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Enhancing Sustainable Development, Equity and Disability Inclusion



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Implementing the 17 Sustainable Development Goals (SDGs) in Indonesia still encounters many obstacles. However, this article will not detail the barriers to each goal. It will instead try to summarize the general problems in implementing the 17 Sustainable Development Goals following the facts and experiences from the people with disabilities point of view.

1. Communication, Information, and Education

Beneficiaries often do not know about the government programs dedicated to persons with disabilities because of the following reasons:

a. The information content is not thorough

The Information content intended for persons with disabilities is incomplete. They often received only part of the information because it was not conveyed fully. In addition, information centers for persons with disabilities to access complete information were barely available. Example: in Medan, people with disabilities received a Family Welfare Card without sufficient information. They did not know the card's benefits and that it had the same function as ATM cards. Therefore, they did not know that they could use the card to purchase basic food items available in stores that had an integrated system with several banks like BNI, Mandiri, and BRI.

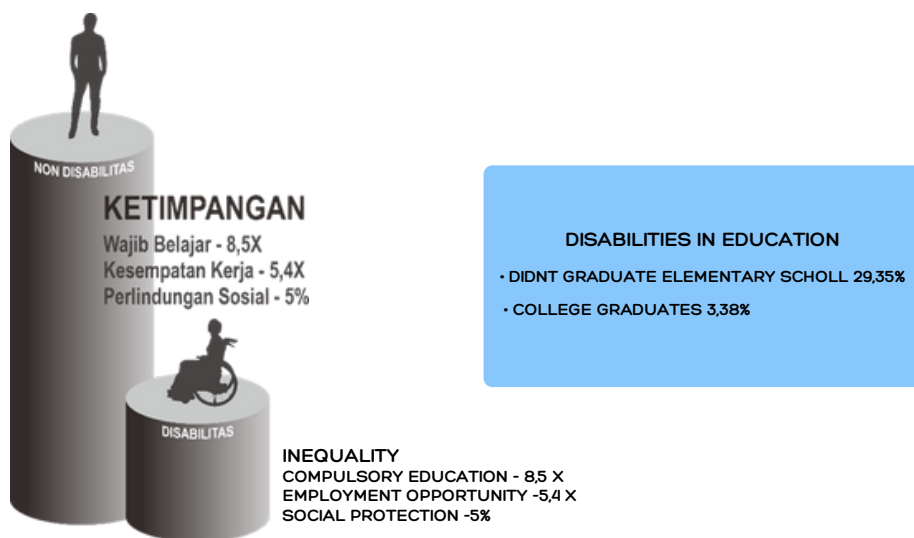
b. Information session which is not disability-friendly yet

The method delivers the information was not suitable, and the media responsive to different types of disabilities was not available. The right media that can answer the needs of various disabilities will help persons with disabilities receive the information properly. Training for persons in charge of delivering the information was not available. The training could help them understand the needs of people with disabilities following the type of their disabilities. The situation resulted in people with disabilities not getting proper services to access information. Examples: there was no audio information (there was, but not enough) and assistance for persons who were blind. There was no visual information and sign language interpreters for persons who were deaf. The design of buildings and infrastructure did not support people with physical disabilities to access information.

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c. Left behind in Accessing Education

The Statistics Indonesia Bureau's (BPS) data confirms that the opportunity for people without disabilities to access basic public services is much better than for people with disabilities. This inequality is seen especially in the access of persons without disabilities to 9-year compulsory education is 8.5 times, and job opportunities are 5.4 times compared to persons with disabilities (BPS, 2021). Regarding access to social protection, only 1.07 million people with disabilities are included in the Integrated Social Welfare Data or only 5% (Bappenas 2021). Furthermore, access of persons with disabilities to education is relatively low. Education and employment opportunities for persons with disabilities are also much lower than for those without disabilities. BPS stated that in 2020, most people with disabilities did not finish elementary school, which was 29.35%. Only 3.38% had completed their education up to university.



2. Policies with Disability Perspectives

a. Synchronization and harmonization of policies are needed due to conflicts in regulations. There are disharmonies of laws or regulations within the same hierarchical level of power and between regulations at the higher level and regulations at the lower level. The disagreement has caused the implementation of laws and regulations to be ineffective :

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- The definition of Persons with Disabilities in Law Number 8 of 2016 concerning Persons with Disabilities is very different from Law Number 40 of 2004 concerning the National Social Security System. The concept of social security protection for persons with disabilities in Law Number 40 of 2004 concerning the National Social Security System classifies persons with disabilities as poor people. Therefore, they must prove they are eligible for the benefits if they want to claim them. The law negates the rights of persons with disabilities who are not categorized as poor. Meanwhile, the concept of social security protection for persons with disabilities, in Law Number 8 of 2016 concerning Persons with Disabilities, is not based on poverty standards. The law recognizes the rights of persons with disabilities due to their disabilities. The different perspectives of these two laws affect access to the fulfillment of rights, and it is worse because both are still valid today.
- There is no guideline for the regions to establish local regulations following Law Number 8 of 2016 concerning persons with disabilities. The absence of the guideline resulted in different standards for fulfilling the rights of persons with disabilities. The various measures potentially reduce the rights of persons with disabilities, while the Act says that fulfilling the rights is mandatory.
- The Regional Office of the Ministry of Law and Human Rights usually assists the local government in developing regional regulations. The draft usually accommodates the rights of persons with disabilities, but in most cases, many articles disappear during the Ministry of Home Affairs' review. The different perception in establishing regulations between ministries potentially reduces access for persons with disabilities.
- Obstacles in preparing the implementing regulations of Law Number 8 of 2016 concerning Persons with Disabilities. The Ministry of Social Affairs has issued Regulation of the Minister of Social Affairs No. 21 of 2017 to provide cards for persons with disabilities. However, this regulation could not be implemented because there is no policy for concession and assistance for persons with disabilities. One of the most crucial issues is the financial concession that should be defined through a government regulation as a follow-up of Law no. 8 of 2016 concerning Persons with Disabilities. The government still needs to establish one. As the institution in charge of drafting the government regulation mandated by Law 8/2016, the Ministry of Finance refused to develop the draft. Therefore the card does not have any implication for persons with disabilities when the government issues it.

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b. Weak Mechanism for Policies Review .

Legislative review is part of the procedure for drafting regional regulations. The review ensures that important articles in the draft will be kept from being reduced/omitted by the Ministry of Home Affairs. The mechanism is only sometimes done and even barely done. The mechanism is, in fact, more effective than filing a judicial review. The regional legislature needs a strong push to carry out the legislative review. For example, the DIY's regional House of Representatives proposed access to special health insurance during the preparation of the regional regulation for people with disabilities. The access was specific to DIY province and dedicated to people with disabilities following their disabilities, not the poverty categorization. It was an innovation made by the DIY province. Unfortunately, the Ministry of Home Affairs annulled the special health insurance access article. Organizations of Persons with Disabilities in the DIY province are still fighting for a governor regulation to be a government initiative to keep access for persons with disabilities to the benefits mentioned above.

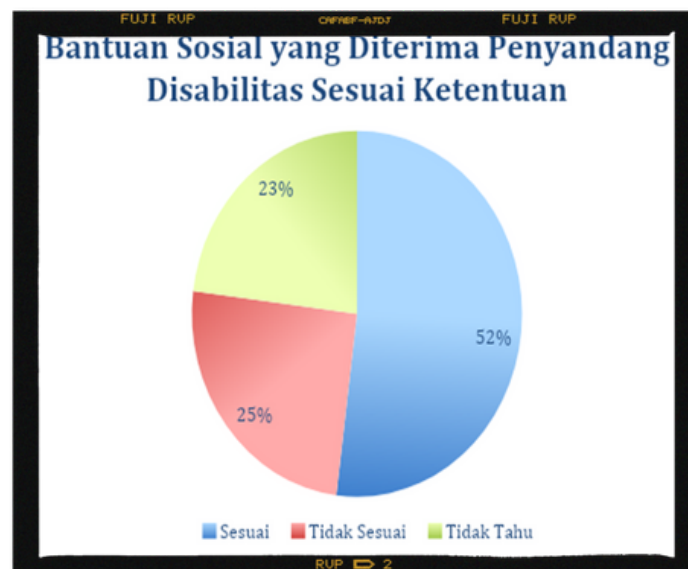
c. The disability perspectives have not been internalized in the government values resulting in discriminative policies.

Social protection is one of the basic needs to ensure people with disabilities have equal access. There are significant numbers of remarks on the social protection policies in Indonesia, among others:

- Family-based social protection programs are not effective in reaching people with disabilities. Most people with disabilities cannot afford their place to live and are forced to stay in the family home. If the house where the person with disability lives does not fit with the indicator of a poor household eligible for the social assistance program (PKH), the person with the disability will not benefit from the family-based social protection program.
- Most programs do not consider the additional costs of persons with disabilities (Extra Cost of Disability). Persons with disabilities have to bear the need for extra costs of disability that increase their consumption levels, especially those with moderate and severe disabilities. On the other hand, most social protection programs, especially those based on social assistance, refer to the poverty data. The data summarizes households with the lowest welfare levels showing indicators of low consumption levels. Therefore, families with disabilities with a high level of consumption will not be able to access government programs.

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- The existing programs have minimum benefits. Social assistance mostly covers or focuses on poor households with children. The programs have not properly covered other groups like groups of older people and persons with disabilities.
- Barriers to access programs. In addition to the government's minimum intervention in providing services and social protection for persons with disabilities, internally, persons with disabilities also have various technical barriers that exclude them from the existing social protection programs. Some obstacles include problems in population administration, data collection, limited access to program information, access to program participation, stigma, indications of abuse/corruption during the field implementation, and incompatibility of assistance with needs.



social assistance received by Persons with Disabilities in accordance with the provisions



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d. Problem Nomenklatur

Mentioning persons with disabilities as one of the beneficiaries in the legislation is the key to guaranteeing access for persons with disabilities. In several laws and regulations, persons with disabilities fall into the category of low-income families. Therefore persons with disabilities who are not categorized as poor have difficulty accessing assistance. Families with members with disabilities, especially those with severe disabilities, desperately need support to access expensive medicines, nutrition and food. Families with disabilities in this condition are maybe initially capable in terms of financial capacity. However, they are prone to poverty because the living cost of family members with severe disabilities is very high. Persons with disabilities have not been considered subjects following their disability needs. The government does not yet understand that everyone will become a person with a disability because of the life cycle, including getting old and decreasing the quality of physical and psychological functions.

Case Example: Government Regulation Number 52 of 2019 for implementing Social Welfare for Persons with Disabilities. The regulation still includes persons with disabilities in the poor group, the same as the policies or programs made by the previous administration. The poverty approach used by the government includes people with disabilities in the category of economically disadvantaged people. People with disabilities are included in the Social Welfare Problems (PMKS). In the current situation and during the pandemic, social assistance is provided to persons with disabilities who fit in the poor category. Such implementation does not follow the CRPD principles, which emphasize that persons with disabilities should receive social assistance inherently because of their disability, not because of other considerations such as poverty. Data survey done by the organizations of persons with disabilities network confirms that the government's social security program during the pandemic did not yet reach the majority of persons with disabilities.

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3. Data Collection

a. Data Collection Tools

The Ministry of Home Affairs has prepared the tools for data collection to define the needs of persons with disabilities. However, the regional governments cannot collect data with the tools because they are considered too rigid. The regional governments need more human resources with sufficient capacity to conduct such data collection defined by the Ministry of Home Affairs. Unfortunately, integrated information in rigid disaggregated data is important to ensure programs for people with disabilities properly follow their needs.

b. Failure to fulfill the terms and conditions

The administrative requirements for obtaining social assistance are a specific challenge for people with disabilities. In Yogyakarta and other areas in Indonesia, some persons with disabilities do not have an ID card. On the other hand, the electronic-based population big data in Indonesia cannot include persons with disabilities without an electronic ID card in the social assistance recipient database. The disability-related limitations, family conditions, and other barriers prevent persons with disabilities from getting the basic rights as citizens. Therefore, the government needs to come to persons with disabilities to collect data considering the casuistic conditions.

c. Invalid Data

The insufficient quotas and the inaccurate Non-Cash Food Aid target result from the inclusion error in the Beneficiary Family's data. Some beneficiary families died but are still listed as a recipient of aid. On the other hand, the beneficiary families who are alive and need assistance were not listed as recipients (exclusion error).

4. Budget

Implementing regulations of laws or regional regulations, including Government Regulations, Governor Regulations and District Regulations, will determine the amount of the budget that affects the provision of access to persons with disabilities. However, implementing regulations often are not developed and ratified in time, delaying the budget implementation. In addition, the nomenclature of persons with disabilities is usually integrated with the poor group so that persons with disabilities who are not included in the poor category do not get access. Furthermore, the provincial government has a budget for people with disabilities. Still, due to regional autonomy, they cannot distribute the budget and have it spent in the district/city. On the other hand, the government at the district/city level cannot implement programs due to limited budget allocation.

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The assistance provided to persons with disabilities through the family welfare card (KKS) should fit with their individual needs. The social assistance is provided one time covering 5-6 months- found in Medan, North Sumatra. The program contradicts the community's needs, especially basic needs. They have daily needs, not monthly or even semi-annually. The program does not address people's needs. Instead, it creates a new problem, such as the accumulation of certain types of aid, such as rice. The rice stock has a shelf life and will not be good to consume after its expiration date. The rice will eventually go to waste, which means the assistance goes to waste, too. Some beneficiary families sold some rice, so it did not go to waste due to long storage.



5. Participation

The problem of limited access for persons with disabilities is closely related to the low level of participation in every policy-making or decision-making in public spaces. The absence of persons with disabilities minimizes the perspective of persons with disabilities in every legislation drafting, program making and budgeting policy. In this situation, it is very important that positive affirmations towards persons with disabilities are present in policy-making forums at a village to national level.

Persons with disabilities' initiative to encourage changes proved to realize changes in policies and renew perspectives regarding persons with disabilities. Examples of changes in facilities and infrastructure; organizations of persons with disabilities often test public infrastructure facilities built by the government to determine whether they are accessible or not. When the government saw firsthand that the facilities and infrastructure they built were not yet accessible, changes were made to make the facilities and infrastructure in public spaces more accessible to people with disabilities.