

Analysis of the Imposition of Entry Stamps on the Crew of Transportation Equipment against Permenkumham Number 44 of 2015

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ABSTRACT

Migration of people has occurred from prehistoric times where humans at that time (ancient humans) lived in a nomadic way or moved from one place to another. However, in prehistoric times there were no countries and no known borders between countries so that humans were very free to move. In this modern era, humans also move from one place to another, both within the scope of Regency/City, Province, Island, and even State. Every country has an area where between each region of the country a boundary must be determined. The concept of territorial boundaries is divided into 3 (three) namely Border, Frontier, and Boundrie. Of the three concepts, Immigration as the agency that first welcomes everyone who enters the territory of Indonesia and as the agency that is last met before leaving the territory of Indonesia is at the Immigration Checkpoint. In passing the Immigration Checkpoint, one must have clear requirements and goals so that later they can be given a stamp as an entry permit into Indonesian territory. The Entry Stamp is a sign given by the Immigration officer at the Immigration Checkpoint as a sign that someone is allowed to enter the Indonesian Territory.

ABSTRAK

Perpindahan orang sudah terjadi dari zaman prasejarah yang mana manusia pada zaman itu (manusia purba) hidup dengan cara nomaden atau berpindah dari sebuah tempat ke tempat lain. Namun pada zaman prasejarah belum terdapat negara dan belum dikenal perbatasan antara negara sehingga manusia sangat bebas untuk melakukan mobilitas. Zaman modern ini manusia juga melakukan perpindahan dari satu tempat ke tempat yang lain baik dalam lingkup Kabupaten/Kota, Provinsi, Pulau, bahkan Negara. Setiap negara memiliki wilayah yang mana antara setiap wilayah negara satu dengan yang lainnya pasti ditentukan sebuah batas. Konsep batas wilayah dibagi menjadi 3 (tiga) yaitu Border, Frontier, dan Boundrie. Dari ketiga konsep tersebut Imigrasi sebagai instansi yang pertama kali menyambut setiap orang yang masuk ke wilayah Indonesia dan sebagai instansi yang terakhir ditemui sebelum keluar wilayah Indonesia berada pada Tempat Pemeriksaan Imigrasi. Dalam melewati Tempat Pemeriksaan Imigrasi harus memiliki persyaratan dan juga tujuan yang jelas sehingga nantinya dapat diberikan cap sebagai izin masuk ke wilayah Indonesia. Cap Tanda Masuk merupakan sebuah cap yang dibubuhkan oleh petugas yang berwenang di Tempat Pemeriksaan Imigrasi sebagai simbolisme diperbolehkannya seseorang untuk masuk ke Wilayah Indonesia.

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I. INTRODUCTION

Migration of people has often occurred and even always done in everyday life. The movement of people or what is commonly called migration has been carried out by humans since ancient times, in ancient times, humans lived in a nomadic way or moved from one place to another. In this era, not a few people move from one place to another, be it between Regencies/Cities, Provinces, and even countries. The era of globalization marked by rapid economic and technological development, the existence of free trade and economic integration has triggered the movement of people. One of the activities that resulted in population displacement was to work, which has been carried out since the colonial era or more precisely in the 19th century when the Dutch colonial sent workers from Indonesia who were then employed in Suriname (Noveria, 2017). From this phenomenon, the sending of workers continues to this day, but with due observance of existing regulations. In addition to workers placed in a country, migration is also carried out by workers who work with their means of transportation and cross several countries. This is actually the nature of humans to seek and get a better life, but traveling across countries either for work or just visiting in today's modern times is not an easy thing because it is governed by strict regulations.

In international rules, every human being who travels across countries is required to have valid and valid travel documents (Setiawan, 2006). This is stated in Law Number 6 of 2011, specifically in Article 8 paragraph (1), which states that everyone who enters or leaves Indonesian territory must have a valid travel document. In addition, Article 32 of the Decree of the Minister of Law and Human Rights No. 44 of 2015 concerning Procedures for Entering and Exiting Indonesian Territory at the Immigration Office "In the event that there are no problems during the Immigration inspection, the examiner gives approval for entry or exit by placing an Entry Sign or Exit Mark on the Travel Document". Exit for the crew of the transportation equipment there is a slight difference between the crew of the sea transportation equipment and the crew of the air transportation equipment, namely in the air transportation crew, in this case the aircraft crew, who get entry and exit stamps on the crew card, not on the passport which becomes their Travel Document. , crew members of sea transportation equipment who enter or leave the territory of the country will receive entry or exit marks on their passports. This is what will be discussed in this paper because there are differences in terms of the marking of entry and exit marks for crew members of the transportation equipment and the use of crew cards that do not have legality.

This article was written to find out about how to measure and issue stamps for entry and exit to the crew of the transportation equipment at the immigration checkpoint according to the guidelines in the Minister of Law and Human Rights.

II. RESEARCH METHOD

This study uses the qualitative analysis method, by collecting data from various sources from the library and taking the main points which will then be analyzed as a whole. in this method the data will be described clearly and thoroughly.

III. RESULTS AND DISCUSSION

Each country has regulations governing traffic in or out of or out of its territory. This is intended to maintain the security and sovereignty of the country. Like Indonesia, traffic in and out of people is regulated in immigration laws, in this context Indonesia adheres to a selective policy system. In the elucidation of Law Number 6 of 2011 concerning Immigration, it is explained that this selective policy system only grants permits to foreigners who have a positive impact and do not threaten the security and public order in Indonesia. This is different from the policy of the Dutch government which occupied Indonesia after the VOC went bankrupt, namely the Opendoor Policy with the aim of

wanting investment freedom for the foreign private sector, but still prioritizing the welfare of the natives.

Rules for Issuing Indonesian Territory Entry and Exit Stamps

Immigration Checkpoints or commonly abbreviated as TPI are places where people are checked into or out of the territory of the country. Everyone who enters or leaves the territory of the country will receive or get an immigration stamp. Immigration stamp is a certain stamp that is added to travel documents or other immigration documents as a sign of validation. Immigration stamps can be in the form of manual and electronic immigration stamps. Manual immigration stamp is a type of sign that is made using certain tools. One example is a stamp that is used as a form of validation on travel documents or other immigration documents, while an Electronic Immigration Stamp is a sign, one of which is in the form of a sticker sent by a certain electronic device that contains a record of movement information as a form of approval or approval for the completeness of administrative capabilities migration or management potential. From the definition of manual and electronic immigration stamps, the types of immigration stamps are explained in Permenkumham Number 28 of 2018. Entry and exit stamps, especially entry stamps; exit stamp; entry refusal stamp; stamp that is used for residence permit services; and stamps used in immigration control (Arifi, 2018).

To be able to find out more about the rules for affixing entry and exit stamps to Indonesian territory, we must first know the meaning of entry and exit stamps. Entry Mark is a certain sign given by an Immigration Officer as a form of validation on Travel Documents or immigration documents for Indonesian Citizens and Foreigners, whether done manually or electronically, stating that the person concerned can enter Indonesian Territory. Exit Signs are certain signs given by Immigration Officials as a form of validation on Travel Documents or immigration documents for Indonesian Citizens and Foreigners, both manually and electronically, stating that the person concerned can leave Indonesian Territory (Liejanto, 2018).

Affixing an entry stamp is carried out if an immigration check has been carried out by immigration officials at TPI, whether TPI Air, Sea or Cross Border Posts. Examination includes checking the legitimacy of travel documents, short interviews, scanning documents, checking blacklists. If there are no problems, an entry stamp can be affixed or an entry sticker can be placed. Manual entry stamps are intended for Indonesian citizens; children who have dual citizenship; conveyance crew; foreigners holding official or diplomatic residence permits; Foreigners holding Re-Entry Permits; foreigners holding cross-border passes; or foreigners who enter Indonesian territory in an emergency (Ramadhan, 2019).

Foreign nationals who enter Indonesian territory in a state of emergency are further explained by article 3 of Permenkumham No. 28 of 2018 concerning Immigration stamps that the foreigner referred to in the Permenkumham is a foreigner who is in need of humanitarian assistance in an area experiencing natural disasters in Indonesian territory or his means of transportation is damaged either damage to the engine or bad weather experienced at that time, Vehicle scheduled to dock or land in Indonesian territory. Regarding electronic entry stamps, for foreigners who meet the inspection level requirements to enter Indonesian sovereign territory with a visa-free visit visa. Tourist Visa; Visit Visa on Arrival; Asia Pacific Economic Cooperation Business Travel Card; Limited residence visa; Temporary Visa on Arrival; temporary visa on arrival for foreign workers; limited stay visas make it easier to work while on vacation. Visa-free for holders of diplomatic or service passports. or an official or diplomatic visa.

Exit Sign is a certain sign that is given both electronically and electronically on Travel Documents or immigration documents for Indonesian Citizens and Foreigners, which is given by the Immigration Officer as a sign that the person concerned is allowed to leave the Indonesian Territory. The Exit Stamp referred to in article 2b of Permenkumham Number 28 of 2018 Concerning Immigration Stamps is intended for foreigners and Indonesian citizens who have passed the inspection stage and completed the rules to leave Indonesia.

IV. COCLUSION

The affixing of entry and exit signs for the crew of the means of transportation is actually regulated by law, but in reality the affixing is illegal. In the regulations in force, the entry and exit stamps are affixed to the travel document, in this case the passport, but in reality it is stamped on the flight crew (crew), which is not stated therein. travel document. arrange that the crew card is a travel document. Regulation of the Minister of Law and Human Rights Number 44 of 2015 concerning Procedures for Checking Entry and Exit of Indonesian Territory at the Immigration Office Article 32 which reads: "If there are no problems in the immigration inspection, the examiner issues a permit. enter or exit by showing Entry or Exit Signs on Travel Documents". Entry and Exit Examination of Indonesian Territory at Immigration Points Article 32 which states that "In the event that there are no problems in the Immigration inspection, the examiner gives approval for entry or exit by placing an Entry Sign or Exit Sign on the Travel Document. In the laws and regulations it has been explained that the entry and exit stamps must be stamped on the travel document, and there is no explanation for them to be stamped elsewhere, therefore in the future a new regulation or form of agreement is formed that can provide related legality stamping of entry and exit signs on the crew card.

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