

Promoting Sustainable Disability Inclusion in the Regions

Lessons from Aceh's Policymaking Process

September 2024



Workshop to gather inputs on the draft *Qanun*, Banda Aceh and Aceh Besar.
Photo by: SKALA 2024



Summary

Aceh's Social Service data from 2022 indicates that the province is home to 18,680 persons with disabilities, of whom 44.97% are female, and 55.03% male. Persons with disabilities account for 0.35% of the 5,570,453 Acehnese population. To address their needs, the Aceh government has issued a Gubernatorial Regulation on the 2024-2029 Regional Action Plan for Persons with Disabilities (RAD PD), and a draft *Qanun* to better protect and fulfil the rights of persons with disabilities.

Through these policy instruments, the Aceh government is mainstreaming disability considerations into the annual work plans of various government units. SKALA supports these government efforts through inputs to help make regional regulations more inclusive, capacity building to enhance stakeholder skills and awareness of disability inclusion, and coordination to increase representation of persons with disabilities in the policy making process.

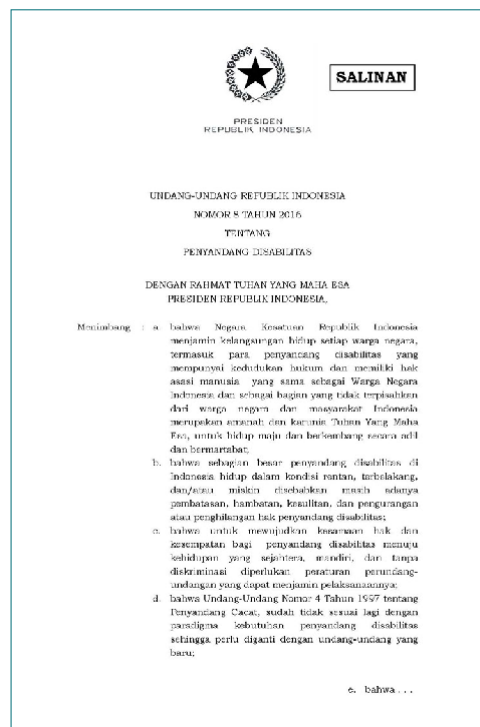
Translating National Policies to Regional Realities

National policies¹ provide the framework for disability inclusion, however, their implementation at the subnational level is challenging and requires further regulation by provincial and district governments.

The process of developing local implementation regulations is crucial to contextualizing national policies, and to ensuring they can be practically implemented on the ground.

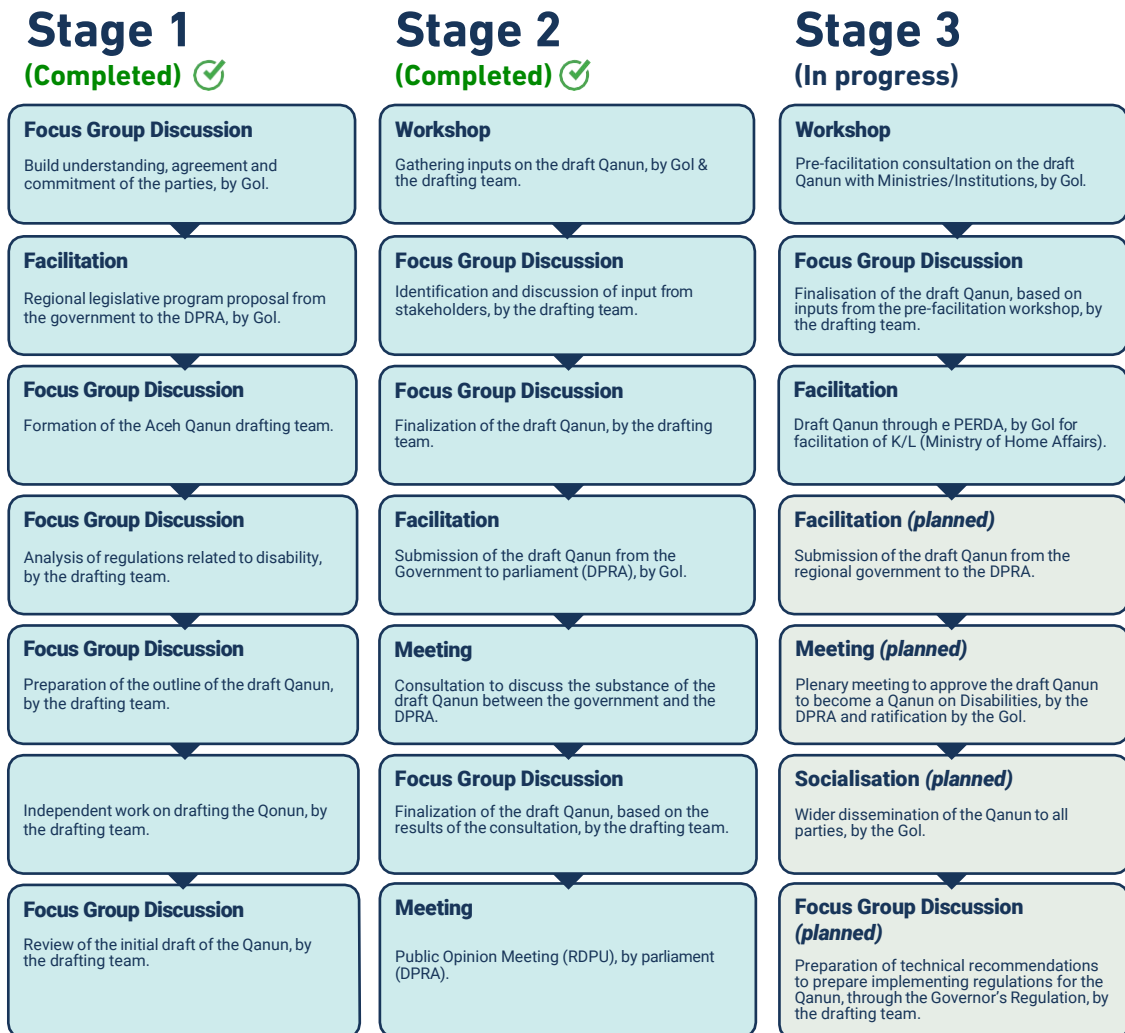
In Aceh, the governor issued Regulation No. 53 on the 2024-2029 RAD PD in 2023. This regulation is the foundation for government unit (*Organisasi Perangkat Daerah* or OPD) work plans to mainstream the implementation of disability rights, following participatory principles and data-driven decision-making. Regulations issued by the Governor of Aceh pertain to the administrative functions and responsibilities of the Aceh provincial government, including guidelines on programs, activities, targets and financing. Meanwhile, local government regulations, like the *Qanun* on RAD PD pertain to local governance issues. The *Qanun* must be ratified by the local legislative body in Aceh so that it can be implemented and financed by the regional budget. After the *Qanun* is approved, the Aceh government will need to disseminate it to the community, especially government work units and groups of persons with disabilities.

SKALA supported the Aceh government's *Qanun* drafting process in three stages. First, to form the drafting team, analyse existing regulations, and develop the initial draft of the *Qanun*. Second, to consult with stakeholders, gather input, and refine the draft. Third, to conduct final consultations, finalize the draft based on feedback, and submit it for legislative approval, as well as eventually, wider dissemination and implementation.



1 Law No.8/2016, Bappenas Regulation No.3/2021

Figure 1. Process for development of Qanun



The process of developing local regulations involves understanding local needs and conditions, and reveals that a one-size-fits-all approach is often ineffective. Furthermore, the process yields three key lessons.

Lesson 1:

To develop the *Qanun*² and RAD PD, Aceh's policy makers needed the resources and skills to draft a local legislative document and regulation that aligns well with the national policy framework.

The draft *Qanun* on disability is required by Law Number 8/2016 on disability and its ancillary Government Regulation Number 52/2019 on the Implementation of Social Welfare for Persons with Disabilities.

Preparation of the *Qanun* began in March 2024 through Governor Decree 100.3.2/166/2024 to establish the assistance team that would deliberate the draft. This team has 45 members including government officials and 15 people from local universities, CSOs, and groups of persons with disabilities in Aceh. The team also includes public policy analysts and legal experts who are experienced in drafting local regulations on disability inclusion.

The team was expected by the governor to draft the *Qanun* between March and August 2024.

However, since the draft *Qanun* was not initially planned for this fiscal year, the Aceh Government did not have a budget allocated for its preparation. To show its commitment, the Aceh Government's drafting team has been working on a voluntary basis to prepare the *Qanun*. The government's commitment to fulfilling disability rights is also evidenced by the availability of programs, activities, sub-activities and financing for the preparation of the RAD PD which was ratified through the governor's regulation.

SKALA provided technical guidance to the drafting team in the form of legal analysis to shape the initial outline of the *Qanun*. It advised on effective methods to gather and synthesize input from stakeholders to refine the draft and provided support to ensure it met legal and procedural standards. Together, the Aceh government and SKALA conducted training sessions to enhance the team's skills in legislative drafting and provided training on stakeholder engagement so that the drafting team could incorporate stakeholder inputs effectively. SKALA also supported the drafting team and local parliamentarians with training on the ratification process and effective dissemination strategies. Support also included technical input through policy briefs and workshops to provide knowledge and raise the awareness of policy makers.

The Aceh Women's Empowerment Development (P3A) organisation moderated the workshop to gather inputs on the draft *Qanun* in Meulaboh, West Aceh Regency.

Photo by: SKALA 2024



The Chair of Children and Youth Disabilities for Change in Aceh provided inputs to the draft *Qanun*.

Photo by: SKALA 2024

2. *Qanun* is the name for Regional Regulations in Aceh Province which have been issued since 2002.

Lesson 2.

To ensure that the *Qanun* can be implemented, Aceh's policymakers needed to build ownership of the policy instrument with all its key stakeholders.

As a result of the drafting process, there is greater awareness about disability issues, particularly within Aceh's OPDs and community groups. This awareness creates a pathway for better coordination between stakeholders. In Aceh, cross-sector communication, coordination, and cooperation were effectively established among key OPDs, including the Regional Development Planning Agency (Bappeda), Social Services, Education, Health, Housing and Development Services (Perkim), Women's Empowerment and Child Protection Office (DP3A), Aceh Disaster Management Agency (BPBA), and the Legal Bureau of Aceh's Regional Secretary (Setda). Since nearly all OPDs must address disability issues as part of their work, collaboration also includes the transportation unit (Dishub) and others. The enhanced collaboration was evident from the OPDs' substantive inputs during the *Qanun* drafting process.

To facilitate increased collaboration and therefore ownership, with support from SKALA, the Aceh government also changed the previous Working Group on Gender Mainstreaming (*Kelompok Kerja tentang Pengarusutamaan Gender* or Pokja PUG) to the Working Group on Gender Equality, Disability, and Social Inclusion (GEDSI Pokja). This working group, coordinated by Bappeda, will discuss gender mainstreaming as well as disability mainstreaming in Aceh's development, and because it is a collective, consensus-based effort, is expected to yield more effective and sustainable outcomes. Through it, the Aceh Government will ensure that OPDs' plans and budgets incorporate disability issues and mainstream the fulfillment of the rights of persons with disabilities. It is worth noting that the Aceh Government's work plan for fiscal year 2025 has several programs and activities on fulfilling the rights of persons with disabilities across OPDs.

People with disabilities participated actively to provide inputs to the Aceh Long Term Development Plan (RPJP).

Photo by: SKALA 2024



Lesson 3.

Input from persons with disabilities was essential to ensuring that the *Qanun* addresses their needs in Aceh's unique local context.

Stigma and discrimination continue to limit opportunities and well-being for persons with disabilities. They face stereotypes that marginalize them and exclude them from access to essential services. To overcome these barriers, and to ensure that persons with disabilities have a say in the development of the *Qanun*, with SKALA's support, the Aceh government included five persons with disabilities in the drafting team, including the Chair of Aceh Women's Empowerment and the Chair of Aceh's Children and Youth Disabilities for Change.

In May 2023, the Aceh Bappeda and Social Service unit conducted a workshop with government officials and representatives from disability organizations in seven districts and cities³ in West Aceh. Overall, participants from 23 districts/cities participated in consultation workshops on the draft *Qanun*. These included civil servants from OPDs, and representatives from disability NGOs, Teuku Umar University, and disability groups PERTUNI (Indonesian Association for the Blind) and PPDI (Indonesian Association of Persons with Disabilities).

Participants provided valuable inputs that were incorporated into the *Qanun* including to: (i) foster synergy between OPDs, vertical agencies, and related sectors to support disability rights, (ii) promote inclusive higher education, and (iii) encourage the use of adaptive technology. Additionally, due to inputs from a diverse set of stakeholders, the draft *Qanun* emphasizes disability-friendly public infrastructure, such as hospitals, places of worship, and schools, and mandates a 10% quota for persons with disabilities in legislative nominations.

It also highlights the need for sign-language interpreters in public banking services, disability-friendly public information services, disaster preparedness education for persons with disabilities, the issuance of disability cards, and adapting employee recruitment mechanisms for various disabilities.

Eight civil society organisations were involved in discussions on the draft *Qanun*. The discussion team was made official by the Decree of the Aceh Governor.

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³ Aceh Jaya, West Aceh, Nagan Raya, South Aceh, Subulussalam City, Aceh Singkil, and Southwest Aceh

Conclusion

Disability inclusion requires a mindset that values diversity, accessibility and equity in service delivery. The Aceh Government, its stakeholders and partner communities are seeing the value of getting strategic input from disability groups, with the hope that the resulting policies will effectively address the challenges faced by persons with disabilities. The drafting of the *Qanun* on disability highlights the need for both resources and skills to align local legislation with national policies. Despite the lack of initial budget allocation, the drafting team, including government officials, legal experts and persons with disabilities, worked voluntarily thereby demonstrating the government's commitment to disability rights. Enhanced collaboration across government departments and the establishment of the GEDSI working group is strengthening cross-sector coordination and ownership of disability issues in Aceh. Moreover, input from persons with disabilities has ensured that the draft *Qanun* addresses the unique needs of the community and promotes inclusive education, adaptive technology, disability-friendly infrastructure, and equitable representation in public and political spheres.

Key Regulations:

1. National Law no. 8/2016 on Persons with Disabilities.
2. Government Regulation Number 70/2019 on Planning, Implementation and Evaluation of Respect, Protection and Fulfilment of the Rights of Persons with Disabilities.
3. Government Regulation Number 42/2020 on Accessibility of Settlements, Public Services and Disaster Protection for Persons with Disabilities.
4. Bappenas Ministerial Regulation No. 3/2021 on Implementation of Government Regulation no. 70/2019.
5. Government Regulation Number 52/2019 on the Implementation of Social Welfare for Persons with Disabilities.
6. Aceh Governor Regulation No. 53/2023 and the Aceh Qanun Draft on Fulfilment of the Rights of Persons with Disabilities.

References:

1. Aceh Social Service Department, 2022
2. SKALA Project Documentation, 2023
3. Government of Aceh Official Documents, 2023



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