

IMPLEMENTATION OF FULFILLMENT OF RIGHTS WITH DISABILITIES IN OBTAINING WORK IN INDONESIA

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ABSTRACT

The Republic of Indonesia which is based on the Pancasila and the 1945 Constitution of the Republic of Indonesia respects and upholds human dignity. Human rights as basic rights that are inherently inherent in human beings are universal, need to be protected, respected, and maintained, so that respect, protection and fulfillment of human rights for vulnerable groups, especially persons with disabilities is a state obligation. This is also affirmed in Law Number 39 of 1999 concerning Human Rights, so that the community has a responsibility to respect the rights of persons with disabilities. Persons with disabilities have experienced a lot of discrimination which results in the non-fulfillment of the implementation of the rights of persons with disabilities. Arrangements for the implementation and fulfillment of the rights of persons with disabilities aim to realize the standard of living of people with disabilities that are of higher quality, fair, physically and physically prosperous, and with dignity. In addition, the implementation and fulfillment of rights are also intended to protect persons with disabilities from neglect and exploitation, harassment and all discriminatory acts, as well as human rights violations. According to the World Report on Disability organized by the World Health Organization (WHO) the number of people with disabilities has increased from 10% to 15% of the total population in a country. Factors causing disability are diverse and have links with problems of poverty, natural disasters due to climate change, traffic accidents and workplace accidents, chronic diseases, reproductive health to malpractice cases that often occur. This reality shows that efforts to protect and fulfill the rights of persons with disabilities are absolutely necessary and guaranteed by the state through legislation that adopts the Human Rights Convention including the Convention on the Rights of Persons with Disabilities, the Covenant on Economic, Socio-Cultural and Covenant Rights concerning Civil and Political Rights which have been ratified by the Indonesian State at the same time have become national legislation.

Keywords: disability, human rights, work

INTRODUCTION

In amending the 1945 Constitution of the Republic of Indonesia the fourth amendment, Chapter XA regulates human rights, the addition of human rights formulations and guarantees of respect, protection, implementation and promotion in the 1945 Constitution not solely because of the will to accommodate developments the view of human rights is increasingly considered important as a global issue, but because it is one of the conditions of the rule of law. With the formulation of human rights in the 1945 Constitution, the constitutional rights of every citizen and population of Indonesia have been guaranteed. In this connection, the Indonesian people are of the view that human rights must pay attention to the characteristics of Indonesia and a human right must also be balanced with obligations so that it is expected to create mutual respect and respect for the rights of each party. One aspect of human rights formulation included in the 1945 Constitution is human rights related to social welfare. Equal rights and obligations for all citizens in all aspects of life and livelihood are prerequisites for the achievement of social welfare for all Indonesian people.

The Republic of Indonesia which is based on Pancasila and the 1945 Constitution of the Republic of Indonesia respects and upholds human dignity. Human rights as basic rights that are inherently inherent in human beings, are universal and lasting, are also protected, respected, and maintained by the Republic of Indonesia, so that the protection and promotion of human rights including vulnerable groups especially persons with disabilities also need to be improved.

In the range of history, the Indonesian nation officially declared Human Rights in comparison with the Universal Declaration of Human Rights of the United Nations (UN), because the Opening of the 1945 Constitution of the Republic of Indonesia was officially promulgated on August 18, 1945 while the Universal Declaration of Rights The United Nations Human Rights in 1948. This is a fact that shows the world that the Indonesian people before the achievement of the UN human rights statement in fact indeed raised human rights in their country.

Human rights are basic rights that are naturally inherent in the nature and existence of human beings as creatures of God the One and His gift. Human rights must be respected, protected, fulfilled, upheld and promoted for the sake of human dignity and dignity. The implementation of respect, fulfillment, protection, enforcement and promotion of human rights is basically an obligation and responsibility of the state, especially the government. This is as mandated in Article 28I paragraph (4) of the 1945 Constitution of the Republic of Indonesia and Article 71 of Law Number 39 of 1999 concerning Human Rights.

Indonesia as one of the member states of the United Nations has the obligation to implement various international human rights instruments that have been accepted by Indonesia, including the Vienna Declaration of 1993 and the Convention on the Rights of Persons with Disabilities which were ratified through Law Number 19 of 2011 concerning Ratification of the Convention on the Rights of Persons with Disabilities. This makes Indonesia a part of a global society committed to making every effort to realize the elimination of all forms of discrimination and ensure the participation of persons with disabilities in every aspect of life. The mandate of the Vienna Declaration and the Convention on the Rights of Persons with Disabilities emphasizes that each country establishes and implements a National Action Plan related to human rights.

The Indonesian people uphold human rights can also be seen in Article 2 of the Law on Human Rights which states that the Republic of Indonesia recognizes and upholds human rights and basic human freedoms as rights that are inherently inherent to and inseparable from humans, which must be protected, respected, and upheld for the sake of increasing human dignity, prosperity, happiness, and intelligence and justice. Then in Article 3 it is stated (1) Everyone is born free with the same dignity and human dignity and is blessed with reason and conscience to live in a society, nation and state in the spirit of brotherhood, (2) Every person has the right to recognition, guarantee, protection and fair treatment of law and obtain legal certainty and equal treatment before the law, (3) Everyone has the right to protection of human rights and basic human freedoms, without discrimination.

In the regulation of persons with disabilities, the Indonesian State has laws and regulations relating to this matter. In 1997, Indonesia issued Law No. 4 of 1997 concerning Disabled Persons. then in 2016 Indonesia again replaced the laws relating to persons with disabilities with persons with disabilities through Law Number 8 of 2016. There was a shift in meaning from people with disabilities to persons with disabilities, in Act Number 4 of 1997 concerning Persons with Disabilities, in Article 1 paragraph (1) referred to as a person with a disability is any person who has a physical and / or mental disability, which can interfere or constitute obstacles and barriers for him to conduct properly, which consists of: (a) physically disabled; (b) people with mental disabilities; and (c) physically and mentally disabled. In Article 1 paragraph (1) of Law Number 8 Year 2016, it is explained that a person with a disability is any person who experiences physical, intellectual, mental, and / or sensory limitations for a long period of time when interacting with the environment may experience obstacles and difficulties in participating fully and effectively with other citizens based on equal rights.

The Republic of Indonesia which is based on Pancasila and the 1945 Constitution of the Republic of Indonesia respects and upholds human dignity. Human rights as basic rights that are inherently inherent in human beings are universal, need to be protected, respected and maintained, so that respect, protection and fulfillment of human rights for vulnerable groups, especially persons with disabilities is a state obligation.

This is also affirmed in Law Number 39 of 1999 concerning Human Rights, so that the community has a responsibility to respect the rights of persons with disabilities. Persons with disabilities have experienced a lot of discrimination so that the implementation of the rights of persons with disabilities has not yet been fulfilled. All this time, the regulation regarding persons with disabilities is regulated in Law Number 4 of 1997 concerning Disabled Persons, but this regulation has not yet taken the perspective of human rights. Content material in Law Number 4 of 1997 concerning persons with disabilities is more charity based and the fulfillment of the rights of persons with disabilities is still considered a social problem whose policy to fulfill new rights is social security, social rehabilitation, social assistance, and social welfare improvement. Persons with disabilities should get the same opportunity in developing themselves through independence as dignified humans.

With the enactment of Law Number 19 of 2011 concerning Ratification of the Convention on the Rights of Persons with Disabilities on November 10, 2011 shows the commitment and sincerity of the Government of Indonesia to respect, protect and fulfill the rights of persons with disabilities that ultimately is expected to improve the welfare of people with disabilities. As such, persons with disabilities have the right to be free from torture or cruel, inhumane, degrading human treatment, free from exploitation, violence and abuse, and have the right to obtain respect for their mental and physical integrity based on equality with others, including in it the right to obtain social protection and services in the context of independence, as well as in emergencies. Therefore, the Government is obliged to realize the rights contained in the convention, through adjusting the laws and regulations, including ensuring the fulfillment of the rights of persons with disabilities in all aspects of life such as education, health, employment, politics and government, culture and tourism, and the use of technology, information, and communication.

THEORY OF EQUALITY BEFORE THE LAW

The Republic of Indonesia is a country based on law. The 1945 Constitution stipulates that the Republic of Indonesia is a state of law (*rechstaat*) evidenced by the Provisions in the preamble, trunk and explanation of the 1945 Constitution (Melissa Walukow). In the Amendment to the 1945 Constitution, the theory of equality before the law is included in Article 27 paragraph (1) which states that: All citizens are at the same position in law and government and are obliged to uphold the law and government without exception. This is an acknowledgment and guarantee of the equal rights of all citizens in law and government.

The theory and concept of equality before the law as adopted by Article 27 paragraph (1) of the Amendment to the 1945 Constitution provides the basis for the protection of citizens to be treated equally before the law and government. This is meant, that all people are treated equally before the law. Equality before the law or equality before the law is one of the most important principles in modern law. This principle is one of the principles of the Rule of Law doctrine that also spreads to developing countries such as Indonesia. If it can be mentioned the principle of equality before the law is one manifestation of the rule of law (*rechtstaat*) so that there must be equal treatment for everyone before the law (*gelijkheid van ieder voor de wet*) (Mulyadi, 2007). Thus, the inherent element implies equal protection before the law (equal justice under the law) and obtains the same justice before the law.

The rule of law states that communication and social interaction that consists of various elements of the community interact and transact to achieve common goals and ideals. That the order of life and communication between individuals in a community refers to the rules of the game that are agreed upon and used as a reference and reference for the parties in conducting legal relations and actions. Based on this concept, there is no arbitrariness carried out either by law enforcers or by justice seekers, so as to give birth to civil society (civil society) in which between individuals as citizens or citizens have the same position and equality before the law (equality before the law).

The principle of equality before the law is a guarantee to achieve justice (law), without the absence of parties who can escape when involved in the law enforcement process. The guarantee of legal protection is implicit in the principle of equality before the law, that is, the guarantee does not only get the same treatment but it will also bring logical consequences that the law will not give privileges to other legal subjects. Because if this happens it will violate the principle of equality before the law and will encourage discrimination before the law.

The concept of equality before the law has been introduced into the constitution, the highest recognition in the country's regulatory system, this principle means the meaning of equality before the law is for the same case (crime). In reality, there is usually no equal treatment (equal treatment) and it causes the rights of individuals to obtain justice (access to justice) are ignored. Different treatment in criminal acts of corruption for example leads to neglect of individual freedom. This means, legal certainty is ignored.

The principle of equality before the law (equality before the law) must always be upheld for the rule of law and the justice system. Because it is an obligation the rule of law is required to guarantee human rights for its citizens. In this context no person may immediately impose a sentence in order to enforce the law by violating this principle. Do not let anything that happens giving punishment (judgment) outside the existing rules or systems.

THE PRINCIPLE OF EQUALITY AND NON-DISCRIMINATION

With the increasingly escalating discrimination against groups of people with disabilities, humanity is then made aware of the importance of recognizing that they are the same human beings as others, equal in rights and free in making choices. Therefore there are special rights for persons with disabilities (Yogi Zul Fadhl). Special rights are not privileges, but they are granted so that persons with disabilities are able to maintain their unique identity, characteristics and traditions. Special rights such as non-discriminatory treatment are equally important to achieve the same treatment. Therefore the principle of equality, and non-discrimination (non-discrimination) becomes very important in human rights (Rudi M. Rizki, Eko Riyadi).

The regulation of the principle of equality and non-discrimination is contained in several instruments, both international, regional (designated for a particular region, namely Africa, America (North America, South America and the Caribbean), Asia, and Oceania (South Pacific) sub-regional (such as Southeast Asia) and national (limited to the country concerned) In the international context the provisions on equal rights and non-discrimination are contained in the UN Charter Article 1 paragraph (3), where the UN organization and its members have a purpose (Rudi M. Rizki, Eko Riyadi): "Conduct international cooperation to solve international problems in the economic, social, cultural or humanitarian fields, as well as in efforts to promote and encourage respect for human rights and basic freedoms of all humanity without discriminating in race, gender, language or religion. "

PRINCIPLES OF PROTECTION AND FULFILLMENT OF HUMAN RIGHTS FOR PERSONS WITH DISABILITIES

Law Number 39 of 1999 concerning Human Rights provides legal certainty for the protection of human rights for everyone. Persons with disabilities are human, so human rights for persons with disabilities must be protected and their needs met. Based on the Law of the Republic of Indonesia Number. 39 of 1999 concerning Human Rights in Chapter I, General Provisions article 1, Human Rights is a set of rights inherent in the nature of human existence as God's creatures and is His gift that must be respected, respected and protected by the state, the law, the government and everyone for the sake of honor and protection of human dignity. Respect and dignity of human rights is a noble thing. The existence of mutual respect, tolerance among fellow creatures of God Almighty, can always provide a sense of peace for anyone in this world.

Since its emergence until today, human rights have experienced the development and change known as the human rights generation, the first generation includes civil and political rights, the second generation includes social, economic and cultural rights, finally the third generation contains a number of collective rights, such as: the right to development / development of the right to peace, the right to a clean environment, the right to natural wealth and the right to cultural heritage (Raharjo, 2009).

The government, the people based on the law are obliged to protect and uphold human rights, so that the principles, benefits and equality inherent in all humanity are well implemented, so there is no more discrimination. What I want to explain is that the people and nations of the world are diverse, diverse in their physical habitat, cultural traditions, values, cosmology and their views of people and the world.

"The statement contained in the Preamble to the Universal Declaration of Human Rights was received and announced by the UN General Assembly on December 10, 1948 through resolution Number 217 (III). One sentence stating "considering, that recognition of the same natural dignity and equal and irrevocable rights of all members of the human family is the basis of freedom, justice, world peace. Considering that human rights need to be protected by the rule of law, so that people are not forced to choose the path of rebellion as a last resort to oppose despotism and colonialism."

These sentences are guidelines for human rights regulations that are also adjusted to the legal needs of the community and the development of national laws based on the Pancasila and the 1945 Constitution embodied in the Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights.

The human rights conception which initially emphasized vertical relations was mainly influenced by the history of human rights violations committed mainly by the state, both against civil-political rights as well as economic, social and cultural rights. As a consequence, besides being a governmental task, the main obligation to protect and promote human rights lies with the government. We can see this from the formulations in the Universal Declaration of Human Rights, the International Covenant on Civil and

Political Rights, and the International Covenant on Economic, Social and Cultural Rights, which is the state's recognition of human rights as the substance of the three instruments.

Consequently, it is the state that is burdened with the obligation to protect and promote human rights. The state's obligations are emphasized in the "Considering" consideration in both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In national law, Article 28I paragraph (4) of the 1945 Constitution states that the protection, promotion, enforcement and fulfillment of human rights are the responsibility of the state, especially the Government.

The 1945 Constitution Post Amendment includes Chapter XA which discusses Human Rights. The provisions in this Chapter form the protection of the constitutional rights of citizens in general, including citizens with disabilities. The goal is that persons with disabilities who are one part of Indonesian society have the same position, rights and obligations as other citizens and for their implementation are the obligations of the Government and all elements of society.

In Chapter XA of the 1945 Constitution there are 10 articles, namely Article 28A to Article 28J, which include 26 provisions scattered in the verses in the existing Articles. The overall provisions can be divided into two types, namely the protection of special human rights for citizens and the protection of human rights for everyone, which means not only Indonesian citizens. In the two types of groups there is no longer another classification, which means that, both in the type of protection of citizens or for everyone, groups of people with disabilities are included in both.

Fulfillment and protection of the rights of persons with disabilities are all actions and / or activities to guarantee and protect the constitutional rights of persons with disabilities in accordance with human dignity and dignity and avoid violence and discrimination. The objectives of protecting and fulfilling the rights of persons with disabilities include: improving the level of welfare, quality and survival and independence of persons with disabilities; (a) increase the social and economic resilience of persons with disabilities; (b) increase the ability, care and responsibility of the Provincial Government, the business community and the community in the protection and fulfillment of the rights of persons with disabilities in an institutionalized and sustainable manner; and (c) improve the quality of life and livelihoods of persons with disabilities.

From the above explanation, the 1945 Constitution firmly protects the constitutional rights of persons with disabilities in the context of "everyone" and as part of "citizens. In addition, persons with disabilities are also allowed to get affirmative action or the right to ease and special treatment in the context of fulfilling rights the constitutional. Both concepts must be understood and permeated in the formation of laws and policies as the implementation of the provisions in the 1945 Constitution.

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Indonesia explicitly has Law No. 8 of 2016 concerning Persons with Disabilities which was ratified on April 15, 2016 where this Law provides a firm legal basis regarding the position and rights of persons with disabilities. In the preamble to the Law on Persons with Disabilities it was stated that; "The Unitary State of the Republic of Indonesia guarantees the survival of every citizen, including persons with disabilities who have legal standing and have the same human rights as Indonesian citizens and as an inseparable part of the citizens and Indonesian people, is the mandate and gift of God the Most One, to live forward and develop fairly and with dignity. "

In addition to the fundamental rights mentioned in the Law on Persons with Disabilities, the rights of persons with disabilities are also affirmed in Article 41 paragraph (2) of Law Number 39 of 1999 concerning Human Rights, which states that; "All persons with disabilities, elderly people, pregnant women and children, are entitled to special facilities and treatment," and Article 42 states that; "Every citizen who is elderly, physically handicapped and / or mentally handicapped has the right to receive special care, education, training, and assistance or state fees, to guarantee the needs of the people in accordance with their human dignity, increase their confidence, and be able to participate in life social, national and state. " As described in the Disability Act and the Human Rights Act, persons with disabilities have the same rights and obligations as normal people.

The Government has ratified the International Covenant on Economic, Social and Cultural Rights which is marked by the issuance of Law Number 11 Year 2005 concerning Ratification of the International Covenant on Economic, Social and Cultural Rights which includes: Right to work, right to get a program training, the right to comfort and good working conditions, the right to form trade unions, the right to enjoy social security, the right to enjoy protection during and after childbirth and the right to participate in cultural life to enjoy the benefits of scientific progress and its application.

The 1945 Constitution of the Republic of Indonesia does not specifically regulate the rights of persons with disabilities. But in the provisions of Article 28 H paragraph (2) states "everyone has the right to get facilities and special treatment to get the same opportunity and the same benefits to achieve equality and justice". Reinforced by Article 28 I paragraph 2 that "every person has the right to be free from discriminatory treatment on any basis and has the right to get protection against such discriminatory treatment". Although the provisions use general sentences there are no restrictions on anyone, so that persons with disabilities have a part in it that has the same rights and non-discriminatory treatment, with special ways in fulfilling these rights.

Everyone in Article 28 H is strengthened by the interpretation given in the Constitutional Court Decision Number 143 / PUU-VII / 2009 and the Constitutional Court Decision Number 16 / PUU-VIII / 2010, in its interpretation of "constitutional rights in Article

28H paragraph (2) of the Constitution 1945 is a constitutional guarantee for those who suffer from marginalization of exclusion, exclusion, restriction, differentiation, inequality of participation in politics and public life which is rooted in the structural and socio-cultural inequalities of the community continuously (discrimination), both formal and informal, in the public sphere and private or known as affirmative action.”

The fulfillment of persons with disabilities is the responsibility of the government in this matter as stated in Article 28 I of the 1945 Constitution of the Republic of Indonesia. In Article 34 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, it is determined that the state develops a social security system for all people and empowers people who are weak and unable with human dignity. The provisions in the Law are contained in Law No. 39 of 1999 specifically in Article 5 paragraph (3) states that everyone who belongs to a vulnerable group of people has the right to receive more treatment and protection with regard to their specificity. What is meant by vulnerable groups in the Human Rights Act includes the elderly, children, the poor, pregnant women and people with disabilities.

It is emphasized in Article 41 paragraph (2) which regulates that every person with a disability / disability, elderly people, pregnant women, and children, is entitled to special facilities and treatment. Indonesia also has a Disability Law from Law No. 4 of 1997 concerning Disabled people becomes Law No. 8 of 2016 concerning Persons with Disabilities. One of the changes is the use of the word "disability" instead of the word "disabled". In article 2 of Law No. 8 of 2016 Implementation and Fulfillment of the rights of Persons with Disabilities is based on: Respect for dignity, individual autonomy, without discrimination, full participation, human diversity and humanity, Equal Opportunity, equality, Accessibility, growing capacity and identity of children, inclusive, and special treatment and More protection.

Rights regulated in Law No. 18 of 2016 contained in Article 5 article 26, including the right to life, the right to be free from stigma, the right to privacy, the right to justice and legal protection, the right to education, the right to work, entrepreneurial rights and cooperatives, the right to health, political rights, religious rights, sports rights, cultural and tourism rights, social welfare rights, Accessibility rights, Public Service rights, Disaster protection rights, habilitation and rehabilitation rights, Concession rights. Indonesia is also actively ratifying International Human Rights instruments, both the ICCPR, ICESCR, CRC and CRPD as a consequence of Indonesia signing the convention.

CRPD was ratified by Law No. 19 of 2011 By ratifying it has legal consequences related to the protection, fulfillment and promotion of human rights especially for persons with disabilities. In addition to national-level regulations, various related ministerial regulations are completed. In addition, several regions in Indonesia have actively ratified local regulations (perda) of disability as a form of participation and responsibility of local governments in fulfilling the rights of persons with disabilities. For example, East Java Province Regulation No. 3 of 2013 concerning Protection and Services for Persons with Disabilities, Bali Province Regulation No. 9 of 2015 concerning Protection and Fulfillment of the Rights of Persons with Disabilities, Bantul District Regulation No. 11 of 2015 concerning Fulfillment of the Rights of Persons with Disabilities and Regional Regulations of West Sumatra Province No. 2 of 2015 concerning Protection and Fulfillment of the Rights of Persons with Disabilities.

CONCLUSION

Based on the results of the data analysis, it can be concluded that the Legal Protection from discriminatory practices against persons with disabilities in obtaining their working rights has been protected and the Law and Regulations that regulate provide good legal protection. The government provides an understanding regarding Disability Legislation through regular socialization of companies. The government is also expected to carry out and give strict sanctions for those who violate the laws and regulations and the government is expected to be made immediately or in the form of implementing regulations so that Law No. 8 of 2016 concerning Persons with Disabilities runs well.

BIBLIOGRAPHY

- Departemen Hukum Dan HAM RI, 2008, Bahan Bacaan Training of Trainer HAM, Direktorat Jenderal HAM, Depok.
- Departemen Pendidikan Nasional. Kamus Besar Bahasa Indonesia. Jakarta: Gramedia, 1994. Endri, “Implementasi Pengaturan Perlindungan Hak Asasi Manusia Di Indonesia”, Jurnal Selat. Volume 2, Nomor 1, (Oktober 2014): 185. Fadjar, A. Mukhtie. Tipe Negara Hukum. Malang: Bayumedia, 2004. Hadjon, Philipus M. Perlindungan Hukum Bagi Rakyat Indonesia. Suarabaya: Peradaban, 2007.
- Enny Soeprapto, Rudi M. Rizki, Eko Riyadi, *Hak Asasi Manusia Kelompok Rentan Dan Mekanisme Perlindungannya*, dalam Eko Riyadi dan Syarif Nurhidayat, ed., 2012, *Vulnerable Groups: Kajian dan Mekanisme Perlindungannya*, Pusham UII, Yogyakarta.
- Harahap, Rahayu Repindowaty dan Bustanuddin. “Perlindungan Hukum Terhadap Penyandang Disabilitas Menurut Convention On The Rights Of Persons With Disabilities (CRPD)”, Jurnal Inovatif. Volume VIII, Nomor I, (Januari 2015): 10. Huda, Ni’Matul. Ilmu Negara. Jakarta: Rajawali Press, 2013. Iskandar, Pranoto. Hukum HAM Internasional. Cianjur: IMR Press, 2013. Khairaz, Fauzan. “Implementasi Demokrasi Dan Hak Asasi Manusia Di Indonesia”, Jurnal Inovatif. Volume VIII, Nomor I (Januari 2015): 81-82. Kumkelo, Mujahid, et.al. Fiqh Ham Ortodoksi dan Liberalisme Hak Asasi Manusia dalam Islam. Malang: Setara Press, 2015. Marzuki, Peter Mahmud. Pengantar Ilmu Hukum. Jakarta: Kencana Prenada Media Grup, 2008. Muchsan. Sistem Pengawasan Terhadap Perbuatan Aparat Pemerintah dan Peradilan Tata Usaha Negara. Yogyakarta: Liberty, 2007.
- Julita Melissa Walukow, “Perwujudan Prinsip Equality Before The Law Bagi Narapidana Di Dalam Lembaga Pemasyarakatan Di Indonesia”, dalam Lex et Societatis, Vol.I/No.1/Jan-Mrt/2013.
- Lilik Mulyadi, 2007, *Hukum Acara Pidana*, Citra Aditya Bakti, Jakarta.

- Peraturan Presiden Nomor 75 Tahun 2015 tentang Rencana Aksi Nasional Hak Asasi Manusia (RAN HAM) Indonesia tahun 2015 – 2019 (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 144)
- Satjipto Raharjo, 2009, *Hak Asasi Manusia Dalam Masyarakatnya*, dalam Muladi (ed), 2009, *Hak Asasi Manusia Hakekat, Konsep dan Implikasinya dalam Perspektif Hukum dan Masyarakat*, PT Reflika Aditama, Bandung.
- Undang Undang Nomor 4 Tahun 1997 Tentang Penyandang Catatat (Lembaran Negara Tahun 1997 Nomor 9, Tambahan Lembaran Negara Nomor 3670)
- Undang Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas (*Lembaran Negara. Nomor 69. Tambahan Lembaran Negara. Nomor 5870.*)
- Undang-Undang Nomor 19 Tahun 2011 tentang Pengesahan *Convention On The Right Of Persons With Disabilities* (Konvensi Mengenai Hak-Hak Penyandang Disabilitas) (Lembaran Negara Republik Indonesia Tahun 2011 Nomor 107, Tambahan Lembaran Negara Republik Indonesia Nomor 5251).
- Undang-Undang Nomor 4 Tahun 1997 tentang Penyandang Cacat (Lembaran Negara Republik Indonesia Tahun 1997 Nomor 9, Tambahan Lembaran Negara Republik Indonesia Nomor 3670).
- Undang-Undang RI Nomor 39 Tahun 1999 tentang Hak Asasi Manusia
- Yogi Zul Fadhli, *Kedudukan Kelompok Minoritas dalam Perspektif HAM dan Perlindungan Hukumnya Di Indonesia*, Jurnal Konstitusi, Volume 11, Nomor 2, Juni 2014.

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