

THE EFFECTIVENESS OF IMMIGRATION SUPERVISION IN DETECTING MARRIAGES OF CONVENIENCE AS A MODE OF RESIDENCE PERMIT VIOLATION

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Abstrak — This study aims to analyze the effectiveness of immigration supervision in detecting marriages of convenience as a form of residence permit violation. The study employs a qualitative approach using a literature review of 15 scientific articles discussing sham marriages, foreign national supervision, residence permit abuse, immigration law enforcement, and inter-agency coordination. The data were analyzed through content and thematic analysis involving identification, reduction, coding, thematic classification, comparison of findings, and conclusion drawing. The results show that immigration supervision is conducted through administrative examination and field supervision. Early detection may be carried out by assessing document validity, consistency of the spouses' statements, relationship history, age differences, family backgrounds, cohabitation, and the purpose of marriage. The effectiveness of supervision remains constrained by difficulties in proving the parties' intentions, limited human resources, broad supervisory areas, weak coordination, low public participation, and the absence of standardized examination indicators. Supervision can be strengthened through layered verification, in-depth interviews, inter-agency data exchange, reinforcement of the Foreigners Monitoring Team, and post-permit monitoring. The study concludes that immigration supervision plays an important role in preventing the misuse of marriage as a means of obtaining residence permits, but its implementation must be strengthened to become more systematic, measurable, and sustainable.

Keywords: immigration supervision, marriages of convenience, sham marriage, residence permit, foreign nationals.

1. INTRODUCTION

The increasing mobility of foreigners coming to Indonesia has given rise to various forms of immigration violations, including the misuse of marriage to obtain residence permits or certain immigration statuses. Mixed marriages are essentially legitimate relationships, but can degenerate into pseudo-marriages if they are

entered into solely to obtain immigration documents, residence permits, or citizenship. Pseudo-marriages are problematic because the parties' intent is difficult to prove, while administratively, the marriage documents may appear valid. Immigration supervision plays a crucial role in detecting these practices from the visa and residence permit application stage. Inspections can be conducted

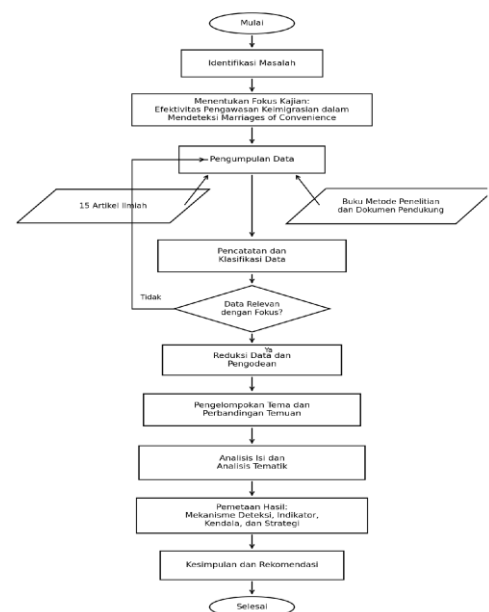
through administrative and field supervision. Administrative supervision includes document validity checks, interviews, data verification, and tracing the applicant's history. Field supervision is conducted to ensure that the couple is truly living together and running a household. Some early indicators of a pseudo-marriage include a large age difference, differences in family backgrounds, inconsistencies between the couple's statements, and the absence of plans to start a family. The effectiveness of supervision is not determined solely by document review. Supervision of foreigners needs to be carried out continuously from the time they enter, reside in, and exit Indonesian territory. This mechanism includes administrative oversight, field supervision, cross-agency coordination, and monitoring of foreigner activities. However, its implementation still faces obstacles such as limited human resources, extensive work areas, weak coordination, and low public participation. Violations of residence permits can also occur when the permits granted are not used according to their original purpose. Foreigners who obtain residence permits based on marriage can abuse this status if the marriage is only used as a means to settle, work, or obtain other immigration benefits. Weak supervision can open up loopholes for residence permit abuse, while enforcement often relies more on administrative measures than criminal proceedings because proving the elements of a violation requires strong data and evidence. Previous research has discussed sham marriages, foreigner supervision, and residence permit abuse separately. However, a more integrated discussion of the effectiveness of immigration supervision in detecting marriages of convenience as a mode of residence permit violation still needs to be developed. Therefore, this study aims to analyze detection mechanisms, indicators of quasi-marriages, obstacles to

supervision, and strategies for strengthening immigration oversight so that misuse of residence permits through marriage can be prevented early.

2. RESEARCH METHODOLOGY

This study adopted a qualitative method using a literature review. The qualitative approach was adopted to understand the existing problem and was examined through the review and interpretation of various written sources. Furthermore, this method also aims to explore and understand the meaning of the problem through the interpretation of previous scientific data.

2.1. Research Design



Gambar 1. Alur Penelitian
Sumber: Peneliti (2026)

This research began with identifying issues regarding the suboptimal detection and monitoring of marriages of convenience by immigration oversight. All articles were then read, recorded, and classified based on oversight mechanisms, indicators of quasi-marriages, forms of residence permit abuse, implementation obstacles, and strategies for strengthening oversight. The results of the review were

used to assess the overall effectiveness of immigration oversight.

2.2. Data Collection Objectives and Techniques

The research objective was the effectiveness of immigration oversight in detecting quasi-marriages as a mode of residence permit violation. The data used were secondary data sourced from 15 scientific articles on quasi-marriages, administrative supervision, field supervision, TIMPORA (Indonesian Anti-Corruption Law), residence permits, immigration administrative actions, and law enforcement against foreigners. Data collection was conducted through documentation techniques. Each article was reviewed to obtain information on the objectives, methods, results, obstacles, and recommendations related to immigration oversight and quasi marriages. This information was then recorded in a synthesis matrix so that findings between articles could be systematically compared.

2.3. Research Instruments

The primary instrument in this research is the researcher, who determines data relevance, classifies information, compares findings, and compiles data interpretations. Other supporting instruments include a literature review matrix and a coding sheet. The coding sheet was used to group data into themes: administrative supervision, field supervision, indicators of quasi-marriage, misuse of stay permits, evidence gathering, inter-agency coordination, human resources, and law enforcement.

2.4. Analysis Techniques

Data were analyzed using content analysis and thematic analysis. The analysis phase included data reduction, coding, grouping themes, comparing findings, and drawing conclusions. The main themes analyzed included forms of supervision, detection indicators, supervision effectiveness, implementation constraints, and

strategies for strengthening evidence from immigration supervision results.

3. RESEARCH RESULTS AND DISCUSSION

3.1. Research Results

A review of 15 articles has shown that discussions regarding the effectiveness of immigration supervision in detecting marriages of convenience can be grouped into four main themes. The first theme concerns administrative oversight mechanisms and field supervision. The second theme concerns indicators for early detection of sham marriages. The third theme concerns misuse of residence permits and forms of immigration enforcement. The fourth theme concerns obstacles to supervision, including verification, limited human resources, scope of work, inter-agency coordination, facilities, and community participation.

No	Fokus Literatur	Temuan	Relevansi
1	Perkawinan semu dalam pidana keimigrasian	Perkawinan semu sulit dibuktikan secara pidana, sehingga pencegahan perlu dilakukan sejak penerbitan dokumen.	Dasar hukum dan kesulitan pembuktian.
2	Deteksi dini perkawinan semu	Pengawasan dilakukan secara administratif dan lapangan dengan melihat indikator usia, latar belakang keluarga, dan tujuan perkawinan.	Indikator marriages of convenience.
3	Pengawasan orang asing di Yogyakarta	Pengawasan terdiri atas pemeriksaan administratif dan lapangan, sedangkan penindakan dominan berupa deportasi dan biaya beban.	Mekanisme pengawasan dan penindakan.
4	Pengawasan orang asing di Lhokseumawe	Pengawasan belum efektif karena keterbatasan SDM, wilayah kerja luas, dan rendahnya partisipasi masyarakat.	Kendala efektivitas pengawasan.
5	Sanksi penyalahgunaan izin tinggal	Penyalahgunaan izin tinggal dapat ditindak secara administratif maupun projustisia.	Penindakan terhadap pelanggaran.
6	Penyalahgunaan izin tinggal dalam perspektif kriminologi	Pencegahan memerlukan sarana, pelatihan petugas, dan partisipasi masyarakat.	Strategi preventif dan represif.
7	Pengawasan bebas visa kunjungan	Kemudahan masuk orang asing meningkatkan risiko penyalahgunaan izin dan membutuhkan pengawasan lebih ketat.	Risiko pelanggaran izin tinggal.
8	Efektivitas pengawasan pemegang bebas visa	Pengawasan belum optimal karena lemahnya prosedur dan belum maksimalnya fungsi TIMPORA.	Penguatan TIMPORA.
9	Pengawasan	Pengawasan dilakukan sejak	Pengawas

	n izin tinggal di Kepulauan Riau	pengajuan visa hingga keberadaan dan kegiatan orang asing di wilayah Indonesia.	an berkelanjut an.
10	Pengawasa n dan penindakan tenaga kerja asing	Penyalahgunaan izin tinggal terjadi apabila kegiatan tidak sesuai dengan visa dan tujuan pemberian izin.	Pola penyalahgunaan izin tinggal.
11	Pencegahan penyalahgunaan izin tinggal kunjungan	Kendala meliputi luas wilayah, kekurangan petugas, lemahnya koordinasi, dan minimnya pelaporan masyarakat.	Faktor penghambat pengawasan.
12	Strategi pengawasan dan penindakan orang asing	Pengawasan administratif dan lapangan perlu didukung produk intelijen sebagai dasar deteksi dini.	Intelijen keimigrasian.
13	Pengawasaan keimigrasian dan kedaulatan negara	Pengawasan orang asing merupakan bagian dari kebijakan selektif untuk menjaga keamanan dan kedaulatan.	Dasar kebijakan pengawasan.
14	Peran pengawasan terhadap ancaman kedaulatan	Pengawasan dimulai sejak pengajuan visa, masuk, berada, hingga keluar dari wilayah Indonesia.	Siklus pengawasan orang asing.
15	Pengawasaan pelanggaran overstay	Efektivitas dipengaruhi faktor hukum, aparat, sarana prasarana, dan budaya masyarakat.	Ukuran efektivitas pengawasan.

Tabel 1 Sintesis Literatur Penelitian
Sumber: Data diolah Peneliti (2026)

The results of this review indicate that immigration oversight of potential sham marriages should begin at the visa and residence permit application stage. Administrative checks can be conducted by verifying the validity of marriage documents, the couple's identities, guarantor data, history of entry and exit from Indonesia, and the consistency between the reason for the application and the applicant's circumstances. Sham marriages are difficult to prove if all documents appear legitimate, so caution at the document issuance stage is a key preventative measure. Administrative oversight should be complemented by interviews with both partners. Interviews can be used to compare information about their initial acquaintance, relationship history, partner habits, residence, family, employment, and marital plans. Discrepancies in answers can be an early indicator that further investigation is needed. Several indicators identified in the literature include a significant age difference, differences in family backgrounds, and a lack of intention

to establish a family life. These indicators cannot be used directly to conclude that a marriage is sham. Differences in age or background can still be found in legitimate and legitimate marriages. These indicators serve only as initial signs to determine the need for further verification. Conclusions must be supported by a combination of evidence, such as inconsistencies in statements, the absence of shared residence, relationships that only emerge when documents are required, or the absence of interaction with the partner's family. Field supervision is necessary to verify the correspondence between administrative data and the actual situation. Officers can verify the presence of the couple at the registered address, determine whether they are living together, and examine the foreigner's activities after the residence permit is issued. Surveillance of foreigners in Yogyakarta demonstrates that field and administrative supervision are the two main forms of immigration oversight. Both forms need to be used simultaneously because document review alone is insufficient to determine the true purpose of the marriage. The effectiveness of supervision is also determined by the ability of officers to monitor foreigners continuously. Supervision in Lhokseumawe has not been optimal due to limited human resources, the size of the surveillance area, and low public understanding of the importance of reporting foreigners. The same conditions can affect the detection of sham marriages because officers cannot always directly examine each couple's household life. If marriage is used to obtain a residence permit, but the relationship is not actually carried out, there is potential for abuse of the permit's purpose. Enforcement can be carried out through administrative immigration measures or pro-justice processes, depending on the nature of the violation and the strength of the available evidence. Administrative measures can include revocation of a residence permit, inclusion on a deterrent list, or deportation.

Criminal proceedings require stronger evidence because they must demonstrate the intent and purpose of using marriage as a means of obtaining immigration benefits. Misuse of residence permits still occurs because there are loopholes that can be exploited by foreigners or parties acting as guarantors. Supervision needs to be directed at preventive and repressive measures. Preventive measures include document inspections, interviews, outreach, monitoring, and in society. Repressive measures are implemented through administrative action or legal proceedings against proven violations. Facilitating entry through visa-free visits also increases the need for monitoring the presence and activities of foreigners. This ease can be exploited to engage in activities inconsistent with the purpose of arrival. Although not directly related to sham marriages, this pattern demonstrates that abuse can occur when post-arrival monitoring is inadequate. TIMPORA plays a crucial role in supporting inter-agency information exchange. However, monitoring of visa-free holders is still considered suboptimal due to inadequate procedures and TIMPORA's function not being maximized. In detecting sham marriages, coordination can involve Immigration, the Population and Civil Registration Office, the Office of Religious Affairs, the police, local governments, and the community apparatus where the couple resides. Supervision of stay permits needs to be carried out as a series of steps, from visa application, inspection at Immigration Checkpoints, granting stay permits, monitoring the presence, until the foreigner leaves Indonesia [9]. This approach allows officers to observe changes in status, travel patterns, permit extensions, and the relationship between marriage and the foreigner's activities while in Indonesia. Misuse of residence permits occurs when a foreigner's activities are inconsistent with the purpose of granting a visa or residence permit. In the context of sham marriages, violations can be seen when the marriage is used solely to obtain a residence permit,

while the foreigner is actually working, residing for other purposes, or not living married to an Indonesian citizen partner. Obstacles to supervision that are repeated in various studies include large work areas, a shortage of officers, weak two-way coordination, and minimal community participation. Furthermore, the lack of uniformity in inspection indicators can lead to overly dependent assessments on the experience of individual officers. This situation risks resulting in differing decisions regarding cases with similar characteristics. Immigration intelligence products are needed to support early detection. Information on travel patterns, changes of address, residence permit applications, relationships with guarantors, and the activities of foreigners can be used as a basis for determining risk levels. Weak intelligence products tend to make supervision reactive and only implemented after violations are discovered. Supervision of sham marriages is also part of selective immigration policy. The policy emphasizes that foreigners entering and remaining in Indonesia must provide benefits, not endanger security, obey the law, and carry out activities in accordance with the purpose for which the permit was granted. Marriage used as a means of circumventing immigration regulations contradicts this principle. Effective oversight must continue from before a foreigner enters Indonesian territory until they leave. In the case of a stay permit based on marriage, oversight must not cease once the document is issued. Continued monitoring is necessary to ensure that the basis for granting the permit remains consistent with the actual situation. The effectiveness of oversight is influenced by legal factors, law enforcement officials, infrastructure, and community culture. Clear regulations need to be supported by competent officers, an adequate recording system, prompt coordination, and public willingness to report suspected violations. These four factors determine the ability of the Immigration Service to distinguish legiti

mate marriages from those used solely to obtain immigration benefits.

3.2 Discussion Results

3.2.1. Immigration Supervision as an Early Detection Tool

Immigration supervision of marriages of convenience must be understood as a process that occurs before and after a residence permit is issued. Examinations are not limited to document completeness, as sham marriages can use documents that appear formally legitimate. Supervision must be directed at assessing the consistency between administrative data, the couple's information, the factual circumstances, and the purpose of the residence permit application. This approach is important because sham marriages are difficult to prove if officers rely solely on marriage certificates and identity documents. Supervision mechanisms can be implemented through administrative supervision and field supervision. Administrative supervision includes checking the validity of documents, the couple's identity, travel history, residence permit status, address, and guarantor data. Field supervision is conducted to ensure that the couple is actually living together and living together as stated in the application. These two forms of supervision must complement each other so that officers obtain not only a formal picture but also the actual situation. The effectiveness of early detection also depends on the continuity of supervision. Initial inspections can reveal discrepancies in documents or information, while monitoring after the permit is granted can indicate whether the marriage has actually taken place.

3.2.2. Indicators of Marriages of Convenience and the Limits of Their Use

Several indicators that can be used in early detection include a large age difference, differences in family backgrounds, discre-

pancies in the couple's answers, lack of shared residence, a very short relationship before marriage, and the absence of a family life plan. These indicators help officers determine whether an application requires further investigation. However, these indicators cannot be used as sole evidence. Differences in age, culture, language, or economic background can also be found in legitimate mixed marriages. An assessment based solely on a single characteristic risks producing erroneous conclusions and harming the couple who are actually married. Therefore, the examination must use a combination of indicators and supporting evidence. Separate interviews with the couple can be used to compare answers regarding their dating history, daily habits, family, employment, residence, and household plans. Inconsistencies in answers need to be verified through documents, environmental information, and field inspections. This model makes the assessment more objective because the decision is not solely based on the officer's impression.

3.2.3. The Relationship between Quasi-Marriage and Residence Permit Abuse

Marriage between a foreign national and an Indonesian citizen can be the basis for a foreigner to obtain a limited or permanent residence permit. Problems arise when the marriage is used solely as a means to obtain immigration status, while the primary purpose is to work, reside, or obtain other benefits inconsistent with the basis for granting the permit. This situation indicates misuse of the residence permit, as the foreigner's activities are inconsistent with the purpose of the permit. Misuse of the residence permit can be addressed through administrative immigration action or pro-justice proceedings. Administrative action can include revocation of the residence permit, deportation, and inclusion on the deterrent list. Criminal proceedings can be used if the elements of intent, forgery, or abuse can be strongly proven. However,

proving a quasi-marriage is often more difficult because the marriage may be administratively valid, while the perpetrators'/parties' intentions are less easily proven. This situation makes preventive measures more important than relying solely on enforcement after the violation occurs. Detailed and in-depth inspections before permit issuance and post-permit monitoring can reduce the need for complex enforcement. Prevention is also more effective in protecting the integrity of the residence permit system.

3.2.4. Obstacles to Supervision

The main obstacle in detecting marriages of convenience is the difficulty of proving the parties' intentions. Marriage documents may be valid, but the relationship may not be a valid marriage. Officers must be able to distinguish between genuine mixed marriages and those used solely for immigration purposes. Limited human resources and the vast scope of their work also impact officers' ability to conduct routine field supervision. Research on the supervision of foreigners in Lhokseumawe and Semarang, for example, showed that a shortage of officers, the vast scope of supervision, weak coordination among officers, and minimal community participation were recurring obstacles. These conditions led to supervision focusing more on administrative checks than on direct verification. Coordination between institutions is also not always optimal. Data on marriage, population, addresses, and residence permits are held by different institutions. This lack of data linkage can lead to delays in identifying discrepancies. The role of the community is also limited, even though neighborhood officials can provide information about the whereabouts and daily lives of couples. The lack of uniform inspection indicators can also lead to differences in assessments between officers. Experienced officers may recognize certain patterns, while others may not necessarily use the same standards. Therefore, effective supervision

requires clear guidelines, training, and an integrated recording system.

3.2.5. Strategy for Strengthening Immigration Supervision

Strengthening supervision can be achieved through multi-layered verification. Initial checks should include the validity of marriage documents, identity, travel history, address, employment status, and guarantor data. In-depth interviews can be conducted separately to test the consistency of the couple's responses. Cases exhibiting a number of risk indicators can then be followed up with field supervision. TIMPORA should be maximized as a forum for information exchange between Immigration, the Population and Civil Registration Office, the Religious Affairs Office, the police, local governments, and community agencies. Previous research has shown that TIMPORA's function and cross-sector coordination are crucial to addressing the limitations of individual supervision by immigration offices. The development of immigration intelligence products is also essential. Data on travel patterns, address changes, permit extension applications, relationships with guarantors, and foreigners' activities can be used to compile risk profiles. This information helps officers identify cases requiring more in-depth examination, thus ensuring more targeted supervision. Officer competency enhancement should include interviewing techniques, document analysis, inconsistency detection, evidence collection, and proof of violations. Supervision must also continue to consider the protection of the rights of couples to prevent examinations from becoming discriminatory against mixed marriages. Based on this description, the effectiveness of immigration supervision is not solely determined by the number of field operations or deportations. Effectiveness is also determined by the system's ability to detect risks early, prove non-compliance, prevent misuse of stay permits, and ensure follow-up on examination results. Integrated, risk-based, and ongoing supervision is

the most appropriate approach to addressing marriages of convenience.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1. Conclusion

- *The results of the research conducted indicate that immigration officers' supervision plays a crucial role in detecting/monitoring marriages of convenience as a mode of residence permit violation.*
- *Supervision can be conducted through administrative and field inspections, which are complementary data. Therefore, administrative inspections can be used to assess the validity of documents, the couple's identity, travel history, address, guarantor, and the consistency of information.*
- *Field inspections can be used as evidence and to ensure that the couple is truly living together and conducting their household in accordance with the basis for the residence permit.*
- *Detecting a sham marriage can be done through several indicators, such as a large age difference, different family backgrounds, discrepancies in the couple's answers, the absence of a shared residence, a very short relationship before marriage, and the absence of a family life plan. However, these indicators cannot be used as sole evidence. Assessments must be based on a combination of documents, interviews, field inspections, and supporting information to avoid erroneous conclusions about the validity of mixed marriages.*
- *The effectiveness of supervision still faces several obstacles, including the difficulty of proving the parties' intent, limited human resources, extensive*

coverage areas, weak inter-agency coordination, minimal community participation, and a lack of uniformity in inspection indicators. These conditions can lead to supervision tending to focus more on administrative aspects than on factual verification.

- *Fake marriages can be a form of residence permit abuse if the marriage is used solely to obtain temporary immigration status, while the actual activities are inconsistent with the purpose of the permit. This can be prosecuted through administrative immigration measures or pro-justice processes. However, prevention can be implemented more effectively from the permit application stage, as proving intent in fake marriages is relatively difficult.*

4.2. Recommendations

- *The Directorate General of Immigration needs to develop specific inspection guidelines to detect marriages of convenience. These guidelines should include several risk indicators, interview stages, document verification standards, the basis for field supervision, and follow-up mechanisms for discrepancies between data and facts on the ground.*
- *Initial interviews should be conducted with all applicants and all spouses. Interviews should be conducted separately to compare information on necessary data, such as relationship history, daily life, family, residence, employment, and household plans.*
- *Interview results need to be systematically recorded to serve as a basis for further investigation.*
- *Coordination through TIMPORA needs to be strengthened by involving Immigration, the Population and Civil Regis*

tration Office, the Office of Religious Affairs (KUA), the police, local governments, and community officials (traditional leaders).

- Data exchange between institutions can help identify discrepancies between marriage documents, domicile addresses, residency status, and residence permits.
- Monitoring after a residence permit is issued should be conducted periodically, especially for applications with multiple risk indicators.
- Field monitoring can be directed at ensuring the conformity of the residence address, the presence of the spouse, the foreigner's activities, changes in marital status, and the purpose of the residence permit.
- Officer competency needs to be improved through training on interview techniques, document analysis, immigration intelligence, inconsistency detection, and proof of violations. This capacity building should be accompanied by the provision of supporting facilities and a more integrated data system.
- The public needs to be involved through outreach and easily accessible digital reporting channels. Public participation is crucial because neighborhood officials and local residents can provide early information regarding the presence and activities of foreigners. However, each report must still be verified to avoid unfounded accusations.
- Monitoring of the status of mixed-marriage couples must also uphold the principles of prudence, objectivity, and protection of rights. The examination should not be based solely on differences in age, culture, language,

or economic conditions because these characteristics do not automatically indicate the existence of a sham marriage.

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