

NEWSLETTER

2 April 2020

TEMPORARY PROHIBITION FOR FOREIGNERS TO ENTER INDONESIAN TERRITORY

Minister of Law and Human Rights Regulation No. 11 of 2020

Background

Due to COVID-19 outbreak, Indonesian Government through MOLHR has recently issued entry prohibition & travel ban into Indonesia for foreigners to suppress COVID-19's outbreak in Indonesia. The prohibition is set out in the Minister of Law and Human Rights Regulation No. 11 of 2020 on Temporary Prohibition for Foreigners to Enter the Territory of the Republic of Indonesia (MOLHR 11/2020).

Main Provisions

The temporary prohibition under MOLHR 11/2020 applies to all foreigners, except for the following:

1. Foreigner holders of Temporary Stay Permit (*Izin Tinggal Terbatas/ITAS*) or Permanent Stay Permit (*Izin Tinggal Tetap/ITAP*) in Indonesia;
2. Foreigner holders of Indonesian Diplomatic Visa or Indonesian Service Visa;
3. Foreigner holders of diplomatic stay permit or service stay permit in Indonesia;
4. Medical aid workers or food sustenance workers for humanitarian purposes;
5. Crews (air, sea or land transport);
6. Foreigners/expatriates working on strategic national projects.



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Further, the foreigners excluded under MOLHR 11/2020 must comply with the following:

1. The person possesses a valid health certificate (in English language) issued by a Health Authority of the respective country;
2. The person previously resides for at least 14 days in a country/territory with no eminent case of COVID-19; and/or
3. The person is willing to procure statement of compliance to be quarantined for 14 days facilitated by the Government of the Republic of Indonesia.

For foreigners who are in Indonesia when the MOLHR 11/2020 becomes effective, the regulations provide the following:

1. Foreigners with Visit Stay Permit (*Izin Tinggal Kunjungan/ITK*), including those who entered Indonesia with Visa Exemption or Visa on Arrival, when the stay permit is expired and/or cannot be extended, will be given a Force Majeure Stay Permit (*Izin Tinggal Keadaan Terpaksa/ITKT*) automatically, without prior application to local Immigration Office and free of charge;
2. Foreigners with Temporary Stay Permit (*Izin Tinggal Terbatas/ITAS*) or Permanent Stay Permit (*Izin Tinggal Tetap/ITAP*), when the stay permit is expired and/or cannot be extended, will be given a postponement with a Force Majeure Stay Permit (*Izin Tinggal Keadaan Terpaksa/ITKT*) automatically, without prior application to local Immigration Office and free of charge.

This regulation will remain in force during the COVID-19 pandemic. Immigration procedure will be back to normal after COVID-19 pandemic has been declared terminated by the Government of the Republic of Indonesia.

MOLHR 11/2020 also replaces previous MOLHR regulations related to COVID-19 and immigration permits, namely (i) Minister of Law and Human Rights Regulation No. 7 of 2020 on Visa and Stay Permit Granting in Efforts to Prevent Corona Virus Outbreak; and (ii) Minister of Law and Human Rights Regulation No. 8 of 2020 on Temporary

Suspension of Visa Exemption and Visa on Arrival as well as Granting of Emergency Stay Permit.

Closing

As discussed above, MOLHR 11/2020 will be effective on 2 April 2020 and issued to suppress the COVID-19 outbreak in Indonesia through immigration restriction. A similar policy has also been enforced in other countries with the same goal and it is one of the Government decisions in part of COVID-19 pandemic's fight.

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