

## MINUTES OF MEETING BETWEEN DGI AND FOREIGN CHAMBERS

**Date** : **August 24, 2020**  
**Venue** : Zoom Online Forum  
**Topic** : Discussion on Recent Immigration Policies  
**Presented by** : Mr. Rochadi Iman Santoso  
Director for Immigration Cooperation  
Directorate General of Immigration under the Ministry of Law and Human Rights  
**Moderated by** : Stephen Igor Warokka  
Partner of Soewito Suhardiman Eddymurthy Kardono

Today's meeting between the foreign chambers and the Directorate General of Immigration began at 09.00 am with an opening remark from Mr. Stephen Igor Warokka and Mr. Lin Neumann from AmCham. It was then followed by a presentation by Mr. Rochadi, the Director for Immigration Cooperation from the Directorate General of Immigration, with regard to immigration policies in light of the current COVID-19 pandemic and the new-normal situation.

In his brief presentation, Mr. Rochadi addressed a few following key points:

1. The Government's approach with regard to immigration policies which is primarily trying to balance protection of domestic public health as well as national interests, and immigration facilitation (especially those concerning diplomatic, health, and national strategic project workers);
2. The Government's flexibility in immigration policies, such as automatic visa approval, revalidation, as well as addressing the importance of the sponsors' obligation to facilitate the foreigners who work in Indonesia;
3. Chambers (or the respective foreigners) are also to communicate with their respective governments to provide facilitation and repatriation outside Indonesia, where necessary. To balance the flexibility of immigration policies, Mr. Rochadi also asked for the cooperation of foreigners who wishes to stay in Indonesia during this pandemic time, e.g. to support themselves during their stay.

After the presentation, the question and answer session started. Mr. Rochadi started by addressing the 11 (eleven) pre-submitted questions to him, and then proceeded to discuss the questions from the live forum as moderated by Mr. Stephen of SSEK.

No.	Question	Answer
1.	If there is a change in sponsor, or if there is a change in the workplace of the expatriate (which is not under one company group), can the mutation of KITAS be done without the expatriate having to leave Indonesia?	Yes, the new visa can be achieved onshore without leaving Indonesia.
2.	A foreign spouse (wife) is still in abroad and wishes to stay with her husband who holds a KITAS, what should be done in this pandemic situation? Can visa telex or other visa be applied for and issued?	Yes, they can be processed based on humanitarian grounds, under the discretion of the Director General of Immigration

	<p><i>Follow-up question</i> : In practice, usually applicants face issue whereby the option to choose which Indonesian immigration office/embassy is only limited to the Jakarta Immigration Office. What should the applicants do then?</p>	<p><i>Follow-Up Answer</i> : For these kinds of conditions, they can write a letter to the Director General on Immigration regarding family reunification. The letter shall be addressed to the Secretary of the Director General under the following address:</p> <p>To:  <b>“Misnal Arianto  Sekretaris           Direktur           Jenderal  Keimigrasian       Direktorat       Jenderal  Keimigrasian  Sentra Mulia Lantai 8, Jalan Haji R.  Rasuna Said, Kuningan, Karet  Kuningan, Kota Jakarta Selatan, Daerah  Khusus Ibukota Jakarta 12940”</b></p>
3.	<p>According to latest update on August 18th, if holders of expired ITAS staying overseas, "If there any technical problem during the process of extension of ITAS and MREP, the DGI will extend the period of submission until 31 December 2020."</p> <p>What does "technical problems" mean?</p> <p>Is there anything required to be done to prove the technical problems to the DGI?</p>	<p>Technical problems mean any constraints which prohibits them from returning to Indonesia and extend their ITAS.</p> <p>And these technical problems shall need to be proven by submitting or notifying the evidence acceptable to the DGI, for example: evidence that there was a restricting foreign policy, lock-down, that there were no flight tickets available for booking, etc.</p>
4.	<p>According to latest update on August 18th, if holders of expired ITAS staying overseas, it mentions that "Holders of family reunion ITAS will be allowed to enter Indonesia."</p> <p>What does this article mean exactly?</p>	<p>It means that the person may enter Indonesia as long as the spouse's ITAS is still valid.</p>
5.	<p>When will be possible to apply again for Multi Entry Business Visa D212?</p>	<p>Depends on the COVID-19 situation. Definitely, the immigration policies will begin to open up again step-by-step.</p>
6.	<p>In case there will be some Technician from Italy come to Indonesia for some job, what is the most updated regulation they must follow?</p>	<p>Generally, those regulations and policies regarding national strategic projects, and the requirement of recommendation letter from the Indonesian Capital Investment Coordinating Board ("<b>BKPM</b>").</p>
7.	<p>Is it possible to obtain a VISA for a newborn baby (born in the USA) for purposes of family</p>	<p>Yes, it is possible that such visa can be processed based on humanitarian</p>

	reunification in Indonesia? 3 family members have valid KITAS, however, the full family is not able to travel to Indonesia since the newborn cannot obtain a VISA to enter the country.	grounds, under the discretion of the Director General of Immigration. The recommended way is to also submit an application letter to the Director General on Immigration regarding family reunification, in a similar manner to the abovementioned (in number 2.)
8.	The emergency phone number to contact the Immigration office if there is a problem.	You can contact the DGI via website, and the DGI's social media (facebook, twitter) which is quite active, you can ask questions or report the problems you have there.
9.	Basically, many Japanese workers who temporarily went back to Japan find it difficult to re-enter to Indonesia because of the pandemic situation in Indonesia. Workers with expired ITAS can come back to Indonesia by using BKPM recommendation letter. On the other hand, BKPM letter cannot apply to family member. Many Japanese workers are worried about their family member. We would highly appreciate it if DGI would permit that workers and family members with expired ITAS come back to Indonesia without any procedure during the pandemic status.	<p>Holders of expired ITAS staying overseas who have been granted a required letter from the relevant agencies abroad and those who apply for the family reunion ITAS, shall return to Indonesia and immediately extend the stay permits at local immigration offices.</p> <p>The grace period for foreigners staying in Indonesia after their ITAS expires has been extended to September 20, 2020.</p>
10.	Is there any grace period for foreigners staying in Indonesia after their ITAS expires? Does a foreigner need to apply for an ITKT to stay for 2-3 weeks in Indonesia after his/her ITAS expires?	Yes, the grace period is extended to September 20, 2020. For ITAS which have no further extension, you can directly apply for the new visa telex at immigration offices not exceeding September 20, 2020.
11.	Is there any possibility that the September 8 deadline for ITAS and ITAP holders be extended?	Yes, the grace period is extended to September 20, 2020.
<b>Additional Questions during the Meeting</b>		
12.	Question from Mr. Stephen Igor Warokka of SSEK - We note that the Minister of Law Regulation Number 11 of 2020 introduces some strict prohibitions and limitation for foreigners to enter Indonesia, is there any idea on when or how will this regulation be amended, loosened or revoked, so that business visas (etc) can be reactivated?	<p>Currently, the government is looking to loosen up step-by-step, for instance starting with the travel bubble/corridor policies.</p> <p>We are thinking to open up to some countries, such as China, UAE, Korea, in order to allow business and/or investments</p>

		<p>to progress, especially strategic national projects.</p> <p>And then, slowly we can try to open the normal business opportunities, like before the COVID-19 pandemic.</p>
13.	<p>Have all Indonesian embassies abroad started to issue Work Visa C312/311? Specifically, for Indonesian Embassy in Vienna, Austria?</p>	<p>Any Indonesian embassy, as long as they receive a visa telex from Jakarta, can do so.</p>
14.	<p>Are conversions from spouse-sponsored ITAS to spouse-sponsored ITAP still able to be processed during this time? If yes, then is there a requirement to show 2 years marriage based on the date of the marriage (marriage overseas or in Indonesia) or 2 years after registration of the marriage in Indonesia?</p>	<p>Yes, this can also still be processed.</p> <p>The requirement shall be to account the years of marriage (calculated from the date of the marriage), and the granting of this conversion shall still lie under the discretion of the DGI.</p>
15.	<p>Question from Mr. Lin Neumann of AmCham - If a child is attending school abroad, and the parent needs to attend to him/her (whereby both cannot return to Indonesia to extend their ITAS), can this qualify as a "technical problem"?</p>	<p>The sponsor (in Indonesia) can facilitate the applicant to extend his/her ITAS, by writing a letter to ask the Directorate General to grant an extension of time.</p>
16.	<p>For children above 18, we also have many cases where the family members are outside Indonesia and they want to reunify with family in Indonesia, but they are above 18 years of age. Can they also be subject for family reunification?</p>	<p>We don't make differentiation between adults and younger persons. No problem for that.</p>
17.	<p>Question from Mr. Stephen Igor Warokka of SSEK - In terms of international schools who want to bring in expatriates as staffs? Can we confirm whether BKPM approval is required? Or is a support/recommendation letter still necessary? As far as we are concerned, usually those schools are in the form of foundation (<i>Yayasan</i>) legal entity which is not under the auspices of BKPM regulation/supervision.</p>	<p>It shall be based on the policies of two institutions: the BKPM and the Ministry of Manpower.</p> <p>As far as I know, BKPM approval is still required in this sense.</p>
18.	<p>For VITAS that has been issued but has not been utilized - the presentation mentioned that it will be automatically revalidated. When would be the timing to be revalidated?</p>	<p>You will still have to ask for revalidation. The sponsor must ask for revalidation, and this is not automatic by law. The process</p>

		itself is not difficult and needs to be processed in the embassies.
19.	Are holders of Special Operational and Mobilization License from the Ministry of Energy and Mineral Resources for National Strategic Projects or National Vital Objects allowed to apply a new visa quickly/urgently?	Generally, if the project concerns national strategic projects, and the requirement of recommendation letter from the BKPM has been obtained, yes, it is possible.
20.	Question from Mr. Anton from the Italian Embassy - Regarding the Italian seamen crew whom will come to Indonesia and will join to their Ship in Batam, Is it compulsory to quarantine them once they arrive in Indonesia?	This shall be subject to the health and safety protocols of the relevant region.
21.	Question from Mr. Angky Banggaditya of SSEK - With regard to a letter of application, does the attachment requires passports of all the family members?	Yes, the passports of all family members shall be required.
22.	Question from Mrs. Meyrna of PT Pevali - If the family member is holder of D212 and would like to enter Indonesia how long to revalidate the visa D212?	Right now, all visa-on-arrivals, family visits, business visas are still pending.
23.	Question from Mr. Peter Fanning - A person coming back with expired ITAS/KITAP, shall need a letter from a technical competent authority (aside from medical documents), Is that a work permit?	Yes, it is a document on working permit issued from the relevant agencies/board of the respective country.

Mr. Rochadi provided his closing remarks that reciprocity is needed in balancing immigration policies, therefore he also hoped that the foreign governments can also help Indonesian expatriates working abroad, and Mr. Lin Neumann also added that if there is a need to address any concern to the American consulate or embassy, AmCham is happy to help.

That concludes the meeting session between the Directorate General on Immigration with the foreign chambers of commerce.