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**Street-Level Bureaucracy dalam Perlindungan Pekerja Migran Indonesia: Studi tentang Praktik Diskresi
Petugas Imigrasi terhadap Pencegahan Human Trafficking di Nusa Tenggara Timur**
Freddyk Mabikafola, Dr. Dede Puji Setiono
Universitas Gadjah Mada, 2026 | Diunduh dari http://etd.repository.ugm.ac.id/

INTISARI

Penelitian ini mengkaji praktik diskresi petugas imigrasi sebagai *street-level bureaucrats* dalam melaksanakan kebijakan perlindungan Pekerja Migran Indonesia (PMI) untuk mencegah Tindak Pidana Perdagangan Orang (TPPO) di Nusa Tenggara Timur. NTT merupakan provinsi dengan tingkat migrasi non-prosedural tertinggi (70-80%) dan feminisasi migrasi ekstrem (91-95%) yang disertai tingginya angka kematian PMI non-prosedural.

Penelitian menggunakan pendekatan kualitatif studi kasus di Kantor Imigrasi Kelas I TPI Kupang. Data dikumpulkan melalui wawancara mendalam dengan 15 informan dalam 8 grup sampling (8 petugas imigrasi, 4 pemohon paspor dan Pekerja Migran Indonesia, serta 3 informan pendukung dari organisasi masyarakat sipil dan lembaga perlindungan PMI), observasi lapangan, serta analisis dokumen terhadap 10 Berita Acara Pemeriksaan (BAP) penangguhan paspor periode September-Desember 2025. Analisis dilakukan secara tematik dengan triangulasi data.

Temuan utama menunjukkan bahwa diskresi petugas imigrasi merupakan konsekuensi struktural akibat kondisi kerja yang penuh dilema, keterbatasan sumber daya, dan ambiguitas regulasi. Pola kerja didominasi rutinitas profiling berlapis dan simplifikasi berbasis stereotip. Diskresi bersifat ambivalen, berfungsi sebagai *protective discretion* (perlindungan) sekaligus *exclusionary discretion* (pembatasan), bahkan dalam kasus tertentu merosot menjadi *purchased discretion* (diskresi yang dibeli). Penelitian ini juga menyoroti peran calo yang membekali pemohon dengan skenario jawaban di hadapan petugas, serta suara hati pemohon yang memaknai pembatasan secara ambivalen. Petugas merasionalisasi penangguhan sebagai “negara hadir melindungi rakyatnya”, meskipun pemohon sering merasakannya sebagai pemaksaan.

Penelitian ini menyimpulkan bahwa diskresi petugas imigrasi efektif mencegah sebagian kasus TPPO, tetapi belum mampu mengatasi akar masalah struktural. Implikasi praktisnya adalah perlunya standardisasi prosedur, pelatihan antibias, penguatan koordinasi lintas instansi, serta pengembangan program Desa Binaan Imigrasi yang lebih masif.

Kata Kunci: diskresi, *street-level bureaucracy*, perlindungan PMI, TPPO, Kantor Imigrasi Kupang, Nusa Tenggara Timur

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ABSTRACT

This study examines the practice of discretion by immigration officers as street-level bureaucrats in implementing the protection policy for Indonesian Migrant Workers (PMI) to prevent Human Trafficking (TPPO) in East Nusa Tenggara (NTT). NTT has the highest rate of non-procedural migration (70–80%) and extreme feminization of migration (91–95%), accompanied by a high number of deaths among non-procedural PMI.

This qualitative case study was conducted at the Class I Immigration Office TPI Kupang. Data were collected through in-depth interviews with 15 informants across 8 sampling groups (8 immigration officers, 4 passport applicants and Indonesian Migrant Workers, and 3 supporting informants from civil society organizations and PMI protection agencies), field observation, and analysis of 10 Berita Acara Pemeriksaan (BAP) documents on passport suspensions from September to December 2025. Thematic analysis was performed with data triangulation.

The main findings reveal that immigration officers' discretion is a structural consequence of dilemmatic working conditions, resource limitations, and regulatory ambiguity. Work patterns are dominated by layered profiling routines and stereotype-based simplification. Discretion is inherently ambivalent: functioning as protective discretion while simultaneously operating as exclusionary discretion, and, in certain cases, degenerating into purchased discretion when an officer's judgment is traded for private gain. The study also surfaces the role of brokers who coach applicants with rehearsed answers, as well as the applicants' own inner voice in experiencing these restrictions. Officers rationalize suspension as "the state present to protect its people," although applicants often perceive it as coercion.

This study concludes that immigration officers' discretion is effective in preventing some TPPO cases but has not addressed structural root causes. Practical implications include the need for procedural standardization, antibias training, strengthened inter-agency coordination, and more extensive implementation of the Desa Binaan Imigrasi program.

Keywords: discretion, street-level bureaucracy, PMI protection, human trafficking (TPPO), Kupang Immigration Office, East Nusa Tenggara