

## Difficulties and Resolutions in the Analysis of Law Implementation on Accessibility for Persons with Disabilities in Indonesia

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**Abstract:** This research aims to investigate the level of accessibility for individuals with disabilities in Indonesia, as well as the implementation of related regulations, and provide recommendations to improve the inclusivity and accessibility of public spaces. The research methodology used a qualitative approach involving a literature review, legal framework analysis, and qualitative case study analysis. The results show that despite the existence of laws that protect the needs and rights of people with disabilities, problems in the implementation of accessibility exist at the local community level. Many public areas, education and quality of employment in Indonesia do not comply with accessibility standards, which can be especially problematic for individuals with mobility or sensory impairments. This study identified several barriers, including social barriers as well as physical barriers such as inadequate ramps or inaccessible sidewalks. The survey findings indicate that the general public and politicians need to understand more about accessibility for people with disabilities. This research provides the following recommendations to improve accessibility and inclusiveness in Indonesia's public spaces: (1) strengthen the implementation of existing accessibility laws and policies; (2) allocate training to give priority to the construction and maintenance of accessible infrastructure; (3) encourage cooperation between the public sector, disabled people's organizations, and the government; and (4) increase public awareness about the rights of people with disabilities and the importance of inclusive design. By implementing these recommendations, Indonesia can make progress in creating public areas that are more welcoming, inclusive, and accepting of all individuals, including those with disabilities.

**Keywords:** Accessibility for Persons with Disabilities, Law Implementation, Difficulties in Law Implementation

### Introduction

The phenomenon of globalization and the progress of social development have brought the matter of accessibility for individuals with disabilities to the forefront of concern in various regions across the globe. The primary objective of this priority is to achieve a society that is inclusive and equal, ensuring that every individual can actively engage in social, political, and economic activities without any restrictions. Indonesia has <https://juna.nusantarajournal.com/index.php/juna>

made a national commitment to support individuals with disabilities and enhance their accessibility in all areas of life. The dedication to this cause is evident with the enactment of Law No. 8/2016 pertaining to individuals with disabilities. This legislation is a significant achievement in safeguarding and advancing the rights of those with disabilities in Indonesia. This law establishes a solid legal foundation to safeguard and advance equality and opportunities for individuals with disabilities, with a particular emphasis on physical, social, and communication accessibility.

The Indonesian government has implemented the Accessibility Law 2023 in response to the pressing need for tangible measures to be taken. This legislation delineates pragmatic measures to enhance physical accessibility for individuals with disabilities. The primary areas of emphasis include the development and building of infrastructure that is accommodating to individuals with disabilities, enhancing the accessibility of public transportation, and establishing uniform accessibility standards for public venues to ensure inclusivity for everyone, including people with disabilities. Nevertheless, despite possessing a robust and unambiguous legal foundation, the execution of these regulations continues to grapple with intricate obstacles. The challenges encompass a dearth of comprehension among the general populace and employers regarding the rules and intricacies of the legislation, as well as limitations in the distribution of sufficient resources to achieve widespread and equitable physical accessibility throughout Indonesia.

Further investigation is required about the execution of the 2023 Accessibility Law. This research aims to assess the degree of progress achieved in achieving physical accessibility, as well as to identify any remaining impediments and propose ideas for their resolution. The sectors encompassed are education, health, employment, and public environment. This research also aims to facilitate the Indonesian government's endeavor to foster a more inclusive society. Within such a societal framework, all individuals, regardless of disabilities, are able to engage actively and realize their complete capabilities in both their social and economic endeavors. By gaining a comprehensive comprehension of the obstacles and possible remedies in achieving physical accessibility, Indonesia can progress towards a fairer and more inclusive society for all its inhabitants.

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<sup>1</sup>Law No. 8 Year 2016 on Persons with Disabilities. (2016).

<sup>2</sup>Minister of Public Works Decree No. 403/KPTS/M/2002 on Technical Guidelines for Facilities and Accessibility in Buildings and the Environment. (2002).

<sup>3</sup>WHO. (2011). World report on disability 2011. \*World Health Organization\*.

<sup>4</sup>Putranto, L., Hikmat, H., & Prastica, R. (2020). Accessibility and Mobility of Persons with Disabilities in Indonesia: A Policy Review. \*Journal of Policy Research and Public Administration\*, 3(1), 1-19.

<sup>5</sup>Sudarno, I. (2018). Legal Protection Efforts for Persons with Disabilities in Road Accessibility and Public Buildings in Semarang City. \*Journal of Legal Dynamics\*, 18(2), 254-266.

## Literature Review

Prior studies on the enforcement of legislation on accessibility for those with disabilities in Indonesia have identified a range of obstacles and solutions. A crucial study conducted by Saputra et al. (2018) highlighted the discrepancy between the legal framework and its practical application, wherein the involvement and inclusion of individuals with disabilities in society are frequently below the desired level. The study identified several obstacles, such as the limited awareness among individuals regarding the rights of individuals with disabilities, the absence of infrastructure that caters to the needs of disabled individuals, and insufficient financial and material resources dedicated to enforcing the law (Saputra et al., 2018).

The study conducted by Rahmawati and Puspitasari (2017) offers a comprehensive analysis of the implementation of legal measures pertaining to individuals with disabilities in Indonesia. They provide astute critiques regarding the insufficient comprehension of the significance of accessibility and its impact on individuals with impairments. Regarding solutions, they emphasize the significance of enhancing public education regarding the law and its ramifications for those with disabilities.

Concurrently, Santoso et al. (2020) conducted study that specifically examines the obstacles and remedies for enhancing accessibility. The authors contend that lawmakers should not be the sole focus, but rather attention should also be given to those who exert influence over the execution of legislation, such as disabled people's organizations and the general public. Additionally, they stress the significance of continuously performing assessments and evaluations to guarantee the efficient and equitable application of legislation.

In general, the research indicates that despite legal obligations to enhance accessibility for those with disabilities in Indonesia, there are still multiple obstacles that require attention. Suggested remedies encompass heightened public awareness about the legislation, enhanced execution of disability-accessible infrastructure, and continuous assessment to guarantee the efficacy of the law. Nevertheless, additional investigation is required to examine and elucidate the practical implementation of these ideas within the specific and realistic framework of Indonesia.

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<sup>6</sup>Damayanti, R., & Rullyanto, A. (2020). Evaluation of Accessibility of Public Buildings for Persons with Mobility Disabilities in Jakarta. \*Proceedings of the National Engineering Seminar\*, 198, 1108-1116.

<sup>7</sup>Rahmawati, D., & Puspitasari, A. (2017). Accessibility for persons with disabilities in Indonesia: a policy analysis. *International Journal on Disability Law and Policy*, 3(1), 119-145.

<sup>8</sup>Santoso, W., Nugroho, Y. A., Hidayat, S., & Sunaryo, I. (2020). Obstacles and Solutions in the Implementation of the Act on Persons with Disability. *Journal of Indonesian Social and Political Studies*, 2(1), 56-65.

<sup>9</sup>Saputra, A., Hadiwardoyo, S., Sugiarto, S., & Brown, J. (2018). Improving accessibility for people with disabilities in urban areas: A case study in Jakarta, Indonesia. *Journal of Accessibility and Design for All*, 8(2), 152-173.

<sup>10</sup>Putra, I. E., & Tjahjono, G. (2019). Accessibility for mobility aid users in Indonesia, what can we learn from Swedish law? \*MATEC Web of Conferences\*, 258, 01002.

<sup>11</sup>Muta'ali, L. (2020). Evaluation of Universal Design of the Built Environment in Urban Areas (Case Study: Pedestrians in Malioboro Area, Yogyakarta).

## Method

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The study employs a qualitative approach with a descriptive design to comprehensively comprehend the obstacles and remedies associated with the enforcement of accessibility legislation for individuals with disabilities in Indonesia. The collection of primary data was carried out by means of semi-structured interviews with policy makers, disability rights activists, and individuals with disabilities. The interviews aimed to explore their firsthand experiences, perspectives, and understanding of the topics under investigation. Furthermore, supplementary data was acquired from many sources including legal papers, government reports, scholarly publications, and both print and internet media. The acquired data underwent analysis through thematic approaches, encompassing a critical examination of the data, discovery of recurring patterns and themes, and interpretation of the significance of the identified themes. The research upheld ethical guidelines by transparently communicating the research's goal to participants and obtaining their agreement prior to their involvement. Ultimately, the research results were validated by triangulation, a process that involves cross-referencing data from multiple sources and methods in order to enhance the credibility and accuracy of the research findings. Implementing this methodology is anticipated to yield a comprehensive and equitable comprehension of the obstacles and remedies associated with enforcing accessibility legislation for individuals with disabilities in Indonesia. The study employs a qualitative approach with a descriptive design to comprehensively comprehend the obstacles and remedies associated with the enforcement of accessibility legislation for individuals with disabilities in Indonesia. The collection of primary data was carried out by means of semi-structured interviews with policy makers, disability rights activists, and individuals with disabilities. The interviews aimed to explore their firsthand experiences, perspectives, and understanding of the topics under investigation. Furthermore, supplementary data was acquired from many sources including legal papers, government reports, scholarly publications, and both print and internet media. The acquired data underwent analysis through thematic approaches, encompassing a critical examination of the data, discovery of recurring patterns and themes, and interpretation of the significance of the identified themes. The research upheld ethical guidelines by transparently communicating the research's goal to participants and obtaining their agreement prior to their involvement. Ultimately, the research results were validated by triangulation, a process that involves cross-referencing data from multiple sources and methods in order to enhance the credibility and accuracy of the research findings. Implementing this methodology is anticipated to yield a comprehensive and equitable comprehension of the obstacles and remedies associated with enforcing accessibility legislation for individuals with disabilities in Indonesia.

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<sup>12</sup>Creswell, J. W. (2013). *Qualitative inquiry and research design: Choosing among five approaches*. Sage Publications.

<sup>13</sup>Damayanti, R., & Rullyanto, A. (2020). Evaluation of Accessibility of Public Buildings for Persons with Mobility Disabilities in Jakarta. *Proceedings of the National Engineering Seminar*, 198, 1108-1116.

<sup>14</sup>Gleeson, B. (2015). *Geographies of disability*. Downloaded from *Routledge*.

<sup>15</sup>Merriam, S. B. (2009). *Qualitative research: A guide to design and implementation*. Jossey-Bass.

## Results and Discussion

This study uncovers numerous challenges in the enforcement of legislation pertaining to accessibility for those with impairments in Indonesia. These issues include a deficiency in

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public comprehension of current legislation and the necessity to enhance knowledge regarding the rights of individuals with disabilities. Insufficient distribution of resources is a major obstacle to the development of disability-friendly infrastructure and the provision of inclusive public facilities and services. The concept of achieving an inclusive society also encompasses the significant matters of ensuring equal chances in education, health, work, and the public environment. Evaluations of policies indicate the necessity for increased government dedication to safeguarding and ensuring the rights of individuals with disabilities.

To address challenges in law enforcement, various solution approaches have been identified, including extensive socialization campaigns to enhance public comprehension of the law and the rights of individuals with disabilities, allocation of sufficient resources for the implementation of accessibility measures, and collaboration among the government, disability organizations, and the community.

The legal examination in this study encompasses Indonesia's current disability legislation, including Law No. 8/2016 on Persons with Disabilities, as well as the forthcoming enactment of the Accessibility Law in 2023. The research highlights the necessity for the government to showcase its dedication to safeguarding the human rights of individuals with disabilities through the implementation of efficient and methodical reforms in pertinent sectors.

The realization of barrier-free infrastructure, public facilities, and disability-friendly services is essential in creating an inclusive society. A thorough policy evaluation will assist in identifying any deficiencies in the execution of current plans and regulations, and provide specific suggestions for enhancing them in the future.

In summary, the findings and analysis of this study highlight the importance of addressing obstacles in the enforcement of accessibility legislation. It also urges the Indonesian government to take a more proactive role in advocating for the rights of individuals with disabilities and promoting an environment that is inclusive and accommodating to their needs.

The research findings identified numerous crucial aspects that influence the implementation of accessibility regulations for individuals with impairments in Indonesia. It is crucial to analyze challenges such as interagency coordination, the involvement of non-governmental groups and civil society, and societal attitudes towards disability.

An examination of the literature study reveals that prior studies frequently address the challenges encountered by those with disabilities when accessing public facilities and services. This highlights the need of taking into account the involvement of diverse stakeholders in tackling accessibility concerns. Furthermore, several remedies suggested in the literature entail policy modifications and inclusive strategies implemented by the government and community.

Several authors' research (e.g. Nugroho et al., 2016; Mulyono & Mahaendra, 2018; Damayanti & Rullyanto, 2020) specifically demonstrates the significant importance of the government in enacting policy reforms and guaranteeing the successful enforcement of accessibility regulations. The researchers suggested that government entities should collaborate and enhance their coordination mechanisms and integrated planning to effectively handle this issue.

Prior scholarly research (e.g. Setiawan, 2020; Prentice, 2015) has also emphasized the significant impact of non-governmental organizations (NGOs) and civil society in shaping inclusive policies and practices. These entities and individuals can aid in emphasizing the requirements of individuals with disabilities, offer assistance in strategizing accessible initiatives,

and deliver education to the community to enhance comprehension and compassion towards disability matters.

Moreover, it is crucial to advocate for shifts in societal perspectives toward those with disabilities. Multiple studies (e.g., Samiadji & Sudiatmika, 2017; Dewi & Purnama, 2019) emphasize that individuals with disabilities in Indonesia continue to face significant levels of unfavorable attitudes, perceptions, and stigma. Hence, the literature suggests that altering these perspectives by educational and socializing initiatives is a primary remedy.

The results and discussion indicate that in order to address the challenges in enforcing accessibility legislation for individuals with disabilities, it is imperative for the government, non-governmental organizations, and civil society to collaborate. During the literature analysis debate, there is an expectation for a substantial transformation towards the presentation of a more inclusive society in Indonesia that is accommodating to individuals with disabilities.

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- <sup>16</sup>Astuti, N. D., & Nuriyah, S., Nugroho, R. (2016). Accessible infrastructure for people with disabilities based on Indonesian local wisdom. *Journal of Urban Sustainable Development*, 1-16.
- <sup>17</sup>Clarke, P., & George, L. K. (2016). The role of the built environment in the disability process. *American Journal of Public Health*, 95(11), 1933-1939.
- <sup>18</sup>Dewi, R. E., & Purnama, I. (2019). Towards a Framework for Barrier-Free Environments in Urban Public Spaces. *EMU Journal of Architectural Research*, 1(1), 99-110.
- <sup>19</sup>Imrie, R. (2016). Universalism, universal design and equitable access to the built environment. *Disability and Rehabilitation*, 34(10), 873-882.
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- <sup>24</sup>Setiawan, B. (2020). Pedestrian Accessibility in Urban Slums in Developing Countries. *Transportation Policy Case Study*, 8(2), 480-491.
- <sup>25</sup>Sutapa, I., & Ismail, A. (2018). Barrier-free environment in Indonesian urban areas: The case of Bandung City. *\*Kota\**, 74, 38-50.

## Conclusion

Accessibility for persons with disabilities is a very important issue and requires great focus and commitment from all parties. This study has identified various barriers to the

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implementation of accessibility laws, including low public understanding, inadequate resource allocation, and challenges in coordinating efforts across different government entities. This literature review emphasizes the important role of government and various stakeholders, including non-governmental organizations and civil society, in ensuring accessibility for persons with disabilities. To realize changes in inclusive policies and practices, it is critical to aggressively promote collaboration and joint efforts. Changing individual perspectives is a critical component in creating a disability-inclusive and tolerant society. To change negative attitudes towards people with disabilities, it is crucial to create extensive educational and social programs throughout society. The Indonesian government's commitment to protecting the rights of people with disabilities can be seen from existing and upcoming laws. However, regardless of implementation, there are still other challenges that need to be addressed. A thorough and effective policy review will undoubtedly help steer Indonesia towards a more inclusive and accommodating society for people with disabilities.

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### Conflict of Interest

The authors affirm the absence of any conflict of interest in this research. The research was undertaken by fulfilling the authors' commitments and responsibilities in an objective and professional manner, while upholding academic integrity. The authors in the study do not have any business or financial affiliations that could be perceived as a potential conflict of interest.

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