

## **Analysis of Bilateral Investment Agreements and their Impact on Cooperation Relations between Indonesia and Timor Leste**

**Melkisedek N.B.C Neolaka<sup>1</sup>, Luigi Pio Leonardo Cavaliere<sup>2</sup>, Diana San Tabun<sup>3</sup>, & Esrah D.N.A.Benu<sup>4</sup>**

### **Abstract**

This study illustrates the importance of bilateral investment and the impact on cooperation between Indonesia and Timor Leste. As an independent country, Timor Leste must be responsible for the welfare of the people and fully maintain its domestic political stability for long-term national security. Political stability and national resilience are two very important things to strive for as a new country. Timor Leste has a special priority to grow, maintain and develop political stability and national security. A newly independent country is prone to conflict within a country, as well as Timor Leste. International partnership as a step not to isolate Timor Leste from other countries. In addition to not being isolated from other countries, Timor Leste will also be able to support national security and social order within its own country to improve the welfare of the people which is still far from a decent standard of living (below the poverty line). one of the important reasons for Timor Leste to build partnerships with neighboring countries both bilaterally and multilaterally. The visa-free policy for Indonesian citizens in its implementation is not just reducing or minimizing the use of rat trails. Moreover, East Nusa Tenggara Province, especially Belu Regency, has four cross-border routes between Indonesia and Timor Leste. So that illegal road access will continue. Apart from the illegal route, the visa-free policy for Indonesian citizens is also a policy of reciprocity or reciprocity for Timor-Leste, for the policy of exempting East Timorese tourist visas to Indonesia.

*Keywords: Bilateral, Investment, Policy*

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<sup>1</sup> Melkisedek N.B.C Neolaka. Faculty of Social Science and Political Science University of Nusa Cendana-NTT Indonesia. Contact: [neolakamelkisedek16@gmail.com](mailto:neolakamelkisedek16@gmail.com)

<sup>2</sup> Luigi Pio Leonardo Cavaliere. Department of Economics, University of Foggia, Foggia, Italy. Contact: [luigi.cavaliere@gmail.com](mailto:luigi.cavaliere@gmail.com)

<sup>3</sup> Diana San Tabun. Faculty of Social Science and Political Science, University of Nusa Cendana-NTT Indonesia. Contact: [dianatabun@staf.undana.ac.id](mailto:dianatabun@staf.undana.ac.id)

<sup>4</sup> Esrah D.N.A.Benu. Faculty of Social Science and Political Science, University of Nusa Cendana-NTT Indonesia. Contact: [Esrah.benu@staf.undana.ac.id](mailto:Esrah.benu@staf.undana.ac.id)

## **1. Introduction: background**

In this modern era, the world is required to follow the changes that occur in society. Especially as a result of revolutionary changes in the fields of technology, information, communication and transportation. Following these changes, international issues have also become very broad. At first the study of international relations was only concerned with high politics issues such as war and the economy. But in reality, in this era, everything is changing. The study of international relations is also dominated by issues of law and politics, such as social and cultural issues. In fact, it does not even reach these issues, but at this time international relations are also dominated by interactions between transnational actors, which from time to time are higher than official relations between countries.

According to Kalevi Holsti (2017: 3) in the book *Fundamentals of International Relations*, said that the Study of International Relations covers a complex whole regarding the cultural, economic, legal, military, political, and social relations of all countries as well as the elements of population and their entity and continued with the thoughts of Stephanie Lawson who said that international relations are relations between state-based actors that cross state borders. Thus, international relations are determined from various aspects and perspectives within a country whether in the social, economic, political or in this case geographical location and a country can also build good international relations if the country has become an independent country in all aspects. and fields.

Furthermore, in the journal *Enforcement of Visa-free Visits and Its Relation to the Presence of illegal foreign workers from China who have the potential to threaten the Sovereignty of the Indonesian State* (2017:4), there is a principle in international law which says "par in parem non-terrific jurisdictionem", which means that every country have the same and equal position, no country shall exercise its jurisdiction over another country without the consent of the other country. In connection with the independence and sovereignty of the state, in the journal *Montevideo Convention in 1933* said that a state must have (four) elements, namely:

1. Permanent people;
2. Fixed territory or area;
3. Government;
4. The ability to establish relations with other countries.

Timor Leste is one of the countries that has fulfilled all four elements, this is evidenced by the results of the referendum on August 30, 1999 under the supervision of the United Nations Mission

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in East Timor (UNAMET) which has ushered the territory of Timor Leste into a new history. After the handover of full sovereignty by UNTAET (United Nation Transition in East Timor) to the government of Timor Leste on 20 May 2002, the people of Timor Leste organized the government as an independent country. International recognition of independence has further strengthened its position as a sovereign State, officially known as the Republica Democratica de Timor Leste (RDTL).

As an independent country, Timor Leste must be responsible for the welfare of the people and fully maintain domestic political stability for long-term national security. Political stability and national resilience are two very important things to strive for as a new country. Timor Leste has a special priority to grow, maintain and develop political stability and national security. A newly independent country is prone to conflict within a country, as well as Timor Leste. Improving the national condition becomes the main task in addition to other tasks.

Another task that must be developed is to build networks with neighboring countries and even countries in the world. This recognition and friendship with neighboring countries can be achieved if the country of Timor Leste opens itself from the association of other countries.

International partnership as a step not to isolate Timor Leste from other countries. In addition to not being isolated from other countries, Timor Leste will also be able to support national security and social order within its own country to improve the welfare of the people which is still far from a decent standard of living (below the poverty line). one of the important reasons for Timor Leste to build partnerships with neighboring countries both bilaterally and multilaterally. International partnerships can be achieved through Timor Leste's active participation in various international activities.

In various international activities, Timor Leste has participated with associations or groups of countries that can be followed, one of which is the Association of Southeast Asian Nations (ASEAN) to build partnerships in the region, apart from cooperative relationships with associations of other countries. Southeast Asia (ASEAN) Timor Leste is geographically part of the South Pacific region. Although Timor Leste is often considered part of Southeast Asia, Timor Leste itself has a role as an observer for countries in the South Pacific Region. So that with the sovereignty possessed by Timor Leste, it can also build cooperative relations with countries in the South Pacific Region.

Based on article 2 of the Constitution of the Democratic Republic of Timor Leste, part 1 of the basic principles states that "Soberania haktuur metin iha povu, ne'ebe hala'o soberania ne'e Lei-Inan haruka". Which means Sovereignty is in the hands of the people, who will use it in the manner and in the form stipulated in the law. Sovereignty is the highest power of a country that cannot be intervened by other countries. Sovereignty is absolute which binds every region and the population in it.

However, it cannot be denied that the sovereignty of a country will work well if the country can build cooperative relations with neighboring countries. In order for the function of the state to run properly, the state cannot separate itself from other countries. Timor Leste is classified as the youngest country in the world that has become independent and has an area that is not much different from Indonesia. Because the location of the region is not much different from Indonesia, either by land, sea or air. The country of Timor Leste is limited by several geographical features and is directly adjacent to other countries such as:

1. North: directly adjacent to the Banda Strait, Weter Island and Alor Island in Indonesia,
2. South: Borders with Australia and Timor Strait
3. West: bordering the Kupang district of East Nusa Tenggara in Indonesia
4. East: bordering the Leti archipelago in Indonesia

In accordance with the boundaries listed above, the borders of the State of Timor Leste are dominated by the border with the state of Indonesia. In relation to Indonesia, the State of Timor Leste previously did not apply VISA-free for visitors from the Indonesian people who want to go to Timor Leste, both in terms of traveling, trading , as well as in building cooperation between the two countries. So that citizens who want to visit Timor Leste are subject to visa payments in accordance with the rules that have been set.

Based on Timor-Leste Law No. 11 of 2017 concerning Immigration and Asylum, Visas are divided into several types, as follows:

1. (Tourist/Business Visit): Valid for 30 days and can be extended at the Timor-Leste Immigration Office in Dili up to a maximum of 90 days. For an extension of stay for 30 days, a fee of US\$.35.00 (thirty five US Dollars) will be charged and for a stay of 30-60 days a fee of US\$.75.00 (seventy-five US Dollars) will be charged.

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2. (Transit): Valid for 3 days (72 hours) at a cost of US\$.20.00 (twenty US Dollars) and cannot be extended.
3. (Learning): Applications must be submitted prior to departure to Timor-Leste through the Timor-Leste Representative Office in Indonesia. Visa can be granted for 1 (one) time or multiple trips (maximum stay period is a year) and is subject to a fee of US\$.40.00 (forty US Dollars).
4. (Social-cultural/Sports/Media coverage): Applications must be submitted prior to departure to Timor-Leste through the Timor-Leste Representative Office in Indonesia.
5. Work permit/visa: application must be submitted prior to departure to Timor Leste through Timor Leste's representative office abroad/Indonesia.
6. Residence Permit: divided into Temporary Stay Permit, Residence Permit for family reunions, permanent or permanent residence permit.

Since September 26, 2019, there has been a VISA-free application for Indonesian citizens who wish to go to Timor Leste. As stated by the Indonesian Embassy in Dilli in Press Relations, the government of Timor Leste has released VISA for ordinary visits to the Indonesian people. The decision is contained in Government Resolution or Resolucoes do Governo Number 25/2019.

The visa-free policy is welcomed by citizens of Timor Leste as well as Indonesian citizens, this is because the visa-free policy brings its own advantages for both countries and also the people. As stated by an Indonesian citizen on behalf of Markus Rinaldo Seran, He is an Indonesian citizen who often crosses national borders to visit his parents who are domiciled in Timor Leste. He believes that the visa-free policy is very helpful for him because he does not need again paying for the visa, only at the end of the visa validity period. He just needs to extend the visa without paying. And the following response was from a priest who is a citizen of Timor Leste, he said that with the visa-free policy, the first one would attract the attention of tourists, and would also manipulate illegal cross-border activities.

In addition to manipulating rat-walking activities or illegal entries, it turns out that there is an interesting thing that the author got, namely the implementation of visa-free from the Government of Timor Leste to Indonesian citizens is a policy of reciprocity or reciprocity carried out by the government of Timor Leste to the Indonesian government which in Presidential Regulation no. in 2016 regarding visa-free visits to foreign nationals, so that with the policy that has been put

forward by the Indonesian government, the Timor Leste government in strengthening bilateral relations has made a visa-free policy for Indonesian citizens as stated in Government Resolution or Resolucoes do Governo Number 25/ 2019.

In strengthening bilateral relations for the better, the Government of Timor Leste is behind all this by not looking at the situations that occurred in the past, but this visa-free policy is solely a reciprocal policy given by the government of Timor Leste, where this policy is refers more to the political and economic fields.

Basically, the author is interested in doing this research, especially the visa-free policy refers to the political field where politics is a science that the author is developing. From the above description makes researchers interested in conducting research with the title "Analysis of Bilateral Investment Agreements and their Impact on Cooperation Relations between Indonesia and Timor Leste".

## **2. Literature Review**

### ***2.1 Empirical Study***

In connection with this research plan, which discusses the implementation of the political policy of the Timor Leste government regarding visa exemption for Indonesian citizens in 2019, this is actually new research. Although it is not exactly the same as his research in Indonesia and Timor Leste or other neighboring countries.

### ***2.2. Theoretical basis***

#### **1.2.1. Implementation**

The implementation of public policy that we are currently studying is the third generation (Lester and Stewart Jr. 2000; Pulzl and Treib 2007). The first generation developed in the 1970s until the early 1980s, where the implementation model developed was top-down theories (also called top-downers or forward-mapping). While the second generation developed in the 1980s to 1985 which developed bottom-up up theorist (bottom-uppers or backward-mapping) and the third generation grew from the 1985s until now with its hybrid theories. With the development of implementation theory from each generation, various definitions and understandings of implementation emerge.

Implementation according to the Big Indonesian Dictionary is the same as implementation or implementation. In general, implementation can be interpreted as an

action or implementation of a plan that has been carefully and in detail the implementation or implementation (mature). Policy implementation is an important aspect of the entire policy process, without effective implementation, the decisions of policy makers will not be successfully implemented. According to Leo Agustino, Ph.D (2017: 126) in the book on the basics of public policy, he said that policy implementation can simply be interpreted as a process of translating regulations into action. In practice, policy is a process that is so complex that it is not uncommon for it to contain politicians because of the intervention of various interests.

According to Purwanto and Sulistyatuti (2012:21) the core implementation is an activity to distribute the policy outputs carried out by the implementors to the target group as an effort to realize the policy. According to Guntur Setiawan (Setiawan, 2004:39) Implementation is the expansion of activities that mutually adjust the process of interaction between goals and actions to achieve them and requires an effective implementation network, bureaucracy.

Meanwhile, Howlett and Ramesh (1995:153) define policy implementation as "the process whereby programs or policies are carried out; it is denoted the translation of plans into practice". Where both definitions are in line with Barrett's (2004:251) writing which states policy implementation as "translating policy into action" when translated simply means translating policy into action. So, policy implementation is to run the content or content of the policy into the application mandated by the policy itself.

Execution of decisions is usually in the form of legislation but can also take the form of important executive orders or decisions or judicial decisions.

#### 1.2.2. Public Policy

According to Leo Agustino, Ph.D (2017:126) in his book on the basics of public policy, he said that public policy is the result of intensive interaction between policy-making actors based on phenomena that must be solved. Not only that, public policies often include public participation in order to produce the best decisions. But not infrequently policies are the result of "work" that is closed. In other words, policy occurs in an undemocratic political context so that decisions are very top-down.

Public policy according to Anderson (1990) Dye (1992), as well as Moran, Rein and Goodin (2006), was studied in order to add deeper knowledge about the "policy process". The policy process is a series of paths that need to be passed to understand the symptoms or phenomena that need to be resolved by one or more public policies.

#### 1.2.3. Political Policy

Noam Chomsky, a renowned philosopher from the Massachusetts Institute of Technology (MIT), said that politics and policy are two things that cannot be separated. Where there is policy, there is political power and policy is two things that cannot be separated, where there is policy, there is political power, interests and political actors who work and form interactions, or sometimes even intersections lead to conflict.

The existence of the political side of a policy that in practice colors human life wherever they live and are located. Michael Hash (2008), a health consultant from the United States (US), in his speech said that the relationship (intersection) between politics and policy is in that interest and not infrequently between politics and policy goals are two different things. Politics talks about goals such as fighting for values and positions (offices) against political opponents, while policy aims to produce solutions to important problems that need support from those affected by the policy.

Drs. AG. Subarsono, M.si., MA in his book on public policy analysis (2015) discusses the importance of public policies that are useful for political purposes; a public policy that is made through the right process with strong theoretical support has a strong position against criticism from political opponents. Policies exist to convince political opponents who previously did not agree. Such a policy will not be easily repealed just because of a momentary reason from political opponents.

In this description, it can be concluded that policy and politics are an inseparable unit, because basically the policies issued by the implementers are the products of politics and aim to improve the welfare of society.

#### 1.2.4. Policy Implementation

In the public policy process, policy implementation is an important matter, even more important than Udoji's policy making (in Abdul Ekedar the mechanism for elaborating political decisions in routine procedures through bureaucratic channels. Rather, implementation involves conflict issues, decisions or who gets something from a policy.

Policy implementation is a bridge that connects policy formulation with the expected final results. According to Anderson (in Islamy 2000: 68) there are 4 aspects that need to be studied in policy implementation, namely: who implements, the nature of the implementation process, compliance and the impact of policy implementation.

Meanwhile, according to Ripley & Franklin (1986; 54) as quoted in the Wahyu Nurharjadmo Journal (2008) on Tuesday, February 9, 2016 at 19.45, there are two things that are the focus of attention in implementation, namely compliance and What's Happening? (What happened?). Compliance refers to whether the implementers comply with the procedures or standard rules that have been set. As for "what's happening?" states how the implementation process was carried out, what obstacles arose, what was achieved, why and so on.

In addition, Islamy explains another aspect that can be understood from Anderson's opinion is "that every policy implementation always produces a certain impact on the target group, it can be positive (intended) or it can be negative (unintended)" (Islamy, 2000: 109). Islamy argues, generally there are only a few state policies which after being formulated can be implemented by themselves (self-executing), most of them cannot be implemented (non-self-executing). Based on this opinion, Wahab stated that "having wisdom, paying attention to the situation, referring to the spirit of competence, and having insight into empowerment is very necessary for policy makers" (Wahab, 1996: 36).

Every policy that will be implemented must be preceded by the determination of who will be involved as a policy implementing unit (governmental unit), namely the ranks of the bureaucracy from the top to the bottom level. In order for the implementation to be effective, in accordance with the nature of the administrative process, a standard operating procedure (SOP) must be made as a reference for its implementation. Furthermore, the compliance of policy implementers is a very important aspect, because a policy is essentially always based on certain laws or regulations, so law-abiding behavior is a must.

Based on the understandings of policy implementation above, it can be concluded that policy implementation is an activity or activity in implementing policies to distribute policy results by policy implementers to target groups to achieve the results and objectives of the policy. The results and objectives of a policy will certainly not be achieved by itself without the policy being implemented. Although implementation is known as a concept,

implementation itself has a very deep purpose and meaning to describe the efforts made by implementers in realizing policies, because basically the success of policy implementation is closely related to various aspects including: consideration of policy makers, commitment and consistency of implementers. policies, and target behavior. The policy implementation process from the policy process from the perspective of social and political change. However, just mentioning these things and just mentioning implementation is not enough to describe the success of a policy. In reality, the implementation itself contains a complex and lengthy process.

#### 1.2.5. Elements in policy implementation

Grindle (1980) describes the elements of absolute policy implementation, namely:

##### a) Implementing elements

The implementing element is the implementer of the applied policy. In connection with this research, the implementation element is the implementers who launched the policy.

##### b) There is a program implemented

This was stated by Grindle (1980) that the program is a comprehensive plan that already describes the resources to be used and integrated into a single unit. The program describes objectives, policies, procedures, methods, standards and budgets. In this research, the program implemented is a visa-free program for Indonesian citizens in Timor Leste.

##### c) Target group

Grindle (1980) defines that "the target group is a group of people or organizations in society who will receive goods or services that will be influenced by their behavior by policy". In this research, the target group is Indonesian citizens who have a visa-free policy in Timor Leste.

The bottom-up approach considers that implementation will also be successful if the target group is involved from the beginning in the policy planning process until the implementation stage. In connection with this research, with the object of research in the form of a government regulation of Timor Leste which is a policy made by the government for the target group, the authors use models in a top-

down approach which is an implementation approach with an emphasis on studies that lead to policy implementers as the key to successful implementation. These models are models in the top-down approach. This model assumes that policy implementation runs linearly from the available political decisions, implementation, and performance of public policies.

a. Donald Van Meter and Carl Van Horn Policy Implementation Process Model

The top-down approach model formulated by Van Metter and Van Horn is called the A model of The Policy Implementation. This implementation process is an abstraction or performance of a policy implementation which is basically deliberately carried out to achieve high performance of public policy implementation that takes place in relation to various variables. Van Metter and Van Horn state the importance of differentiating policy content, because the effectiveness of implementation will vary greatly depending on the type and issue of the policy, because the factors that influence the implementation process will also be very different. According to them, the type of policy will require the characteristics of the process, structure and relationship between various different factors in its implementation. They then classify policies based on two main characteristics, namely how big the changes are at by the policy, because the bigger changes that are expected to have an impact on the organizational changes of the implementers.

There are six variables, according to van Metter and van Horn, which affect the performance of public policy implementation.

1. Policy Size and Purpose

The performance of policy implementation can be measured for its success if and only if the size and objectives of the policy are realistic with the socio-culture that exists at the level of implementing the policy. When the size of the policy or policy objectives are too ideal (even too Utopian) to be implemented at the citizen level, it will be difficult to realize public policies to the point that they are said to be successful.

2. Resources

The success of the policy implementation process is highly dependent on the ability to utilize the available resources. Humans are the most important resource in determining a successful implementation process. Certain stages of the entire implementation process require qualified human resources in accordance with the work required by apolitically determined policies. But when the competence and capability of these resources are nil, the performance of public policies will be difficult to expect. Apart from human resources, other resources that need to be taken into account are: financial resources and time resources. Because like it or not, when competent and capable human resources are available while the disbursement of funds through the budget is not available, it will be a complicated problem to realize what the goals of public policy are trying to achieve. Likewise with time resources. When human resources are actively working and the disbursement of funds is going well, but collided with the issue of time being too tight, then this can also be the cause of the unsuccessful implementation of a policy.

### 3. Characteristics of implementing agents

The focus of attention on implementing agencies includes formal organizations and informal organizations involved in implementing public policies. Van Metter and Van Horn considered that by looking at the characteristics of implementing agencies, it could not be separated from the bureaucratic structure. Bureaucratic structure is defined as the characteristics, norms, and patterns of relationships that occur repeatedly in executive bodies that have both potential and real relationships with what they have and how to implement policies. Van Metter and Van Horn describe several elements that may affect an organization in implementing policies: (a) Competence and size of an agency's staff, (b) hierarchical level of supervision of sub-unit decisions and processes in implementing agencies, (c) the political resources of an organization (eg support among members of the legislature and executive), (d) the vitality of an organization, (e) the level of "open" communications defined as a network of independent horizontal and vertical communications and a relatively high degree of freedom in communication with individuals outside the

organization, (f) formal and informal links within a body with decision-making or decision-making bodies.

#### 4. Attitudes or tendencies (Disposition) of the implementers

The attitude of acceptance and rejection of the implementing (agent) will greatly affect the success or failure of the performance of public policy implementation. This is very likely to happen because the policies implemented are not the result of the formulation of local residents who are well acquainted with the problems and problems they feel, but "top-down" policies that make it very likely that the decision makers never know (not even able to touch) needs, wants, or problems that citizens want to solve.

#### 5. Communication between organizations and implementing activities.

Implementation will run effectively if the measures and objectives are understood by the individuals who are responsible for policy performance. (In Agustino 2017: 135), Coordination is a mechanism as well as the main requirement in determining the success of policy implementation. The better the coordination and communication among the parties involved in an implementation process, the assumption is that very small errors will occur.

#### 6. Economic, Social and Political Environment

Van Metter and Van Horn propose to consider the following questions regarding the economic, social, and political environment that affects the jurisdiction or organization in which implementation is carried out:

1. Are the economic resources within the implementing jurisdiction or organization sufficient to support successful implementation?
2. To what extent or how will the prevailing economic and social conditions be affected by the implementation of the policy in question?
3. What is the nature of public opinion, how important is the relevant policy issue?

4. Do elites support or oppose policy implementation?
5. What are the following characteristics of the implementing jurisdiction or organization; is there any opposition or follower support for the policy?
6. The extent to which private interest groups are mobilized to support or oppose the policy.

Agustino (2017:1350) emphasized that the thing that needs to be considered in order to assess the performance of public implementation in the perspective offered by Van Metter and Van Horn is the extent to which the external environment contributes to the success of the public policies that have been set. The environment in question includes the social, political and economic environment. And an unfavorable environment can be the root cause of the failure of policy implementation performance. Van Metter and Van Horn (in Subarsono, 2006:99) add that the variables of social, political and economic conditions include environmental economic resources that can support the success of policy implementation, the extent to which groups- interest groups provide support for policy implementation, the characteristics of the participants, i.e. support or reject

#### 1.2.6. Factors Affecting Policy Implementation

All policies are intended to influence or control human behavior in some way, to persuade people to act according to rules or goals set by the government. If the policy cannot be fulfilled, if people continue to act in an undesirable way, if they do not use the prescribed method, then the policy is said to be ineffective or not working well then the result is zero. There are several factors that influence the implementation or not of a public policy according to Agustino (2012:157)

##### a. Determinants of policy fulfillment

1. The respect of community members for government authorities and decisions

Legitimate public respect and appreciation are important keywords for the realization of the fulfillment of the lasting implementation of public policies. When citizens respect the government in power because of its legitimacy, then autonomously they will also fulfill the government's invitation through laws, government regulations, regional regulations, government decisions.

2. There is awareness to accept the policy

In a society driven by rational choices, it is often found that individuals/groups of citizens are willing to accept and implement public policy as something logical, rational, and indeed deemed necessary.

3. There are legal sanctions

People will be forced to implement and implement a policy because they are afraid of being punished by punishment, for example: fines, imprisonment, and other sanctions. Therefore, one of the strategies often used by the bureaucratic apparatus in its efforts to fulfill the implementation of public policies is to introduce severe legal sanctions on every policy it makes.

4. There is a public interest

The public has the belief that public policies are made legally, constitutionally, and made by authorized public officials, as well as through available legal procedures. So people tend to have a willingness to accept and implement the policy.

5. There is a personal interest

A person or group of people often get direct benefits from a policy implementation project; therefore they will gladly accept, support, and implement the policies set.

6. Time problem

If the public perceives that there is a policy that is contrary to the public interest, then citizens will tend to reject the policy. But as time passed, in the end a policy that was once rejected and considered controversial, turned into a policy that was reasonable and acceptable.

b. Policy determinants or policy delays

1. The existence of policies that are contrary to the existing value system

If a policy is seen to be in extreme conflict or sharply with the value system adopted by a society at large, or certain groups in general, it is certain that the public policy to be implemented will be difficult to implement.

2. There is no legal certainty

The absence of legal certainty, unclear legal rules, or policies that conflict with each other can be a source of citizens' disobedience to the policies implemented by the government.

3. The existence of someone's membership in an organization

A person who obeys or does not comply with the regulations or public policies set by the government can be affected by his involvement in an organization.

4. The concept of non-compliance with the law

There are people who comply with a certain type of policy, but there are also those who do not comply with other types of policies.

### **1.3 Visa**

Visa is an entry permit document for a person to a country which is usually obtained at the embassy where the country has a consulate general or foreign sovereignty. It can be in the form of a visa sticker that can be applied at the embassy of the country to be visited or in the form of a stamp on a passport in a certain country.

#### **1.3.1. Visa Free**

Visa-free means regardless of a demand or obligation from a payment bond at the immigration office when extending a visa for foreign nationals, so that citizens who want to go abroad for a long period of time will only show visa documents and report to the immigration office without make a payment. With the provision that the country you want to visit has issued a visa-free policy. The Government of Timor Leste has imposed visa-free tourist visits/short visits for Indonesian citizens. Visa-free is applied or granted for 30 days and can be extended once during the same period. Thus, every Indonesian citizen is granted an exemption from a visit visa for tourism for 60 days.

### 1.3.2. Visa Type

Based on Timor Leste Law No. 11 of 2017 concerning immigration and asylum, visas are divided into several types, as follows:

1. Class I (Tourist/Business stay): valid for 30 days and can be extended at the Timor Leste Immigration office in Dilli up to a maximum of 60 days. There is no charge for an extension of stay for 30 days.
2. Class II (Transit): Valid for 3 days (72 hours) free of charge but cannot be extended.
3. Class III (study): the application must be submitted before departure to Timor-Leste through the representative office of Timor-Leste outside Indonesia. The visa can be granted for 1 (one) time or several trips (the maximum period of stay given is a year) and is permitted a fee of US\$.40.00(forty US dollars)
4. Class IV (social culture / sports / media coverage): the application must be submitted before departure to Timor Leste through the Timor Leste representative office abroad / Indonesia. Visa can be granted for 1 (one) time or several trips (maximum validity period of the Visa is a year, with a maximum stay of 180 days) and is subject to a fee of US\$.40.00 (forty US dollars).
5. Work Permit/Visa: Application must be submitted prior to departure to Timor-Leste through Timor-Leste's representative office abroad/Indonesia. A work permit/visa can be granted for 1 (one) time or several trips (up to a maximum stay of one year) and is subject to a fee of US\$.50.00 (fifty US dollars).
6. Residence permit, divided into temporary residence permit, residence permit for family reunions, and permanent or permanent residence permit.
  - a. A temporary residence permit (visa to establish residence) can be granted to foreigners who intend to work independently or as employees with special skills. Applications must be submitted prior to departure to Timor Leste through the Indonesian embassy in Timor Leste in Indonesia. Visa can be granted for 1 (one) time or several trips (up to a maximum of a year's stay) and is subject to a fee of US\$.50.00 (fifty US dollars)

b. Residence permit visa for family reunion is only granted to husband or wife and children under their guardianship (under 18 years of age). The application for a visa/residence permit for a family reunion is granted on a temporary basis. There is a fee of US\$.40.00 (forty US dollars) and for each extension a fee of US\$.25.00 (twenty-five US dollars) is applied, and submitted to the Timor Leste immigration office in Dilli.

c. Visa/permanent/permanent residence permit can be granted if you have lived/dominated in Timor Leste for 12 years continuously and do not have a criminal record. If you have obtained this visa/permanent/permanent residence permit, you can stay in Timor Leste indefinitely, but the permit card must be renewed every 5 years. The fee charged is US\$.100.00 (one hundred US Dollars) and for each extension, a fee of US\$.25.00 (twenty five US dollars) is charged.

7. Special Stay Permit: given to staff of International NGO/cooperation program with the government of Timor Leste, the application is submitted to the Secretary of State for Security Affairs of Timor Leste. The validity period of a special residence permit is usually adjusted to the period of service/contract concerned in Timor Leste.

8. Visa or work permit based on Timor Leste Law No. 11 of 2017 concerning Immigration and Asylum, every Indonesian citizen who will work or carry out other commercial activities in Timor Leste, is required to have a work permit issued by the Ministry of Foreign Affairs and Cooperation of Timor Leste. Work permits can be carried out by each individual or by a company that employs the intended Indonesian citizen.

The Government of Timor Leste has imposed a visa-free tour/short visit for Indonesian citizens. Visa-free is given for 30 days and can be extended once during the same period. Indonesian citizens are granted a tourist visit visa exemption for 60 days.

### 1.3.3. Indonesian citizens

According to the Big Indonesian Dictionary (KBBI), an Indonesian citizen (WNI) is a person recognized by law as a citizen of the Republic of Indonesia. This person will be given an identity card (KTP), based on the district or province, where he is registered as a resident/citizen. This person will be given a unique identity (residential identification number, NIK) if he is 17 years old and registered at a government office. Passports are

given by the state to its citizens as proof of the identity concerned in the international legal system.

Citizenship of the Republic of Indonesia is regulated in Law no. 12 of 2006 concerning the citizenship of the Republic of Indonesia. According to this law, people who become Indonesian citizens (WNI) are:

1. Everyone who before the enactment of the law has become an Indonesian citizen
2. Children born from legal marriages of fathers and mothers are Indonesian citizens
3. Children born from a legal marriage of an Indonesian citizen father and a foreign mother (foreigner), or vice versa
4. A child born from a legal marriage of an Indonesian citizen mother and a father who does not have citizenship or the law of the father's country of origin does not grant citizenship to the child.
5. A child born within a period of 300 days after his father died from a legal marriage, and his father is an Indonesian citizen
6. Children born outside a legal marriage to an Indonesian citizen
7. A child born outside a legal marriage to a foreign mother who is recognized by an Indonesian citizen father as his child and the acknowledgment is made before the child is 18 years old or unmarried.
8. Children born in the territory of the Republic of Indonesia whose citizenship status is unclear at the time of birth of the father and mother.
9. Newborn children found in the territory of the Republic of Indonesia as long as their parents are unknown
10. Children born in the territory of the Republic of Indonesia if the father and mother do not have citizenship or their whereabouts are unknown
11. Children born outside the territory of the Republic of Indonesia from father and mother are Indonesian citizens, who due to the provisions of the country where the child was born give citizenship to the child concerned.

12. The child of a father or mother whose citizenship application has been granted, then the father or mother dies before taking the oath or swearing allegiance. In addition, he is also recognized as an Indonesian citizen for:

1. A child of an Indonesian citizen born outside of a legal marriage, not yet 18 years of age and not yet married, is legally recognized by his father who is a foreign national.
2. Children of Indonesian Citizens who are not yet five years old, who are legally adopted as children by Foreign Citizens based on court decisions
3. Children who are not yet 18 years old or not yet married, reside and reside in the territory of the Republic of Indonesia, whose father or mother acquires Indonesian citizenship.
4. Children of foreign nationals who are not yet five years old who are legally adopted according to court decisions as children by Indonesian citizens

Indonesian citizenship is also obtained for someone who falls into the following situations:

1. Children who are not yet 18 years old or not yet married, reside and reside in the territory of the Republic of Indonesia, whose father or mother acquires Indonesian citizenship
2. Children of foreign nationals who are not yet five years old who are legally adopted according to court decisions as children by Indonesian citizens.

In addition to the acquisition of citizenship status as mentioned above, it is also possible to acquire citizenship of the Republic of Indonesia through the citizenship process. Foreign nationals who are legally married to Indonesian citizens and have lived in the territory of the Republic of Indonesia for at least five consecutive years or ten consecutive years may submit a statement to become a citizen before the competent authority, as long as it does not result in dual citizenship.

#### 1.3.4. Foreign Citizens (WNA)

Foreigner in the Indonesian-English translation dictionary is also defined as strange, foreigner and alien. An alien or foreigner is defined as a person in a country who is not a national of that country. (Safaat,2008:112) Foreign nationals referred to here are

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Indonesian citizens who have visited or resided in Timor Leste for a long period of time and have complete documents including visas and passports.

The Government of Timor Leste has established laws that specifically regulate human behavior in and out of the national territory of Timor Leste, namely the Immigration and Asylum Law. Timor Leste's immigration laws issued in the state gazette are the Immigration and Asylum Law No. 9 of 2003. The immigration law regulates the general concept of foreigners, including:

Artigo 1:(1) The current document regulates the conditions of entry, stay, exit and parting of foreigners from national territory;(2) The above does not preclude special agreements set out in international treaties and conventions that the Democratic Republic of Timor- Leste is party to, adheres to, or becomes party to.

This article regulates the presence of foreigners who enter and stay in Timor Leste, the general explanation referred to in article 2 explains that foreigners are people who are not citizens of Timor Leste as follows in article 2 paragraph 1, namely; For the purposes of this instrument, a foreigner is deemed to be anyone who cannot prove his or her East Timorese citizenship. Whereas what is meant by immigration in article 3 provides a definition of foreigner, namely the definition of a resident is a foreigner who is considered a resident when they have inherited a place of residence of a legal authority and has been approved with a valid instrument of law.

### **1.4. The mindset**

The State of Timor Leste as one of the countries closest to the State of Indonesia, because of the geographical location between sea, land and air which is not much different from Indonesia, the cross-border distribution between Indonesia and Timor Leste also has similarities. Overall, there are six border crossings between Indonesia and Timor Leste, one of which is directly adjacent to the Australia Strait, and in the province of East Nusa Tenggara itself has three main entrances via the mainland. Because of this very strategic geographical location, it is very easy for the flow of people in and out of Timor Leste and the Indonesian population.

The Government of Timor Leste has issued a policy regarding visa exemption for Indonesian citizens who wish to go to Timor Leste. This visa-free policy is a reciprocal policy from the Timor Leste government to the Indonesian government. The success of a regulation is largely

determined by the implementation process, meaning that implementation is vital because the implementation of a policy runs effectively. Likewise with the implementation of the Timor Leste government's political policy regarding visa exemption for Indonesian citizens.

## **2. Research methods**

### ***2.1 Research approach and focus***

Based on the subject matter studied, this research uses a qualitative approach. Qualitative research has main characteristics, which are concerned with meaning, context and in the research process which is more cyclical than linear. With data collection and data analysis taking place simultaneously, more concerned with depth than breadth of research, while the researcher himself is the main instrument.

Qualitative research according to Bogdan and Biklen (1982) is one that uses participant observation and in-depth interviews. As by Molong (1994), qualitative research is a research procedure that produces descriptive data in the form of written or spoken words from the people and actors observed. While the focus of the research is how researchers see the implementation of the East Timor government's political policy regarding visa-free visas for Indonesian citizens in 2019.

### ***2.2 Types of Research***

The type of research conducted is descriptive, namely problem solving procedures investigated by describing the meaning of the topic at hand. In the context of this research, descriptive is explaining or describing the implementation of the East Timor government's political policy regarding visa-free visas for Indonesian citizens in 2019.

### ***2.3 Research sites***

This study took the research location at the Mota'ain State Cross-Border Service Post, Belu District, East Tasifeto District, Silawan Village.

### ***2.4 Informants and Research Informants Determination Techniques***

In determining the informants, the researcher uses purposive sampling, namely taking data sources with certain considerations, for example, the informant who is considered to know the

most about what the researcher expects, or the informant is one of the policy makers, making it easier for researchers to explore the object under study.

Informants from research on the implementation of the Timor Leste government's political policy regarding visa-free visas for Indonesian citizens in 2019. The sources of information for researchers are;

- a) Head of the Mota'ain State Cross-border Post
- b) Head of TPI Class II Immigration Office in Atambua
- c) Head of the Timor Leste Consulate office in Kupang;
- d) People who get VISA-free benefits.

### ***2.5 Data Collection Techniques***

To answer the research problem, it is necessary to collect as much data as possible and information about the discussion in this study. Data collection methods used in this study are as follows.

#### **1. Field Study (Primary Data)**

Primary data is data obtained directly from research subjects by wearing measurement tools or data collection tools directly on the subject as the information sought. (Saifuddin Azwar, 2004: 91).

Field studies are carried out in two ways, namely observation and in-depth interviews. Observation (observation) is research conducted by direct observation at the research site to find out the general description of the research location. In-depth interviews, namely research conducted through data collection methods by way of communication or personal contact between researchers and data sources that can be carried out directly or indirectly.

#### **2. Literature study (secondary data)**

Secondary data is second-hand data obtained through other parties, not directly obtained by the researcher from the research subject. (Saifuddin Azwar, 2004: 91)

Literature study (document) is a form of data collection through legislation, literature books, articles, results of previous research, and other documents that can provide information needed by researchers in research (Syamsudin, 2007: 101)

## **2.6 Research Data Sources**

What is meant by research data sources are the subjects from which the data were obtained (Arikunto, 2006:129). According to Lofland and Lofland (1984:47) the main data sources in qualitative research are words and actions, the rest are additional data such as documents and others (Moleong, 2002:112).

a) Primary data sources, these data sources were obtained directly from research subjects using interview techniques. In the implementation of this technique, the authors collect raw data and manage the data.

b) Secondary data sources, this data source is obtained from books and documents available at the Mota'ain Cross-border Post and the Law of the Republic of Timor Leste, the successful implementation of the visa-free policy and the actual conditions of the research location. This secondary data is expected to add wider discourse and insight for researchers so that research results will be more accurate.

## **2.7 Data Analysis Techniques**

Qualitative data analysis according to Bogdan and Biglen is an effort made by working with data, organizing data, sorting it into one that can be managed, synthesizing it, looking for and finding patterns, finding out what is important and what is learned, and deciding what can be done. told to others. (Lexi J. Moleong, 2006; 248).

Every data taken will be recorded and recorded. Furthermore, after all the data has been collected, the data will be analyzed and interpreted by referring to the existing literature review. Meanwhile, the results of the observations will be described and narrated to enrich the results of the interviews as well as to complete the data. Each data obtained will be interpreted to describe the situation with reference to the study of theory and literature review.

The data analysis technique uses four ways, namely:

### **1. Categorization**

Categorization is a data analysis process where the data that has been collected is then categorized systematically after that the data is then interpreted.

## *2. Interpretation*

Data interpretation is the process of giving meaning to the patterns or regularities found in a study.

## *3. Induction*

Inductive reasoning is a way of thinking by drawing general conclusions from observations of specific phenomena.

## *4. Triangulation*

Data collection techniques are carried out by combining various data collection techniques and existing data.

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## **3. Research results and discussion**

### ***3.1.1. Overview of Mota'ain Cross-border Posts***

History in principle cannot be separated from human life, since human life is surrounded by so many activities, experiences stored in the memory of life, with so many activities carried out in order to maintain life as historical creatures. All activities carried out will certainly be historical evidence. The Mota'ain National Border Service Post (PLBN) has historical value and this value is eternal for the State of Indonesia, not only Indonesia, the Mota'ain PLBN has also been known by the state of Timor Leste as one of the countries directly bordering the Indonesian state.

Belu Regency is one of the regencies in East Nusa Tenggara which has a direct land border with the Democratic Republic of Timor Leste (RDTL) along 126 KM and there are 2 (two) official gates as gates on the RI-RDTL border, namely Mota'ain and Turiskain. . Mota'ain or Mota Ain, is a village in the District of Bobonaro, Timor Leste and Silawan, East Tasifeto, Indonesia. It is the country's largest main road between Timor Leste and West Timor. The Timor Leste-Indonesia border stretches along the Mota river. As a gateway with high cross-border activities, both population and goods mobility between countries, Mota'ain's National Border Crossing Post (PLBN) needs development so that in 2015 the central government through the Ministry of Public Works and Housing of the Republic of Indonesia carried out the arrangement of the Cross-Border Post. The Mota'ain State in Belu Regency, Tasifeto Timur District, Silawan Village is developing

the Mota'ain PLBN as a form of Implementation of Presidential Instruction No. 6 of 2015 concerning the acceleration of the development of 7 (seven) State Border Posts, one of which is the Mota'ain PLBN. The Mota'ain cross-border area has existed since the establishment of the RDTL State in 1999, but due to the lack of a good arrangement, this area has grown in disorganized conditions with the location of buildings and circulation being not ideal. The existence of the Mota'ain PLBN itself has existed since 2002 with the concept of Integrated Post.

Along with the formation of formal access to PLBN and the existence of Atambua as the Center for National Strategic Activities (PKSN), which is the center of economic growth in the border area between countries, this has an impact on the dynamics of activity in the border area.

### **3.1.2 Vision Mission**

#### **a. Vision**

People get legal certainty

#### **b. Mission**

Protecting human rights

#### **c. Motto**

Serve sincerely

#### **d. Service Promise**

1. Certainty of requirements

2. Cost Certainty

3. Certainty of completion time

### **3.1.3 Certificate of Timor Eastern Democratic Republic**

(Wednesday, 18 September 2019 Series I No 37) Government Resolution 25/2019 "Exemption of Tourism Visas for Indonesian Citizens From Indonesia. Considering that the Government's program of constitution VII highlights the need to adopt measures to diversify the economy in the tourism sector, it is important to reduce dependence on oil resource revenues and to make our economic growth sustainable; Recalling that regional integration and cooperation requires that actions be taken to harmonize standard procedures and processes and that the use of the best technology be promoted. Information and communication, for tourism promotion and providing

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quality services to tourists; Aware that trade facilities and movement of people are recognized internationally as a determining factor for the development of trade, among others by the World Trade Organization (WTO) and the Association of Southeast Asian Nations (ASEAN); Masi considers all the steps the government has taken to adopt the institutional commitments of the State of action from Timor-Leste to ASEAN and the WTO, as well as the need to adapt our legal system to the challenges imposed for integration into the WTO and into the ASEAN economic community.

Aware that the Migration and Asylum Law-Law No.11/2017, of 24 May, amended with a summary revised statement 10/2017, published in the journal da Republik, series I, NO.27, 12 July 201 specifies a visa waiver in article 157, to promote tourism in Timor Leste; Considering that Timor Leste has signed the Memorandum. An understanding between the government of Timor Leste, the Government of Indonesia and the Asian Development Bank regarding cross-border trade and technical assistance for cooperation. to ensure visa-free entry to Timor Leste for Indonesia in order to promote cross-border tourism. This decision shall enter into force on the day after its publication.

### **3.2 Analysis of Research Results**

#### **3.2.1 Implementation of the Policy of the Government of Timor Leste regarding Visa Exemption for Indonesian Citizens**

Public policy (public policy) covers all areas of life related to the public interest or the problems of the people, so that public policy always consists of various choices of attitudes or government decisions that are interconnected with each other. Policy implementation is one of the important aspects of government policy because it relates to how the policies taken can run effectively, so that these policies can solve various public problems. The basis of science and studies in public policy is public administration. Where public administration as defined by Zauhar (2001; 31) that public administration is the organization and management of men and materials to achieve the purposes of government and public administration is the art of science of management as applied affairs of state. is the organization and management of people and materials to achieve the goals of government and public administration is the art of management science as an applied state affair). Zauhar's definition above provides an overview of the main focus of the scientific scope of public administration including state administration, which is related to the government and the policies it makes.

To become a policy that regulates the public interest or the problems of the people, there are several characteristics that must be met. Referring to the opinion of Abidin (2012: 23) that there are at least five characteristics of public policy, namely: (1) public policy is purposive, goal-oriented behavior rather than random or chance behavior. random or coincidental), (2) public policy consists of courses of action rather than separate, discrete decisions, or actions performed by government officials (public policy consists of a series of actions rather than separate decisions or actions taken by government officials), (3) policy is what government do, not what they say will do or what they intend to do (policy is what the government does, not what it wants to do), (4) public policy may either negative or positive (public policy can in the form of negative or positive), (5) public policy is based on law and is authoritative (public policy is based on law). Zuahar's definition above provides an overview of the main focus of the scientific scope of public administration including state administration, which is related to government and policies made.

After fulfilling the characteristics mentioned above, then a policy can go through the following stages, as mentioned by Dunn (2004:71) who says that these stages are the agenda setting stage (problem formation), the policy formulation stage (problem formulation). ), the stage of policy adoption (policy adaptation), the stage of policy implementation (policy implementation), and the stage of policy evaluation (policy evaluation).

After going through several stages of the public policy-making process mentioned above, then the Timor Leste government's political-free policy regarding visa exemption for Indonesian citizens in 2019), this policy is contained in Government Resolution or Resolucoes do Governo Number 25/2019. Regarding the application of visa-free for Indonesian citizens. Gupta (2021:61-62) states that after a public policy is adopted, then the next step is to implement it. In the process of implementing a policy, according to the Implementor, to understand the complexity of the policy, it is seen from the environment in which the policy is implemented.

The Timor Leste government's policy regarding visa exemption for Indonesian citizens is regulated in Government Resolution or Resolucoes do Governo Number 25/2019 which states that tourist visa exemption is granted for 30 days and can be extended once during the same period. for 60 days.

This regulation eventually became the basis for the Timor Leste government in implementing the free policy for Indonesian citizens, as one of the policies that have been implemented and can run according to plan, so that the policy is in line with the target.

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The visa-free policy for Indonesian citizens in its implementation is not just reducing or minimizing the use of rat trails. Moreover, East Nusa Tenggara Province, especially Belu Regency, has four cross-border routes between Indonesia and Timor Leste. So that illegal road access will continue. Apart from the illegal route, the visa-free policy for Indonesian citizens is also a policy of reciprocity or reciprocity for Timor-Leste, for the policy of exempting East Timorese tourist visas to Indonesia.

A public policy (public policy) is basically made to solve problems that intersect with the interests and needs of the public (society). Even if a policy is made by the state or government, public policy must be aligned and directed at seeking the essence of the public interest, which in its formulation effort is framed with a conventional approach that displays its elastic character, namely the state as the main actor in presenting a policy construction capable of accommodate the essence by placing the public (society) as the main actor in it.

To strengthen the data from the author, the author has interviewed the head of the traffic sub-section, Mr. Arthur Panggabaan on February 15, 2021, saying the following:

*"Regarding the visa-free policy that has been issued by the Timor Leste government, it has been applied to Indonesian citizens, but what we see is the problem with the corona virus (covid-19). This corona virus has hampered the cross-border process between citizens. However, based on the considerations made by the Timor Leste government, Indonesian citizens may cross national borders if the Indonesian citizen has obtained visa authority from the Timor Leste embassy in Indonesia and has included a medical certificate (rapid test) "*

The problems that then arise in the implementation of the visa-free policy for Indonesian citizens in turn hinder the implementation of the policy and have an impact on Indonesian citizens who get visa-free. The following are important stages in the implementation of the political policy of the Timor Leste government regarding visa exemption for Indonesian citizens.

### **1). Policy Size And Purpose**

The performance of policy implementation can be measured for its success if and only if the size and objectives of the policy are realistic with the socio-culture that exists at the policy implementer level. When the size of the policy or policy objectives are too ideal (even too utopian) to be implemented at the citizen level, it will be difficult to realize public policies to the point that they can be said to be successful.

The success of a policy will be determined from the size of the policy and the purpose of the policy whether it can answer public problems or vice versa. To measure the purpose of the Visa-free policy the author has interviewed the border officer Mr. Bobi, on February 15, 2021 said the following:

*"Regarding this visa-free policy, it is basically a reciprocal policy carried out by the Government of Leste to Indonesian citizens, and of course this has become a measure of the policy issued. And of course the aim of this visa-free policy is to minimize illegal roads, this policy aims to strengthen relations between Timor Leste and Indonesia."*

From the answer of the mota'ain border officer, the author tries to confirm the answer by conducting an interview with the head of the Timor Leste Consulate Mr. Jesuino Dos Reis Mantos C. said that:

*"The policy that has been issued by the government of Timor Leste is a reciprocal policy because Indonesia itself has provided visa-free visas for Timor Leste, and related to the rat trail or illegal road, it is the next consideration of this visa-free policy"*

Based on the results of interviews with Mota'ain officers and the head of the Consulate of Timor Leste as well as the author's observations regarding the size and objectives of the visa-free policy, the authors found the same statement that this visa-free policy was a reciprocal policy given by the government of Timor Leste to Indonesia, and the objectives of the policy were: This is to both build good relations between countries and of course can make society prosperous.

## 2). Attitude or Tendency (Disposition) of the Implementers

Van Metter and Van Horn discuss several elements that may affect an organization in implementing policies such as the competence and size of an agency's staff, the level of hierarchical oversight of decisions, sub-units and processes within the implementing agency, and the political resources of an organization. The attitude of acceptance or rejection of the implementing (agent) will greatly affect the success or failure of the performance of public policy implementation. To find out how the characteristics or attitudes of implementing agents in implementing the visa-free policy, the author interviewed Arthur Panggabean as the head of the traffic sub-section on February 15, 2021, saying the following:

*"This characteristic is related to the ability and competence of a person in carrying out the main tasks, functions of authority and responsibilities that have been assigned by the government of Timor Leste to the immigration department as the body that regulates the course of the policy. Each sub-section carries out its duties with full responsibility. Every day the post mota'ain guard will send data on people who cross state borders including arrivals and departures. All the data will be reported to the immigration office class II TPI atambua "*

From the results of interviews with sub-cross-border coconut, the researcher also interviewed the head of the general sub-section, Mr. Emanuel Noni, on February 16, 2021 said that:

*"Our attitude and characteristics in carrying out our duties and functions are adequate. Each sub-section has carried out its duties and functions according to their respective divisions. And especially for cross-border data retrieval, we have very clear permits so we do not provide any immigration documents if we do not get permission from the Head of Immigration, and so far all officers are working according to their respective duties and functions".*

After conducting interviews with the head of the traffic section and the head of the general section, the researcher confirmed with the results of interviews with Indonesian people who got visa-free on behalf of Rinaldo Seran, he said that:

*"In addition to this visa-free policy, it helps access in and out of the country easily, but what we feel is that the services we get from border officers and immigration officers are very good. They carry out their duties and responsibilities in accordance with the rules that have been made. At first I thought that the visa-free policy would make it difficult for me to travel or make it difficult for administrative preparations, but in reality it is not at all".*

Based on the results of the author's interview with the head of the cross-border sub-section, the head of the general sub-section and the public who obtained visa-free visas as well as the observations that the author made about the characteristics of the implementers in the implementation of the visa-free policy, technically it was said to be good, such as to achieve efficiency in the size of immigration staff and mota officers. Ain has good qualities such as education and work experience. But what is unfortunate from

the writer is that the service from the officers is still very long because any data that you want to retrieve must be issued by the head of the office first and that will take a long time.

### 3. Society participation

Community participation in the implementation of the policy is the most important part in the implementation of the visa-free policy, besides the key lies in the implementor as the implementer of the policy but also the community as the recipient of the visa-free policy needs to be actively involved and actively involved in the policies implemented so that the policy can run well. In relation to the implementation of visa-free, the public is required to be able to use the policy properly and be able to take advantage of the policy in accordance with the applicable rules. To find out how the community participates, the researcher interviewed a mota'ain officer on behalf of Mr. Bobi on February 17, 2021 who said the following:

*"So far, community participation across borders has decreased beyond our predictions, this is because when this visa-free policy was implemented in conjunction with the corona virus so that cross-border posts were deactivated for several months, until the new normal departure occurred and Returns are increasing, and people who get visa-free are also obediently reporting to immigration to extend the specified period of time."*

From the statement from the Mota'ain officer, the researcher continued to interview the community on behalf of Riski Pramdia Laki as the recipient of the visa-free policy on March 4, 2021 saying that:

*"I am very happy with this policy, because with this policy I can easily visit families in Timor Leste but besides that I feel sad because the policy was implemented when the corona virus occurred, so before the new normal I unable to visit his family. But I also feel happy with the new normal so that he can visit Timor Leste".*

Wanting to strengthen this research, the researcher continued to interview people who were in Timor Leste on behalf of Father Augusto Nunes who used visa-free with the corona virus, on March 22, 2021 he said that:

*"Actually at that time I had problems because when I went to Timor Leste the Cross-border route could be passed easily but when I was in Timor Leste and there was a look down, I was worried because I only had one more chance to extend my visa free However, when*

*the visa expired and I was still stuck with a look down, I still went to Timor Leste immigration to report myself and I was given the opportunity to extend the visa”*

Based on the results of interviews and observations of researchers in the field, it can be said that community participation in complying with immigration rules has been going well, seen from the answers that have been conveyed from the immigration authorities and also the people themselves. Even though there are those who have missed out on reporting themselves to extend their visas, they still have the initiative to report them.

### 3). Economic, Social and Political Environment

The economic, social and political environment is the most important part in the smooth running of a policy. The economic environment will basically increase state revenue, and the social environment will also support the smooth implementation of the visa-free policy and the last one is the political environment, where in implementing this policy implementation the political environment is very necessary because it relates to the two countries. To find out whether the economic, social and political conditions were implemented properly or not, the researcher interviewed Mr. Jesuino Dos Reis Matos C as the head of the Consulate on Thursday, June 8, 2020 saying that:

*"From a political and economic point of view, this visa-free policy is presented to strengthen these two sides, namely the political side and the economic side, from the political side we can see from the good relations between Timor Leste and Indonesia. issued by the Indonesian government has been welcomed by the Timor Leste government and this relationship continues well. And from an economic point of view, this visa-free policy is solely to attract the attention of tourists who want to travel in Timor Leste, thereby increasing the country's income”.*

Furthermore, the researcher continued the interview with Mr. Aderito Baptista Lopes on Friday 8 June 2021 saying that. "For the political side, of course, to strengthen bilateral relations between the two countries and for the economic side, namely to develop the economy in the field of tourism. And for the social side itself, which is seen from the cultural, religious background, and of course because of family ties.

### **3.2.2 Supporting and Inhibiting Factors in the Implementation of the Timor Leste Government's Political Policy Regarding Visa Exemption for Indonesian Citizens in 2019**

A policy certainly has a positive side and a negative side, has an acceptance or rejection, and of course in every process that is carried out it must not run smoothly. The implementation process (implementing the policy) then becomes one of the factors that can ultimately make the policy a success or even a failure. The failure of a policy as stated by Hogwood and Gunn that failure in policy implementation can be caused by three things, namely bad implementation, bad policy, or bad luck.

To see the success of the implementation of the Timorese government's political policy regarding visa exemption for Indonesian citizens in 2019, the author uses the Van Metter and Van horn policy implementation model (1975: 463) which analyzes the inhibiting and successful factors in the implementation of the Timor Leste government's political policy regarding visa exemption. for Indonesian citizens in 2019. The following are factors that support and hinder the implementation of the political policies of the Timor Leste government regarding visa exemption for Indonesian citizens.

#### **3.2.3 Supporting Factors**

##### ***1) Socialization***

Socialization is an effort to promote something, which in this case is a visa-free policy, socialization is defined as an effort to provide information related to visa-free policies. The socialization of the visa-free policy is intended to provide awareness and understanding to the public of the aims and objectives of the policy as well as the mechanism for obtaining assistance policies from the beginning to the end of policy implementation. The socialization of the visa-free policy in order to provide output to good outcomes should be carried out regularly and periodically so that the Indonesian people can understand the visa-free policy well so as not to cause failure in the implementation of the visa-free policy. The frequency of socialization is very important in the effort to introduce a visa-free policy. The more socialization that is carried out, the more understanding and awareness of the public regarding the visa-free policy will increase.

To find out how the socialization of the visa-free policy was carried out at the Mota'ain border, the researcher conducted an interview with Arthur Pangabea, the head of the traffic sub-section on February 19, 2021, saying that:

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*"The socialization that we do to the community is socialization through the media. so any change in visa waiver policy must be informed to the public through the media. Such as changes to the visa-free policy, every person who wants to cross national borders must have a Covid-free health certificate, a vaccine letter and must obtain visa authority from the Timor Leste consulate office in NTT. And we from the immigration side also always socialize with the government of Timor Leste regarding changes or problems at the border".*

Based on the results of interviews with the head of the traffic sub-section, the researcher continued the interview with the head of the consulate of Timor Leste, Jesuino Dos Reis Mantos C, in Kupang on 9 June 2021, saying that:

*"For socialization with the community itself, we only inform through print media if there are changes that we want to add or subtract from the policy, then we from the policy makers will try our best so that these changes can be informed to the public quickly. and of course we do the socialization with the Indonesian government face to face"*

Furthermore, the researcher conducted an interview with a community member of Imel Ndaong with the aim of strengthening the truth that the author got on March 4, 2021, saying that:

*"It's true, we know about the changes in the policy through the media, because basically the media will provide the fastest information. For example, adding rules that want to cross borders must have a Covid-free certificate or have a vaccine letter, we also know about it from the print media. , electronics".*

Based on the results of interviews that researchers have conducted and the results of the author's observations, it is known that socialization which is the most important part in the implementation of the visa-free policy is channeled through the media as the fastest means to be distributed to the public, so that information is not only known to Indonesian citizens who get visa-free but can be known by the whole community.

Apart from the socialization from the Timor Leste government to Indonesian citizens, but there are interesting things that the author also found in conducting this research, namely as the Secretary of the Timor Leste Consulate Aderito Baptista Lopes said that:

*"The government of Timor Leste wants to build even closer relations with Indonesia, especially the East Nusa Tenggara region, where the government of Timor Leste wants to propose a program to the Governor of NTT, namely a cross-border program in which Indonesian citizens and citizens of Timor Leste can cross national borders with youth, for example, the requirements are only to show ID cards, and to be able to cross borders with youth, the most important thing is to have a clear identity"*

With the observations that the author has made, according to the author, the program that has been designed is very interesting and will attract tourists so that tourism between the two countries can be more easily promoted.

## **2) Resources**

The success of policy implementation is highly dependent on the ability to utilize available policy resources. Humans are the most important resource in determining the success of a policy implementation. Each stage of implementation requires quality human resources in accordance with the work required by apolitically determined policies. each. In addition to resources, financial resources are an important calculation in the success of policy implementation. Lack of or limited funds or intensive in policy implementation is a major contribution to the failure of policy implementation. Furthermore, facilities and infrastructure are one of the factors that influence policy implementation. Procurement of proper facilities such as buildings, land and office equipment will support the successful implementation of a program or policy. As stated by Derthicks (in Van Matter and Van Horn, 1974) that: "New town study suggest that the limited supply of federal incentive was a major contributor to the failure of the program".

However, the adequacy of the quantity of resources in implementing a policy does not necessarily guarantee the success of the policy if the quantity of resources turns out to be inversely proportional to the quality required. As we know, being the implementer of a policy is not an easy thing because it involves responsibilities to many people, and of course to the policy itself.

No exception in the implementation of the visa-free policy also has resources involved in the process at the border. To find out the resources in implementing the visa-free policy at the Mota'ain border, the researcher conducted an interview with Mr. Emanuel Pakenoni as the head of the general section on February 19, 2021 saying that:

*"Talking about the resources used in the implementation of the visa-free policy at the Mota'ain border, of course, relates to human resources, program budgets and facilities and infrastructure that support every job. I see and from our experience about these resources, firstly, human resources are optimal, the quantity and quality are right, the budget is also the right amount and is always prepared and all work facilities have been provided, so that the process of making passports will be easier and faster than previous years..."*

Based on the results of the interview, it is known that the policy resources regarding the visa-free policy are divided based on human resources that have been adequate in terms of quality and program budget resources have also been used properly.

#### **3.2.4. Obstacle factor**

Inhibiting factors are factors that hinder a person's freedom and movement to be creative in terms of his political preferences.

##### **1. Miscommunication**

Miscommunication means the communication process that runs less or not well. Miscommunication occurs due to various factors, such as differences in perception between the sender of information and the recipient of information, differences in knowledge, experience and differences in language style used in this visa-free policy. Good communication is very necessary in the smooth implementation of a visa-free policy. However, if the communication cannot be channeled properly, it will become an obstacle for people who want to obtain information. This is reinforced from the results of the author's interview with Mr. Artur Pangabean, the head of the traffic sub-section on February 19, 2021, saying that:

*"Miscommunication is often a very serious obstacle, this is due to the lack of good socialization from the government as the implementer to the community so that sometimes there are people who do not know that there are new rules that have been issued such as visa authorities, and health certificates if they want to cross national borders."*

Furthermore, the researcher conducted an interview with a community member of Imel Ndaong with the aim of strengthening the truth that the author got on March 4, 2021, stating that:

*"There is a lack of communication from the Government of Timor Leste so we ourselves are not aware of the new rules that have been issued during this pandemic, such as the visa authority rules. Where is the visa authority, and I only found out when I wanted to travel to Timor Leste."*

Based on the results of interviews that researchers have conducted and the results of the author's observations, it is known that communication which is the most important part in the implementation of visa-free policies is not carried out in a planned, regular/routine manner to the public in order to provide information and awareness to the public regarding visa-free policies implemented in Indonesian society. . This lack of communication about changes to the visa-free policy rules greatly affects the success of the visa-free policy, which aims to develop people's productive economic enterprises.

## **2) Accompaniment**

Assistance in the implementation of the program is one of the strengths that will greatly assist the community as recipients of the visa-free policy in carrying out the program being implemented. Likewise, the implementation of the visa-free policy will be more effective and efficient if the visa-free policy that is implemented to the community is accompanied and controlled by officers who understand the rules related to the policy. To find out how to assist employees, the researchers conducted interviews with Mr. Bobi on February 19, 2021 who said the following:

*"For assistance to people who have visa-free visas, we only do the control so that they can report on time whether they want to extend their visa or not".*

From Mr. Bobi's statement, the researcher interviewed the public as recipients of the visa-free policy on behalf of Barto Parera on March 5, 2021 saying that:

*"There is no assistance for this policy at all in the visa-making process, it also takes a long time and sometimes the control over delays in reporting people is also not well controlled, those who already have documents, especially those that pass through the rat route, may be left alone."*

Furthermore, the author conducted an interview with the secretary of the Timor Leste Consulate Aderito Baptista Lopes. He said that the obstacles experienced when the visa-free policy was issued were:

*"The lack of control functions carried out by officers so that there are people whose validity period has expired but are not extended to the immigration office and this visa-free policy is sometimes often misused by the public, namely this is a visa-free visit, but there are people who have the opportunity to do work using a visit visa. ."*

Based on the results of interviews with Mr. Bobi, the recipients of the policy, the Secretary of the Consulate of Timor Leste and the observations of researchers in the field, it can be said that the assistance to the community has not gone well due to lack of socialization and the absence of special attention so that most people who get visa-free do not follow the rules. - predefined rules.

### **3) Covid-19 pandemic**

Covid 19 is a dangerous virus that attacks a person's respiratory system, an infectious disease that can cause death that can attack anyone, anywhere, and at any time, so that the presence of this corona virus hampers all existing activities including crossing national borders.

To find out how covid 19 can hinder the cross-border process, the author interviewed Mr. Arthur Pangabean, the head of the traffic sub-section on February 19, 2021, saying that

"As the data has been attached, when covid 19 attacked Indonesia and even the world, at that time all cross-border posts were closed according to the regulations that had been issued, namely the Lookdown rule. recorded from November 2019 to October 2020. There were no people who wanted to visit the country of Timor Leste and vice versa. Based on the results of interviews and observations as well as the data that the author has obtained, when COVID-19 attacked Indonesia and even the world, it had hampered all activities, even cross-border activities.

## **4. Conclusion**

### **4.1 Conclusion**

Based on the results of the research and discussion discussed in the previous chapter, conclusions can be drawn in writing regarding the implementation of the political policy of the Timor Leste government regarding visa exemption for Indonesian citizens in 2019 (case study: Mota'ain Border, Belu Regency, East Tasifeto District, Silawan Village), namely the implementation of the free policy for Indonesian citizens with the following analysis basis:

a. It can be concluded that the implementation of the visa - free policy has been going well. This is what the researchers got while conducting research while in the field. (a). Based on the elements that serve as benchmarks for researchers, several conclusions can be drawn: (1) Size and objectives: this visa-free policy is a reciprocal policy given by the government of Timor Leste to Indonesia, and the purpose of this policy is to mutually build relations (2) The attitude or tendency of implementing: the implementation of the visa-free policy is technically said to be good, such as achieving efficiency in the size of immigration staff and mota'ain officers having good qualities such as education and work experience.( 3) Community Participation: community participation in complying with immigration rules has been going well, seen from the answers that have been conveyed from the immigration and also the community itself.

b. The supporting and inhibiting factors in the implementation of the visa-free policy are supporting factors: (1) the socialization carried out by the implementor is conveyed through the print media as the main part. (2) the visa-free policy is a reciprocal policy carried out by the Timor Leste government to the government. Indonesia. (3) The characteristics of the implementor are adequate, both in terms of competence and education. Inhibiting factors: (1) lack of assistance and control in the implementation of visa-free policies so that people are indifferent in carrying out the rules that have been put in place. (2) there is an outbreak of the corona virus which hampers the process of crossing borders between countries. (3) Good communication between the implementor and the recipient of the visa-free policy has not gone well, resulting in miscommunication.

### **4.2 Suggestions**

Referring to the conclusions and research results, there are shortcomings in the implementation of political policies related to visa exemption for Indonesian citizens in 2019

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(case study: Mota'ain border, Belu district, East Tasifeto sub-district, Silawan village) for that the author can provide the following suggestions:

1. To the Government of Timor Leste and the Government of Indonesia. (a) Increase supervision of the visa-free acceptance community from the stage before the policy is implemented, supervision when the policy is implemented, supervision by finding out where the weakness of the policy is when it is implemented so that the policy is right on target, effective and appropriate purpose. (b) Giving strict sanctions to people who have violated and do not meet the rules that have been set, thus will be a good example so as not to cause the same problem repeatedly.
2. To people who get visa-free. (a) to always comply with the rules that have been set by the government. (b) Always be on time in reporting themselves to the immigration authorities.

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