



Residence Permit Transition: A Literature Analysis on Challenges and Implementation in Indonesia

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ABSTRACT

Indonesia's transitional residence permit, introduced through Ministerial Regulation No. 11 of 2024, aims to offer flexibility for foreign nationals to switch between residence permit statuses without leaving the country. Despite its potential, the implementation faces numerous challenges, including administrative inefficiencies, unclear status transitions, and rising permit violations. In 2024, Denpasar alone reported 138 cases, up from 104 in 2023, indicating weaknesses in policy enforcement. This study aims to analyze Indonesia's transitional residence permit system by comparing it with models in the United States and Switzerland, which use sponsorship-based and economic contribution-based systems respectively. Employing a Systematic Literature Study (SLS) method, this research reviews current policies, academic publications, and government regulations to evaluate administrative effectiveness, legal certainty, and enforcement mechanisms. The findings highlight Indonesia's limited permit duration (60 days), lack of integrated sponsorship or economic evaluation systems, and absence of employment flexibility during the transitional period. In contrast, the U.S. allows applicants to stay during status processing through a robust sponsorship framework, while Switzerland's permits are granted based on quantifiable economic contributions. This comparative analysis reveals the urgent need for policy reform in Indonesia, emphasizing administrative integration, sponsor verification, and the incorporation of an economic or skill-based evaluation system. These improvements are expected to reduce immigration violations, improve labor market management, and align Indonesia's immigration policy with international standards.

Keywords: transitional stay permit; immigration policy; violation of stay permit; policy change.

INTRODUCTION

The immigration system in Indonesia underwent changes with the issuance of Minister of Law and Human Rights Regulation (Permenkumham) Number 11 of 2024, which revised the previous regulation in Permenkumham Number 22 of 2023 concerning Visas and Stay Permits (Azmiyati, 2018). This regulation introduces the Transitional Stay Permit as a transition mechanism for holders of previous residence permits who wish to switch to another type of residence permit without having to leave Indonesia (Syahrin, 2020).

The Transitional Stay Permit is granted to holders of Visit Upon Arrival Visa (VKSK), Limited Stay Permit (ITAS), and Permanent Stay Permit (ITAP) who wish to make a transition to a new status of residence (Ruhs and Glorius, 2021). This permit application must be made at least 3 days before the validity period of the previous residence permit expires, and can only be applied

for within the territory of Indonesia through the Molina Immigration system (Russell and Al-Ramadhan, 2022). Once this permit is issued, the old permit automatically expires. If the permit holder leaves Indonesia before applying for a new permit, the Transitional Stay Permit becomes invalid (Harirah & Rizaldi, 2020).

The Transitional Stay Permit has a validity period of 60 days and cannot be extended, but can be converted into a Limited Stay Permit (ITAS) (Quintini and Martin, 2014; Sandee, 2016). To apply for this permit, the applicant is charged a PNPB fee of IDR 2,000,000. Holders of this permit are allowed to carry out various activities, such as social, cultural, family, tourism, medical treatment, and preparation for applying for a status transfer to ITAS (Sande, 2020).

Visit Stay Permit (ITK), Limited Stay Permit (ITAS), and Permanent Stay Permit (ITAP) are three types of stay permits for foreigners in Indonesia that are tailored to the purpose and duration of stay. ITK is granted for short-term visits such as tourism, business, or family with a validity period of up to 180 days (Peri, 2021). If someone wants to stay longer for purposes such as work, investment, study, or family unification, they can apply for an ITAS, which is valid from 6 months to 5 years. Furthermore, ITAP is granted to foreigners who wish to stay permanently, such as foreign workers with a long working period, investors, or spouses of Indonesian citizens, with a validity period of 5 years and can be extended indefinitely (Goldring and Landolt, 2013; Castles and Ozkul, 2014; Quintini and Martin, 2014; Octifanny, 2021; Gökçekuyu, 2025). The transition mechanism from ITK to ITAS or from ITAS to ITAP allows foreigners to adjust their residence permit status without having to leave Indonesia, provided that they meet the administrative requirements and applicable regulations. This system provides flexibility and legal certainty for foreigners who wish to stay for a longer period of time (Dang and Nguyen, 2021).

In practice, the Transitional Stay Permit is used in various situations. An applicant can use it to transfer from an ITK to a new ITAS, either because the previous permit has reached its maximum limit or due to a change in circumstances, such as the ITAP holder's child turning 18 years old and requiring a new permit (Barnard and Ludlow, 2021). In addition, this permit also allows Education ITAS holders to extend their stay with sponsorship from an educational institution in Indonesia (Fahroy, 2017).

Violation of a residence permit is any form of non-compliance by foreign nationals (WNA) with immigration rules governing time limits, types of activities, and status of residence permits in a country (Sihombing, 2013). This violation can be in the form of overstay or staying beyond the permitted time limit, misuse of residence permits to work without official permission, and changes in the status of residence permits that are not in accordance with applicable regulations (Muhlisa and Roisah, 2020). In Indonesia, law enforcement against these violations is a challenge due to the lack of coordination between agencies and the limited technology-based monitoring system (Syahrin, 2020).

Violations of residence permits in Indonesia continue to increase, reflecting challenges in the supervision and enforcement of immigration policies. During 2023 and 2024, various forms of immigration violations occurred, including misuse of residence permits, overstay, and other violations involving foreign nationals (Muhlisa & Roisah, 2020). One form of violation that is of

concern is the misuse of transitional residence permits, where foreigners do not meet the requirements or use their residence permits for purposes that are not in accordance with the applicable provisions (Syahrin, 2020). To provide a clearer picture of the trend of this violation, the following is data on immigration violations that have occurred in Indonesia, especially in Denpasar over the past two years (Wiguna and Noor, 2025).



Figure 1. Immigration violations (Wiguna & Noor, 2025).

Source: Researcher

Figure 1 above shows an increase in the number of immigration violations handled by the Denpasar Immigration Office, from 104 cases in 2023 to 138 cases in 2024 (Wiguna & Noor, 2025). This increase indicates that the immigration system in Indonesia faces increasingly complex challenges, especially in the management of the Transitional Stay Permit, which is an important instrument in the regulation of residence permits for foreign nationals. As a major tourist destination, Bali has become a hotspot for various residence permit violations, including online prostitution, residence permit abuse, and overstay.

The increase in the number of violations potentially indicates the existence of loopholes in the Transitional Stay Permit mechanism, as regulated in Permenkumham Number 11 of 2024. One of the potential abuses is the use of the Transitional Stay Permit to illegally extend the period of stay, where a Visit-on-Arrival Visa (VKSK) holder can circumvent the time limit of stay by repeatedly applying for a Transitional Stay Permit without actually applying for a status transfer to ITAS (Simatupang & Edorita, 2015). In addition, this system also allows residence permit holders to avoid having to leave Indonesia to apply for a new visa abroad, which should be a standard procedure in the international immigration system.

One of the advantages of Indonesia's new transitional residence permit system is its ability to allow residence permit holders to apply for a change of status without having to leave the country. This policy provides greater flexibility for foreign nationals who wish to extend or change their residence permit status without the need to return to their home country to apply for a new visa, as is also implemented in several countries such as the United States and Canada (Wang, 2021; Hennebry and McLaughlin, 2021).

This regulation is stipulated in Minister of Law and Human Rights Regulation Number 11 Year 2024, which aims to simplify the immigration administration process and reduce costs and complexity for applicants. However, this system also poses its own challenges, especially in the aspects of supervision and compliance with immigration regulations. One of the problems that has arisen is the increase in residence permit violations, including cases of overstay and misuse of permits, which can have an impact on the immigration system as a whole. The following data illustrates the details of violations committed by foreigners throughout 2024 (Wiguna & Noor, 2025).

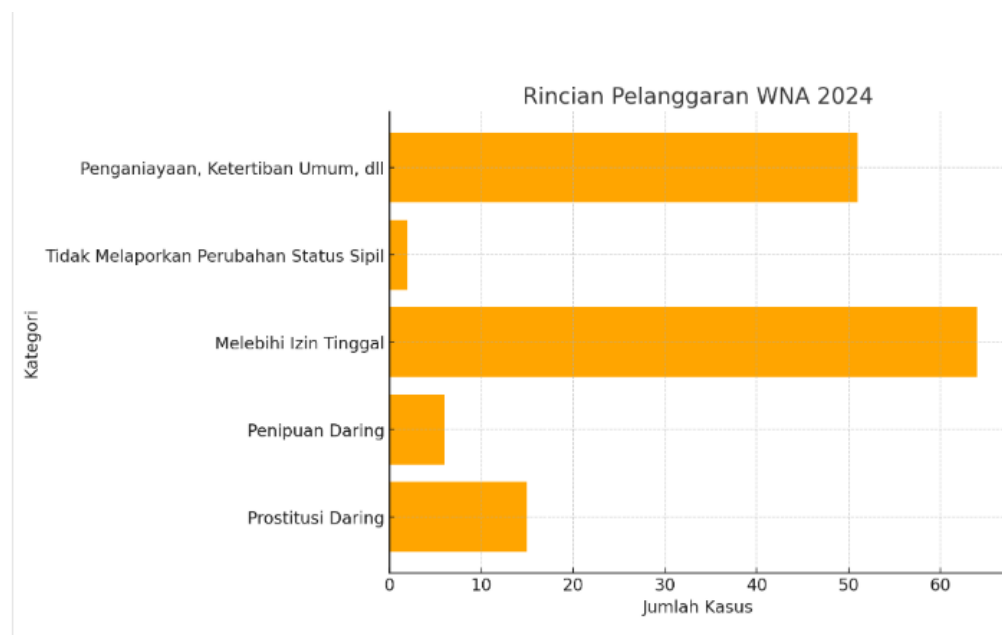


Figure 2. 2024 breakdown of foreign offenses (Wiguna & Noor, 2025).

Source: Researcher

Figure 2 explains the details of foreigners' violations in 2024, showing that 64 cases were overstay violations, followed by 51 cases of misuse of residence permits and public order disturbances. This shows that many foreigners remain in Indonesia by using the existing residence permit mechanism, even though their activities are not in accordance with the type of permit they have (Nugroho, 2018). Online prostitution, which was also recorded as one of the violations with 15 cases, shows that misuse of residence permits is often related to illegal activities that are difficult to detect, especially if they are conducted through digital channels or hidden in transnational criminal networks.

The increasing number of violations and the complexity of the perpetrators' modus operandi indicate the urgency to scrutinize and evaluate the Transitional Residence Permit, not only in the national context but also by comparing it with immigration systems in other countries, such as the United States and Switzerland. In the United States, the Adjustment of Status system allows applicants to change their residency status without leaving the country, but with strict requirements such as in-depth background checks, clear sponsorship, and meeting certain financial requirements

(Wang, 2021; Peri, 2021). Meanwhile, in Switzerland, the Temporary Residence Permit system is implemented with an economic contribution-based approach, where applicants must demonstrate that their presence brings benefits to the Swiss economy and labor market (Weber and Straubhaar, 2021).

In addition, the COVID-19 pandemic has shown that a less flexible immigration system can hinder a rapid response to emergency situations. Immigration policy reforms should include institutional capacity building in terms of technology, human resources and infrastructure, so that transition permits can be managed more efficiently in exceptional circumstances, such as a global health crisis or a drastic increase in the number of asylum seekers (Muhlisa & Roisah, 2020).

The Transitional Stay Permit in Indonesia is a mechanism that aims to provide flexibility for foreign nationals to adjust their residence permit status without having to leave the territory of Indonesia. However, the implementation of this policy still faces various challenges, ranging from the lack of transparency in the permit transition process, weak supervision of permit abuse, to the lack of integration of immigration administration systems that cause inefficiencies in the management of residence permits (Muhlisa & Roisah, 2020). These weaknesses have the potential to open loopholes for illegal practices, such as overstay and misuse of residence permits for purposes that are not in accordance with the initial provisions, which in turn can have an impact on aspects of national security and stability.

In comparison, the United States and Switzerland have developed more stringent and structured transitional residence permit systems, allowing the country to manage immigrant mobility more effectively. In the United States, the Adjustment of Status mechanism requires applicants to go through a rigorous selection process, including a thorough background check and fulfillment of certain financial conditions before a change of status permit is granted (Wang, 2021). Meanwhile, in Switzerland, the economic contribution-based Temporary Residence Permit system requires applicants to demonstrate tangible benefits to the country's economy, thus preventing an influx of unqualified immigrants (Weber & Straubhaar, 2021).

By comparing Indonesia's transitional residence policy with those of the United States and Switzerland, this study will identify weaknesses in Indonesia's system and examine how the two countries have overcome challenges in managing transitional residence. The main objective of this study is to provide policy recommendations that are more transparent, efficient, and in line with international standards, so as to minimize the potential for abuse of residence permits and strengthen Indonesia's immigration system without ignoring human rights principles (Harirah & Rizaldi, 2020).

RESEARCH METHOD

This research uses a Systematic Literature Study (SLS) approach to review and compare various studies related to transition permits in Indonesia and other countries. This approach aims to identify patterns, challenges, and implementation of transition permit policies in various immigration law contexts. The SLS method allows researchers to systematically analyze relevant literature and ensure that the data used reflects a comprehensive and up-to-date understanding of

the phenomenon under study (Moleong, 2021). The SLS approach was selected to explore patterns, challenges, and implementation of transitional residence permit policies in Indonesia and comparable international contexts. By synthesizing the literature systematically, this method enables the identification of recurring themes, policy implications, and comparative advantages across different national immigration frameworks.

The literature search was conducted using three major academic databases: Scopus, Google Scholar, and ScienceDirect. The search was limited to scholarly publications released between January 2020 and April 2025 to ensure relevance to contemporary immigration developments, particularly in response to global shifts such as the COVID-19 pandemic. The research process began with the collection of literature from relevant scientific journals, books, government reports and international publications. The selected literature covered the topics of transition permits, immigration, and human rights published after 2020. This approach aims to ensure that the analysis reflects the latest developments in immigration policy, especially in relation to global situations such as the COVID-19 pandemic and other challenges affecting human mobility. The literature was analyzed using a deductive approach, where key themes were identified and categorized based on their relevance to transition permits (Yin, 2021).

As a next step, this research compares Indonesia's transitional permit policy with similar policies in other countries, such as Australia, Canada and Germany. This comparative analysis allows researchers to understand how the legal, political and social context affects the implementation of the transition permit. This approach is relevant for identifying the strengths and weaknesses of Indonesia's policies in the face of global immigration challenges. This process also highlights the role of international cooperation in managing transition permits, as reflected in the legal and policy frameworks of different countries.

RESULT AND DISCUSSION

**Table 1 Systematic Literature on Immigration Intelligence and National Security
from the United States and Switzerland.
Source: Researcher**

Country	Definition of Transitional Residence Permit	Key Objectives	Implementation	Advantages over Indonesia (before 2024)
United States (Wang, 2021)	Transitional residence is granted through <i>Adjustment of Status</i>	Provide an easier and more legal pathway for foreign workers and	a. Employer and family-based sponsorship system. b. The process is conducted transparently through USCIS.	a. Has a strong sponsorship system, helping foreign workers and their families

Country	Definition of Transitional Residence Permit	Key Objectives	Implementation	Advantages over Indonesia (before 2024)
	(AOS), allowing applicants to transition to permanent residence without leaving the US.	their families to obtain permanent residency.	c. The flexibility of the residence permit transition , allowing the applicant to remain in the US throughout the process.	obtain permanent residency. b. The process is more transparent and structured, with legal certainty for applicants. c. It does not require the applicant to leave the country when applying for permanent residence, unlike Indonesia (Before 2024).
Switzerland (Weber & Straubhaar, 2021)	Transitional residence permits are available in an annual permit system that allows for the transition to permanent residence based on	Linking domestic labor needs with residence permit policies based on economic contribution and skills .	a. Evaluation of licenses based on economic contribution, where only high-quality workers are granted permanent licenses. b. Flexible annual residence permit system. c. Promote economic stability by attracting the most contributing workforce.	a. Using an economic contribution-based system , ensuring that only individuals with high skills or investment can settle permanently.

Country	Definition of Transitional Residence Permit	Key Objectives	Implementation	Advantages over Indonesia (before 2024)
	economic contribution .			b. Flexibility of annual permits, allowing permit holders to apply for renewal or change of status with a clearer mechanism. c. The selection system is stricter and based on labor market needs, so residence permits are given to individuals who contribute to the economy.
Indonesia (Directorate General of Immigration, 2024)	A transitional residence permit is granted to foreigners who wish to apply for a new residence	Provide flexibility for foreigners to renew or change their residence permit without	a. Valid for 60 days. b. Submitted through the online system (evisa.immigration.go.id). c. Must be completed before the previous residence permit expires.	a. It will only be implemented in 2024, so it is still in the development stage. b. The license transfer process is more

Country	Definition of Transitional Residence Permit	Key Objectives	Implementation	Advantages over Indonesia (before 2024)
	permit without having to leave Indonesia.	leaving Indonesia.	d. It is still in the initial implementation since 2024.	administrative than the US sponsorship system or Swiss contribution-based. c. It does not yet have a skills-based or economic selection system, so its application is still limited.

Indonesia's transitional residence permit system is still in its early stages of development compared to similar mechanisms in the United States and Switzerland. In the United States, transitional residence is managed through Adjustment of Status (AOS) which allows applicants to transition to permanent residence without leaving the country. This provides legal certainty and flexibility for foreign workers and their families to remain in the US during the transition process. The main advantage of this system lies in the employer- and family-based sponsorship system, which ensures that only individuals who have sufficient skills and financial support can obtain permanent residency. In addition, the transparent procedures through USCIS provide clarity in the administrative process, making it a more stable and reliable system compared to the fledgling system in Indonesia.

Meanwhile, Switzerland implements an economic contribution-based transitional residence permit system, where individuals seeking permanent residence must meet criteria based on labor market needs and contribution to the country's economy. This mechanism allows the government to attract high-quality labor and build long-term economic stability by ensuring that only individuals who truly have significant expertise or investment are granted access to permanent residency. Another advantage of Switzerland is the implementation of a flexible annual residence permit system, allowing applicants to renew or change their residence permit status on clear terms and based on the economic needs of the country. With a stricter and contribution-based selection system in place, Switzerland ensures that the foreign workers it accepts can contribute significantly to the growth of the national economy .

In contrast, Indonesia only started implementing the transitional residence permit in 2024, with the aim of providing flexibility for foreign nationals in renewing or changing residence permits without the need to leave Indonesian territory. This system allows applicants to apply for a transitional residence permit through an online system (evisa.imigrasi.go.id) with a maximum time limit of 60 days, before having to complete a new residence permit. While this is a good start in improving immigration flexibility, Indonesia still has some key challenges. One of them is the absence of a sponsorship mechanism like in the US, which could provide greater support for foreign workers who wish to settle permanently. Also, Indonesia has not yet implemented an economic contribution-based system like in Switzerland, so there is no strict selection of incoming foreign workers based on their skills or economic impact on the country.

From this comparison, it can be concluded that the United States excels in legal certainty and the sponsorship system, Switzerland puts forward an economic contribution-based mechanism, while Indonesia is still in the early stages of implementation with limitations in administrative flexibility and foreign worker selection mechanisms. To improve the effectiveness of the transitional residence policy, Indonesia could adopt a sponsorship system as in the US to provide a clearer transition path for foreign workers and their families, and consider an economic contribution-based evaluation as in Switzerland so that only individuals with high skills and investment can obtain permanent residence permits. With these improvements, Indonesia's immigration system can be more competitive and aligned with international standards.

Comparison of Transitional Residence Permit

The transitional residence permit is a key element in the immigration system that allows individuals to transition from a temporary residence permit status to a more stable residence permit. In Indonesia, the transitional residence permit is regulated in the Minister of Law and Human Rights Regulation (Permenkumham) Number 11 Year 2024, which provides flexibility for holders of a Visit-on-Arrival Visa (VKSK), Visit Stay Permit (ITK), Limited Stay Permit (ITAS), or Permanent Stay Permit (ITAP) to apply for a change of residence permit status without having to leave the territory of Indonesia. However, this policy still has limitations, especially in terms of short duration (60 days), limited activities allowed, and uncertainty in the status change process. Therefore, this study compares Indonesia's transitional residence permit policy with two countries that have more mature systems, namely the United States and Switzerland. These two countries were chosen because they have different but equally effective approaches to managing residence permit transitions.

The United States offers an Adjustment of Status (AOS) system, which allows individuals to change their residency status to permanent without having to leave the country. This process is facilitated through an employer- or family-based sponsorship system, which ensures that only individuals with sufficient skills or financial support can obtain permanent residency (Wang, 2021). This system provides legal certainty and allows applicants to remain in the US throughout the transition process, in contrast to Indonesia which limits the duration of transitional residence to 60 days with no certainty that the status change application will be approved. In addition, the US has a strict biometric and verification system, which reduces the risk of abuse of the transitional residence permit.

Meanwhile, Switzerland applies an economic contribution-based approach, where individuals seeking permanent residence must meet certain criteria, such as labor market needs and their economic impact on the country (Weber & Straubhaar, 2021). Switzerland also has a flexible annual residence permit system, which allows applicants to renew or change their residence permit status in a more structured and economic evaluation-based manner. With this mechanism, Switzerland not only provides a clear legal path for immigrants, but also ensures that the incoming foreign workforce are those who can positively impact the country's economy.

Compared to these two countries, Indonesia still faces challenges in developing a more effective transitional residence permit system. The main weaknesses of Indonesia's system are the limited duration, uncertainty in the status transfer process, as well as the limited activities allowed for permit holders. Unlike the US, which has a sponsorship system, or Switzerland, which is based on economic contribution, Indonesia does not yet have a selection mechanism that can ensure that individuals applying for a transitional residence permit actually contribute to the national economy. In addition, the administrative process in Indonesia remains fragmented, with the transitional residence permit not yet fully integrated with the work permit and permanent permit.

Weaknesses of Indonesia's Transitional Residence Permit Policy

The transitional residence permit system in Indonesia still faces various weaknesses that can open loopholes for misuse of residence permits by foreign nationals (WNA). One of the main

weaknesses is the lack of a strict monitoring mechanism for transitional residence permit holders. Currently, the process of applying for a transitional residence permit is done online through an immigration platform, but it is not accompanied by a strong monitoring system, such as periodic reporting or a biometric system as implemented in other countries such as the United States and Switzerland (Weber & Straubhaar, 2021). Without an effective monitoring mechanism, foreigners holding transitional residence permits can easily misuse them to work illegally, conduct activities that are incompatible with the permission granted, or even escape the immigration system.

In addition, the limitation in the scope of the transitional residence permit is also a loophole for potential violations. Currently, the transitional residence permit in Indonesia is only valid for 60 days with no option to extend, meaning that if the applicant is unable to complete the status change process within that time, they must leave Indonesia or face overstay status. In practice, many applicants experience administrative delays or a lack of understanding of the permit transition process, forcing them to overstay (Muhlisa & Roisah, 2020). In some cases, individuals who are unable to complete their status change within the stipulated time choose to remain illegally, avoid detection by immigration authorities, and eventually become part of the growing number of illegal immigrants each year.

Indonesia's transitional residence permit system also has limitations in terms of integration with work permits, which makes it vulnerable to abuse in the labor sector. Unlike countries such as the United States, where Bridging Visa holders can work within certain restrictions during the transitional period (Wang, 2021), in Indonesia transitional residence permit holders are not allowed to work, even though they have potential skills that can contribute to the national economy. As a result, many foreign workers in transitional status choose to work unofficially, whether in the tourism industry, construction, or other informal sectors, adding to the burden of labor inspection and potentially harming local workers who compete with them.

Another weakness that may increase the risk of violations is the absence of stricter verification mechanisms for sponsors or parties responsible for applicants for transitional residence permits. In the United States and Switzerland, the sponsorship system is instrumental in ensuring that individuals applying for residence permits actually have clear legal and financial backing (Weber & Straubhaar, 2021). In Indonesia, the transitional residence permit is not sponsor-based, so many applicants may use this permit as a way to stay longer in Indonesia without a clear purpose or with the intention to abuse it. Without stricter verification mechanisms for applicants and potential sponsors, transitional residence permits in Indonesia can become a loophole for visa abuse, human trafficking, and transnational crime. Therefore, reforms are needed in the transitional residence permit policy so that this system not only provides flexibility, but also has a stronger monitoring mechanism to prevent various forms of immigration violations.

Potential Effectiveness of Transitional Residence Permit Policy in Indonesia

Indonesia has a great opportunity to improve the effectiveness of its transitional residence permit policy by adopting best practices from countries with more advanced immigration systems, particularly the United States and Switzerland. One of the main aspects that needs to be improved is the duration of the transitional residence permit, which is currently only granted for 60 days

without the option of extension. Unlike the US system that allows applicants to remain in the country until a final decision is issued through the Adjustment of Status (AOS) mechanism (Wang, 2021), Indonesia still provides a very short time limit without clear legal certainty for applicants. Similarly, in Switzerland, individuals who wish to change their residence permit status can remain in the country under an annual residence permit system that allows for economic contribution-based evaluation (Weber & Straubhaar, 2021). By extending the validity period of the transitional permit, individuals who are in the process of changing their status do not have to leave the country before the administration is completed, thus reducing the risk of overstayers and legal uncertainty.

In addition to the extension of duration, the integration between work and residence permits is an important aspect that needs to be improved in Indonesia's immigration policy. Currently, the transitional residence permit process in Indonesia is not integrated with the work permit, in contrast to Switzerland, which links the residence permit to the workforce's contribution to the national economy, and the US, which uses an employer or family sponsorship system to facilitate the transition to permanent residence (Wang, 2021; Weber & Straubhaar, 2021). If Indonesia can adopt a sponsorship mechanism like in the US, transitional foreign workers can have better legal certainty and not have to go through a long and inflexible process. In addition, by applying economic contribution-based evaluation like in Switzerland, Indonesia can attract more skilled labor as well as reduce the number of immigrants with unclear immigration status.

Finally, the transitional residence permit system in Indonesia could also be improved by providing an option for permit holders to work on a limited basis during the transition period, as implemented in Canada's Bridging Open Work Permit (BOWP) or Switzerland's temporary work permit system. Currently, transitional residence permit holders in Indonesia are only allowed to engage in social, cultural, tourist or medical activities, with no right to work. This can be an obstacle for foreign workers who actually have skills and want to continue contributing to the Indonesian economy. By allowing transitional residence permit holders to work within certain restrictions, as in the US and Switzerland, Indonesia can increase its attractiveness as a destination country for qualified foreign workers, while ensuring that its immigration policies are more flexible and aligned with international standards (Obidzinski *et al.*, 2014; Astuti, 2020).

CONCLUSION

The transitional residence permit is an important instrument in the immigration system that allows individuals to switch from a temporary permit status to a more stable status without having to leave their country of residence. This study compares Indonesia's transitional residence permit policy with two countries that have more advanced systems, namely the United States and Switzerland. The United States applies an Adjustment of Status (AOS) system that allows applicants to apply for permanent residence without having to leave the country, while Switzerland uses an economic contribution-based mechanism, where only individuals with significant skills or investments can obtain permanent residence. Compared to these two countries, Indonesia still faces challenges in terms of short permit duration, the absence of a sponsorship system, as well as the lack of economic and skills-based selection mechanisms.

Although the transitional residence permit in Indonesia has been implemented since 2024 to provide flexibility for foreign nationals to renew or change their residence permit status, the system still has structural limitations that could potentially open loopholes for residence permit abuse. The absence of a mechanism that integrates work and residence permits and the absence of a sponsor verification system make this system still not optimal in accommodating the needs of legal foreign workers and in preventing illegal immigration practices. Therefore, improvements to this policy need to be made by considering aspects of administrative flexibility, integration of work and residence permit systems, and stricter monitoring mechanisms to ensure effectiveness and security in its implementation.

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