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Fulfillment of the Rights of Persons with Disabilities in Yogyakarta Under DIY Regional Regulation No. 4 of 2012

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This study aims to analyze the conformity between the Regional Regulation of the Special Region of Yogyakarta Number 4 of 2012 concerning the Protection and Fulfillment of the Rights of Persons with Disabilities and Law Number 8 of 2016 concerning Persons with Disabilities, as well as to examine the implementation of the rights fulfillment of persons with physical disabilities by the Yogyakarta City Government.

This research employs a normative legal method using statutory and conceptual approaches, supported by primary data obtained through interviews with officials of the Yogyakarta City Social Service Office. The collected data were analyzed qualitatively using deductive reasoning.

The novelty of this study lies in its comprehensive assessment of not only the harmonization of national and regional legal frameworks but also the effectiveness of policy implementation through the role of local government in fulfilling the rights of persons with physical disabilities.

The findings reveal that Regional Regulation Number 4 of 2012 is substantially aligned with Law Number 8 of 2016 in guaranteeing rights related to education, healthcare, employment, accessibility, and public services. However, its implementation remains suboptimal due to limited accessibility facilities, inadequate supervision, inaccurate disability data, and persistent social stigma.

This study concludes that while normative legal conformity has been achieved, the effective fulfillment of the rights of persons with physical disabilities requires stronger oversight, improved accessibility, and more inclusive policy implementation.

Keywords: Persons with Disabilities; Physical Disabilities; Local Government; Human Rights; Policy Implementation.

Abstrak

Penelitian ini bertujuan untuk menganalisis kesesuaian Peraturan Daerah Daerah Istimewa Yogyakarta Nomor 4 Tahun 2012 tentang Perlindungan dan Pemenuhan Hak-Hak Penyandang Disabilitas dengan Undang-Undang Nomor 8 Tahun 2016 tentang Penyandang Disabilitas, serta mengkaji implementasi pemenuhan hak penyandang tuna daksa oleh Pemerintah Kota Yogyakarta.

Metode penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan peraturan perundang-undangan dan konseptual yang didukung data primer melalui wawancara dengan Dinas Sosial Kota Yogyakarta. Data dianalisis secara kualitatif menggunakan metode penalaran deduktif.

Kebaruan penelitian terletak pada analisis yang tidak hanya menilai harmonisasi norma antara regulasi nasional dan daerah, tetapi juga mengevaluasi efektivitas implementasi kebijakan disabilitas melalui peran pemerintah daerah dalam memenuhi hak penyandang tuna daksa.

Hasil penelitian menunjukkan bahwa Perda DIY Nomor 4 Tahun 2012 secara substansial telah selaras dengan Undang-Undang Nomor 8 Tahun 2016 dalam menjamin hak pendidikan, kesehatan, ketenagakerjaan, aksesibilitas, dan pelayanan publik bagi penyandang disabilitas. Namun, implementasinya belum sepenuhnya optimal karena masih terdapat hambatan berupa keterbatasan fasilitas aksesibilitas, lemahnya pengawasan, kurang akuratnya pendataan penyandang disabilitas, serta masih adanya stigma sosial.

Penelitian ini menyimpulkan bahwa kesesuaian regulasi telah terwujud secara normatif, tetapi efektivitas pemenuhan hak penyandang tuna daksa memerlukan penguatan pengawasan, peningkatan aksesibilitas, dan optimalisasi kebijakan yang lebih inklusif.

Kata kunci: Penyandang Disabilitas; Tuna Daksa; Pemerintah Daerah; Hak Asasi Manusia; Implementasi Kebijakan.

1. INTRODUCTION

Human rights are fundamental values that form the foundation of a nation's legal system and governance, ensuring that everyone enjoys their rights equally without discrimination. The Republic of Indonesia recognizes that persons with disabilities, including those with physical disabilities, have equal standing, rights, and opportunities to access public services, public facilities, education, employment, and social participation in a manner that is appropriate and dignified. As citizens, people with physical disabilities have the same rights to access public services, education, healthcare, employment, and an inclusive and accessible environment. However, in practice, people with physical disabilities still frequently face various physical, social, and administrative barriers that limit their participation in community life. This situation demonstrates that the fulfillment of the rights of persons with disabilities depends not only on written legal norms but also on the commitment and active role of both the central and local governments in implementing policies that uphold the principles of justice and equality.¹

As a nation governed by the rule of law that upholds the values of justice and equality, Indonesia has prioritized the protection and fulfillment of the rights of persons with disabilities through various national legal instruments. One manifestation of this commitment is the enactment of Law No. 8 of 2016 on Persons with Disabilities, which affirms the obligation of the state, the central government, and local governments to respect, protect, and fulfill the rights of persons with disabilities in all aspects of life.² People with disabilities, who were previously viewed primarily through a (charity-based approach) and as recipients of social assistance, are now recognized as legal subjects with equal rights, status, and opportunities in social, national, and civic life through a (human rights-based approach). This paradigm shift underscores that the state is no longer merely providing social assistance but has an active obligation to ensure the full and sustainable fulfillment of the rights of people with disabilities.³

¹ Nindiya Sukmawati. Peran Pemerintah Dalam Pemenuhan Hak Untuk Mendapatkan Pekerjaan Bagi Penyandang Disabilitas. *Media of Law and Sharia*, 2(4), 2017.

² Agus Mulyawan. Challenges and Opportunities in Implementing Disability Rights: Policy Evaluation and Access To Welfare For Persons With Disabilities. *International Journal of Law and Society*, 2(1), 2025.

³ Schmitz Hans Peter. A Human Rights-Based Approach (HRBA) in Practice: Evaluating NGO Development Efforts. *Polity*, 44(4), 2012.

In the context of local government, the implementation of policies to protect and fulfill the rights of persons with disabilities is of paramount importance, as local governments are the entities that directly address the needs of the community. Local governments possess strategic authority in formulating local policies, providing public services, constructing accessible public facilities, and allocating budgets to support the fulfillment of the rights of persons with disabilities. Therefore, the success of disability policy implementation is not solely determined by the existence of normative regulations but also heavily depends on the commitment and active role of local government leaders in effectively and sustainably coordinating the implementation of such policies.

As a form of policy implementation at the regional level, the Special Region of Yogyakarta has enacted Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities. This regulation fundamentally aims to realize equal opportunities for persons with disabilities in accessing education, employment, health care, public services, as well as physical and social environmental accessibility. Law No. 13 of 2012 on the Special Status of the Special Region of Yogyakarta emphasizes that the administration of regional government is carried out based on the values of democracy, social justice, and respect for human rights. These principles of special status entail a moral and legal responsibility to achieve social welfare in an inclusive and just manner. Thus, the fulfillment of the rights of persons with disabilities is an integral part of implementing the values of special status, which are oriented toward the protection of human dignity and social justice.

Under Law No. 8 of 2016 on Persons with Disabilities, the government has an obligation to respect, protect, and fulfill the rights of persons with disabilities as part of its commitment to upholding human rights. This obligation includes the formulation and implementation of policies, the provision of accessibility, and the provision of reasonable accommodations so that persons with disabilities can participate fully and equally in various aspects of life. The government is also responsible for preventing discrimination and ensuring fair treatment for persons with disabilities.⁴ Furthermore, pursuant to Law No. 25 of 2009 on Public Services, the government is obligated to ensure that the rights of persons with disabilities are fulfilled through the provision of high-quality, fair, and non-discriminatory public services. Both laws affirm that persons with disabilities have the right to accessibility, convenience, and special treatment in public services to ensure equality and justice. Public service providers are required to provide facilities, infrastructure, and service systems that are disability-friendly and responsive to special needs. Thus, the fulfillment of the rights of persons with disabilities in public services is a legal obligation of the government that must be consistently implemented as a manifestation of the state's responsibility for the protection of human rights.⁵

Several previous studies have examined the implementation of policies to fulfill the rights of persons with disabilities in the City of Yogyakarta from various perspectives. One such

⁴ "Peraturan Walikota Yogyakarta Nomor 10 Tahun 2018 Tentang Pedoman Pelaksanaan Pemberian Asistensi Sosial Bagi Penyandang Disabilitas" (2018).

⁵ "Undang-Undang Republik Indonesia Nomor 25 Tahun 2009 Tentang Pelayanan Publik Pasal 1 Angka 1" (2009).

study was conducted by Muhammad Eko Atmojo and Danik Ummu Izzah, which examined “the Yogyakarta City Government’s policies in creating an inclusive city for persons with disabilities.” The study indicates that the Yogyakarta City Government has, in principle, demonstrated a commitment to supporting the development of an inclusive city through various local policies and programs; however, implementation continues to face several challenges, such as a lack of accessible facilities and infrastructure, suboptimal coordination among government agencies, and low public awareness regarding the fulfillment of the rights of persons with disabilities.⁶ However, the study still focuses on the normative aspects of policy and general implementation, and has not specifically examined the role of regional heads or mayors as key actors in the implementation of disability policies at the city level.

As of 2022, the number of people with disabilities in Yogyakarta City has reached approximately 4,000 and is expected to continue to rise each year. This figure includes both men and women of various ages, ranging from children to adults.⁷ The data indicates that people with disabilities are an integral part of the social fabric of Yogyakarta City, necessitating serious attention and policies from the local government to ensure the fulfillment of their rights on an equal and equitable basis. With equal rights and equal treatment under the law, people with disabilities are guaranteed recognition, protection, and the fulfillment of their human rights without discrimination. The state and the government are obligated to ensure that policies and the enforcement of laws do not result in treatment that is detrimental to or marginalizes people with disabilities.⁸

Although, in theory, DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities comprehensively addresses the protection and fulfillment of the rights of persons with disabilities, various obstacles are still encountered in its practical implementation. These obstacles include limited public facilities that are not yet fully accessible to people with physical disabilities, weak oversight of accessibility standards for public buildings, a lack of accurate and integrated data on people with disabilities, limited inclusive employment opportunities, and low public awareness regarding respect for the rights of people with disabilities. These conditions indicate that there remains a gap between the legal norms established in legislation and the reality of policy implementation in society.

2. METHOD

In conducting this study, the author employed a normative legal research method that examines legal norms in legislation and principles directly related to the issue at hand, combined with a descriptive research approach to systematically explain and describe the role of the Mayor of Yogyakarta in implementing the fulfillment of the rights of persons with physical disabilities based on DIY Regional Regulation No. 4 of 2012 concerning the

⁶ Danik Ummu Izzah, Muhammad Eko Atmojo. The Yogyakarta City Government’s Policy in Realizing an Inclusive City for People with Disabilities. *Jurnal Ilmu Pemerintahan*, 10(1), 2025.

⁷ Davinia Salwahanan Farah, Pelayanan Terhadap Penyandang Disabilitas UPTD Balai Rehabilitasi Terpadu Penyandang Disabilitas Dinas Sosial DIY. *Jurnal Public Policy*, 6(2), 2020.

⁸ “Peraturan Daerah Kota Yogyakarta Nomor 4 Tahun 2019 Tentang Pemajuan, Perlindungan, Dan Pemenuhan Hak-Hak Penyandang Disabilitas” (2019).

Protection and Fulfillment of the Rights of Persons with Disabilities, including the obstacles faced in the implementation of this policy as well as the local government's efforts to realize inclusive protection and public services for persons with disabilities.⁹

In conducting this study, the author collected primary data by directly interviewing officials from the Yogyakarta City Social Services Agency. In addition, this study also utilized data sources in the form of primary and secondary legal materials, which were combined with data processing techniques through a literature review based on legal statutes, case law, books, journals, articles, and expert sources. After obtaining all these sources, the author analyzed the data using qualitative methods and drew conclusions using deductive reasoning that is, deriving conclusions from general legal provisions in legislation and applying them to specific cases.¹⁰

3. DISCUSSION

3.1. The protection and fulfillment of the rights of persons with disabilities are in accordance with Law No. 8 of 2016 on Persons with Disabilities

According to Article 1(1) of Law No. 8 of 2016 on Persons with Disabilities, the term "persons with disabilities" refers to "those who have permanent physical, mental, intellectual, or other limitations that cause them to face significant difficulties and barriers when interacting with society or their environment, yet who, in principle, have the same rights as other citizens."¹¹ In this definition of persons with disabilities, there is an emphasis on the principle that they have the same rights as other Indonesian citizens. This equality of rights is part of the implementation of the 1945 Constitution of the Republic of Indonesia, particularly Articles 28H and 28I, which address human fundamental rights, specifically the right of every citizen to equal welfare, including health care, education, employment opportunities, and other matters related to the fulfillment of welfare.

The fulfillment of these human rights is legally mandatory, without any distinction based on physical condition, skin color, or other differences between individuals. Human rights are individual rights that are universal in nature, meaning they must be granted regardless of any circumstances. This principle must also be applied by the Government of Indonesia without exception. As the governing body of the nation, the Indonesian government is obligated to ensure certainty and protection regarding the fulfillment of human rights, including for people with disabilities.¹² The provisions of the 1945 Constitution of the Republic of Indonesia prompted the Indonesian government to enact Law No. 8 of 2016 on Persons with Disabilities as a specific legal framework for persons with disabilities. This law regulates the fulfillment of various rights of persons with disabilities, such as the rights to education, health, employment, political participation, culture, and the right to a decent life. The enactment of this law

⁹ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Depok: UI Press, 2010), h. 51.

¹⁰ Soerjono Soekanto, Sri Mamudji, *Pengantar Penelitian Hukum Normatif Suatu Tinjauan Singkat* (17thed) (Jakarta: Rajawali Pers, 2015), h. 3.

¹¹ "Undang-Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas Pasal 1 Angka 1" (2016).

¹² Firda Silvia Pramashela, Aksesibilitas Pelayanan Publik Bagi Penyandang Disabilitas Di Indonesia. *Jurnal Pekerja Sosial*, 4(2), 2021.

constitutes Indonesia's ratification of the Convention on the Rights of Persons with Disabilities. Furthermore, the existence of Law No. 8 of 2016 on Persons with Disabilities also serves as an update to Law No. 4 of 1997 on Persons with Disabilities, which previously still used the term "persons with disabilities" for citizens with disabilities. The term "people with disabilities" was perceived as highly stigmatizing toward those with different conditions; therefore, to be more humane, the term "people with disabilities" was changed to "people with disabilities or the disabled."

One of the regions in Indonesia that has implemented Law No. 8 of 2016 on Persons with Disabilities is the City of Yogyakarta.¹³ The city of Yogyakarta is one of Indonesia's special regions under Law No. 13 of 2012 on the Special Status of the Special Region of Yogyakarta,¹⁴ as a region with special status, Yogyakarta naturally has a diverse population, including people with disabilities. This led the Yogyakarta Regional Government to establish specific regulations regarding people with disabilities in Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of People with Disabilities. Furthermore, according to Ms. Lilis Sulistyowati, S.Sos., M.Si. (Social Services Department Staff) of Yogyakarta City, the Social Services Department initiated Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities because the number of persons with disabilities in Yogyakarta City continues to grow over time. Therefore, as mandated by Law No. 8 of 2016 on Persons with Disabilities, persons with disabilities must be provided with special spaces and facilities tailored to their circumstances, as part of the implementation of human rights.¹⁵ This Regional Regulation is also based on several laws and regulations, including Law No. 4 of 1997 on Persons with Disabilities, Law No. 39 of 1999 on Human Rights, Law No. 13 of 2003 on Labor, and Law No. 25 of 2009 on Public Services.

Special Region of Yogyakarta Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities is closely linked to Law No. 8 of 2016 on Persons with Disabilities. This link can be seen in the following provisions,¹⁶ Both Article 2 of DIY Regional Regulation No. 4 of 2012 and Law No. 8 of 2016 establish principles regarding the fulfillment of the rights of persons with disabilities. These principles include respect for the dignity of persons with disabilities, fair treatment without discrimination, and the provision of equal opportunities in various fields to achieve shared well-being. Article 4(1) of Law No. 8 of 2016 specifies the types of disabilities, which include physical, mental, sensory, and intellectual disabilities. These provisions are further elaborated in Article 3(a) of DIY Regional Regulation No. 4 of 2012, which lists specific types of disabilities such as visual impairments, hearing impairments, motor impairments, speech impairments, cerebral palsy, autism, epilepsy, and so on. Thus, this Regional Regulation serves as a more detailed

¹³ Rosmainda Butar Butar, Artha Lumban, & Jonson Rajagukguk, Implementation of Law Number 8 of 2016 on the Empowerment of People with Disabilities in Medan City. *Golden Ratio of Data in Summary*, 4(2), 2024.

¹⁴ Danang Prasetyo, Ricky Santoso Muharam, & Dwi Riyanti, Inclusive Elections : Regulations and Implementation in the 2024 Regional Head Elections. *Journal of Iuridica Pancasila*, 2(1), 2024.

¹⁵ Lilis Sulistyowati, "Wawancara Dengan Staff Dinas Sosial Kota Yogyakarta" (Yogyakarta, 2023).

¹⁶ Agus Mulyawan, *Op.Cit.*,

elaboration of the Law on Persons with Disabilities. Article 5 of Law No. 8 of 2016 lists various rights that persons with disabilities are entitled to; these provisions are also included in Article 3(b) of DIY Regional Regulation No. 4 of 2012. However, Law No. 8 of 2016 regulates the types of rights in greater detail and with greater variety, whereas the Regional Regulation only contains several fundamental rights, although it remains consistent with the law, such as the rights to education, health, culture, sports, and housing.

Article 10 of Law No. 8 of 2016 addresses the right to education for persons with disabilities; this provision is also set forth in Article 5 of DIY Regional Regulation No. 4 of 2012. Both articles share the same substance, namely granting equal rights to persons with disabilities to access education at various levels. Another connection exists between Article 16 of DIY Regional Regulation No. 4 of 2012 and Article 11 of Law No. 8 of 2016, both of which address the right to employment. These provisions affirm that persons with disabilities have the right to employment in both the private and public sectors, at both the central and regional levels.¹⁷ The right to health is also regulated in Article 12 of Law No. 8 of 2016 and Article 41 of DIY Regional Regulation No. 4 of 2012. Both provisions guarantee the right of persons with disabilities to receive health services on an equal footing with the rest of the community. Social welfare rights are regulated in Article 17 of Law No. 8 of 2016, which covers the rights to social rehabilitation, social security, social empowerment, and social protection. These provisions are also included in Article 58 of DIY Regional Regulation No. 4 of 2012. Political rights are also regulated in both of these regulations. Article 13 of Law No. 8 of 2016 stipulates that persons with disabilities have the political right to express their views both verbally and in writing, including the right to vote in general elections. These provisions are also regulated in Articles 72 through 78 of DIY Regional Regulation No. 4 of 2012. In addition, both regulations also address rights in the field of sports, where persons with disabilities have the right to participate in sports activities and to use sports facilities and infrastructure in a manner that is appropriate for their needs.¹⁸

Although, in principle, DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities is consistent with Law No. 8 of 2016 on Persons with Disabilities, this consistency does not necessarily mean that the implementation of policies for persons with disabilities in the City of Yogyakarta has been optimal and effective. Legal compliance merely indicates the harmonization of legislation, whereas the success of protecting the rights of persons with disabilities must be measured through the actual implementation of policies in society. In terms of implementation, the Yogyakarta City Government has sought to implement the provisions of Law No. 8 of 2016 on Persons with Disabilities through various programs and policies, such as the provision of inclusive education, the formation of the Committee for the Protection and Fulfillment of the Rights of

¹⁷ Bryan Septian Manalu, Syamsul Hadi, Legal Protection for Workers With Disabilities in the Workplace To Ensure Equality and Welfare in Indonesia. *Awang Long Law Review*, 8(1), 2025.

¹⁸ Enggal Aflah Syafiqoti, Teti Hadiati, Fulfilling the Rights to Accessibility of Persons with Disabilities in Pemalang State Court Legal Services. *Asian Journal of Law and Humanity*, 2(2), 2022.

Persons with Disabilities,¹⁹ social rehabilitation services, job training, and the construction of several disability-friendly public facilities. In addition, the existence of DIY Regional Regulation No. 4 of 2012 demonstrates the local government's commitment to providing legal certainty regarding the protection of the rights of persons with disabilities.

Based on the author's interview with Ms. Lilis Sulistyowati, S.Sos., M.Si., a staff member of the Social Affairs Office, the process of data collection on people with disabilities has been hindered by several factors, such as the difficulty in obtaining accurate data on people with disabilities due to various reasons. One of these is the reluctance of families or individuals with disabilities to disclose their own or their family members' conditions to the government. This reluctance is closely linked to the negative stigma that still persists in society toward people with disabilities, causing them to feel ashamed to disclose their situation. In addition to these social factors, geographical conditions also present a distinct barrier, making it difficult to conduct a comprehensive census of people with disabilities.²⁰ The large number of people with disabilities who remain unregistered hinders the fulfillment of their rights, such as their right to access civil registration services. The difficulty in identifying or registering people with disabilities means that the majority of individuals with these specific conditions have not yet obtained a National Identity Number (NIK), which is linked to the issuance of an Identity Card (KTP) and a Family Card (KK), as well as the right to obtain a birth certificate.²¹

The lack of official identification documents among people with disabilities prevents them from accessing other rights as well. For example, in the context of education, schools and universities often refuse to admit students with disabilities because they do not meet administrative requirements, such as lacking a birth certificate, a family registration card (KK), or an identity card (KTP), and etc.²² The same is true in the healthcare sector; because people with disabilities lack these identity documents, they face difficulties in enrolling in the BPJS Health program or handling other administrative matters at hospitals when seeking treatment. This situation undoubtedly disadvantages people with disabilities, who should have the right to medical care but are instead hindered by the lack of required identity documents. This also includes other forms of discrimination related to public services, as it is widely known that Indonesia's public service system heavily relies on the National Identity Number (NIK). This situation indicates that the implementation of disability rights protections remains ineffective.

In principle, the state has guaranteed the rights to education, health care, employment, and public services; however, in practice, administrative barriers still exist that make it difficult for people with disabilities to exercise their rights. This is evident in the fact that some people

¹⁹ Peraturan Walikota Yogyakarta Nomor 8 Tahun 2014 tentang Komite Perlindungan dan Pemenuhan Hak-Hak Penyandang Disabilitas

²⁰ Lilis Sulistyowati, "Wawancara Dengan Staff Dinas Sosial Kota Yogyakarta" (Yogyakarta, 2023).

²¹ Andrie Irawan, Peran Komite Perlindungan Dan Pemenuhan Hak-Hak Penyandang Disabilitas Daerah Istimewa Yogyakarta Dalam Perlindungan Hukum Bagi Perempuan Disabilitas Korban Kekerasan. *UIR Law Review*, 2(2), 2021.

²² Firstnandiar Glica Suniaprily, *et al.*, Perlindungan Aksesibilitas Hak Politik Bagi Penyandang Disabilitas. *Journal of Innovative and Creativity*, 5(3), 2025.

with disabilities still face difficulties accessing educational services, health care, and social assistance programs due to their failure to meet civil registration requirements. Additionally, the effectiveness of implementing DIY Regional Regulation No. 4 of 2012 is still hindered by the lack of accessibility facilities in public spaces. Although some public facilities in the City of Yogyakarta have begun to adopt disability-friendly concepts, in reality, there are still transportation systems, sidewalks, public service buildings, and educational facilities that are not yet fully accessible to people with disabilities, particularly those with physical disabilities. This indicates that policy implementation has not been carried out uniformly. For example, there are still sidewalks lacking dedicated wheelchair lanes, public service buildings without adequate elevator or ramp access, and educational facilities that have not provided supportive amenities for students with disabilities. Thus, it can be concluded that DIY Regional Regulation No. 4 of 2012 is not only normatively linked to Law No. 8 of 2016 on Persons with Disabilities, but also constitutes a form of policy implementation for the protection of persons with disabilities at the regional level. However, this implementation has not been fully effective in the City of Yogyakarta due to ongoing administrative, social, and structural barriers, as well as public facilities that do not yet support the optimal fulfillment of the rights of persons with disabilities. Therefore, it is necessary to strengthen oversight, improve accessibility facilities, optimize data collection on persons with disabilities, and raise public awareness so that the protection and fulfillment of the rights of persons with disabilities can be achieved effectively and sustainably.

3.2. The Fulfillment of the Rights of People with Physical Disabilities by the Mayor of Yogyakarta in accordance with Regional Regulation of the Special Region of Yogyakarta No. 4 of 2012 on the Protection and Fulfillment of the Rights of People with Disabilities

The uniqueness of the Special Region of Yogyakarta lies not only in its history and culture, but also in its system of government, which differs from that of other regions in Indonesia. In the administration of local government, the Mayor of Yogyakarta plays a strategic role in the implementation of public policies, including the fulfillment of the rights of persons with disabilities, particularly those with physical disabilities. As of 2022, the number of people with disabilities in the City of Yogyakarta has reached approximately 4,000 and is projected to continue increasing annually. This situation requires the local government to implement policies that are responsive and inclusive of the needs of people with disabilities.²³

The fulfillment of the rights of persons with disabilities in the City of Yogyakarta is carried out in accordance with DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities. This regulation governs various forms of protection, ranging from inclusive education, health services, employment, accessibility to public facilities, to disability-friendly public services. In this context, people with physical disabilities are a group requiring special attention because they face physical barriers in performing daily activities, thus necessitating adequate accessibility facilities and specialized

²³ Davinia Salwahanan Farah, *Op.cit.*,

services. Such facilities include the provision of wheelchair-accessible pathways, ramps at public service buildings, accessible sidewalks (guiding blocks), disability-friendly transportation, as well as educational and healthcare facilities that are easily accessible to people with physical disabilities. Ensuring these facilities is a crucial step toward realizing equal rights and opportunities for people with disabilities, enabling them to fully participate in social, educational, economic, and public service life without discrimination.²⁴

However, based on the author's research, the Yogyakarta City Government has essentially sought to implement the provisions of DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities through various programs and policies. Nevertheless, the implementation of these policies has not yet been fully effective, as various obstacles still arise during their execution. Based on the author's interview with Social Affairs Department staff member Ms. Lilis Sulistyowati, S.Sos., M.Si., these challenges stem from the fact that many people are reluctant to report family members with disabilities due to negative social stigma. This situation makes it difficult for the government to obtain accurate data on the number and needs of people with physical disabilities. Consequently, assistance programs and the provision of public facilities often fail to reach the intended beneficiaries. Additionally, from a resource perspective, the Yogyakarta City Government also faces budget constraints and a lack of infrastructure in providing facilities that are fully disability-friendly. Although some public facilities have provided wheelchair ramps, accessible sidewalks (guiding blocks), and other accessibility features, in practice, various public facilities still fail to meet accessibility standards. For example, some Transjogja bus stops still have a height difference between the platform and the bus door, making it difficult for wheelchair users to board and alight independently. Sidewalks equipped with guiding blocks are also frequently occupied by street vendors, thereby hindering the mobility of people with disabilities.²⁵

This situation indicates that policy implementation has not been fully effective, as oversight and evaluation of accessibility facilities remain weak. From a good governance perspective, local governments should not only focus on establishing regulations but also ensure the effectiveness of implementation, oversight, public participation, and accountability in the execution of public policies. Weak oversight of the use of public facilities suggests that policy implementation is still not functioning optimally. Furthermore, coordination among agencies within the Yogyakarta City Government in managing public facilities must be strengthened to ensure accessibility standards are uniformly applied across various public service sectors. On the other hand, the Mayor of Yogyakarta's role is also crucial in conducting regular evaluations of implemented policies and facilities, so that existing barriers can be promptly addressed. Thus, the success of a policy is not measured solely by the existence of legal regulations, but also by the extent to which the rights of people with physical disabilities

²⁴ Roulita Eliyanti, Budiman Sinaga, Fulfillment of Political Rights of Persons with Disabilities in the 2024 Elections in Indonesia. *Golden Ratio of Data in Summary*, 5(2), 2025.

²⁵ Lilis Sulistyowati, "Wawancara Dengan Staff Dinas Sosial Kota Yogyakarta" (Yogyakarta, 2023).

are truly realized in daily life in a fair, equal, and non-discriminatory manner.²⁶

Although there are still various challenges in its implementation, including issues related to facilities, human resources, oversight, and public awareness of the importance of protecting the rights of persons with disabilities, the Mayor of Yogyakarta has made efforts to implement DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights for Persons with Disabilities directly by granting rights to persons with physical disabilities through various programs and policies in several areas, as follows:

3.2.1. Education Sector

The Yogyakarta City Government has implemented an inclusive education system through Yogyakarta Mayor Regulation No. 47 of 2008 on the Implementation of Inclusive Education. This policy constitutes the implementation of Article 5 of DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities and Article 40 of Law No. 8 of 2016 on Persons with Disabilities, which guarantees the right to education for persons with disabilities. Local governments also have an obligation to provide scholarships, educational expenses, and Disability Service Units (ULD) for students with disabilities.²⁷ However, the implementation of inclusive education in Yogyakarta City is still not optimal. According to research findings, there are still schools reluctant to admit students with disabilities due to shortages of teaching staff, inadequate facilities, or a lack of understanding regarding inclusive education. In fact, some schools previously designated as inclusive schools have begun to restrict the admission of students with disabilities. This situation indicates a discrepancy between normative policies and their implementation on the ground.

3.2.2. Public Transportation Sector

The Yogyakarta City Government, through the Transjogja service, has sought to provide more disability-friendly facilities, such as designated spaces for wheelchair users and accessibility at bus stops. These efforts are part of the implementation of Government Regulation No. 42 of 2020 on Accessibility to Housing, Public Services, and Disaster Protection for Persons with Disabilities. However, research findings indicate that public transportation accessibility remains uneven and is not yet fully comfortable for people with physical disabilities to use. This suggests that the implementation of this policy has not yet been comprehensive and has not been able to optimally accommodate all the needs of people with disabilities.

3.2.3. Building and Public Facility Accessibility

The Yogyakarta City Government has provided several disability-friendly facilities, such as wheelchair lanes and tactile paving on sidewalks and in public buildings. However, oversight of compliance with accessibility standards remains inadequate. Many public

²⁶ Agus Sudrajat, Laporan Kinerja Instansi Pemerintah Dinas Sosial Kota Yogyakarta. 2020. Diakses dari : https://simpelaporan.jogjakota.go.id/upload/lkip/2020_03_09_12_57_49_Dinsos_LKIP_2019_Revisi_1b.pdf (2026, Februari 23).

²⁷ Cepi Triana Sapari, Partisipasi Penyandang Disabilitas Dalam Kebijakan Publik. *Moderat: Jurnal Ilmiah Ilmu Pemerintahan*, 11(1), 2026.

buildings still lack adequate ramps, accessible elevators, and restrooms designed for people with disabilities.²⁸ In addition, lax oversight of the use of public facilities has led to dedicated disability lanes being frequently misused by the general public and street vendors.

3.2.4. Employment Sector

The Yogyakarta City Government, in collaboration with the Department of Labor, has conducted vocational training for people with physical disabilities, including computer training, embroidery, and English language classes. In addition, business capital and assistive devices are provided to people with disabilities to help them live independently and productively. Nevertheless, the implementation of labor rights still faces obstacles due to the suboptimal enforcement of employment quotas for people with disabilities, as stipulated in Article 53 of Law No. 8 of 2016 on Persons with Disabilities. Many government agencies and private companies have yet to fulfill their obligation to employ people with disabilities in accordance with applicable regulations.

Based on DIY Regional Regulation No. 4 of 2012 concerning the Protection and Fulfillment of the Rights of Persons with Disabilities, the Yogyakarta City Government is mandated to ensure the fulfillment of the rights of persons with physical disabilities. In the author's view, this mandate should be implemented by the Yogyakarta City Government through the following steps: Conducting a more detailed census of people with disabilities, particularly those with physical disabilities, in Yogyakarta City. This is done so that the number of people with physical disabilities can be clearly identified, and the city government can implement measures to fulfill their rights. This data collection process should continue to identify the facilities most urgently needed by people with disabilities, specifically those with physical disabilities. Once the data collection is complete, planning should be carried out regarding the construction of facilities required by individuals with physical disabilities and other people with disabilities. Once the facilities have been built and are ready for use, the Yogyakarta City Government can begin a public awareness campaign to inform the community about the availability of these facilities for people with disabilities. Of course, this process does not end there; even after the facilities are operational, maintenance efforts must continue to ensure that the built facilities are utilized to their fullest potential and serve their intended purpose effectively.

This is consistent with the perspective on policy implementation theory put forward by George Edward III, who states that the effectiveness of policy implementation is influenced by four main factors: communication, resources, disposition, and bureaucratic structure.²⁹ The communication factor relates to how a policy is communicated clearly, consistently, and effectively to both the public and policy implementers. The resource factor encompasses the availability of human resources, budgets, facilities, and other supporting resources that facilitate policy implementation. Furthermore, disposition relates to the attitude,

²⁸ Mohammad Fandi Desisatria, *Kewajiban Pemda Menyediakan Fasilitas Umum Bagi Penyandang Disabilitas*. 2019. Diakses dari : <https://www.hukumonline.com/klinik/a/kewajiban-pemda-menyediakan-fasilitas-umum-bagi-penyandang-disabilitas/> (2026, Februari 23).

²⁹ Subarsono, *Analisis Kebijakan Publik: Konsep, Teori, Dan Aplikasi* (Jakarta: Pustaka Pelajar, 2005), h. 26.

commitment, and dedication of government officials in implementing established policies. As for bureaucratic structure, it relates to the mechanisms, coordination, and institutional systems that support the effective and focused implementation of policies.³⁰

Thus, based on this analysis, the author believes that the Yogyakarta City Government, through the Mayor, has sought to implement DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities through various concrete policies and programs for persons with physical disabilities. However, the implementation of these policies has not been fully effective due to remaining obstacles in the areas of communication, resources, oversight, inter-agency coordination, and low public awareness regarding the rights of persons with disabilities. When viewed through a human rights-based approach, the fulfillment of the rights of people with physical disabilities should not merely be understood as a form of social assistance, but rather as the state's obligation to guarantee and respect human rights on an equal footing.³¹ Therefore, it is necessary to strengthen oversight of policy implementation, improve accessibility facilities, optimize data collection on persons with disabilities, build the capacity of government officials, and actively engage the community in creating an inclusive environment. In this way, policy implementation in the City of Yogyakarta is expected not only to be normative in nature but also to have a tangible impact on the fulfillment of the rights of persons with physical disabilities in their daily lives.

4. CONCLUSION

Based on the results of the research and discussion, it can be concluded that DIY Regional Regulation No. 4 of 2012 on the Protection and Fulfillment of the Rights of Persons with Disabilities is closely related to and consistent with Law No. 8 of 2019 on Persons with Disabilities. Furthermore, regarding the fulfillment of the rights of people with physical disabilities by the Mayor of Yogyakarta, efforts have indeed been made through various regional policies and programs, such as the implementation of inclusive education, the provision of accessibility facilities in public transportation and public buildings, vocational training, social assistance, and the establishment of the Committee for the Protection and Fulfillment of the Rights of Persons with Disabilities. However, in terms of implementation and effectiveness, these efforts have not yet been fully optimized. Several obstacles remain, such as the incomplete data collection on persons with disabilities, limited accessibility facilities, weak oversight of policies, and the persistence of social stigma against persons with disabilities. Thus, this study indicates that compliance with legal norms has not been fully matched by effective implementation on the ground.

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³⁰ Herabudin, *Studi Kebijakan Pemerintah Dari Filosofi Ke Implementasi* (Bandung: Pustaka Setia, 2016), h. 48.

³¹ Indri Ratnawati, Implementasi Aksesibilitas Bagi Penyandang Disabilitas Di Bappeda Litbang Kota Probolinggo. *Triwikrama: Jurnal Multidisiplin Ilmu Sosial*, 11(6), 2025.

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