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Strengthening Disaster Law & DRR Legislation in Indonesia



Background



- Scale of tsunami response = trigger for IDRL work
- The tsunami response revealed legal issues, gaps, weaknesses
- Having learnt from first-hand experience and many disaster operations, national authorities have continued to ensure the country is well-prepared to face the inevitability of future disasters.

Background



- Over the years, PMI has been actively at the forefront of the various processes to develop and strengthen the legal framework for DRM in Indonesia.
- PMI is part of a National Platform for DRR and one of the key members of working group or 'alliance' for the strengthening of the law called AMPU-PB (or 'Community Alliance for Strengthening Law on Disaster Management').

Background



- PMI has made significant progress in supporting the integration and mainstreaming of disaster risk reduction into our legislation and national development plan. That includes the short, medium and long term development plan, both at the national level, and locally at the provincial and district levels.

PMI supported to IDRL Road Map



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Creating a Disaster Law Roadmap for Indonesia *(agreed with BNPB early 2016)*

IFRC and
PMI
support
these DL
processes

Provide
expertise on
**IDRL and
DRR** - and
community
voice

**DRR and
Law project**
– will use the
'Checklist on
Law and
DRR'

Working with
partners e.g.
BNPB, MBPI,
OCHA, AHA
Centre

Consultations
for Law
24/2007
review

Recent Disaster Law Support from PMI & IFRC



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- **2003** : PMI supported by IFRC has been actively involved in *socializing and advocating IDRL* for governmental bodies/institutions, Indonesian parliament, UN bodies and local/ International NGOs.
- **2004**: December 26th, the Sumatra–Andaman earthquake occurs off the west coast of Sumatra, Indonesia,
- **2005**: PMI with support from IFRC and in partnership with the Indonesian Government, publishes the case study ***Laws, Policies, Planning and Practices on International Disaster Response***. The study was undertaken in the ‘pre-tsunami’ context.
- **2007**: The **Disaster Management Act, Law No. 24** of 2007 is adopted, which establishes the BNP and addresses the mandate of various stakeholders in emergency operations.

Recent Disaster Law Support from PMI & IFRC



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- **2008:** With advice and support from PMI and IFRC, **Reg No. 23 on the Participation of International Institutions and Foreign NGO in DM** is adopted.
- **2010:** Extensive consultations among BNPB, PMI, IFRC and UN OCHA results in the **Guideline No. 22 on The Role of the Intl NGO during Emergency Response.**

Recent Disaster Law Support from PMI & IFRC



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- **2012:** PMI, with support from IFRC, **commences the IDRL Impact Study**, which analyses the implementation and impact of Law No. 24 of 2007 and its related regulations and guidelines.
- **2013:** ***A consultation workshop***, hosted by PMI and BNPB, is held to enable national and international stakeholders discuss and comment on the initial findings from the IDRL research.
- **2014:** ***The final IDRL report, An Analysis of the Impact and Implementation of Indonesia's Legal Framework for International Disaster Assistance***, is published.
- **2015:** PMI, with support from IFRC and UNDP, in collaboration with the Indonesian Government, uses the ***Checklist on Law and DRR*** to explore and analyse the legal framework for DRR in Indonesia.

Recent Disaster Law Support from PMI & IFRC



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- **2016:** a multi-stakeholder consultation is held in February to verify the research findings and explore relevant issues around DRR and Law in Indonesia. In November, the ***Strengthening Law and Disaster Risk Reduction (DRR) in Indonesia*** report is launched.
- **2016:** in December, PMI as part of AMPU-PB, organized a reflection session with Members of the National Parliament (at the National House) and handed over the report on the implementation of the 2007 DM Law



Recent Disaster Law Support from PMI & IFRC



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- **2017:** On the 10-year anniversary of the passing of DM Act, PMI and the AMPU hold a reflection on DM in Indonesia.
- **June 2017 :** PMI invited by House Representative of RI (DPD-RI) advocates on how the DM Act could be strengthened, including issues around definitions, status and level of disaster, budget, community participation, and the shifting paradigm from response to DRR. The 2007 DM Act is subsequently entered into the national legislation program (prolegnas) for 2015-2019 as one of the main acts to be amended.
- **2017 (January – September):** PMI and IFRC actively engage and contribute to the consultations on the National Disaster Response Framework (NDRF) which is intended to pass as a Government Regulation and help clarify institutional roles and responsibilities for national and international disaster response mechanisms in Indonesia

Review DM Law - No. 24/ 2007- March 2015



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IDRL Road Map - Planning



Disaster Law - Advocacy and Socialization



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PMI Involvement to the DM Law Review Processes.



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PMI Involvement to the AMPU WG. Palang Merah Indonesia



Hearing with Parleмент on Disaster Law - June 2017



Hearing with DPR Expert Staff on DM Law review



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Facilitated the Development of DRR/ IRM Regulation in all of villages

- ❖ Resilient Village Building
- ❖ Plantation Green Belt along river to prevent Erosion
- ❖ Sedimentation Prevention in the river and canal
- ❖ Garbage management
- ❖ SIBAT role and responsibilities on CFR and DRR/ CCA



Conclusion



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- As member of National DM Legislation WG, PMI with the support of IFRC has been actively involved in the initiation, advocacy, socialization and conducted training, Workshop, Seminar, cases study etc
- The DM Law 24 -2007 law was entered into the national legislation program (prolegnas) for 2015-2019 as one of the main acts to be amended.
- PMI also involved in series of International Simulation –TTX-FTX , ARDEX, DIREX, that organized by BNPB to testing the implementation of IDRL in indonesia.
- Internally, PMI also conducted roadshow of National Simulation and TTX to testing how Disaster Law can be implemented from National down to the local.
- Since 2008, PMI has been facilitating the development of resilient village used indicators through ICBRR programme.

Way Forward

- The review of Indonesia's Disaster Management Law 24/2007 is an opportunity to utilize the Checklist as part of the review process.
- Maintaining the utilization of resilient check list for the development of Resilient village, Resilient Schools/ Campus.
- PMI will continue the Facilitating process of PERDA, PERDES and PERLUR (Village Regulation) development on thematic purpose linked with the implementation of Integrated Risk Management include DRR, CCA and SDGs.
- PMI actively support BNPB/ Government to develop standard of professional competency of Disaster Management in Indonesia as well as ASCEND - ASEAN



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Terima Kasih