

Comparative Analysis of Indonesia's Land and Sea Border Vulnerabilities: Immigration Law Enforcement Study in 2024

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ABSTRACT

Border security is a strategic element in maintaining Indonesia's national resilience. The rise of immigration violations by foreign nationals, especially in land and sea border areas, poses a threat that is both administrative and criminal in nature. This study aims to identify patterns of immigration violations based on the nationality of the perpetrator, the location of the violation, and the articles of law violated at the land and sea borders, as well as to examine the implications for the national legal system. The method used is comparative analysis based on secondary data of violation cases in 2024. The results show 714 cases, with a dominance of serious violations such as abuse of residence permits and falsification of documents. The countries of origin of most violators are China, the Philippines, Malaysia, and Papua New Guinea. Law enforcement carried out against violators reflects the practice of crimmigration, namely the convergence of criminal and immigration law. These findings emphasize the importance of strengthening immigration control at the border as part of efforts to build national resilience in facing the threat of illegal migration and transnational crime.

KEYWORDS

Border insecurity, immigration, national security, land border, sea border



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INTRODUCTION

State borders are strategic areas that play a crucial role in maintaining national sovereignty and resilience (Chambers, 2015). From the perspective of National Resilience, border management is concerned not only with physical and geopolitical aspects but also with interconnected security, legal, socio-cultural, and economic systems (Prokkola, 2019). The land and sea border areas in Indonesia present complex challenges due to the vast geographical location and the diverse environmental and social characteristics of its people (Purwanto & Mangku, 2016). Border vulnerabilities, whether on land or sea, often manifest as various threats, including illegal immigration violations, smuggling, human trafficking, and cross-border criminal activities (Gana, Adamu, & Zakariya'u, 2023). This complexity is further intensified by limited resources, coordination challenges among agencies, and geographical conditions that hinder optimal surveillance (Phalkey, Yamamoto, Awate, & Marx, 2015). Sea borders featuring small islands and open shipping lanes, along with land borders adjacent to other countries, require adaptive and effective surveillance and law enforcement methods (Usman, Khan, & Amjad, 2021).

According to data from the Directorate General of Immigration (2024), Indonesia experienced 714 cases of immigration violations in 2024 across its land and sea borders, marking a 23% increase from the previous year (Maharjan et al., 2024). High concentrations of violations were seen at land borders in Jayapura (14 cases), Nunukan (56 cases), and Tahuna (56 cases), while sea border violations were notable in Tanjung Pinang and Tahuna, involving document falsification and human smuggling (Damayanti, 2023). These data suggest uneven distribution of border vulnerabilities, concentrated in specific geographic regions with unique

traits. Over five years (2019-2024), administrative violations (such as overstaying and abusing residence permits) rose by 45%, and criminal violations (including human smuggling and document forgery) increased by 31%, highlighting an urgent need to strengthen border control mechanisms, notably in high-risk zones.

The Decree of the Minister of Immigration and Corrections of the Republic of Indonesia number M.IP-03.GR.01.01 of 2025 outlines immigration checkpoints at sea, air, and land borders. Sea immigration checks occur at ports, air checks at airports, and land checks at Cross-Border Border Posts and Cross-Border Posts (Sinha, 2021). This study focuses on the comparative analysis of vulnerabilities in Indonesia's *sea* and *land* border areas, examining the level and pattern of immigration violations (Widodo, Rachma, & Prananda, 2019). It particularly considers institutional factors such as inter-agency coordination, resource allocation, detection capacity, and geographic factors including border length, terrain accessibility, and proximity to neighboring countries (Igwe, 2023).

Previous studies highlight gaps in the comparative understanding of these borders. Johnson and Jones (2022) focused on technological challenges in Southeast Asian border security but did not compare land and sea borders. Rahman et al. (2023) studied maritime border immigration violations in Malaysia without a comparison to land borders. Wijaya and Setiawan (2021) researched Indonesian land border immigration law implementation but did not contrast vulnerabilities with sea borders. Nguyen (2023) examined transnational crime in ASEAN borders but did not treat immigration violations as a distinct focus. This study fills a crucial gap by providing a comprehensive comparative framework addressing violation patterns, perpetrator nationalities, and law enforcement implications for both border types simultaneously.

Immigration checks form part of immigration law enforcement (Armenta & Alvarez, 2017). Beyond inspections, supervision occurs at both *sea* and *land* borders, complemented by intelligence operations to gather comprehensive data related to immigration supervision (ANDERSON, BELCINEANU, & TZVETKOVA, 2025; Muñiz, 2022). These duties are conducted through Immigration Offices in border areas, working synergistically with other agencies charged with border management (Marin, 2020). Effective immigration law enforcement is essential to maintaining territorial integrity and protecting communities from threats (Armenta, 2017; Chen, 2016). Success in law enforcement significantly impacts the state's ability to regulate the flow of people and goods that could undermine national stability (Tyler, Goff, & MacCoun, 2015). However, challenges remain, particularly due to differing characteristics and vulnerabilities between *land* and *sea* borders, underlining the need for comparative studies to pinpoint weaknesses, challenges, and opportunities for policy refinement tailored to border characteristics (Maila, 2025; Morf et al., 2022).

This study aims to: (1) identify and compare immigration violation patterns at Indonesia's *land* and *sea* borders by nationality, violation location, and legal articles breached; (2) analyze border vulnerability based on frequency, severity, and types of violations per border area; and (3) evaluate the implications of these patterns for immigration law enforcement and national security policy. It offers academic contributions with empirical comparative data on Indonesia's border security, practical recommendations for policymakers to strengthen border control, and theoretical advancements in understanding geographic and institutional influences on border vulnerabilities in archipelagic states. The findings are expected to support integrated

border management system development and guide targeted enforcement strategies for immigration authorities.

METHOD

The research used qualitative approach with cross-case thematic analysis as a key aspect of comparative analysis. This method allowed researchers to identify main themes across cases and compare them to detect consistent patterns and significant variations. Such analysis provided a deeper understanding of how context influenced the phenomenon and strengthened the validity and theoretical contribution of the research findings.

This study compared the vulnerability of Indonesia's land and sea borders by examining immigration violations in these areas. Data were compiled from a list of immigration violations throughout 2024, collected from Immigration Offices at sea and land checkpoints. The analysis focused on comparing the number and types of violations in each border area to assess vulnerability and inform policy recommendations for border management.

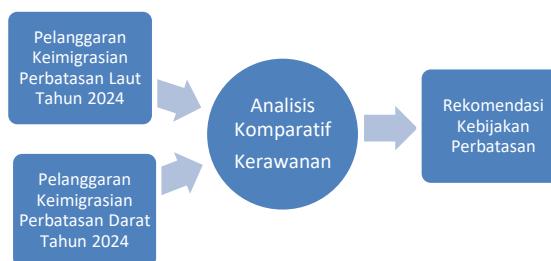


Figure 1. Research Concept Framework

RESULT AND DISCUSSION

Immigration Violations

According to the provisions stipulated in Indonesian immigration regulations, namely Law number 63 of 2024 concerning the Third Amendment to Law Number 6 of 2011 concerning Immigration, article (3) there is an Immigration Function along the border line of Indonesian Territory. This is carried out by Immigration Officials in designated places, including Immigration Checkpoints (TPI) or predetermined places and Cross-Border Posts. TPI Laut is spread across 71 Immigration Offices located in the Indonesian maritime area. Land TPI is carried out at the Cross-Border Posts at 11 Immigration Offices, while the traditional Cross-Border Post checks are at 10 Immigration Offices.

In regulation, Indonesian immigration passes through the Directorate General of Immigration and the Immigration Office, and the Immigration Detention House, the form of immigration enforcement is determined in the form of Immigration Administrative Actions and Immigration Criminal Investigations. Criminal acts are acts that violate regulations and are threatened with criminal penalties, while immigration administrative actions are administrative sanctions given to foreigners outside the judicial process (Tarigan et al., 2020).

Land Border Immigration Violations

The land border has immigration checkpoints in the form of Cross-Border Posts totaling 18 Posts. Each immigration office has responsibility for one or more cross-border posts that are the official entry points for the movement of people between countries. For example, the Atambua Immigration Office manages four TPIs, namely Mota'ain, Motamasin, Napan, and Wini. The Entikong and Sambas Immigration Offices each handle one TPI, namely Entikong and Aruk. Meanwhile, the Nunukan Immigration Office oversees two TPIs, namely Labang and Sei Nyamuk, while Tarakan manages the Long Nawang TPI. In eastern Indonesia, the Tahuna Immigration Office is responsible for the Miangas and Marore TPIs, while Jayapura manages the Skouw TPI, and Merauke oversees the Sota and Yetetkun TPIs. The presence of immigration offices and cross-border posts is vital in maintaining territorial sovereignty, supervising the crossing of people, and enforcing immigration laws in the country's border areas.

In addition to Cross-Border Posts, there are also Cross-Border Posts. These posts are strategic points that function as entrance and supervision of the crossing of people between countries, especially in areas that are directly adjacent to neighboring countries. The distribution of Cross-Border Posts reflects the importance of the strategic role of the Immigration Office in maintaining the territorial integrity of the country, facilitating legal traffic between countries, and strengthening supervision of potential immigration violations in border areas.

Data on the number of violations recorded in several Immigration Offices, it is known that there are a total of 19 violations spread across four regions. The Jayapura Immigration Office recorded the highest number of violations, which was 14 cases, which reflects a relatively higher level of vulnerability compared to other regions. Meanwhile, the Entikong and Nunukan Immigration Offices recorded 2 violations each, and Putussibau only recorded 1 violation. This data shows that there is a distribution of violations with the highest concentration occurring in the eastern region of Indonesia, especially in Jayapura. Violation data shows that the perpetrators are not only foreign citizens (WNA) but also Indonesian citizens (WNI). There are various types of immigration violations committed throughout the period of 2024. Data on immigration violations that occurred at several Immigration Offices in border areas, recorded a total of 19 violations, with details of violations of articles showing the character and level of risk of each violation.

The most violations occurred at the Jayapura Immigration Office, with 14 cases, all of which were related to Article 119 of Law No. 6 of 2011. This article regulates the entry or exit of foreigners to/from Indonesian territory without going through an official inspection at TPI. This high number indicates a high vulnerability to illegal cross-border activities, especially given that Jayapura is directly bordered by Papua New Guinea, which has a long land border line and is difficult to fully monitor.

Meanwhile, the most dangerous violation was found at the Entikong Immigration Office, namely a violation of Article 120 paragraph (1). This article relates to human smuggling, a form of immigration crime that often involves transnational networks, and poses a high risk to national security and human rights violations. In addition to violations of immigration crimes, there are violations of Immigration Administrative Actions (TAK).

Data on Immigration Administrative Action (TAK) violations involving 213 cases, it can be seen that immigration administrative violations are widespread both geographically and nationally of the perpetrators. Some immigration offices show very high figures, most notably the Tahuna Immigration Office recorded the highest number with 56 cases, all involving Filipino citizens, reflecting the high level of cross-border mobility in the region and the possibility of unofficial activities such as cross-border fishermen or illegal migrant workers. The next record at the Nunukan Immigration Office recorded 54 violations, dominated by Malaysian citizens (45 cases) and Filipinos (8 cases), reinforcing the pattern of vulnerability in the North Kalimantan region as an active migration and trade route between countries. Other violations were found in Jayapura occupying third place with 51 cases, almost all committed by Papua New Guinean citizens (48 cases), showing the vulnerability of surveillance on the long and inaccessible Indonesia-PNG land border. Other cases of violations were also recorded in Merauke (16 cases) and Singkawang (9 cases) also recorded significant violations with perpetrators coming from diverse countries such as Chad, India, Malaysia, and Hong Kong, indicating the diversity of violators' backgrounds and the possibility of foreigners entering from outside the ASEAN region.

Overall, it reflects that immigration administrative violations do not only come from neighboring areas, but also from outside the region, which is most likely related to violations of residence permits, overstays, and activities that are not in accordance with permits. To see TAK violations committed by various foreigners, a grouping of violations based on nationality is carried out. The goal is to identify the number of offenders involved within the 2024 period.

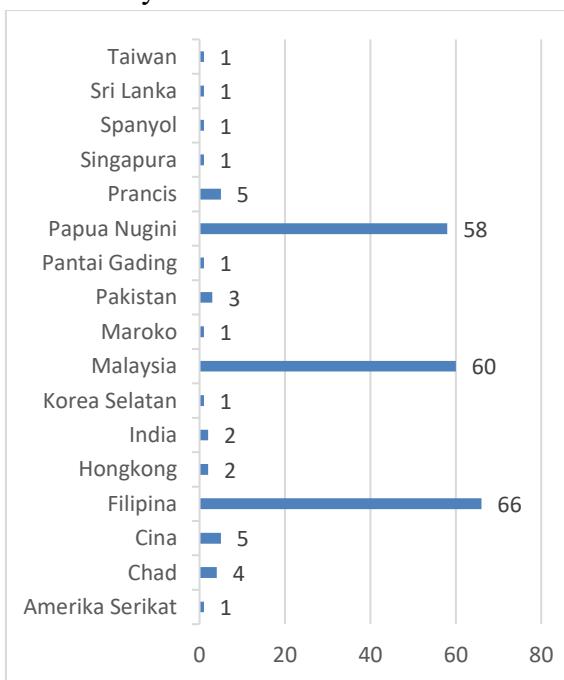


Figure 2. Distribution of Land Border TAK Violations by Nationality in 2024

Source: Directorate General of Immigration

The Philippines (66 fouls) recorded the highest figure. This shows that Indonesia's land border areas, especially in the north such as in Sulawesi and North Maluku, are vulnerable to border crossers from the Philippines. This can happen due to the high mobility of cross-island communities and historical kinship relationships. Next is Malaysia (60 violations) occupying

the second position, which indicates high vulnerability at the Kalimantan border, such as in the Entikong, Nunukan, and surrounding areas. Close economic mobility, social and geographical relations are the driving factors. The third bar that stands out shows the offense by a Papua New Guinean citizen. 58 violations were recorded. This case is found in the border areas in Jayapura and Merauke which are very vulnerable to illegal cross-border traffic, especially due to the length of the border line which is difficult to fully maintain.

Several other countries recorded a low number of violations (1–5 cases), such as France (5), Pakistan (3), India (2), Chad (4), as well as countries such as Taiwan, Spain, Singapore, Sri Lanka, and the United States, which each recorded 1 violation. Although this figure is relatively small, it still shows that Indonesia's border area attracts the attention of citizens from various parts of the world.

Of the 213 TAK violations, the highest number was in the form of detention as many as 110 cases, followed by deportation (54 cases), and deportation only (49 cases). This data reflects that the majority of offenders cannot be repatriated immediately, so they require further treatment through temporary placement in certain places.

Sea Border Immigration Violations

In the period of 2024, there will be 27 immigration violations in the sea area spread across 14 Immigration Offices. Immigration violations occur in various loci or locations of immigration work units, both in direct border areas, coastal areas, and urban areas that have ports. Tanjung Pinang and Tahuna emerged as the two main loci with the highest number of violations. Both are areas that are directly adjacent to neighboring countries or adjacent to international sea crossing routes, making them prone to infiltration and violation of immigration documents. In addition, Tanjung Balai Asahan, which is also a port city with a direct route to Malaysia, recorded quite high violations that even involved Indonesian citizens themselves. The involvement of Indonesian citizens such as in Langsa and Tanjung Balai Asahan indicates the existence of local networks or involvement in syndicates. Other areas such as North Jakarta, Langsa, Mataram, and Samarinda, although only recording one case, are still important to pay attention to because they can be transit points or final destinations for offenders, especially for cases of human smuggling, illegal immigrants, or visa abuse. Perpetrators from various countries were recorded at the sea border and the following is the distribution of violations committed:

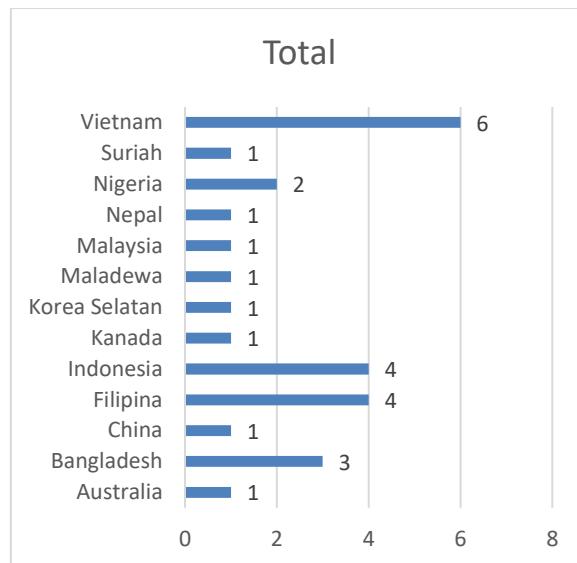


Figure 3. Number of Immigration Crime Violations by Nationality at the Sea Border

Source : Directorate General of Immigration

The graph shows that the most violations were committed by Vietnamese citizens, which was as many as 6 cases. This shows that there is a relatively high tendency for violations from these citizens, so it needs to be of special attention to the immigration authorities. Furthermore, Philippine and Indonesian citizens each recorded 4 violations, which shows that both foreigners and their own citizens have the potential to commit violations, especially those related to immigration crossing and administration. On the other hand, low-frequency violations (1–3 cases) occur in citizens of countries such as Bangladesh, Nigeria, China, Malaysia, and others. Although the number is small, consistent surveillance efforts are still needed, as low numbers do not necessarily reflect the absence of risk, it could be related to a lack of reporting or limited detection. Overall, this data demonstrates the importance of a risk-based approach to immigration surveillance, with a focus on countries with high levels of violations. Collaborative and preventive strategies also need to be developed, including diplomatic and educational approaches, as well as strengthening the capacity of detection and enforcement by officials in the field.

Data on immigration violations that include Article 119 paragraph (1) and/or Article 113 jo Article 55 paragraph (1) of the Criminal Code, it can be seen that there is a pattern of violations that are quite consistent and worrying. Article 119 paragraph (1) regulates foreigners who enter or leave Indonesian territory without going through an examination at the Immigration Checkpoint (TPI), while Article 113 regulates the abuse of residence permits. The four cases also linked violations to Article 55 of the Criminal Code, which shows that violations were committed jointly or involving other parties, including the possible involvement of Indonesian citizens.

From this analysis, it can be concluded that the most violations of Articles 119 and 113 occur, indicating weak supervision of both illegal border traffic and the use of residence permits by foreigners. However, the most dangerous violation is the combination of Article 113 and Article 55 of the Criminal Code, as it reflects not only the abuse of residence permits, but also the involvement of other networks or perpetrators, which can indicate the presence of cross-border organized crime. This pattern of violations demands increased tighter and coordinated

immigration surveillance, as well as the use of intelligence-based approaches to detect and prevent illegal practices involving various parties.

Discussion

The total number of border violations is 714 cases (criminal and TAK). It can be categorized into 2 groups. The first group with more than 10 cases of violators. The second group is offenders with less than 10 cases. The following are the statistics of offenders by number and nationality.

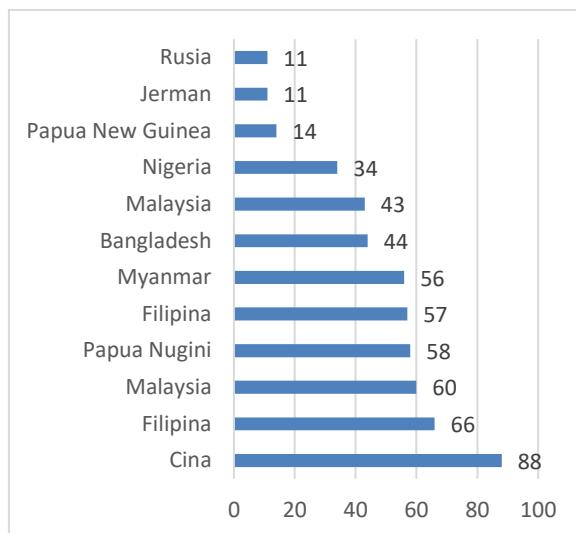


Figure 4. Graph of Number of Offenders over 10 per Nationality

The next group is with a category of less than 10 cases. Immigration violations by foreign nationals in Indonesia can be divided into three main categories: severe, moderate, and mild. This category is determined based on the type of violation and the amount of criminal penalties and fines as stipulated in Law No. 6 of 2011 concerning Immigration and its amendments. Severe Categories related to violations with sanctions:

1. 2 years imprisonment and/or a fine of 200 million rupiah.
2. Imprisonment of 5 to 15 years or a fine of between 500 million to 1.5 billion rupiah.
3. 5 years imprisonment or a fine of 500 million rupiah.
4. 5 years imprisonment or a fine of 500 million plus elements of crime (e.g. human smuggling, falsification of documents, or other serious violations of the law).
5. 5 years imprisonment and a fine of 500 million rupiah.

The category of gross misconduct reflects actions that are systemic, organized, or involve strong malicious intent, such as forgery, misuse, and manipulation of identities and immigration documents. Some forms of violations in this category include:

1. Forgery and use of false travel documents.
2. Providing false data or information to obtain a visa or residence permit.
3. Controlling or ordering others to abuse residence permits.
4. Abuse of residence permits, either by the perpetrator himself or on his orders.
5. Offences related to transnational crimes such as trafficking in persons or the Crime of Human Trafficking.
6. Use of fake visas or invalid residence permit documents.

This type of violation poses a high risk to national security, the integrity of the country's laws, and public trust, as it has the potential to be a gateway for transnational crimes and

intrusions that can threaten the sovereignty of the country. Therefore, these violations are usually subject to severe criminal sanctions, including imprisonment of more than 5 years and high fines.

While the Medium Category of citizens who commit violations and receive sanctions:

1. 1 Year Imprisonment and or a Fine of 100 Million.
2. 1 Year Imprisonment and or a Fine of 100 Million + Criminal Offense.
3. 1 Year Imprisonment and or a Fine of 100 Million in conjunction with 5 Years in Prison and a fine of 500 Million.
4. 1 Year Imprisonment and or a Fine of 100 Million in conjunction with 5 Years in Prison and a fine of 500 Million – 1.5 Billion.

Moderate violations tend to reflect a form of negligence or neglect of formal procedures in the immigration system. Although not always carried out with criminal motives, these violations still have the potential to endanger public order and the integrity of the border system. Examples:

1. Use of means of transport (ship or vehicle) without immigration check.
2. Enter without inspection at an official immigration checkpoint.
3. Do not have a valid travel document or visa upon entry.

Although the risk is lower than serious offenses, these violations still disrupt the system and require strict supervision, as well as administrative or intermediate criminal sanctions, such as fines of up to 100 million rupiah or 1 year in prison.

Minor violations are sanctioned in the form of 3 months in prison or a fine of 25 million. Misdemeanors generally occur due to administrative negligence, such as failing to report a change in identity or important information related to immigration status. Such violations have an impact on the accuracy of immigration data and surveillance of the whereabouts of foreigners, but are usually not accompanied by a dangerous element of intentionality. Therefore, the sanctions are light, such as administrative warnings or small fines (around 25 million rupiah or short confinement).

In the Indonesian context, the classification of violations outlined above shows the manifestation of the practice of crimmigration. Combination of administrative and criminal sanctions: As seen in the medium and severe categories, criminal sanctions and fines are imposed simultaneously (*juncto*), indicating the tendency of the immigration system to adopt the logic of criminal law. Crimmigration also reinforces the narrative that foreigners are a potential threat, justifying strict control measures, deportation, or even imprisonment. On the other hand, immigration crime is a threat to national security. In the severe category, violations that contain elements of crime such as forgery or human smuggling are considered a threat to security, justifying the use of severe criminal sanctions.

Immigration violations committed by foreign nationals (WNA) in Indonesia, as classified into severe, moderate, and minor categories, are not just administrative legal problems, but have direct implications for strategic aspects of national security. National resilience as a dynamic condition of a nation in the face of various threats, disturbances, obstacles, and challenges (AGHT), demands a comprehensive response, including in the management of the immigration system.

Serious offenses such as human smuggling, falsification of travel documents, or involvement in transnational crime (organized crime) are not only unlawful, but also a real threat to national security resilience. Foreigners involved in criminal networks can disrupt social stability, strengthen transnational crime, and weaken the state's ability to protect its

citizens. In fact, in certain contexts, foreign involvement in subversive acts through abuse of residence permits or infiltration into social structures can be a form of threat to ideological and political resilience, if not properly anticipated by law enforcement and state intelligence officials.

Foreigners who abuse their residence permits to work illegally or carry out activities not in accordance with their immigration permits have an impact on economic resilience, such as creating unfair labor competition, losing potential state revenue, and disrupting the investment climate. On the other hand, the increasing number of immigration violations by foreigners also has an impact on social resilience, as it can trigger community unrest, tensions between communities, and create additional burdens on public services and local security. Other important things in the form of minor offenses such as overstay, remain as a form of resistance to the law, by taking loopholes in immigration supervision and control. If these minor violations are not dealt with firmly and systematically, it can erode the authority of national law and give rise to the assumption of weak law enforcement against foreigners.

CONCLUSION

This study analyzed 714 immigration violations in Indonesia's border areas throughout 2024, revealing distinct vulnerability profiles: 67.5% of violations occurred at sea borders, marked by organized criminal activities, while 32.5% occurred at land borders, mainly involving administrative breaches and illegal crossings. Key violator nationalities reflected regional proximity, with offenses ranging from severe crimes like human smuggling to minor infractions such as overstaying. The enforcement revealed the practice of crimmigration, processing violations through both criminal and administrative channels, highlighting Indonesia's securitization of migration control. These findings highlight the necessity for geographically tailored border management strategies, improved inter-agency coordination, and enhanced surveillance infrastructure. Future research should focus on evaluating technological border monitoring tools, conducting longitudinal studies on repeat offenses, and investigating socio-economic factors driving cross-border violations to develop more effective preventive policies.

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