



Deportation Policy for Foreign Citizens: The Case of Eight Vietnamese Citizens in Samarinda

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Abstract: Indonesia faces increasing challenges in immigration management due to the rising number of foreign nationals, including violations of residence permits and transnational crimes. This study aims to analyze the effectiveness of the deportation policy, focusing on the case of eight Vietnamese nationals in Samarinda. Employing a qualitative case study approach, the research involved interviews, observations, and document analysis. The population comprised all foreign nationals deported from Samarinda in 2023, with purposive sampling of eight Vietnamese individuals and key informants from relevant agencies. Data were analyzed thematically to identify patterns and factors influencing policy implementation. The results show that deportation is an effective legal instrument for addressing illegal activities and safeguarding national sovereignty, but its impact is limited by uneven local capacity and a lack of preventive measures. The conclusion highlights the need for integrated strategies, including digital surveillance, legal education, and regional cooperation, to enhance the sustainability and fairness of immigration enforcement in Indonesia.

Keywords: Deportation, Immigration Policy, National Interest, Qualitative Research, Transnational Crime

Introduction

Indonesia, as the largest country in Southeast Asia, has become a magnet for foreign nationals (WNA) arriving for various purposes such as tourism, business, education, and employment. Data from the Directorate General of Immigration shows that in 2022, more than 200,000 foreigners were legally residing in Indonesia, with the highest concentrations in major cities such as Jakarta and Bali (Directorate General of Immigration, 2023) (Zahara, 2022). This phenomenon aligns with global trends in international migration, with developing countries becoming primary destinations for labor mobility and foreign investment (Kristian, 2023) (Anisya, 2024).

However, the increasing number of foreign nationals also brings new challenges, particularly related to residence permit violations and transnational crimes. Reports from the Immigration and Police indicate that violations such as overstaying, visa abuse, and transnational crimes are becoming more frequent, with more than 5,000 cases of overstaying recorded in 2023 (Zahara, 2022) (Riduan, 2023). In addition to administrative violations, serious cases such as drug smuggling, human trafficking, and illegal fishing also involve foreign nationals, impacting national security and economic stability (Ministry of Maritime Affairs and Fisheries, 2023) (Amnesty International, 2020).

A major challenge facing Indonesia is the effectiveness of immigration law enforcement amidst limited resources and the complexity of international criminal networks. Implementation of deportation policies often faces challenges in inter-agency coordination, differing interpretations of regulations, and diplomatic pressure from the offenders' countries of origin (Kurniawan, 2023) (Subarsono, 2011). The deportation of eight Vietnamese nationals in Samarinda serves as a clear example of how residence permit violations and illegal activities can have complex legal and diplomatic implications (Riduan, 2023) (Ministry of Maritime Affairs and Fisheries, 2023).

Furthermore, deportation policy in Indonesia is still dominated by a repressive approach focused on short-term enforcement, unbalanced by a prevention system and adequate legal education for foreign nationals (Cahyadi, 2024) (Halimul Nabil Arafadila Arthana, 2022). Disparities in regional capacity in implementing deportations are also a problem, with regions like Samarinda capable of carrying out deportations effectively, while other regions may not necessarily have the same institutional support (Kristian, 2023) (Nugroho, 2009).

This study aims to analyze the effectiveness of deportation policies against foreign nationals, particularly in the case of eight Vietnamese citizens in Samarinda, using public policy theory and the concept of national interest. The urgency of this research lies in the need for a law enforcement strategy that is not only firm but also fair and sustainable, as well as the importance of bilateral and regional cooperation in addressing immigration violations (ASEAN Secretariat, 2022) (Sukma, 2003). The novelty of this research lies in the analysis of the implementation of deportation policies at the regional level using a bounded rationality approach and an evaluation of socio-economic impacts, which have not been widely studied in the international migration literature in Indonesia (Anisya, 2024) (Dunn, 2003).

Methodology

This research uses a qualitative approach with a case study method to analyze deportation policies for foreign nationals, specifically the case of eight Vietnamese citizens in Samarinda. Case studies were chosen because they provide an in-depth understanding of the processes, dynamics, and implications of deportation policies at the local level (Cahyadi, 2024) (Riduan, 2023) (Creswell, 2021). This approach is relevant for studying complex and contextual social phenomena and allows researchers to systematically explore various aspects of public policy (Dunn, 2003) (Kristian, 2023).

The main instruments in this research were in-depth interviews, observation, and document analysis. Interviews were conducted with immigration officials, law enforcement officers, and relevant parties in Samarinda to obtain primary data regarding the implementation of the deportation policy. Field observations were conducted to directly understand the investigation and deportation processes. Furthermore, document analysis included a review of laws and regulations, the annual report of the Directorate General of Immigration, and data from the Ministry of Maritime Affairs and Fisheries (Directorate General of Immigration, 2023) (Kurniawan, 2023) (Sugiyono, 2022). The data analysis technique used was thematic analysis, which aims to identify patterns, themes, and relationships between variables in the collected data (Emzir, 2022) (Anisya, 2024).

The population in this study was all foreign nationals who had undergone the deportation process in the Samarinda area during 2023. The research sample was taken purposively, namely eight Vietnamese citizens who were deported by the Samarinda Class I TPI Immigration Office on September 26, 2023, as well as several key informants from related agencies (Riduan, 2023) (Ministry of Maritime Affairs and Fisheries, 2023) (Sudaryono, 2021). This sample selection was based on considerations of case relevance and direct involvement in the deportation process, to provide a comprehensive picture of policy implementation in the field (Cahyadi, 2024) (Subarsono, 2011).

The research procedure began with primary data collection through interviews and observations, followed by analysis of policy documents and secondary data from government agencies. The collected data were then analyzed thematically to identify factors influencing the effectiveness of deportation policies, implementation challenges, and their social and economic impacts. Data validation was conducted through triangulation of sources and techniques to ensure the validity and credibility of the research results (Sugiyono, 2022) (Dunn, 2003) (Creswell, 2021). With this procedure, the research is expected to make a significant contribution to the development of more effective and sustainable immigration policies in Indonesia.

Results and Discussion

Indonesia's deportation policy aims to safeguard national sovereignty and control the presence of foreign nationals living or working illegally. Within the context of bounded rationality theory, this policy stems from the limited information, time, and resources of policymakers. Deportation is considered the most efficient law enforcement instrument for addressing violations such as overstaying, transnational crime, and illegal activities by foreign nationals.

According to data from the Directorate General of Immigration (Ditjen Imigrasi), the number of foreign nationals deported from Indonesia continues to increase year after year. In 2023, 7,856 deportations were recorded, an increase of nearly 16% from the previous year. The most common violations included overstaying, illegal employment, and transnational crimes such as fraud and drug offenses. This data demonstrates that deportation has become the dominant response to various immigration violations, which are no longer merely administrative but also include serious criminal aspects.

Table 1. Number of Foreign Nationals Deported in Indonesia (2021-2023)

Year	Number of Foreign Nationals Deported	Common Types of Violations
2021	5,023	Overstay, Visa Abuse, Drug Crimes
2022	6,712	Overstay, Illegal Work, Violation of Residence Permit
2023	7,856	Overstay, Illegal Fishing, Fraud, and Crime

Source: Directorate General of Immigration (Ditjen Imigrasi)

From a national interest perspective, deportation supports the protection of territorial sovereignty and national resources. This policy is also part of efforts to maintain national security from non-traditional threats such as transnational crime. Through a cost-

benefit analysis, this policy is deemed beneficial in maintaining national stability, despite the significant administrative and diplomatic costs.

The deportation of eight Vietnamese citizens involved in illegal fishing demonstrates how law enforcement, through deportation, can be an effective response to cross-border economic crime. Data from the Ministry of Maritime Affairs and Fisheries (KKP) shows that in 2023, there were 51 cases of illegal fishing by foreign vessels in Indonesian waters. The majority of perpetrators were from Vietnam, with vulnerable areas including Natuna, East Kalimantan, and the Sulawesi Sea. This illegal fishing activity is highly detrimental to the country, both economically and in terms of the marine ecosystem.

Table 2. Cases of Illegal Fishing by Foreign Vessels in Indonesia (2021-2023)

Year	Number of Illegal Fishing Cases	Origin of Public Ships	Hazardous Areas
2021	39	Vietnam, Thailand	Natuna, Anambas, Arafura
2022	46	Vietnam, Malaysia	Natuna, East Kalimantan
2023	51	Vietnam, China, Thailand	Natuna, East Kalimantan, North Sulawesi

Source: Ministry of Maritime Affairs and Fisheries (KKP)

From a rational choice theory perspective, the rewards outweigh the risks of being caught. The deportation policy serves to increase the risks for transnational criminals, thereby reducing their incentive to break the law based on the perceived economic benefits. From a national interest perspective, these deportations protect Indonesia's strategic natural resources, particularly the maritime economic sector. Law enforcement against these violations is crucial to maintaining the resilience of the marine economy and marine ecosystems, which are part of the national strategic interest.

The successful implementation of the deportation policy depends on coordination between government agencies, including the Immigration Office, the Ministry of Maritime Affairs and Fisheries, and the Indonesian National Police. Based on policy implementation theory, a good policy must be followed by consistent and effective implementation in the field. In the context of national interests, the implementation of the deportation policy by immigration authorities is a tool for maintaining social stability and domestic security. Deportation not only enforces the law but also serves to protect national integrity from threats that may arise from the presence of illegal foreign nationals.

The deportation policy has a significant impact on Indonesia's national security and international relations. Within the context of policy impact theory, deportation directly impacts national security by reducing cross-border crime and enforcing immigration laws. Furthermore, while deportation can raise diplomatic tensions, Indonesia strives to implement this policy transparently and in accordance with international law to maintain good relations with related countries, such as Vietnam.

Discussion

In the context of immigration policy implementation, a similar case occurred in Sampit, Central Kalimantan. Although smaller in scale, this case demonstrated the immigration authorities' consistency in cracking down on residence permit violations and demonstrated that the phenomenon of illegal foreigners occurs not only in strategic areas but also in relatively remote geographical regions.

Consistency of Immigration Law Enforcement in the Regions

Within the framework of public policy theory, policy implementation depends not only on formal regulations but also on the capacity of implementing actors, cross-institutional coordination, and field dynamics. One relevant theory for analysis is policy implementation theory, particularly the top-down and bounded rationality approaches.

Policy Implementation Theory: Between Top-Down and Bounded Rationality

The top-down approach explains that policies made by the central government will be successful if they are implemented consistently at the lower levels. However, in practice, implementation often faces challenges such as limited resources, differing interpretations of regulations, and complexities in the field. This is where Herbert Simon's concept of bounded rationality becomes important: policymakers lack perfect information, unlimited time, and unlimited resources, and therefore tend to choose policies that are "satisfying" rather than "optimal."

Samarinda Case Study: Field Implementation Practices

The deportation of eight Vietnamese nationals in Samarinda reflects the dynamics of immigration policy implementation at the regional level. The deportation policy, established nationally through Law No. 6 of 2011 concerning Immigration, is implemented by the Samarinda Class I Immigration Office through cross-sectoral collaboration, including with the police and the Ministry of Maritime Affairs and Fisheries.

From a top-down perspective, the actions of Samarinda immigration officials reflect compliance with national legal mandates. However, in practice, they must adapt their policies to conditions on the ground, such as limited time for investigations, administrative constraints on documentation, and diplomatic pressure from the offender's country of origin (Vietnam). This aligns with the assumption of bounded rationality, where field officials act within a framework of limited rationality. Using the theories of policy implementation and bounded rationality, it can be understood that deportation policy in Indonesia, particularly in the Samarinda case, is not merely a technical implementation of legal regulations. It reflects the dynamic adaptation of national policies to the local level in dealing with violations by foreign nationals, taking into account institutional capacity, diplomatic risks, and the protection of national interests.

In the context of international relations and public policy, national interest is the primary foundation for formulating state policy, including immigration policy. National interest encompasses security, economic, and sovereignty dimensions, all of which are relevant in cases of residency violations and illegal activities by foreign nationals.

Deportation as a Tool to Protect National Interests

The deportation of eight Vietnamese nationals in Samarinda, who were involved in illegal fishing, not only constitutes an administrative immigration violation but also directly impacts maritime sovereignty and the protection of Indonesia's natural resources. Illegal fishing in Indonesian waters constitutes a form of exploitation of strategic resources that impacts:

1. National economic losses, especially the local fisheries sector
2. Threats to natural resource security (SDA)
3. Potential conflict between local and foreign fishermen
4. Tensions in bilateral relations, if not handled properly.

Thus, the Indonesian government's deportation policy against illegal foreigners represents a strategic step to protect national interests, particularly in the maritime economy and territorial sovereignty. Deportation is part of a legitimate national protection strategy under international law, as long as it is implemented fairly and procedurally. Within this framework, the actions of authorities in Samarinda represent a concrete manifestation of national interests, not merely an administrative measure.

This step reflects how immigration policy does not stand alone but plays a role in maintaining domestic stability, the sustainability of natural resources, and Indonesia's reputation for border governance. With a national interest approach, the deportation policy in the Samarinda case has a broader strategic dimension than simply violating the law. It concerns economic sustainability, the protection of local communities, and Indonesia's position as a sovereign nation capable of enforcing the law against foreigners who violate the rules.

While deportation policy is a sovereign right of a country to enforce immigration laws, it still has implications for diplomatic relations between the expelling country (Indonesia) and the foreign national's country of origin (Vietnam). In this context, deportation is not merely an administrative measure but also a foreign policy instrument that requires careful implementation.

Diplomatic Impact and Challenges of International Relations

Potential for Bilateral Tensions

Large-scale deportations can create negative perceptions in countries of origin, particularly if they are perceived as lacking transparency or inconsistent with international law. While Indonesia has the right to enforce its laws within its borders, the perception of a "crackdown on foreigners" could raise diplomatic sensitivities.

Pressure for Diplomatic Clarification

In some cases, the government of the country of origin (such as Vietnam) may request clarification or a diplomatic note to protect its citizens. This requires Indonesia to have strong legal documentation and to certify that the deportation was carried out based on a legitimate legal process.

Conversely, if managed well, deportations can also serve as an opportunity to strengthen bilateral and regional cooperation. Cases involving foreign nationals could encourage countries to:

1. Enter into extradition agreements or joint border control agreements
2. Improving education for its citizens before entering Indonesia
3. Establish a rapid notification mechanism in case of violations by foreign nationals in other countries.

In the ASEAN context, cooperation between member states is crucial to address transnational crimes such as illegal fishing, human trafficking, and cross-border smuggling. Indonesia can leverage this case as a reason to strengthen regional forums and preventive diplomacy.

In the case of the deportation of eight Vietnamese citizens, Indonesia has so far maintained communication through official channels while adhering to international legal standards. This approach is crucial to ensure that law enforcement does not escalate bilateral conflict but instead serves as a means to affirm the sovereignty and professionalism of the Indonesian legal system.

Deportation policies have a double-edged sword in the context of international relations: they can fuel tensions if not implemented transparently, but they can also strengthen international cooperation if managed diplomatically. The Samarinda case demonstrates Indonesia's efforts to maintain a balance between enforcing national law and its commitment to maintaining harmonious international relations.

The deportation policy for foreign nationals is a key instrument in enforcing immigration law in Indonesia. However, the effectiveness of this policy requires a comprehensive evaluation, not only from the perspective of short-term enforcement but also from the perspective of sustainability, prevention, and long-term impact on national stability.

Its short-term effectiveness is quite high. The deportation of eight Vietnamese nationals in Samarinda demonstrates that this policy can respond quickly and decisively to violations of the law by foreign nationals. In this context, deportation:

1. Immediately stop illegal activities (illegal fishing)
2. Shows that Indonesia does not tolerate violations by foreign parties
3. Provides a deterrent effect on perpetrators and other potential violators

This success confirms that deportation is administratively and symbolically effective in maintaining the authority of state law.

Long-term limitations. Although immediately effective, the deportation policy has limitations, including:

1. The deterrent effect does not always address the root of the problem, especially if the violations are driven by larger transnational networks.
2. The possibility of repeat violations by other individuals or groups from the same country of origin, due to the absence of a strong cross-country tracking or blacklisting system.
3. Operational costs and logistical burdens, from detention, documents, to repatriation, are all borne by the state.

Table 3. Narrative and Table of Deportation Costs and State Losses

Aspect	Estimated Value (Year 2023)
Losses due to illegal fishing	Rp 7.2 trillion per year
Average cost of deportation for 1 foreign national	Rp. 25 million per person
Total cost of deportation of 8 Vietnamese citizens	± 200 million

Source: Ministry of Maritime Affairs and Fisheries, 2023 (KKP, 2023)

The effectiveness of deportation policies is largely determined by three main factors:

1. Inter-agency coordination (Immigration, Police, KKP, and Ministry of Foreign Affairs)
Without strong coordination, the investigation process through to repatriation could be hampered.
2. Enforcement capacity in the regions
Not all regions have sufficient resources to carry out deportations as effectively as Samarinda.
3. International cooperation and prevention systems, If not accompanied by diplomatic cooperation or a joint blacklist system, the perpetrators could return with a different identity.

Solutions to increase effectiveness:

1. Optimization of digital surveillance and border control systems
2. Drafting of bilateral agreements on deportation and data exchange of problematic foreign nationals
3. Legal education for foreign nationals entering Indonesia Additional administrative sanctions, such as fines and re-entry bans

Considering both short- and long-term dimensions, it can be concluded that deportation is an effective policy in responding to violations, but it is not yet fully optimal in preventing similar violations in the future. Therefore, deportation must be placed within a broader and more sustainable strategic framework, involving institutional strengthening, international cooperation, and a preventive approach.

Social and Economic Impact of Deportation on Local Communities

Social Impact:

The deportation policy against foreign nationals who commit violations of the law in Indonesia not only has legal and diplomatic impacts, but also has social and economic consequences, both for local communities and for the country as a whole.

The presence of illegal foreign nationals often creates social tension, particularly in areas dense with informal economic activity, such as the fishing and trade sectors. When foreign nationals work illegally, they not only violate the rules but can also create injustice in the eyes of local communities, which are subject to strict regulations. Unfair job competition can fuel negative sentiment toward foreigners, and in some cases, even lead to horizontal conflict between residents and foreign communities.

Furthermore, foreign nationals residing without permits and without administrative registration complicate government monitoring. This risks marginalization, social alienation, and potential exploitation by irresponsible parties.

Economic Impact:

Economically, the presence of illegal foreign nationals can cause losses in several ways. First, they generally do not pay taxes or official contributions to the state, but still use public facilities such as healthcare and infrastructure. Second, their presence in the informal sector creates unfair competition for local labor, particularly in sectors like fisheries, construction, and services.

The deportation process itself also requires state funding, including the costs of detention, supervision, and repatriation. This places an additional burden on the state budget, which could otherwise be allocated to domestic programs. If cases like this continue, the government will need to reassess the costs and benefits of the current foreign national monitoring system.

Thus, if managed properly, the legal presence of foreign nationals can actually contribute to economic growth, such as through investment, technology transfer, and labor cooperation. Therefore, deportation policies must be accompanied by affirmative and educational policies to direct foreign nationals toward a productive and legal presence.

Evaluation of the Effectiveness of Deportation Policy

However, deportation policies are not without weaknesses and risks. In practice, deportation often serves as a short-term, repressive solution. The author believes that this policy remains too focused on enforcement, without being balanced with a humanitarian or remedial approach. In some cases, immigration violations stem not entirely from individual malice, but rather from economic factors, a lack of legal literacy, or exploitation by third parties. For example, in the case of Vietnamese nationals in Samarinda, it is necessary to examine whether they acted as the main actors or merely victims of a transnational illegal fishing network. Without clarifying the perpetrators' roles, deportation policies risk targeting the victims, rather than the main perpetrators.

From a policy implementation perspective, the authors also assess that deportation measures often experience disparities between regions. Regions like Samarinda can carry out deportations due to institutional support and cross-agency coordination, while other regions may not have the same capacity. This suggests that the effectiveness of deportations depends heavily on technical readiness and local resources, which are not always evenly distributed across Indonesia.

In the context of regional relations, deportation policies must also be viewed from the perspective of international cooperation. The author observes that the ASEAN region lacks a solid regional mechanism to collectively address immigration violations. Yet, cross-border migration, including residency violations and illegal fishing, is a transnational issue that requires cross-border collaboration. Indonesia can play a more active role in promoting cooperation agreements among ASEAN countries, including a joint blacklist mechanism, an integrated monitoring system, and cross-border legal education. This cooperation will strengthen Indonesia's position in safeguarding sovereignty while collectively building regional stability.

Therefore, the author emphasizes that deportation alone is not sufficient to maintain national security and order. A more comprehensive policy approach is needed: one that combines law enforcement, bilateral diplomacy, regional cooperation, migrant education, and ongoing evaluation of the resulting social and economic impacts. With this approach, Indonesia can build an immigration system that is not only firm but also fair, sustainable, and internationally recognized.

Critical Notes on Policy Implementation

Critical Notes

Although deportation policy has become a primary instrument for enforcing immigration law in Indonesia, it is not entirely effective on its own. In many cases, deportation measures are merely reactive and fail to address the root causes, such as weak border control systems, inadequate legal education for foreign nationals, and limited intelligence cooperation between countries. Furthermore, this policy is often not accompanied by an adequate diplomatic approach, potentially creating tensions with the foreign nationals' countries of origin.

Implementation at the regional level also shows disparities. While regions like Samarinda may have sufficient coordinating support from officials, other regions may not have the same capacity. This highlights the need for a policy approach that is not solely top-down but also responsive to local conditions.

Recommendations for Strengthening Deportation Policy

Recommendation:

To strengthen the effectiveness and sustainability of deportation policies, the authors recommend the following:

1. Strengthening technology-based monitoring systems. The use of digital systems such as facial recognition, visa tracking, and cross-ministerial data integration can accelerate the detection of violations by foreign nationals.
2. Improving regional capacity in policy implementation. The central government needs to provide training, budgets, and operational guidance to regional immigration units to ensure more equitable implementation of deportations.
3. Developing bilateral agreements and regional blacklist mechanisms. Indonesia needs to encourage cooperation with the countries of origin of foreign nationals to facilitate repatriation, exchange information, and take action against repeat offenders.
4. A communicative diplomatic approach. Deportations must be accompanied by open communication with representatives of the country of origin to avoid misunderstandings and maintain the stability of bilateral relations.
5. Legal education for foreign nationals and local business owners. Immigration law awareness campaigns need to be enhanced through brochures, digital media, and collaboration with employment agencies and local businesses.

By complementing deportation policies with technical, diplomatic, and educational strategies, Indonesia can strengthen its position as a sovereign, just, and open nation in international migration governance. A firm yet humane policy will reflect Indonesia's commitment to safeguarding national interests without disregarding the principles of international law.

Conclusion

This study finds that the deportation policy in Indonesia, particularly in the case of eight Vietnamese nationals in Samarinda, serves as an effective legal instrument for upholding national sovereignty and responding to violations of immigration and fisheries law. The research highlights that deportation not only curbs illegal activities such as overstaying and illegal fishing but also acts as a deterrent for future violations by foreign nationals. The success of this policy is closely tied to strong inter-agency coordination, consistent law enforcement, and the ability to adapt national regulations to local contexts. However, the study also reveals that the current approach is largely reactive and focused on short-term enforcement, with limited emphasis on preventive measures, legal education for foreign nationals, and regional cooperation. The uneven capacity among local authorities further constrains the overall effectiveness of deportation as a national strategy.

Despite its strengths, the research acknowledges several limitations, including the narrow scope of the case study, reliance on qualitative data, and the absence of longitudinal analysis to assess long-term impacts. These constraints suggest that future research should expand the sample size, incorporate comparative studies across different regions, and utilize mixed-method approaches to provide a more comprehensive evaluation of immigration policies. Practically, the findings imply that Indonesia should complement deportation with robust preventive strategies, such as digital surveillance, bilateral agreements, and legal education for both foreign nationals and local stakeholders. Strengthening regional cooperation within ASEAN and improving local institutional capacity are also recommended to ensure that immigration enforcement is not only firm but also fair and sustainable. By adopting a more holistic and adaptive approach, Indonesia can enhance its reputation as a sovereign nation committed to effective, humane, and internationally recognized migration governance.

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