

**IMPLEMENTASI HUKUM KEIMIGRASIAN DALAM PENERAPAN IZIN
TINGGAL KEADAAN TERPAKSA PADA MASA PANDEMI COVID 19
BAGI PENDUDUK INDONESIA WARGA NEGARA ASING
(STUDI DI KANTOR IMIGRASI KELAS II TPI CILACAP)**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui implementasi hukum keimigrasian dalam penerapan izin tinggal keadaan terpaksa pada masa pandemi Covid-19 bagi penduduk Indonesia warga negara asing di Kantor Imigrasi Kelas II TPI Cilacap dan faktor-faktor yang cenderung memengaruhinya. Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan yuridis empiris dan spesifikasi penelitian deskriptif. Lokasi penelitian di Kantor Imigrasi Kabupaten Cilacap dengan informan pejabat imigrasi dan analis keimigrasian dengan metode penentuan informan menggunakan *purposive sampling* atau *criterion based selection* dan *Snowball Sampling*. Pengumpulan data dengan metode dokumenter, kepustakaan, wawancara, dan observasi. Metode analisis data secara kualitatif dengan menggunakan model analisis isi (*content analysis*) dan analisis perbandingan (*comparative analysis*). Hasil penelitian menunjukkan bahwa penerapan Izin Tinggal Keadaan Terpaksa (ITKT) pada masa pandemi Covid-19 bagi penduduk Indonesia warga negara asing di Kantor Imigrasi Kelas II TPI Cilacap sebagian besar belum terimplementasi. Hal ini dibuktikan dengan hasil penelitian terhadap enam parameter dengan hasil meliputi: ITKT dengan alasan kemanusiaan telah terimplementasi, sedangkan ITKT dengan alasan bencana alam; ITKT dengan alasan berada di Wilayah Indonesia dalam rangka pelaksanaan deportasi yang tidak ditempatkan di Rumah Detensi Imigrasi; ITKT dengan alasan dalam proses hukum atau sedang dalam penanganan aparat penegak hukum dan tidak dilakukan penahanan atau di penjara; ITKT dengan alasan dalam rangka melaksanakan putusan pengadilan berupa pidana bersyarat; ITKT dengan alasan keadaan tertentu dalam rangka kepentingan pemerintah masing-masing belum terimplementasi. Faktor-faktor yang cenderung memengaruhi implementasi hukum keimigrasian dalam penerapan izin tinggal keadaan terpaksa pada masa pandemi Covid-19 bagi penduduk Indonesia warga negara asing yaitu faktor hukumnya, faktor penegak hukumnya, faktor masyarakat, faktor sarana dan fasilitas, dan faktor budaya, baik faktor personal maupun faktor sosial.

Kata Kunci : Implementasi Hukum Keimigrasian, Izin Tinggal Dalam Keadaan Terpaksa, Pandemi Covid-19, Warga Negara Asing

**IMPLEMENTATION OF IMMIGRATION LAW IN THE
IMPLEMENTATION OF COMPLETED STAY PERMIT DURING THE
COVID-19 PANDEMIC FOR INDONESIAN RESIDENTS FOR FOREIGN
COUNTRIES
(STUDY AT CLASS II IMMIGRATION OFFICE TPI CILACAP)**

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ABSTRACT

This study aims to determine the implementation of immigration law in the application of forced residence permits during the Covid-19 pandemic for Indonesian residents who are foreign nationals at the Class II Immigration Office of TPI Cilacap and the factors that tend to influence it. This study uses a qualitative research method with an empirical juridical approach and descriptive research specifications. The research location is at the Immigration Office of Cilacap Regency with official informants and immigration analysts with the method of determining the informants using purposive sampling or criterion based selection and Snowball Sampling. Collecting data with documentary methods, literature, interviews, and observation. The data analysis method is qualitatively using content analysis and comparative analysis models. The results showed that the implementation of the Forced Situation Permit (ITKT) during the Covid-19 pandemic for Indonesian residents who were foreign nationals at the Class II Immigration Office of TPI Cilacap had not been implemented. This is evidenced by the results of research on six parameters with the results including: ITKT for humanitarian reasons has been implemented, while ITKT for reasons of natural disasters; ITKT by reason of being in the Indonesian Territory in the context of carrying out deportations that are not placed in the Immigration Detention Center; ITKT on the grounds that it is in a legal process or is being handled by law enforcement officers and has not been detained or imprisoned; ITKT on the grounds that in order to implement a court decision in the form of a conditional sentence; ITKT for reasons of certain circumstances in the interest of the respective government has not been implemented. Factors that tend to influence the implementation of immigration law in the application of forced residence permits during the Covid-19 pandemic for Indonesian residents who are foreign nationals are legal factors, law enforcement factors, community factors, facilities and facilities factors, and cultural factors, both personal factors. as well as social factors.

Keywords : Immigration Law Implementation, Stay Permit in Forced Circumstances, Covid-19 Pandemic, Foreign Citizens