

E-KTP POLICY WITH REGARD TO THE LEGAL CERTAINTY THE IDENTITY OF INDONESIAN CITIZENS

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ABSTRACT

Government policies towards one of the identities of citizens who form of ID (Identity Card) experienced a fundamental change, namely from KTP conventional heading to KTP digital electronics (E-KTP), of course this change was the government's strategy in the service of citizens who will E-ID card will be adapted to other public services. so will ensure legal certainty about the rights and obligations of citizens, in order to obtain a single data which is national, so there will be cheating on the identity of citizens where no Indonesian citizens who possessed dual identity card, it is possible at the time of a conventional ID card. Its problem is with the E-KTP program the community has been aware of the rights and obligations as good citizens? Proceedings of the writing method uses normative analysis approach contained in Law No. 23 Year 2006 concerning Population Administration, besides the authors also do a sociological analysis of the community's response to the policy of the e-ID card. From the study of normative analysis and sociological analysis study E-KTP policies are having a positive impact for the legal certainty of the rights and obligations of the population as a good citizen of Indonesia.

Key words: Policy, E-KTP, Rule of Law, Identity

1. INTRODUCTION

The government's policy in managing Indonesia's population problem is inseparable from the identity of the population itself. So far, the identity of which is often used to conduct community activities or is a resident ID card (Identity Card). For that we need improvements to the administration of residence not only ID cards but also issues related to other identities such as Birth Certificate, Marriage Certificate, Certificate of Divorce, Adoption Certificate, Certificate regarding the Child Status.

Administration of population here is intended to have the sense circuit arrangement and enforcement activities, in the control documents and demographic data through population registration, civil registration, information management and utilization of the results of population administration for public services and the development of other sectors. It is necessary for the registration of the population to ensure their legal certainty as a citizen of Indonesia.

It is necessary for registration of the population, the notion of population registration as set forth in Decree of the Minister of Interior No. 54 of 1999 on the Implementation of Registration of Population, noted that population registration is the registration activities and or recording of data on population and its amendments, marriage, divorce, death, and mutations in the population, the issuance of national identification number, national identification number interim, family cards, identity cards, and resident registration certificate, as well as population data management and counseling.

While the population is every citizen of Indonesia, hereinafter foreign citizens holders of permanent residence in the territory of the Republic of Indonesia. So these definitions, it is clear that the purpose of the inhabitants are all Indonesian citizens and foreign citizens holders of permanent residence. Determines the identity of the residents of one of them is the Identity Card. Associated with Identity Card, the Government was carrying out a program with the objective of E-ID card in order to follow developments more modern era, where efficiency, speed, and accuracy is required in the modern age.

With the e-ID card is no longer possible for the population or someone will cheat by getting two ID cards such as the procurement of conventional ID card at first time. This is unlikely to happen because there is a unified data base which gathers people from all over Indonesia.

2. Formulation Of The Problem

How efforts should be made so that the Indonesian people are aware of the significance of E-KTP in fulfilling the rights and obligations as citizens of Indonesia?

3. The Writing Method

The writing is based on the proceedings of normative analysis study on Act No. 26 Year 2006 concerning Population Administration, also studied in sociological analysis which this Act relation with the public response to the usefulness of this Act.

4. Discussion

4.1 Understanding About ID Card And E-ID Card

Understanding Identity Card (KTP) according to the Law of the Republic of Indonesia No. 23 Year 2006 concerning Population Administration, is the official identity of the population as a proof of identity issued by the Implementing Agencies that apply in the entire territory of the Republic of Indonesia. Meanwhile, according to Wikipedia, is the identity of the official resident ID card as proof of identity issued by the Implementing Agencies that apply throughout the territory of the Republic of Indonesia. This card must have for Indonesian Citizen (citizen) and foreigners (WNA), which has a permanent residence permit (ITAP), which is already 17 years old and had never been married.

The children of parents Foreigners who have a residence permit tetapan 17-year-old is also required to have a National Identity Card. Pnduduk Identity Card for Indonesian citizens valid for five years and the expiration date adjusted to the date and month of birth is concerned. Identity Card for Foreign Nationals force in accordance with the permanent residence. Special residents aged 60 years and upwards, received Lifetime Identity Card that does not need to be renewed every five years. Identity Card contains information about the owner of the card, including information about:

1. Population Identification Number (VIN)
2. Full name
3. Place and Date of Birth
4. Gender
5. Religion
6. Marital status
7. Blood
8. Address
9. Work
10. Citizenship
11. Photo
12. Term
13. The place and date of issuance of ID card
14. Signature of the holder
15. The name and personal identification number officials who signed it

While understanding the E-ID is an identity that must be owned by all Indonesian citizen (citizen) who were aged 17 years. E-KTP is a program that includes a new in Indonesia since the program was only 2 years old applicable since 2014. Probably a lot of people ask, why should electronics? what's the difference with the ID card first? Before answering the above questions, here are a bit shocking facts about the problems possessed by the conventional KTP. Prior to the E-ID card program, an individual can create multiple identities. They can create identities in different areas. This is because there are no data integrity throughout Indonesia. So if you have an identity card in Surabaya, then you move to Malang. You can create a new identity cards again as long as you have a family card domiciled in Malang.

Then what is the impact of dualism that identity? Lots of the impact of dualism identity, let alone falsification of data. * With falsifying data thieves can borrow money with them the fake ID card. But take it easy, E-ID card is very secure once, and reliable data, since the applicant E-ID card are required to record the fingerprint data and record patterns of the eyeball. The use of fingerprint E-ID card is more advanced than had been applied for a driver's license (driver's license). Fingerprints are not just printed in the form of images (jpeg format) such as SIM, but can also be identified by a chip installed on the card. The data stored on the card have been encrypted with a particular cryptographic algorithm.

At first glance, there is no significant difference between the new ID cards with electronic ID cards. But did you know that the card is used as the ID card is a special card. Electronic ID card structure consists of nine layers that will increase the security of conventional ID card. Chip planted between white and transparent plastic on top of two layers (viewed from the front). The chip has a dish in it that would create waves when swiped. This wave that will be recognized by the detector E-ID card that can be known whether the ID card in the hands of the right person or not. To create the E-ID card with nine layers, the stage of manufacture is quite numerous, including:

1. Hole punching, ie punching holes in cards as a place to put chips
2. Pick and pressure, which is fine tune the chip in the card
3. implanter, the antenna installation (repeated circular pattern resembling a spiral)
4. Printing, the printing card
5. Spot welding, ie pressing a card with electricity
6. Laminating, ie closure with protective plastic cards

E-ID card is protected by a security such as relief printing text, microtext, image filter, invisible ink and colors that fluoresce under ultraviolet light as well as anti-copy design. Data storage on a chip in accordance with

international standards NISTIR 7123 and ICAO Machine Readable Travel Documents 9303 and 2006. The EU Passport Specification Form Electronic Identity Card in accordance with ISO 7810 * with a form factor the size of a credit that is 53.98 mm x 85.60 mm

4.2 The Purpose Of The E-Card Program In Indonesia

E-ID card is necessary to be able to create a system of administration that is neat and in order to facilitate the provision of public services by the government to the whole community. Utilization of E-ID card is expected to run smoothly because it has the functionality and usability greatly assist the government and the people concerned in terms of the provision and utilization of the public. The purpose of the E-ID card program in Indonesia triggered by the conventional ID card-making system in Indonesia which allows one to have more than one identity card. This is due to the lack of a unified data base that collects the data from the entire population of Indonesia. The fact provide opportunities residents who want to cheat in certain things by doubling her identity card. For example it can be used for:

1. Avoid Tax
2. Facilitate the passport can not be made throughout the city
3. Securing corruption or crime / criminality
4. Concealing identity (crate terrorists)
5. Fabricate and doubling KTP

Therefore, driven by the implementation of electronic government as well as to improve the quality of service to the community. The Interior Ministry of the Republic of Indonesia to implement a system based on population information technology namely Electronic Identity Card or E-KTP.

4.3 Functionality and usability of E-KTP

Functionality and usability of e-ID card in this digital age can be used:

1. As the identity of identity
2. Applicable national, so no need to create a local ID for obtaining a license, opening a bank account, and so on.
3. Prevent double KTP and falsification of ID card, the creation of the accuracy of population data to support development programs.
4. Application of KTP-based NIK (Population Identification Number) in accordance with article 6 of Presidential Decree No. 26 Year 2009 which reads:
5. NIK-based ID cards containing security codes and electronic recording as a means of verification and validation of identity of the population.
6. Electronic Records referred to in paragraph (1) contains biographical data, signature, photograph, and fingerprint hands of the population is concerned.
7. Copy the entire fingerprint stored in the hands of resident population database.
8. Decision entire fingerprint hands of the population referred to in paragraph (3) is performed at the time of submission of application for ID card-based NIK, with the following provisions: To citizen carried out in the District; and for foreign citizens who have a residence permit is still being done in Implementing.
9. Recording fingerprints contained in the hands of the population that NIK- based ID cards as referred to in paragraph (2) containing a fingerprint left index finger and right hand people concerned.
10. Records of the entire fingerprint hands of the population referred to in paragraph (3) can be accessed by interested parties in accordance with laws and regulations;
11. Further provisions concerning the procedures for recording fingerprints are governed by regulation.

4.4 E-ID Card Can Be Used As a Means Of Control Against Citizens

In 2011, the population of Indonesia introduced a new system in terms of data collection and the civil administration. In addition to more centralized than ever, this data collection is also aligned with the development of advanced technology and the structure of the information society. Identity card or National Identity Card is now formatted digital (electronic - KTP). E-ID card or electronic ID card is an identification card that is created electronically, in terms of both the physical and the use of computerized functions. E-ID card is designed with authentication methods and high data security.

This can be achieved by implanting a chip inside the card that has the capability of authentication, encryption and digital signatures. The government announced that the E-KTP hold one single identification number (uniue identification) or Population Identification Number which will be a reference to publish various documents such as passport, driver's license, Taxpayer Identification Number, Insurance Policy, until the land certificate. Certainly disturbing our conscience is that the E-KTP very intersect with our privacy. With the chip in the e-ID card, every citizen can be monitored so tight, both its existence and its movements. Especially now been born Intelligence Act as the authority to investigate the power amplifier public criticism.

One important feature in the E-ID card is a data storage system in biometrics and digital. This is possible thanks to radio-frequency identification technology, or RFID tagging. E-ID card using a memory chip embedded in the card plate made from polyester t. In the chip that important information related to personal data stored cardholder and may be transferred, duplicated. In addition to being photographed, the personal information taken through biometric processes by scanning fingerprints (10 fingers).

The biometric data are juxtaposed with biographical data and signatures are entered manually via the official form as verification of digital signatures and digitally inputted and then registered with a computerized system for generating numbering NIK issued centrally. Even apart from that, every maker of e-ID card is required to make the iris. Of course, we wonder what the purpose of it all. And we do not know the true function of a "recording iris" also like marking coded. Coded system implanted in the iris / retina of the eye of the control device that has a function in the form of the microchip. Identicality is the most popular method used today as well as data collection on commodity products and other items, all of the data and the information is stored in a chip that can emit waves of a certain frequency that can be recognized by the media detector. For according to the most people, this system is not a problem anything. As widely reported, the community is very excited to get this sophisticated identity cards, so willing to queue for hours until late at night in the offices of the government to take care of making this card.

On the side as needed as a condition of access to services and daily necessities, the public did not receive much information about the other side of the implementation of this system. Though E-ID card or electronic identity card is an identification card that is created electronically, in terms of both the physical and the use of computerized functions. E-ID card designed using authentication methods and high data security. It can toward by implanting a chip inside the card that has the ability of authentication, encryption and digital signatures. Certainly disturbing our conscience is that the E-KTP very intersect with our privacy. With the chip in the e-ID card, every citizen can be monitored so tight, both the presence and motion. Especially now been born Intelligence Act as the authority to investigate the power amplifier public criticism. Of course we have to be aware, in addition to population-related issue, implementation of E-ID card can not be separated from the issue of terrorism that hit the nation. Imagine the manufacturing phase of the E-ID card, every citizen must go through a layered process. In addition to the photos, we also have to affix a digital signature, stamp fingerprints (10 fingers), verifying fingerprints, and lastly we are required to verify the digital signature. Even apart from that, every maker of e-ID card is required to make the iris.

4.5 E-ID Card To Ensure Legal Certainty Population Administration

In essence that efforts orderly residence documents or orderly population administration is not just oversight of procurement-blank forms required in the control documents, but can and should be systematic, concrete and pragmatic. That is easily understood by the population and is believed to be significant law serves to protect, recognize / certify residence status or vital events experienced by the population, so it is needed by the population because it can facilitate or expedite its affairs in daily life. In other words, citizenship documents have incentives for the holder of the document or the population.

In that situation, the administrative functions of population is vital because it not only presents the numbers, but rather on the data to formulate policy and development Planning. A slight error occurs in the preparation of population data will impact the lack of benefits and goals of the government program. Such efforts, it is the duty of state or government as a public servant, and must become a business. To that end, the strategic factors that must be organized and prepared so that the task is functioning and effective, is the arrangement and setup support legislation in the service of citizenship documents are loaded worth the law is very fundamental because it is associated with the state's existence (NKRI) as value- the values contained in the constitution Act of 1945 NRI.

Besides, it also should be able to guarantee protection and comfort for residents to obtain legal certainty domiciled in Indonesia for accessing right-hakya well as citizens as well as residents of Indonesia. Legislation is needed must be non-discriminatory, clearly not multiple interpretations, not conflicting with laws and else in the public service so that it can be used as an instrument of population control, and can promote the establishment of administrative services population is modern with good governance and the rule clean.

4.6 E-KTP To Cite Tool For Maintaining Security And Order Citizens

Rapid technological developments and marching fast life demands ease of government and business services and safety nets identity data of residents who receive services. KTP is the basis for many everyday services such as banking services, driver's license, health insurance, aviation and others.

Even for the first ID cards have been used as a voting card in the 2009 presidential election. KTP is so closely related to the daily lives has a very important meaning not only as a means of self-evidence of the population but also as the basis for population data base to development planning, electoral, labor training, provision of educational facilities and security.

The terrorist attacks on the JW Marriott on July 17, 2009 performed by actors who pocketed a fake ID. A bank account arrested by police and found to have five different pieces of fake IDs on July 25, 2009. It has been confiscated 88,000 fake ID cards throughout 2008 in Jakarta. Certainly not allow the country's security disrupted because of the possibility to obtain a KTP False and doubles. But at the same time ID cards easily obtained and used legally by the people who are entitled to the ID card. In fact, ID card valid nationally thus requiring high mobility between regions should not have much local identity card.

The enactment of Act No. 23 Year 2006 concerning Population Administration is a very important first step for the country to curb the issuance of citizenship documents and demographic data base development. In Article 63 Paragraph 1 of the Law No. 23 of 2006, stated that the residents are only allowed to have one ID card.

To be able to manage the issuance of identification documents that are single and realization base population data are complete and accurate necessary technological support to ensure high confidence in the unity of a person's identity and the identity card that has a method of authentication robust and secure identity data that is high in order to prevent counterfeiting and duplication.

4.7 E-KTP As Evidence of Identity Citizen Indonesia

As we all know that every person who has only 17 years old are required to have ID cards with a validity period of 5 years and the question must pass re-registration or renewal of the ID card. ID cards can be obtained by registering at the village office where individuals who make application for ID card and if the person concerned is domiciled moved domicile then re-register at the individual district office move.

Of course, after having ID cards, each individual can use it as evidence of identity and citizens but can also be used in the proof of activities - activities that require their government ID requirements either for education, banking, applying for jobs, etc. Development of the era of increasingly advanced should also be followed by the development of updates identifying mark for each individual in a country, as well as Indonesia, the government must also be updating population data that are no longer doing the update process of demographic data with the old ways, where each data registration and population in each district / municipality not nationally integrated.

Many thing happens when the identity data resident in each of these areas is not integrated nationally, some of them invalidated data statistics of the national population and the emergence of KTP Associate who can have the same individual with the same identity or even unequal. KTP Associate different identities lead to identity fraud so that it will bring its own impact and affect areas - other areas of life that require their ID card the Government is trying to implement a national ID card for citizens, so in the hope that every resident has only one sign any identity, with the data - electronic data stored in a database in each region, of course, so every individual is expected to only have one identity only.

But whether with their National ID the current government could prevent their KTP Associate? I think not, why because the updating of population data by the government is only moving the population data that had been recorded in the data book residence registration / forms residents into the computerized system information management. The transfer of population data into the computer database system is a step that has been completely taken by the government to carry out the updating of data and issuing ID cards for each individual, but there is no guarantee that individuals may do the deeds of ID cards in other regions with a different identity. Moreover, the current data every region of both national and regional level have not been well integrated and synchronized manner.

The government should do the next step is to do the process of integration and synchronization of data nationally in a national database and make the process of unification of the data of each individual with physical data of the individual that is recorded in a national database and in the Identity Card to characterize the unique data from each individual , So in the ID stored personal data at any individual and physical data of each individual.

Why should this be done? because when the data National ID therein is stored personal data and physical data of individuals, the risk of KTP double can be minimized or can be reduced to the absence of ID cards double altogether because unique data of each individual is different so the updating of population data nationally could be valid 99% ,

4.8 Cover

Efforts are being made so that the population administration in Indonesia could follow the times and be able to serve the needs of society in accordance with the development of science and technology, the need for changes to the ID card (Identity Card) are first using conventional technology and are now using E-ID card and digital electronics which already contained within a single data E_KTP complete

In the E-ID card is multi-functional use for them is to the benefit of E-ID card holders are concerned, for example to business transactions, as proof of identity, perform daily activities and so on. As for the government e-ID card can be used supervision of Indonesian citizens by state officials, also can be used as a tool for maintaining security and public order, avoiding identity fraud that harm others or harm the country. Also facilitate the public service to the community.

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