



# IFRC Asia Pacific Disaster Law Programme

## Indonesia: Snapshot

The **Asia-Pacific region is the world's most disaster-affected** – it is where 43% of the world's natural hazards occur and where 80% of people affected by natural hazards live. **Disasters bring with them not only a devastating human impact but a huge economic cost as well.** As natural disasters increase in frequency and intensity, **strong, inclusive and well implemented disaster laws** are key to an effective disaster risk management system. Disaster Law refers to the disaster-related legislation, policies and procedures which address the roles and responsibilities to manage and respond to disasters, minimise the impact of disasters and reduce disaster risks.

The **International Federation of Red Cross and Red Crescent Societies (IFRC) Disaster Law Programme** assists National Societies to support their authorities in developing and applying state-of-the-art disaster-related legislation, policies and procedures. The disaster law work of IFRC operates on an international mandate provided by all state parties to the Geneva Conventions, providing advice based on more than 12 years of global research and consultations. By harnessing their unique auxiliary role, National Societies have successfully strengthened new disaster law and implementing rules in over 30 countries since 2007.

### IFRC Disaster Law Programme's areas of expertise:



Modern legal frameworks that have integrated disaster risk reduction and climate change adaptation into disaster risk management and sectoral laws and policies, in line with key international and regional commitments.



Procedures for international disaster relief that put domestic authorities in the driver's seat, reduce barriers, costs and quality problems, and uphold humanitarian principles.



Modern and integrated legal frameworks for disaster risk management that adequately address domestic preparedness and response, including institutional and procedural arrangements.



Influence the development, adoption and implementation of law and policy connected to IFRC and National Societies' knowledge, experience and mission, in order to create positive social and institutional changes.

### IFRC Disaster Law Programme's areas of activity:



Inclusion of gender, diversity and protection issues; to ensure that dignity, access, participation and safety for all is adequately provided for in domestic legislation, policies and procedures.



Contextual, well planned approaches to regulatory issues in post-disaster, addressing the complex legal issues that may arise in the aftermath of a disaster with regard to security of tenure and housing, land and property rights.



Strengthen public awareness and communities' level of understanding on rights, roles and responsibilities under disaster-related legislation, policies and procedures to increase their resilience to disasters.



Recognizing the critical role of National Societies, as auxiliaries to their public authorities in the humanitarian field with a unique community outreach, to ensure community voices and engagement with the national level policy development and planning processes.



International Federation  
of Red Cross and Red Crescent Societies



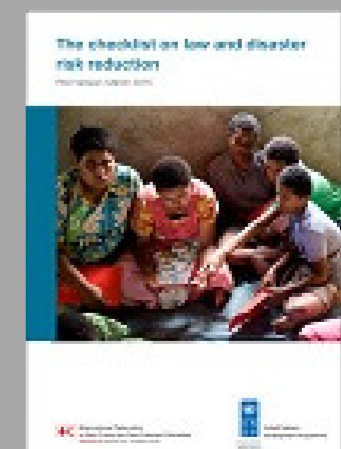
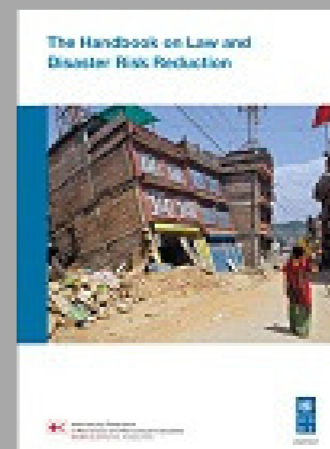
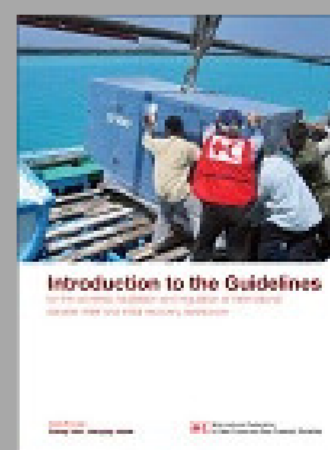
Palang  
Merah  
Indonesia



# Indonesia: Disaster Law milestones

- **2004:** December 26th, the Sumatra–Andaman earthquake occurs off the west coast of Sumatra, Indonesia, triggering a series of devastating tsunamis.
- **2005:** Indonesian Red Cross Society (Palang Merah Indonesia or 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.
- **2006:** The IDRL case study, specifically looking at the ***Legal Issues from the International Response to the Tsunami in Indonesia*** is published.
- **2007:** The **Disaster Management Act, Law No. 24** of 2007, is adopted, which establishes the the National Disaster Management Authority (Badan Nasional Penanggulangan Bencana or BNPB) and addresses the mandate of various stakeholders in emergency operations.
- **2008:** With advice and support from PMI and IFRC, **Regulation No. 23** on the **Participation of International Institutions and Foreign Non-governmental Institutions in Disaster Management** is adopted.
- **2010:** Extensive consultations among BNPB, PMI, IFRC and UN OCHA results in the **Guideline No. 22 on The Role of the International Organisations and Foreign Nongovernment Organisations during Emergency Response**.
- **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.
- **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.
- **2017:** On the 10-year anniversary of the passing of Disaster Management Act, PMI and the Community Alliance for Strengthening Law on Disaster Management hold a reflection on disaster management in Indonesia. PMI 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

## Disaster Law Resources and Tools



For further information, please visit:  
<http://www.ifrc.org/en/what-we-do/disaster-law/>



International Federation  
of Red Cross and Red Crescent Societies



Palang  
Merah  
Indonesia