

Digitalization and Integration of e-KTP and the Indigenous People It Left Behind

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Edrick Edwardina Effendy¹, Elmira Gif²

^{1,2}Faculty of Law, Pelita Harapan University, Indonesia

Email Author 1: edrick.effendy@lecturer.uph.edu

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Abstract

This article aims to highlight the discrepancies between the regulation and the implementation of laws regarding identities and the administration of the indigenous communities in Indonesia, and how these issues occur and persist. Indonesian Identity Card or KTP and its electronic variant, e-KTP, is considered the primary identifying means for Indonesian citizenship, with the Population Administration Act (Law No. 23/2006, later amended by Law No. 24/2013) even mandating the government to provide all public services based on the NIK or Customs Identification Number. Consequently, this poses a risk of excluding and marginalizing certain segments of the population, namely the Indigenous people of Indonesia, as this document has become mandatory for accessing essential services provided by the government. This exclusion and discrimination of indigenous groups and communities is based on a lack of access to register for the e-KTP itself, and is even based on religion and identity. To examine this issue, this article uses qualitative research, specifically grounded theory methodology, by examining data and law, and reviewing reports made by or of a few different Indigenous communities throughout Indonesia— namely, case studies and reports from indigenous communities in Banten, Sumatra, and Papua, to get a better understanding of this nationwide issue. This article elucidates systemic issues that occur and the problems that emerge from relying solely on one specific identification document for Indigenous people and communities in Indonesia.

Keywords: indigenous rights, digitalization, indigenous identity, accessibility, e-KTP.

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INTRODUCTION

Despite the Amendment Law and Indonesian Constitutional Court decision regarding inclusion of Indigenous belief, and Article 29 of the 1945 Constitution guaranteeing the freedom to embrace their faith and worships according to one's beliefs, religious communities that are not officially recognized in Indonesia have claimed to still be subjected to incidents of religious discrimination, and are forced to formally renounce their faith in some instances. This has impacts just beyond the faith stated on one's ID but has a trickle-down effect on other public and private sectors. Religious identity is not the only thing e-KTP (Kartu Tanda Penduduk Elektronik) risks marginalizing. Relying solely on one specific identification document can heighten the vulnerability of marginalized groups who do not have legal forms of identification in the first place.

The 1945 constitution of the Republic of Indonesia, under Article 28D Paragraph 4, had guaranteed the right of citizenship to everyone. Article 2 of Law Number 23 of 2006 on Population Administration stated that every resident has the right to a Population Document; equality in population registration and civil registration; and legal certainty regarding ownership of population documents. What constitutes a Population Document in this instance is an official document issued by the Implementing Agency, which has legal force as authentic evidence resulting from Population Registration and Civil Registration services. These documents include KTP (Kartu Tanda Penduduk) (Article 59 (1) Law 23 of 2006).

The digitalization of the Indonesian Identity Card, known as e-KTP, which launched its first phase in February of 2011 and its second phase in 2012, was set to address a few existing problems regarding IDs and be the start of realizing the Single Identity Card. The program was conceived for the purpose of minimizing the duplication or forgery of an ID card, with the well-integrated Custom Identification Number or *Nomor Induk Kependudukan* (NIK) at its center. The NIK ties each person with a string of numbers that can be used to access public services, from healthcare to domestic flights, to voting and participating in political activities.

In recent years, the NIK and its integration in multiple parts of public services have been more apparent than ever. As an example, the COVID-19 pandemic, which brought about the mandated mobile application PeduliLindungi, now renamed SatuSehat, requires one NIK to create one account, personalizing the app to one's identity, and with it: access to medication; free vaccination; and free COVID-19 quarantine programs.

The practice of people's right to vote also hinges on e-KTP, which became one of the requirements to vote during elections as proof of identification. General Election Commission Regulation No. 25 of 2023 only recognizes e-KTP and a passport as the official proof of identification. People who did not have an e-KTP or a passport must obtain a statement letter, which still requires people to be registered in the e-KTP system beforehand (Article 1 No. 55); in other words, people cannot vote without an e-KTP.

The integration of NIK didn't stop there. In July 2022, the Directorate General of Taxation launched a new program to replace the Taxpayer Identification Number (Nomor Pokok Wajib Pajak) or NPWP with NIK, with Law 7 of 2021 on the Harmonization of Tax Regulation. The Ministry of Finance stated that the reason for this integration is to minimize the amount of identification numbers used, and to push for further integration by other agencies to achieve a Single Identification Number (SIN) (DJKN 2022). The characteristics of SIN include: unique; no double or multiple identities; standardized, the same standardized national identity structure; complete, data will be used as an identity, namely data that covers the entire territory of Indonesia (national in nature); permanent, cannot be changed and is eternal in nature; integrated (Ayuningtyas & Furqon, 2023).

The integration of NIK and e-KTP to various public services is widely viewed as a big leap in progress. However, it is easy to forget who we have left behind in our haste to reach the future. While the digitalization and integration of an identification document like e-KTP is not a new phenomenon, we must take a look at what this digitalization and total integration would mean for those unable to obtain e-KTP in the first place. By definition, *Masyarakat Adat* or Indigenous People, is a customary law community and/or traditional communities that have lived for generations in certain geographical areas and are bound by cultural identity, strong ties to the land, and the territories and natural resources in their customary areas (Article 1 Law No. 17 of 2019). This term is in line with the philosophical idea of 'indigenous peoples' term that has been developed by international norms such as ILO (Fahmi, et al., 2023), which regarded Indigenous people on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present State boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions (Article 1(b) Indigenous and Tribal Peoples Convention, 1989 (No. 169)). Indigenous People in Indonesia are closely tied to customary laws, often rejecting and distancing themselves from certain facets of modernity and technology, while embracing nature and tradition. Indigenous People of Indonesia also tend to live in more secluded, out-of-the-way areas on their customary land and customary forest.

In Indonesia, the existence of indigenous communities has been acknowledged and protected by the government since the Dutch East Indies era. However, in its development, the condition and position of indigenous communities have experienced ups and downs following the development of the political system of regional government (Zuhraini, 2014). Article 18B, Paragraph (2) of the 1945 Constitution affirms the recognition and protection of the assets and rights of indigenous people. This reflects the recognition of the existence, rights, and interests of indigenous people in the laws of the Republic of Indonesia (Sempo et al., 2024). However, institutional recognition of indigenous peoples' existence does not by itself guarantee them safety from the threat of violence and discrimination (Yusa, 2016). There are 2.449 Indigenous communities scattered all over Indonesia, with an Indigenous Population estimated to be around 40 to upwards of 70 million people (Charliesta, 2023). However, as of 2023, per the data provided by Aliansi Masyarakat Adat Nusantara (AMAN), there are still 1.5 million Indigenous People who cannot exercise their right to vote due to not having

an e-KTP. This was not much of an improvement from 2019, where there were only 530.000 Indigenous people who could vote (Intania, 2023). AMAN's reports suggested that this phenomenon stems from a lack of access, a lack of resources, and even a lack of inclusivity. This lack of inclusivity can be seen by the lack of formal acknowledgment of indigenous beliefs and identity, with reports of Indigenous people having to formally renounce their faith and or identity to be able to receive some form of formal identification. This was not helped by the fact that the indigenous population must go through extra steps of administration and verification, the same steps not required for others who did not identify as indigenous. These caused the Indigenous population to continue to be left even further behind as integration and digitalization progress, over which they have no control. However, is the marginalization of the Indigenous community regarding their identities a systemic issue? And how could the digitalization and integration of the Indonesian identity card, like e-KTP, further affect the indigenous population?

This article will highlight the systemic issues regarding discrimination and marginalization that some Indigenous communities in Indonesia face, especially regarding their rights to formal identification in the new era of digitalization, modernization, and single identity usage. Because of the reasons stated above, this article will also examine the current efforts made by the government, Indigenous communities, and related NGO's like AMAN, to bridge this issue, the extent to which it has narrowed the gap of marginalization, and propose further actions to narrow the gap.

DISCUSSION

This article aims to help showcase the existence of systemic marginalization of Indigenous People regarding their identities and identification through the cases and reports of Indigenous people, specifically of indigenous communities in Banten, Sumatra, and Papua. After pinpointing the systemic issue, this article will then delve into what efforts are currently being made to narrow the gap of marginalization and dismantle the systemic issue. The result will show the instances of religious barriers and logistical hurdles that create & contribute to the systemic marginalization of Indigenous People.

The result of this article indicates the need for a more proactive approach regarding bridging the gap of marginalization to be able to move towards dismantling the systemic marginalization of the Indigenous Population in Indonesia. This pro-active approach comes both from the government, by facilitating the making of e-KTP for indigenous communities previously unreachable by the rest of the populace, and from the Indigenous communities themselves, with efforts to become more politically active to bring light to Indigenous issues previously unheard of by the rest of the populace.

This article uses a small sample size, limiting the study to reports & research of indigenous communities in Banten, Sumatra, and Papua. This could have led to an overestimation of the effect. Future research should reconfirm these findings by conducting larger-scale studies.

Systemic Marginalization of Indigenous People

The existence of Indigenous Peoples has not only received constitutional legal protection as regulated in Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, but its protection is even stronger because it is emphasized in Article 28I concerning Human Rights (Thontowi, 2013). Indigenous People are a part of Indonesian society and are citizens of the country, yet there is still a gap that exists between the majority population and the Indigenous population in Indonesia. This gap consists of inequality and marginalization in accessing what one might deem to be necessities and civil rights.

In general, most people still consider population registration with the Civil Registration Office to have no benefits for individuals. The level of public awareness regarding the ownership of population documents and civil registration certificates to report or update important events and population events on time is still low. This is because its use is limited to incidentals only needed at certain moments, so that the public may deem it not *too* important to have if it is not urgent (Anuttari et al., 2024). While the lack of access to obtain e-KTP might be a general problem faced by multitudes of people, this inaccessibility for Indigenous People could be considered a systemic issue.

Religious Barriers

To illustrate this point, the existing laws and regulations regarding Indigenous Peoples may not reflect the existing customs and traditions of the Indigenous Peoples themselves. An example of this can be seen in the Regional Regulation of Jayapura Regency Number 8 of 2016 on Indigenous Village (*Kampung Adat*), where the regulation strictly requires everything related to indigenous rules and customary laws to be documented in writing and submitted to the regional government of Jayapura Regency (Article 22). This article did not take into account several key aspects: the lack of literacy and access to education for Jayapura residents, or the fact that the customs of the people, or customary laws, are passed down through oral traditions. Indonesia itself was ranked 64th out of 72 countries worldwide on literacy level in a survey conducted by the Programme for International Student Assessment (Yonggom & Iwong, 2021). Indigenous People in many different areas of the archipelago have varying customary institution characteristics, with some having relatively complex customary institutions and others having customary institutions with less sophisticated mechanisms (Pratiwi et al., 2018). A lot of existing laws require assimilation on the part of Indigenous Peoples, and these laws and rules may disregard pre-existing Indigenous traditions, customs, and their customary institution. Indigenous people are denied control over their development based on their own values, needs, and priorities (Yusa, 2016). However, this does not mean that Indigenous People should be excluded from accessing their rights when they failed to assimilate due to a lack of access to the rights guaranteed to them by law.

Documents of identification are a right as stated in Article 2 of Law 23 of 2006 regarding Population Administration. This right also applies to the indigenous population, as they are a part of the Indonesian populace. However, reports of discrimination faced by the Indigenous population, lack of accessibility due to the Indigenous population's often secluded land, lack of access to education, and the lack of acknowledgement of Indigenous identity have hindered their ability to obtain formal identification documentation in the first place. Article 64 of Law Number 23 of 2006 stated that KTP shall include, but not limited to: NIK, name, place and date of birth, gender, religion, marital status, blood type, address, occupation, citizenship, photograph, validity period, place and date of issue of the KTP, and signature of the KTP holder. Article 64 of Law Number 23 of 2006 also stipulates that information about religion as referred to in the article, for those whose religion has not been recognized as one of the five major religions by the provisions of statutory regulations, this section will not be filled in, but the person shall still be served and their data shall still be recorded in the population database. In more recent development, the Constitutional Court, through Constitutional Court Decision Number 97/PUU-XIV/2016, ruled that adherents to religious beliefs can include *other* beliefs in the religion column on their ID cards and family cards. Unfortunately, the implementation of that decision may not be as simple.

In 2017, it was reported that some members of Orang Rimba tribe, a nomadic hunter-gatherer people in Sumatra, have converted to Islam, one of the acknowledged religions in Indonesia (recognition based on the explanation of Article 1 of Presidential Decree Number 1 of 1965 About the Prevention of Religious Abuse and/or Defamation), to obtain KTP. Others have converted to Christianity or Catholicism and denounce their indigenous faith, all to obtain their civil rights. BBC Indonesia conducted an interview in 2017 with the Chief of Orang Rimba in Bukit Duabelas, Yusuf (formerly known as Yuguk), who stated that the existing procedures and bureaucracy are hindering his people in obtaining KTP and even the Family Card known as *Kartu Keluarga* or KK. Yusuf claimed that he had previously reported this discrimination to government officials, and the officials instead claimed that he and his people were not Indonesian and were deemed as foreigners. This behavior, conducted by the aforementioned government official and the lack of services they receive when applying for e-KTP, may be viewed as a violation of Law 40 of 2008 on Elimination of Racial and Ethnic Discrimination, and a violation of Article 2 of Law Number 23 of 2006 regarding Population Administration. This lack of documentation, despite the efforts taken to ensure their receipt of e-KTP, is negatively affecting Orang Rimba's lives. An example of this, according to Yusuf, is when a member of Orang Rimba passed away in a hospital and was left there for days because the hospital had no form of identification, they could use to find the deceased's address or next-of-kin (BBC Indonesia, 2017).

Logistical Hurdles

Indigenous people's difficulties in obtaining KTP or e-KTP are not just based on the lack of acknowledgment of their faiths and identity, but sometimes it even goes as deep as the fact that for a lot of indigenous people, their birth has never been officially recorded, and they do not have birth certificates. Ministry for Women's Empowerment and Child Protection stated in 2021 that there are around 5 million children nationwide who do not have a birth certificate (Kompas, 2021). Deputy for the Child Growth and Development Office, Lenny

Rosalin, stated to the media that indigenous children will receive birth certificates like other children, even though they are born from customary marriages, and the children's birth will be recorded as long as there is a report made by the child's parents (Gatra, 2019). However, the number of births reported and recorded by some Indigenous communities is still quite low. Eros Rosita, a midwife working in a health centre near the villages of the Baduy Tribe, an indigenous Indonesian tribe located in the Kendeng Mountains in Banten, stated to IDN Times Banten in 2020 that the lack of birth records and certification of the Baduy children is due to Indigenous populations being less likely to independently register their children's births to the government/civil registry (IDN Banten, 2020). The Baduy tribe still holds fast to the tradition of giving birth at home as they believe that mothers giving birth should not bleed outside the Baduy area (Nurlaili, 2023), and with the lack of access, it makes it hard for members of the Baduy Tribe to register said births. Head of Civil Registration Division of the Department of Population and Civil Registration or *Dinas Kependudukan dan Pencatatan Sipil* (Disdukcapil) of Lebak Regency, Marlia Kurniasih, stated that the requirements for birth certificate ownership are *simple* and only require: a birth recognition letter from a midwife or obstetrician; and the KTP of both parents. In addition, it is also required to attach the KTP of two other witnesses and a marriage certificate issued by the Office of Religious Affairs or *Kantor Urusan Agama* (KUA); however, for those who do not have a marriage certificate, they can submit a Statement of Absolute Responsibility or *Surat Pernyataan Tanggung Jawab Mutlak* (SPTJM) to the local Disdukcapil (IDN Banten, 2020). This statement is in line with the requirements set out by the Lebak Regency regulation regarding acquiring a birth certificate.

Wahana Visi Indonesia, a non-profit, through their South Bengkulu program reports in 2019 that there is still stigma around birth registry, as the process deemed to be complicated; takes time and effort; and costly, on account of the cost of transportation to travel to and from the nearest civil registry office from the villages (Wahana Visi Indonesia, 2019). Despite the relatively simple requirements, if these stigmas persist, then members of the community still would not feel compelled to register the births of their children, in fear of bureaucratic complications and high costs.

The minimal birth registrations of indigenous children may be due in part to the lack of registration done by the parents, but it is also in part because Indigenous Peoples simply cannot fulfill said requirement systemically. An example of this is a birth recognition letter from a midwife or obstetrician that may be harder to get because Indigenous midwives are often not licensed or categorized instead as shamans. For example, Baduy people trust *Paraji* more as a birth attendant (Nurlaili, 2023) than modern hospitals. According to the Sundanese dictionary, *Paraji* is a term for *indung beurang*, which means a mother whose job is to help babies come out of the dark world into the bright world (Fitriyani, 2018). Not to mention the fact that Indigenous people often face challenges in accessing general health services due to a variety of barriers including high health care costs, experiences of discrimination and racism, and poor communication with healthcare workers (Khatimah, et al., 2019), that contributes to a culture of seeking help from Indigenous shaman or *Paraji* instead of a licensed midwife or obstetrician, which might make their birth recording invalid. Lack of identification the parents had in the first place also plays a part, with KTP being one of the requirements in registering births and obtaining a birth certificate for their children, a birth certificate that will then be used to obtain a KTP once the child becomes of age. This might be why this polemic could be viewed as a never-ending cycle.

While indigenous children may face issues in obtaining their KTP as a result of their unrecorded birth, the adult Indigenous population also faces difficulties in obtaining their KTP after the fact. Discrimination and a lack of acknowledgement of their indigeneity are only one facet of the systemic problem they faced regarding formal and legal documentation. That is due in part to the fact that indigenous people in Indonesia must go through a series of registration and verification as part of an indigenous community to get acknowledgement of their indigeneity. In the province of Papua, identification of indigenous communities based on Regional Regulations in Jayapura Regency includes several aspects, namely: history of indigenous communities, indigenous territories, social units of indigenous communities (tribes, *keret*, clans, etc.), customs and customary laws, local languages, customary government institutions/systems with the concept of traditional leadership, customary rights inherited from generation to generation, and customary justice (GTMA Jayapura, 2021). The steps of identification for Papua's indigenous populations consist of collecting and writing information related to the history of origin, customary territory, social unit structure, customs and customary law, customary justice, customary government institutions/systems, and customary rights. Afterward, an application to the government with said documents will then go through a series of verification and validation. If an indigenous community failed to receive an acknowledgment from the government, they can file a motion

to oppose the result and request a re-verification while presenting new and additional evidence of their indigeneity (GTMA Jayapura, 2021).

The main objective of such registration and verification varied, but one of the objectives is to set and for the acknowledgement of indigenous territory as they are protected by the law as stipulated in Law Number 5 of 1960 Concerning Basic Agrarian Principles Regulations on Article 2 paragraph (4) which states that the State's Right to Control over land and natural resources can be delegated to autonomous regions and customary law communities when necessary and not in conflict with national interests. According to the provisions of the Government Regulations. Law No. 41 of 1999 concerning Forestry, in conjunction with Constitutional Court Decision Number 35/PUU-X/2012 Constitutional Court Decision on the change in the phrase of Article 1 number (6), which states that customary forests are forests located within the territory of the indigenous population. This correction reaffirms the existence of the indigenous population and their rights, including the right to customary forests in their territories. It can be argued that customary land is inseparable from the indigenous people and their faiths. At the very heart of religion is worship, and in an indigenous context, worship often includes their customary land, a sacred place, a particular "subject" or object on their land, and the availability to access their land equals religious freedom (Mubarak & Adawiah, 2021).

While on one hand, it is understandable to register and verify indigeneity and their customary land to delegate the State's right to control lands and natural resources on the land over to indigenous people who owned the land based on customary rights, in practice, many indigenous people still lost their customary lands and much of their territory. Secretary General of AMAN, Rukka Sombolinggi, stated to the media in 2023 that there were about 301 cases of customary land grabbing within a period of 5 years between 2019 to 2023, with total land area of 8.5 million acres, and 672 Indigenous people are victimized and criminalized while protecting their customary land in the process of these customary land grabs (Detik Sulsel, 2023). According to Data from *Badan Registrasi Wilayah Adat* (BRWA) or Customary Territory Registration Agency, as of March 18, 2024, there are 28.2 million acres of 1,452 customary territory maps that have been registered, and of that number, only 13.8% or 3.939.106 acres have been recognized by the regional government (BRWA, 2024). This data showed that the recognition Indigenous People received is not in line with the number of registered Indigenous People, and registration and claim of indigeneity do not equal recognition by the government. Indigenous People need recognition for their existence in the country. This is also a form of legal protection for indigenous People. Recognition of Indigenous People is a statement from a country that acknowledges that Indigenous People are ready and willing to build relationships with other communities, local governments, and central governments as a manifestation of recognition of indigenous communities (Bayo et al., 2023). Recognition of indigenous communities can be a guideline for protecting the existence of indigenous peoples (Surya Dewi et al., 2020).

The lack of proper identification and e-KTP ownership has a serious impact on indigenous lives. With limited access to basic public services and rights requiring the use of e-KTP, Indigenous Peoples have even less access to the same rights most of the population can access. The use of e-KTP aims to facilitate economic activities such as opening a bank account, purchasing financial products, or applying for a loan. e-KTP provides a strong basis for secure and reliable digital identity verification (Anuttari et al., 2024). E-KTP is also used in voter registration and allows no substitution; this means Indigenous People are less likely to be able to cast their votes and participate in democracy, as many of them do not have e-KTP. In 2023, Aliansi Masyarakat Adat Nusantara (AMAN), or the Indigenous Peoples Alliance, estimated that around 1.5 million indigenous people would not be able to participate in the 2024 general election due to not having an e-KTP (Pamungkas et al., 2023). Looking back on the 2019 election, of the approximately 3 million indigenous people, only 530.000 were able to vote in the election (Intania, 2023). While that number seems like an improvement, it is still a true indictment of an existing gap in political access. In 2024, after the Regional Election on the 27th of November, this number still stands, and much still needs to be done to narrow the gap.

This inability to participate in elections stems from the requirement of e-KTP as one of the main documents used in voter registration, and the prohibition of the usage of other forms of legal Identification as a substitute. This is in line with the regulations stated on Article 202 paragraph (2) of Law Number 7 of 2017 concerning Elections as amended by Government Regulation instead of Law Number 1 of 2022 (Election Law) and Article 3 paragraph (2) of KPU Regulation Number 7 of 2022 concerning Compilation of Voter Lists in the Implementation of General Elections and Voter Data Information Systems as amended by KPU Regulation

Number 7 of 2023. The prohibition of the usage of other identification document as substitute was confirmed to be the case on the ground by one of the Head of *Kelompok Penyelenggara Pemungutan Suara* (KPPS) or the Election Organizing Group Polling Station for 2024's Regional Elections, Mr. Raditya R. As head of the Election Organizing Group Polling Station 018 for Subdistrict Beji, Depok City, he stated that "not only the use of e-KTP held a major significance in voting administration, but other forms of legal documentation are not recognized as a valid proof of identification for registration purposes in the polling stations". This lack of options in proof of identification obstructs Indigenous People who are systematically more likely to face more difficulties in obtaining a basic identification card to perform their civic duties and access their civil rights.

Efforts to Bridge the Gap of Marginalization

Single Identity is the goal, and Indonesia is starting to reduce the use of multiple identity cards with the use of NIK as NPWP. In addition, the Ministry of Home Affairs is also building data integration between NIK and social assistance cards, BPJS health cards, and pre-employment cards (Tobing & Kusmono, 2022). In 2021, the General Director of the Department of Population and Civil Registration, Prof. Zudan Arif Fakrulloh, stated that moving towards SIN is beneficial, so that every resident only holds one identity in their wallet, one NIK, and one residential address that is properly recorded in the population database. This will make mistaken identity or wrong addresses a thing of the past. With Single Identification Number (SIN) becoming the State's goal and policies are created to support and push forward progress in realizing this goal, we must first recognize that while SIN might be beneficial for the general public, limiting formal and legal identification document as an all-in-one card via e-KTP means that once people do not have access to it, they do not have access to anything. This will push marginalized communities like Indigenous Peoples to be even more segregated from the other citizens of Indonesia.

In regard to the digitalization of KTP through e-KTP, we must acknowledge that the distribution and/or transition to e-KTP is uneven, with places further away from cities being impacted the most. An example of this is the effort taken to record Baduy people for them to obtain e-KTP in June 2023 by Lebak Regency Disdukcapil. In June 2023, 200 e-KTPs were produced for the Baduy Tribe due to limited network capabilities, and the remaining unprinted data was said to be printed at the Disdukcapil Office (DINKES Lebak, 2023).

The regional government needs to have a more proactive approach when it comes to providing legal documentation and formal identification, like e-KTP, to remote and secluded places, where most Indigenous People reside. A portion of the area in Indonesia, aptly named 3T: *Tertinggal, Terdepan, Terluar* (Remote, Frontier, and Outermost Areas), is a region of Indonesia that have geographical, social, economic, and cultural conditions that are less developed compared to other regions on a national scale (Ombudsman RI 2023). This proactive approach has been used before, and it has been proven to be effective. An example of this can be seen when Lebak Regency Disdukcapil paid a visit to a Baduy Village in November 2024 as preparation for the 2024 Regional Election, and this resulted in an additional 300 e-KTPs procured by Baduy People, with 6.763 Baduy People in total owning an e-KTP.

While a proactive approach can bridge the lack of access, lack of resources, and lack of recognition of their indigeneity and faith issues, this is just one aspect of the solution at present. Even with a proactive program of fulfilling Indigenous rights to documentation and identification, this does not negate the fact that there is still a lot of catching up to do. While it was stated earlier that Lebak Regency Disdukcapil's proactive program has resulted in 6.763 Baduy People in total having e-KTP in 2024 (Detik, 2024), an improvement from the 6.541 Baduy People in 2023 (Putri et al., 2024), the population of the Baduy tribe is estimated at around 26,000 people (Putri et al., 2024); therefore, only 26% of the total population is currently registered (Putri et al., 2024).

The proactive programs enacted by the Regional Government merely answer one side of the issue; the other issue is that some of the Indigenous People simply *choose* not to have an e-KTP. An example of this is another subgroup of Baduy People, Baduy Dalam (Inner Baduy). Most of the data found about Baduy People is mostly about Baduy Luar (Outer Baduy), who are more open to outside civilization, and are embracing some facets of modernity and technology into their lives. Generally, the Baduy people do not want to be called an isolated tribe, but they consider themselves a tribe that has distanced itself from modern civilization. They reject various government programs and have their customary laws that bind them (Abduh et al., 2023). This self-distancing and rejection of certain aspects of modernity and technology shall be their choice, and we must not

limit said choice and take it away from them by not allowing them to *join* and take part as Indonesian citizens when they choose to do so.

Another effort to bridge the gap of marginalization is through political participation. AMAN's secretary general emphasized AMAN's mission to increase the political participation of Indigenous people by encouraging hundreds of the best candidates to be involved in elections and the legislature. This decision is based on the fact that various violations of indigenous peoples' rights may be caused by the fact that laws and policies are often drafted by people who do not understand indigenous peoples' issues (Teredi, 2021). The Regional Daily Management (*Pengurus Harian Daerah*) of AMAN in several areas held a training program to educate beginner candidates to strengthen the next generation of strong and independent Indigenous People in each indigenous community. This beginner education program, which was mostly attended by youth groups, was carried out in various Indigenous Peoples' communities in each region. In Dompu District, West Nusa Tenggara, it was reported that a total of 22 representatives of indigenous youth from 7 indigenous communities participated in this program on March 7th, 2024, and in Lombok Tengah, 27 representatives on March 9th, 2024. (Hajazi, et al., 2024).

The historical involvement of AMAN in electoral politics over the last decade has been significant. Just in the 2019 Election, AMAN tried to increase the number of its candidates to be involved in practical politics. 163 political envoys from indigenous communities advanced as legislative candidates through 16 Political Parties at all levels of nominations; 6 Candidates for DPD RI Members, 12 Candidates for DPR RI Members, 27 Candidates for Provincial DPRD Members, and 118 Candidates for Regency/City DPRD Members (Teredi, 2021).

CONCLUSION

Documents of identification are a right as stated in Article 2 of Law 23 of 2006 regarding Population Administration. This right also applies to the indigenous population, as they are a part of the Indonesian populace. This right also included the right to e-KTP, a digitized version of KTP, and another step towards the Single Identification Number (SIN) Program. The integration of e-KTP and its importance in accessing multiple basic public necessities make e-KTP a vital documentation for all adult citizens of Indonesia.

Through Constitutional Court Decision Number 97/PUU-XIV/2016, it was ruled that adherents to religious beliefs can include *other* beliefs in the religion column on their ID cards and family cards. This should mean that discrimination for non-acknowledged religion, out of the 5 acknowledged religion as stated on Article 1 of Presidential Decree Number 1 the Year 1965 on the Prevention of Religious Abuse and/or Defamation: Islam; Christianity; Catholicism; Hinduism; Buddhism; and Khong Hu Cu (Confucius), should cease when it comes to obtaining identification. However, despite the decision made by the constitutional court, the Indigenous Population still reports some discrimination in obtaining their documentation. Discrimination is also not the only hindrance Indigenous People face when it comes to obtaining e-KTP.

The problem Indigenous People face is systemic. Lack of access and lack of resources have made obtaining e-KTP seem to be a particularly daunting task. The lack of e-KTP negatively impacted the lives of the Indigenous Population, as they are unable to access and exercise their rights. With the digitalization of e-KTP and the plan to integrate it with other forms of identification by the State, this may lead to further marginalization of Indigenous People who do not have access to e-KTP in the first place. Regarding this, before we embrace digitalization and integration of a single identification for all, first, we must ensure the accessibility to obtain e-KTP for Indigenous People.

Utilizing a more proactive program conducted by the regional government for the existing Indigenous communities within their region has proven results. As reflected through the proactive program conducted by Lebak Regency Disdukcapil for Baduy people, the number of Baduy people owning an e-KTP went up from 6.541 in 2023 (Putri et al., 2024) to 6.763 in 2024. This can be seen as a solution to the accessibility problem. This will also help to realize the Indigenous right to documents of identification as stated in Article 2 of Law 23 of 2006.

The government should consider going beyond a singular identification system until they're able to logistically accommodate it, until the number of people nationwide, including Indigenous people, reaches a certain threshold. To push for the acquisition of e-KTP, exceptions to certain requirements or additional requirements may be necessary and accommodated to Indigenous Peoples' conditions. An example of this is allowing substitution for KTP on the requirement to obtain a birth certificate or the acknowledgement of a shaman and Indigenous midwife in place of a licensed and registered obstetrician. This way, the State's goal and program can still move forward without further excluding marginalized communities.

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