

Vulnerability of Espionage Propaganda by Foreign Citizens (WNA) in Indonesia

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Abstract

The development of cybercrime in several countries, especially regulations regarding espionage against foreigners. In the German Criminal Code they are called stragesetzbuches. This study discusses how propaganda is often carried out by unknown citizens. In Indonesia this vulnerability can be misinterpreted and suspected in terms of espionage. The purpose of this research is how to prevent espionage, especially by foreign nationals that occurs in Indonesia. The theory used is Cyber Intelligence Counter Operation Strategy. While the methodology used is qualitative in the process of obtaining data. In taking preventive and anticipatory actions against threats and disturbances to the security and order, so as to ensure the Sit. Kamtib properly requires the establishment and development of an early detection and warning system with functions in the intelligence domain with its parent. Intelligence must also build active and proactive communication with the widest community. The result of the research is to describe information on foreign nationals who enter the FPI (Islamic Defenders Front) base camp, which in this case is related to the issue of vulnerability to espionage propaganda in vulnerable issues in Indonesia at this time. So that solutions are needed for goodness and also the progress of security in Indonesia.

Keywords

espionage propaganda;
foreign citizen;
Indonesia



I. Introduction

Technological developments have both positive and negative impacts. Global changes are so fast and also in the concept of living as a nation and state. The state must see and apply the advantages of technological developments. The concept of technological development also has a negative effect. One of them is the increase in organized transnational crime, smuggling (illegal fishing, women trafficking), natural wealth theft, patent theft, money laundering, fish theft, cybercrime, document falsification and drug trafficking and so on. These negative impacts can disrupt stability, economic growth and development, trigger social unrest, social, economic, political conflicts and even state sovereignty. Technological developments also apply to Indonesia. Indonesia as an independent and sovereign country, in implementing policies based on the 1945 Constitution of the Republic of Indonesia.

In Indonesia, applying the law cannot be separated from the law governing foreigners who will enter the Territory of the Republic of Indonesia. When an Indonesian citizen is about to leave his country, it is necessary to stipulate the requirements set out in the immigration office. The process of entry and exit of citizens, both Indonesian citizens (WNI) and foreign nationals (WNA) is regulated in law, and implemented in the immigration office. A law to regulate all forms of movement. In Indonesia, the regulation regarding migration is known as

"Immigration". Many legal events have occurred regarding the number of immigration permit violations, crimes, misuse of work documents and even those who intentionally violate the law in relation to immigration.

The steps that must be taken are anticipating and preventing the occurrence of crimes committed by foreigners, by strengthening the intelligence function at the immigration office, so that threats and potential crimes can be prevented from still entering the territory of the Unitary State of the Republic of Indonesia. Meanwhile, the object being tapped is a communication service that uses/crosses network operators, access operators, and/or internet services through service providers. In Lawful Interception, internet services are defined as: access to the internet itself and services that use the internet, such as browsing to the World Wide Web, File Transfer Protocol (FTPo, Telnet and everything that crosses the internet protocol). This is done by preventing cases of espionage that could threaten the state. Moreover, Indonesia has a range of SARA cases that can be played by criminals in the context of playing against each other and enmity among internal Indonesian citizens.

II. Review of Literature

Cyber Intelligence Counter Operation Strategy

In responding to the objectives of counter cyber intelligence operations in Indonesia, it is necessary to carry out operations before making the efforts expended in setting strategies with the results obtained. The strategy made must be effective in countering the actions of foreign intelligence that could potentially harm the state. Important information assets are resources in protecting non-critical and non-confidential information.

The counterintelligence strategy must take into account operating costs as one of the main aspects. This is done for management in managing cyber intelligence attacks and can be very varied. For example, Russia's strategy of launching cyber-attacks simultaneously with physical attacks, which results in the target country experiencing physical losses, infrastructure, and even human lives must be the victims. In general, the costs that need to be incurred by a country to defend against cyber intelligence attacks are very high.

With the high cost of intelligence, usually the state attacks at this time in the technological era, the state attacks the enemy through soft war or with cyber intelligence at a much lower cost, with several advantages.

Among other things, cyber intelligence attacks can be carried out anonymously and it is difficult for the victim country to prove the identity of the perpetrator, which means that this attack can also be carried out during peaceful situations without fear of being found out. In cyber-attacks, attacking is something that is younger than defending, with the defending party having to deal with all the risks that might occur. With an attacker, it is enough to find a gap in the weakness of the country to be attacked. For a country, investing in offensive operations is generally cheaper than in defensive operations.

In this case, security is needed, what is information security, which is a complex thing that requires interconnected handling. The first thing that needs to be done is password information, with this function, it is necessary to have an intermediary institution, in this case the National Crypto Agency. This counterintelligence effort would be in vain if the exchange of information was so easy to steal and read at every point in its path. So that cyber-attacks are a form of complex strategy and one must be careful in preparing and attacking opponents.

III. Research Method

Moleong (2004) says that research is essentially an attempt to find the truth and to justify the truth. This research method was chosen by the author because of several considerations, such as what was conveyed by Moleong (2004), namely: (1) Adjusting qualitative methods is easier, if it is with plural reality. (2) This method presents directly the nature of the relationship between the researcher and the source of information. (3) This method is more sensitive and more able to adapt to many sharpening joint influences on the patterns of values encountered. This research is a qualitative research using a perspective that is carried out by looking at social control against transnational crime. So before that the researcher will explain some of the opinions of experts regarding this qualitative research.

According to Suparlan (1994) states that: Qualitative research is research that analyzes social phenomena by using the culture of the community concerned to obtain an overview of the prevailing patterns and the patterns found, the meaning of actions from the events of people who want to be understood. , which is expressed directly in the language that is received and conveyed indirectly, then analyzed with an objective theory. This study uses library sources in processing the data needed to get the results of scientific arguments.

IV. Discussion

4.1 Espionage Threat

The threat of espionage that occurs abroad, for example, occurs in a Swiss company which is a supplier of communication coding devices with 120 countries. This company has existed since the period of World War II until today. The information compiled by the Washington Post reveals the most confidential important reports within the CIA, identifying several CIA officers overseeing high-ranking Crypto operations that could potentially lead to hijacking in a major supplier of communication code devices involving at least 120 countries.

The governments of these countries do not know that Crypto is secretly owned by the US National Intelligence Service (CIA) with the BND, Germany's Intelligence Service, which installs Crypto equipment to easily crack codes and read messages from the country's government. According to the Washington Post, revealing a top-secret report within the CIA, it identified several CIA officers who oversaw the operation as well as Crypto executives who enabled the global hijacking of the country's classified information.

What about the State of Indonesia, which still has to update its data security technology. In Indonesia, there is a National Encryption Agency in managing and preventing data leakage in maintaining confidentiality. Government participation in cyber security management. One of them is by various things that are felt to threaten the security of the community, both in planning for crimes through physical and cyber-attacks that need to be anticipated. Indonesia's security system has its own way, such as in handling terrorism prevention, as well as riots that result in disturbing the peace and security of the Indonesian people.

The author discusses how the FPI (Islamic Defenders Front) can pose a threat. The organization has been officially dissolved and all activities of ex FPI ex-FPI must be monitored and how to manage and educate the public so as not to establish or similar organizations. There is a need for updated information from the Ex FPI side who are still Indonesian citizens, there is a need for socialization and information education about national insight, the pillars of knowledge about Indonesianness, as well as education to understand the dangers of radicalism and espionage can enter through any door.

4.2. Intelligence Service

In the development of an intelligence agency, it also exists abroad as an illustration of the role of an intelligence agency. The intelligence services of the United States (US) CIA and Germany have hijacked the secret communications of various countries around the world for decades. The mode used uses hidden controls through top encryption company Crypto AG, as reported Tuesday (11/2/2020) by several US, German and Swiss media. The role of intelligence services becomes important with a very vital role in countries like the US, Germany, and Switzerland in dealing with changing times with digital data in various modes, whether carried out by institutions or organizations.

The governments of these countries do not know that Crypto is secretly owned by the US National Intelligence Service (CIA) with the BND, Germany's Intelligence Service, which installs Crypto equipment to easily crack codes and read messages from the country's government. The Washington Post revealed that a top-secret report within the CIA identified several CIA officers who oversaw the operation as well as the Crypto executive who enabled the global hijacking of the country's classified information. Musni Umar added that the news of the shooting was not only a topic of discussion at home, but also abroad. He said Muslims in the United States had asked the Indonesian government to thoroughly investigate the issue of the shooting of the FPI troops.

"They have also asked the US President-elect, Joe Biden, to pay attention to this issue"

There is a very interesting development related to the arrival of the German embassy to the FPI headquarters in Petamburan, to express condolences for the deaths of six FPI soldiers and the detention of the High Priest of the FPI, Habib Rizieq Shihab. This issue is important for us to address because the first time the Joe Biden administration from the US, the issue that is always being developed is democratization. In addition, human rights and climate change are also issues that the US president-elect is concerned about. According to him, if the government is not careful in dealing with this problem, Indonesia may become a topic of conversation in the US and internationally.

Because after all, the US is still a super power country in the world, so what they say will echo throughout the world and will affect the image of Indonesia as a nation. To continue, because of the community's demands, there have been demonstrations in volumes in various regions, those who support Habib Rizieq, as well as those on social media, they are very busy talking about the issue of the murder of six FPI soldiers.

Komnas HAM has been engaged in conducting investigations, research, and then uncovering the problem of the murder. However, according to him, there is still a feeling of trepidation from the community that this institution might be interfered with even though Komnas HAM is an independent institution. In the international world, the issue of the killing of six FPI soldiers has been highlighted, because it has been widely reported by various international media. The results of the investigation or investigation cannot convince the public, both the Indonesian and international public, it will be a constant obstacle.

International regulations in this convention include actions that can be classified as cybercrime in the illegal axis, Illegal interception, Data interfaces, and System interfaces, Misuse of devices, Computer-related forgery, and Computer-related fraud. Then in the 1982 UNCLOS (United Nations Convention Law of the Sea) there is also an article regarding information gathering activities that are detrimental to national defense or security. According to Pratiwi (2020) in social life, law and society are two interrelated things that can never be separated. Through instruments, unlawful behavior is prevented and repressive measures are

pursued (Tumanggor, 2019). From the aforementioned provisions, it proves the existence of new developments regulated in this Law (Purba, 2019). This is important in regulating from a legal perspective what happens so that there is a deterrent effect, and also as an effort in the prevention process in carrying out data piracy.

In conducting espionage, wiretapping and cybercrime. In a comparison of various countries, we have an idea, one of which is Germany with regulations concerning espionage and spies or intelligence and cybercrime regulated in the German Criminal Code or German Penal Code or in German this regulation is called Strafgesetzbuches, and abbreviated as StGB. Meanwhile, for example in Australia, regulations regarding espionage are contained in the Crimes Act 1995 and the Criminal Code Amendment (Espionage and Related Matters) Bill 2002. The Criminal Code Act 1995 states what actions are included in espionage and the penalties that can be imposed on the perpetrator. While the Criminal Code Amendment Bill 2000 is an addition to the regulations of the Criminal Code Act 1995 and the Crimes Act 1914.

As is the case with Germany and Australia, the regulations regarding crime are codified in a single Criminal Code. In the USA, regulations regarding espionage are specifically regulated in The Espionage Act of 1917. Meanwhile, regulations regarding interception or wiretapping are contained in the Communications Assistance for Law Enforcement Act of 1994 (CALEA). Crimes in the digital space today that occur in Germany and Australia are examples of clear evidence of cyber-attacks. And the rules above are the things that prevent crime prevention from happening in the State of Indonesia. From the above information, the article regarding spies in the Hague Convention IV 1907, as well as in the international world, in Indonesia there is no special regulation regarding espionage. In several laws regarding wiretapping it can be said as a form of espionage in the development of technology and information.

The laws that include this wiretapping are Law No. 36 of 1999 concerning Telecommunications and Law No. 11 of 2008 concerning Information and Electronic Transactions. The point of both laws is prohibited activities. It is different with the Law on Telecommunications and the Law on Information and Electronic Transactions, Ministerial Regulation NO: 11/PER/M.KOMINFO/02/2006 concerning Technical Wiretapping on Information, is one of the regulations that allow wiretapping. Because it is used for state activities in terms of eradicating cases of corruption, potential terrorism, cyber threats and also espionage.

In international law we know state responsibility, what is it? State Responsibility is closely related to a situation that against the fundamental principles of international law, the state or an injured party has the right to get compensation for the losses they have suffered deemed to have committed an act of wrongdoing internationally. In international law, State Responsibility is limited to being responsible for state actions that violate international law. ..In this way,..state responsibility can be interpreted as responsibility that is imposed on a country because that country has taken actions that harm other countries according to international law.

Citizens' actions that can cause harm to other countries, of course, can be delegated responsibility to the state. Then the United Nations International Law Commission explained further in its report on state responsibility in 1973. If the case study is individual action, it is independent of the will of the state. Basically it is the responsibility of the state if the state does not take precautions so that individual actions can cause harm to other countries. This denial of justice arises because the judicial facilities are not provided or given properly in resolving cases using local legal institutions (exhaustion of local remedies).

Intelligence should focus on three dimensions of intelligence, the first dimension is the type of intelligence information products. The second dimension is the intelligence activity dimension and the third dimension is the intelligence organization dimension. In the information dimension, intelligence has at least three types of intelligence products, all of which are information. The first type of intelligence product is current intelligence or by John Keegan categorized as realtime intelligence. From the product of the intelligence dimension above, there is a strategy for how after Intel has obtained the information and processed it into data.

This intelligence product is generally in the form of information that can answer the questions of what, how, where and when. Keegan gives an example of the hakaras system in India which has proven to be effectively able to provide basic information about opponents during the entry period, for example what happened in England and New Zealand to India. Shulsky and Schmitt add that in this category, the main information needed is strongly influenced by the priorities of policy makers which should be closely related to the priorities of national interests. When examined further, it is clear that this category will be very dynamic and influenced by changing interests and short-term goals. In the process of cases that occurred in which country and how the security system.

So in Indonesia, the resolution process is through cooperation between intelligence agencies in Indonesia such as BIN, Baintelkam Polri, Immigration Intelligence, BAIS to detect and carry out counterintelligence of espionage efforts carried out by other countries. Especially foreigners who are in Indonesia. It is also necessary to strengthen the BSSN to detect and ward off cyber espionage threats. In taking preventive and anticipatory actions against threats and disturbances to the security and order, so as to ensure the sit. Kamtib properly requires the establishment and development of an early warning system. In the event where FPI is an Ormas that has been disabled in the organizational process. As researchers, we see from the point of view of objectivity where the role of the function of the argument in society, state law and also what its purpose is, must be studied further. This function is the domain of Intelligence regardless of the parent organization. With the development of communication technology, the role of intelligence must also build the widest possible communication so that the function of this intelligence can play an active role in reading the situation of possible threats and also taking preventive measures.

V. Conclusion

From the results of the above discussion, the conclusion of this study is that cooperation between the government and the community is needed in overcoming espionage cases in Indonesia. Various technological developments as well as various examples of cases such as what happened in the USA, Germany, and Switzerland are examples that at this time, it is the cyber area to carry out attacks and also commit all crimes that exist in the digital space. The state security system needs to be improved in terms of using the latest technological system, as well as the participation of existing components in the government in synergy with the community actively in preventing crime, especially espionage. The case of foreign nationals sneaking into the FPI headquarters must also be watched out for, whether it is a true issue or even dangerous for Indonesian citizens nationally. Of course, foreign nationals (foreigners) entering the organization's area who have been officially dismissed need to be further investigated what the intent and purpose of the foreigner is to visit and enter the organizational area. Cooperation is needed which, of course, is resolved in terms of the rule of law that applies in Indonesia, for security and peace in terms of non-military threats.

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