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Equal Access to Justice for Persons with Disabilities: A Comparative Legal Analysis of Indonesia and Australia under the CPRD

Article	Abstract
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INTRODUCTION

The rule of law is a cornerstone of democratic governance and constitutionalism. It safeguards against the arbitrary use of state power and serves as a normative and institutional framework for upholding fundamental rights and freedoms (Kiefel, 2020). A legal system that truly embodies the rule of law must guarantee equality before the law, legal certainty, procedural

fairness, and, most importantly, meaningful access to justice for all citizens—including marginalized populations. One such group that has historically faced exclusion and discrimination in legal systems worldwide is persons with disabilities. Ensuring that individuals with disabilities can access justice on an equal footing with others remains a central challenge in the realization of inclusive legal frameworks.(Bingham, 2011) The importance of inclusive access to justice is explicitly recognized in international human rights instruments, particularly the United Nations Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006. As of 2024, the CRPD has been ratified by 190 countries, signaling a global shift from viewing disability through a purely medical lens to embracing a social and rights-based approach. Article 13 of the CRPD, titled "Access to Justice," requires state parties to ensure effective access to justice for persons with disabilities. This includes the provision of procedural and age-appropriate accommodations, as well as measures to facilitate their full and active participation in all stages of legal proceedings—as witnesses, complainants, defendants, or other relevant roles.

Both Australia and Indonesia have ratified the CRPD—Australia in 2008 and Indonesia in 2011 (via Law No. 19 of 2011). While the treaty legally binds both countries, their implementation paths differ significantly due to varying legal traditions, socio-political contexts, and institutional capacities.(Ellis, 2013) Australia, with its advanced human rights infrastructure and a well-established common law tradition, has enacted the Disability Discrimination Act 1992 (Cth), which provides substantive and procedural protections for persons with disabilities. Indonesia, a country transitioning from an authoritarian past and marked by legal pluralism and decentralization, has taken a major step by passing Law No. 8 of 2016 on Persons with Disabilities. However, challenges remain in ensuring legal empowerment, institutional coordination, and access to justice at both national and local levels.

This comparative study is guided by a central research question that seeks to assess the extent to which Australia and Indonesia have implemented the right of persons with disabilities to access justice in accordance with the rule of law and the obligations set forth by the Convention on the Rights of Persons with Disabilities (CRPD). In exploring this issue, the study examines the legal and institutional frameworks that each country has established to protect and promote the rights of persons with disabilities, particularly in relation to accessing justice. It further investigates the persistent barriers that continue to obstruct the full realization of these rights, including legal complexities, procedural shortcomings, inadequate infrastructure, and deeply rooted socio-cultural attitudes. These obstacles reveal the gap between formal legal commitments and actual practice, highlighting the challenges faced by persons with disabilities in navigating the justice system. A significant aspect of the study is the identification of good practices in Australia's more advanced legal and policy landscape, which may offer valuable insights and lessons for Indonesia as it seeks to enhance its mechanisms for ensuring justice and equality. Through this comparative lens, the study aims to contribute to a deeper understanding of how both countries can strengthen their compliance with the CRPD and advance the inclusion of persons with disabilities in all aspects of legal and social life.

Previous studies on the rights of persons with disabilities in Australia and Indonesia reveal that, despite both countries having ratified the Convention on the Rights of Persons with Disabilities (CRPD), the realization of access to justice remains fraught with persistent challenges. In Australia, although the *Disability Discrimination Act 1992* provides a foundational legal framework to prevent discrimination in key sectors such as education, employment, and public participation, practical barriers continue to undermine inclusive justice. The *Royal Commission* critically assessed existing models—such as group homes—and concluded that implementation gaps, rather than conceptual flaws, hinder the achievement of equitable outcomes for persons with disabilities.(Commission, 2023) Moreover, the Australian

Human Rights Commission identified structural barriers such as limited access to interpreters, legal aid, and adaptive communication tools that prevent full participation in the legal process.(Commission, 2025)

In Indonesia, legislative milestones have been achieved, notably through the enactment of *Law No. 8 of 2016 on Persons with Disabilities*, which formally recognizes disability rights and mandates inclusive practices. However, implementation remains inconsistent across regions. Wicaksono found that individuals with disabilities continue to face systemic discrimination in employment-related legal disputes due to the lack of effective complaint mechanisms and reasonable accommodations.(Wicaksono, 2019) More recently, Wiratraman and Hanrahan argued that exclusionary nationalism and institutionalized legal inconsistency have marginalized vulnerable groups, including the disabled, in the Indonesian justice system. These challenges are compounded by inadequate legal training, poor inter-agency coordination, and deeply entrenched societal stigma.(Wiratraman & Hanrahan, 2023)

A comparative view of both countries shows a divergence in implementation. Australia benefits from a mature institutional infrastructure and stronger enforcement mechanisms yet still falls short in addressing intersectional vulnerabilities—particularly among remote and Indigenous populations. Conversely, Indonesia's commitment remains more declarative than operational, struggling with enforcement, awareness, and procedural clarity. These differences highlight that legal recognition, while critical, is insufficient on its own; genuine access to justice requires practical, culturally sensitive, and adequately resourced implementation.

Therefore, a cross-learning approach is essential. Indonesia can benefit from Australia's experience in institutional reform and inclusive policy design, especially regarding disability-sensitive legal procedures. At the same time, Australia may reflect on Indonesia's attempts to integrate disability rights into broader human rights and anti-discrimination discourses. Both countries must strengthen monitoring frameworks, invest in disability competence training, and promote intersectoral cooperation to fulfill the CRPD's vision of equal access to justice—not just as a legal ideal but as a lived reality.

Most existing research on disability rights in these two countries has primarily focused on substantive entitlements, such as access to justice, education, employment, and healthcare. For instance, Jack Maxwell studying about court fees and access to justice in Australia.(Maxwell, 2021) Further, Catia Malaquias studied Australia's failure to enact its international obligations under the CRPD for the education of students with disability.(Malaquias, 2022) Also, research conducted by Jeffrey Chan studied the challenges to realizing the Convention on the Rights of Persons with Disabilities (CRPD) in Australia for People with Intellectual Disability. (Chan, 2016) Other studies, including those by Abdal Rohim (Rohim, 2024) Studied the legal protection and rights fulfillment of people with mental health disorders based on Islamic and health legal perspectives. Akhmad Sholeh(Sholeh, 2014) studying the accessibility in the education sector for persons with disability. Next, Further, Muhammad Dahlan and Syahriza Alkohir Anggoro (Dahlan & Anggoro, 2021) studied the rights to work for persons with disabilities in the public sector. There is no work studying a comparative study on the rule of law and access to justice for persons with disabilities in Indonesia and Australia.

Access to justice in this study is interpreted broadly. It is not limited to physical access to courtrooms or the mere presence of legal representation. Rather, it encompasses a wide range of interrelated elements: legal information must be accessible; legal services must be affordable and culturally competent; judicial processes must be procedurally fair; and legal actors must be trained to interact effectively and respectfully with persons with disabilities. Importantly, the CRPD's concept of "reasonable accommodation" is central—it requires modifications and adjustments that do not impose a disproportionate burden yet enable individuals with disabilities to participate equally.

Furthermore, this paper operates on the principle that access to justice must be framed in terms of substantive, not merely formal, equality. Treating all individuals, the same under the law may perpetuate existing disadvantages. Substantive equality demands recognition of structural barriers, and mandates differentiated treatment to level the playing field. This understanding is increasingly reflected in the jurisprudence of international and domestic courts, reinforcing the obligation of states to ensure not only theoretical legal equality but actual, practical access to justice.

In Australia, a comprehensive legal and institutional architecture exists to support access to justice. The Australian Human Rights Commission, Legal Aid Commissions, and community legal centers provide pathways for legal redress. The Disability Discrimination Act 1992 (Cth) allows persons with disabilities to file complaints and seek remedies. However, critics argue that gaps remain, particularly in rural and indigenous communities, and in addressing compounded or intersectional forms of discrimination.

In contrast, Indonesia has made notable legal progress but continues to face significant obstacles. Despite the enactment of Law No. 8 of 2016, challenges such as insufficient accommodations in courtrooms, limited awareness among legal professionals, underfunded legal aid services, and fragmented local governance persist. Disability rights organizations and civil society actors have become crucial in filling institutional voids, but resource limitations and policy incoherence constrain their capacity.

This study aims to fill that gap by offering a doctrinal and comparative legal analysis of how the rule of law operates to either support or hinder access to justice for persons with disabilities in both Australia and Indonesia. The comparison is intentional: Australia represents a high-capacity, liberal democracy with a strong legal culture of rights protection, while Indonesia represents a post-authoritarian, legally pluralistic state grappling with democratic consolidation and institutional reform. This contrast offers valuable insights into the conditions that facilitate or obstruct the realization of access to justice.

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 Moreover, the objective of this study is to examine and compare the implementation of the right to access to justice for persons with disabilities in Indonesia and Australia, using the Convention on the Rights of Persons with Disabilities (CRPD) as a normative foundation. Specifically, it seeks to (1) analyze how the legal and institutional frameworks in both countries uphold or hinder the fulfillment of Article 13 of the CRPD; (2) identify legal, social, and procedural barriers that persons with disabilities encounter when seeking justice; (3) assess the extent to which reasonable accommodation and inclusive legal procedures are implemented; and (4) explore best practices and policy lessons, particularly from the Australian experience, that may inform legal reform and advocacy efforts in Indonesia. Ultimately, the research intends to contribute to the development of more inclusive, accessible, and rights-based justice systems that align with international human rights standards.

RESEARCH METHOD

This study employs a comparative qualitative legal research design that integrates both doctrinal and non-doctrinal methods to explore the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) in Indonesia and Australia. The doctrinal component involves the systematic analysis of primary legal sources such as statutes, constitutions, international treaties, and case law. This legal analysis aims to uncover how both countries' legal systems construct and support the right of persons with disabilities to access justice. The non-doctrinal or empirical component complements this by gathering field-based evidence concerning how legal norms are translated into practice, particularly through the lens of implementation effectiveness.

The study's foundation is a normative-empirical approach. This methodology allows for the combination of normative legal evaluation—examining legal texts, principles, and obligations—with empirical data that reveals real-world practices and outcomes.³ (Hutchinson & Duncan, 2012) The normative analysis investigates the consistency of domestic legislation with CRPD standards. At the same time, the empirical component focuses on the lived experiences of persons with disabilities, particularly their encounters with legal systems and justice institutions.

The jurisdictions under analysis—Indonesia and Australia—were selected due to their shared status as signatories to the CRPD and their differing legal, socio-economic, and political contexts. Australia represents a common law jurisdiction with a well-established human rights framework and disability laws such as the Disability Discrimination Act 1992. Indonesia, a civil law jurisdiction, has more recently enacted key legislation like Law No. 8 of 2016 on Persons with Disabilities and continues to grapple with the operationalization of these norms. The contrast between the two provides rich ground for comparative insight.

Data sources include both primary and secondary materials. Primary legal sources encompass international instruments (primarily the CRPD), national constitutions, domestic laws, court rulings, and government policy documents. Secondary sources include peer-reviewed journal articles, grey literature such as reports by NGOs and government agencies, and policy briefs. Key legal instruments analyzed comprise the CRPD, the Constitutions of Indonesia and Australia, and national disability-related laws and regulations. These texts were examined to assess alignment with CRPD obligations and the extent to which they provide enforceable rights to persons with disabilities.

The analysis employs thematic content analysis and comparative legal analysis. Thematic content analysis identifies recurrent patterns in the data, such as common barriers to access and institutional responses. Comparative legal analysis contrasts how different legal systems and cultures address similar normative goals, highlighting best practices and gaps in implementation.

ANALYSIS AND DISCUSSION

Key Findings on Access to Justice for Persons with Disabilities⁴

This study reveals several key findings concerning the implementation of the right to access justice for persons with disabilities within the legal frameworks of Australia and Indonesia. Using Article 13 of the Convention on the Rights of Persons with Disabilities (CRPD) as a normative benchmark, the findings highlight the differences in how both countries, with their divergent legal cultures, institutional capacities, and socio-economic contexts, have responded to their international obligations. Australia has made significant strides through its comprehensive disability laws, but challenges remain in ensuring full inclusion, particularly in remote areas. Conversely, while Indonesia has made legislative progress, its implementation remains inconsistent, hindered by institutional weaknesses and limited public awareness.⁵ (Scholten & Gather, 2018) Herewith are the details of the key findings.

1. Legal and Institutional Frameworks

Australia has established a relatively comprehensive legal and institutional infrastructure for ensuring access to justice for persons with disabilities. The Disability Discrimination Act 1992 (Cth) serves as the primary legislative instrument, explicitly prohibiting discrimination on the basis of disability in various spheres, including legal proceedings. The Act provides a justiciable cause of action for individuals who experience discrimination, enabling them to seek redress through the Australian Human Rights Commission (AHRC) or the court system.

Various support structures, such as specialist legal aid services, community legal centers, and accessibility guidelines for courtrooms and legal procedures, complement this. Courts in Australia are increasingly required to make "reasonable adjustments" to ensure procedural fairness, such as providing sign language interpreters and easy-to-read materials and allowing the presence of support persons. (Weatherall & Caetano, 2020)

By contrast, Indonesia's legal framework, while making notable progress since the enactment of Law No. 8 of 2016 on Persons with Disabilities, remains underdeveloped in its implementation mechanisms. The law includes principles of non-discrimination, equal recognition before the law, and access to justice, aligning conceptually with the CRPD. However, it lacks detailed operational procedures, enforcement mechanisms, and institutional clarity.

Moreover, although the National Commission on Human Rights (Komnas HAM) and several ministries have developed programs to support the rights of persons with disabilities, coordination remains fragmented, and implementation is highly dependent on local government capacity. (Chalabi, 2025) Indonesia's legal pluralism and decentralization also mean that judicial and administrative responses vary significantly across regions, with rural and under-resourced areas facing the most acute deficits.

2. Practical Barriers to Access

Despite Australia's stronger legal and institutional systems, several practical barriers persist. Intersectional discrimination—especially affecting Indigenous Australians with disabilities—remains a substantial issue. Many Aboriginal and Torres Strait Islander people experience compounded disadvantages in accessing the legal system due to geographic isolation, linguistic differences, socio-economic marginalization, and lack of culturally competent services.

Remote regions in Australia often lack sufficient legal aid infrastructure or disability specialists, and court staff may not be adequately trained in dealing with individuals with intellectual or psychosocial disabilities. While legal standards exist, enforcement and uniform implementation remain a challenge. Moreover, some procedural accommodations are only provided upon request, which assumes that individuals are both aware of their rights and able to navigate complex legal systems—conditions not always met. (Australia, 2023)

In Indonesia, barriers are even more pronounced. The physical inaccessibility of court buildings, the lack of sign language interpreters, limited legal aid services, and the absence of awareness among judicial personnel significantly impair access. Moreover, cultural stigmas and paternalistic attitudes toward disability further obstruct meaningful participation in legal processes. In many cases, persons with disabilities are seen as passive recipients of assistance rather than active rights-holders, which undermines the spirit of the CRPD.

Court proceedings often lack even basic accessibility accommodations. For instance, blind litigants do not receive documents in Braille or accessible digital formats. Individuals with cognitive or intellectual disabilities frequently lack access to supported decision-making mechanisms, and there are no clear legal procedures to ensure that their testimonies are taken seriously or presented appropriately in court. (Commission, 2020)

3. Procedural Accommodations and Legal Empowerment

Australia has made important strides in promoting procedural accommodations as required by the CRPD. These include changes to courtroom procedures to allow for communication support, flexible scheduling, simplified language in court documents, and training for judicial

officers on disability rights. Some states, like Victoria and New South Wales, have pioneered programs to support persons with cognitive impairments to participate effectively in legal proceedings.

Australia has also institutionalized supported decision-making in some areas, moving away from substitute decision-making models that undermine legal agency. The National Disability Insurance Scheme (NDIS), while not directly linked to the justice system, provides support that can empower individuals to assert their legal rights.(Commission, 2020)

In Indonesia, there is limited evidence of procedural accommodations being mainstreamed into the justice system. While Law No. 8/2016 mandates equal treatment and non-discrimination, it does not outline clear obligations for courts to provide reasonable accommodations. Legal professionals often lack training in disability rights, and court guidelines do not contain disability-sensitive protocols.

Moreover, legal empowerment is largely driven by civil society organizations, which play a crucial role in providing legal aid, conducting community outreach, and training advocates with disabilities. However, such initiatives are mostly urban-centric and lack sustained governmental support or nationwide coverage.

4. Role of Civil Society and Advocacy

In both countries, civil society organizations have played a crucial role in advancing access to justice for persons with disabilities. In Australia, organizations such as People with Disability Australia, the Disability Advocacy Network Australia (DANA), and numerous local disability advocacy groups have contributed to litigation, policy development, and public awareness campaigns. (Commission, 2014)

These groups have also engaged in strategic litigation to establish precedents in disability rights law, particularly around anti-discrimination, access to public services, and equal treatment in administrative and judicial processes. Notably, the Australian Human Rights Commission facilitates conciliation processes that are more accessible and less intimidating than formal court procedures.(Blackham & Allen, 2019)

In Indonesia, civil society actors such as SIGAB (Sasana Inklusi dan Gerakan Advokasi Difabel), Perhimpunan Jiwa Sehat, and LBH (Legal Aid Institute) provide crucial services in the absence of state support. They offer legal counseling, represent clients in court, and conduct disability rights training for law enforcement and judiciary officials. However, their impact is constrained by resource limitations, lack of political support, and fragmented coordination with state institutions.

5. Comparative Strengths and Gaps

A comparative synthesis shows that Australia has successfully translated many CRPD principles into actionable laws and institutional practices, though challenges remain in ensuring uniform access across marginalized populations. Its strength lies in its human rights-based approach, formal complaint mechanisms, and structured accommodations.(Noone & Ojelabi, 2020)

Indonesia, while showing normative alignment with the CRPD, struggles with implementation, enforcement, and institutional preparedness. Legal reforms remain textual rather than transformative, and the justice system lacks disability-specific procedural safeguards. Furthermore, awareness and education among legal professionals are inadequate, limiting the reach of reform efforts.

The decentralized nature of Indonesian governance, combined with strong cultural norms around dependency and stigma, further complicates reform. By contrast, Australia's centralized

regulatory bodies, independent commissions, and active monitoring mechanisms contribute significantly to the realization of access to justice.

The International Obligations Under the CRPD for Ratified States

The Convention on the Rights of Persons with Disabilities (CRPD), adopted by the United Nations in 2006, marked a significant milestone in advancing the rights and dignity of persons with disabilities worldwide. This convention establishes a comprehensive set of obligations for ratifying states. It requires them to ensure equal treatment, eliminate discrimination, promote accessibility, and guarantee the full participation of persons with disabilities in society. However, the extent and effectiveness of its implementation vary significantly across countries.

In the context of this study, the CRPD's obligations are examined through the lens of Australia and Indonesia. Both countries have ratified the CRPD, yet they exhibit differing levels of compliance and challenges in fulfilling its provisions. Australia, with its more developed legal and institutional frameworks, has made substantial strides in creating policies that support persons with disabilities, such as the Disability Discrimination Act 1992. However, as evidenced by the findings of the Royal Commission, practical barriers persist, particularly in ensuring accessibility in remote and Indigenous communities. Despite these advancements, significant issues remain, including inadequate funding for support services and the failure to effectively remove socio-cultural barriers.

On the other hand, Indonesia, while having established a legal framework for disability rights through Law No. 8 of 2016, faces greater challenges in implementing these rights. While legislative advancements have been made, the country's lack of regulatory enforcement, insufficient public awareness, and limited resources significantly hinder the effective realization of CRPD obligations. The lack of clear procedural guidelines for the judiciary further exacerbates these barriers, making it difficult for persons with disabilities to access justice and participate fully in society. (Rakhmawaty & Fakrulloh, 2024)

The Convention on the Rights of Persons with Disabilities (CRPD), adopted by the United Nations in 2006, marked a major advancement in promoting the rights and dignity of persons with disabilities worldwide. (Kanter, 2020) It establishes a comprehensive set of obligations for ratifying states, requiring them to ensure equal treatment, eliminate discrimination, promote accessibility, and guarantee full societal participation for individuals with disabilities. However, while the CRPD's ratification has been widespread, the extent and effectiveness of its implementation vary significantly across countries.

1. Legal and Policy Obligations

At the core of the CRPD is the requirement for states to harmonize national laws and policies with the Convention's principles. Article 4 mandates the adoption of legislative and administrative measures to uphold the rights of persons with disabilities. (Tereziia, 2020) While many countries have enacted disability-specific legislation following ratification, the gap between legislation and enforcement remains a serious issue. In some contexts, legal protections exist in name only, hindered by weak implementation, insufficient budgets, and limited political will.

Moreover, corruption, lack of institutional capacity, and low public awareness about the rights of persons with disabilities contribute to ongoing systemic barriers. Legislative reforms must be accompanied by robust enforcement mechanisms, public education initiatives, and capacity-building for legal professionals, policymakers, and service providers. Without these, the impact of new laws is greatly diminished, and disabled individuals remain vulnerable to discrimination and exclusion. (Bertia, 2022)

2. Inclusive Education and Employment

Education and employment are crucial domains for realizing the rights of persons with disabilities, both of which are directly addressed in the CRPD. Article 24 promotes inclusive education, calling for the integration of students with disabilities into mainstream education systems. However, many countries continue to operate segregated education systems, limiting opportunities for interaction and equal participation. Even in inclusive settings, students with disabilities often face barriers such as inaccessible classrooms, lack of assistive technology, and teachers untrained in inclusive pedagogy. The absence of individualized support and accommodations can hinder academic achievement and self-development. (Commission, 2025)

Similarly, Article 27 emphasizes the right to work, yet unemployment and underemployment among persons with disabilities remain alarmingly high. Many workplaces are not adapted for inclusivity, and reasonable accommodations—a key concept under the CRPD—are often lacking. Misconceptions about the capabilities of persons with disabilities, combined with economic concerns about accommodation costs, further reduce employment opportunities. To address these gaps, governments must invest in inclusive education systems, vocational training, and employer incentives such as tax breaks. Empowering the private sector to create inclusive environments and fostering positive attitudes through awareness campaigns are also vital steps toward fulfilling CRPD obligations. (Commission, 2014)

3. Accessibility and Infrastructure

A central pillar of the CRPD, enshrined in Article 9, is accessibility. Despite progress in some high-income countries, inaccessible infrastructure remains a widespread problem, especially in developing contexts. Public transportation, buildings, digital services, and communication tools often lack the necessary accommodations for persons with disabilities. This limits access to education, employment, healthcare, and civic participation. (Broderick, 2020)

Digital accessibility, for example, is still a challenge. Government websites and online platforms frequently fail to follow international accessibility standards, leaving many individuals unable to access essential information and services. Similarly, healthcare facilities often lack physical access and disability-friendly communication methods, creating disparities in health outcomes. (Amucheazi & Nwankwo, 2020)

Improving accessibility requires more than infrastructure development; it involves inclusive design, stakeholder consultation, and ongoing evaluation. States must adopt universal design principles, provide accessible technology, and ensure public services—including health and transportation—are adapted for all.

4. Social Protection and Health

Social protection and healthcare services for persons with disabilities are emphasized in Articles 25 and 28 of the CRPD. Yet, persons with disabilities are disproportionately affected by poverty, unemployment, and exclusion from basic social services. Many social protection systems are not designed to meet the specific needs of disabled individuals, resulting in inadequate support and increased vulnerability.

Access to healthcare is often limited due to financial constraints, physical barriers, and a lack of trained personnel sensitive to disability-related needs. In many countries, assistive devices and rehabilitation services are not publicly funded, placing an undue burden on individuals and families.

To fulfill CRPD commitments, states must ensure that social protection programs are inclusive and needs-based and that healthcare systems are equipped to deliver equitable,

accessible services. Funding for assistive technologies, community-based rehabilitation, and disability-sensitive health training is essential to closing the gap.

5. Monitoring and International Cooperation

Monitoring mechanisms, mandated under Article 33, are essential for tracking the implementation of the CRPD. However, in many countries, monitoring bodies are underfunded, poorly staffed, or lack enforcement authority. This undermines accountability and allows violations of disability rights to persist.(Anopchenko & Ostrovskiy, 2021)

Article 32 calls for international cooperation in areas such as capacity-building, research, and technology transfer. While some progress has been made, political instability and limited financial resources hinder cooperation, particularly in low- and middle-income countries. Effective collaboration between governments, international organizations, and civil society is key to sharing best practices and resources.

Finally, the CRPD represents a powerful framework for advancing the rights of persons with disabilities. However, ratification alone is not sufficient. Genuine implementation requires strong political will, sustained investment, inclusive policy-making, and robust accountability mechanisms. As states move forward, they must adopt a holistic approach, recognizing the interconnection of rights such as education, employment, health, and accessibility. Only then can the promise of the CRPD be fully realized, transforming societies into inclusive spaces where all individuals—regardless of ability—can thrive with dignity and equality.

CONCLUSION

While both Australia and Indonesia have committed to fulfilling access to justice for persons with disabilities based on the CRPD principles, the gap between legal commitments and real-world outcomes is often exacerbated by inadequate funding, lack of technical capacity, limited awareness, and persistent societal stigma. Barriers to justice, particularly in the legal system, highlight the urgency of institutional transformation, better accessibility measures, and sustained resource allocation. These challenges reveal that legislative reform alone is not enough; it must be accompanied by robust enforcement mechanisms, capacity building, and cross-bencher collaboration involving government bodies, civil society, and communities of persons with disabilities themselves. Nonetheless, Australia's advanced legal system has led to better outcomes in some areas but still struggles with inclusion for marginalized groups. In contrast, Indonesia's more recent legal reforms face substantial challenges in enforcement and resource allocation. These findings underscore the importance of not only ratifying international conventions like the CRPD but also ensuring their effective implementation through sustained efforts, adequate funding, and systemic reforms.

AUTHOR CONTRIBUTION

M. Syuib is fully responsible for the conception and design of the study, data collection and analysis, interpretation of the findings, as well as the drafting and revision of the manuscript.

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