



## Modern Governance of Hajj and Umrah: Digital Innovation and Legal Protection for Pilgrims

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**Abstract:** The administration of Hajj and Umrah in Indonesia faces complex governance challenges, such as extremely long pilgrim queues, weak supervision of Umrah Travel Organizers (PPIU), and the increasing number of fraud cases that harm pilgrims. The repeated failures of travel agencies to properly facilitate or repatriate pilgrims highlight the urgent need to strengthen legal protection mechanisms. In response, the government has promoted the modernization of governance through digital innovation, aligning with Saudi Arabia's vision of digital transformation. This digitalization serves a dual purpose: enhancing the efficiency and transparency of public services while simultaneously reinforcing the state's regulatory and control functions over private organizers. This study aims to analyze the modernization of Hajj and Umrah governance through digital innovation, evaluate the effectiveness of digital systems such as the Integrated Hajj Computerization System (Siskohat) in improving services and oversight, and examine the adequacy of the legal framework particularly Law No. 8 of 2019 in providing legal protection for pilgrims. The research employs a normative juridical method, analyzing the legal framework governing Hajj and Umrah administration, including Law No. 8 of 2019, the Consumer Protection Act, and derivative regulations issued by the Ministry of Religious Affairs concerning PPIU standards and certification. Digital innovations such as Siskohat have successfully integrated registration, payment, and data validation processes, significantly improving efficiency and transparency. New platforms like SERAMBI facilitate online licensing and accreditation for PPIUs, transforming the traditional periodic-manual supervision model into a system of continuous digital surveillance. Normatively, Law No. 8 of 2019 provides a strong legal foundation, including severe criminal sanctions for organizers engaged in fraud or negligence. However, there remains a gap between the availability of data generated by digital systems and the effectiveness of law enforcement in practice, as fraudulent activities continue to occur. The governance of Hajj and Umrah is thus undergoing a transformation toward a data-driven model characterized by greater modernity and transparency. Despite robust digital innovations and a solid legal framework, the protection of pilgrims remains suboptimal due to weak law enforcement. It is therefore recommended that the Ministry of Religious Affairs establish a collaborative task force with the National Police to proactively utilize data from Siskohat and other digital systems for investigation and strict enforcement against problematic PPIUs, thereby ensuring that legal sanctions are applied effectively.

**Keywords:** Hajj Governance, Digital Innovation, Legal Protection, Siskohat, Umrah Fraud

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## INTRODUCTION

The organization of Hajj and Umrah in Indonesia faces multidimensional complexities in public governance. One of the main structural challenges is the long waiting period for regular Hajj pilgrims, which has reached more than 5.3 million registrants (Dirwanto, 2025). This condition is exacerbated by the large volume of Umrah pilgrims, estimated at around 2.5 million people per year, whose management is entirely dependent on private entities through Umrah Travel Organizers (PPIU) (Dirwanto, 2025; BPKH, 2024). The high dependence on a private sector that has not been effectively supervised creates various risks, including fraudulent practices, deception, abandonment, and failures in the departure and return processes of pilgrims (Arsad, 2024). This phenomenon underscores the urgent need to strengthen governance mechanisms as well as legal protection to ensure that pilgrims' rights are not violated.

As a responsive measure, the Indonesian government, through the Ministry of Religious Affairs (Kementerian Agama or Kemenag), has initiated a digital transformation in Hajj and Umrah governance. This initiative aligns with the modernization of religious services being implemented by the Kingdom of Saudi Arabia through the launch of the Nusuk platform and the adoption of an e-Visa system (Nusuk, 2024). In Indonesia, digital innovation is reflected in the enhancement of systems such as Siskohat (Integrated Hajj Computerization System) and Siskopatuh (Integrated Umrah and Special Hajj Supervision Computerization System). This digital transformation serves two main purposes: first, to improve the efficiency of public administration by minimizing manual processes that are prone to misuse; and second, to strengthen the state's regulatory and supervisory roles over PPIU operations, ensuring that these institutions are not only service-oriented but also legally accountable in protecting pilgrims' rights.

From a legal standpoint, the modernization of Hajj and Umrah governance requires an in-depth evaluation of the existing normative framework. Law No. 8 of 2019 on the Implementation of Hajj and Umrah provides a relatively strong juridical foundation, even stipulating severe criminal sanctions for dishonest or negligent organizers (JDIH Tegal, 2020). However, the persistence of fraud cases and operational failures (UMA Journal, 2024) indicates a gap between the legal norms and their practical implementation. This reflects the inability of positive law to fully safeguard pilgrims, particularly in facing increasingly complex fraudulent schemes in the digital era.

This study emphasizes that digitalization in governance should not be understood merely as the migration of administrative data from manual to electronic platforms. The structured data generated by systems such as Siskohat and Siskopatuh should play a strategic role in supporting law enforcement both criminal and administrative. If digital data are only utilized for administrative purposes without being linked to legal control mechanisms or risk-based indicators that trigger enforcement actions, the function of legal protection for pilgrims will remain suboptimal. Therefore, this research focuses on analyzing the effectiveness of digital systems in strengthening governance while examining the techno-regulatory gap that continues to hinder the optimal implementation of legal protection for pilgrims.

Based on this background, the study formulates several key research questions. First, how is the modernization of Hajj and Umrah governance being implemented through digital innovation particularly through the Siskohat and Siskopatuh systems and how effective are these systems in improving service efficiency and PPIU supervision? Second, to what extent does the legal framework, especially Law No. 8 of 2019, provide adequate legal protection for pilgrims, both from normative and criminal perspectives? Third, what forms of techno-

regulatory gaps and implementation challenges hinder the effectiveness of law enforcement against problematic PPIUs, and how can proactive policy solutions be designed to address these issues?

## **METHOD**

The research approach employed in this study is a normative juridical approach (normative legal research). This approach emphasizes the examination of secondary legal literature to understand and analyze the norms, principles, and doctrines contained within statutory regulations (Nugroho & Pratama, 2024). Through this method, the study focuses on two primary analytical instruments. First, the statute approach, which positions Law No. 8 of 2019 on the Implementation of Hajj and Umrah as the main object of analysis (Rudi, 2024). Second, the conceptual approach, which is used to conduct an in-depth examination of the concept of legal protection for pilgrims and its relevance to the development of digital governance in the administration of Hajj and Umrah (Ristiawati, 2024). This dual approach is expected to provide a comprehensive understanding of the effectiveness of the existing legal framework and the implementation of legal protection mechanisms within the context of system modernization.

The data used in this research are entirely derived from secondary data, classified into two main categories (Akbar, 2024). The first category is primary legal sources, which consist of statutory regulations forming the basis of the study, namely Law No. 8 of 2019 on the Implementation of Hajj and Umrah (Ristiawati, 2024), Law No. 8 of 1999 on Consumer Protection, and relevant criminal provisions within the Indonesian Criminal Code (KUHP). The second category is secondary legal sources, including derivative regulations such as the Minister of Religious Affairs Regulation (PMA) particularly PMA No. 5 of 2021 and PMA No. 8 of 2024, which govern the standards and accreditation of Umrah Travel Organizers (PPIU) as well as supporting literature in the form of academic journals, official reports from the Ministry of Religious Affairs regarding the implementation of Siskohat and Siskopatuh (Kemenag PHU, 2024; Fuadi, 2024; Kemenag PHU, 2023), and court decisions concerning problematic PPIU cases (UMA Journal, 2024). The diversity of these sources provides a solid foundation for assessing the effectiveness of legal norms while also examining their practical application in the field.

The analytical technique employed in this study is qualitative descriptive analysis. This analysis involves collecting, classifying, and interpreting data obtained from primary and secondary legal sources, then linking them to the realities of implementation in practice. The main analytical focus is to assess the extent to which the legal norms contained in Law No. 8 of 2019 are capable of providing adequate legal protection for Hajj and Umrah pilgrims. Furthermore, the study evaluates the implementation of digital policy through the Siskohat and Siskopatuh systems by considering case study findings and the various operational challenges encountered in practice (Arsad, 2024). Through this approach, the study aims not only to produce a normative mapping of the legal framework but also to provide a critical evaluation of the effectiveness of regulatory instruments and digital systems in achieving accountable, transparent, and equitable governance of Hajj and Umrah.

## **RESULTS AND DISCUSSION**

### **1. Pillars of Digital Governance: Transparency, Efficiency, and Oversight**

#### **A. Siskohat and Siskopatuh: The Foundation of Data-Driven Governance**

The Integrated Hajj Computerization System (SISKOHAT) serves as the primary digital backbone that integrates the registration process, payment of the Hajj Organizing Cost (BPIH), and validation of regular pilgrims' data, making it the central hub of pilgrimage data services (Kemenag PHU, 2024; Fuadi, 2024). This integration has significantly improved the

efficiency and transparency of registration and verification procedures (Fuadi, 2024; Kemenag PHU, 2024). At the operational level, the information provided through Siskohat is considered adequate, and skilled operators at the Ministry of Religious Affairs are able to manage data effectively (Cahyani & Nurabiah, 2024).

For the private sector, the Integrated Umrah and Special Hajj Supervision System (Siskopatuh) functions as the main control instrument. Siskopatuh provides essential statistical data recording more than 3.1 million Umrah pilgrims between 2019 and 2023 (Kemenag PHU, 2023) and explicitly prohibits registered Umrah organizers (PPIU) from granting system access to unlicensed travel agencies, reinforcing its role as a compliance gateway (Ristiawati, 2024).

## B. Strengthening Regulatory Functions and Continuous Digital Surveillance

The modernization of governance also involves a paradigm shift in supervision. The Ministry of Religious Affairs now mandates accreditation for all Umrah and Special Hajj Operators (PPIU and PIHK) to ensure service quality standards (PMA No. 5 of 2021; PMA No. 8 of 2024). Digital platforms such as SERAMBI facilitate online licensing and accreditation, transforming the traditional periodic-manual inspections into continuous digital surveillance.

Although these digital systems effectively manage logistical data (departures and returns), fraudulent practices by PPIU often involve financial fraud that remains undetected by current administrative monitoring mechanisms. While Siskopatuh is robust in ensuring administrative compliance, it is not yet integrated with preventive financial audits (YLKI, 2024). This limitation constrains the system's ability to detect fraud related to fund mismanagement. Therefore, several analyses emphasize the necessity of establishing preventive financial audits for PPIU considering their role in managing public funds and recommend close collaboration with the Financial Services Authority (OJK) and the Indonesian Consumers Foundation (YLKI) to strengthen financial oversight (YLKI, 2024; OJK, 2024).

**Table 1. Comparison of the Functions and Effectiveness of the Ministry of Religious Affairs' Digital Systems in Hajj and Umrah Governance**

Digital Platform	Primary Function	Positive Impacts (Efficiency & Transparency)	Implementation Challenges
SISKOHAT (Hajj System)	Registration, data verification, queue management for regular pilgrims	Integrates national data, reduces manual processes, accelerates verification (Fuadi, 2024; Kemenag PHU, 2024)	Limited skilled human resources, bandwidth/infrastructure issues, staff rotation without adequate training (Pekanbaru, 2023)
SISKOPATUH (Umrah/Special Hajj)	Registration, monitoring of pilgrim movements, PPIU data	Provides real-time statistical data, regulatory compliance control tool (Kemenag PHU, 2023; Ristiawati, 2024)	Risk of unauthorized system access by illegal operators; lack of integration with preventive financial audits; focus on administrative compliance (YLKI, 2024)
SERAMBI (Licensing Platform)	Licensing, accreditation, and performance monitoring of PPIU/PIHK	Facilitates online licensing, supports continuous digital surveillance	Requires stronger enforcement mechanisms; effectiveness limited by regional operational challenges (Arsad, 2024)

## 2. Assessing the Adequacy of the Normative Legal Protection Framework

### A. The Legal Strength of Law No. 8 of 2019

Substantively, Law No. 8 of 2019 provides a strong legal foundation for pilgrim protection (Ristiawati, 2024). The law explicitly mandates that Hajj and Umrah pilgrims must use licensed travel agencies (PPIU) to ensure standardized and accountable services (Ristiawati, 2024; PMA No. 5 of 2021).

The most crucial legal safeguard lies in the criminal sanctions stipulated within the law. Law No. 8/2019 imposes severe penalties imprisonment ranging from 4 to 10 years and fines up to IDR 4 billion for crimes resulting in failed departures, abandonment, or fraud (JDIH Tegal, 2020). These provisions aim to create a strong deterrent effect and establish a specific, substantive legal basis for the protection of pilgrims' rights.

### B. The Complementary Role of the Consumer Protection Law

In the service delivery context, Hajj and Umrah pilgrims are considered **consumers of religious travel services** (YLKI, 2024). Accordingly, **Law No. 8 of 1999 on Consumer Protection (UUPK)** complements Law No. 8/2019, particularly regarding the accountability of service providers. UUPK grants pilgrims the right to compensation, reimbursement, and restitution for financial or service-related losses caused by negligence or contractual breaches by PPIU (YLKI, 2024). The integration of these two legal frameworks ensures that pilgrim protection encompasses both **civil and criminal dimensions**.

## 3. Analysis of Techno-Regulatory Gaps and Implementation Challenges

Although the digital and legal systems appear robust on paper, the effectiveness of pilgrim protection remains hindered by implementation barriers in two main areas: regional digital operations and law enforcement against illegal operators.

### A. Operational Challenges of Digital Systems at the Regional Level

The implementation of the integrated digital systems (Siskohat) at regional offices of the Ministry of Religious Affairs (Kankemenag) faces substantial constraints, often resulting in a gap between central and local performance (Arsad, 2024). The main obstacles include:

1. Human Resource Limitations: Frequent staff rotation and inadequate advanced training lead to underqualified Siskohat operators, slowing down services and increasing data entry errors (Pekanbaru, 2023).
2. Network Infrastructure: Unstable connectivity, insufficient technical equipment, and limited bandwidth hinder effective system operations (Pekanbaru, 2023).

These operational weaknesses undermine the integrity and responsiveness of the digital data that should underpin effective digital oversight.

### B. Disparities Between Strong Legal Norms and Weak Enforcement

Criticism from the travel industry indicates that the prevalence of illegal and foreign travel operators in Indonesia stems from **weak law enforcement** (Ristiawati, 2024; JDIH Tegal, 2020). These unlicensed entities operate outside the scope of Siskopatuh and often evade the severe criminal penalties prescribed by Law No. 8/2019.

In judicial practice, despite the availability of specific legal provisions, courts often rely on **Article 378 of the Criminal Code (general fraud)** instead of the specialized criminal provisions in Law No. 8/2019 (UMA Journal, 2024). This pattern reveals procedural barriers in applying specialized sanctions, weakening the intended deterrent effect. Consequently, although the legal norms are strong (with up to 10 years imprisonment), **law enforcement remains ineffective**, especially in linking digital data with firm investigative procedures.

#### 4. Policy Recommendations for Strengthening Proactive Law Enforcement

##### A. Transforming Supervisory Functions into Investigative Authority (PPNS)

To bridge the enforcement gap, the Ministry of Religious Affairs has launched a **Civil Servant Investigator (PPNS)** training program in collaboration with the **National Police and the Ministry of Law and Human Rights** (Kemenag PHU, 2023). The establishment of PPNS is a strategic step that allows ministry inspectors to act beyond administrative supervision, granting them **investigative authority** to handle violations in Umrah and special Hajj operations (Kemenag PHU, 2023).

##### B. Utilizing Siskopatuh/Siskohat Data for Proactive Investigation

The next step involves integrating digital data with the investigative authority of PPNS and the police in a proactive manner. All service-related data, including Umrah pilgrim information from Siskopatuh, should function as an **Early Warning System** (Kemenag PHU, 2024; Kemenag PHU, 2023).

A strategic recommendation is the establishment of a **permanent Kemenag–Police Collaborative Task Force**, actively using Siskopatuh data such as anomalies in registration, initial fund flows, or mass cancellations to initiate proactive investigations. This approach aims to enforce criminal sanctions **before financial losses or pilgrim abandonment occur**, thereby ensuring the effective implementation of Law No. 8/2019 (Kemenag PHU, 2023).

##### C. Preventive Financial Oversight

Given the high risk of financial fraud, protective measures must include **preventive financial supervision**. PPIU should be required to undergo regular **preventive financial audits**, not merely reactive investigations after violations occur (YLKI, 2024). To ensure this, collaboration with **OJK** and **YLKI** is essential, as these institutions possess the financial oversight expertise necessary to complement the Ministry's administrative supervision (YLKI, 2024; OJK, 2024).

## CONCLUSION

The governance of Hajj and Umrah administration in Indonesia has achieved significant progress through digitally driven modernization. The innovations embodied in Siskohat and Siskopatuh have successfully enhanced administrative efficiency and data transparency. Normatively, Law No. 8 of 2019 provides a strong legal framework for the protection of pilgrims, including the imposition of severe criminal sanctions for violations committed by organizers or service providers.

However, the effectiveness of pilgrim protection remains constrained by gaps in implementation. Operational challenges at the regional level particularly those related to human resource capacity and infrastructural disparities undermine the integrity and reliability of digital data. At the same time, weak law enforcement, especially against illegal or unlicensed operators, indicates that the strength of legal norms does not necessarily correlate linearly with the certainty of protection in practice. This demonstrates that the mere existence of digital infrastructure and legal instruments is insufficient without an integrated enforcement mechanism.

Therefore, pilgrim protection must be reinforced through the integration of digital authority and law enforcement mechanisms. The establishment of Civil Servant Investigators (PPNS) within the Ministry of Religious Affairs and a collaborative task force between the Ministry and the National Police (Kemenag–Polri) constitutes a crucial step toward transforming supervision into proactive investigation. The utilization of Siskopatuh data as an early warning system to trigger investigation and enforcement actions is essential to ensure that the existing punitive legal framework can be applied effectively. By linking digital

surveillance with legal intervention, the objectives of ensuring transparency, accountability, and optimal protection for pilgrims can be fully realized.

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