

JURIDICAL REVIEW OF THE FOREIGNERS TRAFFIC MODULE SYSTEM (MOLINA) IN THE PERSPECTIVE OF LAW NUMBER 6 OF 2011 ON IMMIGRATION

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Abstract

Immigration is a vital instrument in safeguarding a nation's sovereignty and security, especially amid increasing global mobility driven by advances in transportation technology and the openness of international relations. As a popular destination for tourism and foreign labor, Indonesia faces significant challenges in monitoring the movement and activities of foreign nationals within its territory. Law Number 6 of 2011 on Immigration regulates various types of residence permits for Foreign Nationals (FNs), including Visit Stay Permits (ITK), Limited Stay Permits (ITAS), Permanent Stay Permits (ITAP), and Special Immigration Stay Permits. To support its supervisory function, the Directorate General of Immigration developed the Foreign Nationals Traffic Module System (MOLINA), a digital information system that records and analyzes real-time data on the movement of FNs. Although MOLINA has proven effective in supporting immigration supervision, administrative services, and enforcement, it lacks explicit legal grounding within the Immigration Law, leading to a legal vacuum and raising concerns regarding administrative legitimacy and personal data protection. Therefore, this research is crucial as a normative legal study of the legality and legal status of MOLINA from the perspective of Indonesia's positive law. It also responds to the rising number of stay permit violations by foreign nationals in strategic areas such as Bali and aims to encourage regulatory reform in immigration to become more adaptive to technological developments and the demands of fair law enforcement.

Keywords: Immigration, Foreign Nationals, Stay Permit.

A. INTRODUCTION

Immigration is a crucial aspect in maintaining a nation's sovereignty and security amidst increasing global mobility (Aji et al., 2022). Over time, the movement of people between countries has become increasingly easier due to advances in transportation technology and the openness of international relations (Widodo J, 2018). This cross-border mobility involves various interests, such as tourism, trade, education, and diplomatic relations. Each country has an immigration policy aimed at legally regulating the entry and exit of foreigners,

protecting national interests, and preventing violations of the law. In this context, the immigration system serves as a tool to monitor, control, and prosecute all forms of violations that could potentially threaten social stability and national security (Hamidi & Christian, 2021).

Residence permits in Indonesia are clearly regulated in Law Number 6 of 2011 concerning Immigration and its derivative regulations. A residence permit is a permit granted by immigration officials to foreign nationals (WNA) to remain in Indonesian territory for a specified period of time, depending on the purpose of their visit. The following are the types of residence permits in Indonesia, based on immigration regulations:

1. Visit Stay Permit (ITK). A visit stay permit is granted to foreign nationals entering Indonesia for specific purposes for a relatively short period. According to Article 38 of Law Number 6 of 2011 and Regulation of the Minister of Law and Human Rights (Permenkumham) Number 22 of 2023 concerning Visas and Stay Permits, the purposes of granting a Visit Stay Permit are:
 - Tourism or socio-cultural visits
 - Business activities, family visits, or humanitarian missions
 - Official government or international organization activities
 - Short training, seminars, or non-commercial research
 - Maximum 60 days (extendable up to four times, each for 30 days)

Can be a Visa on Arrival (VoA) or Visa-Free Visit for certain countries. Actions in Case of Violation: If a foreign national overstays their stay permit without an extension, they will be subject to a fine of IDR 1,000,000 per day in accordance with Article 78 of the Immigration Law. 2. Limited Stay Permit (ITAS). A Limited Stay Permit is granted to foreign nationals who need to stay longer in Indonesia, such as for work or family reunion. According to Articles 39–42 of Law Number 6 of 2011 and Regulation of the Minister of Law and Human Rights Number 29 of 2021 concerning Visas and Stay Permits, the categories of ITAS recipients are: Foreign workers (Foreign Workers/TKA), Family reunification (spouse/wife of an Indonesian citizen or children under 18 of an Indonesian citizen), Research, education, or training, Religious activities or humanitarian missions. The validity period is 6 months, 1 year, or 2 years (extendable). After 3 consecutive years, foreign nationals can apply for a Permanent Stay Permit (ITAP). The ITAS acquisition process is as follows:

- a. Apply for a limited stay visa (VITAS) through the Immigration Office or Indonesian Embassy
 - b. Upon arrival in Indonesia, the VITAS is converted to an ITAS
 - c. Foreign nationals are required to report their whereabouts and renew their ITAS before it expires. Sanksi Pelanggaran, Jika izin habis dan tidak diperpanjang, WNA akan dikenakan denda atau deportasi WNA yang menyalahgunakan ITAS (contoh: bekerja tanpa izin) dapat dikenai sanksi pidana dan administratif (Wahyudi F, 2023).
2. Permanent Stay Permit (ITAP). A Permanent Stay Permit is a permit for foreign nationals who wish to reside in Indonesia permanently after meeting certain

requirements. Based on Articles 43–46 of Law Number 6 of 2011, the following categories of ITAP recipients are:

- ITAS holders who have legally resided in Indonesia for three consecutive years
- Legal spouses of Indonesian citizens after two years of marriage
- Former Indonesian citizens who wish to return to Indonesia
- Senior foreign nationals over 55 who meet the requirements

The validity period is lifetime, but they are required to report to the Immigration Office every five years. The rights and obligations of ITAP holders include the ability to obtain a Permanent Stay Permit Card (KITAP), the obligation to report changes in status or activities in Indonesia, and the ability to apply for naturalization status as an Indonesian citizen after meeting the requirements. Misuse or violation of ITAP provisions can result in permit revocation or deportation (Hidayat R, 2023).

3. Special Immigration Stay Permits: This category is granted to foreign nationals under special circumstances based on strategic considerations or national interests. According to Article 47 of Law Number 6 of 2011, the recipient categories are: foreign nationals who have made significant contributions to national development, foreign nationals with strategic investments in Indonesia, and foreign nationals who provide significant social or humanitarian benefits.
4. Legal Consequences of Stay Permit Violations: Based on Articles 75 and 78 of Law Number 6 of 2011, the Immigration Office has the authority to: Overstay: A fine of IDR 1,000,000 per day, with deportation for overstaying 60 days. Permit Abuse: Foreign nationals who use their stay permits outside the stipulated limits can be subject to a five-year prison sentence or a fine of IDR 500,000,000. Administrative Violations: A written warning, permit revocation, or a ban on re-entry into Indonesia (Putra W, 2022).

As a nation governed by law, as stipulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, Indonesia requires all policies, actions, and government administration to be based on applicable law. In the context of immigration, the implementation of the oversight function of foreigners is a crucial part of efforts to maintain state sovereignty, public order, and national security. One of the tools used by the government to support the implementation of this oversight function is the Foreigner Traffic Module System (MOLINA).

MOLINA is an information system developed by the Directorate General of Immigration, Ministry of Law and Human Rights of the Republic of Indonesia. This system aims to record, record, and analyze data on the movement of foreigners entering and exiting Indonesian territory through Immigration Checkpoints (TPI). In practice, MOLINA is part of the information technology infrastructure used to monitor foreigner mobility in real time, to support the implementation of immigration oversight and reporting on foreigner activities that may impact national interests. The Foreign Traffic Module (Molina) is an immigration information and communication technology system used, maintained, and secured by immigration offices. This system is designed to assist immigration officers in carrying out their duties in border areas that are difficult to reach from permanent immigration offices. MOLINA is a crucial innovation in supporting immigration duties, particularly in monitoring

the movement of people and goods at entry and exit points to Indonesia (Sembiring J, 2021). With MOLINA, immigration administration processes can be carried out efficiently and accurately through the use of modern technology. The immigration office, as the institution responsible for managing immigration affairs, has primary duties that include developing immigration plans and programs, providing travel document services, immigration inspections, monitoring stay permits, and taking action against immigration violations. In carrying out these duties, MOLINA plays a crucial role as a supporting tool that allows officers to access and manage immigration data in real time. This system enables the immigration office to expedite service processes while increasing the effectiveness of field supervision (Suhartono A, 2019).

One of MOLINA's primary functions is to assist in the development of data-driven immigration plans and programs. With this technology, immigration offices can collect, analyze, and utilize information regarding people crossing borders, immigration status, and potential violations (Rahmawati E, 2021). The data generated through MOLINA serves as the basis for developing strategic policies to optimize public services and strengthen oversight at border crossings. Furthermore, MOLINA facilitates travel document services, such as the issuance of passports and other documents related to cross-border mobility. This automated system accelerates document verification and validation processes and minimizes errors.

In terms of immigration inspections, MOLINA plays a crucial role in supporting immigration officers at immigration checkpoints (TPI) such as seaports, airports, and border crossing posts (PLBN). This system enables officers to accurately check and verify border-crossing data through an integrated database (Purnomo B, 2023). With MOLINA's help, officers can detect immigration violations early, including document falsification or the presence of individuals on the travel ban list. This system not only expedites the inspection process but also strengthens oversight of the movement of people crossing Indonesia's borders. In addition to inspections, MOLINA is also used to support residence permit and immigration status services. Immigration offices use this system to process various types of residence permits for foreign nationals (WNA), including permit extensions and changes in immigration status (Ramli A, 2020). This technology-based system makes the residence permit administration process more efficient, transparent, and accessible. Furthermore, MOLINA allows officers to regularly monitor foreign nationals' compliance with immigration regulations, thereby minimizing potential violations. In terms of immigration surveillance and intelligence, MOLINA serves as a tool that allows officers to track and monitor the activities of suspected border crossers. This system provides data integrated with international criminal records and ban lists, making it easier to identify individuals who could potentially violate the law. With this technology, immigration offices can anticipate various security threats, including misuse of stay permits, human trafficking, and other transnational crimes.

Beyond surveillance, MOLINA also plays a role in supporting immigration enforcement. Immigration offices use this system to record and process immigration violations, including overstays, illegal entry, and other violations. The collected data serves as the basis for officers to take legal action, such as deportation or forced deportation of foreign nationals who violate

regulations. With MOLINA, the enforcement process is more structured and based on accurate data. Immigration officers responsible for operating MOLINA have a complex and crucial role in maintaining national sovereignty at the border (Setiawan Y, 2020). One of their primary duties is to process permits for foreign nationals wishing to enter Indonesia and Indonesian citizens wishing to travel abroad. This process involves rigorous document review to ensure compliance with immigration regulations stipulated in Law Number 6 of 2011 concerning Immigration. Furthermore, officers are responsible for monitoring travel documents to prevent misuse or forgery.

MOLINA is a highly effective tool for immigration officers in managing immigration information. This system allows officers to access real-time data on travelers, check violation history, and take necessary action quickly and accurately. Furthermore, immigration officers use MOLINA to manage information on the repatriation or deportation of illegal foreign nationals who violate immigration regulations. With the help of this technology, the repatriation process is easier to monitor and well-documented. Immigration offices that use MOLINA are typically located in strategic areas such as seaports, airports, and border crossings. Seaports are crucial points for monitoring foreign vessels and crews entering or leaving Indonesian territory. Meanwhile, airports are the main entry points for international travelers, so strict monitoring using the MOLINA system is essential to prevent immigration violations. National Border Crossing Posts (PLBN) are also crucial areas where MOLINA is used to monitor the flow of entry and exit at land borders. In addition to these primary locations, immigration offices also utilize MOLINA in remote areas that require special supervision and are difficult to reach (Lestari I, 2020).

The effectiveness of MOLINA in legal oversight at immigration offices not only helps expedite administrative processes but also strengthens law enforcement in border areas. With this system, immigration offices can carry out their duties in accordance with the mandate of Law Number 6 of 2011 concerning Immigration, which emphasizes the importance of strict oversight of the flow of people crossing Indonesia (Fadila R, 2023). While MOLINA offers various advantages in increasing the efficiency and accuracy of oversight, technical challenges such as system disruptions or misidentification remain a major concern that require continuous improvement.

With the advancement of information technology, MOLINA is expected to provide a solution to address future immigration challenges. This system enables immigration offices to carry out legal oversight duties more effectively and transparently. The implementation of MOLINA not only reflects the government's commitment to safeguarding national sovereignty but also demonstrates adaptation to technological advances in supporting immigration law enforcement in Indonesia (Kartika N, 2021).

Within the national legal framework, immigration oversight of foreigners is regulated normatively in Law Number 6 of 2011 concerning Immigration. This law outlines the basic principles of immigration administration, including regulations regarding the movement of people in and out of Indonesia, as well as monitoring the activities of foreigners while in Indonesia. According to Article 1, point 35, immigration supervision is a series of activities carried out to monitor the compliance of foreigners and Indonesian citizens with the

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provisions of immigration laws and regulations. This article implies that all activities related to the presence of foreigners in Indonesia must be under the control of state law, including crossing activities through airports and ports.

Immigration supervision is also emphasized in Article 67 of Law Number 6 of 2011, which states that every foreigner in Indonesian territory is obliged to comply with laws and regulations and must provide all necessary information regarding their identity, whereabouts, and activities. Therefore, monitoring the whereabouts and traffic of foreigners is a constitutional and legal mandate that must be implemented by immigration officials. In implementing this supervision, the state has the authority to develop technological systems to support efficiency, speed, and accuracy in data collection and processing. Therefore, the existence of a system like MOLINA can be considered an implementation of the law's mandate to carry out effective oversight functions. However, it is important to note that although MOLINA has been implemented in administrative practice, the system's normative framework or legal basis has not been explicitly stipulated in law, particularly Law Number 6 of 2011.

The absence of explicit regulations regarding MOLINA in the law has led to problems with norms in the form of a legal vacuum or at least vague norms. In fact, in a state governed by the rule of law, every form of system that impacts the rights and obligations of both foreign nationals and immigration officers must have a clear legal basis. Without a strong legal basis, the existence of MOLINA can give rise to administrative legitimacy issues and reduce the strength of evidence in the law enforcement process, especially when MOLINA data is used as a basis for taking administrative immigration actions such as deportation or deterrence. Furthermore, Article 72 paragraph (1) of the Immigration Law states that Immigration Officers are required to conduct immigration supervision of foreigners residing in Indonesian territory. However, the phrase "supervision" in this article is still general and does not explain what form, tool, or system is meant by such supervision. Not a single article in Law No. 6 of 2011 directly mentions the use of information technology or digital systems such as MOLINA as the main tool in the supervision process. This is a normative weakness, because a system that impacts the legal treatment of foreign nationals should be based on explicit legal norms.

Within the framework of state administrative law principles, the existence of a system used to support legal decision-making (such as the MOLINA system to assist in enforcement of immigration violations) must be subject to the principles of legality, transparency, and accountability. The principle of legality requires that all actions by government officials have a clear legal basis. This principle is also stated in Article 1, number 5 of Law Number 30 of 2014 concerning State Administration, which states that the principle of legality is the principle that grounds all government actions in accordance with applicable laws and regulations.

When MOLINA is used as a basis for concluding that someone has violated an entry permit or misused their stay permit, the system becomes a source of legal information that can impact the legal fate of foreigners. In this case, the legal substance governing MOLINA should be included in implementing regulations, such as Government Regulations or

Ministerial Regulations, to ensure legal certainty regarding how data is collected, processed, stored, and used.

Another legal issue arises regarding the validity of the data used in the MOLINA system. If the system is not regulated by regulations, the validation mechanisms, data integrity, and personal data protection processes are questionable. This contradicts the spirit of Law Number 27 of 2022 concerning Personal Data Protection, which stipulates that every government agency managing data must base its operations on the principles of prudence, transparency, and clarity of authorization.

From this, it can be concluded that, from a normative perspective, the Foreign Traffic Module (MOLINA) does serve as a manifestation of the state's obligation to implement immigration oversight. However, the system's existence is not yet supported by explicit legal norms in Law Number 6 of 2011 concerning Immigration. This implies weak legal certainty and the potential for administrative arbitrariness if the system is used without adequate legal oversight.

This situation necessitates strengthening normative aspects through changes or improvements to laws and regulations, either through revisions to the Immigration Law or the issuance of implementing regulations specifically governing the use of information technology systems in immigration supervision, including MOLINA. This system will not only be technically valid but also legally valid, which will directly impact the quality of legal protection for all parties involved in immigration matters. Considering the emerging normative issues, this research is crucial as a normative legal study of the legality, legal standing, and the need for further regulation of the MOLINA system from the perspective of Law Number 6 of 2011 concerning Immigration. This study is expected to contribute academically to encouraging immigration regulatory reform to be more responsive to technological developments and the need for equitable law enforcement.

This research is crucial due to the increasing number of stay permit violations by foreign nationals (WNA) in Bali in recent years (Marzuki P, 2020). As the tourism sector grows, attracting many tourists and foreign workers, monitoring their activities becomes a challenge that requires serious attention. The use of technology such as the National Cross-Border Mobile Vehicle (MOLINA) is expected to strengthen oversight and ensure compliance with Law Number 6 of 2011 concerning Immigration. The research questions discussed in this paper are:

1. What is the legal status and basis of the Foreigner Traffic Module (MOLINA) system in immigration supervision under Law Number 6 of 2011 concerning Immigration?
2. Does the use of the MOLINA system in monitoring foreigner traffic comply with the principles of legal certainty, legality, and protection of rights under applicable immigration law?

B. LITERATURE REVIEW

Humanitarian Implications and Legal Challenges of Digital Immigration Oversight

In addition to the technical and administrative aspects discussed in the introduction, the implementation of systems such as the Foreigners' Movement Module (MOLINA) also

carries important humanitarian and legal certainty implications. As countries adopt advanced technology to control the movement of people, critical questions arise about how such systems can be used without violating the fundamental rights of foreign nationals. Although MOLINA was designed to improve efficiency and security, the lack of an explicit legal basis in Law Number 6 of 2011 poses risks. Without clear regulations, the use of foreign nationals' personal data, enforcement procedures based on the system's data, and appeals mechanisms lack a solid foundation. This potentially opens up loopholes for abuse of power and reduces legal protections for individuals. For example, if MOLINA data were the sole basis for prosecuting a foreign national for a violation, the validity and accountability of that data could be questioned in court.

This challenge is particularly relevant in key tourism destinations like Bali, where a high number of foreign nationals interact with the immigration system. The surge in residency permit violations there is not only a law enforcement issue but also a reflection of the complex relationship between immigration authorities, tourists, and foreign workers. In this situation, a system that is not only efficient but also based on solid legal standing is essential. This is to ensure that immigration oversight is not only effective in safeguarding national sovereignty but also fair and transparent for all parties involved. Therefore, modernization of immigration technology must be accompanied by regulatory reforms that ensure rights protection and legal certainty.

Legal Framework and Legality Principles in the Implementation of Digital Systems

Furthermore, legality issues arising from the use of the MOLINA system without an explicit legal basis touch on the very principles of the rule of law. In administrative law, the principle of legality requires that every government action, including the use of technology for decision-making, have a clear legal basis (Sofni A, 2025). When MOLINA is used as a decision-making tool to prosecute foreign nationals, the data generated by this system effectively becomes legal evidence. Without explicit provisions in law, the validity and evidentiary power of this data can be questioned.

Furthermore, this also has the potential to violate general principles of good governance, such as transparency and accountability. The public, both foreign nationals and Indonesian citizens, has the right to know how data is collected, processed, and used (Djou et al., 2024). The ambiguity of norms related to MOLINA could erode public trust in immigration processes, both nationally and internationally. This not only impacts diplomatic and investment relations but can also create the perception that Indonesia's immigration system is arbitrary.

The Need for Strengthened Regulations for the Future

Therefore, it is crucial for the government to immediately address the gap between technological advancements and the existing legal framework. The solution lies not only in revising Law Number 6 of 2011 but also through the issuance of more detailed implementing regulations, such as a Government Regulation or Ministerial Regulation. These regulations must clearly define the legal status of MOLINA, including standard operating procedures, personal data protection mechanisms, and clear procedures for foreign nationals who wish to file objections or appeals. This step will ensure that the efficiencies offered by technology can go hand in hand with the principle of legal certainty, ensuring that the Indonesian immigration system is fair, transparent, and accountable.

C. RESEARCH METHODOLOGY

This research uses a normative legal approach, focusing on literature review to analyze laws and regulations, legal principles, and legal doctrines to address legal issues related to the Foreign Traffic Module (MOLINA) system from the perspective of Law Number 6 of 2011 concerning Immigration. This research is descriptive in nature, aiming to systematically describe legal phenomena and strengthen or develop relevant theories.

Legal sources consist of primary legal materials, such as the 1945 Constitution, Law Number 6 of 2011, implementing regulations related to immigration, and decisions of the Director General of Immigration. Secondary legal materials include literature, scientific journals, previous research results, and online sources related to MOLINA and immigration supervision. Legal materials were collected through library research, while data analysis employed qualitative methods, where the collected data was systematically processed and compiled into descriptive descriptions to address the legal issues under study.

D. RESULT AND DISCUSSION

The Position and Legal Basis of the Foreign Traffic Module System (MOLINA) in Immigration Supervision According to Law Number 6 of 2011 concerning Immigration

The Foreign Traffic Module System (MOLINA) is a system used in immigration supervision in Indonesia. This system plays a crucial role in the management and supervision of foreigners entering Indonesian territory. MOLINA is an integrated information technology system aimed at improving the efficiency and effectiveness of immigration supervision. This system is expected to provide timely, accurate, and timely information regarding the status of foreigners in Indonesia, whether they are visiting, working, or residing in Indonesia for a specific period.

MOLINA's position in immigration supervision, particularly within the context of Law Number 6 of 2011 concerning Immigration, is highly strategic. This law clearly and comprehensively regulates the supervision of foreigners. This supervision encompasses a wide range of activities, from the arrival, presence, movement, and even return of foreigners. MOLINA is one of the instruments supporting this oversight by providing real-time data and information on the movement of foreigners in Indonesia. Through this system, immigration can monitor foreigners in Indonesia, ensuring that they maintain their legal status in accordance with applicable laws and regulations. The MOLINA system also serves as part of efforts to prevent potential threats to public security and order that could arise from uncontrolled foreigner activities. With MOLINA, immigration oversight can be carried out in a more coordinated and integrated manner, both among relevant government agencies and with authorized parties, such as the Ministry of Law and Human Rights, the National Police, and other institutions.

The legal basis for MOLINA's implementation is Law Number 6 of 2011 concerning Immigration, which provides the legal basis for regulating and monitoring the movement of foreigners in Indonesia. This law regulates various matters related to the authorities, obligations, and rights of foreigners in Indonesia, including supervision. One relevant article

in this regard is Article 6, which stipulates the obligation for foreigners to report themselves to immigration officials, as well as related articles governing immigration officials' supervisory authority over foreigners in Indonesia. Furthermore, Article 8 of the Immigration Law also regulates the supervision of foreigners conducting activities in Indonesia. In this regard, MOLINA can be a tool used by immigration officials to continuously monitor the status and whereabouts of foreigners in Indonesia. This system also supports more efficient immigration administration activities, such as visa processing, residence permits, and work permits. MOLINA is also supported by a number of more detailed technical regulations, issued by the Directorate General of Immigration and other related institutions. One such regulation is Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 4 of 2015 concerning the Immigration Information System, which provides further guidance on the use of information technology in immigration supervision.

The MOLINA system plays a crucial role in streamlining the immigration supervision process. With this system, immigration officers can access real-time information on the status of foreigners, from their arrival to their presence in Indonesia. This technology facilitates the detection of discrepancies between a foreigner's legal status and existing data, allowing for swift and accurate monitoring and enforcement.

In addition, MOLINA also supports data integration efforts between various relevant agencies, providing a more comprehensive picture of foreigners in Indonesia. This is crucial for detecting potential legal violations by foreigners, such as visa or residence permit abuse, or even threats to national security. With MOLINA, immigration oversight becomes more systematic and efficient. The system's existence also demonstrates Indonesia's commitment to maintaining security and order, while supporting the implementation of migration policies based on good governance and technology (Sitompul J, 2019).

The Use of the MOLINA System in Monitoring Foreigner Traffic Complies with the Principles of Legal Certainty, Legality, and Protection of Rights Under Applicable Immigration Law. The use of the MOLINA system in monitoring foreigner traffic in Indonesia should be guided by the basic legal principles stipulated in immigration law, namely legal certainty, legality, and protection of rights. In this context, it is important to evaluate whether MOLINA's implementation complies with these three principles, given that these principles are essential pillars in maintaining legal integrity and fairness in immigration management.

The principle of legal certainty requires that applicable rules and procedures be clear, firm, and predictable, so that both citizens and foreigners are aware of their rights and obligations. In the context of MOLINA, this principle means that the system must operate based on clear legal rules and provide certainty to foreigners regarding their status and permits in Indonesia. The MOLINA system, if implemented properly, can support legal certainty in monitoring foreigner traffic, as it provides electronically integrated data on foreigners entering and leaving Indonesia. This enables the government to conduct transparent, structured, and accountable data-driven oversight (Wijaya E, 2019). However, in practice, implementation challenges remain that could impact legal certainty, such as potential system errors, data inconsistencies, or data security vulnerabilities that could create

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confusion or uncertainty for foreigners dealing with the system. Therefore, to ensure legal certainty, the government needs to strengthen the transparency and accuracy of data within the MOLINA system and provide clear communication channels for foreigners wishing to check their status.

The principle of legality requires that every action taken by the state, including immigration supervision, be based on valid and clear law. The MOLINA system must comply with the legal basis established in Law Number 6 of 2011 concerning Immigration and its implementing regulations, such as the Regulation of the Minister of Law and Human Rights concerning the immigration information system. For example, Article 6 of the Immigration Law regulates the obligation of foreigners to report to the authorities, while Article 8 regulates the supervision of foreigners in Indonesia. MOLINA, as part of the immigration administration system, must operate within a valid legal framework in accordance with these regulations. This ensures that the data managed and used by MOLINA does not violate individual privacy rights or international laws governing the protection of personal data. However, in terms of legality, a potential challenge is the potential for overlap with other regulations governing personal data protection, such as the recently passed Personal Data Protection Law (PDP Law). Therefore, MOLINA's implementation must always prioritize caution to avoid violating foreigners' privacy rights by collecting and processing their data without proper authorization (Hasibuan A, 2018).

The principle of rights protection requires states to ensure that the rights of foreigners are respected in immigration controls. This includes the right to privacy, freedom of movement, and protection against discriminatory treatment. MOLINA, as a system based on electronic data and information, has the potential to impact foreigners' privacy rights, particularly regarding the collection and dissemination of their personal data. Therefore, the MOLINA system must be implemented with great care, ensuring that all data collection and processing is conducted in accordance with the principles of transparency, proportionality, and data security. Information collected by MOLINA, such as biometric data or travel data, must be strictly safeguarded to prevent misuse or unauthorized dissemination. Furthermore, controls conducted using MOLINA must ensure that foreigners are not discriminated against based on their nationality, race, or legal status. Therefore, immigration officers managing the MOLINA system must also be trained to ensure that data use is conducted in a non-discriminatory manner and does not violate human rights standards. If these rights protection principles are not properly implemented, human rights violations against foreigners could occur, such as unfair procedures or non-transparent data processing. This could also undermine international trust in Indonesia's immigration system.

Overall, MOLINA has a strong legal basis in the Immigration Law and its implementing regulations. This system allows for more efficient oversight of foreigners entering, residing, or working in Indonesia, and fundamentally meets the principles of legal certainty and legality. However, the implementation of this system needs to be continuously monitored and evaluated to ensure that foreigners' rights remain protected, particularly in terms of personal data protection and procedural fairness.

E. CONCLUSION

The Foreign Traffic Module System (MOLINA) plays a strategic role in immigration oversight in Indonesia and is designed to support efficiency and transparency in managing data related to foreigners in Indonesia. This system facilitates monitoring the legal status of foreigners, including their arrival, presence, and return, in accordance with the provisions of Law Number 6 of 2011 concerning Immigration. However, in the context of its implementation, MOLINA must be evaluated based on three key principles of immigration law: legal certainty, legality, and rights protection. Overall, MOLINA complies with these principles, although several challenges must be addressed to ensure its implementation is fully effective and does not violate individual rights, particularly the right to privacy. Several measures that need to be addressed include increasing data transparency, adequate training for immigration officers, and securing the personal data of foreigners recorded in this system. Maintaining a balance between legal certainty and rights protection in every immigration policy implementation is crucial to prevent potential human rights violations, particularly in the collection and processing of foreigners' personal data. With proper attention to these legal principles, MOLINA can function optimally, not only in maintaining order and security in the country, but also in ensuring respect for the rights of foreigners residing in Indonesia. Overall, MOLINA is a tool that can strengthen Indonesia's immigration oversight, but its implementation must continue to be improved and adapted to technological developments and existing regulations, such as the Personal Data Protection Law, to remain in line with applicable legal principles..

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