

Implementation of Independent Immigration Operations to Suppress Abuse of Foreign Residence Permits

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Abstract. *The rapid flow of investment and mobility of foreign workers in the working area of the Semarang Class I Special Immigration Office TPI which covers six districts/cities has triggered the phenomenon of misuse of visit stay permits (BVK and VoA) into illegal professional activities that threaten state sovereignty and distort the domestic labor market. This study aims to analyze the Implementation of Independent Immigration Operations as an early detection instrument in suppressing these violations, while identifying inhibiting factors in law enforcement. The research method used is empirical juridical with a sociological approach through descriptive qualitative analysis, with a theoretical framework including Selective Policy Theory, Soerjono Soekanto's Legal Effectiveness, and Legal Certainty Theory. The results of the study indicate that Independent Operations have proven effective as an early detection instrument, reflected in 169,877 monitoring activities and 49 cases of Immigration Administrative Actions (TAK) during the 2024–2025 period. However, its implementation is still suboptimal due to seven main inhibiting factors: (1) limited access to industrial areas; (2) language barriers; (3) low cooperation of community informants; (4) limited operational infrastructure; (5) companies' practice of concealing the presence of foreigners; (6) personnel deficit; and (7) the absence of standard written SOPs. This study concludes that optimizing the protective function of immigration requires strategic investment in institutional capacity, strengthening technical regulations, and developing a community-based compliance ecosystem.*

Keywords: *Independent Operations; Immigration; Legal Effectiveness; Residence Permit; Semarang Immigration Office.*

1. Introduction

As a sovereign state, Indonesia places the regulation of the presence of foreigners as an integral part of its sovereign function. Based on Article 26 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, citizens are strictly defined, while foreigners are positioned as legal subjects whose presence in Indonesian territory is subject to a strict licensing system.¹

Advances in transportation technology and increasing foreign investment have resulted in increasingly massive international labor mobility. Semarang, the capital of Central Java Province and the center of a strategic industrial area, has become a primary destination for foreign professionals, arriving through various visa and residence permit channels.²

The Indonesian government implemented a visa-free visit policy through Presidential Regulation No. 21 of 2016, covering citizens of 169 countries, with the aim of boosting the tourism sector and strengthening diplomatic relations. However, this ease of entry carries the consequence of increasing the risk of residence permit abuse.³

The most prominent phenomenon is the transformation of visitor visas into a means of non-procedural work. The misuse of Visa on Arrival (VoA) and Visa-Free Visit (VVK) facilities for professional activities not only violates administrative procedures but also disrupts the stability of the domestic labor market and the country's tax system.⁴

The Semarang Class I Special Immigration Office (TPI) covers seven regencies/cities: Semarang City, Semarang Regency, Kendal, Demak, Salatiga, Kudus, and Groboga. The presence of large industrial areas such as the Kendal Industrial Estate (KIK) makes this region a hotspot for foreign activity. This requires adaptive and proactive oversight mechanisms from immigration authorities.⁵

In contrast to the research of Dadiyo Setiono and Andri Winantu (2024) which examined the effectiveness of Immigration Administrative Actions at non-TPI

¹The 1945 Constitution of the Republic of Indonesia, Article 26 paragraph (1).

²Mujibur Rohman, Siti Rodhiyah Dwi Istinah and Widayati Widayati. "The Role of Leaders and Community Empowerment in Village Autonomy", *Law Development Journal* Vol 3, No 4 (2021), p. 301, url :<http://jurnal.unissula.ac.id/index.php/ldj/article/view/1836> accessed May 12, 2026.

³Presidential Regulation Number 21 of 2016 concerning Visa-Free Visits.

⁴Apriani Putri Ananda. "Criminological Review of Residence Permit Abuse", *Qawanin Journal of Legal Studies* Vol 4, No 1 (2020), p. 15, url:<http://jurnal.unissula.ac.id/index.php/RH/article/view/15714> accessed May 12, 2026.

⁵Sri Kusriyah. "Spatial Synchronization and Territorial Planning Policies between Regions and National Spatial Planning". *Journal of Legal Sovereignty* Vol 4, No 2 (2021). p. 110, url :<http://jurnal.unissula.ac.id/index.php/RH/article/view/15714> accessed May 12, 2026.

immigration offices in Pati Regency and concluded that the joint operations of the PORA Team were more effective in terms of regional reach.⁶, this study actually found the opposite: Independent Operations carried out internally by the Inteldadakim Division have a comparative advantage in terms of speed of decision-making, minimizing information leaks, and in-depth mastery of immigration technicalities. This gap in findings indicates that the effectiveness of oversight instruments is highly dependent on the characteristics of the working area and the intensity of foreigner presence in that area.⁷

Law Number 6 of 2011 concerning Immigration as amended by Law Number 63 of 2024 provides authority to immigration officials to carry out field supervision through various instruments, including Independent Immigration Operations.⁸This study aims to analyze the implementation of Independent Operations as an early detection instrument and identify inhibiting factors that influence its effectiveness in enforcing immigration law in the Semarang Immigration Office's work area.

2. Research Methods

This research uses an empirical juridical approach with descriptive-analytical research specifications.⁹The data collection method was carried out in three ways: (1) library research to review laws and regulations, scientific journals, and related books; (2) operational archive documentation of the Semarang Class I Special TPI Immigration Office; and (3) in-depth interviews (field research) with the Head of the Intelligence and Immigration Enforcement Section (INTELDAKIM) and field officers.¹⁰The research location was the Class I Special Immigration Office of the Semarang TPI. Data analysis was conducted qualitatively through three stages: data reduction, data presentation, and conclusion drawing, using Soerjono Soekanto's legal effectiveness framework as an analytical tool.¹¹

⁶Dadiyo Setiono and Andri Winantu. "Effectiveness of Implementing Justice-Based Immigration Administrative Actions (Case Study: Non TPI Pati Class I Immigration Office)", *Law Development Journal* Vol 6, No 1 (2024), p. 48, url :<http://jurnal.unissula.ac.id/index.php/ldj/article/view/1836> accessed May 13, 2026.

⁷Ibid, p. 50.

⁸Law Number 63 of 2024 concerning the Third Amendment to Law Number 6 of 2011 concerning Immigration.

⁹Soerjono Soekanto. (1985). *Introduction to Legal Research*. Jakarta: UI Press. p. 45.

¹⁰Ibid, p. 52.

¹¹Soerjono Soekanto. (1983). *Law Enforcement*. Bandung: Bina Cipta. p. 23.

3. Results and Discussion

3.1. Implementation of Independent Immigration Operations as an Early Detection Instrument to Suppress Misuse of Residence Permits

The Semarang Class I Special Immigration Office (TPI) is a technical implementation unit of the Directorate General of Immigration with a strategic working area spanning seven regencies/cities. The Independent Immigration Operation is a supervisory instrument implemented internally by the Immigration Intelligence and Enforcement Division (INTELDAKIM), distinct from the Joint Operation of the Foreigner Monitoring Team (PORA Team), which involves multiple agencies.¹²

The Independent Immigration Operation is an immigration oversight instrument implemented internally by the Immigration Office without the involvement of external agencies. Unlike Joint Operations within the Foreigner Surveillance Team (PORA Team), which involve several agencies such as the Police, the Manpower Office, the Regional Intelligence Agency, and other related agencies, the Independent Operation is entirely carried out by the Immigration Intelligence and Enforcement Division (INTELDAKIM) of the Semarang Immigration Office.¹³ The main advantages of this approach lie in its agility, depth of field knowledge, and faster decision-making capabilities, given that all implementers come from a single institution with sole authority in the field of immigration.¹⁴

Normatively, the basis for implementing Independent Operations refers to Article 68 of Law Number 6 of 2011 concerning Immigration, which gives immigration officials the authority to supervise foreigners, both administratively and in the field.¹⁵ The main advantage of this approach lies in the agility of the one-stop bureaucracy, which allows for faster decision-making, minimizes the risk of information leaks, and provides a more in-depth understanding of immigration technicalities.¹⁶

Based on the results of an in-depth interview with the Head of the INTELDAKIM Section, there are three main data sources used as the basis for determining operational targets: (1) notifications via the foreigner monitoring system application (OS/Orang) which contains real-time data on the presence of foreigners based on hotel and apartment reports; (2) data on residence permit applications recorded in the Semarang Immigration Office administration

¹²Diah Anjarini and Frenty Oktasari. "Immigration Action Against Misuse of Foreign National Residence Permits", *Legacy: Journal of Law and Legislation* Vol 3, No 1 (2025), p. 90, url :<http://jurnal.unissula.ac.id/index.php/RH/article/view/15714> accessed May 13, 2026.

¹³Dadiyo Setiono and Andri Winantu, *Op.Cit.*, p. 52.

¹⁴*Ibid*, p. 53.

¹⁵Law Number 6 of 2011 concerning Immigration, Article 68.

¹⁶Diah Anjarini and Frenty Oktasari, *Op.Cit.*, p. 92.

system; and (3) information from informants or the community around the industrial area.¹⁷The use of these three sources of information reflects the implementation of an intelligence-led enforcement approach in immigration law enforcement.

The use of these three sources of information reflects the implementation of an intelligence-led enforcement approach to immigration law enforcement. This approach is considered to align with the development of modern paradigms in foreigner surveillance management, which emphasize the importance of targeting accuracy and efficient use of resources, in contrast to conventional models that still rely on random checks without a strong analytical basis.

The implementation flow of the Independent Operation consists of four stages: (1) the pre-operation stage which includes the collection and analysis of initial data and the use of the Face Recognition Immigration System (FRIS); (2) the coordination stage with local administrators; (3) the field inspection stage in the form of identity and document verification; and (4) the follow-up stage in the form of implementing Immigration Administrative Actions (TAK) if violations are found.

Table 1. Data on Foreigner Services at the Semarang Immigration Office (2024–2025)

No.	Year	Number of Foreign Services	Information
1	2024	11,048	Semarang Immigration Office Data
2	2025	11,170	Semarang Immigration Office Data
Total	2024–2025	22,218	Cumulative 2 Years

Source: Class I Special Immigration Office TPI Semarang

Table 2. Frequency of Independent Operations of the Semarang Immigration Office (2024–2025)

No.	Year	Standalone Operation Frequency	Percentage Change
1	2024	91,338	Base year
2	2025	78,539	Down ±14% (data-based target efficiency)
Total	2024–2025	169,877	Cumulative operations

Source: Intellectual Property Division, Class I Special Immigration Office, Semarang TPI

The table above shows significant data: in two years, the Semarang Immigration Office has conducted a total of 169,877 independent operations or surveillance activities. The decrease in frequency from 91,338 in 2024 to 78,539 in 2025

¹⁷Interview with the Head of the Intelligence and Immigration Enforcement Section of the Class I Special Immigration Office TPI Semarang, May 2025.

should not be interpreted as a decline in performance. Based on interviews with Inteldakim officials, this decrease reflects a shift in approach from massive, quantity-based operations to operations based on more measurable, quality intelligence data. Fewer, more targeted operations tend to produce more concrete findings of violations than operations conducted haphazardly without robust data.¹⁸

The ratio between the frequency of operations and the number of foreigner services is impressive. In 2024, the ratio of operations to services reached 8.27 times (91,338 compared to 11,048), meaning that, on average, each foreigner was subjected to surveillance more than eight times per year. This figure demonstrates the high intensity of surveillance, reflecting the Semarang Immigration Office's institutional commitment to enforcing immigration law.

Table 3. TAK, Deportation, and Deterrence Data (2024–2025)

No.	Type of Action	Number of Cases	Information
1	TAK (Immigration Administration Action)	49	Total 2024–2025
2	Deportation 2024	28	Deportation/Deterrence
3	Deportation 2025	11	Deportation/Deterrence
Total	Cumulative Deportation	39	2024–2025

Source: Intellectual Property Division, Class I Special Immigration Office, Semarang TPI, 2025

The table shows the law enforcement output from all operations carried out. In two years, 49 cases of Immigration Administrative Action (TAK) were successfully processed, with 39 of these resulting in deportation or deterrence. The decrease in deportation rates from 28 in 2024 to 11 in 2025 can be interpreted from two perspectives: first, as an indication of the success of the preventive function of surveillance operations, which creates a deterrent effect; and second, as the impact of a more selective law enforcement approach following the enactment of Law 63/2024, which prioritizes restorative justice.

Evaluation using Soerjono Soekanto's legal effectiveness shows that Operation Mandiri has optimized two of the five determinant factors, namely legal and law enforcement factors, while the other three factors (facilities, society, and legal culture) still require strengthening.¹⁹As a representative case study, a violation was discovered by a South Korean citizen with the initials PJH, who was working at PT Kailo Sumber Kasih in Demak Regency outside the work area stated in his

¹⁸Mohd. Feri Andrian, Muhammad Nasir, and Yusrizal. "Overstay Visit Visa", Journal of the Faculty of Law, Malikussaleh University Vol 9, No 1 (2021), p. 30, url:<http://jurnal.unissula.ac.id/index.php/ldj/article/view/1836> accessed May 13, 2026.

¹⁹Soerjono Soekanto. (1983). Law Enforcement. Bandung: Bina Cipta. p. 35.

RPTKA. This violation resulted in his deportation via Soekarno-Hatta International Airport on July 11, 2025.

Theoretically, this detection pattern aligns with the concept of early detection in selective policing theory, which emphasizes a proactive approach to foreigner surveillance. Rather than waiting for actual violations to occur, this approach identifies potential violations early through analysis of available data patterns and anomalies.²⁰

Operation Mandiri is not merely an administrative routine, but a strategic instrument that validates the relevance of an intelligence-based approach to implementing selective policy. Based on the theory of selective policy, which balances national security and well-being, the presence of foreigners in Indonesia must be continuously evaluated.²¹

This research shows that Operation Mandiri in Semarang has consistently carried out its foreigner screening function. However, to balance service and protection, a broader approach is needed. This should not only focus on firm enforcement in the field, but also on educating the public and simplifying regulations for easier compliance.

3.2. Factors Inhibiting Independent Immigration Operations

Field studies identified seven main categories of factors inhibiting Independent Operations, which can be mapped to Soerjono Soekanto's five legal effectiveness factors. First, from a legal perspective, the lack of a written Standard Operating Procedure (SOP) results in operational quality and procedures being highly dependent on the individual judgment of team leaders, thus preventing consistency between operations.²²

Second, from a law enforcement perspective, the Inteldakim (INTELDAKIM) personnel shortage represents the most fundamental structural challenge. With a service volume of 22,218 foreigners in two years, personnel availability is insufficient to meet the monitoring demands within the seven districts/cities. This human resource shortage has had a cascading effect, resulting in reduced operational frequency, a decreased deterrent effect, and a prioritization of locations, resulting in some areas escaping oversight.²³

²⁰Zainal Arifin, Andriyadi Andriyadi, and Samson Fajar. "Adaptation and Influence of Legal Culture in Indonesia", *Muhammadiyah Law Review* Vol 8, No 1 (2024), p. 3, url :<http://jurnal.unissula.ac.id/index.php/ldj/article/view/1836> accessed May 14, 2026.

²¹Diah Anjarini and Frenty Oktasari. "Immigration Action Against Misuse of Foreign National Residence Permits", *Legacy: Journal of Law and Legislation* Vol 3, No 1 (2025), p. 90, url :<http://jurnal.unissula.ac.id/index.php/RH/article/view/15714> accessed May 13, 2026.

²²Achmad Ali. (2008). *Unveiling the Veil of Law*. Bogor: Ghalia Indonesia. p. 80.

²³Soerjono Soekanto. (1983). *Law Enforcement*. Bandung: Bina Cipta. p. 62.

Third, in terms of infrastructure and facilities, there are two main obstacles. Infrastructure barriers to access industrial areas lengthen travel times and eliminate the element of surprise in operations. Limited patrol fleets, body cameras, and FRIS's reliance on stable internet connections create an enforcement gap between normative authority and actual capacity in the field.

Fourth, from a societal perspective, there are three layers of resistance. First, the general public and neighborhood administrators are uncooperative due to low immigration legal literacy and socio-economic ties to foreigners. Second, a number of corporations actively conceal or relocate foreign workers upon the arrival of immigration teams, motivated by cost-effectiveness and tax avoidance and the Foreign Worker Compensation Fund (IMTA). Third, company-provided translators have the potential to distort the accuracy of information in the Examination Report.

Fifth, from a legal culture perspective: there is a distorted perception among foreigners who view BVK as a means of professional freedom, as well as a corporate culture that prioritizes cost efficiency over legal compliance. Soerjono Soekanto emphasized that legal culture is the most difficult factor to change because it involves deeply rooted values, making a repressive approach alone inadequate without an educational strategy and the development of a compliance ecosystem.

Table 4. Mapping of Inhibiting Factors into Five Factors of Law Implementation by Soerjono Soekanto

Law Implementation Factors	Mapped Inhibiting Factors
1. Legal Factors	Absence of written SOP for Independent Operations
2. Law Enforcement Factors	Lack of Human Resources/Inteldakim Personnel
3. Facilities and Amenities Factors	Limited access to industrial areas; Limited operational facilities
4. Community Factors	Language barriers; Low cooperativeness of informants; Uncooperativeness of companies
5. Legal Culture Factors	Low immigration literacy; Corporate culture that prioritizes efficiency over compliance

Source: Processed Research Field Data

From the perspective of legal certainty theory, these inhibiting factors systematically create a certainty deficit in the national immigration system. As long as violators rationally calculate that the probability of detection is outweighed by the economic benefits to be gained, the pillar of legal certainty will be distorted, and regulations will lose their deterrent power and legitimacy.

Analysis using Soerjono Soekanto's legal effectiveness framework shows that the five inhibiting factors identified in this study are not independent of each other, but rather interact and reinforce each other in a complex and systemic pattern.

Any weakness in one determinant of legal implementation tends to exacerbate weaknesses in other factors, creating a vicious cycle that cumulatively degrades the implementation of the entire immigration oversight system.

The most critical interaction identified was between legal factors (lack of SOPs) and law enforcement factors (human resource deficits). The absence of formal procedural guidelines forced the already limited number of officers to improvise in the field, resulting in variations in the quality of operations that were not standardized. This situation was exacerbated by limited facilities, resulting in uneven operational coverage, resulting in companies in less accessible areas having a low probability of being caught. This low risk perception then encouraged the rationalization of violations among corporations and reinforced a culture of non-compliance, ultimately further burdening the already limited personnel.

The second significant interaction is between societal factors and legal culture. The low level of cooperation among community informants is not solely an individual issue, but rather a reflection of a legal culture that views the monitoring of foreigners as an exclusive government matter, not a shared responsibility of citizens. Similarly, a corporate culture that prioritizes cost over legal compliance further reinforces low community participation, as citizens with economic ties to companies are reluctant to provide information that could harm their livelihoods.

Understanding these systemic interaction patterns has important implications for the design of improvement policies. Interventions that are partial and target only one determinant factor will not produce significant, sustainable improvements. Based on this analysis, two priority interventions that are expected to produce the broadest positive cascading impact are: first, formalizing nationally standardized SOPs for Independent Operations to strengthen legal factors while providing a foundation for improvements in law enforcement, facilities, and culture; second, strengthening the capacity of INTELDAKIM human resources, which directly increases the frequency and quality of operations, which in turn will encourage changes in risk perception among corporations and gradually transform the existing legal culture.

Thus, the analysis using Soerjono Soekanto's legal effectiveness confirms that the problem of inhibiting factors in the Independent Immigration Operation at the Semarang Immigration Office is not merely a technical-administrative problem that can be resolved with partial intervention, but rather a systemic problem that requires a holistic and programmed approach that simultaneously strengthens all five determinant factors of law implementation.

From a legal certainty perspective, this situation triggers a certainty deficit in the national immigration system. If violators rationally calculate that the probability

of detection and the sanctions imposed are disproportionate to the economic benefits achieved, the pillar of legal certainty will be distorted. Regulations that are not consistently implemented will gradually lose their deterrent effect and legitimacy in practice.²⁴

The relevance of selective policy theory in this context emphasizes the urgency of striking a balance between the two main pillars of immigration: its facilitation function for foreigners who make positive contributions to development, and its protection function to safeguard sovereignty from potential threats resulting from regulatory violations. Various inhibiting factors identified in this study systematically undermine this protective function.

Therefore, efforts to mitigate these obstacles are not merely internal administrative issues at the Semarang Immigration Office, but rather represent a strategic agenda to strengthen the country's legal sovereignty. Strengthening institutional capacity, including human resource development, infrastructure modernization, formalization of standard operating procedures (SOPs), and the establishment of a community-based compliance ecosystem, constitutes a strategic investment to safeguard the integrity of Indonesia's immigration sovereignty.

4. Conclusion

The implementation of Independent Immigration Operations by the Inteladakim Division of the Semarang Class I Special Immigration Office TPI has been effective as an early detection instrument in suppressing the misuse of visit stay permits into illegal professional activities, as evidenced by the achievement of 169,877 monitoring activities with 49 TAK cases and 39 deportation actions in the 2024–2025 period. However, its implementation is still suboptimal due to seven main inhibiting factors mapped into Soerjono Soekanto's five legal effectiveness factors, namely: the absence of written SOPs (legal factors); deficit of Inteladakim personnel (law enforcement factors); limited access to industrial areas and operational facilities (facility factors); language barriers, low cooperation of the community and companies (community factors); and distortion of perception and a culture of non-compliance (legal culture factors). Optimizing the immigration monitoring system requires a holistic approach that simultaneously strengthens all five determinant factors, through formalizing SOPs, strengthening human resource capacity, modernizing infrastructure, and building a community-based compliance ecosystem to ensure legal certainty and sustainable state sovereignty.

²⁴ Septarina Nur Handayani and Sri Endah Wahyuningsih, "The Implementation of Duties & Functions of Immigration Office in Granting Statement Permits of Foreign Citizens" 3, no. 3 (2020): 353–360.

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