

**PENGATURAN PENDEPORTASIAN WARGA NEGARA ASING (WNA) MENURUT
UNCCPR DAN IMPLEMENTASINYA DI INDONESIA
(Studi Kasus : Pendeportasian MD Sumon Mia Warga Negara Bangladesh)**

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ABSTRAK

Pengaturan pendeportasian Warga Negara Asing (WNA) yang melebihi masa izin tinggal (*Over Stay*) oleh kantor Imigrasi Kelas I A Padang sesuai dengan peraturan UU No 6 tahun 2011 didalam hukum internasional deportasi melebihi masa izin tinggal di atur dalam Pasal 13 UNCCPR *The United Nation Covenant on Civil and Political Rights*. Pada tanggal 05 Maret 2020 di ketahui terjadinya kasus pelanggaran keimigrasian, yaitu pendeportasian Warga Negara Banglades oleh kantor imigrasi kelas I A Padang karena melebihi masa izin tinggal (*over stay*). Rumusan Masalah : (1) Bagaimanakah pengaturan UNCCPR terhadap peneportasi Warga Negara Asing (WNA)?, (2) Bagaimanakah implementasi pendeportasian Warga Negara Asing MD Sumon Mia oleh Kantor Imigrasi Kelas I A Padang, Sumatera Barat?. Dalam penelitian ini penulis menggunakan jenis penelitian hukum sosiologis. Sumber data yang digunakan adalah data skunder dan data primer. Teknik pengumpulan data dilakukan dengan wawancara dan studi dokumen, data dianalisis secara kualitatif. Simpulan hasil penelitian : (1) pengaturan UNCCPR terhadap pendeportasian Warga Negara Asing telah sesuai dengan Undang-Undang Nomor 6 Tahun 2012 tentang Keimigrasian namun dalam penerapannya masih banyak Warga Negara Asing yang melakukan pelanggaran pendeportasian (2) pihak imigrasi kelas I A Padang melakukan pendeportasian Warga Negara Asing (WNA) yang melebihi masa izin tinggal (*over stay*) sesuai dengan Undang-Undang Nomor 6 Tahun 2012 Pasal 78 ayat 3 tindakannya berupa Deportasi dan Penangkalan.

Kata Kunci : Deportasi, Warga Negara Asing, Imigrasi, Over Stay.

**DEPORTATION ARRANGEMENTS FOR FOREIGN NATIONALS (FOREIGNERS)
ACCORDING TO UNCCPR AND ITS IMPLEMENTATION IN INDONESIA
(Case Study : Deportation of MD Sumon Mia Bangladeshi Citizen)**

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ABSTRACT

The arrangement of deportation of Foreign Nationals (WNA) that exceeds the period of residence permit (Over Stay) by the Office of Immigration Class I A Padang in accordance with law No. 6 of 2011 in international law of deportation exceeds the period of residence permit set out in Article 13 of UNCCPR The United Nation Covenant on Civil and Political Rights. On March 05, 2020, there was a case of immigration violations, which was the deportation of Banglades citizens by padang class I A immigration office for exceeding the period of residence (over stay). Problem Formulation: (1) How is unccpr's arrangement of deportation of Foreign Nationals (WNA)?, (2) How is the implementation of the deportation of Foreign Nationals of MD Sumon Mia by the Immigration Office of Class I A Padang, West Sumatra?. In this study the authors used this type of sociological legal research. The data sources used are skunder data and primary data. Data collection techniques are carried out with interviews and document studies, data analyzed qualitatively. Concluded the results of the study: (1) unccpr's arrangement of the deportation of Foreign Nationals has been in accordance with Law No. 6 of 2012 on Immigration but in its application there are still many Foreign Nationals who commit deportation violations (2) Padang class I A immigration authorities deport foreign nationals who exceed the period of residence (over stay) in accordance with Law No. 6 of 2012 Article 78 paragraph 3 in the form of Deportation and Detention.

Keywords : Deportation, Foreign Nationals, Immigration, Over Stay.