

The State Presence for Transgender Basic Rights

A report of ID Card advocacy for Transgender Communities in Indonesia



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SuaraKita



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Endorsement



It means a great deal to both individuals and the government for transgender people to possess their own civil registration documents such as the national ID card (KTP). By providing equal access to the process of attaining civil registration documents, administrators can embody the principle of non-discrimination, in particular, the principle of equality before the law and government for each citizen.

With civil registration documents, individuals have the opportunity to access public assistance and social services allowing them to lead more decent lives in the eyes of humanity. This is especially the case for transgender people, who have experienced systemic violence and discrimination throughout their lives due to their gender expression, finding themselves in a severely marginalized position in society.

The achievements, modalities, and strengths that were developed in the process of this advocacy provide a crucial step towards progress that we must celebrate together. These achievements are an important foundation to build upon through close and strategic cooperation. This will contribute to a just and equal Indonesia for all, leaving no one behind.

Andy Yentriyani,
Chairperson, the National Commission on Violence against Women
(Komnas Perempuan)



The Population and Civil Registration Office has a duty to carry out its administrative services for every resident. The State is responsible for providing the best service to the community, which means service that is fast, convenient, and conducted without discrimination. (Article 2 of law UU-No. 23/2006)

Dr. Taufik R Hidayat, AP, M.Si
(Kadisdukcapil Bekasi City)



Human Rights as a standard for public services must be embodied without question at every level of the government. As part of the State's obligation to respect and fulfil human rights standards, public services must be thoroughly based on principles of equality, non-discrimination, and accessibility.

We can reflect on two important things from reading the report of our colleagues who worked to advocate the rights of transgender communities: Firstly, the tireless struggle of a civil society movement that has broken through barriers to ensure non-discriminatory public services are carried out, and secondly, the government's willingness to continually improve its services with more openness in order to reach the "unreachable." Congratulations on the achievements thus far. This is a solid foundation upon which a more equal Indonesia for all citizens can be built.

Beka Ulung Hapsara,
Commissioner, The National Human Rights Commission of the
Republic of Indonesia



The State makes itself present through civil registration services that the people value. The services are provided without exempting the need to ease accessibility for vulnerable populations, among them the transgender community, specifically in West Java Province.

Hj. Indrastuti "Indri" Chandra Dewi S.SH.MSi
Secretary of the Population and Civil
Registration Office West Java Province



We would like to thank:

1. The Director General of the Population and Civil Registration Office of the Ministry of Home Affairs, and all Provincial and Regency/City Population and Civil Registration Agencies.
2. Transgender individuals who assisted transgender community in the process of application for population and administration documents.
3. Organizations and individuals who supported the efforts of this movement.

Foreword

Bismillahirrahmaanirrahiim,
Assalamu'alaikum warahmatullahi wabarakatuh,
Greetings to all,
Distinguished guests,



The preamble of the 1945 Constitution of the Republic of Indonesia states that the government must protect the nation and all that the people have fought for by advancing public well-being, fostering civic education, and participating in the establishment of a world order based on freedom, perpetual peace, and social justice.

Integral to these objectives is the imperative for all Indonesian citizens, without exception, to receive formal identity documents. As such, their rights as citizens in and of society, the nation, and the state can be fulfilled.

As determined by the Montevideo Convention and supported by international law, for a country to stand whole on its own, at least four basic elements need to be present, namely, a permanent population, defined territorial boundaries, a government, and the recognition of other states. This means that it is necessary to ensure that all people within the territory of a country must be accounted for and benefit from public services such as the issuance of formal identity documents. This is how the government works to serve the people. Recognition from other countries will naturally be granted from the acknowledgment that the state properly safeguards and provides for all its citizens.

The state objectives and the Montevideo Convention underlie the work the Ministry of Home Affairs does through the Directorate General of Population and Civil Registration along with all District and Provincial Population and Civil Registration Offices and regencies/cities throughout Indonesia to provide services to all Indonesian citizens without exception, including the civil registration of vulnerable populations, all the while ensuring that the provision of formal identity documents is implemented in line with the people's rights to have this done without discrimination in any form.

The procedures for Civil Registration of Vulnerable Populations are specified in the Laws and Regulations for Civil Registration, from Law UU-No. 23/2006 to the Minister of Home Affairs Regulation No. 96/2019 concerning Data Collection and the Issuance of Civil Registration Documents for the Civil Registration of Vulnerable Populations.

Considering the conditions of vulnerable people, such as the victims of natural disasters, remote indigenous communities, the poor, people with mental disabilities, the disabled, and transgender people, who all really do find it difficult to reach civil registration services, the Directorate General of Population and Civil Registration and the respective offices intend to reverse the direction of movement, so to speak, with a civil registration service that “picks up the ball.”

Civil registration services for transgender groups have been newly empowered by procedures specified in the Letter from the Director-General of the Population and Civil Registration, the Ministry of Home Affairs, to the Heads of Office of the Population and Civil Registration Offices No.470/11320/Dukcapil dated August 26, 2021, regarding Data Collection and Issuance of Civil Registration Documents for Transgender Residents.

This letter aims to strengthen the facilitation of data collection and issuance of civil registration documents for transgender communities, so they can enjoy equal rights to public services as other groups do. The hope is that no one finds themselves so vulnerable as to not register as a citizen.

The letter is also a testament to the collaborative work that took place between the Directorate General of Population and Civil Registration at the Ministry of Home Affairs, the District and Provincial Population and Civil Registration Offices, transgender communities, and advocacy organizations throughout Indonesia. Such collaborative work has proven to be a lesson for the state that engaging in mutual cooperation builds a strong nation.

In the end, all Indonesian citizens without exception will receive the promise and fulfilment of access to all public services, both in the government and private sectors. I hope that all people who make formal identity documents provide data that is valid and up-to-date for their current situations.

Prof. Dr. Zudan Arif Fakrulloh, S.H., M.H.
Director-General of Population and Civil Registration

Foreword



With regard to the population registry and accessing most public services, the national ID cards (KTP) and Family Cards (KK) are required documents for Indonesian citizens. For most residents, applying for national ID cards and Family Cards should not be difficult. They need to come to the destination agency, go through the processes, and they will get the documents . In reality, not all citizens experience this level of convenience, especially those in the transgender communities.

Why is it so difficult for transgender people in Indonesia to have ID cards? According to the report made available here, the difficulty lies in a lack of awareness that having an ID card and a family card is mandatory as a citizen. They may also feel that the application process is complicated and are reluctant to process the application. Not to mention the inconvenience of possibly having to reckon with a government official about the discrepancy between one's gender expression and one's birth name .

Perkumpulan Suara Kita's journey of undertaking the national ID card program for the transgender community is rooted in the organization's stated mission as a non-governmental organization to fight for LGBTIQ+ rights as citizens in the name of equality and justice. It also stems from the relationship with the Director-General of the Population and Civil Registration Office, Mr. Zudan Arif Fakrullah, who unequivocally stands for the issuance of ID cards for all citizens, including transgender people. Continuing the journey, *Perkumpulan Suara Kita* has not and does not work alone. We partnered with and provided assistance to the Indonesian Transgender Network to encourage the community to obtain ID cards. This cooperative network benefited from the assistance of our partners, such as the Indonesia Aids Coalition (IAC), Legal Aid Institute's Association for Women's Justice (LBH APIK), the National Commission on Human Rights, the National Commission on Violence against Women, our donors, and of course the Ministry of Home Affairs through the Population and Civil Registration Office (Dukcapil).

In the midst of all the difficulties, stigma, and discrimination transgender people encounter, the movement to make ID cards available and accessible shows that the state is present and comes through despite the challenges. The implementation of this program encountered obstacles, but these did not stop us from moving forward. What touched our hearts the most was seeing our transgender friends succeed in obtaining their ID cards, full of pride. Many had lived decades in Indonesia without ever having a civil registration document and were just able to receive a national ID card through this program. The assistance we provided in making ID cards did not end here, as *Perkumpulan Suara Kita's* dream is to enable our community to enjoy broader access to economic, social, and cultural (Ecosob) resources as citizens and the fulfilment of their civil rights. I hope this dream does not remain just a dream.

Yudi

Director, *Perkumpulan Suara Kita*

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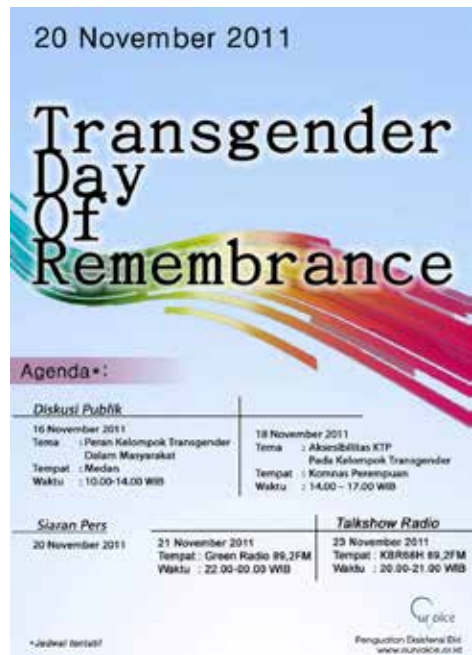
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National ID Card Program for Transgender People: Report Perkumpulan Suara Kita

A. Background

In 2011, *Perkumpulan Suara Kita* (Our Voice) responded to concerns regarding the accessibility of acquiring the national ID cards (KTP) for transgender people in Indonesia. Transgender people find themselves in difficult situations due to their lack of possession of ID cards. In some cases, they have never had ID cards in the first place, and often left their families and hometowns without having the chance to have the cards made. Others had a national ID card in the past, but they either lost their cards after leaving their hometown or did not renew the cards in time. Transgender people continually face these predicaments in a discriminatory social climate that deprives them of their rights and face marginalization from family members, society, and the government due to their gender expression. The transgender community seeks accessibility to ID cards as part and parcel of the struggle for rights as citizens of this nation.

The COVID-19 pandemic has drastically changed the lives of many Indonesian citizens, most significantly in the everyday struggle to meet their needs, whether due to reduced income or loss of jobs. Transgender people are no exception, with many facing the possibility of losing their homes. The government has deployed several public assistance programs for those heavily affected by COVID-19, but several marginalized communities (including the transgender communities) have yet to benefit from these. They are unable to meet the requirements for receiving government assistance as they do not have national ID cards. Most transgender people had limited access to education and came from the lower end of the financial spectrum. Their work options are often limited to the informal sector, such as hairdressing, busking, nightclub work, and sex



work. We believe transgender people deserve government public assistance just as much as other vulnerable citizens.

A survey of the impact of the COVID-19 pandemic on 42 respondents from the LBQ (Lesbian, Bisexual, Queer), women, and transwomen in 12 provinces shows that 37.8% of the LBQ and transwomen do not have access to food supplies; 35.6% of them cannot afford to pay their rent; 20% of them cannot pay the electricity bills, and 6.7% of them cannot continue their businesses¹. The grim financial crisis is even more apparent for those living in big cities.

Additionally, the transgender community has been struggling with access to COVID-19 vaccinations, as those who wish to participate in the government's vaccination program are required to hold a national ID card, which the majority of transgender people currently do not have.

This begs the question: why is it so hard for transgender people to obtain national ID cards or other civil registration documents? On paper, the process of obtaining a national ID card is not too difficult; applicants simply need to visit their local district office and submit the required documentation. However, in practice, transgender communities run into significant issues and limitations as a result of discrimination and resistance from the family and society due to their gender expression.

The government sees the transgender people as a social problem or disease and openly discriminates against them, as exemplified by the Pariaman district Regulation (Perda) No. 10/2018 regarding Public Peace and Order article 24, which states that a person is not permitted to "act transgender" and perform any activity which threatens public peace and order. Unsurprisingly, the marginalization and discrimination by the government further discourages members of transgender communities from dealing with the government.

Transgender people have minimal access to information about the procedures of applying for a national ID card and other related civil registration documents. In addition, they feel discouraged to enter government offices due to longstanding history of discrimination. All of this further contribute to transgender people's lack of political access and awareness of their rights as Indonesian citizens.

As a form of raising awareness of such issues, *Perkumpulan Suara Kita* initiated a program to support the transgender community to obtaining their official documentation, specifically their national ID cards (KTP). *Perkumpulan Suara Kita* hopes that by having national ID cards, the transgender community will gain access to public assistance, COVID-19 vaccinations, and other government programs. *Perkumpulan Suara Kita* has conducted several programs, such as:

1 Cited from Iswarini, T. (2021, Desember). *Kartu Tanda Penduduk: Penantian Panjang Transpuan atas Akses Keadilan dan Kesetaraan*. *Jurnal Perempuan*, 26(3), 219-230.

1. Advocacy with the government, particularly the Directorate General of Population and Civil Registration, Ministry of Home Affairs.
2. Information sharing and educational program for transgender communities to increase awareness of the importance of national ID cards and other civil registration documents.
3. Information sharing and educational activities for other community-based organizations to gain their support.
4. A community-based accompaniment program, which identifies focal point figures within transgender communities from various regions. Focal points provide direct assistance to (and often physically accompany) members of the transgender communities in their dealings with the Population and Civil Registration Agency.

Background of Government Policies Regarding Civil Registration Documents for Transgender people

Law Nos. 23/2006 and 24/2013. Civil registration documents are the right of every Indonesian citizen, with no exception. This is stipulated in the Law No. 23/2006 regarding the Civil Registration Documentation Law (UU Adminduk). Article 2 states that every citizen has the right to obtain their civil registration documents and to an equal treatment during the population and civil registration process. Article 13 states that every citizen is required to possess their individual identification number (NIK) which sets the basis for many other essential documents such as: Passport, Driving License (SIM), Taxpayer Identification Number (NPWP), bank account, land deed, and other legal documents. The government then published Law No. 24/2013 to amend the Law No. 23/2006, in which transgender peoples' right to obtain civil registration documents and services, without any form of discrimination from the government, is guaranteed.

The Home Affairs Ministry Regulation No. 96/2019 Regarding Data Collection and Civil registration documents Issuance for Vulnerable Citizens. According to the Ministry of Home Affairs Regulation (Permendagri) No. 96/2019, one of the categories to qualify one as a vulnerable citizen is a neglected citizen; a person who cannot fulfil their social, physical, and spiritual needs on a daily basis. The transgender community has been facing social boundaries for a very long time within the society and the family, including discrimination, stigmatization, and marginalization. This often forces them to leave their family behind without bringing any civil registration documents. Due to not having any legal documents and the difficulty they experience in obtaining supporting documents required for the civil registration application, transgender people do qualify as vulnerable citizens. As a vulnerable community, they have the right to receive appropriate population registration services.

Ministry of Home Affairs Regulation No. 109/2019 Regarding Forms and Books for Civil Registration Administration. The following forms are very important for the transgender communities to familiarize themselves with. These are the documents required for

applying for civil registration: F1.01 family biodata form to create their Family Card (*Kartu Keluarga*), F1.03 form to apply for domicile transfer, and F1.04 a statement letter of not having any form of identity document.

Presidential Regulation No. 96/2018 Regarding Requirements and Procedures in Applying for Population and Civil Registration. Presidential Regulation (Perpres) No. 96/2018, sets out in detail the procedures for civil registration. The services consist of documentation of civil registration biodata as well as issuance of Family Cards, electronic ID cards (KTP-el), Child Identity Cards, residence information, and documentation of vulnerable citizens. This Presidential Regulation ensures that vulnerable people or those without civil registration documents are able to apply for population and civil registrations.

Circular Letter No. 470/11320/Population and Civil Registration Regarding Recording and Issuance of Civil Registration Documents for Transgender Citizens on August 26, 2021. Population and Civil Registration Directorate General issued a Circular Letter for every Population and Civil Registration Agency to assist in the administrative procedures for the transgender community. This is the second Circular Letter to revise the first Circular Letter released in July 2021 along with a new step in the fight for the rights of the transgender community.

B. Program Implementation

The implementation of the programs consists of national level advocacy with the Population and Civil Registration Directorate General, Ministry of Home Affairs as well as Information Sharing and Community-based Accompaniment for local communities and the Population and Civil Registration Agency.

Advocacy with the Directorate General of Population and Civil Registration, Ministry of Home Affairs

Perkumpulan Suara Kita began this program by engaging in advocacy with the central government to assist in the process of issuing national ID cards. Through various connections, *Perkumpulan Suara Kita* managed to communicate with the Population and Civil Registration Directorate General, Ministry of Home Affairs and held an online discussion with the Director General, Mr. Zudan Arif Fakhrulloh in April 2021. This led to an agreement that the Population and Civil Registration Directorate General would assist the transgender community with the administrative procedures.

Perkumpulan Suara Kita then met with 112 transwomen who wished to obtain their national ID cards and applied for civil registration with the Directorate General. June 2, 2021 was a very memorable day in the history of the transgender community in their fight to obtain national ID cards and other identification document - the Director-General personally assisted with the registration process in the South Tangerang Population and

Civil Registration Agency. This was a part of the agency's commitment to provide services for the transgender community. It was hoped to set a good example for many other agencies to follow suit. During the event, Zudan declared, *"It is the nation's obligation to provide identity cards for every citizen in this country, whether they are National Citizens (WNI) or Foreign Citizens (WNA) with a permanent stay permit (KITAP). If we are able to offer our service to the foreign citizens, then we really have to serve the transgender community, remote indigenous and disabled people equally with no discrimination."* (Prof. Dr. Zudan Arif Fakrulloh. SH, MH –Population and Civil Registration Directorate General, Ministry of Home Affairs)².

In July 2021, the Director-General issued a Circular Letter for the agencies of all provinces, districts, and cities in Indonesia stating that transgender people without any documents (identification number, national ID card, and/or Family Card) will still be able to receive assistance from their local agencies. Initially, the letter stated that a transgender person without identification had to procure a letter from the Department of Health, a Community Health Center (Puskesmas) or hospital stating their birth gender. However, in discussions with the Director-General, *Perkumpulan Suara Kita* expressed that the requirement may result in discrimination. As a result, the Director-General agreed that transgender people who have no identity documents can procure a letter stating their birth gender from a guarantor from a transgender community organization instead of from the Department of Health, a Community Health Center, or hospital. This treatment is also applicable for many other vulnerable citizens such as the homeless or people with mental health issues whose identity history cannot be traced. For these groups, the Department of Social Services (*Dinas Sosial*) would act as the responsible party, whereas for transgender people, the role would be carried out by a transgender community organization. In response to that advocacy point, the Directorate General issued a revision to the initial Circular Letter in the form of Circular Letter No. 470/11320/Population and Civil Registration Regarding Recording and Issuance of Civil registration documents for Transgender Citizens on August 26 to replace the first Circular Letter.

Information Sharing and Community-based Accompaniment Programs

Together with the transgender communities, *Perkumpulan Suara Kita* continued this Information Sharing program to a wider network through online communication via social media and the transgender community networks. The next step was to accompany members of transgender communities who submitted applications for a national ID card to the Population and Civil Registration Agency.

Community-based Accompaniment of the national ID registration for the transgender community began in August 2021 with a meeting between the representatives of the

² Cited from the explanation material of Population and Civil Registration Directorate General, 2021



Image 1: Ceremonial handover of national ID and to the representative of transgender community by the Population and Civil Registration Directorate General, June 2, 2021

local transgender community and the local Population and Civil Registration agency. In partnership with individual donors and the Indonesia AIDS Coalition, *Perkumpulan Suara Kita* implemented educational and peer-support programs across several locations in Indonesia from August-December, 2021, in Greater Jakarta, Special Region of Yogyakarta, West Java, Banten, Central Java, East Java, Bali, and North Sumatera.

Perkumpulan Suara Kita, in collaboration with the transgender communities, also engaged in advocacy with regional agencies, starting from provincial to district and city agencies. These Information Sharing and Community-based Accompaniment programs for the national ID initiative had a number of notable results, such as:

1. Emergence of focal point figures and individuals from transgender communities who voluntarily assigned themselves to support their transgender peers in their regions. Their role has been vital in making this program a community movement that can spread to other regions. To enhance communication, *Perkumpulan Suara Kita* also created a WhatsApp group for these focal points.
2. An increase in enthusiasm for transgender people to start the process of getting their national ID cards and other official documentation.

3. Commitment from the Population and Civil Registration Agency to speed up the process of arranging official documentation for the transgender community.
4. Creation of a new line of communication between the transgender communities and their respective local agencies.

Greater Jakarta Province

Perkumpulan Suara Kita conducted the advocacy for transgender people with the Population and Civil Registration Agency in every part of the Greater Jakarta region to help the process of the national ID issuance for transgender communities and set up a schedule for the communities to visit their local agency in August 2021. Jakarta transgender communities showed their enthusiasm with a large number of focal points hailing from those communities, including Dona in North Jakarta and Echi in West Jakarta, who extended peer support to their respective regions. However, the focal points in West Jakarta struggled with their local Population and Civil Registration Agency who was less cooperative in processing some transgender people's applications for change of domicile. Another setback the focal points experienced is the lack of cooperation from several applicants who provided inaccurate data, such as inaccurate parents' names or birth dates.



Image 2: Procedure of the national ID application in West Jakarta Department of Population and Civil Registration

Banten Province

Advocacy in Banten began in June 2021 when the Population and Civil Registration Directorate General, Ministry of Home Affairs launched the national ID program for transgender people in South Tangerang. The involvement of the Ministry has allowed the program to run smoothly. As part of the city's public assistance for the general population, the Tangerang agency even initiated the contact with the transgender communities and provided free health support for the transwomen who held Tangerang-based national ID cards. Community-based Accompaniment for the local transgender communities within the Banten province covered Tangerang city and regency, South Tangerang city, Serang city and regency, and Cilegon regency. This resulted in a surge of volunteers from the communities and organizations who elected to become the focal points for other transgender people, including Mami Jenny who accompanied the communities in Serang and Cilegon regions, as well as Rere and Aeni in Tangerang city and regency.



Image 3: Procedure of the national ID application in Tangerang City Department of Population and Civil Registration

West Java Province

Information Sharing across Bogor city and regency created a number of focal points from the Trans Voice community who assisted in the Community-based Accompaniment program in August 2021. The agencies in Bogor city and regency were very supportive in providing public services for the transgender community and easing up the filing process for the civil registration documents.

The Bekasi City Population and Civil Registration Agency has opened the administration process for the transgender community since August 2021. Meanwhile, the Community-based Accompaniment program in Bekasi regency began in October 2021 with the support of the community's focal point, Christine, who took responsibility for assisting the community in Bekasi city.

The coordination meeting by Bandung City Population and Civil Registration Agency was held on September 18, 2021. It was attended by *Perkumpulan Suara Kita*, the Indonesia AIDS Coalition, West Java Population and Civil Registration Agency, Srikandi Pasundan Organization, staff of the Bandung City Agency, and several representatives of the transgender communities in West Java. From the meeting, a cooperation agreement between the West Java Agency and the transgender communities for the administration process was made. This began with a trial process for the transgender communities in Bandung City on September 20, 2021. The West Java Population and Civil Registration Agency also invited the agencies in Bandung and West Bandung regencies to participate in the trial event.

On September 21, 2021, the Information Sharing and Community-based Accompaniment for the transgender community continued in Bandung Regency, in which the Bandung Regency Agency welcomed the community who applied for the civil registration documents. One of the first transwomen who have obtained her national ID is also a member of Bandung Regency Srikandi Patuha Organization who promised to assist other fellow transgender people in creating their civil registration documents such as the national ID card and Family Card.

Perkumpulan Suara Kita held a meeting in Cirebon city and regency with two staff members from the Population and Civil Registration Agency, as well as one representative



Transgender community with local government in West Java Province



Image 4: Symbolic handover event of the national ID from Kuningan Department of Population and Civil Registration to the transgender community, September 19, 2021

of the local transgender communities on September 22, 2021. This was to introduce the transgender representatives to the local agency with the aim of achieving effective coordination. Based on the meeting, it was concluded that the representative member of the community in Cirebon Regency needed to receive further training and education due to their lack of necessary insight in assisting the community to create their civil registration documents. As a result, the progress in Cirebon Regency as of December 2021 was a bit slower than in other regions.

A meeting with the Head of Kuningan Population and Civil Registration Agency on September 23, 2021, concluded with a commitment from the agency to support access for transgender communities to government programs, including Health Care and Social Security (BPJS Kesehatan), Training Centers (BLK), and public assistance. After receiving the Circular Letter, they initiated a consultation with the Social Welfare Office to connect with the transgender communities, as well as organizing an educational and management meeting with the community for the national ID creation alongside the local focal point, Mami Kenny. Following this, the agency held a symbolic handover meeting of the national ID card, Family Card, and birth certificate to the representative of the community on September 19, 2021.

Central Java Province

A coordination meeting with the Central Java Population and Civil Registration Agency was held on September 9, 2021 at the Semarang Agency office. The meeting was attended by: the representatives of the Province Agency, Budi and Agung; secretary of



Image 5: Semarang obtained her national ID card during trial session, September 9, 2021

Semarang Agency, Mela; Head of Civil Registration Division, Ikhwan along with Head of Civil Registration Session, Linda; representative of Semarang Waria Association; staff of Global Fund field program, representative of IAC, representative of *Perkumpulan Suara Kita*, and one representative of Semarang NGO. After this, the Central Java Population and Civil Registration Agency conducted a trial of national ID card registrations for seven representatives of Semarang transgender people, supported by Semarang Waria Association and supervised by the community's focal point, Sylvi.

This entire process provided many learning opportunities, as the Population and Civil Registration Agency themselves witnessed the challenges that the transgender community typically encounters in the process. Additionally, the community and designated focal points received further insights regarding the requirements necessary for filing the national ID card application. The patterns and strategies of Central Java Province, such as the coordination meeting and trial session, became a valuable case study for agencies in other cities and regencies.

Special Regions of Yogyakarta (DIY)

On September 8, 2021, a representative of *Perkumpulan Suara Kita*, Hartoyo arranged a meeting with the Special Region of Yogyakarta (DIY) Head of Administration Bureau, a division whose role is to coordinate the working procedures of the Population and Civil Registration. This meeting resulted in an agreement from the Administration Bureau to



Image 6: Meeting with Sleman Department of Population and Civil Registration

coordinate and share information with the entire agencies across DIY. In August 2021, the Government Administration held an online meeting with the representatives of the agencies across DIY to explain the Circular Letter regarding the documentation and issuance of civil registration documents for transgender citizens. The Directorate General was invited to the meeting. The main results of the Information Sharing and Community-based Accompaniment across DIY were:

1. Commitment from the DIY Administration Bureau to coordinate every Population and Civil Registration Agency.
2. Connection and communication between the agency and the community's focal points.
3. Identification of focal point figures within the community to assist transgender individuals in applying for the official documentation.

The subsequent meeting with the Head of Yogyakarta Population and Civil Registration Agency, a representative of the transgender communities, and a vaccine advocate was held in Yogyakarta. The meeting aimed to discuss issues which transgender people have been facing when submitting population registrations. Although the agency proved to be resourceful in helping the registration process, the transgender communities continued

to face challenges in obtaining a statement letter from their respective neighborhood administrative units (RT) and community units (RW), which is one of the required documents for the national ID card applications.

The representatives of *Perkumpulan Suara Kita* also organized a meeting with the representatives of the Sleman Population and Civil Registration Agency on September 7, 2021 to discuss the procedures and obstacles faced during the civil registration process. From the meeting, it was clear that the number of transgender people applying for the national ID cards remained low. Taking into account the importance of the community focal points' roles, *Perkumpulan Suara Kita* initiated an Information Sharing event for transgender communities in Sleman. On September 15, 2021, Sleman Regency announced that eight transgender people had obtained their national ID cards.

East Java Province

On September 5, 2021, *Perkumpulan Suara Kita*, represented by Hartoyo, visited Surabaya and coordinated with the representatives of Surabaya Waria Association (Perwakos), Sonya and Irma, as well as two field staff of the Global Fund, Budi and Danang. *Perwakos* welcomed the Information Sharing activity and were willing to assist in connecting with many other transgender communities across the East Java Province. On September 6, 2021, a meeting took place between the East Java Head of Civil



Image 7: Meeting with East Java Department of Population and Civil Registration between Perwakos representative and Perkumpulan Suara Kita

Registration, Mudji, four representatives of the transgender communities, two field staff members from the Global Fund, and a representative of *Perkumpulan Suara Kita*, which resulted in several agreements:

1. Perwakos, Global Fund and the East Java Population and Civil Registration Agency would collaborate on the national ID registration program across the East Java Province. To help the communication between each party, a dedicated WhatsApp group was created.
2. A test planned for September 22, 2021, at the Surabaya Population and Civil Registration Agency as the first trial to help explain the entire process for the other regions in East Java.
3. The East Java Population and Civil Registration Agency would help improve the communication between the transgender communities in the cities or regencies with their respective local agencies.

Bali Province

The procedures began with an online Information Sharing to the transgender community network in Bali, which resulted in two focal points from Denpasar City and Badung Regency, Tariska and Tasya, volunteering to become the community's focal points. On October 4, 2021, the focal points met with the Badung Regency Population and Civil Registration Agency with two representatives of the community, to test the water and



Image 8: Coordination meeting between the companions and Badung Department of Population and Civil Registration

become the first transwoman to apply for the civil registration documents. The issue the community faced was mostly related to applying for a new identity card after migrating from regions outside of Bali, as they found it difficult to meet the requirements to apply for the Bali-based national ID card, including a statement letter from the head of the neighborhood administrative unit (*Kepala Lingkungan*) and a Family Card.

On November 21, 2021, Hartoyo, representing *Perkumpulan Suara Kita*, and Egha, representing the Indonesia AIDS Coalition, conducted advocacy with the Population and Civil Registration Agencies in Badung and Denpasar. The meeting addressed the challenges that the transgender communities faced in Denpasar and Bandung regarding the Family Card and statement letter from the head of the neighborhood administrative as requirements for the national ID registration procedure. The local agencies could not ease up on these requirements and insisted that transgender people applying for the domicile transfer should have a guarantor.

North Sumatera Province

The Information Sharing and Community-based Accompaniment for North Sumatera transgender communities began on December 6-11, 2021 by visiting Medan City, Deli Serdang Regency, and Serdang Bedagai Regency. The community-based Accompaniment was held directly for the transgender people who applied for the civil registration documents. In addition, the advocacy and Information Sharing were also held for the staff at the Population and Civil Registration Agency in these locations. The agency in Deli Serdang suggested that the community gather in one location so that applications for the national ID could be made easier by processing on-site.

It is hoped that the Community-based Accompaniment and Information Sharing for the transgender community in North Sumatera would lead to the identification of a couple of focal points in their respective regions. In addition, frequent advocacy and information sharing would be required for the Population and Civil Registration Agency within North Sumatera, as a lack of professionalism was still apparent where staff often complicate the process for administrative reasons.

As an example: after losing her official documentation as she returned home from Thailand, Rea attempted to file for re-issuance of her documents to no avail. The agency constantly demanded she submit supporting documents such as her Family Card or birth certificate, both of which she did not have. Rea then attempted to use the service of a private bureau agency to help the process but decided to withdraw her application as the price that the agency quoted for the service was around IDR 15 million. This is a staggering price for a process that is actually free of charge at the official government agency.

When the representative of *Perkumpulan Suara Kita* arrived in Medan and provided peer support, Rea was contacted and supervised to help the process of her national ID



Image 9: process with the community in Medan City

registration at the Medan Population and Civil Registration Agency. They checked her biometric data and verified that Rea had already recorded the data for her electronic ID card (e-KTP). Because Rea intended to change her domicile to Medan City from her hometown, the agency in Medan asked her to submit a domicile transfer statement letter from the agency in her hometown. *Perkumpulan Suara Kita* advocated with agency staff in Medan regarding the domicile transfer procedures for transgender people who are generally struggling to return to their hometown and create the statement letter. As a consequence, the Medan Population and Civil Registration Agency helped Rea's domicile transfer procedure by simply asking her to fill and sign form F1.03.

Three weeks later, Rea's Family Card was ready, and Rea was asked to visit the agency to have her photograph taken for the new electronic ID card. However, her old picture (before she transitioned) was still used on the new ID card. Rea objected and asked that her ID card includes a current photograph. Another advocacy was done for the Medan Population and Civil Registration Agency, and Rea finally received a new ID card with the current photo. Her next plan is to file a name change application to the District Court.

C. Categories of Civil Registration Documents Applicants from Transgender Community

Based on the Community-based Accompaniment program, there are several categories of applicants from the transgender community whom the focal points have supported in the process of applying for the civil registration documents:

1. Transgender individuals who have lost their ID cards or possess damaged ID cards. They have an identification number as well as data recording.
2. Transgender individuals who wish to transfer domicile; with an identification number and/or electronic ID card, or without an ID card.
3. Transgender individuals who wish to change their profile picture on the ID card to fit better with their current appearance.
4. Transgender individuals with no national ID cards who have supporting documents like birth certificates, Family Cards, education certificates, etc.
5. Transgender individuals with no national ID cards and any form of supporting documents.
6. Transgender individuals with no birth certificates and no Family Cards.

D. National ID Application Procedures

The Circular Letter by the Directorate General of Population and Civil Registration Agency, Ministry of Home Affairs, includes several procedures that the agency can take to help the transgender community obtain their national ID cards or other official documentation:

1. Application to replace missing or damaged electronic ID cards

Applicants may apply for the re-issuance of their ID cards by submitting the required identity documents to verify the data, including old and damaged ID cards, photocopies or photos of missing ID cards, Family Cards, and a letter of lost items from the police if the ID card is lost. If none of these documents are available, the applicants may perform a biometric check (fingerprint and iris scan) at the local Population and Civil Registration Agency or provide the Agency with the identification number or Family Card number. The agency will then re-issue the electronic ID card without any change in the data, in which the applicants may apply in any agency even outside of their domicile.

Procedure for Missing or Damaged ID Card Application

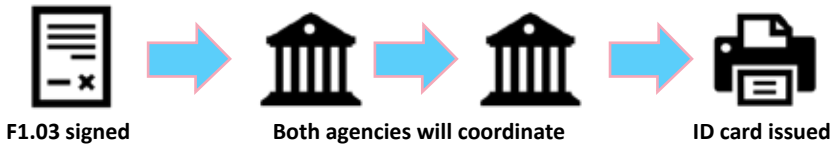


2. Application for domicile transfer

Applicants who wish to change their electronic ID card to match with the current domicile may apply to the Population and Civil Registration Agency by fulfilling some of the requirements. Under Presidential Regulation (Perpres) No. 96/2018, the requirements to issue the electronic ID card for domicile transfer are a letter of transfer/arrival from the agency of origin and a Family Card. The Directorate General of Population and Civil Registration Agency states that the process of domicile transfer does not require a cover letter from the neighborhood administrative units (RT/RW) up to the sub-district, as long as it is still within the same city or regency.

Transgender people who apply for the domicile transfer are required to fill form F1.03, in accordance with the Ministry of Home Affairs Regulation No. 109/2019, and submit the signed form to the local Population and Civil Registration Agency. The staff will help the process by contacting the agency at the origin. Applicants may also contact their agency of origin and request a letter of request for domicile transfer from them directly or online. Once the local agency has received the letter, they may proceed to print the electronic ID card.

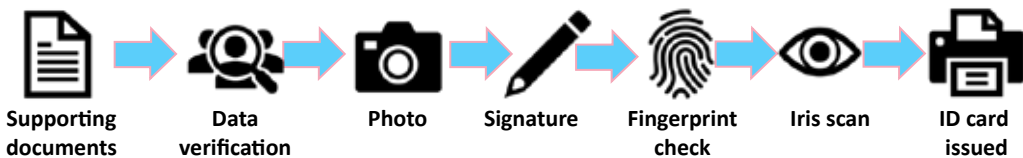
Procedure for Domicile Transfer Application



3. Application with supporting documents

Applicants who have yet to possess a national ID card but possess supporting documents like a Family Card, birth certificate, and cover letter from the neighborhood administrative units (RT/RW) may bring their supporting documents to the local Population and Civil Registration Agency and perform either data check or biometric verification to record the applicants' identity. If they have not done any data recordings, the agency will perform a fingerprint check, photo profile issuance, and iris scan. After this, the electronic ID card is ready to be printed at the local agency.

Procedure for National ID Application with Supporting Documents



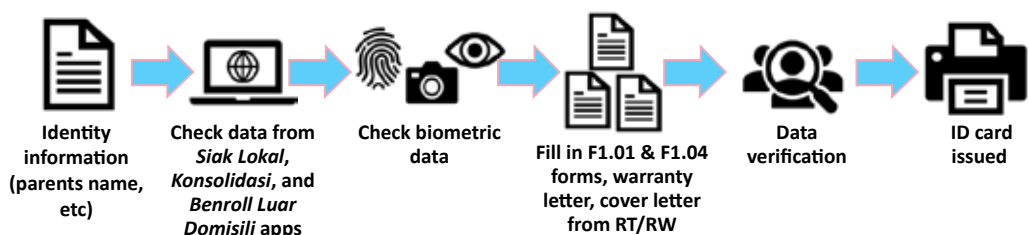
4. Application without supporting documents

The main problem the transgender community usually have when applying for a national ID application is their lack of any supporting documents, hence the community being categorized as vulnerable citizens. In that case, the applicants must remember their birth name, birthplace, and date, real names of both their parents and place of origin. This information will help the local Population and Civil Registration Agency to check their data through the apps called *Siak Lokal*, *Siak Konsolidasi*, and *Benroll Luar Domisili* to ensure the existence of the applicants' identification numbers. Additionally, the staff may also perform biometric checks to analyze the applicants' identities within the residence database.

It is important to note that applicants must bring a focal point or guarantor who must also provide copies of their ID cards and Family Cards in accordance with their domicile and acknowledged by the focal point's local neighborhood administrative unit (RT/RW). Under Ministry of Home Affairs Regulation No. 96/2019 (on the procedure for the recording of vulnerable people without documents), applicants whose identities are not recorded within the database are required to complete the F1.01 form or the family biodata along with the F1.04 form or the statement letter of not having any form of identity-related document. If the applicants do not have a single supporting document, they must write a statement of responsibility letter (SPTJM) that is signed by the applicant and supervised by the head of the focal point's organization.

Note that the service provided for this procedure may vary between regions. Some agencies will require the applicants to submit a cover or statement letter from their neighborhood administrative units, while other agencies are more lenient by allowing the focal point to provide the warranty letter in lieu of the statement letter from the administrative units.

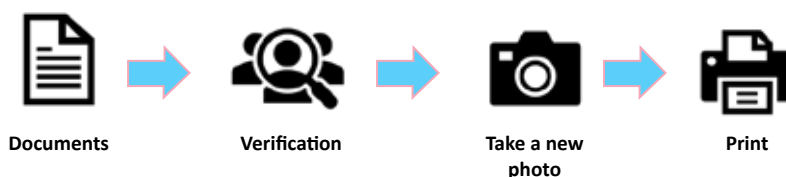
Procedure for National ID Application without Supporting Documents



5. Application for changing the photo on the electronic ID card

While transgender applicants cannot change their name and birth gender, they are allowed to update their photo on their electronic national ID cards to their most recent appearance. Applicants could visit the local Population and Civil Registration Agency and apply for it, then the staff will take a new photo to replace the old one. The applicants may apply for this as well while applying for a new replacement for their damaged/lost ID card.

Procedure for Photo Change Application



6. Change gender and name identity

Transgender people may change their gender and name identity on their ID card. In accordance with the Law No. 23/2006, article 52(1), a change in name is permitted upon a decision of the District Court. Meanwhile, changing the gender identity is covered in article 56, in that the other important recording of an event must be based on a decision of the District Court. The process is explained in more detail in the Presidential Regulation No. 96/2018, article 53, on name change and article 58 about other matters. The Population and Civil Registration Agency may change the data on the ID card once the applicants have brought proof of approval from the Court. As of December 2021, there was no transgender applicant submitted an application for name and gender identity changes in their ID card.

E. National ID Applicants achievement data

From June to December 2021, *Perkumpulan Suara Kita* has carried out community-based accompaniment with transgender communities in several provinces to increase the number of national ID card applications. Based on the data submitted by the IAC from seven provinces, about 480 transgender people have obtained their ID cards and 29 transgender people are still processing their applications. Based on the verified data, the number of national IDs which have been processed is : 282 people from West Java, 56 people from Greater Jakarta, 70 people from Banten, 25 people from East Java, 19 people from Special Regions of Yogyakarta, 15 people from Central Java, and 13 people from Bali. The data was up-to-date as of December 2021. As the program is still ongoing, the data collecting is also still ongoing.

National ID Data Table

| Province | Already Processed | Process Still Ongoing |
|-----------------|-------------------|-----------------------|
| Greater Jakarta | 56 | 3 |
| Banten | 70 | |
| West Java | 282 | 18 |
| Central Java | 15 | |
| DI Yogyakarta | 19 | 1 |
| East Java | 25 | |
| Bali | 13 | 7 |
| Total | 480 people | 29 people |

The national ID application process is done by focal points who are currently unable to create a report, hence the data assembling process will require more time and verification with the focal points from each region. These focal points will have to learn the importance of processing data and further develop their ability in doing so.

F. Challenges

1. Knowledge gap of the focal points with regards to the national ID application process. A number of focal points have yet to understand the procedures for the national ID application, hence the creation of WhatsApp groups that offer them the space to share their experiences and knowledge. A number of focal points do not have enough perseverance and proficiency to approach the local staff of the Population and Civil Registration Agency. This is due to the lack of training on the national ID card application procedures.
2. Commitment levels vary among focal points, with some unable to do their task due to other engagements, among other reasons, causing the Community-based Accompaniment in some regions to not run as smoothly as in other regions.
3. Data collection of national ID card applicants is not handled with enough care. Because these focal points are volunteers, they have yet to understand the importance of data collection in creating a proper report on the national ID applicants.
4. Focal points from the communities or representatives of *Perkumpulan Suara Kita* do not have an official letter of assignment, resulting in some focal points struggling to communicate and coordinate with their respective local Population and Civil Registration Agencies. Up to this time, the communication and coordination have been facilitated by the Directorate General of Population and Civil Registration, which was made possible by the advocacy of *Perkumpulan Suara Kita* with the Directorate General.
5. There are some notable differences of understanding and treatment amongst the Population and Civil Registration Agencies in different regions. This lead to several communities struggling to apply for their national ID cards. For example, the agency staff asked the transgender applicants for a letter of domicile transfer from their region of origin despite the fact that their hometown is far and that asking them to return home simply to take care of the letter is unrealistic, including due to their financial situation. On the other hand, several agencies are more lenient, coordinating with the agency from the applicant's region of origin after the applicant has filled and signed the F1.03 form.
6. One of the requirements for the civil registration documents application, if the applicant does not have a national ID card, is a guarantor and cover letter from the neighborhood administrative units (RT/RW). A common issue among transgender people is that it is not easy for them to get a letter from the head of the neighborhood administrative unit. This is mainly because they are not always settled in one

place for a very long time and thus do not register their data to the neighborhood administrative units. The administrative units generally refuse to provide the letters. For the focal point's Family Card as the other requirement, the applicants generally submit a Family Card from a close relative, friend, or fellow transgender person as a warranty. On the other hand, transgender people in Bali Province struggle to obtain a Family Card for the warranty, given that many of the citizens there are not willing to offer their Family Card for the application.

7. Transgender communities generally live in poverty and need financial or transportation assistance to visit the Population and Civil Registration Agency. The distance between the focal points and the community in need tends to be far, resulting in high operational costs.
8. The funding for this program mostly came from individual donations and a fundraising campaign by selling preloved items (such as clothing) on a platform called Sri Loved. In addition, this program attracted donors from numerous individuals and several organizations such as IAC, TAF, The National Commission on Violence Against Women, LBH APIK, etc. The fund was used for the focal points' transportation and operational costs, as well as the application for the applicants' letters to their neighborhood and community administrative units. The transportation fee for a trip outside of Jabodetabek relied on donor funding. Up to October 1, 2021, the amount of funds gathered for this program is IDR 31,431,284. The expenses for the transportation and coordination meetings reached IDR 30,311,068. To this day, *Perkumpulan Suara Kita* requires funding to facilitate the training for the focal points as well as coordination meetings with the focal points and their respective city/regency Population and Civil Registration Agency.

G. Best Practices

Drawing from the activities executed from June to December 2021, numerous discoveries were found by the teams, including:

Community Initiative

The transgender communities enthusiasm and initiative really helped the overall process. Dedicated individuals and communities emerged to assist their fellow transgender people, including the focal points who mainly support fellow transgender communities in their respective regions. These focal points play several major roles such as:

1. Coordinating with their local Population and Civil Registration Agencies.
2. Information Sharing for the transgender communities.
3. Accompanying fellow transgender people when visiting their local agencies.

Without the initiative from the focal points, it would be difficult to reach out to more transgender people across the regions. As they are the key to the success of this

program, *Perkumpulan Suara Kita* hopes that these activities will become a widespread community movement and continue to spread across Indonesia. The focal points from their respective communities or organizations would be able to help provide guarantor letters.

Serang City. The success of the work in Serang City was due to the dedication of Mami Jenny. She frequently shares information and persuades her fellow transgender people in Serang City to apply for national ID cards. Initially just another applicant for her ID card, Mami Jenny had experienced the entire process and since then has committed to help fellow transgender people obtain their national ID cards. In the early days, there were only three transgender people in Serang who applied for a national ID card, because most of the transgender people at that time were not convinced that the system would work. Due to Mami Jenny's perseverance and hard work and through word of mouth, over 20 transgender people obtained their ID cards by the end of October 2021. Currently, Mami Jenny accompanies not only the transgender communities in Serang City but also other communities in Serang Regency. In addition to her good relationship with the community, Mami Jenny also has a good relationship with the Population and Civil Registration Agency in both Serang city and regency. This is a significant asset when assisting her fellow transgender people during the national ID registration process.

Banjar City. Another successful story hails from Banjar City, West Java, at the border of West and Central Java. Yuyun Juniar is the dedicated focal point for the transgender communities in Banjar. Yuyun has helped with the national ID registrations for her transgender friends by coordinating with the local Population and Civil Registration Agency by her own initiative, without any support from *Perkumpulan Suara Kita* or any other parties. As a part of a dedicated WhatsApp group for the transwomen communities to discuss the national ID program, she observed and learned from the discussions and experiences that the other members shared. From then on, Yuyun proactively helps out the transgender communities in Banjar City, without any assistance from external parties.

West Jakarta. Echi is a focal point from West Jakarta who has been helping the transgender community to obtain free national health insurance (BPJS) cards or contribution assistance (PBI) via the Kebon Jeruk Department/Community Health Center. According to her, the staff members at the health center were polite and not discriminatory when providing service to the transgender communities. As a result, she recruited her peers who already have their national ID cards to obtain their free BPJS cards.

Initiative from the Population and Civil Registration Agency

The local government or Population and Civil Registration Agency proved to be supportive of the program, as many of them openly communicate and work in tandem with the transgender communities, with some of them initiating the national ID registration right away. It is important to note that government agencies in every region

treat the transgender community differently. Some agencies openly ease up on the process for the community, while others rigidly and strictly implement the rules.

The Population and Civil Registration Agency of the Kuningan District provided us with the best practice of the initiative. After receiving the Circular Letter, the Head of the agency immediately consulted with the District Social Welfare Office to discuss the procedures for the civil registration documents for the transgender communities, as the agency did not have any data related to the community. The Social Welfare Office then assisted in connecting the agency with a representative of the community which then became the community focal points for supporting the transgender people's national ID registration. The agency followed up by connecting the community with the local Labor Office to provide access to vocational training centers (BLK) as well as the Social Welfare Office for public assistance.

In terms of performance, the Tangerang City Population and Registration Agency is among the best due to its proactive approach in reaching out to transgender applicants for their national ID registration, rather than waiting for transgender people to visit them. The agency's proactive approach has made it much easier for the community to attain their ID cards, birth certificates, and Family Cards.

H. Recommendations

The Managing Team

1. The managing team needs to develop training for the focal points to further shape their understanding on the civil registration documents applications, including the issues that the people they assist are facing. To date, the focal points have yet to receive any training. Their knowledge is limited and based solely on the shared experiences from the other regions on the WhatsApp group platform. Once the focal points have received appropriate training, they should be able to turn this program into a community activity that will continue to spread wide across the nation.
2. Better communication and coordination is needed between the focal points, community, and government to help solidify a much wider network.
3. Data recording capacity needs to be improved. The majority of the focal points have not done a proper data recording from every application process. Thus, the focal points will need to undergo a thorough training on data collecting methods or systems.
4. An online network, such as a call center or helpline is needed. This will ease the civil registration documents procedures, particularly for the transgender communities which cannot find a focal point. Doing so will require a number of new volunteers with good integrity and who are trained on the procedures for the civil registration documents application.

5. To achieve better and more effective Information, Sharing via infographic content needs to be expanded across social media. Hopefully, this type of campaign will be able to reach a lot more transgender communities along with mid-to-low class citizens who require information regarding the procedures for the civil registration application.
6. In addition to the infographic content, *Perkumpulan Suara Kita* will also need to create educational video content regarding the procedures of applying for the national ID to help raise awareness and convey this information widely. Through the educational video, it is hoped that the transgender community would better understand and be more confident in applying for the national ID application themselves without assistance of the focal points. This video will be disseminated across social media to make it more accessible for a lot of people.

Government/Population and Civil Registration Agency Staff

1. Strengthen the professionalism of the staff within the administration services across the city/regency to help provide better service and reduce discriminatory and potentially corruptive behavior.
2. Ensure public awareness to ensure the services run well.
3. Publish an official letter of assignment from the government for the focal points in order to make it easier for both the focal points and the staff of the Population and Civil Registration Agency to build communication and trust, as well as to prevent the emergence of illegal for-profit brokers.

