of John Rawls' theory of justice, an evaluation of the online visa system reveals ongoing disparities in access to information and technology that have the potential to discriminate against applicants from developing countries or marginalized groups. Some applicants interviewed stated that technical information is only available in Indonesian and English and is not responsive to the needs of applicants from non-English-speaking countries. This contradicts the principle of substantive justice, which is justice that is not only legal-formal but also reflects inclusion and real accessibility. Therefore, the online visa system needs to be reoriented to be more inclusive of vulnerable groups.

## 5. Comparison

This study on legal protection for Indonesian migrant workers highlights how government regulations and policy implementation often fail to provide full legal certainty. This focus differs from previous studies that have emphasized the economic aspects of migration or the role of migrant workers' remittances in national development. While other studies view migrant workers as economic factors, Fadhil focuses more on normative legal aspects by examining legislation, international agreements, and their implementation in the field. Additionally, when compared to research in the field of public service, such as studies on the Immigration Management Information System (SIMKIM), Fadhil's thesis offers a different perspective. SIMKIM focuses on digital innovation in administrative services, while Fadhil's research is more centered on the substantive protection of migrant workers' rights, which are

often marginalized in practice. This comparison shows that Fadhil's thesis offers an academic contribution that emphasizes the dimensions of human rights and social justice, while digital public service research highlights aspects of bureaucratic efficiency and legal system modernization. Thus, both complement each other in illustrating how the law works: one in the realm of individual protection, and the other in the realm of strengthening the administrative system.

### 6. Conclusions and Suggestion

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. The legal framework governing the online visa system in Indonesia has a strong normative basis through Law No. 6 of 2011, implementing regulations, and the latest Ministry of Law and Human Rights Regulation, which explicitly regulates electronic visa services. However, legal certainty for foreigners still requires strengthening in the form of clarity of technical procedures, consistency in implementation, and the availability of information that is widely accessible and equitable for applicants from various backgrounds, so that the principles of legality, fairness, and non-discrimination are truly implemented in practice.
- b. The implementation of the online visa system has proven to be efficient in terms of time and cost and has simplified the administrative process for visa applicants, as reflected in empirical data in the field. However, its effectiveness has not been uniform because it still depends on the readiness of digital infrastructure, the competence of human resources, and the capacity of users to adapt to the online system. An evaluation based on legal system theory and comparative studies shows that the success of an online visa system requires a balanced integration of institutional structures, clarity of regulatory substance, and legal awareness among applicants and officials.
- c. The implementation of the online visa system still faces obstacles in the form of unclear technical regulations, system disruptions, limited human and technological resources, and weak inter-agency synergy. In addition, low digital literacy among applicants further exacerbates the effectiveness of the system. Mitigation efforts have been undertaken through digital innovation, human resource training, and regulatory improvements; however, their success depends on the state's ability to align these technocratic policies with the principles of substantive justice, procedural transparency, and applicant empowerment to ensure that the online visa system is truly inclusive and equitable.

From these conclusions, the author can offer several recommendations, namely:

- a. It is recommended that immigration authorities strengthen the implementation of the online visa system by developing more detailed and standardized operational technical guidelines (SOPs), as well as providing multilingual assistance services and live support features for foreign visa applicants. This step is important to ensure that the principles of legal certainty and non-discrimination are consistently implemented across all service units, particularly in strategic areas such as Batam.
- b. It is recommended that the Government strengthen regulations through cross-sectoral harmonization and the development of digital infrastructure and human resource capacity in immigration services. This should be followed by investment in more robust technology systems and cross-agency integration through the Electronic-Based Government System (SPBE) to ensure that online visa services are efficient, transparent, and responsive to global dynamics and the needs of applicants.
- c. It is recommended that the public improve digital literacy and legal awareness among international communities who are users of the online visa system. Visa applicants are expected to understand the procedures and their rights independently, not solely relying on service agents, thereby avoiding administrative errors and potential misuse of services. This awareness can also help strengthen accountability and transparency in technology-based public services.

**Author Contributions:** A short paragraph specifying their individual contributions must be provided for research articles with several authors (**mandatory for more than 1 author**). The following statements should be used “Conceptualization: X.X. and Y.Y.; Methodology: X.X.; Software: X.X.; Validation: X.X., Y.Y. and Z.Z.; Formal analysis: X.X.; Investigation: X.X.; Resources: X.X.; Data curation: X.X.; Writing—original draft preparation: X.X.; Writing—review and editing: X.X.; Visualization: X.X.; Supervision: X.X.; Project administration: X.X.; Funding acquisition: Y.Y.”

**Funding:** Please add: “This research received no external funding” or “This research was funded by NAME OF FUNDER, grant number XXX”. Check carefully that the details given are accurate and use the standard spelling of funding agency names. Any errors may affect your future funding (**mandatory**).

**Data Availability Statement:** We encourage all authors of articles published in FAITH journals to share their research data. This section provides details regarding where data supporting reported results can be found, including links to publicly archived datasets analyzed or generated during the study. Where no new data were created or data unavailable due to privacy or ethical restrictions, a statement is still required.

**Acknowledgments:** In this section, you can acknowledge any support given that is not covered by the author contribution or funding sections. This may include administrative and technical support or donations in kind (e.g., materials used for experiments). Additionally, A statement of AI tools usage transparency has been included in the Acknowledgement section, if applicable.

**Conflicts of Interest:** Declare conflicts of interest or state (**mandatory**), “The authors declare no conflict of interest.” Authors must identify and declare any personal circumstances or interests that may be perceived as inappropriately influencing the representation or interpretation of reported research results. Any role of the funders in the study's design; in the collection, analysis, or interpretation of data; in the writing of the manuscript; or in the decision to publish the results must be declared in this section. If there is no role, please state, “The funders had no role in the design of the study; in the collection, analyses, or interpretation of data; in the writing of the manuscript; or in the decision to publish the results”.

## REFERENCES

- [1] UNESCAP, *Asia-Pacific Trade and Investment Report 2018*, United Nations, Bangkok, 2018, hlm. 45.
- [2] Lihat Pasal 2 Undang-Undang Nomor 39 Tahun 2009 tentang Kawasan Ekonomi Khusus, Lembaran Negara Tahun 2009 Nomor 147.
- [3] Direktorat Jenderal Imigrasi, Laporan Kinerja 2022, Ditjen Imigrasi, Jakarta, 2023, hlm. 50.
- [4] Satjipto Rahardjo, *Hukum dalam Perspektif Sosiologi Hukum*, Genta Publishing, Yogyakarta, 2019, hlm. 92.
- [5] Pasal 3 Undang-Undang Nomor 25 Tahun 2009 tentang Pelayanan Publik, Lembaran Negara Tahun 2009 Nomor 112.
- [6] Nugroho, *Teknologi Informasi untuk Layanan Publik*, Gadjah Mada University Press, Yogyakarta, 2018, hlm. 34.
- [7] Pasal 23 Undang-Undang Nomor 6 Tahun 2011 tentang Keimigrasian, Lembaran Negara Tahun 2011 Nomor 52.
- [8] United Nations Conference on Trade and Development (UNCTAD), *Digital Economy Report 2020*, United Nations, Geneva, 2020, hlm. 87.
- [9] Agus Dwiyanto, *Reformasi Birokrasi Publik di Indonesia*, Gadjah Mada University Press, Yogyakarta, 2011, hlm. 92.
- [10] Direktorat Jenderal Imigrasi, Laporan Kinerja 2022, Ditjen Imigrasi, Jakarta, 2023, hlm. 50.
- [11] Transparency International, *Transparency in Government Services: Digital Era Challenges*, Transparency International, Berlin, 2020, hlm. 12.
- [12] Indonesia, *Panduan Sistem Visa Online Indonesia*, Direktorat Jenderal Imigrasi, Jakarta, 2022, hlm. 20.
- [13] World Bank, *Digital Dividends: World Development Report 2016*, World Bank, Washington D.C., 2016, hlm. 45.
- [14] Satjipto Rahardjo, *Hukum dalam Perspektif Sosiologi Hukum*, Genta Publishing, Yogyakarta, 2009, hlm. 73.
- [15] Mertokusumo, Sudikno. *Hukum dan Kepastian*. Gramedia Pustaka Utama, Jakarta, 2012, hlm. 83
- [16] Keneth Rompas, Daud M. Liando, Welly Waworundeng, *Implementasi Kebijakan Pengawasan Orang Asing di Provinsi Sulawesi Utara*, *Jurnal Pengelolaan Sumberdaya Pembangunan*, Vol. 1, No. 1 Tahun 2021.
- [17] Ratminto, dan Atik Septi Winarsih. *Manajemen Pelayanan: Teori dan Praktik*. Pustaka Pelajar, Yogyakarta, 2010., hlm. 102



- [18] Indrajit, R.E. *Electronic Government In Action: Ragam Kasus Implementasi Sukses di Berbagai Belahan Dunia*, Andi, Yogyakarta, 2015, hlm. 132
- [19] Pascalis Danny Kristi Wibowo. *Implementasi E-Government Dalam Pemberian dan Perpanjangan Izin Tinggal Terbatas Melalui Kantor Imigrasi*, Jurnal Ilmiah Kajian Keimigrasian, Vol. 5, No. 1, 2015.
- [20] Fachrizal, et al. "Pemanfaatan Teknologi dalam Pelayanan Publik." Penerbit Widina, Jakarta, 2023, hlm. 39
- [21] Direktorat Jenderal Imigrasi. "Layanan Visa Online, Bentuk Inovasi Di Tengah Pandemi." Imigrasi.go.id, 2020. Diakses melalui <https://www.imigrasi.go.id/berita/2020/09/30/layanan-visa-online-bentuk-inovasi-di-tengah-pandemi>
- [22] Maulinda, N., & Hidayat, M. F. "Inovasi Kepemimpinan dalam Pengelolaan Visa Haji dan Umroh: Studi Kasus Penerapan E-Visa di Tahun 2023". *Mecca: Journal of Hajj and Umrah*, Vol. 1, No.1, 2024, hlm. 28-29.
- [23] Bambang Sugono, *Metoda Penelitian Hukum*, Jakarta: Raja Grafindo Persada, 2011, hlm. 29.