

## Indonesia on the Coronavirus (COVID-19) Outbreak: New Regulations and Policies

Our Firm wishes to express our concern about the problems you may be experiencing because of COVID-19 and we would hereby like to provide our sympathy and support for the people of the People's Republic of China and hope that the outbreak will be overcome soon. Our special thoughts go out to all of you -- this is a monumental challenge, but it is also a testament of strength in solidarity. We hope that affected communities will be able to return to their normal lives as quickly as possible.

On 30 January 2020, the World Health Organization (WHO) declared that the outbreak of novel coronavirus or COVID-19 constituted a Public Health Emergency of International Concern (PHEIC). The COVID-19 is a respiratory illness caused by a new coronavirus which first originated in Wuhan, Hubei Province, China, the death toll from which has reportedly surpassed 1,000 on mainland China, while confirmed infections have passed 40,000 globally. Given the large population movements and the observed human-to-human transmission, it is not unexpected that new confirmed cases will continue to appear in other areas and countries outside of China.

Indonesia has yet to confirm a single suspect case, however, following the WHO's announcement, the Indonesian government has issued, among others, the following regulations:

- **Regulation of the Minister of Law and Human Rights Number 3 of 2020 on the Temporary Suspension of Visa Exemptions, Visas and the Issuance of Emergency Stay Permits to Chinese Citizens ("MOLHR Reg 3/2020")**

MOLHR Reg 3/2020 imposes, among other things, a temporary suspension of providing free visa and visa-on-arrival services to Chinese citizens living on the mainland and foreigners who have lived and or visited China within the 14 (fourteen) days before they enter Indonesia. This also applies to holders of an APEC business card, limited stay permit and permanent residence permit who have a permit to re-enter Indonesia, if they have lived or visited China within the 14 days before they enter Indonesia, as they will not be issued an entry permit. The 14-day restriction is due to the incubation period of COVID-19. MOLHR Reg 3/2020 also imposes certain requirements for granting residence permits to Chinese citizens in urgent situations. MOLHR Reg 3/2020 was issued on the 5<sup>th</sup> of February 2020 and is valid until the 29<sup>th</sup> of February 2020 and will then be re-evaluated.

- **Circular Letter Number IMI-0954.GR.01.01 Tahun 2020 on the Temporary Suspension of Visa Exemptions, Visas and the Issuance of Emergency Stay Permits to Chinese Citizens dated 5 February 2020 issued by the Director General of Immigration ("DGI Circular Letter")**

Following the issuance of MOLHR 3/2020, the Director General of Immigration issued the DGI Circular Letter as a guideline for executive officers, providing clear information to the public related to the substance of the temporary suspension of visa exemptions, visas and the issuance of emergency stay permits to Chinese citizens (under MOLHR Reg 3/2020).

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The DGI Circular Letter allows the Director General of Immigration to issue a residence permit in urgent situations for up to 30 (thirty) days, extendable for up to a further 30 (thirty) days each time. The government will also supervise foreigners who obtain a residence permit in urgent situations. The government is required to ensure public awareness of MOLHR Reg 3/2020 by informing airlines and shipping agents, among other means.

- **Circular Letter Number: SE.5 Tahun 2020 on the Anticipation of the Spreading of COVID-19 in Indonesian Port Areas dated 5 February 2020 issued by the Director General of Marine Affairs (“DGM Circular Letter”)**

The DGM Circular Letter provides guidelines for Port Operators for the prevention of the COVID-19 including, among others, the following actions:

- (i) conduct necessary identification upon the arrival of all cruise ships that serve either directly or in transit from overseas, especially from countries which are infected with the COVID-19;
  - (ii) supervise ships transporting passengers and goods, especially from China and Hong Kong;
  - (iii) create and implement Standard Operating Procedures (SOPs) for handling the impact of the spread of the severe (COVID-19) pneumonia virus with port operators;
  - (iv) form an Integrated Team for the Management of Severe Pneumonia Illnesses, which consists of the Port Health Office (*Kantor Kesehatan Pelabuhan/KKP*), Quarantine, Customs and Excise Office, Immigration, Port Operators and other Government Agencies, to prevent the entry of the virus outbreak by sea; and
  - (v) report the potential and symptoms of the (COVID-19) pneumonia virus illness.
- **Minister of Trade (MOT) Regulation Number 10 of 2020 on the Temporary Ban on Imports of Live Animals from the People’s Republic of China (“MOT Reg 10/2020”)**

MOT Reg 10/2020 temporarily bans imports of live animals that either originate from or transit through China into Indonesian territory to prevent the transmission of COVID-19 in Indonesia. MOT Reg 10/2020 sets out a specific list of prohibited live animals in its annexes which include among others, horses, cows, rabbits, etc.

Under MOT Reg 10/2020, importers must re-export prohibited live animals imported into Indonesia. Otherwise, the importer will be subject to sanctions under the prevailing laws and regulations.

Separately, the Minister of Transportation in his official press statement explained that Indonesia is temporarily banning flights to and from mainland China from 5 February 2020 and will not allow those who have been there in recent weeks to enter or transit through Indonesia, which policy he claims follows the instruction issued by the President of the Republic Indonesia in a restricted meeting (*rapat terbatas*). The temporary flight ban applies to foreign airlines flying from China to Indonesia, including in transit.

As a close neighbouring country to those affected by this outbreak, our firm stands fully behind all the affected countries and will always support and pray for those in need in this confronting health threat.

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