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Regulation of the Minister of Immigration and Corrections No. 13 of 2025 on the Implementation of Prevention and Deterrence: A Quick Reminder

The Minister of Immigration and Corrections has enacted a new regulation governing the prevention and deterrence of immigration-related issues. Regulation No. 13 of 2025 on the Implementation of Prevention and Deterrence ("**MR No. 13/2025**"), which came into effect on 16 December 2025, replaces and revokes Regulation of the Minister of Law and Human Rights No. 38 of 2021 on the Procedures for Prevention and Deterrence (the "**MR No. 38/2021**"). This advisory serves as a reminder of the implementation of prevention and deterrence under MR No. 13/2025.

Prevention

As with the previous regulation, MR No. 13/2025 defines "prevention" as a temporary ban that stops a foreign national or an Indonesian citizen from leaving the territory of Indonesia for immigration-related grounds or other grounds as stipulated by law. For immigration-related cases, the appointed Director General of Immigration or an Immigration Officer may impose this travel ban on several grounds, including the following:

1. the results of immigration supervision and decisions on immigration administrative measures; or
2. a decision, order, or request from the chief of another ministry/agency that, pursuant to law, has the authority to impose prevention.

A prevention order can last up to six months and may be extended for another six months. When an authorized immigration officer submits a prevention request through the Immigration Management Information System application (SIMKIM), the person concerned will be formally placed on a travel-ban list. Immigration must then notify the person, their family or embassy (if they are a foreign national) within seven days after the order is issued.

MR No. 13/2025 retains the urgent prevention mechanism that existed under MR No. 38/2021 and adopts largely the same procedures for extension, termination and revocation of a prevention order.

One important change is that, unlike the previous regulation, MR No. 13/2025 no longer provides an objection mechanism for a person subject to a prevention order. Even though MR No. 13/2025 no longer allows a person to formally object to a prevention order, it still provides alternative avenues for the order to be lifted. The prevention may be revoked by the issuing authority if there is a final and binding ruling from the State Administrative Court, or if a final and binding court ruling acquits the person in the case that led to the prevention order.

While Article 75 (2) of Law No. 30 of 2014 on Government Administration (as amended) allows a person to challenge an administrative decision, including a decision by immigration authorities, in practice immigration officials are likely to follow the specific immigration laws and regulations (including MR No. 13/2025) rather than the general administrative law.

Deterrence

Like the previous regulation, MR No. 13/2025 defines "deterrence" as a ban on foreign nationals from entering the territory of Indonesia for immigration-related grounds. However, MR No. 13/2025 provides broader grounds to impose deterrence, including the following:

1. is known or suspected to be involved in organized transnational crime;
2. demonstrates hostility toward the Government of Indonesia or commits acts that damage the good name of the Indonesian nation and state;
3. is suspected of committing acts that are contrary to public order, morality, religion, and the customs or traditions of Indonesian society;
4. uses a false or falsified passport to obtain a visa or stay permit to enter and reside in the territory of Indonesia;

5. is subject to immigration administrative measures in the form of deportation from the territory of Indonesia;
6. overstays the permitted period of stay and fails to pay the overstay fee in accordance with the provisions of laws and regulations in the field of Non-Tax State Revenue applicable at the Ministry of Immigration and Corrections;
7. state sovereignty;
8. national security;
9. terrorism;
10. infectious diseases;
11. radicalism;
12. mental disorders;
13. crime, violence, or sexual deviance;
14. involvement with narcotics;
15. human trafficking; and/or
16. human smuggling.

MR No. 13/2025 also introduces three possible durations for a deterrence order: five years, ten years, or lifetime. For example, a five-year ban may apply following deportation as an immigration administrative measure, a ten-year ban may apply where a person is suspected of involvement in an organized transnational crime, and for lifetime ban may be imposed for conduct that disturbs public security and order, such as terrorism.

Unlike the previous regulation, MR No. 13/2025 no longer requires the Director General of Immigration or an Immigration Officer to carry out a prior assessment before extending a deterrence order in certain cases. These include cases where the deterrence is based on a request from another country to prevent a person from evading the threat of punishment enforcement abroad, or a request from an international court in relation to suspected transnational organized crime.

MR No. 13/2025 also introduces a new mechanism that allows a guarantor of a foreign national, whether an individual or a corporation, to apply for the revocation of a deterrence order that was imposed at the request of specified immigration authorities.

The provisions on how a deterrence order ends remain broadly the same as under MR No. 38/2021.

Given the above, it can be concluded that the newly enacted MR No. 13/2025 provides several broader grounds and mechanisms that should be further considered and assessed by any person that is and may be subject to the regulation.



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