

INTELLIGENCE COLLABORATION AS A POTENTIAL MITIGATION OF THE GOLDEN VISA THREAT

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ABSTRACT

The Golden Visa policy, aimed at attracting quality investors and global talents, has gained prominence globally, including in Indonesia through Permenkumham 22 of 2023. This policy is designed to enhance the domestic economy by offering incentives and streamlined processes for foreign investors and talents. However, the potential threat posed by the Golden Visa system is a subject of concern, prompting this research to delve into its implications using qualitative research methods and an inductive approach. The analysis reveals that the potential threat of the Golden Visa lies in its capacity to negatively impact national security. Recognizing the significant role of the Directorate General of Immigration, the agency vested with authority in the immigration sector, becomes crucial in mitigating these threats. The integration of intelligence analysis and collaborative governance within the Directorate General of Immigration can serve as an effective early detection mechanism for potential threats associated with the Golden Visa program. In conclusion, while the Golden Visa policy holds the promise of economic benefits for Indonesia, it is imperative to address and manage the potential security threats it may pose. By leveraging the expertise of immigration authorities and employing strategic intelligence analysis, Indonesia can strike a balance between attracting foreign investments and talents while safeguarding its national security interests.

Keywords: *golden visa, threats, directorate general of immigration, intelligence, collaborative governance*

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INTRODUCTION

Globalization is something that cannot be avoided in this modern era. The globalization that is currently occurring actually has various positive effects and gives rise to prosperity in various countries, including Indonesia. According to Nilson and Therese (2010) globalization refers to the process in which different economies and societies become closer and increasingly integrated. With the increasingly massive flow of globalization, it is now very easy for people to move from one country to another, which is called migration. According to Indrady (2019), the concept of international migration means the movement of people across the borders of a country. Human movement will actually have a positive or negative impact on a country. Furthermore, according to Indrady (2022), globalization has had an influence on all aspects of life, including the economic aspect, which then has implications for the social economy. The positive impact that can be obtained from migration for Indonesia is the transfer of knowledge and an increase in state income from PNB (Non-Tax State Revenue) as well as foreign investment.

According to the Ministry of Foreign Affairs (Ministry of Foreign Affairs), based on its own geographic conditions, the Unitary State of the Republic of Indonesia is flanked by 2 continents (the Asian and Australian continents) and 2 oceans (the Pacific and the Indian), which then places Indonesia at the crossroads of world traffic and a crossroads of economic activity with Asian countries such as China, Korea, Japan, countries from Africa and Europe which ultimately provide favorable conditions in terms of the economy. The large number of foreign

nationals who come to Indonesia is also based on its natural beauty and natural resources and potential investment opportunities.

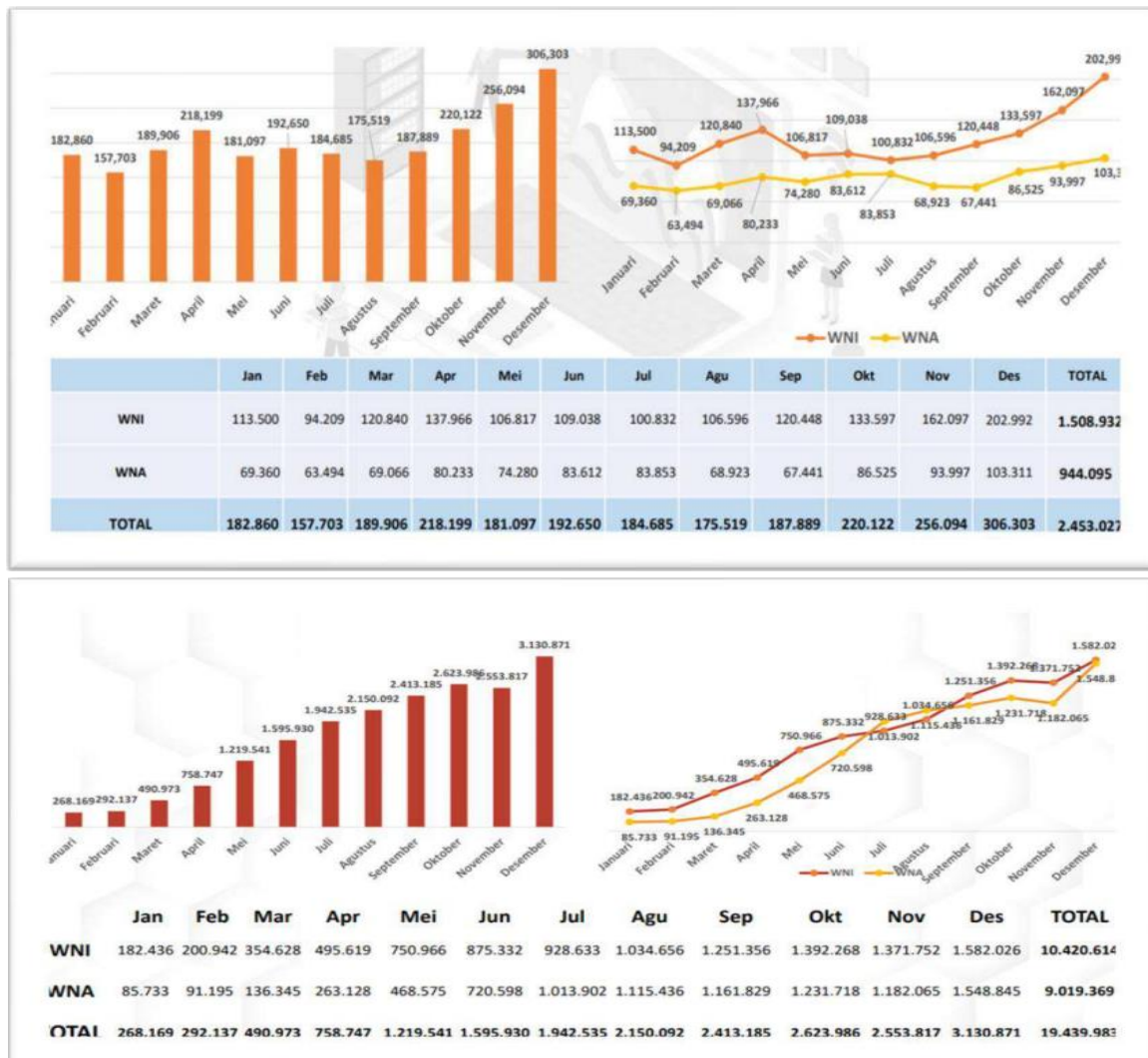


Figure 1. 2021 & 2022 Crossing Statistics

Source: Performance Report of the Directorate General of Immigration for 2022

Based on data from the Directorate General of Immigration, along with the end of the Covid 19 pandemic, the number of crossings in Indonesia has increased. To accommodate the large number of crossings of foreign nationals and support the improvement of the national economy, the Directorate General of Immigration, which is under the auspices of the Ministry of Law and Human Rights, then issued Permenkumhan 22 of 2023 as a form of support for the implementation of President Joko Widodo's orders regarding golden visas. Immigration incentives provided by the Directorate General of Immigration are in the form of longer stay permits (5-10 years), ease of visa applications, as well as various other convenience immigration facilities. It is hoped that the ease of immigration provided will have implications for improving the national economy. However, the golden visa policy can actually also pose a potential threat to Indonesia where, with its strategic position, Indonesia is also used as a favorite place for transnational crimes (terrorism, money laundering, human trafficking crimes,

human smuggling crimes, etc.). This then makes Indonesia obliged to have an appropriate mitigation strategy to protect the country from various potential threats.

METHOD

The research method used in preparing this journal is a qualitative method. Qualitative research places emphasis on quality, not quantity, and data collection does not come from questionnaire results but comes from direct interviews and related official documents. According to Murdiyanto (2020), qualitative research methods often do not originate from one discipline. science, however, departs from more than one social science discipline simultaneously. Qualitative research is descriptive and often tends to use analysis with an inductive approach.

According to Richard K. Betts in *Intelligence for Policy Making*, he explains that qualitative intelligence analysis, if carried out carefully, can provide the most useful information for policy makers (Hanita, 2020). In this research the researcher uses a qualitative method so that in this method the quality of the research will depend on the data obtained by the researcher. Apart from determining research methods and approaches, data collection techniques are also important in a research process. Researchers need to know how to collect valid and relevant data in conducting research. The data collection technique is a stage that is no less important because it can determine the quality of the data that will later be used to answer research questions.

In this research, the author chose data collection techniques through literature study. According to Creswell (2010), data collection through literature studies and documentation is carried out by quoting and reading material obtained directly or indirectly from various literary sources related to the selection of research topics and problems in the form of public documents (for example newspapers, meeting minutes, official reports) or personal documents (e.g. personal journals and diaries, letters, emails).

In carrying out data analysis, according to Syafrida (2021), mastering theory is important so that the perceptions created are not subjective and are based on scientific knowledge. Furthermore, qualitative research can develop depending on the conditions faced in the field so that there are several things that can be done to ensure that research does not become widespread, including:

1. Data Reduction

Data reduction can be said to be an activity of summarizing important information to then be discussed or draw conclusions. Data reduction is carried out continuously during research in order to produce core notes obtained during data mining. The amount of information that is not related to the research theme can be sorted through data reduction.

2. Data Presentation

Data in qualitative research is often in narrative form so simplification is needed without reducing the content of the data. Presenting information in an organized manner will ultimately produce a conclusion. In this stage the researcher classifies and presents the data according to the main problem.

3. Conclusion or Verification

The final stage of qualitative research is conclusion or verification. Comparing the suitability of the statement of the research object with the meaning contained in the basic research concept will ultimately result in drawing conclusions

RESULTS AND DISCUSSION

Golden Visa Overview

In an increasingly dynamic era of globalization, the golden visa has become a policy that is increasingly popular in various countries. Many countries have the view that the golden visa policy is the right step to increase foreign investment and has implications for improving the economy in their respective countries. Countries such as Cyprus, Portugal, Singapore, the United Kingdom and the United States have implemented this policy. The various incentives and facilities for golden visas in several countries have different forms.

In Indonesia, after the Covid-19 pandemic, the Government is trying to create various programs to restore domestic economic conditions. To achieve this target, foreign investment is one of the steps being pursued by the Indonesian government. President Joko Widodo and his staff then came to the conclusion that in order to increase foreign investment, ease of service, speed of service, and transparency in providing services to foreign investors are the right steps. One form of licensing that is quite crucial in attracting foreign investors is in the immigration sector. It is hoped that the convenience and additional facilities offered in the immigration sector will be able to attract foreign investors to invest their money in Indonesia. With so many foreign investors investing in Indonesia, this will bring positive benefits in improving the domestic economy. Development, increasing availability of jobs and transfer of knowledge (skills and technology) are some of the positive things that Indonesia will gain. The following are the golden visas offered by Indonesia through Permenkumham 22 of 2023.

With conditions of increasingly high global economic competition, innovation in immigration services will have positive implications for economic conditions in Indonesia. The Directorate General of Immigration in Law No. 6 of 2011 concerning Immigration Article 1 paragraph 3 explains that carrying out immigration functions is:

"Immigration functions are part of state government affairs in providing immigration services, law enforcement, state security, and facilitating community welfare development." On this basis, the Directorate General of Immigration, which has the function of facilitating community development, hopes that through the golden visa policy, quality investors and travelers can enter Indonesia.

Potential Threats to the Golden Visa

Every policy taken by policy makers actually has positive benefits and negative benefits. This is normal in various policies, including the golden visa policy. The negative impact that can arise from the golden visa policy in Indonesia is the potential threat from various aspects.

Viewed from a theoretical perspective, according to Prunckun (2010:163-164) regarding threat analysis, a threat is a determination to cause harm to other people and threats can be carried out by all entities, both people, organizations and nations. Threats consist of

Intention: This includes desire, which means the enthusiasm that threat agents have to cause harm and achieve their goals, and expectation, which is defined as the threat agent's level of confidence in being able to achieve their plans.

Capabilities: This includes knowledge, which means how much information the threat agent knows in achieving goals and resources, which includes how much ability, experience and materials are needed to carry out the plan.

The implementation of the Golden Visa, which provides various conveniences and incentives for foreign citizens, is not without problems. Several countries that had already implemented the golden visa have ended up stopping or evaluating the program. Several reasons are behind this, one of which is the source of funds used by golden visa applicants to obtain this facility. For example, Quoted from the guardian (2022) The "Golden visa" system launched by the UK for wealthy foreign investors was canceled based on the government's concerns about the source of funds coming from illegal means. Regarding the potential threat of implementing the golden visa in Indonesia, it can be explained as follows:

a. Social

The potential for cultural mixing that will occur along with the implementation of the golden visa in Indonesia can also raise concerns. Indonesia as a country that upholds religious and cultural values allows for conflicts with culture brought by the global community who want to apply for a golden visa. According to Anwar & Adang (2008) conflict is a competitive system where several groups compete with each other to obtain needs. The shift in social behavior that has the potential to occur is a form of threat in the social & cultural dimension which of course requires appropriate mitigation strategies.

b. Transnational Crime

According to Azizah (et al. 2020) Transnational organized crime is defined as a crime in the form of drug trafficking, illegal weapons trafficking, money laundering, human trafficking, trading in stolen or pirated goods, as well as other goods that cannot be traded, such as endangered animals, protected and cultural objects. With the increasing development of transnational organized crime, several countries have temporarily stopped or evaluated the golden visa program in their countries. For example, Quoted from Olive Press (2023), Ireland and Portugal in mid-February made the decision to cancel the golden visa program due to concerns about an increase in money laundering crimes. This decision was still taken by the two countries even though the golden visa program had increased the value of investment in the two countries. The golden visa policy implemented in Indonesia apart from having a positive impact, can actually also pose a potential threat from the development of transnational crime. The ease of living, working and investing can certainly attract the interest of crime syndicates to launder money originating from crime.

c. Economics

The implementation of the golden visa policy which requires applicants to purchase foreign property in Indonesia could lead to potential price increases in the property sector. According to Hendrickson's report (Mansion global. 2023) the suspension of the golden visa program in Portugal was triggered by concerns that foreign buyers were driving up house prices and making property purchases difficult for Portuguese citizens who could not afford the same prices as some foreign buyers. Learning from what happened in Portugal, concerns about something similar happening in Indonesia must receive attention. Property price inflation has quite a big potential to occur in Indonesia and can make it difficult for Indonesian citizens to buy property. According to Syahrin (2017), an approach to economic aspects in the

immigration sector is something that can be done without ignoring the state security factor which is the goal of many interests for foreigners.

Intelligence Analysis of Potential Threats to the Golden Visa Policy

In order to carry out early detection and prevention of potential problems in implementing the golden visa policy in Indonesia, the Directorate General of Immigration can utilize intelligence analysis as a material for decision making. The use of intelligence in the immigration sector is important for carrying out state security functions. According to Hendropriyono (2013: xi) in intelligence practice, threats that come quickly require speed (*velox*) and accuracy (*exactus*) in detecting threats. Until now, the definition of what intelligence is is still often debated. However, according to Saronto (2020), intelligence comes from the word "intelligence" which means "intelligence". According to Hanita (2019), the first and most famous strategic intelligence thought in history was Sun Tzu, who wrote about *The Art of War*, where he explained that intelligence is valuable information about the enemy's strength, plans and readiness when fighting.

From this narrative it can be concluded that intelligence is very useful to be used as material for consideration that will be used by leaders to make policies. According to Hanita (2019) In an organization, agency or government, the intelligence sector has a vital role in national interests and security in order to prevent or eliminate threats. "Overcoming crime, especially transnational crimes such as drug trafficking, smuggling, human trafficking and terrorism will require intelligence support." To obtain a good intelligence product, the intelligence analysis stage is a vital thing. This is based on the opinion "all intelligence is information, but not all information is intelligence" (Lowenthal, 2009).

Furthermore, citing Saronto according to Monika (2010), an intelligence country can be interpreted in 3 things, including:

1. Intelligence as an activity: Intelligence is defined as a closed action such as clandestine and covert action. In other terms, this action is often called investigation, security and mobilization (Lidpamgal).
2. Intelligence as an organization: Intelligence is defined as a body, organization or tool that is secret. examples: State Intelligence Agency (BIN), Police Baintelkam, Intelligence at Immigration, Intelligence at the Directorate of Customs and Excise, financial intelligence at PPATK and others.
3. Intelligence as a product: Intelligence is defined as data and information that has been collected, then analyzed, processed and then conveyed to management/end users to then be used as material for preparing plans, policies and decision making in anticipating possible threats. Furthermore, Hank Prunkhun in Stepri (2018) introduced what is called the Intelligence Cycle, where in the Intelligence Cycle there are seven steps, namely: "Direction Setting; Information Collection; Data Collection; Data Processing and Manipulation; Data Analyst; Report Writing; Dissemination to decision maker".

In facing the potential threat of golden visas in Indonesia, the selective policy must be implemented strictly before visa approval is granted. selective policy in the golden visa policy must be implemented by providing a balance between the security approach and the prosperity approach. The security approach is related to traditional security and non-traditional security.

According to Buzzan (1991), traditional security consists of a country's security in the military field, while non-traditional security covers broader security, including economic, political, social and so on. Meanwhile, the prosperity approach is related to assessing the benefits that arise from the presence of foreign citizens on the lives of Indonesian people.

The selective immigration policy is applied to all foreign citizens without exception who wish to enter Indonesian territory. The application of the selective policy in the golden visa can be implemented on the basis of the premise that not all investors from developed countries can provide guarantees to bring benefits to Indonesia. Likewise, not all investors from poor or vulnerable countries will incur losses if they enter and invest in Indonesia. Strict selection of foreign nationals is very necessary to prevent negative impacts arising from the implementation of the golden visa policy in Indonesia.

According to Santoso (2004), in carrying out security functions related to the presence of foreign nationals, the Directorate General of Immigration can carry out, among other things:

1. Carry out selection of each aim and purpose of the arrival of foreign nationals, the implementation of which is carried out through examination of visa applications,
2. Establish cooperation with other state security apparatus, especially in the supervision of immigration law enforcement,
3. Carrying out immigration intelligence operations with the aim of state security,
4. Carry out prevention and deterrence.

Utilization of intelligence in mitigating potential threats to the golden visa policy in Indonesia can be further carried out by investigating through open techniques such as conducting research and interviews. Investigation is an implementation of intelligence as an activity. An investigation can be carried out to identify the profile of the golden visa applicant. Data collected by the intelligence apparatus can be sourced from OSINT (Open Source Intelligence). Intelligence officers from the Directorate General of Immigration as the agency that provides visa approval can use Osint/open sources to see the background of the golden visa applicant. The Directorate General of Immigration must not only rely on the documents submitted by the applicants but must also dig deeper through online media, social media, newspapers and so on.

Meanwhile, in closed techniques, immigration intelligence officers can carry out observations, undercover interviews (elicitation), descriptions, exploration and tailing of targets. The closed technique is carried out when golden visa holders carry out activities in Indonesia. Based on interviews with PPATK (2023), there is the potential for money laundering to be exploited by crime syndicates from loopholes in the golden visa policy. Furthermore, according to PPATK, money resulting from crime originating from money laundering and terrorist financing invested in a country is money that is "easy come and easy go". Crime syndicates often only use funds to set up companies without carrying out operations in those companies. To deal with this, it is necessary to be able to properly identify golden visa applicants starting from their identity, address, job or business, the source of the money invested and how they use the funds.

Golden Visa Potential Threat Intelligence Collaboration

In conducting intelligence analysis on the application of the golden visa, the Directorate General of Immigration can utilize collaboration with other institutions, non-governmental

organizations and civil society to collect intelligence information. This will really help to increase supervision of the golden visa policy. The application of the concept of collaborative governance can actually be used in implementing immigration intelligence. According to Ansel & Gash (2008) Collaborative Governance is a governance that regulates where one or more public institutions make a direct relationship with non-state institutions in a formal, consensus-oriented, and deliberative collective decision-making process with the aim of making or implementing a public policy or even in managing a policy program or asset. The definition of this concept provides six important criteria, including:

1. The forum created is initiated by a public body or institution,
2. Forum participants also include non-state actors,
3. Participants have direct involvement in the decision-making process,
4. The forum is held formally and meets collectively,
5. The forum has the aim of being able to make decisions through consensus (even though in practice consensus is not reached),
6. The focus of this collaboration is on public policy or public management.

The form of Collaborative Governance has actually been mandated by the Directorate General of Immigration through the formation of Timpora (Foreigner Supervision Team) as stated in Permenkumham 50 of 2016. According to O'Flynn & Wanna (2008) a government requires the establishment of a strong data exchange network to integrate and align goals. Strategic. Sharing cross-sectoral knowledge within Timpora will ultimately be able to help optimize supervision of foreign nationals in the golden visa policy and solve solutions to challenges and obstacles that may arise.

The Foreigner Monitoring Team can be formed at the central and regional levels, which includes representatives from other government agencies and/or institutions as well as the community. At the central level, Timpora is formed through a Ministerial Decree chaired by the Minister or an appointed Immigration Officer. Meanwhile, at the provincial level, Timpora was formed through the Decree of the Head of the Regional Office of the Ministry of Law and Human Rights and was then chaired by the Head of the Immigration Division at the Regional Office of the Ministry of Law and Human Rights. Lastly, Timpora at the district/city level was formed through a Decree of the Head of the Immigration Office which was then chaired by the Head of the Immigration Office. Furthermore, in implementing its duties and functions, the Foreigner Supervision Team can provide various suggestions and considerations to agencies, institutions and the public regarding matters related to the implementation of supervision of foreign nationals. In carrying out these duties, Timpora can do several things, including:

1. Coordinating and exchanging data and information with other agencies;
2. Collecting information and data regarding the whereabouts of foreign nationals which is carried out in stages starting from village to provincial level;
3. Make an analysis and evaluation of the data and information that has been collected related to the implementation (POA) of supervision of foreigners;
4. Resolving problems with the presence and activities of foreigners;
5. Building networks or cooperation in order to carry out supervision of the activities of foreigners;

6. Prepare plans for the implementation of joint operations/raids, both incidental and special;
7. Carry out other functions assigned by the Timpora chairman related to (POA) supervision of foreigners.

In practice, maximizing the role of Timpora regarding mitigating potential threats, preventive and repressive steps can be taken. Preventive steps can be started by asking for information and input from other institutions such as BIN, Polri and PPATK during the golden visa application process. Various information and input from other institutions will be able to provide considerations for the Directorate General of Immigration regarding a person's eligibility to obtain a golden visa. Meanwhile, the repressive control measures carried out have the aim of ensuring that the golden visa obtained by the applicant is used according to its intended purpose and does not violate the residence permit regulations. This is very important so that the golden visa policy that is being promoted can provide positive benefits, rather than causing negative impacts.

CONCLUSION

The very dynamic and complex development of the global, regional and national situation has made many countries rely on the golden visa policy to support the economy. However, the choices taken by many countries can ultimately create potential threats that could affect national security. To secure the positive impacts which include improving the national economy, the availability of employment opportunities and transfer of knowledge as well as avoiding the negative impacts which include social conflict, money laundering, terrorism and the economy from the golden visa policy, intelligence analysis, especially through immigration intelligence, has a significant role as a tool. to collect information, process information and analyze information to then present it to users/leaders as material for decision making by leaders so that the implementation of the golden visa policy can produce a positive impact for Indonesia. To maximize the role of immigration intelligence, the concept of Collaborative Governance through optimizing Timpora is also an important thing so that the intelligence activities carried out can answer potential threats from the golden visa policy.

The collaboration built by the Directorate General of Immigration can be established with various other agencies such as the National Police, BIN, BNPT, PPATK and non-governmental organizations and civil society. Building this network will be able to mitigate potential threats that could arise from the golden visa policy. The combination of Collaborative Governance in collecting, processing and analyzing intelligence is ultimately needed to make it possible to create a structured government system that will provide effectiveness in responding to various challenges in the increasing need for managing activities that cross government, organizational and sectoral boundaries. Bringing together various law enforcement officers into a Timpora forum can improve communication patterns so that positive relationships are built. Where from the relationships that have been built, the specific abilities possessed by each actor can be maximized and the specific abilities possessed by each actor will enable the exchange of information to better understand the potential threats faced and then determine appropriate mitigation strategies.

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