

INDONESIA GOVERNMENT POLICY IN TOURISM IN ASEAN

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ABSTRACT

The Visa Exemption Policy is contained in Presidential Regulation No. 104 of 2015 concerning Amendments to Presidential Regulation No. 69 of 2015 concerning Visa Free Visit. This policy aims to improve Indonesia's relations with ASEAN member countries and make it easier for foreign nationals to visit Indonesia. Currently the Indonesian government has added the list of visa-free countries to Indonesia to 169 countries, according to Presidential Regulation Number 21 of 2016 signed by President Joko Widodo on March 2, 2016. Currently the Government of Indonesia has a policy in the Southeast Asian region by granting visa-free countries ASEAN member countries.

Keywords: visa, Indonesia, ASEAN, Tourist.

INTRODUCTION

International law grants the right and authority to all countries to exercise jurisdiction over persons and objects and acts that occur within the territory of that country. It also means that each country has the right to formulate the terms of traffic between countries, people, objects and actions that occur in their territory. The regulation of inter-state traffic involving people in a country's territory is related to the immigration aspects that apply in each country that has universal characteristics and specificity of each country in accordance with the values and needs of their state (Wahyudin; 2004). Internal security of a country is a condition marked by the guarantee of security and public order, orderly and upholding the law and the implementation of protection, protection and service to the community (Hasan; 2015).

Security and public order is a dynamic condition of the community as a prerequisite for the implementation of the national development process in order to achieve national goals marked by ensuring security, order, and the rule of law and the establishment of peace that supports the ability to foster and prevent and overcome all forms of violations of the law and other forms of law. other disorders that can be unsettling to the public (Djamin; 2000). To regulate various kinds of foreign citizens who leave and enter the territory of Indonesia, the government policy in the field of immigration adheres to the principle of selective policy which is a policy based on selective principles. Based on this principle, only foreigners can benefit the welfare of the people, nation and state of the Republic of Indonesia, which does not endanger security and order and are not hostile to the people or the Unitary State of the Republic of Indonesia based on the Pancasila and the 1945 Constitution (1945 Constitution), which is permitted to enter or exit Indonesian territory, and for this purpose there needs to be regulations and restrictions in the form of permits granted to foreigners when they want to live in Indonesia (Indra; 2008).

Based on universal immigration provisions, each country has the authority to allow or forbid someone to enter or leave a country. Based on this universal recognition, the existence of immigration regulations is a very important attribute in upholding the legal sovereignty of a country within the territory of the country concerned, and every foreigner entering the territory of a country will be subject to that country's law as well as the citizens themselves (Hasan; 2015).

The visa-free visa policy adopted by a country is basically aimed at increasing the number of foreign tourist arrivals. Basically, visa-free policies are reciprocal so it is understandable that countries that have a high level of welfare generally will apply visa-free policies to other countries whose welfare levels are considered equal. Observing these developments, as one of the countries with tourism destinations that are in high demand by foreign tourists, Indonesia has begun to open up to participate in implementing visa-free visa policies. The main objective is with this policy, the enthusiasm of foreign tourists to visit Indonesia is greater so that it can be directly proportional to foreign exchange earnings in the tourism sector (Dhesinta;2017).

The success of visa-free policies in several Asean countries such as Malaysia, Thailand and Singapore inspired Indonesia to implement the same thing. The visa-free visa policy is implemented in Indonesia through Presidential Regulation (Perpres) Number 69 of 2015 concerning Visa-Free Visit (BVK), which contains the provision of a visa-free visa policy to 45 countries with the details of 15 previous visa-free recipient countries previously stipulated in Presidential Decree Number 18 of 2003 concerning Visa Free for Short Visits as amended several times, the latest by Presidential Regulation Number 43 of 2011 concerning the Third Amendment to Presidential Decree Number 18 of 2003 plus 30 new countries with the main reason for increasing the number of tourist visits from foreigners who will enter to Indonesia (A. Jazuli, 2016: 121) Therefore, the presidential regulation is intended to facilitate the traffic of foreigners who will come to Indonesia in the framework of tourism.

The flow of foreign traffic in and out of Indonesia causes the Indonesian government to try to be able to select foreigners so that both those who enter or leave Indonesian territory can truly benefit the welfare of the Indonesian people. This is closely related to the principle of "selective policy" which is used as the basis for services and supervision conducted by Indonesian immigration (Dhesinta; 2017).

The tourism sector is very important for the Indonesian economy. In recent years, the contribution of the tourism sector to the national economy has increased significantly. This can be seen from the contribution of the tourism sector to the total exports of

goods and services which increased sharply from 10% in 2005 to 17% in 2012. The tourism sector contributed directly to GDP of 3.8% in 2012, or contributed around 9% of GDP when including the multiplier effect (Ministry of Tourism, 2014) (Sujai; 2016).

Indonesia is still far behind compared to other countries in the ASEAN region in terms of the number of foreign tourist arrivals. Of the 92.7 million tourists visiting ASEAN in 2013, there were only around 8 million tourists visiting Indonesia, or less than 10% of the total ASEAN tourist arrivals. This figure is very far behind Thailand which managed to attract around 26.5 million tourists, or Malaysia which attracted around 25.7 million tourists or even Singapore which was able to attract around 11.8 million tourists (World Economic Forum, 2014).

The development of tourism in the world has a very important influence on the economies of ASEAN countries. In 2023, the potential contribution of tourism to the ASEAN economy is projected to reach US \$ 480 billion with an average growth of 5.8% per year, while investment growth in the tourism sector grows around 6.8% per year (UNWTO, 2014). This could be a great opportunity for Indonesia to attract more tourists and develop the tourism industry because Indonesia's tourism sector is still below the optimal level when compared to other competitors in ASEAN. The tourism sector can be an engine of growth to strengthen Indonesia's economy in the future. Therefore the author will discuss the Indonesian Government's Policy in the Field of Tourism in ASEAN.

RESEARCH METHODS

Based on the features of legal research, Soekanto (1986; 10) categorizes it into three types, namely:

- 1) Exploratory research is conducted if knowledge about a phenomenon that will be investigated is none or still lacking;
- 2) Descriptive study is done to provide accurate data about people, circumstances, or other symptoms;
- 3) Explanatory research is research that is intended to test specific hypotheses.

Viewing from the objectives, legal research is divided into two categories (Soekanto & Mamudji; 2003; 14) they are:

- 1) The literature research is done by researching library materials or secondary data.
- 2) The empirical or sociological legal research is conducted primarily by examining primary data.

Based on the category of the types of research, this research employed descriptive design that is intended to provide a clear picture of a country's reasons to issue a Indonesia Government Policy In Tourism In ASEAN. The objective of the present research is normative law, of which the data were obtained through the study of documents or literature by examining library materials, such as: books, international conventions, international agreements, papers, journals, articles, newspapers as well as internet sites related to the object under study.

Research is a scientific activity that is related to the analysis and construction done methodically, systematically and consistently. Methodological means in accordance with a method or a certain way, systematic is based on a system, while consistent means the absence of contradictory things within a certain framework. (Soekanto; 2012). This research is descriptive research that provides the data as accurately as possible about Indonesia Government Policy In Tourism In ASEAN and this research is a normative research is legal research done by researching library materials or secondary data. The data were analyzed qualitatively is this analysis want to find the truth based on the value or quality of data obtained through the process: collecting the data, the data were then grouped according to the object, the data that have been classified was then outlined and explained, and establish conclusions and *ius constituendum*.

LAW OF REPUBLIC OF INDONESIA NUMBER 6 OF 2011 CONCERNING IMMIGRATION

In entering the third millennium, marked by the passing of globalization in all sectors of world society and the development of technology in the field of information and communication beyond the state territory border, human relations aspect that so far national in nature develops into an international in nature, along with the growth and development on demand of realized equality level in human life aspect, encouraging the obligation to respect and uphold human rights as part of the universal life.

Along with the developments in the international community, there has been a change in the country that has changed the paradigm in the various aspects of the State structure in the line of reform passed in all areas. Such change has created an enormous influence on the realization of equal rights and duties for all citizens of Indonesia as part of human rights. Given these developments, every Indonesian citizen obtains equal opportunities in using their right to exit or enter the Indonesian territory. Thus, based on this Law, the provisions regarding deterrence shall not apply to citizens of Indonesia.

The impacts of globalization has affected the economic system of the Republic of Indonesia and for the anticipation changes in laws and regulations are needed, both in economics, industry, commerce, transportation, labor, and regulations in the field of traffic of people and goods. Such changes are needed to increase the intensity of the relations of the Republic of Indonesia to the international world that have a huge impact on the implementation of the functions and duties of Immigration.

Simplification of Immigration procedures for foreign investors to invest in Indonesia needs to be undertaken, such as ease of administering Permanent Stay Permit for investors who comply with a certain requirement. Thus, is expected to create a pleasant climate of investment and it will attract more foreign investors to invest in Indonesia.

In the international relationship a new law has developed which is manifested in the form of international conventions, the Republic of Indonesia has one of the participants that have signed the convention, among others, the United Nations Convention against Organized Transnational Crime, 2000, which was ratified by Law No. 5 of 2009 and together with its two protocols that lead the role of Immigration institute si becoming increasingly important because the convention has required the participant country to adopt and implement the convention.

On the other hand, the supervision of Foreigners should be improved in line with the increase of international crime or transnational crime act, such as human trafficking, human smuggling and narcotics offenses that are often widely committed by organized international crime syndicate. The perpetrators of these crimes in fact can not be punished by the old Immigration Law because of Law Number 9 of 1992 sets forth no penalty for those who organize the international crime. Those who may be punished pursuant to Law Number 9 of 1992 are those that are organized as a victim to enter Indonesian Territory illegally.

Surveillance of Foreigners not only conducted at the time they come in, but as long as they stay in the Indonesia Territory, including its activities. Immigration Oversight includes law enforcement of Immigration, both administratively and immigration offenses. Therefore, it should also be regulated the PPNS of Immigration that carries out specifically tasks and authorities based on this Law. Immigration offenses are specific criminal act so those formal and material laws are different from the general criminal law, such as a special minimum criminal.

Aspects of service and supervision nor regardless of the Indonesian Territory geography comprising islands that have close proximity, even borders directly with neighboring countries, which the implementation of the Immigration function along the border is the authority of the immigration agency. At certain points along the border there is a traditional traffic in and out of the Indonesian citizens and citizens of neighboring countries. In order to improve services and facilitate the supervision, any cross-border agreement can be set forth and expansion Immigration Checkpoint Venue can be attempted. Thus, people who enter and exit the Indonesian Territory outside the Immigration Checkpoint Venue can be avoided.

The national interest is the interest of all the people of Indonesia so that oversight to the Foreigners also requires the participation of the public to report Foreigners known or suspected to be illegally in the Indonesian Territory or abuse the licensing in Immigration sector. To increase the public participation, effort needs to be done to raise awareness of law for the community.

Based on the selective policy that values human rights, Foreigners that enter the Indonesian Territory shall be set forth, as well as for Foreigners who obtain Stay Permit in the Indonesian Territory must be in accordance with the intent and purpose for staying in Indonesia. Based on the defined policy, and in order to protect national interests, just the Foreigners who benefit and not compromise the public security and orderliness are allowed to enter the Indonesian Territory.

Indonesian citizens can not be subjected to Deterrence action because it is not in accordance with the International principles and practices, stating that a citizen should not be banned from entering his/her own country.

In addition to the above problems, there are a few things that being the consideration to update the Law Number 9 of 1992 concerning the Immigration, namely:

1. Indonesian geographical area with interstate traffic complexity of problems closely related to the aspect of state sovereignty in relation to other countries;
2. any international agreements or conventions which impact directly or indirectly on the implementation of the Immigration Functions;
3. the increase of international and transnational crime, such as illegal immigration, Human Smuggling, human trafficking, terrorism, narcotics, and money laundering;
4. arrangement of Detainee and Detainee deadline has not been comprehensively undertaken;
5. Specific and universal Immigration function in its implementation requires a systematic approach by utilizing information technology and modern communications, and require the placement of Immigration Office and Immigration Detention House structures as the technical implementation units under the Directorate General of Immigration;
6. system changes in citizenship of the Republic of Indonesia under Law Number 12 of 2006 concerning the Citizenship of the Republic of Indonesia with regards to the implementation of the Immigration Function, among others, regarding limited dual nationality;
7. the sovereign right of country in the application of the reciprocal principles concerning the granting of Foreigners Visa;
8. agreement in order to harmonization and standardization of the system and the type of security in international travel documents, particularly the Asean Plus Regional as well as efforts of alignment or harmonization of action or threat of criminal act against the perpetrators of the organized human trafficking and Human Smuggling syndicates;
9. expanding the subject of Immigration criminal perpetrator, so as to include not only individual but also corporation and Foreign Guarantor entry into Indonesian Territory in breach of Immigration; and
10. application of more severe criminal sanctions against Foreigners who violate the rules in the field of Immigration because there has not been creating a deterrent effect so far.
11. Given the above considerations, it should be carried out reform of Law Number 9 of 1992 by establishing more comprehensive new law, in order to adapt with the development of society and the state of Indonesia, policies or regulations of relevant legislation, and anticipative to the problem in the future.

ASEAN TOURISM STRATEGIC PLAN

The ASEAN Member States are about to enter a very exciting period of development in the ongoing evolution of the regional community. It is recognized that there are a wide range of issues to be considered within the community. This strategic plan has been designed to complement these priorities while emphasizing tourism as an important element of the community. There is now increased awareness of the power of tourism as a tool for development and change. Poorly planned and managed tourism can have negative impacts on the host communities and their environment. However, with the increased sophistication of the Member States there is now every possibility that tourism can in fact help deal with many poverty and social issues as well as act as a strong supporter of heritage and natural conservation. In some cases tourism must be seen as transformative in its ability to bring about change and to achieve a wide range of social, cultural and economic goals. This has been well recognized by the United Nations World Tourism Organization as well as others. It is important therefore that this plan be seen not simply as a document concerned with increasing international arrivals into the region but one that seeks to meet a number of societal goals. Within the report there has been an analysis of the plan's contribution to various dimensions of the community.

The ASEAN National Tourism Organizations (NTOs) have done a great deal of commendable work and this plan builds on that successful record. Developing any strategic plan is a time-consuming and complex process. However, the task has been a very positive one given the willingness of all of the major stakeholders to contribute positively to its development. Tourism unlike some other areas of activity is an industry of industries embracing very large multinational corporations and small locally owned businesses in a wide range of activities. Public-sector tourism planning and development requires the cooperation and input of international organizations, national governments with their many partners impacting tourism right down to the local government level. It also has a ripple effect in a wide number of areas of human endeavor many of them within the informal sector. The plan has attempted to incorporate all of these concerns.

Throughout the planning process a wide number of recommendations were made. Using a consensual process of decision-making priorities were carefully examined and determined. This plan therefore contains but a small part of a larger set of activities and actions that were proposed. Throughout the process the emphasis has been on identifying realistic initiatives that have a high possibility for success. The document has also been written in such a way that it is intended to be user-friendly and hopefully to be used as a guide for action over the five years of the plan. Throughout the process several documents have been prepared and then summarized into this final document.

The plan is organized around three different sets of strategic directions:

- The development of experiential and innovative regional products and creative marketing and investment strategies
- Increasing the quality of human resources, services and facilities in the region
- Enhancing and accelerating travel facilitation and ASEAN connectivity.

Each of these strategic directions has a series of actions and activities. There are recommendations for realigning and restructuring the way that the ASEAN tourism cooperation functions in order to achieve economies of scale and to make best use of scarce resources. It is hoped that this realignment will enable the ASEAN tourism cooperation to become ever more effective in guiding tourism in the region.

One of the limiting factors in achieving the full potential of the regional cooperation structure has been the lack of resources. While Member States allocate large amounts of money to develop and promote their products and support that effort with sophisticated bureaucracies the ASEAN NTOs are vastly under resourced. The ASEAN Secretariat is highly efficient and devoted but simply has too few resources to support present activities let alone the directions being put forward in this plan.

Tourism is too important an activity not to receive sufficient funding to help achieve the region's goals and objectives. The present allocation by each Member State must be substantially increased in order for the plan to be implemented. It is not realistic to expect that the directions identified above can be accomplished with the present very low rates of funding. Developing this model will require that the ASEAN NTOs put into place the legal and regulatory framework and the institutional infrastructure that will allow ASEAN to effectively fund its regional tourism initiatives.

The plan is realistic, action oriented, attuned to the global realities and designed to ensure that the ASEAN region can continue to be a successful tourism destination. It must be remembered that within the Asian region many large countries are devoting significant resources to positioning themselves as competitors to Southeast Asia. The strategic plan if implemented will allow Southeast Asia to be a strong competitor within the global tourism environment.

ROADMAP FOR ASEAN TOURISM INTEGRATION

Based on the assessment undertaken by the ASEAN Secretariat on the measures outlined in the Roadmap for the integration of the said sectors, tourism is the only sector which has accomplished all of its 19 measures in the roadmap, namely:

- Engaging the private sector to participate in joint promotion and marketing of ASEAN tourism activities;
- Building deeper understanding of identified tourist markets, such as, China, Japan, Republic of Korea, India, US, EU and Russia;
- Using the Visit ASEAN Campaign logo;

- Organizing collectively an ASEAN Tourism Area in international tourism events;
- Developing a common ASEAN audio-visual presentation;
- Promoting ASEAN Tourism Heritage Sites;
- Developing an ASEAN tourism portal;
- Undertaking the marketing of cruise as an attractive ASEAN tourism package; • Providing incentives in the development of tourism infrastructure;
- Undertaking a study on tourism areas which can be promoted for investment;
- Implementing an eco-tourism project;
- Organizing an ASEAN Tourism Investment Forum;
- Establishing an ASEAN tourism standards initially focusing on environmental management certification system for hotels;
- Establishing ASEAN minimum competency standards for tourism professionals;
- Establishing a Tourism Resource Management and Development Framework;
- Developing an intra-ASEAN curriculum;
- Creating an ASEAN Tourism Research Databank;
- Developing the language capacity of local tourist guides;
- Developing an ASEAN Crisis Communication Framework and Action Plan.

These measures were consistent with the objectives of the ASEAN Tourism Agreement (ATA) adopted by the ASEAN Leaders during their 8th Summit in November 2002 in Phnom Penh, Cambodia. The ATA was aimed at facilitating travel into and within ASEAN, enhancing cooperation in the tourism industry to improve its efficiency and competitiveness, reducing restrictions to trade in tourism and travel services, establishing an integrated network of tourism and travel services to maximize the complementary nature of the region's tourist attractions, promoting ASEAN as a single tourism destination, enhancing mutual assistance in human resources development and training, and creating favourable conditions for public and private sector partnerships.

More than ensuring that the Roadmap for Integration of Tourism Sector is completed, the ASEAN NTOs together with the ASEAN Tourism Association (ASEANTA) completed the implementation of the Visit ASEAN Campaign (VAC). Various promotional and marketing programs were undertaken through the VAC to promote the ASEAN region as a single tourist destination especially in the short-haul markets of China, Japan and Korea as well as long-haul markets of Europe, the Middle East and Americas. However, there is a need to follow through the gains from the VAC and embark on a new marketing and branding strategy to sustain the growth of tourism in ASEAN. Likewise, the need to address the gaps in the implementation of the VAC and the need to redefine the roles of the NTOs and the private sector is necessary to ensure that future marketing programs become sustainable.

The measures outlined in the Roadmap for Integration of ASEAN and the work undertaken by the ASEAN NTOs have indeed boosted tourism growth in the ASEAN. The boom in free trade has stimulated the increasing demand for travel among people concerned with businesses, meetings, conventions and exhibitions, both within the ASEAN region and to/from other Member States. In addition, the liberalization in air services has increased connectivity and facilitated greater intra-ASEAN movement of tourists, including the dispersal of tourism investments, creation of employment, and diversification of tourism products and services.

At this stage, there is a need for ASEAN tourism to move to the next level of tourism activity while critical issues affecting regional branding and marketing, travel connectivity and facilitation, product diversification and standards, as well as human resources development are given utmost attention.

TOURISM POLICY FOR ASEAN COUNTRIES IN INDONESIA

Tourism is a strategic sector that can increase the country's foreign exchange and provide significant implications for the country's economy. Seeing the many benefits generated by the tourism sector, ASEAN seeks to better integrate connectivity between member countries in order to facilitate access to regional tourism, so as to foster greater profits. Connectivity is an important element for ASEAN in order to advance tourism in the region. This can be seen from the appointment of many connectivity issues in several agenda of ASEAN activities. For example, in the ASEAN Community 2015, transportation issues began to be discussed through special meetings or forums such as the ASEAN Transport Minister Meeting and the establishment of the ASEAN Tourism Forum (ATF). In addition, ASEAN also issued a blueprint entitled ASEAN Tourism Strategic Plan 2011 - 2015 (ATSP) which also discussed the issue of transportation to support the development of tourism in ASEAN. The ATSP is the cornerstone of the ASEAN Tourism Marketing Strategy (ATMS) 2012-2015, which was adopted by ASEAN tourism ministers in January 2012. This strategic plan is a plan prepared by the national tourism organizations of ASEAN countries to achieve the 2015 goals of maintaining tourism growth above double digits (ASEAN Tourism Strategic Plan 2011 - 2015).

Indonesia, as the only ASEAN country that has significant natural resources and has a very complex cultural environment, the implementation of ASEAN Connectivity is a challenge for Indonesia in realizing the ASEAN Community 2015. As a result of the implementation of ASEAN integration at the end of 2015, some its territory is within the Unitary State of the Republic of Indonesia. And because ASEAN Connectivity is a collective decision of ASEAN Leaders, Indonesia has an obligation to participate in making this a success. However, due to Indonesia's geographical condition which consists of thousands of islands,

the biggest task in connecting the ASEAN region lies on the shoulders of Indonesia (Moenir; 2017).

Since Jokowi was elected President of the Republic of Indonesia in 2014, President Jokowi launched the Maritime Axis Policy, which has become the basis of foreign policy Indonesia (Moenir; 2017). This is an interesting concern to see how the implementation of President Jokowi's government policy which focuses on maritime issues towards the development of Indonesian tourism in facing the implementation of ASEAN Connectivity which was implemented in 2015 based on the Asean Tourism Strategic Plan.

Tourism in the ASEAN context has a quite different perspective from other countries or regions. This is evidenced by the promotion of tourism carried out so far not only focused on development and economic development, but also on the introduction of the ideology and symbols of identity and ethnicity (Sofield, 2000). Increasing the tourism sector in ASEAN countries is one of the priorities of the members. Concern for the field of tourism which is likely to be able to provide a large income for ASEAN countries is shown by the establishment of the Sub-Committee of Tourism (SCOT) under the ASEAN committee which handles trade and tourism issues. The SCOT was formed in 1976 with the basic objective of developing development in the regional tourism sector in the fields of promotion, marketing and research (Plan of action on ASEAN Cooperation in tourism).

The development of the ASEAN Tourism sector continues with the formation of a meeting that is useful to encourage tourism of ASEAN countries to continue to progress and develop. The meeting was named the ASEAN Tourism Forum (ATF) in Genting Highland, Malaysia in 1981. ATF is by definition a regional collaboration that seeks to promote the ASEAN region as a tourist destination. In its formation, ATF has 5 fundamental objectives. These objectives include;

1. Promoting ASEAN as a goal attractive on various sides;
2. Creating and improving awareness that ASEAN as a competitive tourist destination in the Asia Pacific region;
3. Attracting more tourists to come to each ASEAN country;
4. Promoting ASEAN internal travel;
5. Strengthening cooperation between sectors in the ASEAN tourism industry (<http://www.atfcambodia.com/atfobjective.php>).

At the beginning of the establishment of the ASEAN Tourism Forum, the reference for ASEAN countries' tourism development was based on the Roadmap for Integration of Tourism Sector (RITS) which began in 2015 to 2010. Over time, a new strategy was developed that was increasingly effective in improving the country's tourism sector. ASEAN countries. This is shown by the increase in the development of cooperation on tourism in ASEAN countries increasingly showing the seriousness that at the 10th ATF meeting in Brunei Darussalam, a long-term work plan was agreed on ASEAN tourism. This long-term agreement is known as the ASEAN Tourism Strategic Plan (ATSP) 2011-2015.

The 2011-2015 ATSP aims to build a blueprint related to policies, products and projects in the arena of marketing, product development, standards, human resource development, investment and communication between ASEAN countries. The ATSP will also be expected to be able to be developed in the form of local implementation for ASEAN countries in order to increase the bargaining value in the tourism sector so that they can contribute to increasing income for their respective countries (<http://www.kemenkeu.go.id>).

Indonesia's tourism sector continues to experience growth. This can be seen clearly from the increasing number of foreign tourists to Indonesia, which reached 8.8 million tourists in 2013. Singapore became the largest contributor to the number of foreign tourists with a total of about 1.4 million tourists, followed by Malaysia with a total of 1.3 million traveler. Australia is the third largest contributor with a total of 980 thousand tourists. Based on these data shows that the largest number of foreign tourists visiting Indonesia comes from the nearest neighboring country. Bali and Jakarta are the most important gateways with the largest number of foreign tourist arrivals in Indonesia. Around 3.2 million tourists arrived in Bali in 2013 and were followed by Soekarno Hatta Airport in Jakarta with a total of 2.2 million tourists. While Batam is in third place the largest entrance with a number of about 1, 3 million tourists. The most interesting thing is the highest growth of tourist arrivals at Husein Sastranegara Airport in Bandung with an average increase of around 20% per year. This is related to the increase in the frequency of direct international flights to Bandung, especially from Kuala Lumpur and Singapore. Thus, it can be concluded that direct international flights to tourist destinations can encourage more tourists to visit Indonesia, especially to new tourist destinations (Sujai; 2016).

In 2016 the government is targeting BPP for tourism as much as 1% of the total state budget or equivalent to Rp.5.4 trillion. This is done to realize that tourism is more advanced and able to compete in the AEC. With increasing funding the government is targeting foreign tourists in 2016 to reach 12 million foreign tourists, equivalent to 260 million trips in 2016, but the realization is slightly below the target of 11,519,275 foreign tourists visiting 2016. Tourism infrastructure is one of the a very important supporting element, because if there is no adequate infrastructure, access to places of tourism destinations will be difficult so tourists rarely visit. The targeted destinations must be accompanied by infrastructure improvements, such as construction of transportation facilities and infrastructure, construction of public facilities, maintenance of the area, supply of fuel and electricity, preparation of tourist attractions, and institutional development of destinations (Koropit, & Pierre; 2018).

The development and improvement of tourism in a country is very important, because a well-maintained and well-organized tourism destination will increasingly bring tourists both domestic and foreign. To realize this, the need for regulations that can regulate and control the improvement of tourism performance. Regulations or policies issued by the government to increase

tourists, including ((Koropit, & Pierre; 2018).

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CONCLUSION

The Visa Exemption Policy is contained in Presidential Regulation No. 104 of 2015 concerning Amendments to Presidential Regulation No. 69 of 2015 concerning Visa Free Visit. This policy aims to improve Indonesia's relations with ASEAN member countries and make it easier for foreign nationals to visit Indonesia. Currently the Indonesian government has added the list of visa-free countries to Indonesia to 169 countries, according to Presidential Regulation Number 21 of 2016 signed by President Joko Widodo on March 2, 2016.

REFERENCES

- Ahmad Jazuli, 2016, Implementasi Kebijakan Bebas Visa Dalam Persepektif Keimigrasian, Jurnal Ilmiah Kebijakan Hukum Volume 10 Nomor 3 Tahun 2016.
- Awaloedin Djamin, Administrasi Kepolisian RI Menghadapi Tahun 2000, (Lembang: Sanyata Sumasana Wira)
- Badan Pusat Statistik. (2014). *Statistik Indonesia*. Jakarta: BPS.
- Bappenas. (2014). *Pembangunan Pariwisata 2015-2019*. Jakarta, Desember 2014.
- Dhesinta, W. S. (2017, December). Kebijakan Bebas Visa Dan Fungsi Pengawasan Keimigrasian Dalam Pengendalian Radikalisme Di Indonesia. In *Seminar Nasional Hukum Universitas Negeri Semarang* (Vol. 3, No. 1, pp. 15-28).
- Hasan, A. (2015). Pengawasan dan penindakan Keimigrasian bagi orang asing Yang melebihi batas waktu izin Tinggal di Indonesia. *LEX ET SOCIETATIS*, 3(1).
- http://asean.org/?static_post=plan-of-action-on-asean-cooperation-in-tourism.
- <http://www.atfcambodia.com/atfobjective.php>.
- Kementerian Pariwisata dan Ekonomi Kreatif. (2014). *Rencana Strategis Kementerian Pariwisata dan Ekonomi Kreatif 2014-2019*, Jakarta.
- Memanfaatkan kerjasama pariwisata ASEAN untuk mendorong industri pariwisata Indonesia [http://www.kemenkeu.go.id/sites/default/files/Asean %20Tourism_Suska%20&%20Yuventus%20Effendi](http://www.kemenkeu.go.id/sites/default/files/Asean%20Tourism_Suska%20&%20Yuventus%20Effendi).
- Moenir, H. D. (2017). Implementasi ASEAN Tourism Strategic Plan 2011-2015 dalam Kebijakan Pariwisata Indonesia di masa Pemerintahan Jokowi. *Andalas Journal of International Studies (AJIS)*, 6(1), 57-78.
- Muhammad Indra, "Perspektif Penegakan Hukum dalam Sistem Hukum Keimigrasian Indonesia", Disertasi, Program Doktor Pasca Sarjana Universitas Padjadjaran, Bandung, 23 Mei 2008.
- Plan of action on ASEAN Cooperation in tourism.
- Sabon, V. L., Perdana, M. T. P., Koropit, P. C. S., & Pierre, W. C. D. (2018). Strategi Peningkatan Kinerja Sektor Pariwisata Indonesia Pada ASEAN Economic Community. *Esensi: Jurnal Bisnis dan Manajemen*, 8(2), 163-176.
- Sofield, "Rethinking and reconceptualizing social and culture in southeast and south asian tourism development", Oxford, Butterworth Heinemann: 2000.
- Sujai, M. (2016). Strategi Pemerintah Indonesia Dalam Menarik Kunjungan Turis Mancanegara. *Kajian Ekonomi dan Keuangan*, 20(1).
- Sujai, M. (2016). Strategi Pemerintah Indonesia Dalam Menarik Kunjungan Turis Mancanegara. *Kajian Ekonomi dan Keuangan*, 20(1).
- Tourism Strategic Plan 2011 – 2015 ASEAN, 16. Aug 2012, <http://www.resonanceco.com/Library/tourism-strategic-plan-2011-2015/>
- United Nations World Tourism Organization. (2007). *UNWTO Annual Report 2007*.
- United Nations World Tourism Organization. (2014). *UNWTO Annual Report 2014*.
- Wahyudin Ukun, *Deportasi Sebagai Instrumen Penegakan Hukum dan Kedaulatan Negara di Bidang Keimigrasian*, Jakarta: PT. Adi Kencana Aji, September 2004.

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