

The Tobelo Dalam People on Halmahera Island, Indonesia “Indigenous people or Vulnerable Group”

M. Nasir. Tamalene¹; Nam Rumkel²; Adi F Mahmud³.

Researcher of Ethnobiology, Khairun University¹;

Ethnolinguistic Researcher of the University of Muhammadiyah North Maluku²;

Researcher of Customary Law of Khairun University³;

Corresponding Author: acil@unkhair.ac.id

Manuscripts received : 28/01/2025, Revision and Review : 16/03/2025, Approved
20/05/2025.

Abstract

This study aims to examine the legal and social status of the "Tobelo Dalam" community on Halmahera Island, Indonesia, which has been ambiguously categorized as indigenous peoples or vulnerable groups. This research departs from the need to formulate the right policy approach in the context of protecting their basic rights as citizens. Using qualitative methods based on literature studies, field observations, and analysis of national and international regulations, this study found that the Tobelo Dalam community does not meet the criteria as an indigenous people according to United Nations standards and Indonesian positive laws. They are more appropriately classified as a vulnerable local ethnic group, given their limited access to education, health, economy, and legal protection. The results of the analysis show that this vulnerability status has an impact on the inhibition of the fulfillment of basic rights, thus demanding a more inclusive and adaptive approach to empowerment. The conclusion of this study emphasizes that government policies should be focused on strengthening the civil rights of the Tobelo Dalam community through a model of empowerment based on local needs and recognition as a vulnerable group, rather than mere recognition as an indigenous people. This study recommends the need for regulations that guarantee collective rights to land and natural resources for them as part of efforts to create just and sustainable social development.

Keywords: *Tobelo Dalam, indigenous peoples, vulnerable groups, citizens' rights, inclusive empowerment, Halmahera.*

A. Introduction

By the end of the 19th century, the Western world believed that societies and cultures were developing gradually, some argue that civilization had evolved through various stages, starting with a way of life that relied on hunting and gathering, then moving to a nomadic life with livestock, agriculture and industrialization and is now in the era of digitalization and modernization, where people's lifestyles are beginning to be transformed by automation, information technology, and global connectivity.

The development of the era is often considered as a comparison between a society that is considered primitive and a more advanced and civilized society^{1, 2, 3, 4, 5}. Scientists also see this phenomenon in primitive cultures, assuming they have a lower social and technological development. Based on the racial thinking underlying this perspective, cultural hierarchies emerged, which impacted the way more advanced societies viewed certain groups, as happened in Indonesia. The "Tobelo Dalam" people are considered primitive by various circles including, local people, Indonesian politicians and scientists. A similar opinion is reinforced by many local and national social media, as well as scientists who state that the "Tobelo Dalam" people are a primitive group. The statement is a form of racism⁶. In fact, when they get to know the belief system, they gradually begin to develop and understand divine values, for example, the Tobelo people were introduced to religion by missionaries in the 1980s using the Tobelo language, which is where they began to develop socially, culturally and religiously⁷.

The Tobelo people, who live on the island of Halmahera in Eastern Indonesia, speak the West Papuan (non-Austronesian)⁸ language; ⁹, they are a society that uses the Tobelo language in everyday conversation¹⁰. There is a group that lives on the coast, namely the O'Hoberera Manyawa and the group that lives and settles in the O'Hongana Manyawa

¹ Per Axelsson and Peter Sköld, 'Indigenous Populations and Vulnerability. Characterizing Vulnerability in a Sami Context', *Annales de Demographie Historique*, 111.1 (2006), 115–32 (<https://doi.org/10.3917/adh.111.0115>).

² (Martin, 2007. Martin, Heinz, 'The Invention', *Polymers, Patents, Profits*, XIX.3 (2007), 1–39 (<https://doi.org/10.1002/9783527610402.ch1>).

³ Lepenies, 2008, Lepenies, Philipp H., 'An Inquiry into the Roots of the Modern Concept of Development', *Contributions to the History of Concepts*, 4.2 (2008), 202–25 (<https://doi.org/10.1163/187465608X363472>).

⁴ Zhumageldy Kenispaev and others, 'The Image of a Civilized Man in a Modern Culture', 393.Tfts 2019 (2020), 95–98 (<https://doi.org/10.2991/assehr.k.200113.147>).

⁵ Lewis et al., 2024, An Assessment of Puberty Status in Adolescents from the European Upper Paleolithic', *Journal of Human Evolution*, 2024 (2024), 103577 (<https://linkinghub.elsevier.com/retrieve/pii/S004724842400085X>).

⁶ Survival, "Survival Fights alongside Indigenous Peoples All over the World", *Survival International*, 2023 (<https://www.survivalinternational.org/whatwedo>).

⁷ Christopher R. Duncan, 'Monuments and Martyrdom: Memorializing the Dead in Post-Conflict North Maluku', *Bijdragen Tot de Taal-, Land- En Volkenkunde*, 165.4 (2009), 429–58 (<https://doi.org/10.1163/22134379-90003628>).

⁸ Taylor, Paul Michael, 1990, 'Folk Biology of the Tobelo People: A Study in Folk Classification', *Smithsonian Contributions to Anthropology*, 34, 1990, 1–187 (<https://doi.org/10.5479/si.00810223.34.1>).

⁹ Stromberg, Stromberg, Peter, Martin Forsey, Robert Doyle, Jane Mulcock, Martt Melhuus, Susan Kent, and others, 1996; *Book Reviews, Anthropological Forum*, 1996, vii (<https://doi.org/10.1080/00664677.1996.9967467>).

¹⁰ E.J.F Rugebregt, 'The Structure of the Tobelo Language', 2016, 1–23. <https://repository.kemdikbud.go.id/>

forest¹¹, Duncan calls it the "Tobelo Forest".¹² The people of "Tobelo Dalam" by the local community and in the documents of the Ministry of Social Affairs of the Republic of Indonesia use the names Togutil¹³ and Tugutil¹⁴. For the "Tobelo Dalam" people they call their group O 'Hongana Manyawa. So there are four names for the Tobelo people who live in the forest, namely Tobelo Dalam, Tobelo Forest, Tugutil/Togutil and O'Hongana Manyawa or with other dialects o fongana ma nyaw¹⁵. Apart from these four names, the Tobelo Dalam people in our opinion are "Tobelo Migran", we can find the Tobelo people in the Halmahera forest as Tobelo Dalam, but we also find the Tobelo people on other islands outside the island of Halmahera for example the Tobelo people on the islands of Bacan, Morotai, and Obi so according to the author, the "Tobelo Dalam" people are one of the "Tobelo Migran" groups.

The Tobelo people are divided into four groups, namely Modole (located in eastern Halmahera to central Halmahera), Boeng (in northern, eastern, and central Halmahera), Pagu (in northern Halmahera, and Hoku who live on the coast and are declared extinct¹⁶. There are three dialects of the Tobelo language such as gamsung, dodinga and boeng. The "Tobelo Dalam" people use a more refined dialect, the use of this dialect of this language is related to the environment in which they live. It was found that there were similarities in the use of language between Tobelo who lived in coastal areas and in the forest for the mention of the names of food plants, medicinal plants, ritual plants¹⁷; ¹⁸ and animal names¹⁹.

The people of coastal Tobelo still maintain a traditional way of life amid social changes and modernization, such as traditional medical practices²⁰. The practice of medicine is also found in the Tobelo Dalam group who live in the forest, but the group that

¹¹ Faris Bobero, 'Getting to Know O' Hongana Manyawa in the Halmahera Forest Which is "Surrounded by Nickel Mines", *Association of Defenders of Indigenous Peoples of the Archipelago*, 2023 (<https://ppman.org/mengenal-ohongana-manyawa-di-hutan-halmahera-yang-dikepung-tambang-nikel/>).

¹² Duncan, (2006)

¹³ Ministry of Social Affairs of the Republic of Indonesia, 'Data on the Distribution of KAT in Indonesia', 2020.

¹⁴ Duncan, '(Mis)Representations of the Forest Tobelo of Indonesia'.

¹⁵ Christopher R. Duncan, 'Social Change and the Reformulation of Identity among the Forest Tobelo of Halmahera Tengah', *Cakalele*, 8 (1997), 79-90 (<http://scholarspace.manoa.hawaii.edu/bitstream/handle/10125/4227/>

¹⁶ Bobero, Faris, 'Getting to Know O' Hongana Manyawa in the Halmahera Forest Which is "Surrounded by Nickel Mines", *Association of Indigenous Peoples of the Archipelago*, 2023 (<https://ppman.org/mengenal-ohongana-manyawa-di-hutan-halmahera-yang-dikepung-tambang-nikel/>)

¹⁷ (Tamalene, 2017, Tamalene, M.N., and M.H.I. Almudhar, 'Local Knowledge of Management System of Forest Ecosystem by Togutil Ethnic Group on Halmahera Island, Indonesia: Traditional Utilization and Conservation', *International Journal of Conservation Science*, 8.3 (2017)

¹⁸ Jacob et al., (2019), Yakub, Arham, Amin Setyo Leksono, and Jati Batoro, 'Ethnobotany of medicinal and edible plants of Tobelo in Tribe in Aketajawe Lolobata National Park Area', *Journal of Sustainable Development and Nature*, 10.1 (2019), 45-50 (<https://doi.org/10.21776/ub.jp.al.2019.010.01.08>)

¹⁹ Elizabeth Novi Kusumaningrum and others, 'Ethnozoology – The Perception of Tobelo Dalam Tribal Community in Saolat Village, East Halmahera, Indonesia towards Cuscus (Phalangeridae)', *Biodiversitas*, 19.6 (2018), 2140-46 (<https://doi.org/10.13057/biodiv/d190621>).

²⁰ Jos D M Platenkamp, 'Integrating Strangers in Society', *Integrating Strangers in Society*, 2019, 131-45 (<https://doi.org/10.1007/978-3-030-16703-5>).

has been empowered by the government has become familiar with the modern trading system, farming/gardening, and they have even become tour guides²¹. In maintaining a semi-nomadic lifestyle and living in the forests of Halmahera, these groups are spread in the central and eastern parts of the island of Halmahera, separate from the Coastal Tobelo group. They do not create a formal social and legal system because they live an isolated lifestyle. The "Tobelo Dalam" people choose to live independently, free from the laws and rules of the state or community. One of the main reasons they chose not to rejoin the "Tobelo Pesisir" group that had adopted a contemporary lifestyle was their desire to stay alive in the forest. The phenomenon led to the idea that the "Inner Tobelo" people were part of a group of coastal Tobelo people who chose to live by isolating themselves in the forest. Their life is only hunting and farming moves²², they have no customary rules, no customary institutions, no social, economic, political, linguistic, cultural, and belief systems that are different from the coastal Tobelo or other local ethnic groups.

Although the "Tobelo Dalam" people choose to isolate themselves in the forest, they still have full citizenship rights as Indonesian citizens under the laws in force in Indonesia. For example, the right to access to education, health, legal protection, and other social rights guaranteed by the state, in accordance with the provisions of the 1945 Constitution and various laws and regulations in Indonesia²³; ²⁴; ²⁵. The government plays an important role in ensuring that every citizen can access these rights through sustainable empowerment programs²⁶; ²⁷.

The current condition of the "Orang Tobelo Dalam" faces difficulties in accessing their citizenship rights and is powerless in various aspects, such as access to basic services such as education, health, economy, social and legal protection. This has led to poverty and illiteracy among the "Tobelo Dalam" group living in the forest, and even famine²⁸, however,

²¹ W. F. Putri, A. S. Mahbub, and M. Dassir, 'Local Wisdom Application of Tobelo Dalam Community in Its Relation with a National Parks in North Maluku, Indonesia', *IOP Conference Series: Earth and Environmental Science*, 343.1 (2019) (<https://doi.org/10.1088/1755-1315/343/1/012042>).

²² M.N. Tamalene and M.H.I. Almudhar, 'Local Knowledge of Management System of Forest Ecosystem by Togutil Ethnic Group on Halmahera Island, Indonesia: Traditional Utilization and Conservation', *International Journal of Conservation Science*, 8.3 (2017).

²³ Nusantara, Abdul Hakim G., 'The 1945 Constitution in the Perspective of Human Rights •', *Journal of Law and Development*, 1989.

²⁴ Fauzi, Suyogi Imam, and Inge Puspita Ningtyas, 'Optimizing the Provision of Legal Aid for the Realization of Access to Law and Justice for the Poor', *Constitutional Journal*, 15.1 (2018), 50 (<https://doi.org/10.31078/jk1513>)

²⁵ Auria, Puja, Radhit Adi Putra, and Misleni, 'The Importance of Human Rights Enforcement in the Cycle of the State of Law', *Juris Humanity: Journal of Human Rights Law Research and Studies*, 3.1 (2024), 1–14 (<https://doi.org/10.37631/jrkhm.v3i1.35>)

²⁶ Sulastuti, Sri, and Ricco Andreas, 'Disability-Friendly Public Means Through the Public Services Regulation: Realizing a Disability Friendly in Bandar Lampung City', *Proceedings of the Universitas Lampung International Conference on Social Sciences (ULICoSS 2021)*, 628.ULICoSS 2021 (2022), 655–62 (<https://doi.org/10.2991/assehr.k.220102.090>)

²⁷ Sri Ayuni, Mela, Rifda Cita Zulviah, and Robby Nurtresna, 'The Principle of Legality in the Perspective of Human Rights', *Journal of Legal Space*, 1.2 (2022), 33–38

²⁸ Husen Alting and others, *Protecting of the O' Hongawa Manyawa Remote Indigenous Communities in The Nickel Mining Industry* (Atlantis Press SARL, 2025) (<https://doi.org/10.2991/978-2-38476-362-7>).

their status is often debated: are they fully recognized as a vulnerable group that faces various threats to their survival? with his privileges? In national and international legal and policy contexts, the recognition of indigenous peoples is often a matter of debate, the concept of indigenous peoples emphasizes collective rights to land, cultural heritage, customary rules, and traditional practices, while vulnerable groups are defined on the basis of higher levels of exposure to social, economic, and political risks than other groups^{29,30, 31}

Therefore, this study aims to explore the status of the "Inner Tobelo" People: are they more appropriately categorized as indigenous peoples with special rights or as vulnerable groups in need of greater protection and social intervention, or are they local ethnic groups with unfulfilled rights of citizens? Through this study, it is hoped that a deeper understanding of identity, challenges, and policies in the context of Indonesia's positive social and legal will be obtained that are needed to carry out empowerment so as to ensure the sustainability of the "Tobelo Dalam" people in the midst of the dynamics of changing times and environmental changes. This study will also provide insight into the barriers they face in accessing citizenship rights and how their interaction with the structure of the state and majority society affects their position as Indonesian citizens. In addition, the results of this study can contribute to the formulation of more inclusive policies for the "Tobelo Dalam" people, especially in ensuring that their rights as citizens can be better accessed and implemented.

B. Research Methods

This study uses a descriptive qualitative approach with library research methods and limited field observation. Data was obtained through a review of national and international legal documents related to indigenous peoples and vulnerable groups, government reports, and previous research results. Field observations were carried out in several locations where the Tobelo Dalam people lived on Halmahera Island to confirm their social, economic, and cultural conditions directly. Analysis was carried out thematically on legal, social, and cultural data to identify the suitability of the status of Tobelo Dalam with the category of indigenous peoples or vulnerable groups. The validity of the data was strengthened through source triangulation and comparative analysis of international recognition standards and Indonesian regulations.

C. Results and Discussion

The main problem that will be solved is the ambiguity of the legal and social status of the "Tobelo Dalam" people, especially regarding their recognition as indigenous people,

²⁹ FAO, 'Indigenous People(S)', 2017, 61-88 (<https://www.fao.org/indigenous-peoples/news/news/en/>).

³⁰ UNited Nations, 'Indigenous Peoples', 1-5.

³¹ WHO, 'Vulnerability and Vulnerable Populations, Community Disaster Risk Management', 2024, 2-5.

ethnic groups or as vulnerable groups in need of social protection, or whether they are just ordinary ethnic groups. This ambiguity in status results in the non-fulfillment of their human rights, especially their basic citizenship rights, such as access to education, health, legal protection, and economic empowerment, leading to poverty, illiteracy, and extreme vulnerability (e.g., hunger). This classification conflict also hampered the government's efforts to design the right policies, both through empowerment programs and the recognition of their citizenship rights, that were necessary to ensure the sustainability of their lives amid the pressures of modernization and environmental change. This study aims to clarify the status of the "Tobelo Dalam" people in an effort to determine a more effective policy approach, both within the framework of Indonesian national law and international instruments related to indigenous people and vulnerable groups. In this study, we will also conduct a vulnerability risk analysis and make projections on the condition of the "Tobelo Dalam" people in the next 50 years. This analysis will provide a general overview to parties, especially the government, in efforts to protect and empower them.

1. Is the "Tobelo Dalam" people properly categorized as Indigenous people?

There are two terms in various research documents that distinguish between indigenous peoples and customary law communities. Scientists argue that indigenous peoples need to be distinguished from indigenous peoples, the term "indigenous peoples" refers to a specific group that has special or special characteristics³². Meanwhile, customary law society is a technical concept that refers to a group of individuals who live in a certain area (ulayat) with a specific living environment, have resources and leaders who are responsible for the interests of the group (both internal and external), and have a regulated legal and governance system^{33, 34, 35}. In this study, indigenous peoples are equated with customary law communities as described in laws and regulations in Indonesia.

The term "indigenous peoples" has been used extensively in various international treaties, such as the International Labour Organization Convention on Indigenous Peoples and Peoples in an Independent State (1989), the Carioca Declaration on the Rights of Indigenous Peoples (1992), the Rio de Janeiro Earth Declaration (1992), the Declaration on the Rights of Asian Indigenous Peoples in Chiang Mai (1993), and the Vienna Declaration. Following the United Nations Declaration on the Rights of

³² H. Abdurrahman, 'Mechanism of Recognition of Indigenous Law Communities', *Bphn*, 2015, 52–82.

³³ Ola Gelu, Klemens, Saryono Yohanes, and Ebu Kosmas, 'Legal Implications of the Constitutional Court Decision Number 35/PUU- X/2012 on the Existence of Customary Law Communities', *COMSERVA: Journal of Research and Community Service*, 3.02 (2023), 407–17 (<https://doi.org/10.59141/comserva.v3i02.778>)

³⁴ Raisa Qolbina Ibrizzahra, Dzikri Maula Salam, Tabhita Prima Isnaeni, and Putri Sahara Herlina, 'Human Rights in the Indonesian Constitution: Implementation and Challenges', *Alliance: Journal of Law, Education and Social Humanities*, 1.4 (2024), 272–80 (<https://doi.org/10.62383/aliansi.v1i4.325>)

³⁵ Auria, Puja, Radhit Adi Putra, and Misleni, 'The Importance of Human Rights Enforcement in the Cycle of the State of Law', *Juris Humanity: Journal of Human Rights Law Research and Studies*, 3.1 (2024), 1–14 (<https://doi.org/10.37631/jrkhm.v3i1.35>)

Indigenous Peoples in 2007, the term "indigenous peoples" has become increasingly officially used by scientists and NGOs in various countries.


The categories of indigenous peoples according to the United Nations (UN) are 1) self-identification of indigenous peoples at the individual and community level, 2) historical continuity with pre-colonial and/or pre-settler societies, 3) strong relationships with surrounding territories and natural resources, 4) different social, economic, or political systems, 5) different languages, cultures, and beliefs, 6) membership in non-dominant community groups; and/or 7) determination to maintain and reproduce the ancestral environment and systems as a distinctive society and community^{36, 37}. The UN also describes indigenous peoples as members of certain tribes or groups. Although there is no internationally accepted definition of "indigenous people".

According to ILO Convention No. 169, indigenous peoples are groups considered indigenous in independent countries because of their descent from populations that inhabited the territory since before the conquest or establishment of state borders, as well as maintaining their own social, economic, cultural, and political institutions^{38, 39}. Based on the Village Law No. 6 of 2014, indigenous peoples in Indonesia are groups that have a customary law system, governance, and rights to their customary territories. This community lives in attachment to the land and has habits and traditions that have been passed down from generation to generation. The Village Law also regulates the existence of customary villages as a form of recognition of customary law communities that have their own system of government based on applicable customary law. Thus, even though the term "indigenous people" is not explicitly mentioned in the 1945 Constitution, the existence and rights of customary law communities are still recognized in the Indonesian legal system. This recognition reflects the importance of the role of customary law communities in governance as well as social and cultural life in Indonesia. Furthermore, the Constitutional Court Decision No. 35/PUU-X/2012 emphasizes that customary law people's customary rights to land and natural resources are not part of state forests, but are the collective rights of customary law communities as long as they meet the criteria set by laws and regulations.

³⁶ United States Department Of State, 'Vulnerabilities of Indigenous Persons to Human Trafficking', June, 2014. <https://2009-2017.state.gov/documents/organization/233942.pdf>.

³⁷ United Nations, 'State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services', *United Nations Department of Economic and Social Affairs*, 2016, 1-190 (<https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/03/The-State-of-The-Worlds-Indigenous-Peoples-WEB.pdf>)

³⁸ Tanja Joona, 'ILO Convention No. 169 and the Governance of Indigenous Identity in Finland: Recent Developments', *International Journal of Human Rights*, 24.2-3 (2020), 241-56 (<https://doi.org/10.1080/13642987.2019.1677623>).

³⁹ Peter Bille Larsen and Jérémie Gilbert, 'Indigenous Rights and ILO Convention 169: Learning from the Past and Challenging the Future*', *International Journal of Human Rights*, 24.2-3 (2020),  (<https://doi.org/10.1080/13642987.2019.1677615>).

Ministerial Regulation Number 5 of 1999 concerning Guidelines for Solving Customary Rights Issues of Indigenous Peoples issued by the Minister of State for Agrarian Affairs / Head of the National Land Agency stipulates that a customary law community is a group of people who are bound by their customary law order as citizens with a legal alliance because of the same residence or on the basis of descent. In the 1945 Constitution, indigenous peoples are not explicitly mentioned, but Article 18B recognizes the existence of a unity of customary law communities that have the right to regulate and manage their own households. This shows the recognition of the existence of indigenous peoples in the context of government and social life in Indonesia.

Indigenous peoples are determined to preserve, develop, and pass on their ancestral territories and ethnic identities to future generations, as the basis for their survival as a society, in accordance with their own cultural patterns, social institutions, and legal systems⁴⁰. In the document of the Ministry of Social Affairs of the Republic of Indonesia, the "Tobelo Dalam" people are categorized into remote indigenous communities⁴¹, in the document of the Alliance of Indigenous Peoples (AMAN) states that the Tobelo Dalam people "O Hongana Manyawa" are an indigenous people's group, even they state that the Tobelo Dalam group will become extinct⁴², but the government through the ministry of education states that the Tobelo and Tobelo Dalam people are ethnic groups⁴³,⁴⁴ call it the community "Tobelo Forest".

These understandings overlap in the perspective of grouping, whether the Tobelo people are an ethnic group or an indigenous people? This question is answered legally positively in Indonesia and various international references related to the rights of indigenous peoples. however, if this definition is examined based on the criteria of categorization of indigenous peoples according to the United Nations etc., then the "Tobelo Dalam" people do not fall into the category of indigenous peoples (Table 1), they are part of the Tobelo ethnic group that lives in coastal areas. We refer to the people of Tobelo Dalam as "Tobelo Migrants". They migrate in groups to maintain their group life.

Based on this understanding, if it is associated with the "Tobelo Dalam" people, it is certain that they do not meet the criteria as indigenous peoples, they are more appropriately categorized as an ethnic group⁴⁵, they are not an indigenous group that

⁴⁰ United Nations, 'State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services', *United Nations Department of Economic and Social Affairs*, 2016, 1-190 (<https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/03/The-State-of-The-Worlds-Indigenous-Peoples-WEB.pdf>)

⁴¹ Ministry of Social Affairs of the Republic of Indonesia, 2020, 'KAT Distribution Data in Indonesia, 2020

⁴² AMAN, 'The Distribution of Indigenous Peoples in Indonesia', *Alliance of Indigenous Peoples of the Archipelago*, 2022, p. 3.

⁴³ Director General of Education and Culture, "Number of Ethnic Groups in Indonesia", 2018.

⁴⁴ Duncan, Christopher R., '(Mis)Representations of the Forest Tobelo of Indonesia', January 2013, 2006, 37-41

⁴⁵ Director General of Education and Culture. Director General of Education and Culture, 'Map of Ethnic

has privileges as in ILO Convention No. 169. However, it should be noted that ethnic groups can be categorized into vulnerable groups⁴⁶. Although they are often considered the same, the terms "indigenous peoples" and "ethnic groups" have fundamental differences. "Indigenous peoples" is a term used to describe a group that has traditions, cultures, and social structures that have existed for a long time, before the entry of outside influences, such as the state or government. Usually, they live in a specific region and have a strong local wisdom related to sustainable way of life, natural resource management, and customs, indigenous peoples also mean people of a particular ethnicity who have rights to their own land, culture, and language⁴⁷. Ethnic groups, on the other hand, refer to groups of people who have similar cultures, languages, histories, and identities and can live in different regions or countries⁴⁸. These ethnic groups can consist of modern societies or indigenous peoples, and are often not tied to a specific geographic area⁴⁹. Cultural identities shaped by shared history and traditions are the main similarities between the two. However, they differ in terms of recognition and relationship with customary territories or lands. Indigenous peoples are more concerned with the sustainability of their culture and land within a region, whereas ethnic groups are not always tied to one particular region⁵⁰.

Based on this literature review, to answer what is the "Tobelo Dalam" person? categorized as Indigenous people? The answer is no, because the Tobelo Dalam people do not have criteria as an Indigenous people. They are categorized as a local ethnic group, namely the Tobelo ethnic group who migrate to the forest to survive, they do not have strong access or attachment to a particular land or territory hereditary. In addition, they do not maintain distinctive cultural systems, beliefs, and social practices as part of their identity that are directly connected to nature. Although they have a wise local knowledge of interacting with the environment, the Tobelo Dalam people more identify themselves as part of a broader ethnic group, namely the Tobelo ethnicity, which has a history of migration and interaction with the surrounding community. Therefore, the Tobelo Dalam people cannot be categorized as an indigenous people even though they have local cultural elements.

Groups in Indonesia', 2018. <https://kebudayaan.kemdikbud.go.id/wp-content/uploads/2016/01/LAKIP-Ditjenbud-2018-Final-1.pdf>

⁴⁶ Felix Dalimartha and Rieneke Sara, 'Human Rights for Indigenous Peoples', 2021 (<https://doi.org/10.4108/eai.6-3-2021.2306859>).

⁴⁷ Sanchita Bansal and others, 'Indigenous Communities and Sustainable Development: A Review and Research Agenda', *Global Business and Organizational Excellence*, 43.4 (2024), 65–87 (<https://doi.org/10.1002/joe.22237>).

⁴⁸ Aris Ananta and others, 'Does Diversity Matter for Development? New Evidence of Ethnic Diversity's Mediation between Internal Migration and Economic Growth across Indonesia's Regions', *Journal of Population Research*, 40.3 (2023), 1–21 (<https://doi.org/10.1007/s12546-023-09304-z>).

⁴⁹ Aini Ali Agustini and Miftah Farid Bahtiar, 'Individual and Group Interaction', *Futuristic Global Journal*, 2.1 (2024), 51–55 (<https://doi.org/10.59996/globalistik.v2i1.359>).

⁵⁰ Zainudin Hasan and others, 'The Influence of Globalization on the Existence of Local Cultural Identity and Pancasila', *JALAKOTEK: Journal of Accounting Law Communication and Technology*, 1.2 (2024), 333–41 (<https://doi.org/10.57235/jalakotek.v1i2.2385>).

In the context of social structure, the Tobelo Dalam people do not have a formal customary law system or customary leadership like other customary law communities in Indonesia. They live in small groups based on families or clans, without indigenous leaders having authority in collective decision-making. In the absence of a customary leadership system, structured customary law, and collective land rights, the Orang Tobelo Dalam are more appropriately categorized as a vulnerable ethnic group, rather than as a customary law community/indigenous people. In contrast to indigenous peoples who have a strong social institutional structure and a binding customary law system⁵¹. The Tobelo Dalam people do not have a form of customary government that governs the lives of their communities collectively. Thus, the empowerment strategy carried out by the government should not be oriented towards a recognition scheme as a customary law community, but rather focused on the protection of their basic rights as a vulnerable group, including access to education, health, and community-based economic empowerment, since their status is not as an indigenous people, international survival recommends to the Indonesian government to officially recognize Hongana Manyawa as an indigenous people. Indigenous peoples and delimited their full territory⁵².

This fact is reinforced by ILO convention No. 169 on Indigenous Peoples and Alienated Tribes states that a group is considered an indigenous people if they maintain traditions and life systems that are different from the dominant people and have deep historical and cultural ties to a particular land or region. The Tobelo Dalam people do not meet the criteria in this situation because they do not have a different culture, language, or customary legal institution from the local ethnicities around them, which reinforces the reasons why they cannot be classified as indigenous peoples by definition.

When compared to customary law societies that have gained official recognition, fundamental differences in aspects of customary leadership and social rules can be found. For example, the Baduy tribe in Banten has a customary leader called Jaro, who is authorized in decision-making and the application of customary law in their community⁵³. Likewise with the Ammatoa Kajang Indigenous People in South Sulawesi, which has customary rules written in the Pasang Ri Kajang, as well as a clear customary leadership structure⁵⁴. In contrast, the Tobelo Dalam people do not have a strong

⁵¹ Gevan Naufal Wala, 'Existence of customary land according to the basic agrarian law', *AURELIA: Journal of Indonesian Research and Community Service*, 2.2 (2023), 1143–46 (<https://doi.org/10.57235/aurelia.v2i2.596>).

⁵² Survival International, 'Driven to the Edge How the Demand for Electric Cars Is Destroying Uncontacted Indigenous People's Lives and Lands in Indonesia', in *Driven to the Edge How the Demand for Electric Cars Is Destroying Uncontacted Indigenous People's Lives and Lands in Indonesia*, 2022, ix, 21 (<https://doi.org/10.7748/ns.9.42.21.s32>).

⁵³ Sopian Sopian and others, 'The Governance System of the Baduy Banten Customary Law Community', *Journal of Citizenship Virtues*, 3.2 (2023), 621–29 (<https://doi.org/10.37640/jcv.v3i2.1877>).

⁵⁴ Khairun Nisa and others, 'The Role of Ammatoa as Customary Heads in the Ammatoa Customary Area of Bulukumba Regency', *Journal of Socius Education*, 1.1 (2023), 109–17 (<https://doi.org/10.0505/jse.v>).

customary law structure or customary leadership that can serve as a regulator of their social life. They rely more on internal agreements within families or small groups, without the customary rules that bind their entire community collectively. This strengthens the argument that the Tobelo Dalam people are more accurately categorized as a vulnerable ethnic group than as a customary law community that has customary rights or other privileges. Thus, even though they have local wisdom, their status within the framework of Indonesian law does not qualify as an indigenous people. A summary of the categories of indigenous peoples based on criteria from various sources is presented in Table 1.

Tabel 1. Summary of Indigenous Criteria from Various Sources

Categories Indigenous peoples from various sources	Description	Connection with the Tobelo people Dalam
Indigenous self-identification at the individual and community level	Indigenous peoples recognize themselves as separate groups with certain characteristics of both individuals and communities	<i>Unrelated</i> , the Tobelo people do not have any specific characteristics, they are part of the Tobelo ethnic community
Historical continuity with pre-colonial and/or pre-settler societies	Indigenous peoples have historical ties to pre-colonial and/or pre-settler groups in their territories.	<i>Unrelated</i> , they have no historical connection with the pre-colonial groups that had inhabited the region long before the arrival of colonizers
Strong connection with the surrounding region and natural resources	Indigenous peoples have a strong attachment to the land and natural resources around them.	<i>Related</i> , the Tobelo Dalam people live a lifestyle that is highly dependent on the environment
Different social, economic, or political systems	Indigenous peoples have a social, economic, or political system that is different from the dominant society.	<i>Unrelatedly</i> , the Tobelo Dalam people do not have such a system because they are only a hunting and concocting group

Categories Indigenous peoples from various sources	Description	Connection with the Tobelo people Dalam
Different languages, cultures, and beliefs	Indigenous peoples maintain a language, culture, and beliefs that are different from other communities.	<i>Unrelated</i> , the Tobelo Dalam people use the Tobelo language who live in the coastal area
Membership in non-dominant community groups	Indigenous peoples are part of a non-dominant group in the country.	<i>Related</i> , the people of Tobelo Dalam are a small community
Determination to preserve and reproduce the environment and ancestral systems	Indigenous peoples have a determination to maintain and reproduce ancestral systems as the identity and sustainability of the community.	<i>Unrelated</i> , the Tobelo people are only a community that hunts and concocts
Have a customary legal order that is followed by their community	The customary law order as a joint citizen of a legal alliance because of the same residence or on the basis of descent	<i>Unrelated</i> , the Tobelo Dalam people do not have customary law

Based on the analysis of eight categories of indigenous peoples (Table 1), there are only two criteria, namely 1) living a lifestyle that is highly dependent on the environment and 2) membership in non-dominant community groups. Both aspects are relevant or fulfilled as indigenous peoples. The other six criteria are irrelevant or inappropriate to their current conditions. This result confirms that the Tobelo Dalam people cannot be categorized as an indigenous people⁵⁵.

2. Is the Tobelo Dalam" person properly categorized as a vulnerable group

Vulnerable groups have a variety of different terms in different countries, including in Indonesia. These terms include 'vulnerable persons' which are then divided into 'vulnerable children' and 'vulnerable adults'; There are also those who use terms such as 'adult at risk', 'person at risk', and so on⁵⁶. Vulnerability is a complex concept and

⁵⁵Tanja, 'ILO Convention No. 169 and the Governance of Indigenous Identity in Finland: Recent Developments', *International Journal of Human Rights*, 24:2-3 (2020), 241-56 (<https://doi.org/10.1080/13642987.2019.1677623>)

⁵⁶ Gladys Nadya Arianto, 'Survey of Legal Needs for Vulnerable Groups in 2022', *Indonesia Judicial Research Society (IJRS)*, 2022.

can not only be seen from all aspects such as the economic aspect, but also includes social, political, and legal aspects. "Vulnerable groups or vulnerable communities refer to groups in society that have limited access to their rights due to their physical, social, economic, or cultural conditions, which make them susceptible to discrimination or hardship ⁵⁷.

The United Nations in the international framework states that vulnerable communities are groups that have their own vulnerabilities in the face of global challenges such as climate change, poverty, social injustice, or armed conflict. The UN often categorizes these vulnerable groups as including women, children, people with disabilities, indigenous peoples, migrants, refugees, and victims of trafficking ^{58; 59}. Vulnerable groups are also in the categories of poverty, discrimination, violence, individuals with disabilities, marginalization, poor health conditions, poor environment, limited access to health services, decent employment, ethnic minority groups, marginalized in terms of social, economic, and political participation and lack of basic rights ^{60; 61; 62}

Vulnerable groups or at-risk individuals are more negatively affected by one project activity than another, due to their socioeconomic factors⁶³. Such factors may include, but are not limited to, gender, sexual orientation, gender identity, caste, race, ethnicity, social background, age, disability, religion or belief, political views, involvement in activism, membership in minority groups, affiliation with trade unions or other workers' organizations, property ownership, nationality, language, marital or family status, medical conditions, and migration or economic status^{64, 65, 66}.

In Indonesia, laws and regulations that provide a mandate to protect vulnerable groups as well as mention the category of vulnerable groups include Law No. 39 of 1999

⁵⁷ HAM Komnas, 'Law No. 39 of 1999', *Law of the Republic of Indonesia No. 39 of 1999 concerning Human Rights*, 39, 1999, 1–45.

⁵⁸ Foster, Geoff, and Lorraine Sherr, 'Vulnerability and Resilience of Children and Youth', *Vulnerable Children and Youth Studies*, 1.1 (2006), 1 (<https://doi.org/10.1080/17450120600793645>)

⁵⁹ Chapman, Audrey R., and Benjamin Carbonetti, 'Human Rights Protections for Vulnerable and Disadvantaged Groups: The Contributions of the UN Committee on Economic, Social and Cultural Rights', *Human Rights Quarterly*, 33.3 (2011), 682–732 (<https://doi.org/10.1353/hrq.2011.0033>)

⁶⁰ Devare Suresh, 'Human Rights: Minorities, Vulnerable and Disadvantaged Groups', *SSRN Electronic Journal*, 2015, 1–4 (<https://doi.org/10.2139/ssrn.2674723>).

⁶¹ Preety R. Rajbangshi and Devaki Nambiar, "'who Will Stand up for Us?' The Social Determinants of Health of Women Tea Plantation Workers in India', *International Journal for Equity in Health*, 19.1 (2020), 1–10 (<https://doi.org/10.1186/s12939-020-1147-3>).

⁶² I. Feinberg and others, 'Public Health Crisis in the Refugee Community: Little Change in Social Determinants of Health Preserve Health Disparities', *Health Education Research*, 36.2 (2021), 170–77 (<https://doi.org/10.1093/her/cyab004>).

⁶³ Preethi Shivayogi, 'Vulnerable Population and Methods for Their Safeguard', *Perspectives in Clinical Research*, 4.1 (2013), 53 (<https://doi.org/10.4103/2229-3485.106389>).

⁶⁴ Bruce J. Hillman, 'Mission, Vision, and Values', *Journal of the American College of Radiology*, 11.1 (2014), 3 (<https://doi.org/10.1016/j.jacr.2013.09.016>).

⁶⁵ European Investment Bank, 'Environmental and Social Sustainability Framework, Standard 6: Involuntary Resettlement', June, 2021, 1–12 (<https://www.ohchr.org>).

⁶⁶ Mojca Ramšak and others, 'Diversity Awareness, Diversity Competency and Access to Healthcare for Minority Groups: Perspectives of Healthcare Professionals in Croatia, Germany, Poland, and Slovenia', *Frontiers in Public Health*, 11.July (2023), 1–16 (<https://doi.org/10.3389/fpubh.2023.1204854>).

concerning Human Rights, which means vulnerable community groups, among others, the elderly, children, the poor, pregnant women and people with disabilities. Law No. 24 of 2007 on Disaster Management states that vulnerable groups include infants, toddlers and children, pregnant or lactating mothers, people with disabilities, and the elderly. Furthermore, Law No. 25 of 2009 concerning Public Services states that vulnerable groups are people with disabilities, the elderly, pregnant women, children, victims of natural disasters, and victims of social disasters.

Vulnerable groups, in national and international contexts, are those that are in a weaker position and face greater risks in their lives^{67; 68}. This is due to a variety of social, economic, and environmental factors that make them more vulnerable to negative impacts, such as disasters, poverty, or human rights violations^{69; 70; 71}. Therefore, the protection and empowerment of vulnerable communities is of paramount importance in social development and international policy. Vulnerability encompasses possibilities or risks that arise at the moment and can bring a person or a group into poverty or worsen existing poverty conditions⁷². According to the WHO, vulnerable communities are groups that are more at risk of poor health conditions, whether it is due to poor environment, limited access to health services, or socio-economic factors that hinder their ability to maintain health^{73; 74}. This group includes children, the elderly, people with chronic illnesses, and people living in disaster-prone areas^{75; 76}.

⁶⁷ Taufan Maulana, Akhmad, and Andriansyah Andriansyah, 'Disaster Mitigation in Indonesia', *COMSERVA : Journal of Research and Community Service*, 3.10 (2024), 3996-4012 (<https://doi.org/10.59141/comserva.v3i10.1213>)

⁶⁸ Prior, J., and S. Harfield, *Health, Well-Being and Vulnerable Populations, International Encyclopedia of Housing and Home* (Elsevier Ltd., 2011), II (<https://doi.org/10.1016/B978-0-08-047163-1.00036-9>)

⁶⁹ Nor Diana, M. I., S. Chamburi, T. Mohd Raihan, and A. Nurul Ashikin, 'Assessing Local Vulnerability to Climate Change by Using Livelihood Vulnerability Index: Case Study in Pahang Region, Malaysia', *IOP Conference Series: Materials Science and Engineering*, 506.1 (2019) (<https://doi.org/10.1088/1757-899X/506/1/012059>)

⁷⁰ Thomas, Kimberley Anh, and Benjamin P. Warner, 'Weaponizing Vulnerability to Climate Change', *Global Environmental Change*, 57.May (2019), 101928 (<https://doi.org/10.1016/j.gloenvcha.2019.101928>)

⁷¹ Zeeshan, Afsheen, Shahzad Hussain, and Muhammad Bashir Khan, 'The Integration and Strengthening of Vulnerable Segments of Society in Disaster Risk Reduction Initiatives (Evidence from Developing World)', *Global Social Sciences Review*, IV.IV (2019), 8-13 ([https://doi.org/10.31703/gssr.2019\(iv-iv\).02](https://doi.org/10.31703/gssr.2019(iv-iv).02))

⁷² Christian Henrik Alexander Kuran and others, 'Vulnerability and Vulnerable Groups from an Intersectionality Perspective', *International Journal of Disaster Risk Reduction*, 50 (2020), 101826 (<https://doi.org/10.1016/j.ijdrr.2020.101826>).

⁷³ Prior, J., and S. Harfield, *Health, Well-Being and Vulnerable Populations, International Encyclopedia of Housing and Home* (Elsevier Ltd., 2011), II (<https://doi.org/10.1016/B978-0-08-047163-1.00036-9>)

⁷⁴ Yilmazer, Tansel, and Robert L. Scharff, 'Precautionary Savings Against Health Risks: Evidence From the Health and Retirement Study', *Research on Aging*, 36.2 (2014), 180-206 (<https://doi.org/10.1177/0164027512473487>)

⁷⁵ Colman Siu Cheung, Esther Yee Tak Yu, Vivian Yawei Guo, Carlos King Ho Wong, Kenny Kung, Sin Yi Ho, and others, 'Development of a Health Empowerment Programme to Improve the Health of Working Poor Families: Protocol for a Prospective Cohort Study in Hong Kong', *BMJ Open*, 6.2 (2016), 5-7 (<https://doi.org/10.1136/bmjopen-2015-010015>)

⁷⁶ Robinson, Lara R., Joseph R. Holbrook, Rebecca H. Bitsko, Sophie A. Hartwig, Jennifer W. Kaminski, Reem M. Ghandour, and others, 'Differences in Health Care, Family, and Community Factors Associated with Mental, Behavioral, and Developmental Disorders among Children Aged 2-8 Years in Rural and Urban Areas - United States, 2011-2012', *MMWR Surveillance Summaries*, 66.8 (2017), 1-11 (<https://doi.org/10.15585/mmwr.mm6608a1>)

From the various literature that we summarize in Table 2, when compared to the people of Tobelo Dalam, the criteria of vulnerable groups are more appropriate for them, as they often face social, economic, and cultural challenges that limit their access to basic services such as education, health, and employment. This condition exacerbates their vulnerability to environmental changes and development processes that occur around them. The Tobelo Dalam people can be categorized as a vulnerable group because they live in limited conditions, with limited access to various basic services, such as education, health, and adequate infrastructure, which should be their basic rights as citizens. This group is geographically and socially isolated, from more developed regions and often receives less attention in development programs. In addition, the reliance on traditional agricultural activities that cannot always generate stable income makes them vulnerable to climate change and economic uncertainty. The impact of social isolation and limited access makes it easier for them to be marginalized and find it difficult to get out of poverty or improve their quality of life⁷⁷

When compared to the criteria given by international institutions such as the United Nations High Commissioner for Refugees (UNHCR), the World Bank, WHO, and the United Nations, the "Inner Tobelo" people meet many of the characteristics of vulnerable groups identified by these institutions. According to UNHCR, vulnerable groups include those exposed to the risk of displacement, violence, or loss of access to basic rights⁷⁸. The World Bank emphasizes that vulnerable groups often have difficulty accessing resources that can improve well-being, such as health services and education⁷⁹. WHO states that health factors are a major challenge for vulnerable groups, especially in terms of providing adequate medical services⁸⁰. The UN itself identifies vulnerable groups as those who are hindered in access to sustainable development and well-being⁸¹. Thus, the Tobelo Dalam people are categorized as a vulnerable group due to various factors, for example from economic, social, and health aspects, that prevent them from obtaining basic rights and welfare on an equal footing with other ethnic groups in Indonesia, this is important for the enforcement of Human Rights in the Cycle Flow of the State of Law⁸².

doi.org/10.15585/mmwr.ss6608a1)

⁷⁷ Bank Word, 'Access to Education , Health Services , Economic Opportunities Key to Improving Welfare of Indigenous Peoples in The', 2024.

⁷⁸ UNHCR, 'Age , Gender and Diversity (AGD) Key Points', May, 2020.

⁷⁹ The Word Bank, 'The Promise of Education in Indonesia', *The Promise of Education in Indonesia*, 2020 (<https://doi.org/10.1596/34807>).

⁸⁰ World Health Organization, 'To Meet the Unmet, Preparing for Health Equity Challenges in WHO South-East Asia Region', *Analytical Biochemistry*, 11.1 (2023), 1–5 (<http://link.springer.com/10.1007/978-3-319-59379-1>)

⁸¹ Stacey Cram, *SDG 16 as an Enabler of the 2030 Agenda: Policy Paper No. 32, July 2024, SDG 16 as an Enabler of the 2030 Agenda: Policy Paper No. 32, July 2024, 2024* (<https://doi.org/10.31752/idea.2024.47>).

⁸² Puja Auria, Radhit Adi Putra, and Misleni, 'The Importance of Human Rights Enforcement in the Cycle of the State of Law', *Juris Humanity: Journal of Human Rights Law Research and Studies*, 3.1 (2024), 1–14 (<https://doi.org/10.37631/jrkhm.v3i1.35>).

We identified 11 of the 20 categories of vulnerability (Table 2) currently experienced by the people of Tobelo Dalam, namely 1) Vulnerable Children, 2) Vulnerable Adults, 3) Women, 4) Elderly, 5) Poor People, 6) Pregnant and Breastfeeding Women, 7) Ethnic Minority Groups, 8) People Living in Disaster-prone Areas, 9) Individuals with Limited Access to Health Services, 10) Individuals with Limited Access to Educational Services and 11) Groups with Marginalized Social, Economic, and Political Participation.

From the results of the identification, we found that the Tobelo Dalam people face a significant number of vulnerabilities, which can affect their well-being in various aspects of life. These vulnerabilities include a wide range of groups, such as children, women, the elderly, as well as ethnic minority groups that are often marginalized⁸³. In addition, groups living in disaster-prone areas and those with limited access to health services and education are also listed in the vulnerability categories we identified. This condition shows that there are inequalities in social, economic, and political participation that hinder efforts to improve their quality of life⁸⁴. The existence of these groups in society requires special attention in inclusive and sustainable development policies⁸⁵

Tabel 2. Summary of Vulnerable group categories from various sources

Category Vulnerable groups from various sources	Description
Vulnerable Children	Children who are at higher risk are negatively affected such as violence and poverty, or limitations in fulfilling their basic rights.
Vulnerable Adults	Adults who are vulnerable to social, economic, or health injustices.
Vulnerable Women	Women who are often more vulnerable to discrimination and violence.
Vulnerable Elderly	Individu yang berusia lanjut yang membutuhkan perlindungan lebih besar.
Vulnerable Persons with Disabilitas	People with disabilities who have limitations in accessing basic rights and services.
Vulnerable Indigenous Peoples	Groups that have distinctive cultures, languages, and traditions and may be marginalized.

⁸³ Arianto. Arianto, Gladys Nadya, 'Survey of Legal Needs for Vulnerable Groups in 2022', *Indonesia Judicial Research Society (IJRS)*, 2022

⁸⁴ Amita Bajpai Priti Singh, 'Empowering Disadvantaged Groups through Socio Economic Development', *International Journal For Multidisciplinary Research*, 5.5 (2023), 1-10 (<https://doi.org/10.36948/ijfmr.2023.v05i05.6149>).

⁸⁵ Harlin Sabrinda Rasya and Irwan Triadi, 'Access to Justice and Social Gaps: Transformation through the Role of Constitutional Law', *Indonesian Journal of Law and Justice*, 1.4 (2024), 12 (<https://doi.org/10.47134/ijlj.v1i4.2330>).

Vulnerable Migran	Individuals from outside the country who often face the risk of discrimination.
Vulnerable Refugee	People who are forced to leave their country due to war or violence.
Vulnerable Victims of Human Trafficking	Individuals who are victims of human exploitation and trafficking.
Vulnerable The Poor	Groups living in extreme poverty and vulnerable to social change.
Vulnerable Pregnant and Breastfeeding Women	Pregnant or breastfeeding women need more attention in terms of health and well-being.
Vulnerable Victims of Natural Disasters	Individuals who are directly affected by natural disasters and need special assistance.
Vulnerable Victims of Social Disasters	Groups that are negatively affected by social disasters such as conflict or social violence.
Vulnerable Ethnic Minority Groups	Groups with different ethnic identities, who often face marginalization.
Vulnerable Individuals with Chronic Illness	Individuals who suffer from chronic illnesses and require more intense care and health attention.
Vulnerable People Living in Disaster-Prone Areas	People who live in disaster-prone areas such as earthquakes, floods, clean water crises, or landslides.
Vulnerable Individuals with Migration or Weak Economic Status	Individuals who have migration status or economic conditions that put them in a more vulnerable position.
Vulnerable Individuals with Limited Access to Health Services	Groups that have limited access or difficulty in obtaining proper health care.
Vulnerable Individuals with Limited Access to Educational Services	Groups that have limited access or difficulty in obtaining proper educational services.
Vulnerable Groups with Marginalized Social, Economic, and Political Participation	Marginalized groups in social, economic, and political participation.

In each of our visits to the settlements of the Tobelo Dalam people in the forests of Halmahera, we found that the Tobelo Dalam people are a very vulnerable group to health, especially due to limited access to medical facilities, the main challenge is to maintain cleanliness and sanitation in their environment⁸⁶. This can cause them to be more susceptible to diseases, we often find Tobelo Dalam people who are sick with malaria, symptoms of urolithiasis (urinary stones), toothache, skin diseases such as

⁸⁶ Tamalene, *Ethnoconservation of Biodiversity from a Conservation Perspective Based on Local Wisdom of the Tobelo Dalam Tribe (Togutil)*, 1st edn (Jogyakarta: PLANTAXIA, 2016).

Dermatitis, Psoriasis, Tinea (Panu) and Scabies (Scabies), diarrhea, dysentery, and cholera that affect vulnerable groups such as children, women and adults.



Figure 1. (A) Settlements, (B) Moving places, (C) Sleeping places of the Tobelo people in (Photo, Tamalene, 2024)

There is no scientific research showing that the Tobelo Dalam people suffer from diseases originating from coastal communities, many media outlets report this, but this opinion is unfounded and not supported by any evidence or research that can be accounted for. Such opinions often appear in political debates, where certain groups try to portray the Tobelo Dalam people as a group that they categorize as an indigenous people who are marginalized or isolated from modernity. The primitive Tobelo Dalam people must be maintained, this is the mission of religious activists to obtain help, the more primitive they look, the more help they can get⁸⁷.

In addition to potentially harming the reputation of the people of Tobelo Dalam, this inaccurate picture can also be used to justify policies that do not suit their actual needs. In the political context, the dissemination of information that is not data-based can worsen the relationship between the people of Tobelo Dalam and other parties, as well as deepen social tensions. Even though they urgently need legal protection of their citizenship rights, they do not need the rights of indigenous peoples by the state, but they need the attention of the State to equality of life and the harmonization of rights as citizens⁸⁸.

⁸⁷ Duncan, '(Mis)Representations of the Forest Tobelo of Indonesia'. *The Asia Pacific Journal of Anthropology*. <https://doi.org/10.1080/14442210110001706035>

⁸⁸ Firda Aulia Izzati and Novitasari Novitasari, 'Harmonization of Rights and Obligations to Realize Responsible Citizens (Civic Responsibility)', *Kalachakrara Journal: Social Sciences and Education*, 4.1 (2023), 1 (<https://doi.org/10.31002/kalachakra.v4i1.7379>).

If they continue to survive in the forest without equal access to public services, and without fair participation in the process of empowerment, the social and economic inequality they experience will continue.

Although the Tobelo Dalam people have been categorized as a vulnerable group, their legal status is still unclear and continues to change in line with policy dynamics in Indonesia. The debate on the status of the Tobelo Dalam people also occurs in the realm of international and national law. In the context of international law, organizations such as UNHCR and the World Bank define vulnerable groups based on access to basic rights such as education, health, and the economy. However, in Indonesia, Law No. 39 of 1999 on Human Rights⁸⁹ and Law No. 6 of 2014 on Villages⁹⁰ provide a more specific legal basis regarding customary law communities and their rights, which do not fully cover the conditions of the Tobelo Dalam. One of the significant changes in the legal status of indigenous groups in Indonesia occurred after the Constitutional Court Decision No. 35/PUU-X/2012⁹¹, which recognized the rights of indigenous peoples to customary land and separated it from state forests. However, because the Tobelo Dalam people do not have an organized customary law system or official claims to customary land, they cannot obtain legal recognition based on this ruling. As a result, the empowerment carried out against them is more social and economic, with no clear legal protections regarding their collective rights to natural resources and the territories in which they live.

Based on the grouping that the Tobelo Dalam people are a vulnerable group, we developed a model to determine the position of the Tobelo Dalam people as indigenous peoples, local ethnic groups, or vulnerable groups (Figure 1). This model aims to assert their status. This model provides a clearer picture of the position of the Tobelo Dalam people as a vulnerable local ethnic group.

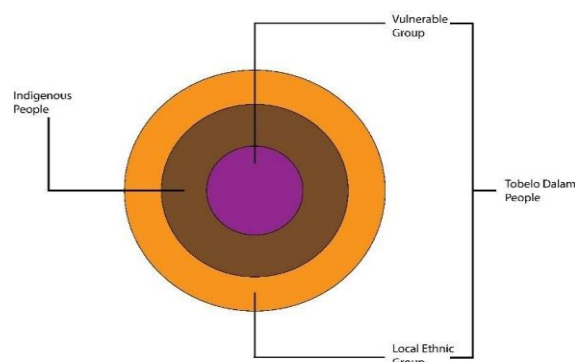


Figure 2. Modeling the Category of Tobelo People as a Vulnerable Group

⁸⁹ Komnas. *Standar Norma Dan Pengaturan Nomor 4 Tentang Hak Atas Kesehatan*, 2021

⁹⁰ Law of the Republic of Indonesia Number 6 of 2014, concerning Villages (2014), <https://Peraturan.Bpk.Go.Id/Details/38582/Uu-No-6-Tahun-2014>

⁹¹ Constitutional Court Decision No. 35/PUU-X/2012, 'Indigenous Peoples' Rights to Customary Land and Separating It from State Forests', 2, 2012.

The Tobelo people are an ethnic group in Indonesia⁹² that is classified as a vulnerable group (Figures 1 & 2), this unit is the basis to be used as a reference by the government or interested parties in empowering them to fulfill their citizenship rights, this action is immediately taken to protect them from social problems that occur due to lack of access to important resources. They face limitations in education, health, and the economy, which prevents their lives from progressing with high poverty rates. For this reason, the empowerment of the "Tobelo Dalam" must include holistically improving the quality of life, including better education, improved health services, and sustainable economic empowerment, including the right to have trust in God⁹³. Empowerment must be carried out with an inclusive approach to their culture and traditions, so that the results obtained can be maximized and in accordance with their needs⁹⁴. Governments and relevant stakeholders need to work together to create programs that support their sustainability and self-reliance in the future.

3. The Role of the Government in the Empowerment of the Tobelo People in

Currently, efforts to empower the people of Tobelo Dalam have been carried out by the government, but the results have not been optimal. One of the main inhibiting factors is the limited accessibility of their settlements, which are located in remote areas and the lack of transportation infrastructure. This condition hinders the distribution of resources, health services, education, and public facilities needed to improve their quality of life. As a very vulnerable group, the people of Tobelo Dalam face various challenges, including limited access to basic services, low levels of education, and difficulties in obtaining decent jobs. Therefore, these groups need more attention from the government and relevant stakeholders, and ensure the protection of their basic rights and create more equal opportunities to improve their social and economic well-being. The data in Figure 3 shows the number of Tobelo Dalam people and settlement locations that have received empowerment from the government.

Given the status of the Tobelo Dalam people as a vulnerable group that faces a number of challenges in access to education, health services, and economic development, the role of the government is very important in carrying out empowerment. The lives of those isolated in remote areas often leave them marginalized in the capacity building process. Therefore, government intervention through inclusive empowerment programs is essential to improve their quality of life, including upskilling skills, better access to public services, and protection of their rights, including citizenship rights on an equal footing with other ethnic groups. Furthermore, the implementation of policies that favour vulnerable groups can reduce social

⁹² Director General of Education and Culture, "Map of Ethnic Groups in Indonesia", 2018.
<https://kebudayaan.kemdikbud.go.id/wp-content/uploads/2016/01/LAKIP-DITJENBUD-2018-FINAL-1.pdf>

⁹³ Fatmawati Fatmawati, 'Protection of the Right to Freedom of Religion and Worship in the Indonesian Legal State', *Constitutional Journal*, 8.4 (2016), 489 (<https://doi.org/10.31078/jk844>).

⁹⁴ Malta, 'The Concept of Strategy in Community Empowerment: A Literature Review', *Influence: International Journal of Science Review*, 5.3 (2023), 24–34 (<https://doi.org/10.54783/influencejournal.v5i3.179>).

and economic inequality and provide them with opportunities to actively participate in more sustainable and prosperous development⁹⁵.

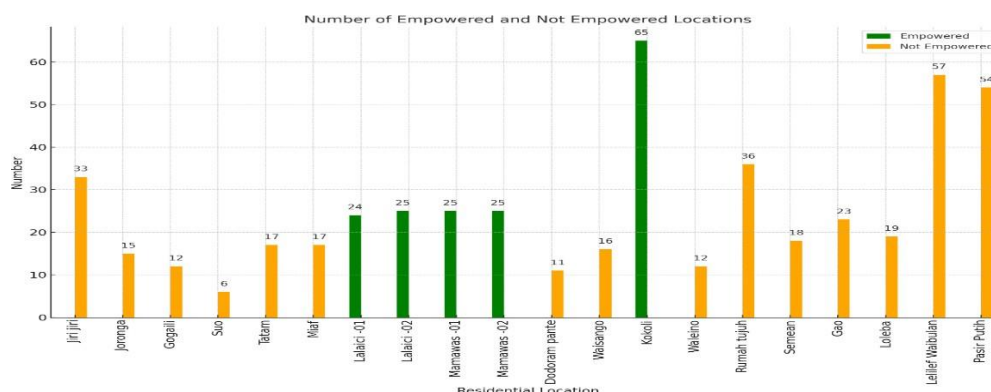


Figure 3. The number of Tobelo Dalam people who have been empowered and have not been empowered based on location on Halmahera Island (Source; processed from Data from the Ministry of Social Affairs of the Republic of Indonesia, 2022-2024)

Based on data from the Ministry of Social Republic of Indonesia⁹⁶ (Figure 3), the total number of Tobelo Dalam people distributed in various residential locations on Halmahera Island is 487 people. The data in Figure 3, shows that the percentage of empowered locations is 26.32%, and unempowered locations are 73.68%. This indicates that most locations are still unempowered. One of the main obstacles in empowerment efforts is an approach that has not fully considered the needs, specific interests, and legal aspects related to the collective rights of the Tobelo Dalam. Until now, there have been no concrete steps in providing legal recognition of their status, especially regarding the rights to land and natural resources which are an important part of their survival. In fact, Article 3 of Law No. 5 of 1960 concerning the Basic Regulation of Agrarian Principles (UUPA)⁹⁷ has recognized the customary rights of customary law communities as long as they still exist and in accordance with the national interest. In addition, the Regulation of the Minister of ATR/BPN No. 14 of 2024 provides a mechanism for customary law communities to obtain communal rights to their land⁹⁸. However, because the Tobelo Dalam people are still categorized as an ethnic group without a structured customary law system, they have not yet obtained official recognition of the territories where they live and earn a living. As a result, the empowerment carried out by the government is often not oriented towards strengthening their collective rights, but rather

⁹⁵ UNDP, 'The Role of Economic Policies in Poverty Reduction', 2003, 1–11.

⁹⁶ Ministry of Social Affairs of the Republic of Indonesia, 2020, 'Data on the Distribution of KAT in Indonesia', 2020

⁹⁷ Government of the Republic of Indonesia, 'Law of the Republic of Indonesia No. 5 of 1960 concerning Basic Regulations on Agrarian Principles', *Law No.5 of 1960*, 1, 2004, 1–5.

⁹⁸ Ministry of Agrarian and Spatial Planning/Head of the National Land Agency, 'Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 14 of 2024 concerning the Implementation of Land Administration and Registration of Customary Rights of Indigenous Peoples', 2024, 1–44 (<https://peraturan.bpk.go.id/Details/280736/permen-atrkepala-bpn-no-14-tahun-2024>).

focuses only on economic and social aspects in the form of assistance and integration programs.

The government still tends to carry out empowerment programs on a top-down basis without involving local stakeholders, such as community leaders and academics who understand the social structure of this community. As a result, this empowerment strategy becomes less effective because it does not fully take into account the social and cultural characteristics of communities that are closed and have different lifestyles in each location. In addition, the diversity in the lifestyle and social conditions of the Tobelo Dalam people in various locations makes a uniform empowerment approach less than optimal. Therefore, a more adaptive empowerment model is needed, designed with the local context and the potential for legal recognition for them. This approach should not only focus on economic access and education, but also consider the potential recognition of their rights as vulnerable groups, including the possibility of granting collective rights to land and natural resources. With a more inclusive strategy and based on the principles of sustainability and legal recognition, it is hoped that the Tobelo Dalam people can obtain better protection, both in terms of social welfare and in legal certainty for the areas they inhabit.⁹⁹

The solution for a more inclusive empowerment for the people of Tobelo Dalam is to introduce settled settlements as a first step. Residential settlements can provide opportunities for communities to be more connected to existing resources, infrastructure, and empowerment programs. With permanent settlements, they have easier access to basic services, education, and training that can improve their well-being. This can also strengthen the sense of community and solidarity between citizens, so that the empowerment carried out becomes more effective and sustainable. With an approach that is more appropriate to the local context and involves them in every step, empowerment in these communities can be more inclusive¹⁰⁰.

In the context of citizens' rights, every individual has the right to equal access to services and empowerment, especially in areas that are classified as isolated or difficult to reach¹⁰¹. This empowerment is not only the responsibility of the government at the national level, but also part of a broader social responsibility, both at the national and international levels. The State, in its capacity as a policymaker, has an obligation to ensure that citizens' basic rights, such as the right to education, health, and economic welfare, are implemented without discrimination¹⁰². Internationally, this is in line with the global commitment to the Sustainable Development Goals (SDGs), where empowerment and the reduction of social inequality are the main focus¹⁰³. Therefore, governments should work to address existing

⁹⁹ Human Rights and Biodiversity Working Group, 'Implementing a Human Rights-Based Approach', 2020.

¹⁰⁰ Nasrun Annahar and others, 'The Road to Inclusive Decentralized Village Governance in Indonesia', *Sustainability (Switzerland)*, 15.11 (2023) (<https://doi.org/10.3390/su15118616>).

¹⁰¹ Komnas HAM, *Standard Norms and Regulations Number 4 concerning the Right to Health*, 2021.

¹⁰² Bambang Niko Pasla, 'The Rights and Obligations of Indonesian Citizens - BAMS', *Bams*, 2023, 1 (<https://pasla.jambiprov.go.id/hak-dan-kewajiban-warga-negara-indonesia/>).

¹⁰³ Annamarie Bindenagel Šehović, 'Human Rights and State Responsibilities', *Reimagining State and Human Security Beyond Borders*, 2018, 13–28 (https://doi.org/10.1007/978-3-319-72068-5_2).

gaps by improving accessibility and facilities in areas most in need, to guarantee human rights and fulfill social responsibilities in achieving inclusive and sustainable development.

4. Projection of the Vulnerability of the Tobelo People in the Future

This projection compares two main scenarios: "The Inner Tobelo people remain in the Forest" and "Settlements remain with inclusive Empowerment" (Table 3). The first scenario examines the sustainability of the Tobelo Dalam, if they continue to maintain their traditional way of life in the forest, taking into account challenges to natural resources, climate change, and limited access to basic services from the government to their citizenship rights. Meanwhile, the second scenario reviews the possible positive and negative impacts of empowerment by governments or other stakeholders, which include increased access to education, health, and economic opportunities, but also potentially change their culture and social structure. With this comparison, it is hoped that a balanced solution can be found to improve the welfare of the people of Tobelo Dalam in the future. This approach is more descriptive and analytical, leveraging previously published research results, reports, and data to build a picture of vulnerabilities that will be encountered in the future.

Tabel 3. Proyeksi Kerentanan Orang Tobelo Dalam di Masa Depan

Projection	Aspects	The Tobelo Dalam People Still Survive in the Forest	Settle with inclusive Empowerment
10 Years (2035)	Survival	Forests are increasingly threatened by deforestation, causing reduced food sources, This condition makes hunting and concoction activities even more difficult.	The community began to have settlements that remained customary- based but remained in contact with the forest. Basic infrastructure began to be built.
	Economics	Dependence on hunting and gathering results. There is no fixed income, it is getting more difficult due to reduced sources of food and medicine, it is difficult to market forest products to meet daily needs	Community-based micro-enterprises are starting to develop, such as ecotourism, non-timber forest products, and sustainable agriculture.
	Education	There is almost no access to formal education, the majority of children cannot read or write.	Customary-based schools began to be implemented, teaching the Tobelo language and Deep culture and formal education.

Projection	Aspects	The Tobelo Dalam People Still Survive in the Forest	Settle with inclusive Empowerment
25 Years (2050))	Health	There are no health facilities, the death rate from diseases is high, treatment relies only on traditional methods.	Community-based health posts are becoming available, a combination of modern medicine and traditional medicine using medicinal plants is recognize on a sustainable basis.
	Cultural Identity	Hunting traditions are still strong, the younger generation does not have access to education, health and other basic services	Culture remains strong because of cultural preservation programs by the government, traditional education, and space for traditional practices in social life.
	Legal Protection	There was no land right to make settlements, no formal legal recognition of their settlement areas.	The initial process of legal recognition began, there were local regulations that protected the land for settlements and their resources.
	Survival	Game animals are decreasing, they have difficulty finding clean water and are experiencing a crisis of clean water and wild food are starting to decrease	The community has had permanent customary-based settlements but still in contact with the forest. Basic infrastructure began to be built.
	Economics	It is very difficult to survive just by hunting, concocting and foraging for forest products to meet the economic needs of the family	Customary cooperatives began to develop, the community had an income from ustainable agriculture, ecotourism, and business.

Projection	Aspects	The Tobelo Dalam People Still Survive in the Forest	Settle with inclusive Empowerment
50 Years 2075)	Education	Tobelo Dalam young people lack formal skills, and it is difficult to adapt to the ever- changing environmental conditions	Vulnerable groups such as children have received formal education, but are still taught indigenous languages and cultures.
	Health	People are increasingly vulnerable to diseases due to limited access to medicines and medical facilities.	Health facilities are developing, with medical personnel who understand the local culture so that people are more comfortable accessing health services.
	Cultural Identity	The younger generation experiences obstacles in local cultural practices, due to the difficulty of maintaining traditions without external support.	Culture remains strong with formal recognition and traditional education that continues to run. Rituals and traditions are still practiced.
	Legal Protection	No land ownership rights, no recognition of intangible culture	Land rights are more recognized, there are regulations that ensure they have control over the land. Land conflicts began to decrease.
	Survival	It is likely that the community will be left in very small numbers, without legal recognition.	Their lives are more stable, communities are more independent with a strong economy without losing customs and culture.
	Economics	Communities live in extreme poverty or are forced to move to settlements and settle without obvious economic skills.	Community-based economies are thriving, people are more prosperous and have control over their resources.

Projection	Aspects	The Tobelo Dalam People Still Survive in the Forest	Settle with inclusive Empowerment
	Education	The majority of the young generation is illiterate, finding it difficult to compete in the modern world if they have to leave the forest.	The younger generation is becoming more educated and have the skills to thrive, but still retain their cultural values.
	Health	Low life expectancy, high mortality rate due to lack of access to health.	Life expectancy is increasing, the new generation is healthier and has a better lifestyle.
	Cultural Identity	Cultural practices can be lost because there is no regeneration and external support.	Culture is alive because of formal recognition and customary-based education systems.
	Legal Protection	The land to settle on could disappear completely, the remaining communities living in seclusion and without legal recognition.	Collective rights to residential land are recognized by the State, so they are no longer a vulnerable group

In the next 10 years, the vulnerability experienced by the people of Tobelo Dalam will be the main focus that needs to be dealt with seriously. The conditions of those who depend on hunting and gathering, as well as limited access to education and health services, require rapid and effective intervention¹⁰⁴. A collaborative approach, provides greater opportunities for the people of Tobelo Dalam to develop independently, and ensures better access to basic services. Over the next 25 years (2050), the vulnerability of the Tobelo Dalam people is expected to decrease along with the development of better infrastructure, economy, and basic services. During this period, communities began to have customary-based permanent settlements, with better access to education and health facilities, reducing their dependence on depleted forest resources. Over time, in 30-50 years (2075) and beyond, the vulnerabilities that previously existed in economic, health, and cultural aspects will completely disappear. The Tobelo Dalam people will be an ethnic group on par with other ethnic groups, with equal access to basic services such as education, health, and legal protection. With legal recognition of land for

¹⁰⁴ Tamalene, *Ethnoconservation of Biodiversity from a Conservation Perspective Based on Local Wisdom of the Tobelo Dalam Tribe (Togutil)*, 1st edn (Jogyakarta: Plantaxia, 2016).

settlement, agriculture and cultural preservation that continues to flourish, they will enjoy more inclusive progress, no longer hampered by existing vulnerabilities^{105,106}

D. Conclusions and Recommendations

The "Tobelo Dalam" people are categorized as an ethnic group that originates from the Tobelo ethnic group and migrates to survive in the forest, they are not categorized as indigenous peoples. They do not have any cultural characteristics, social systems, languages spoken or customary laws that distinguish them from the dominant societies around them. Nevertheless, the Tobelo Dalam people remain connected to the surrounding nature, live a life of hunting and gathering, and have wise local knowledge in interacting with the environment. Due to their limitations in obtaining basic services as citizens, they are more appropriately categorized as a vulnerable group, although the Tobelo Dalam are not an indigenous people in the formal sense, they are a vulnerable group that needs special attention. Holistic empowerment, which includes better access to education, adequate health services, and improved community-based economies, is indispensable to improve their quality of life and ensure the sustainability of their culture and identity in the future.

¹⁰⁵ Allen Blackman and Peter Veit, 'Land Matters: How Securing Community Land Rights Can Slow Climate Change and Accelerate the Sustainable Development Goals', *Ecological Economics*, 153 (2019), 56-67 (<https://www.wri.org/insights/land-matters-how-securing-community-land-rights-can-slow-climate-change-and-accelerate>).

¹⁰⁶ Wael Zakout and Andy White, 'Community Land Rights: An Untapped Solution to Secure Climate, Biodiversity, and Development Goals', *WorldBankBlogs*, 2019,1-6 (<https://blogs.worldbank.org/en/sustainablecities/community-land-rights-untapped-solution-secure-climate-biodiversity-development-goals>).

Bibliography

A. Journal

- Agustini, Aini Ali, and Miftah Farid Bahtiar. 2024. "Interpersonal and Group Interaction." *Global Futuristic Journal* 2(1): 51–55. <https://doi.org/10.59996/globalistik.v2i1.359>.
- Ananta, Aris, Evi Nurvidya Arifin, Ari Purbowati, and Paul J. Carnegie. 2023. "Does Diversity Matter for Development? New Evidence of Ethnic Diversity's Mediation between Internal Migration and Economic Growth across Indonesia's Regions." *Journal of Population Research* 40(3): 1–21. <https://doi.org/10.1007/s12546-023-09304-z>.
- Annahar, Nasrun, Ida Widianingsih, Entang Adhy Muhtar, and Caroline Paskarina. 2023. "The Road to Inclusive Decentralized Village Governance in Indonesia." *Sustainability (Switzerland)* 15(11). <https://doi.org/10.3390/su15118616>.
- Auria, Puja, Radhit Adi Putra, and Misleni. 2024. "The Importance of Enforcing Human Rights in the Cycle of the Rule of Law." *Juris Humanity: Journal of Research and Review on Human Rights Law* 3(1): 1–14. <https://doi.org/10.37631/jrkhm.v3i1.35>.
- Axelsson, Per, and Peter Sköld. 2006. "Indigenous Populations and Vulnerability: Characterizing Vulnerability in a Sami Context." *Annales de Démographie Historique* 111(1): 115–32. <https://doi.org/10.3917/adh.111.0115>.
- Bansal, Sanchita, Tapan Sarker, Anshita Yadav, Isha Garg, Mansi Gupta, and Harsha Sarvaiya. 2024. "Indigenous Communities and Sustainable Development: A Review and Research Agenda." *Global Business and Organizational Excellence* 43(4): 65–87. <https://doi.org/10.1002/joe.22237>.
- Blackman, Allen, and Peter Veit. 2019. "Land Matters: How Securing Community Land Rights Can Slow Climate Change and Accelerate the Sustainable Development Goals." *Ecological Economics* 153: 56–67. <https://www.wri.org/insights/land-matters-how-securing-community-land-rights-can-slow-climate-change-and-accelerate>.
- Chapman, Audrey R., and Benjamin Carbonetti. 2011. "Human Rights Protections for Vulnerable and Disadvantaged Groups: The Contributions of the UN Committee on Economic, Social and Cultural Rights." *Human Rights Quarterly* 33(3): 682–732. <https://doi.org/10.1353/hrq.2011.0033>. □ Duncan, Christopher R. "(Mis)Representations of the Forest Tobelo of Indonesia." January 2013, 37–41, 2006.
- Duncan, Christopher R. "Monuments and Martyrdom: Memorializing the Dead in Post-Conflict North Maluku." *Bijdragen Tot de Taal-, Land- En Volkenkunde* 165, no. 4 (2009): 429–58. <https://doi.org/10.1163/22134379-90003628>.
- Duncan, Christopher R. "Social Change and the Reformulation of Identity among the Forest Tobelo of Halmahera Tengah." *Cakalele* 8 (1997): 79–90. <http://scholarspace.manoa.hawaii.edu/bitstream/handle/10125/4227/UHM.C>

SEAS.Cakalele.v8.Duncan.pdf.

- Fatmawati, Fatmawati. "Protection of the Right to Freedom of Religion and Worship in the Rule of Law State of Indonesia." *Jurnal Konstitusi* 8, no. 4 (2016): 489. <https://doi.org/10.31078/jk844>.
- Fauzi, Suyogi Imam, and Inge Puspita Ningtyas. "Optimization of Legal Aid Provision to Realize Access to Law and Justice for the Poor." *Jurnal Konstitusi* 15, no. 1 (2018): 50. <https://doi.org/10.31078/jk1513>.
- Feinberg, I., M. H. O'Connor, A. Owen-Smith, and S. R. Dube. "Public Health Crisis in the Refugee Community: Little Change in Social Determinants of Health Preserve Health Disparities." *Health Education Research* 36, no. 2 (2021): 170–77. <https://doi.org/10.1093/her/cyab004>.
- Foster, Geoff, and Lorraine Sherr. "Vulnerability and Resilience of Children and Youth." *Vulnerable Children and Youth Studies* 1, no. 1 (2006): 1. <https://doi.org/10.1080/17450120600793645>.
- Fung, Colman Siu Cheung, et al. "Development of a Health Empowerment Programme to Improve the Health of Working Poor Families: Protocol for a Prospective Cohort Study in Hong Kong." *BMJ Open* 6, no. 2 (2016): 5–7. <https://doi.org/10.1136/bmjopen-2015-010015>.
- Hasan, Zainudin, Rachmat Fadhil Pradhana, Agel Pratama Andika, and Muhammad Ronald Dzaky Al Jabbar. "The Effect of Globalization on the Existence of Local Cultural Identity and Pancasila." *JALAKOTEK: Journal of Accounting Law Communication and Technology* 1, no. 2 (2024): 333–41. <https://doi.org/10.57235/jalakotek.v1i2.2385>.
- Hillman, Bruce J. "Mission, Vision, and Values." *Journal of the American College of Radiology* 11, no. 1 (2014): 3. <https://doi.org/10.1016/j.jacr.2013.09.016>.
- Izzati, Firda Aulia, and Novitasari Novitasari. "Harmonization of Rights and Obligations to Realize Responsible Citizens (Civic Responsibility)." *Jurnal Kalacakra: Ilmu Sosial dan Pendidikan* 4, no. 1 (2023): 1. <https://doi.org/10.31002/kalacakra.v4i1.7379>.
- Joona, Tanja. "ILO Convention No. 169 and the Governance of Indigenous Identity in Finland: Recent Developments." *International Journal of Human Rights* 24, nos. 2–3 (2020): 241–56. <https://doi.org/10.1080/13642987.2019.1677623>.
- Kenispaev, Zhumageldy, Vladislav Vakaev, Vladimir Markin, and Natalia Serova. "The Image of a Civilized Man in a Modern Culture." 393.Tfts 2019 (2020): 95–98. <https://doi.org/10.2991/assehr.k.200113.147>.
- Kusumaningrum, Elizabeth Novi, Jatna Supriatna, Abinawanto, and Anom Bowolaksono. "Ethnozoology – The Perception of Tobelo in Tribal Community in Saolat Village, East Halmahera, Indonesia towards Cuscus (Phalangeridae)." *Biodiversitas* 19, no. 6 (2018): 2140–46. <https://doi.org/10.13057/biodiv/d190621>.
- Larsen, Peter Bille, and Jérémie Gilbert. "Indigenous Rights and ILO Convention 169: Learning from the Past and Challenging the Future." *International Journal of*

- Human Rights* 24, nos. 2-3 (2020): 83-93.
<https://doi.org/10.1080/13642987.2019.1677615>.
- Lepenies, Philipp H. "An Inquiry into the Roots of the Modern Concept of Development." *Contributions to the History of Concepts* 4, no. 2 (2008): 202-25.
<https://doi.org/10.1163/187465608X363472>.
- Lewis, Mary E., Jennifer C. French, Elena Rossoni-Notter, Olivier Notter, Abdelkader Moussous, Vitale Sparacello, and others. "An Assessment of Puberty Status in Adolescents from the European Upper Paleolithic." *Journal of Human Evolution* (2024): 103577.
<https://linkinghub.elsevier.com/retrieve/pii/S004724842400085X>.
- Malta. "The Concept of Strategy in Community Empowerment: A Literature Review." *Influence: International Journal of Science Review* 5, no. 3 (2023): 24-34.
<https://doi.org/10.54783/influencejournal.v5i3.179>.
- Martin, Heinz. "The Invention." *Polymers, Patents, Profits* XIX, no. 3 (2007): 1-39.
<https://doi.org/10.1002/9783527610402.ch1>.
- Nisa, Khairun, Nursalam Nursalam, Risfaisal Risfaisal, and Nurdevi Bte Abdul. "The Role of Ammatoa as the Customary Leader in the Ammatoa Customary Area, Bulukumba Regency." *Journal Socius Education* 1, no. 1 (2023): 109-17.
<https://doi.org/10.0505/jse.v>.
- Nor Diana, M. I., S. Chamburi, T. Mohd Raihan, and A. Nurul Ashikin. "Assessing Local Vulnerability to Climate Change by Using Livelihood Vulnerability Index: Case Study in Pahang Region, Malaysia." *IOP Conference Series: Materials Science and Engineering* 506, no. 1 (2019). <https://doi.org/10.1088/1757-899X/506/1/012059>.
- Rajbangshi, Preety R., and Devaki Nambiar. "'Who Will Stand Up for Us?' The Social Determinants of Health of Women Tea Plantation Workers in India." *International Journal for Equity in Health* 19, no. 1 (2020): 1-10.
<https://doi.org/10.1186/s12939-020-1147-3>.
- Ramšak, Mojca, et al. "Diversity Awareness, Diversity Competency and Access to Healthcare for Minority Groups: Perspectives of Healthcare Professionals in Croatia, Germany, Poland, and Slovenia." *Frontiers in Public Health* 11 (July 2023): 1-16.
<https://doi.org/10.3389/fpubh.2023.1204854>.
- Rasya, Harlin Sabrinda, and Irwan Triadi. "Access to Justice and Social Inequality: Transformation Through the Role of Constitutional Law." *Indonesian Journal of Law and Justice* 1, no. 4 (2024): 12. <https://doi.org/10.47134/ijlj.v1i4.2330>.
- Singh, Priti, and Amita Bajpai. "Empowering Disadvantaged Groups through Socioeconomic Development." *International Journal for Multidisciplinary Research* 5, no. 5 (2023): 1-10. <https://doi.org/10.36948/ijfmr.2023.v05i05.6149>.
- Putri, W. F., A. S. Mahbub, and M. Dassir. "Local Wisdom Application of Tobelo in Community in Its Relation with a National Park in North Maluku, Indonesia." *IOP Conference Series: Earth and Environmental Science* 343, no. 1 (2019).

<https://doi.org/10.1088/1755-1315/343/1/012042>.

Raisa Qolbina Ibrizzahra, et al. "Human Rights in the Indonesian Constitution: Implementation and Challenges." *Aliansi: Jurnal Hukum, Pendidikan dan Sosial Humaniora* 1, no. 4 (2024): 272–80. <https://doi.org/10.62383/aliansi.v1i4.325>.

B. Books and Chapters

Bindenagel Šehović, Annamarie. 2018. "Human Rights and State Responsibilities." In *Reimagining State and Human Security Beyond Borders*, 13–28. https://doi.org/10.1007/978-3-319-72068-5_2. □ E.J.F. Rugebregt. "Structure of the Tobelo Language." 2016, 1–23. <https://repositori.kemdikbud.go.id/>.

European Investment Bank. "Environmental and Social Sustainability Framework, Standard 6: Involuntary Resettlement." June 2021, 1–12. <https://www.ohchr.org/EN/Issues/IDPersons/Pages/Standards.aspx>.

International Survival. *Driven to the Edge: How the Demand for Electric Cars Is Destroying Uncontacted Indigenous People's Lives and Lands in Indonesia*. 2022, IX, 21. <https://doi.org/10.7748/ns.9.42.21.s32>.

Komnas HAM. *Standard Norms and Regulations No. 4 on the Right to Health*. 2021.

Komnas HAM. *Law No. 39 of 1999. Indonesian Human Rights Law*, 39 (1999): 1–45. [https://www.komnasham.go.id/files/1475231474-uu-nomor-39-tahun-1999-tentang-\\$H9FVDS.pdf](https://www.komnasham.go.id/files/1475231474-uu-nomor-39-tahun-1999-tentang-$H9FVDS.pdf).

Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional. *Regulation No. 14 of 2024 on Administration of Land Rights and Registration of Customary Law Community Land Rights*. 2024, 1–44. <https://peraturan.bpk.go.id/Details/280736/permen-atrkepala-bpn-no-14-tahun-2024>.

Kementerian Sosial RI. "Data on Distribution of Social Welfare Recipients in Indonesia." 2020.

Nusantara, Abdul Hakim G. "The 1945 Constitution from a Human Rights Perspective." *Jurnal Hukum dan Pembangunan*, 1989.

Pemerintah Republik Indonesia. *Law No. 5 of 1960 on Basic Agrarian Regulations*. 2004, 1–5.

Putusan Mahkamah Konstitusi No. 35/PUU-X/2012. "Customary Community Rights to Ulayat Land and Their Separation from State Forests." 2012.

Rights, Human, and Biodiversity Working Group. "Implementing a Human Rights-Based Approach." 2020. Agustini, Aini Ali, and Miftah Farid Bahtiar. 2024. "Interpersonal and Group Interaction." *Global Futuristic Journal* 2 (1): 51–55. <https://doi.org/10.59996/globalistik.v2i1.359>.

Ananta, Aris, Evi Nurvidya Arifin, Ari Purbowati, and Paul J. Carnegie. 2023. "Does Diversity Matter for Development? New Evidence of Ethnic Diversity's Mediation between Internal Migration and Economic Growth across Indonesia's Regions." *Journal of Population Research* 40 (3): 1–21. <https://doi.org/10.1007/s12546-023-09304-z>.

- Annahar, Nasrun, Ida Widianingsih, Entang Adhy Muhtar, and Caroline Paskarina. 2023. "The Road to Inclusive Decentralized Village Governance in Indonesia." *Sustainability* 15 (11). <https://doi.org/10.3390/su15118616>.
- Auria, Puja, Radhit Adi Putra, and Misleni. 2024. "The Importance of Enforcing Human Rights in the Cycle of the Rule of Law." *Juris Humanity: Journal of Research and Review on Human Rights Law* 3 (1): 1–14. <https://doi.org/10.37631/jrkhm.v3i1.35>.
- Axelsson, Per, and Peter Sköld. 2006. "Indigenous Populations and Vulnerability: Characterizing Vulnerability in a Sami Context." *Annales de Démographie Historique* 111 (1): 115–32. <https://doi.org/10.3917/adh.111.0115>.
- Bansal, Sanchita, Tapan Sarker, Anshita Yadav, Isha Garg, Mansi Gupta, and Harsha Sarvaiya. 2024. "Indigenous Communities and Sustainable Development: A Review and Research Agenda." *Global Business and Organizational Excellence* 43 (4): 65–87. <https://doi.org/10.1002/joe.22237>.
- Blackman, Allen, and Peter Veit. 2019. "Land Matters: How Securing Community Land Rights Can Slow Climate Change and Accelerate the Sustainable Development Goals." *Ecological Economics* 153: 56–67. <https://www.wri.org/insights/land-matters-how-securing-community-land-rights-can-slow-climate-change-and-accelerate>.
- Chapman, Audrey R., and Benjamin Carbonetti. 2011. "Human Rights Protections for Vulnerable and Disadvantaged Groups: The Contributions of the UN Committee on Economic, Social and Cultural Rights." *Human Rights Quarterly* 33 (3): 682–732. <https://doi.org/10.1353/hrq.2011.0033>.
- Duncan, Christopher R. 2009. "Monuments and Martyrdom: Memorializing the Dead in Post-Conflict North Maluku." *Bijdragen Tot de Taal-, Land- En Volkenkunde* 165 (4): 429–58. <https://doi.org/10.1163/22134379-90003628>.
- Fatmawati, Fatmawati. 2016. "Protection of the Right to Freedom of Religion and Worship in the Rule of Law State of Indonesia." *Jurnal Konstitusi* 8 (4): 489. <https://doi.org/10.31078/jk844>.
- Fauzi, Suyogi Imam, and Inge Puspita Ningtyas. 2018. "Optimization of Legal Aid Provision to Realize Access to Law and Justice for the Poor." *Jurnal Konstitusi* 15 (1): 50. <https://doi.org/10.31078/jk1513>.
- Feinberg, I., M. H. O'Connor, A. Owen-Smith, and S. R. Dube. 2021. "Public Health Crisis in the Refugee Community: Little Change in Social Determinants of Health Preserve Health Disparities." *Health Education Research* 36 (2): 170–77. <https://doi.org/10.1093/her/cyab004>.
- Foster, Geoff, and Lorraine Sherr. 2006. "Vulnerability and Resilience of Children and Youth." *Vulnerable Children and Youth Studies* 1 (1): 1. <https://doi.org/10.1080/17450120600793645>.
- Hasan, Zainudin, Rachmat Fadhil Pradhana, Agel Pratama Andika, and Muhammad Ronald Dzaky Al Jabbar. 2024. "The Effect of Globalization on the Existence of Local

- Cultural Identity and Pancasila." *JALAKOTEK: Journal of Accounting Law Communication and Technology* 1 (2): 333-41.
<https://doi.org/10.57235/jalakotek.v1i2.2385>.
- Hillman, Bruce J. 2014. "Mission, Vision, and Values." *Journal of the American College of Radiology* 11 (1): 3. <https://doi.org/10.1016/j.jacr.2013.09.016>.
- Joona, Tanja. 2020. "ILO Convention No. 169 and the Governance of Indigenous Identity in Finland: Recent Developments." *International Journal of Human Rights* 24 (2-3): 241-56. <https://doi.org/10.1080/13642987.2019.1677623>.
- Kusumaningrum, Elizabeth Novi, Jatna Supriatna, Abinawanto, and Anom Bowolaksono. 2018. "Ethnozoology – The Perception of Tobelo in Tribal Community in Saolat Village, East Halmahera, Indonesia towards Cuscus (Phalangeridae)." *Biodiversitas* 19 (6): 2140-46. <https://doi.org/10.13057/biodiv/d190621>.
- Larsen, Peter Bille, and Jérémie Gilbert. 2020. "Indigenous Rights and ILO Convention 169: Learning from the Past and Challenging the Future." *International Journal of Human Rights* 24 (2-3): 83-93.
<https://doi.org/10.1080/13642987.2019.1677615>.
- Lewis, Mary E., Jennifer C. French, Elena Rossoni-Notter, Olivier Notter, Abdelkader Moussous, Vitale Sparacello, et al. 2024. "An Assessment of Puberty Status in Adolescents from the European Upper Paleolithic." *Journal of Human Evolution* (2024): 103577.
<https://linkinghub.elsevier.com/retrieve/pii/S004724842400085X>.
- Malta. 2023. "The Concept of Strategy in Community Empowerment: A Literature Review." *Influence: International Journal of Science Review* 5 (3): 24-34.
<https://doi.org/10.54783/influencejournal.v5i3.179>.
- Martin, Heinz. 2007. "The Invention." *Polymers, Patents, Profits XIX* 3: 1-39.
<https://doi.org/10.1002/9783527610402.ch1>.
- Nisa, Khairun, Nursalam Nursalam, Risfaisal Risfaisal, and Nurdevi Bte Abdul. 2023. "The Role of Ammatoa as the Customary Leader in the Ammatoa Customary Area, Bulukumba Regency." *Journal Socius Education* 1 (1): 109-17.
<https://doi.org/10.0505/jse.v>.
- Nor Diana, M. I., S. Chamburi, T. Mohd Raihan, and A. Nurul Ashikin. 2019. "Assessing Local Vulnerability to Climate Change by Using Livelihood Vulnerability Index: Case Study in Pahang Region, Malaysia." *IOP Conference Series: Materials Science and Engineering* 506 (1). <https://doi.org/10.1088/1757-899X/506/1/012059>.
- Rajbangshi, Preety R., and Devaki Nambiar. 2020. "'Who Will Stand Up for Us?' The Social Determinants of Health of Women Tea Plantation Workers in India." *International Journal for Equity in Health* 19 (1): 1-10.
<https://doi.org/10.1186/s12939-020-1147-3>.
- Ramšak, Mojca, et al. 2023. "Diversity Awareness, Diversity Competency and Access to Healthcare for Minority Groups: Perspectives of Healthcare Professionals in Croatia, Germany, Poland, and Slovenia." *Frontiers in Public Health* 11 (July): 1-

16. <https://doi.org/10.3389/fpubh.2023.1204854>.
- Rasya, Harlin Sabrinda, and Irwan Triadi. 2024. "Access to Justice and Social Inequality: Transformation Through the Role of Constitutional Law." *Indonesian Journal of Law and Justice* 1 (4): 12. <https://doi.org/10.47134/ijlj.v1i4.2330>.
- Singh, Priti, and Amita Bajpai. 2023. "Empowering Disadvantaged and Vulnerable Groups through Right to Information: An Indian Perspective." *Asian Journal of Comparative Law* 18 (2): 1–28. <https://doi.org/10.1017/asjcl.2023.14>.
- Yousefi, Shima, et al. 2023. "Approaches to Enhance the Recovery of Vulnerable Groups from Natural Disasters: A Scoping Review." *Frontiers in Public Health* 11 (August): 1–21. <https://doi.org/10.3389/fpubh.2023.1159403>.

C. Reports and White Papers

- Cram, Stacey. 2024. *SDG 16 as an Enabler of the 2030 Agenda: Policy Paper No. 32, July 2024*. <https://doi.org/10.31752/idea.2024.47>.
- Bank, The World. 2020. *The Promise of Education in Indonesia*. <https://doi.org/10.1596/34807>.
- Arianto, Gladys Nadya. 2022. *Legal Needs Survey for Vulnerable Groups 2022*. Indonesia Judicial Research Society (IJRS).

D. Conference Paper / Proceedings

- Alting, Husen, Siti Barora Sinay, Sultan Alwan, and Nam Rumkel. 2025. *Protecting the O'Hongawa Manyawa Remote Indigenous Communities in The Nickel Mining Industry*. Atlantis Press SARL. <https://doi.org/10.2991/978-2-38476-362-7>. □
- Platenkamp, Jos D. M. "Integrating Strangers in Society." 2019, 131–45. <https://doi.org/10.1007/978-3-030-16703-5>.
- Nor Diana, M. I., et al. "Assessing Local Vulnerability to Climate Change by Using Livelihood Vulnerability Index: Case Study in Pahang Region, Malaysia." *IOP Conference Series: Materials Science and Engineering* 506, no. 1 (2019). <https://doi.org/10.1088/1757-899X/506/1/012059>.

C. Web Sources

- AMAN (Aliansi Masyarakat Adat Nusantara). 2022. "Indigenous Peoples Distribution in Indonesia." <https://www.aman.or.id/sebaran>.
- Bobero, Faris. 2023. "Recognizing the O'Hongana Manyawa in the Forests of Halmahera Surrounded by Nickel Mining." *Perhimpunan Pembela Masyarakat Adat Nusantara*. <https://ppman.org/mengenal-ohongana-manyawa-di-hutan-halmahera-yang-dikepung-tambang-nikel/>.
- Dirjen Pendidikan dan Kebudayaan. 2018. "Map of Ethnic Groups in Indonesia." <https://kebudayaan.kemdikbud.go.id/wp-content/uploads/2016/01/LAKIP->

DITJENBUD-2018-FINAL-1.pdf. Global Witness. 2023. "Land Matters: How Securing Community Land Rights Can Slow Climate Change and Accelerate the Sustainable Development Goals." Accessed May 21, 2025. <https://www.wri.org/insights/land-matters-how-securing-community-land-rights-can-slow-climate-change-and-accelerate>.

D. Legal Review / Government Document

Abdurrahman, H. 2015. "The Mechanism of Recognition for Customary Law Communities." *BPHN*, 52-82.

Others

Dalimartha, Felix, and Rieneke Sara. 2021. *Human Rights for Indigenous Peoples*. <https://doi.org/10.4108/eai.6-3-2021.2306859>.

Dirjen Pendidikan dan Kebudayaan. 2018. "Number of Ethnic Groups in Indonesia."