

**RECRUITMENT POLICY OF CIVIL SERVANT CANDIDATES OF
THE MINISTRY OF EDUCATION, CULTURE, RESEARCH, AND
TECHNOLOGY FOR DIASPORA APPLICANTS WITH
INDONESIAN CITIZENSHIP**

***KEBIJAKAN REKRUTMEN CPNS KEMENDIKBUDRISTEK
TERHADAP PELAMAR DIASPORA BERKEWARGANEGARAAN
INDONESIA***

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Volume 3, Number 2, September 2024

Received: July 17, 2024 Accepted: July 25, 2024 Online Published: September 30, 2024.

ABSTRACT

In this study, researchers used the Yuridis-Normative legal research and writing methodology by using 3 (three) approaches, including conceptual approaches, statutory approaches, and comparative approaches. This research discusses the opportunities for Diaspora with Indonesian citizenship in the recruitment of Civil Servant Candidates for the Ministry of Education, Culture, Research and Technology. The legal issues raised in this research are as Diaspora with Indonesian citizenship are part of Indonesian citizens who are constitutionally valid so that their rights and obligations apply absolutely based on the 1945 Constitution of the Republic of Indonesia. The issues discussed are the recruitment mechanism to accommodate the participation of Indonesian Diaspora who apply in the general formation and the continuation of studies for Diaspora who have passed the CPNS recruitment. Moreover, in this case, the Diaspora is not regulated in general formations, but special formations.

Keywords : Recruitment; Civil Servant Candidates, Diaspora.

ABSTRAK

Dalam penelitian ini, peneliti menggunakan metodologi penelitian dan penulisan hukum Yuridis-Normatif dengan menggunakan 3 (tiga) pendekatan yaitu diantaranya adalah pendekatan konseptual, pendekatan peraturan perundang-undangan, dan pendekatan komparatif. Penelitian ini membahas mengenai peluang Diaspora berkewarganegaraan Indonesia dalam rekrutmen Calon Pegawai Negeri Sipil Kementerian Pendidikan, Kebudayaan, Riset, dan Teknologi. Isu hukum yang diangkat dalam penelitian ini adalah sebagaimana Diaspora berkewarganegaraan Indonesia merupakan bagian dari WNI yang sah secara konstitusi sehingga hak dan kewajibannya berlaku secara mutlak berpedoman pada UUD NRI 1945. Permasalahan yang dibahas adalah mengenai mekanisme rekrutmen untuk mengakomodir keikutsertaan Diaspora Indonesia yang melamar dalam formasi umum dan keberlanjutan studi bagi Diaspora yang dinyatakan lulus dalam rekrutmen CPNS. Terlebih dalam hal ini, Diaspora tidak diatur dalam formasi umum, melainkan formasi khusus.

Kata Kunci : Rekrutmen, CPNS, Diaspora.

I. INTRODUCTION

Indonesia is a large country with a population that is not only located within the country, but also scattered in almost all corners of the world, hereinafter known as the Indonesian Diaspora.¹ Indonesian citizens abroad are henceforth known as the Indonesian Diaspora. Depending on the subject and object of research, the term “Diaspora” is often used to describe various phenomena. The status of the Indonesian Diaspora abroad is very diverse, ranging from students to Indonesian Migrant Workers (PMI).² The Indonesian Diaspora is still officially recognized as Indonesian citizens by the constitution even though they live and settle abroad. Whenever they still maintain their status as Indonesian citizens, Indonesian citizenship will always be attached to them.³

Recruitment of Civil Servant Candidates is a form of state initiation through the government and related ministries to empower citizens to pursue

¹ Mutia Tri Yuliyati, Rizky, P., Ihsan, S., Yusmelinda, Z., Hadi, S. (2022). PERAN PENTING PENGEMBANGAN DIASPORA. *Magister | Jurnal Ilmiah Ilmu Manajemen*, 1(1), 2. 1-6.

² Gunawan Santoso, Aim, A. K., Bunyamin, M., Sapriya, Ma'mun, M. (2023). Kajian Kewajiban dan Hak Negara dan Warga Negara sebagai Strategi WNI dan WNA di Dalam dan di Luar Negeri Indonesia Abad 21. *Jupetra | Jurnal Pendidikan Transformatif*, 2(1), 248. <https://doi.org/10.9000/jupetra.v2i1.141>

³ Achmadudin Rajab. (2017). The Role of the Amendment on the Law of Citizenship to Accommodate Diaspora for Increasing the Public Welfare. *Jurnal Konstitusi*, 14(3), 543. 532-553.

careers in the government.⁴ In this digitalization era, CPNS recruitment is modern and can be carried out online with a computer-based examination method or Computer Assisted Test (CAT)⁵, so that it is more flexible and simple. The CPNS recruitment system, especially for the Indonesian Diaspora, will run well if it is run with competent Human Resources (HR) and upholds the values of integrity, which can be the front guard of the state in terms of supervision to avoid fraudulent practices in CPNS recruitment to create State Civil Apparatus (ASN) HR As civil servants in working later have a slogan that becomes the basic values (core values) in carrying out their duties, namely ASN “BerAKHLAK”, which means Accountable, Competent, Harmonious, Loyal, Adaptive, and Collaborative Service Oriented.⁶

The Indonesian government through the State Personnel Agency (BKN) officially announced the opening of CPNS recruitment for Fiscal Year 2023. The participation of the Indonesian Diaspora in CPNS recruitment is accommodated in special formations, as contained in Article 4 paragraph (3) of the Minister of Administrative Reform and Bureaucratic Reform Regulation Number 27 of 2021 concerning Procurement of Civil Servants (Permen PANRB No. 27 of 2021). Where the essence of the Article is that the allocation for special needs consists of applicants for the best graduates (cum laude), Diaspora, people with disabilities, and applicants from Papua or West Papua⁷.

The Government of the Republic of Indonesia through BKN as the national selection committee for the recruitment of candidates for the State Civil Apparatus (ASN) officially opened registration for the recruitment of CPNS for fiscal year 2023 on Sunday, September 17, 2023. The recruitment of ASN employee procurement for fiscal year 2023 consists of recruitment to fill the positions of CPNS and Government Employees with Work Agreements (PPPK). Specifically for the allocation of CPNS needs itself has a quota of 28,903 (twenty-eight thousand nine hundred and three) formations. where this allocation is spread in a total of 14 (fourteen) government agencies, one of which is the Ministry of Research and Technology. The total number of CPNS applicants for the Ministry of Research and Technology itself at the

⁴ Risqy Dwi Lubabah. (2022). Efektivitas Penerimaan CPNS dalam Memenuhi Kebutuhan Pegawai Pasca Moratorium Penerimaan CPNS di Pemkab Mojokerto. *OECOMICUS | Journal of Economicus*, 7(1), 85. <https://doi.org/10.15642/oje.2022.7.1.75-90>

⁵ Agus Mulyadi, Teuku, A. D., Chenris, R. (2023). Mewujudkan Pemerintahan Berkelas Dunia Melalui Rekrutmen Smart Asn Berakhlak Di Era 4.0. *Musamus | Journal of Public Administration*, 6(1) 535. <https://doi.org/10.35724/mjpa.v6i1.5412>

⁶ Revanggi Ayu Tantri, Mastina, M., Sahrul, H., Aprilio, E, A. (2022). PELAKSANAAN PROGRAM "ASN BER-AKHLAK" SEBAGAI BENTUK PENGEMBANGAN PEGAWAI UNTUK MENINGKATKAN KUALITAS DAN LOYALITAS PEGAWAI. *RESTORICA | JURNAL ILMIAH ILMU ADMINISTRASI NEGARA DAN ILMU KOMUNIKASI*, 8(1), 31. <https://doi.org/10.33084/restorica.v8i1.3117>

⁷ Peraturan Menteri Pendayagunaan Aparatur Negara Reformasi dan Birokrasi Nomor 27 Tahun 2021 tentang Pengadaan Pegawai Negeri Sipil.

registration deadline reached a total of 65,164 (sixty-five thousand serratus sixty-four) applicants spread across several formations.

In the recruitment of CPNS in fiscal year 2023, out of 14 (fourteen) government agencies that open CPNS recruitment, a total of only 3 (three) agencies or Ministries open special needs formations for Diaspora. First is the Ministry of Energy and Mineral Resources (ESDM) Second is the National Research and Innovation Agency (BRIN). The third government agency that opens a special Diaspora formation in the recruitment of CPNS for the 2023 fiscal year is the Ministry of Industry (Kemenperin). Meanwhile, the Ministry of Education and Culture does not open special formations for Diaspora. Based on Announcement Number: 32816/A.A3/KP.01.01/2023.

Although the Indonesian Diaspora itself has been regulated in regulations, but in its implementation in the recruitment of CPNS Fiscal Year 2023, not all agencies or ministries open special formations for the Indonesian Diaspora. One of the ministries that did not open a special Diaspora formation was the Ministry of Education, Culture, Research and Technology (Kemendikbudristek). The fiscal year is a twelve-month period that is used as a budget calculation. Based on these problems, affirmative action needs to be taken in order to reach the participation of the Indonesian Diaspora who want to apply for CPNS within the Ministry of Education, Culture, Research and Technology.

The next issue to be discussed by the author is regarding the continuation of education for Indonesian Diasporas who are pursuing advanced studies at foreign universities but also applying for CPNS. The legal issue discussed by the author is regarding the continuation of studies for the Indonesian Diaspora after being declared passed in the recruitment of CPNS Kemendikbudristek in fiscal year 2023 after becoming a civil servant later, whether they have to choose one to continue their studies or choose CPNS. Departing from these problems, then whether the Indonesian government can accommodate these problems related to the continuation of studies for applicants who at the time of being declared passed as CPNS, the applicant is still an active student (on-going).

Simply put, the author of this legal study aims to clarify that current regulations may only govern the participation of the Indonesian Diaspora who hold specific formations. Consequently, this raises the question that not all agencies or ministries offer vacancies for these specific formations for the Diaspora. Therefore, the Diaspora require a broader and more specialized platform for those who wish to serve Indonesia and work in Indonesia, one of which certainly includes general formations because they are not limited and offer far greater opportunities to qualify. This research is considered quite important because it concerns the human rights of Diaspora Citizens themselves to obtain legal certainty regarding the recruitment of Civil Servant Candidates. Based on the description of the problem, the author then compiles

2 (two) main problem formulations for discussion, namely A). What is the mechanism of the Ministry of Education and Culture's CPNS recruitment policy for Diaspora applicants with Indonesian citizenship? and B). Are Diaspora applicants with active student status (on-going) who have passed the CPNS can continue their education again?

II. METHOD

It is very important for the writer to consider the research method before starting the research because the research method is the same as making a plan to obtain data.⁸ In this research, the author uses a Juridical-Normative research methodology. Legal research is research that is *sui generis* or stands alone.⁹ Normative juridical research is a type of research that focuses on the application of principles or standards in applicable positive law.¹⁰ The study for this legal research uses 3 (three) approaches, namely the statute approach, conceptual approach, and comparative approach to describe systematically and comprehensively the material obtained, so that it reflects legal arguments or new regulations. The statute approach is carried out by looking at various kinds of laws and regulations related to legal issues that will be discussed in legal research.¹¹ The conceptual approach is to study theories regarding legal science to build legal arguments in order to solve legal issues with literature studies.¹² The comparative approach is to find a comparison of the implementation of how regulations are set up.

III. ANALYSIS AND DISCUSSION

a. Mechanism of Civil Servant Candidate Recruitment Policy of the Ministry of Education, Culture, Research and Technology for Diaspora Applicants with Indonesian Citizenship

Civil Servant Candidates (CPNS) are Indonesian citizens who are CPNS applicants who have passed the CPNS selection during the recruitment or procurement of civil servants.¹³ The appointment of applicants who are declared to have passed as CPNS is carried out by the Personnel Supervisory Officer (PPK).¹⁴ In addition to appointing CPNS, PPK is also tasked with determining and providing technical approval regarding employee

⁸ Soetarjo, S., & Sri, M. (2001). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta: Raja Grafindo Persada.

⁹ Peter Mahfud Marzuki. (2021). *Penelitian Hukum: Edisi Revisi*. Jakarta: Kencana.

¹⁰ Bachtiar. (2018). *Metode Penelitian Hukum*. Tangerang: Unpam Press.

¹¹ Peter Mahfud Marzuki. (2021), *Op. Ct*, (p. 136)

¹² Peter Mahfud Marzuki. (2021), *Op. Ct*, (p. 177)

¹³ Irawadi Tm. AKUNTABILITAS DENGAN METODE CEBPERDIS PADA PELATIHAN DASAR CPNS. *JIP | Jurnal Inovasi Penelitian*, 1(4), 2020, 839. 839-858.

¹⁴ Rahmi Erwin, Rina, r., Ornella, A., dan Andi, D. (2025). TRANSFORMASI MANAJEMEN ASN PASCA DITETAPKAN UNDANG-UNDANG NOMOR 20 TAHUN 2023 TENTANG APARATUR SIPIL NEGARA. *Ensiklopedia of Journal*, 6(3), 201. <https://doi.org/10.33559/eoj.v6i3.2453>

identification numbers (NIP) for CPNS.¹⁵ The legal basis for CPNS recruitment for the procurement of civil servants is technically Permen PANRB Number 27 Year 21, where this regulation concerns the principles regarding several matters in CPNS recruitment including fee collection, recruitment with integrity including transparency and objective values, and fair recruitment.¹⁶

CPNS is part of the State Civil Apparatus (ASN), where ASN itself consists of civil servants and Government Employees with Work Agreements (PPPK).¹⁷ The legal basis of ASN itself in legislation is contained in Law Number 20 of 2023 concerning ASN, where the enactment of this Law revokes the previous Law, namely Law Number 5 of 2014 concerning ASN.¹⁸ CPNS recruitment is held in every fiscal year. Where the fiscal year itself is the year in which the determination of needs in CPNS recruitment is carried out.¹⁹ Procurement of position needs in CPNS recruitment consists of 2 (two) types of formation needs. The types of formation needs are general formations and special formations.²⁰ A comparison between general formations and Diaspora-specific formations can be seen in table 1 below:

Table 1. Comparison of General Formations and Special Formations for Diaspora

No.	General Formations	Special Formations For Diaspora
1	Applies generally to any Indonesian citizen who fulfills the conditions as required in the applicable laws and regulations. [Article 4 paragraph (2)]	CPNS recruitment for special Diaspora formations applies specifically to Indonesian citizens abroad who have a passport of the Republic of Indonesia, work as

¹⁵ Deswanti Thiodorus Toni. (2024). STRATEGI PENGEMBANGAN KOMPETENSI PNS DI LINGKUNGAN PEMERINTAH KABUPATEN KUPANG. *Jurnal Riset Ekonomi dan Manajemen*, 15(4), 40. 34-43

¹⁶ Ananda Alfiyah Jasmine Siagian Siregar dan Yogo, P. (2024). ELAKSANAAN REKRUTMEN CPNS DI LINGKUNGAN BAWASLU RI PADA TAHUN 2021 BERDASARKAN UNDANG-UNDANG NOMOR.5 TAHUN 2014 TENTANG APARATUR SIPIL NEGARA. *Jurnal Amicus Curiae*, 1(1), 172. <https://doi.org/10.25105/amicus.v1i1.17743>

¹⁷ Daniah Kholda, Danira, K, S., Nathan, E, L., Muhammad, N, J. (2024). POTENSI POLITISASI DALAM REKRUTMEN ASN. *Retorika | Jurnal Komunikasi, Sosial dan Ilmu Politik*, 1(2), 83. 83-91.

¹⁸ Muhammad Amin Effendy, Hendra, S., Hendi, B., Meisha, P, P., Listia, P, R. (2024). MENINGKATKAN KINERJA APARATUR SIPIL NEGARA MELALUI SISTEM MERIT DIHUBUNGKAN DENGAN PENERAPAN UNDANG-UNDANG NOMOR 20 TAHUN 2023 TENTANG APARATUR SIPIL NEGARA. *Jurnal Ilmiah | Galuh Justisi*, 12(1), 125. <http://dx.doi.org/10.25157/justisi.v12i1.13597>

¹⁹ Folce Palyama. (2024). Pelayanan Aparatur Sipil Negara Di Pemerintah Distrik Aifut Timur Jauh Kabupaten Maybrat. *Mandira Cendikia | Jurnal Ilmiah Multidisiplin Keilmuan*, 2(8), 72. 71-81.

²⁰ Mumtahanah Honesti Ramadhani, M. Kendry, W., Anggraeny, P. (2024). MANAJEMEN REKRUTMEN APARATUR SIPIL NEGARA DALAM MEWUJUDKAN KESETARAAN BAGI DISABILITAS DI PEMERINTAH KOTA SURABAYA. *Praja Observer | Jurnal Penelitian Administrasi Publik*, 4(3), 159. 151-169.

		professionals in their fields, have a letter of recommendation from the workplace concerned for at least 2 (two) years of work. [Article 14 letter a]
2	Educational Qualifications in special formations require the minimum education of applicants to be graduates of senior high school (SMA), college (S-1 to S-3), and specialists. [Article 5 paragraph (2)]	Educational qualifications in the Diaspora special formation require a minimum of Bachelor's degree (S-1) for engineering positions, as well as a minimum of master's degree (S-2) for researcher, lecturer, and policy analyst positions. [Article 14 letter b number 1 and number 2]
3	For applicants for general formations, there is no restriction on the participation of applicants who are currently pursuing active (on-going) studies to apply for CPNS.	For applicants for Diaspora special formations, there is a prohibition for applicants that when applying for Diaspora special formations, the applicant is not currently pursuing post-doctoral education. [Article 14 letter d]
4	Position formations that can be followed by general formation applicants are diverse and unlimited, including structural positions and functional positions.	Position formations for applicants for special Diaspora formations are limited to functional positions. [Article 14 letter b]
5	Applicants for general formations for graduates of foreign universities must equalize their diplomas at the beginning of the registration process. [Article 5 paragraph (2) letter c]	Applicants for special formations for Diaspora can equalize the diploma of foreign university graduates after passing the final stage of selection. [Article 15 paragraph (2)]
6	The age limit for applicants for general formations is at least 18 (eighteen) years old and a maximum of 35 (thirty-five) years old. Except for the positions of researchers, lecturers, engineers, specialist doctors, specialist dentists, clinical educator doctors, the maximum age is 40 (forty) years old. [Article 5 paragraph (1) letter a]	The age limit for applicants for special reforms applies limitatively to doctoral education qualifications who apply for the position formations of researchers, lecturers, and engineers with a maximum age of 40 (forty) years. [Article 14 letter c]

Source: Permen PANRB No. 27 of 2021

In fiscal year 2023, through Announcement letter Number: 32816/A.A3/KP.01.01/2023, Kemendikbudristek opened CPNS formation. The allocation of needs in the recruitment of CPNS Kemendikbudristek amounted to 16,102 (sixteen thousand one hundred and two) CPNS quota. This amount is divided to fill the position of Lecturer at State Universities (PTN) spread across various regions in Indonesia. In detail, for PTN Lecturer positions in the recruitment of CPNS Kemendikbudristek is divided into 2 (two) types of positions, namely the first is Assistant Expert Lecturer totaling 13,440 (fourteen thousand four hundred and forty thousand) quota, and the second position formation is Lecturer Lector position totaling 2,662 (two thousand six hundred and sixty two) acceptance quota. In the recruitment of CPNS for the 2023 fiscal year, there are only 3 (three) agencies or ministries that open special formations for Diaspora, including BRIN, Ministry of Industry, and Ministry of Energy and Mineral Resources. Meanwhile, Kemendikbudristek does not open a special formation allocation for the Diaspora. So that special affirmation is needed from the state to accommodate the participation of Diaspora with Indonesian citizenship through general formations and not limited to special formations.

Empowerment is a process that aims to provide an ease and opportunity to achieve system access in order to improve the welfare of the community. In this case, the Indonesian Diaspora is part of the Indonesian people who have equality with Indonesian citizens even though they live abroad. In this case, the form of affirmation in organizing the recruitment of CPNS Kemendikbudristek to accommodate Diaspora with Indonesian citizenship in general formations is implemented through Announcement Letter Number: 38719/A.A3/KP.01.01/2023 and Announcement Letter Number: 43698/A.A3/KP.01.01/2023 which contains the location point of the exam from abroad.

Based on this, Diaspora Indonesian citizens applying for general formations, they are still accommodated and can still carry out a series of selections from abroad without having to return to Indonesia first. So, the implementation of test selection from abroad is not only limited to Indonesian citizens who apply for Diaspora Special formations, but also applies to Indonesian citizens who apply in general formations such as the Ministry of Education and Culture which does not open special Diaspora formations in the recruitment of CPNS for the 2023 fiscal year. Apart from the overseas location point, for Diaspora with Indonesian citizenship who are graduates of foreign universities also get affirmation in the form of equalizing diplomas for graduates of foreign universities.

In total, out of 41 (forty-one) overseas location points for the implementation of the Basic Competency Selection (SKD) CPNS Kemendikbudristek for the Indonesian Diaspora abroad, 290 (two hundred and ninety) participants participated. The SKD exam location points are

spread across various continents such as Asia, Australia / Oceania, Europe and America. The largest number of participants was dominated by the Indonesian Diaspora in the Asian region, while the fewest participants were in the location point of the American continent.

The overseas location point for the SKD exam with the highest number of participants was at the location point of the Indonesian Trade and Economic Office - Taipei with a total of 72 (seventy-two) participants. Unlike the implementation of other overseas location points which are held at the Indonesian Embassy or Consulate General, the implementation of SKD CPNS in Taiwan is carried out in both places because Indonesia does not recognize Taiwan as a country, but adheres to the principle of the One China Policy so that Indonesia only establishes diplomatic relations with China as *De Jure*.²¹

For the location point of the CPNS Field Competency Selection (SKB) test, the number of location points for SKB CPNS Kemendikbudristek 2023 for Indonesian Diaspora abroad is 29 (twenty nine) location points. Meanwhile, the number of SKB participants is 129 (one hundred and twenty-nine) people. Overseas location points for the implementation of the SKB test are fewer than the previous SKD test stage which amounted to 41 (forty-one) location points. The distribution of test location points is in 4 (four) continents and consists of 18 (eighteen) countries.

Indonesian Diaspora graduates from overseas universities can participate in the Ministry of Education and Culture's CPNS recruitment for the 2023 fiscal year. For applicants who are graduates of foreign universities, they must equalize their diplomas first. This is stated in Announcement Letter Number: 32816/A.A3/KP.01.01/2023 concerning Selection of Civil Servant Candidates (CPNS) of the Ministry of Education, Culture, Research and Technology for Fiscal Year 2023. The announcement letter contains an appeal that diplomas for graduates of foreign universities have been equalized until they get a Decree from the ministry related to the implementation of affairs in the field of higher education in the government.

Equalization of diplomas is important for graduates of foreign universities, especially for those who want to pursue a career in CPNS. This happens because the degree obtained from domestic universities and foreign universities is different, so it must be pursued. This is the main factor why equalization of diplomas is important, because this is related to administrative requirements, especially for applying for CPNS Kemendikbudristek in fiscal year 2023 so that the CPNS applicant does not fail at the administrative stage just because his degree is different from the

²¹ M Fahrezal Maulana, Kholis, R., dan Peni, S. (2016). IMPLIKASI ONE CHINA POLICY TERHADAP HUBUNGAN LUAR NEGERI INDONESIA DAN TAIWAN DALAM PERSPEKTIF HUKUM INTERNASIONAL. *Diponegoro Law Journal*, 5(3), 120. <https://doi.org/10.14710/dlj.2016.12583>

required degree, even though it comes from the same study program and in accordance with the needs applied for.

b. Continuation of Study for Diaspora with Indonesian Citizenship who Apply for Civil Servant Candidates of the Ministry of Education, Culture, Research and Technology After Passing the Recruitment Process

Indonesian Diaspora with student status who at the time of application are still students or on-going students can still participate in the recruitment of CPNS Kemendikbudristek for the 2023 fiscal year. However, it must be in accordance with the requirements of the agency, related to educational qualifications. The last diploma recognized is the diploma used at the time of applying for CPNS. So, this is a consequence when the Indonesian Diaspora is still pursuing Doctoral studies (S-3) in foreign universities, so when applying for CPNS, they must use their last diploma, namely a Masters (S-2) diploma. The continuation of studies at a higher level for Diaspora with CPNS status is carried out with a policy of providing learning assignments. However, the policy regarding study assignments for lecturers with CPNS status does not apply, but only applies to lecturers who have been appointed as civil servants.²²

Based on the rules according to Permen PANRB No. 27 of 2021 regarding the pre-service period and education and training, the Indonesian Diaspora with an active student status (on-going) who is studying at an overseas university and does not reside in Indonesia must temporarily postpone the study period from the university where the Indonesian Diaspora is studying when declared graduated in CPNS recruitment. The Indonesian Diaspora must return to Indonesia to carry out their obligations after being appointed as CPNS for a trial period of 1 (one) year to work in educational institutions or work units.

In the recruitment process before the CPNS is finally appointed as a civil servant, there are no regulations governing study assignments for Diaspora Indonesian citizens with active student status (on-going) during their obligations as CPNS. The scheme for granting study permits while still a CPNS is based on each work unit or agency where the applicant works. There are no special regulations or rules regarding the continuation of studies for the Diaspora in terms of policies according to CPNS. However, the continuation of these studies can be carried out after the Diaspora has been appointed as a civil servant through the provision of Learning Tasks for employees.

The Learning Task Program can be carried out in foreign universities with the legal basis of Article 14 paragraph (1) letter b Permendikbudristek No. 27 of 2022. The article provides an explanation that the Study Assignment program can not only be held at domestic universities, but can also be held at foreign universities to accommodate the participation of Indonesian

²² Jejen Musafah. (2016). ANALISIS KEBIJAKAN PENDIDIKAN: Pendidikan Nirkreasi. Jakarta: PRANAMEDIA GROUP.

Diaspora with civil servant status lecturers. The Study Assignment Program can be followed by civil servant lecturers with the condition that the lecturer has a minimum working experience of 2 (two) years of teaching.

In certain situations, there are exceptions for civil servant lecturers who want to carry out Study Assignments but still have a working period of less than 2 (two) years, namely by having 2 (two) reasons, among which the first is an urgent need, and the second is that the competence of the civil servant lecturer is needed by the organization or agency of the PTN where the lecturer teaches. Exceptions to the Study Assignment program for civil servant lecturers with a working period of less than 2 (two) years are determined by PPK or Officials Receiving Delegation of Authority with the approval of the minister of state apparatus utilization.

IV. CONCLUSION

For Diasporas with Indonesian citizenship abroad, they can still apply for the Ministry of Education, Culture, Research and Technology (Kemendikbudristek) Civil Servant Candidate (CPNS). Although the allocation of needs for Diaspora is regulated separately in the legislation in a special formation, the Indonesian Diaspora abroad can still be accommodated through the affirmation policy of the Indonesian government through the State Personnel Agency (BKN) as the national selection committee and CPNS recruitment. The affirmation policy is in the form of overseas location points for the implementation of Basic Competency Selection (SKD) and Field Competency Selection (SKB). In addition, applicants who are graduates of foreign universities can equalize their diplomas to be equivalent to the required educational qualifications. Indonesian Diaspora who apply for general formations also get affirmation to continue to be able to register if their status is still on-going. However, when declared to have passed the CPNS, the applicant must return to Indonesia and temporarily suspend his/her education to carry out duties as a CPNS for a trial working period of one year as a CPNS. Studies can be resumed when the person concerned has been determined and appointed as a civil servant through the Learning Duty scheme.

There are still many legal studies on Diaspora that need to be studied by future researchers. Apart from being related to employment law, there are many problems that can be raised from the Indonesian Diaspora. Some suggestions from researchers are to raise the participation of the Indonesian Diaspora in organizing elections from abroad considering that Indonesia is a democratic country. Other topics that can be raised include the role of the Indonesian Diaspora as foreign exchange heroes for the country. Indonesian Diasporas abroad are not only limited to those who are studying at universities abroad, but there are also many Indonesian migrant workers abroad. Apart from being related to the country's foreign exchange earnings,

some things that need to be studied are the large number of Indonesian immigrant workers who are still illegal, abuse of residence permits, victims of human trafficking, and so on which can be studied legal issues regarding this matter.

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