

To:

1. Head of Indonesian Representatives Overseas
Attn. Immigration Attached/Technical Staff and Consular Officers at the Republic of Indonesia Representative
2. Director General of Protocol and Consular Affairs
3. Head of Regional Offices of the Ministry of Law and Human Rights throughout Indonesia
Attn. Head of Immigration Division
4. Head of Immigration Offices throughout Indonesia

**DIRECTOR GENERAL OF IMMIGRATION OF THE REPUBLIC OF INDONESIA
CIRCULAR LETTER
NUMBER IMI-GR.01.01-2325 OF 2020**

REGARDING

**THE TEMPORARY PROHIBITION OF FOREIGNERS FROM ENTERING THE TERRITORY
OF THE REPUBLIC OF INDONESIA**

1. General

As it is known, the Corona Virus Disease (COVID-19) has become widespread. Not only widespread, it has become a pandemic. Currently, the disease has affected more than 150 (one hundred fifty) countries. In Indonesia itself, the number of patients has reached 1,790 people with a death toll of 170 people.

The spread of the pandemic in various parts of the world and the increasing number of patients as mentioned above need to be prevented, amongst others, through a temporary prohibition of the entry of Foreigners to Indonesia as well as through policies on the granting of special schemes that enable stay permits to be more accessible to Foreigners currently in Indonesia.

Aside from that, considering that the national development and national economic turn over need to be maintained so it does not become stagnant, thus in terms of immigration, the policies and steps taken must be balanced.

The Government of the Republic of Indonesia through the Minister of Law and Human Rights issues a temporary prohibition on Foreigners entering or transiting in Indonesia in Minister of Law and Human Rights Regulation Number 11 of 2020 regarding the Temporary Prohibition of Foreigners from Entering the Territory of the Republic of Indonesia.

2. Purpose and Objective

- a. The purpose of issuing this circular letter is to follow up on the stipulation of Minister of Law and Human Rights Regulation Number 11 of 2020 regarding the Temporary Prohibition of Foreigners from Entering the Territory of the Republic of Indonesia.

- b. The objective of this circular letter is to act as a guideline for implementing officers to provide clear information and certainty in assisting the public.

3. Scope

- a. Arrangement on the temporary prohibition of Foreigners from entering/transiting in the Territory of Indonesia, with an exception towards several criteria and after fulfilling certain requirements.
- b. The process of granting a Visit Stay Permit, as well as an extension of a Limited Stay Permit and a Permanent Stay Permit through the granting of an Emergency Stay Permit automatically without having to submit an application to the immigration office with no charge.

4. Legal Basis

- a. Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2011 Number 52, Supplement to the State Gazette of the Republic of Indonesia Number 5216);
- b. Government Regulation Number 31 of 2013 regarding Implementing Regulation for Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2011 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 5409) as amended by Government Regulation Number 26 of 2016 Amendment to Government Regulation Number 31 of 2013 regarding Implementing Regulation for Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2016 Number 123, Supplement to the State Gazette of the Republic of Indonesia Number 5894);
- c. Minister of Law and Human Rights Regulation Number 27 of 2014 regarding Technical Procedures for the Granting, Extension, Rejection, Cancellation and Expiration of Visit Stay Permits, Limited Stay Permits and Permanent Stay Permits and the Exemptions from the Obligations held by Stay Permit Holders (State Gazette of the Republic of Indonesia of 2014 Number 1697) as amended by Minister of Law and Human Rights Regulation Number 21 of 2018 regarding Amendment to Minister of Law and Human Rights Regulation Number 27 of 2014 regarding Technical Procedures for the Granting, Extension, Rejection, Cancellation and Expiration of Visit Stay Permits, Limited Stay Permits and Permanent Stay Permits and the Exemptions from the Obligations for Stay Permit Holders (State Gazette of the Republic of Indonesia of 2018 Number 1091);
- d. Minister of Law and Human Rights Regulation Number 44 of 2015 regarding Procedures for the Examination of the Entry and Exit from the Territory of Indonesia at the Immigration Checkpoint (State Gazette of the Republic of Indonesia of 2015 Number 1834);
- e. Minister of Law and Human Rights Regulation Number 24 of 2016 regarding Technical Procedures for the Application and Granting of Visit Visas and Limited Stay Visas (State Gazette of the Republic of Indonesia of 2016 Number 1052) as amended by Minister of Law and Human Rights regulation Number 51 of 2016 regarding Amendment to Minister of Law and Human Rights Regulation Number 24 of 2016 regarding Technical Procedures

for the Application and Granting of Visit Visas and Limited Stay Visas (State Gazette of the Republic of Indonesia of 2016 Number 2061);

- f. Minister of Law and Human Rights Regulation Number 4 of 2017 regarding Immigration Control Procedure (State Gazette of the Republic of Indonesia of 2017 Number 641);
- g. Minister of Law and Human Rights Regulation Number 5 of 2019 regarding Procedures for Paying Immigration Non-Tax Revenues through Perception or Perception Posts (State Gazette of the Republic of Indonesia of 2019 Number 197); and
- h. Minister of Law and Human Rights Regulation Number 11 of 2020 regarding Temporary Prohibition of Foreigners from Entering the Territory of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2020 Number 305).

5. Content of the Circular Letter

a. General

With the enactment of Minister of Law and Human Rights Regulation Number 11 of 2020 regarding Temporary Prohibition of Foreigners from Entering the Territory of the Republic of Indonesia, all officials and service providers must:

- 1) Provide primary service to the public;
- 2) Not conduct Corruption, Collusion and Nepotism (CCN);
- 3) Conduct supervision in a phased manner;
- 4) Coordinate with foreign stakeholders and guarantors related to the substance of Minister of Law and Human Rights Regulation Number 11 of 2020 regarding Temporary Prohibition of Foreigners from Entering the Territory of the Republic of Indonesia.

b. Representatives of the Republic of Indonesia

- 1) Temporarily reject all visa applications, except for Foreigners who are entering Indonesia to work on National Strategic Projects (PSN), with the approval of the Director General of Immigration;
- 2) Foreigners who will work on PSN as referred to in number 1) shall be granted a Limited Stay Visa (VITAS) for foreign workers in accordance with the laws and regulations, after fulfilling the following requirements:
 - a) A health report in English from a health authority in each country;
 - b) Has been in a territory or country free from COVID-19 in the last 14 (fourteen) days, with close consideration to the spreading conditions of COVID-19 in each accredited area;
 - c) A statement of willingness to be quarantined for 14 (fourteen) days by the Government of Indonesia.
- 3) Immigration Non-Tax Revenue (PNBP) that has been paid cannot be refunded.

c. Immigration Check-Points

Immigration Officers

- 1) Obligated to strictly examine all arriving passengers travel documents to either refuse or grant *Entry Marks*.
- 2) Refuse to grant *Entry Marks* to Foreigners who are:
 - a) Permanent Stay Permit (ITAP) holders whose re-entry permit has expired;
 - b) Limited Stay Permit (ITAS) and Permanent Stay Permit holders whose stay permit has expired;
 - c) individuals visiting on Visa-Free Visits and Visa on Arrival Visits (VKSK);
 - d) Multiple Business Visit Visa (VKUBP), Visitor Visa 211A (VK 211A), Visitor Visa 211B (VK 211B), APEC Business Travel Card (ABTC), Transit Visa, Transit Visa on Arrival and Working Holiday Visa holders;
 - e) Diplomatic passport holders who do not have a diplomatic visa or resident permit in Indonesia and are visiting on a Diplomatic Visa Exemption for Short Visit (BVKS); and
 - f) Service passport holders who do not have a service visa or stay permit in Indonesia and are visiting on a Service BVKS.
- 3) The refusal of granting *Entry Marks* to Foreigners visiting the territory of Indonesia is conducted based on Minister of Law and Human Rights Regulation Number 44 of 2015 regarding Procedures for the Examination of the Entry and Exit from the Territory of Indonesia at the Immigration Checkpoint.
- 4) Refer to superiors in this case, the Head of TPI or the Head of Inspection, in order to avoid mistakes in granting or refusing entry permits to:
 - a) Foreigners as medical, food and humanitarian aid support workers;
 - b) Foreigners who are VITAS holders visiting to work on PSN.
- 5) Grant *Entry Marks* to Foreigners who are holders of/as:
 - a) Valid Limited Stay Permits and Permanent Stay Permits;
 - b) Diplomatic Visa/Stay Permits and Service Visa/Stay Permits issued by an Indonesian Representative;
 - c) Holders of foreign travel documents who are registered as Indonesian citizens within the second version of the APK SIMKIM and holds proof of *Entry Marks* as Indonesian citizens but cannot show proof of an affidavit;
 - d) Crew Members for Means of Transport.
- 6) Crew Members for Means of Transport as referred to in number 5) letter d) are:
 - a) those who enter as active crew on the transportation;
 - b) those who arrive as *passengers* (extra crew) with the same transportation which will depart as an active crew, with the following requirements:
 - written notice from the airline to the Immigration Officer at the TPI that the extra crew will depart as an active crew;
 - the notice referred to shall be received at the latest 24 hours before the arrival of the extra crew;

- provide identification or crew member certificate during the checking at the TPI;
 - is a crew of the same airline when entering Indonesia.
- 7) Shall not permit crew members of sea transportation to leave the ship unless it is for the reason of an emergency or urgency.
 - 8) Obligated to presume that every Foreigner indicated to overstay is a valid stay permit holder in the form of an Emergency Stay Permit which is provided automatically based on MOLHR Regulation No.11 of 2020.
 - 9) Obligated to issue an *Exit Mark* to Foreigners holding an Automatic Emergency Stay Permit, without questioning their time of arrival.
 - 10) Providing an *Exit Mark* as referred to in number 9) is not required to be referred to the superiors in order to avoid a mass queue and in order to quickly complete departures;
 - 11) Referring to superiors in this case, the Head of TPI or the Head of Inspection, for administrative settlements in the form of recording/registering in the context of filing a prevention of future entry against a Foreigner holding an Emergency Stay Permit, whose stay permit expired more than 60 (sixty) days before January 1, 2020;

Head of TPI or Head of Inspection

- 12) Conduct a thorough examination of the validity of the formal and material documents and take full responsibility to make a decision on the granting or rejection of an *Entry Mark* as referred to in number 4) and number 11). Furthermore, if the Foreigner satisfies the requirements for Entry, such shall be carried out by the appointed Immigration Officer;
- 13) Record/register Foreigners whose stay permit expired more than 60 (sixty) days before January 1, 2020, as substance/reason for the Head of the Immigration Office to apply a prevention of future entry.

d. Head of the Immigration Office or appointed Immigration Officer

- 1) Automatically extend or delay Foreigners holding a Stay Permit that has expired and/or cannot be extended, by granting an Emergency Stay Permit without the need to submit an application and without being charged a fee;
- 2) The granting of an Emergency Stay Permit as referred to in number 1) is intended to be a substitute to an owned stay permit that cannot be extended due to COVID-19 pandemic;
- 3) Exempt Foreigners holding a Limited Stay Permit and a Permanent Stay Permit from the obligation of returning immigration documents to the Immigration Office when completely leaving Indonesia and not returning, during the COVID-19 period;
- 4) In the event a crew member of a sea transportation exits the Territory of Indonesia without his transport, shall be exempted from the obligation of applying for an Exit Permit (EPO) with due regard to the availability of a transport that can take him outside the territory of Indonesia.

e. Head of the Immigration Division

Monitor and control the implementation of providing Immigration Permits as referred to in letters c and d.

f. Systems

- 1) In order to support the accountability of the implementation of functions and duties of the immigration inspection in relation to the departure of Foreigners holding an Emergency Stay Permit, the Immigration Crossing Application (APK) SIMKIM version 2 shall provide a mark on every crossing transaction that is indicated to overstay since Thursday 2 April 2020 at 00.00 WIB;
- 2) Recapitulation of the crossing transaction for the settlement of Foreigners crossing holding an Emergency Stay Permit shall be conducted regularly (monthly).

g. Report

- 1) The Head of the Indonesian Representative shall report the implementation of the immigration process as referred to in number 5) letter b to the Minister of Foreign Affairs of the Republic of Indonesia and the Minister of Law and Human Rights of the Republic of Indonesia with a copy provided to the Head of relevant Rank I Unit;
- 2) The Head of the Immigration Office throughout Indonesia shall report the implementation of the immigration process as referred to in number 5) letters c and d to the Director General of Immigration, with a copy to the Minister of Law and Human Rights of the Republic of Indonesia, Secretary General, Inspector General, all Primary High Leaders at the Directorate General of Immigration, Heads of Regional Offices of the Ministry of Law and Human Rights and the Heads of the Immigration respectively.

h. Closing

In the event the COVID-19 pandemic is declared to have ceased by a competent authority, the immigration process at the Indonesian Representative Office overseas, the Immigration Checkpoint and the Immigration Office shall be conducted in accordance with the provisions of the applicable laws and regulations.

Stipulated in Jakarta

On April 2, 2020

Director General of Immigration

[Signature]

JHONI GINTING

Forwarded to:

1. Minister of Law and Human Rights;
2. Minister of Foreign Affairs;
3. Secretary General of the Ministry of Law and Human Rights;
4. Inspector General of the Ministry of Law and Human Rights;
5. Primary High Leaders in the Directorate General of Immigration;
6. Immigration Analyst Expert at the Directorate General of Immigration;
7. A r s i p -----.