



## Implementation of Transboundary Policy in the Republic of Indonesia-Papua New Guinea Border Area in Keerom Regency

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### **Abstract**

This study aims to examine and analyze the implementation of cross-border policies that occur in the Border Region of the Republic of Indonesia - Papua New Guinea, inhibiting and supporting factors of cross-border problems, Efforts to resolve cross-border problems. This research was conducted in a descriptive qualitative form with a cas approach. Implementation of Transboundary Policy of the Republic of Indonesia – Papua New Guinea. The implementation of the Transboundary Policy of the Republic of Indonesia – Papua New Guinea in Skofro Village has not been implemented properly. Inhibiting and supporting factors, this shows that there are still many problems and obstacles related to Cross Borders. Lack of infrastructure and there are still many people in Skofro Village who do not have a Cross-Border Pass Card. The immigration office makes it easy to arrange a Cross-Border Pass Card. Efforts to resolve cross-border problems are by approaching community leaders, youth leaders, religious leaders, and traditional leaders to provide understanding regarding the rules of Cross-Border Affairs. Providing infrastructure such as Integrated Posts and Providing supporting documents (Passport Cross Borders) to cross the Borders of the Republic of Indonesia – Papua New Guinea.

**Keywords:** *Policy Implementation; Cross-Border Policy; Immigration*

### **Introduction**

The determination of Indonesia's territorial boundaries with countries directly bordering Indonesian territory has not been fully completed. Of all the areas that have borders, only the border areas with Australia and Papua New Guinea have been resolved. So it can be concluded that Indonesia's very wide and many borders still contain various cross-border problems, which could arise in the future, given the factors that have been mentioned previously, also because border lines cannot be determined through claims or unilateral recognition of a country, but through an agreement that occurs between countries that directly border.

The existence of similarities in culture, customs and ancestry (the same ethnicity) in the RI-PNG border area causes the existence of traditional border crossing activities which are illegal and difficult to prevent. The similarities in the culture and customs of the community and the activities of these traditional border crossings are issues as well as border problems between countries that have existed for a long time and are now re-emerging along with the handling of land border areas in Papua. This cross-

border activity has been going on for a long time but until now the two parties have not been able to overcome it.

Communities around the border area of the Republic of Indonesia - Papua New Guinea, both those in the Papua region and across the border area, namely the people of Papua New Guinea, often and are accustomed to crossing borders intentionally and illegally entering the territory of the Republic of Indonesia and Papua New Guinea. The community does this as a form of traditional goal where there is equality of adat and traditional rights so that administrative boundaries are ignored. This is something that is usually done by the surrounding community without going through a formal immigration procedure. People also tend to use traditional types of law for reasons of collective punishment and material benefits. So the positive law has not been implemented. The community cannot feel justice before the law, resulting in distrust between the community and law enforcement, as well as the court system and security forces which are often misused (Asyhari, 2019).

Border crossing activities around the border area of the Republic of Indonesia - Papua New Guinea are in the form of traditional border crossings such as those carried out by close relatives or relatives from Papua to Papua New Guinea and vice versa, while economic activities such as commodity trade between the two countries through border gates. The existence of ulayat lands or customary lands located in two regions of the country has become a dynamic in the border areas of the Republic of Indonesia - Papua New Guinea. This ulayat land is partly a livelihood field that is processed daily by border communities, so that border crossings between countries become a common thing to do every day.

The development of cross-border trade can be seen from the increased mobility of the flow of goods, services and people between the two regions. This development is also supported by the existence of a trans-border road that facilitates accessibility between Keerom Regency and the border area of the Republic of Indonesia - Papua New Guinea. Commodities traded include clothing, food, agricultural products, and others. But on the other hand, there are several obstacles, such as the availability of limited service trade facilities, unavailability of public transportation in border areas and management that has not been optimal.

Border crossing activities at the border gate in Jayapura City are relatively more limited than Keerom Regency, with the main activities being cross-border flows of people from the two countries in the context of family visits and traditional trade. The relatively larger trade activities actually occur at unofficial entrances that connect the people of the two countries illegally without any cross-border posts or official security posts. This is also exacerbated by the lack of knowledge and understanding of the people around the border area of the Republic of Indonesia - Papua New Guinea on the boundary line that separates the two countries, even among these residents many do not have identification or identity cards such as identity cards or other identification.

Efforts to determine borders with neighboring countries can be carried out by means of border diplomacy (Lee et al., 2021). The existence of a complete and clear determination of regional boundaries can reduce the possibility and intensity of border conflicts. If it is not carried out completely and clearly and there is no certainty, it will lead to overlapping territorial recognition. Border diplomacy is indeed not an easy thing and can be done in a short time because it requires a long process. Border handling is not easily handled by one or two institutions alone, but must be resolved cross-sectoral (interdepartmental). The state has the authority to determine its own territorial boundaries (Windradi & Wahyuni, 2020).

Before experiencing the division of regency, the border areas in Papua were located in four regency, namely Jayapura City, Jayapura Regency, Jayawijaya Regency, and Merauke Regency. After the division of the Regency area, the border areas in Papua are located in five regencies/cities, namely Jayapura City, Keerom Regency, Pungenungan Bintang Regency, Boven Digoel Regency and Merauke Regency, as well as 23 (twenty three) sub-regency (Regency). Of the five regencies, Keerom, Bintang Mountains and Boven Digoel Regencies are new regency resulting from the division.

Basically, everyone who enters or leaves the Indonesian Territory is required to have a valid and still valid Travel Document. Travel Documents of the Republic of Indonesia consist of Passports and Travel Letters Like Passports. Passport is a document issued by the Government of the Republic of Indonesia to Indonesian citizens to travel between countries that is valid for a certain period of time. Meanwhile, a Travel Letter Like a Passport is a document that replaces a passport that is given under certain circumstances that is valid for a certain period of time.

Therefore, a strategy that has targets is needed, including increasing coordination and synergy between various state or multi-sectoral and cross-ministerial institutions together to manage and organize border areas. One of the countries that has more meaning, in relation to the management of border areas, namely those directly bordering Indonesia, is Papua New Guinea. The Border Region, which is located in Papua Province or in the easternmost province in Indonesia, is very rarely or less exposed for discussion. Apart from the remote location and limited transportation, its development is also not as dynamic as other regions in Papua. In addition, the vulnerability of security conditions there, makes research rarely available to discuss the implementation of cross-border policies in the border areas between Indonesia and Papua New Guinea.

### ***Methods***

This research was conducted in a descriptive qualitative form with a case study approach. This research is focused on a study of in-depth descriptive analysis of the Transboundary phenomenon of the Republic of Indonesia and Papua New Guinea where many Indonesian and PNG people freely cross state borders without reporting so that there is no data on the entry and exit of people who cross state borders.

This research was conducted in Skofro Village, Arso Timur Regency, Keerom Regency, the distance from the Regency to Skofro Village. Primary data is the main source of information for this study. It was obtained from respondents, namely officials who manage border areas, local communities who became respondents were ondoafi, youth leaders, women leaders, religious leaders, and people living in the area. The research informants consisted of the Head of the Regional Border Area Management Agency of Keerom Regency, the Head of Skofro Village, East Arso Regency, Keerom Regency, Ondoafi Skofro Village, East Arso Regency, Keerom Regency and Youth Leaders of Skofro Village, East Arso Regency, Keerom Regency, female figures from Skofro Village, East Arso Regency, Keerom, religious leaders from Skofro Village, East Arso Regency, Keerom Regency and officers from the RI-PNG Border Chak Point in Skofro Village, East Arso Regency, Keerom Regency.

### ***Result and Discussion***

Public Policy has several implications, namely, first, our point of concern in discussing public policy is oriented towards goals or objectives and not haphazard behavior. Broad public policy in the modern political system is not something that just happens but is planned by actors involved in the political system (Kraft & Furlong, 2019). Second, policies are directions or patterns of action taken by government officials and are not separate decisions. A policy includes not only decisions to enact laws on a matter, but also decisions along with their implementation. Third, policy is what the government actually does in regulating trade, controlling inflation or promoting public housing and not what the government wants. If the legislature enacts the law so that no change occurs in economic behavior, then it can be said that public policy regarding this case is actually one of wage nonregulation. Fourth, public policy may be in its positive or negative form. Positively, a policy may include a clear form of government action to influence a particular issue. Negatively, policy may include a decision by government officials, but not to take action and not to do something about an issue that requires government involvement.

In the Implementation of Transboundary Policy of the Republic of Indonesia – Papua New Guinea, it is the implementation of a policy which in principle is a way for a policy to achieve its objectives. Nothing more and nothing less, to implement a public policy, there are two choices of steps, namely directly implementing it in the form of a program or through a derivative policy formulation or derivative of the public policy. The series of policy implementations can be clearly observed, starting from the program, to the project and to the activities. The model adapts the usual mechanisms in management, especially public sector management. Policies are derived in the form of programs which are then reduced to projects, and finally manifest in activities, whether carried out by the government, the community or in collaboration between the government and the community.

According to the Head of the Regional Border Area Management Agency for Keerom Regency, Joko S. Wabiyagir in the Implementation of the Transboundary Policy of the Republic of Indonesia – Papua.

In the existing customs and traditions. Fostered long ago, in carrying out these traditions and customs, the villagers of Skofro always cross borders to the other side. The problem that arises is that as a sovereign state, the state has regulations and laws regarding cross-border crossing of people and goods. Both Immigration, Customs and Quarantine laws. The success of implementation according to Merilee S. Grindle (in Subarsono, 2011) is influenced by two major variables, namely the content of the policy and the context of implementation. These variables include: the extent to which the interests of the target group or target group are contained in the content of the policy, the types of benefits received by the target group, the extent to which changes are desired from a policy, whether the location of a program is correct, whether a policy has mentioned the implementor in detail, and whether a program is supported by adequate resources.

In the implementation of Public Policy related to Law Number 06 of 2011 concerning Immigration Article 29 Paragraph 1 Cross-border Travel Letter or Cross-Border Pass, and Paragraph 2 Cross-Border Travel Letter or Cross-Border Pass Issued by the Minister or Designated Immigration Officer. Policy Implementation of the Regulation of the Minister of Defense of the Republic of Indonesia Number 13 of 2014 concerning Policy on Border Area Security in Skofro Village, Arso Regency.

Many people's actions are illegal in the border area of the Republic of Indonesia - Papua New Guinea, precisely in Skofro Village, East Arso Regency, Keerom Regency. According to research informants, the causes of border crossing communities illegally crossing between countries are, among others:

Based on the results of interviews related to the Implementation of Transboundary Policy of the Republic of Indonesia – Papua New Guinea. Whereas the implementation of the Transboundary Policy of the Republic of Indonesia – Papua New Guinea in Skofro Village has not been implemented properly. Due to people's ignorance and administrative problems which cause violations still occur at the Border of the Republic of Indonesia - Papua New Guinea.

### ***Implementation of Cross-Border Area Policy Republic of Indonesia – Papua New Guinea***

Public policies that have been recommended to be chosen by policy makers are not a guarantee that these policies will be successful in their implementation (Bertot et al., 2012). There are many variables that affect the success of policy implementation, both individually and in groups or institutions. The implementation of a program involves the efforts of policy makers to influence the behavior of implementing bureaucrats to be willing to provide services and regulate the behavior of the target group (Djunire et al., 2018).

In the implementation of the Transboundary Policy of the Republic of Indonesia – Papua New Guinea, this then has several implications, namely the point of our attention in discussing public policies that are oriented towards goals or objectives and not arbitrary behavior. Public policy in the modern political system is not something that just happens but is planned by actors involved in the political system (Considine et al., 2009; Wahab, 2021). Policy implementation is a pattern of actions taken by government officials and is not a separate decision. A policy includes not only decisions to enact laws on a matter, but also decisions along with their implementation.

However, the implementation of the Transboundary Policy of the Republic of Indonesia - Papua New Guinea in Skofro Village, Keerom Regency has only just begun. Because, when implementing the policy, it involves all stakeholders such as the Regional Government of Immigration, Quarantine, and Security Parties. Keerom Regency is implementing a policy of building an Integrated Post and has established communication to the Immigration Class IA TPI Jayapura to fill its officers at the Integrated Post in order to minimize cross-border violations of people and goods. Skofro does not all run normally, considering that there is still a cultural approach that uses both a defensive approach and a comprehensive and integral border management approach that contains balance and harmony between three main approaches, namely:

Security Approach, Prosperity Approach, Environmental Approach.

as stated above and the border area of the skofro village which is directly adjacent to the neighboring country of Papua New Guinea, which has historical relationships in existing customs and traditions. This has been fostered from a long time ago, in carrying out these traditions and customs, the villagers of Skofro always cross borders to the Papua New Guinea region.

The problem that arises is that as a sovereign state, the state has regulations and laws regarding cross-border crossing of people and goods. Both Immigration, Customs and Quarantine laws. In the implementation of the Transboundary Policy of the Republic of Indonesia

– Papua New Guinea is still not doing well. Because people don't know about it. The success of implementation according to Merilee S. Grindle (in Subarsono, 2012) is influenced by two major variables, namely the content of the policy and the context of implementation. These variables include: the extent to which the interests of the target group or target group are contained in the content of the policy, the types of benefits received by the target group, the extent to which changes are desired from a policy, whether the location of a program is appropriate, whether a policy has mentioned the implementor in detail, and whether a program supported by adequate resources.

However, the problem is that there are still no special regulations for the Papua Province government and special regulations for Keerom Regency. Special regulations for traditional and customary cross-border activities between the Republic of Indonesia – Papua New Guinea. The Skofro Village area still continues to use traditional cross-border characteristics and customs that have been built together for a long time, consisting of several tribes, namely the Mannem Tribe, the Hafi Tribe and the Menangky Tribe. The Border Area in Skofro Village is directly adjacent to one regency, namely Bewani Regency, Papua New Guinea Region and two regency in the Unitary Territory of the Republic of Indonesia, namely East Arso Regency and Mannem Regency.

Border communities are still free to cross into Papua New Guinea because they still have customary rights, families and gardens there, so they think it doesn't matter if they cross into Papua New Guinea because it has been a habit since ancient times to go in and out of the border of the Republic of Indonesia - Papua New Guinea freely.

In the application of Law Number 06 of 2011 concerning Immigration, namely Government Regulation of the Republic of Indonesia Number 31 of 2013 concerning Implementing Regulations of Law Number 6 of 2011 concerning Immigration in Article 1 in this Government Regulation what is meant by: paragraph (1) Immigration is a matter concerning the traffic of people entering or leaving the Indonesian Territory and its supervision in the context of maintaining the upholding of the sovereignty of the State. Paragraph (8) Entry Mark is a certain sign in the form of a stamp affixed to

the Travel Documents of Indonesian citizens and Foreigners, both manual and electronic, which is given by the Immigration Officer as a sign that the person concerned has entered the Indonesian Territory. Paragraph (9) Exit Sign is a certain sign in the form of a stamp affixed to Travel Documents of Indonesian citizens and Foreigners, both manual and electronic, which is given by the Immigration Officer as a sign that the person concerned has left the Indonesian Territory. Paragraph (10) Re-entry Permit is a written permit given by the Immigration Officer to Foreigners holding limited Stay Permits and Permanent Stay Permits to re-enter Indonesian Territory. Paragraph (11) Travel Document is an official document issued by the competent authority of a country, the United Nations, or other international organizations to travel between countries containing the identity of the holder. Paragraph (12) Travel Documents of the Republic of Indonesia are Passports of the Republic of Indonesia and Travel Documents as Passports of the Republic of Indonesia.

The implementation of Law Number 06 of 2011 concerning Immigration regarding the Cross-Border Pass has been implemented, it has been more or less two and a half years from 2019-2021 The Cross-Border Pass can be obtained by the people of Keerom Regency for free. The Cross-Border Pass which used to be only available for people who live right in the border area, now all Keerom Regency people can take care of it and get it too. However, in its implementation in Skofro Village, it has not been implemented properly. Because, many people in Skofro Village do not have a Cross-Border Pass Card.

Implementation of Transboundary Policy It is also related to the Regulation of the Minister of Defense of the Republic of Indonesia Number 13 of 2014 concerning the Policy on Border Area Security. Article 1 in this Ministerial Regulation referred to in paragraph (7) is that the border area is a geographical area facing neighboring countries, with residents living in the area, united through socio-economic and socio-cultural relations with a certain administrative area coverage after an agreement between bordering countries and paragraph (8) which states that the boundaries of the country's territory are the boundary lines that separate the sovereignty of a country based on international law.

In its implementation, the Border Area Security Policy has been implemented in the Border area of the Republic of Indonesia - Papua New Guinea, especially in Skofro Village, namely with the Indonesian National Army (TNI) Post, the people of Skofro Village feel safe and comfortable. The security forces often carry out patrols around the State Boundary of the Republic of Indonesia - Papua New Guinea in order to maintain sovereignty and territorial integrity, prevent border area violations, prevent smuggling and theft of natural resources, and carry out empowerment of defense areas at the border.

However, the position of the Indonesian National Armed Forces (TNI) post is quite far from Skofro Village, approximately 2 (two) KM. It is very unfortunate that the post should be right on the border between the Republic of Indonesia - Papua New Guinea. The Keerom Regency Regional Border Area Management Agency in 2020 will build an Integrated Post right in the Skofro Village, the Border of the Republic of Indonesia

- Papua New Guinea, the post will be occupied by Immigration Officers, Quarantine Officers, TNI and Polri to maintain security and comfort at the Border of the Republic of Indonesia - Papua New Guinea.

Based on the results of observations and interviews related to the Implementation of Transboundary Policy of the Republic of Indonesia – Papua New Guinea. Whereas in implementing the Transboundary Policy of the Republic of Indonesia – Papua New Guinea in Skofro Village. The implementation of Law Number 06 of 2011 concerning Immigration and Regulation of the Minister of Defense of the Republic of Indonesia Number 13 of 2014 concerning the Security Policy for Border Areas has not been implemented properly. Due to people's ignorance, administrative problems and geographical conditions that cause violations at the Border of the Republic of Indonesia – Papua New Guinea.

## Conclusion

Implementation of Transboundary Policy of the Republic of Indonesia – Papua New Guinea. Whereas in implementing the Transboundary Policy of the Republic of Indonesia – Papua New Guinea in Skofro Village. The implementation of Law Number 06 of 2011 concerning Immigration and Regulation of the Minister of Defense of the Republic of Indonesia Number 13 of 2014 concerning the Security Policy for Border Areas has not been implemented properly. Due to people's ignorance, administrative problems and geographical conditions that still cause violations at the Border of the Republic of Indonesia - Papua New Guinea.

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