



CILIS FACTSHEET 5

Indonesian Population Administration Law

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This Factsheet covers:

- What does the Population Administration Law govern in Indonesia?
- Who are recognised as Indonesian residents, and what are their rights and duties in the context of population administration?
- How does the law regulate the terms and means of recognition of residents?
- What are the purposes of population documents, and what are the problems of ensuring public access to them?

What does the Population Administration Law Govern in Indonesia?

Indonesia's Law No. 23 of 2006 on Population Administration, along with Law No. 24 of 2013 on the amendment of Law No. 23 of 2006 on Population Administration, outlines the rules governing the administration of Indonesian residents.

Its main provisions include, among others:

- (1) Definition of residents, that is, the category of people recognised as Indonesian residents
- (2) Rights and duties of residents in the context of population administration
- (3) Institutions with the authority to conduct population administration and their duties
- (4) Types of residential documents and who is entitled to them
- (5) Civil registration for birth, death, marriage, marriage annulment, divorce, child adoption, and change of citizenship status.

A bill to further amend this law is included in the National Legislation Program (*Prolegnas*) priority list for 2026. This means that the People's Legislative Council (*Dewan Perwakilan Rakyat*, DPR) should discuss passing the Bill before the end of 2026. In doing so, DPR members' priority will be establishing a single ID number or NIK. This will replace the existing system by making the NIK the only identification number for all purposes, including population documents, tax filings, and other services. According to the Head of Commission II of DPR (the legislative body that

handles issues relating to home affairs and domestic administration), the objective is to make it easier for Indonesian society to access public services.¹

The following sections provide a brief explanation of the mechanism for, and purposes of, population administration under Indonesian law. It also shows the challenges faced by people seeking to be recognised as Indonesian residents and, consequently, enjoy basic services.

Who are Recognised as Indonesian Residents, What are their Rights and Duties in the Context of Population Administration?

Article 1(2) of the 2006 Population Administration Law says, ‘Residents are Indonesian citizens and foreign nationals who are domiciled in Indonesia.’ The administration of Indonesian citizens and the process of acquiring or losing Indonesian citizenship are regulated by Law No. 12 of 2006 on Citizenship (see [CILIS Factsheet 1](#)). Foreign nationals recognised as Indonesian residents include those who hold a Temporary Stay Permit or a Permanent Stay Permit (Article 1, points 18 and 19).

The rights of residents are defined in Article 2 of the 2006 Law as rights to: obtain population documents; equal treatment in population/civil registration; protection of personal information; legal certainty on possession of documents; information on the result of population/civil registration; and compensation and restoration of their good name in the case of an error in registration or misuse of personal information by the implementing institution. Residents are also under a duty to report any population registration and vital events they experience to the implementing agency.

How does the Law Regulate the Means of the Recognition of Individuals as Residents?

The basic means of resident identification is through the assignment of a unique *Nomor Induk Kependudukan* (Population Identification Number or NIK) for every resident, a *Kartu Keluarga* (Family Registration Card or KK) for every family unit and a *Kartu Tanda Penduduk* (Resident Identity Card or KTP) for every resident aged 17 and above, or who has been married (Articles 1(12), (13), (14), and Article 63).

The population documents for foreign nationals with a permanent residence permit differ from those with a temporary residence permit. While permanent stay permit holders are eligible to receive a NIK, a KTP and a KK, temporary stay permit holders receive only a NIK and a document stating their place of residence (*Surat Keterangan Tempat Tinggal/SKTT*) (Article 17 (4) and Article 20(2) of the 2006 Population Administration Law, unchanged by the 2013 amendment).

Table 1. Types of civil registration documents based on resident categories

Citizenship/ Permit Status	Population Identification Number (NIK)	Resident Identity Card (KTP)	Family Registration Card (KK)	Other forms of identification
Indonesian citizen	V	V	V	
Foreign citizen with a permanent stay permit	V	V	V	
Foreign citizen with a temporary stay permit	V			Document stating their place of residence (<i>Surat Keterangan Tempat Tinggal</i>), in place of KTP. Their KK is recorded in this document.

Article 27 (1) of the Population Administration Law, as amended by the 2013 Law, states that ‘Every birth must be reported by Residents to the local implementing institution at the latest 60 days after birth’. A birth certificate

1 Wisnu Prasetyo, ‘Komisi II Bicara RUU Administrasi Kependudukan: Bentuk Single ID Number’, *kumparan* <<https://kumparan.com/kumparannews/komisi-ii-bicara-ruu-administrasi-kependudukan-bentuk-single-id-number-268iM1Hlu2H>> (‘Komisi II Bicara RUU Administrasi Kependudukan’).

must then be issued by a civil registration official (Article 27(2)). These provisions mean the birth of children of temporary/permanent cardholders in Indonesia must also be reported and registered, and a certificate issued.

What are the Purposes of Population Documents, and What are the Problems of Ensuring Public Access to them?

In Indonesia, the Birth Certificate of a child, the Family Card, and the Resident Identity Card (KTP) are essential for accessing various public services, such as enrolling children in schools, applying for health insurance, opening bank accounts, and obtaining passports. For foreigners, their Temporary/Permanent Permit Cards remain the primary identification required when accessing these services. However, foreign citizen-residents do not have a number of rights enjoyed by Indonesian citizens, such as the right to vote and to own certain kinds of land rights.

Discrimination against believers of the indigenous religion

One of the main problems in the population administration is discrimination against traditional customary (*adat*) communities, whose belief systems are not recognised as ‘religions’. In a petition to the Constitutional Court for judicial review of the law in 2016, a group of adherents to a particular *adat* belief argued that the law, particularly Articles 61(1), 61(2), 64(1) and 64(5) of the Population Administration Law, discriminated against them. Consequently, petitioners faced discrimination in job applications, when obtaining other documents such as birth certificates and marriage certificates, and in accessing public services. The court agreed, ruling that the articles were unconstitutional for not allowing recognition of ‘belief’ in the KTP, which makes listing the holder’s religion mandatory (Constitutional Court Decision 977/PUU-XIV/2016).

Despite this decision, studies have found that discrimination persists. Sukirno and Natalis note that the root of the problem lies in the limited definition of religion, which has never been changed by the government.² They point to Regulation of the Minister of Religion No. 9 of 1952, which provides that a belief must be monotheistic and accompanied by scripture and prophets to be recognised as a religion.³ Presidential Decree No. 1 of 1965 on the Prevention of Abuse and/or Blasphemy of Religion lists the religions adhered to by Indonesians as just six: Islam, Christianity, Catholicism, Hinduism, Buddhism, and Confucianism (Elucidation of Article 1).

This regulation’s elucidation [explanatory memorandum] section adds, however, that “This does not mean other religions such as Judaism, Zoroastrianism, Shintoism and Taoism are prohibited in Indonesia” (Elucidation to Article 1). This part of the elucidation of the decree potentially protects all faiths. However, the next paragraph says, “For any spiritual institution or movement, the government is attempting to direct them to the healthy view and the belief in the one and only divinity.” This statement implicitly differentiates between monotheistic ‘religions’ and ‘spiritual movements’, regarding the latter as unrecognised belief systems, the followers of which needed to be redirected to the accepted ones. Since these norms, whatever their lack of clarity, have largely gone unchallenged, indigenous faiths are still not classified as ‘religions’.

The situation of refugees and asylum seekers in Indonesia

Regulation of the Minister of Law and Human Rights No. 22 of 2023 on Visas and Stay Permits sets the rules for granting Visas and Stay Permits to foreign nationals in Indonesia. This regulation implements Law No. 6 of 2011 on Immigration. Its main connection to the Population Administration Law is the categorisation of foreign nationals who are eligible for temporary and permanent stay permits.

Thousands of refugees and asylum seekers in Indonesia have lived in the country for more than five and even ten years. However, they are generally not eligible for stay permits because their circumstances do not allow them to obtain the required documents to apply. For example, a temporary stay visa, whether for employment, foreign investment or family reunification, commonly requires a valid passport, a sponsorship letter from an employer, and proof that the applicant is financially able to support themselves and any family members while in Indonesia.

2 Sukirno and Aga Natalis, ‘Majority Bias in Legal Politics: Discriminatory Citizenship Document Services for Local Religion Believers in Indonesia’ (2025) 15(1) *Sortuz: Oñati Journal of Emergent Socio-Legal Studies* 241 (‘Majority Bias in Legal Politics’).

3 Ibid.

Many refugees who have stayed for an extended period no longer hold valid passports, while refugees arriving by boat in recent years may not have valid documents due to the nature of their forced migration. Furthermore, the sponsorship letter requirement means that an applicant should have been offered employment or have a family member sponsoring their stay prior to their arrival in Indonesia. The 2011 Immigration Law does not recognise refugee and asylum seeker status. Consequently, the 2023 Ministerial Regulation on Visas and Stay Permits also do not provide a specific provision for foreign nationals arriving in Indonesia due to forced migration or who have been assigned asylum seeker or refugee status by the United Nations High Commissioner for Refugees. A further consequence is that there is no provision in the Population Administration Law to allow refugees to be recognised as Indonesian residents. The 2006 Citizenship Law also imposes a range of administrative restrictions that prevent asylum seekers and refugees from applying for Indonesian citizenship (see [CILIS Factsheet 1](#)).

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