

## **COVID-19 Legal Update: Foreigners to be required to obtain COVID-19 Tests to enter Indonesia**

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The Indonesian Ministry of Health (the “**MOH**”) has issued new guidelines requiring that foreigners have or take a PCR (Polymerase Chain Reaction) test result for COVID-19 as a condition to entering Indonesia.

Following the designation of COVID-19 as a global pandemic, Indonesia’s immigration authority issued guidance to allow holders of Limited Stay Permits (“**ITAS**”) and Permanent Stay Permits (“**ITAP**”) to enter Indonesia on an Entry Emergency Stay Permit (*Izin Tinggal Keadaan Terpaksa Masuk* or “**ITKT Masuk**”) if their ITAS or ITAP had expired while they were abroad. That guidance was contained in Director General of Immigration Circular Letter No. IMI-GR.01.01-2493 Year 2020 (“**DGI CL 2493**”).

The Indonesian Ministry of Health on May 7, 2020, then issued guidelines for handling foreigners and Indonesian citizens entering the country. Those guidelines are in Minister of Health Circular Letter No. HK.02.01/MENKES/313/2020 regarding Health Protocols for Returning Indonesian Citizens and Foreign Citizens Arriving from Abroad at Entrances to the Country and in Regions with Large-Scale Social Restrictions (PSBB) (“**MOH CL 313**”).

DGI CL 2493 provides that to obtain an ITKT Masuk a foreign citizen must present a health certificate, which may be replaced by a fit-to-fly certificate, and be willing to self-quarantine under the supervision of Indonesian health authorities. The attachment of MOH CL 313, specifically Section (E), provides further technical requirements with regard to the health certificate, as follows:

“11. Each foreign citizen entering Indonesia must carry a health certificate in English which indicates a negative PCR (Polymerase Chain Reaction) test result for COVID-19. The health certificate shall be valid for a maximum of seven days from its issuance by a health facility in the origin country and will be validated by the Port Health Office doctor at the seaport/airport/state border post (“**PLBDN**”) of arrival.

12. Foreign citizens entering with a health certificate indicating negative PCR results for COVID-19:

- a. Shall undergo additional medical examinations, except a Rapid Test or PCR.
- b. If no illness or risk factor is found during the health checkup, the KKP (*Kantor Kesehatan Pelabuhan* or Port Health Office) will issue a health clearance and Health Alert Card to the person concerned.

- c. May carry on traveling to their destination, carrying travel papers from the local COVID-19 Mitigation Task Force and always wearing a mask during their travels.
  - d. Will self-quarantine at their own home for 14 days, applying physical distancing, wearing a mask, and observing Clean and Healthy Behavior (*Perilaku Hidup Bersih dan Sehat*).
  - e. A Health Clearance will be submitted and forwarded to the local health department to conduct monitoring during the self-quarantine period at home.
13. Foreign citizens entering without a health certificate, or with a health certificate over seven days old, or with a health certificate that does not indicate a negative PCR test:
- a. Additional health checkups will be conducted including a Rapid Test.
  - b. For foreign citizens with comorbidities, if the Rapid Test is reactive, they will be referred and isolated in an emergency hospital/COVID-19 referral hospital.
  - c. Foreign citizens not showing symptoms and without comorbidities with reactive Rapid Test results will be recommended to immigration officers to be deported.
  - d. If the Rapid Test result is non-reactive, the foreign citizen will be recommended to immigration officers to be deported.

MOH CL 313 also provides that Indonesians returning to Indonesia should, as much as possible, carry a health certificate in English that is valid for a maximum of seven days from its issuance by the health facility from their country of origin, and validated by the doctor at the Port Health Office at the PLBDN. The Circular Letter also provides certain protocols for Indonesians who carry a health certificate that indicates a negative COVID-19 PCR test result.

## **Conclusion**

We would advise foreign citizens to adhere to these requirements and always carry copies of DGI CL 2493 and MOH CL 313 when traveling to Indonesia. Indonesian citizens should also bring a copy of MOH CL 313 for reference. The requirements in these Circular Letters are subject to change based on the situation with the COVID-19 pandemic. (May 14, 2020)

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