

Legal Framework

Related to Tsunami Early Warning in Indonesia

BACKGROUND

In April 2007, the Government of Indonesia enacted Law No. 24, the first law concerning disaster management, as an institutional and policy framework for disaster management, including early warning. The law provides a mandate and authority to institutions at all levels to coordinate disaster management activities. Comprising policy formulation, coordination of implementation, provision of guidelines, and directions for disaster preparedness and emergency response for all hazards, it shows the shift of orientation from emergency response to disaster risk reduction in Indonesia.

THE LEGAL FRAMEWORK OF DISASTER MANAGEMENT PRE-2007

Prior to 2007, the Government of Indonesia had never issued specific laws or plans regarding disaster risk management. There were several laws enacted that included elements of emergency response to disasters, such as Law No. 11/1974 on Water Resources Management, and Law No. 23/1992 on Health, and a series of presidential decrees issued between 1961-2001 for the establishment of an ad-hoc National Coordinating Body for Disaster Management (BAKORNAS PB) and its subordinates. Those regulations, however, do not show any systematic linkage amongst themselves. In addition to this, they were enacted under the centralised administration, which was ineffective after Law 32/2004 on regional administration was passed, thus decentralising the administration.

In 2002, several organisations initiated work with the government to provide a legal basis for disaster management, especially for early warning. This process was accelerated by the 2004 tsunami in Aceh and subsequent natural disasters.

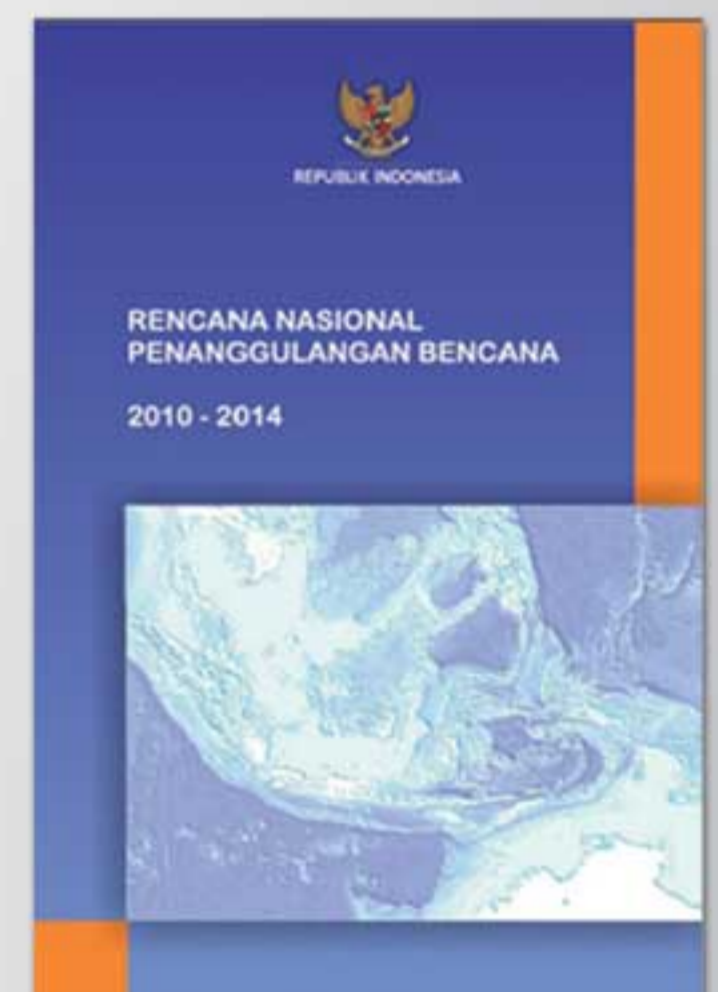
Realising that warning dissemination is crucial in risk reduction, in the absence of a disaster management law, in 2005, the Government of Indonesia issued Government Regulation No. 50/2005 concerning the obligation of private broadcasting institutions to disseminate early warning information issued by official sources from the government. Following this, the Minister for Communication and Information issued Regulation No 20/2006 to arrange for an early warning mechanism through nationwide service of Indonesian broadcasting institutions. In July 2006, the President of Indonesia also declared the establishment of a tsunami early warning system at the soonest possible date.

THE PROCESS

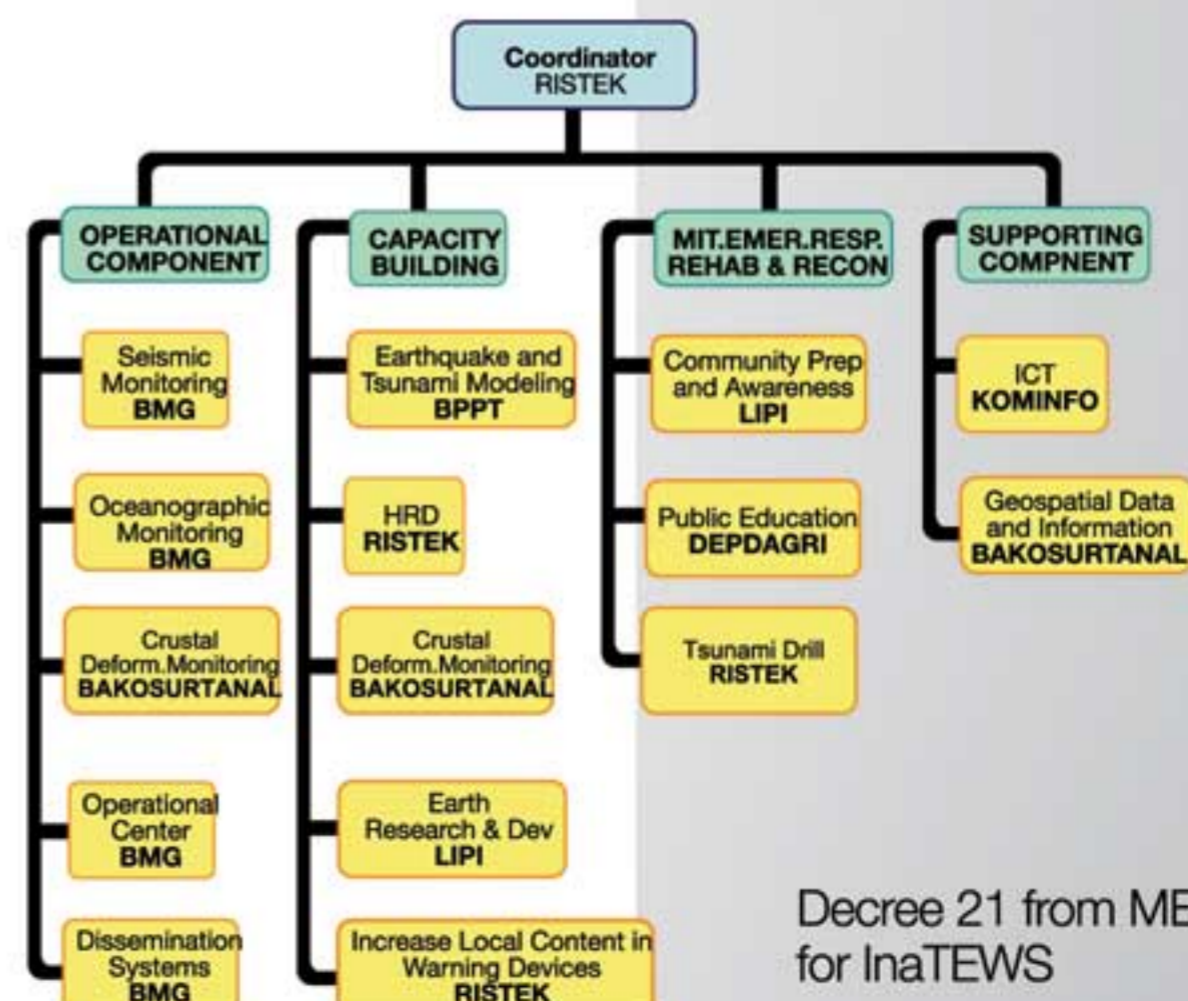
The Coordinating Minister for People's Welfare, as the Executive Director for BAKORNAS PB, issued Decree No. 21/2006, which assigned government institutions as focal points and established the *Tsunami Early Warning System - Development Team*.



Disaster Management Law 24/2007



National Action Plan 2010 – 2014 by BNPB



Decree 21 from MENKOKESRA for InaTEWS

“END TO END” TSUNAMI EARLY WARNING SYSTEM IN INDONESIA AFTER 2007

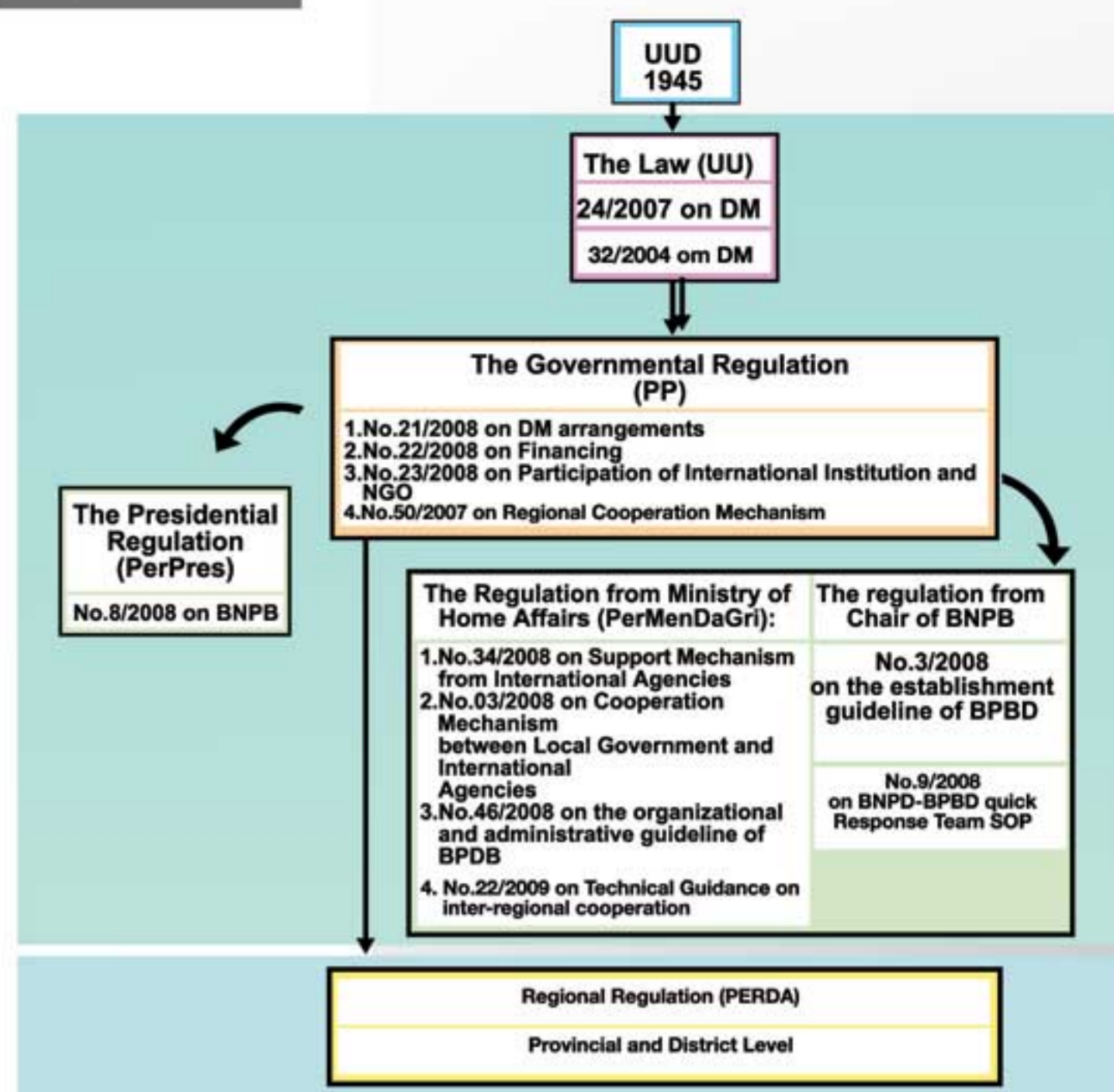
The enactment of Law 24/2007 was followed by the issuance of new regulations - since the legal system in Indonesia requires every law to be accompanied by regulations that guide its implementation - to arrange an end-to-end early warning system in Indonesia, including public participation, public private partnership, international collaboration, multi-hazard approach, continuous monitoring, national and local relations, financial and industrial dimensions, an incentive system, and education.

The Law also transformed the ad-hoc BAKORNAS PB, which had focused entirely on disaster response, into a permanent National Disaster Management Agency (BNPB) and the subordinated Regional Disaster Management Agencies (BPBD) at the provincial and district levels. BNPB and BPBDs are currently working to integrate tsunami early warning into their organisational structures, while the provincial and district governments are developing local regulations (PERDA) and other forms of legal instruments concerning disaster management and tsunami early warning.

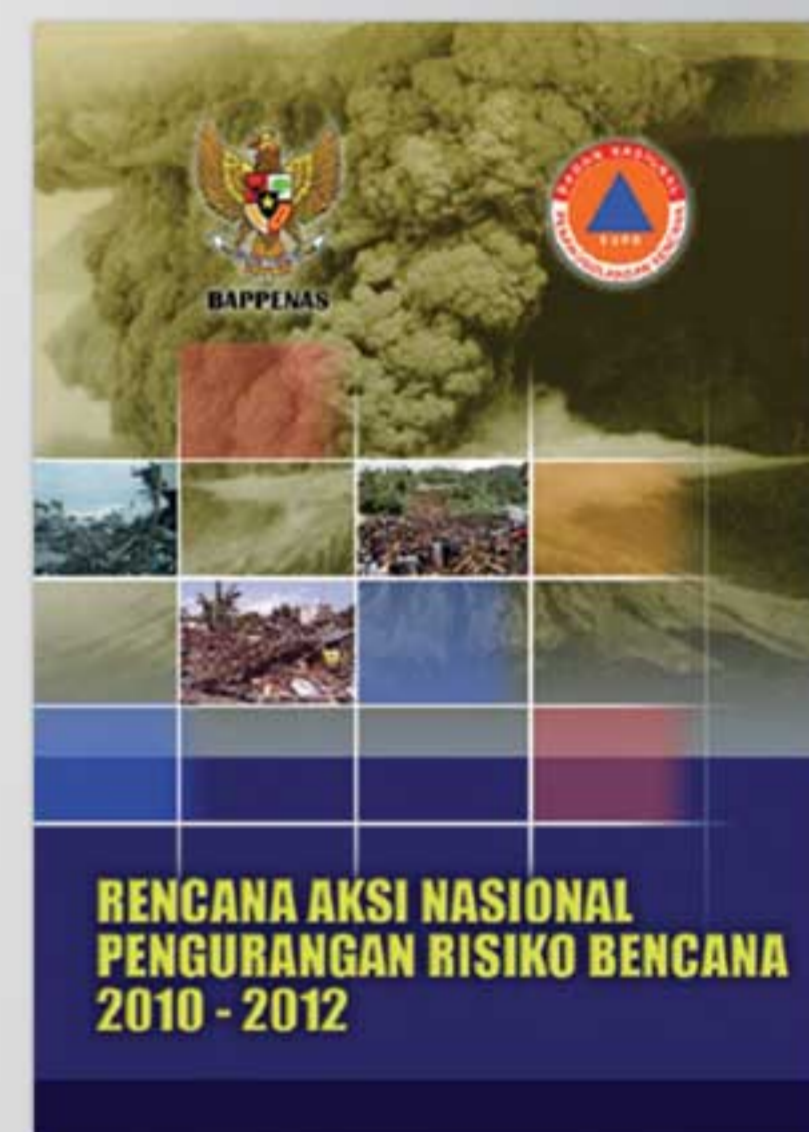
Decree No. 21/2006 concerning the responsible institutions is now being revised in regards to Law 24/2007. In 2008, the Ministry of Research and Technology issued the Decree No. 68/M/Kp/2008 about the development of a Capacity Building Unit for InaTEWS. The decree regulates tasks of each capacity building component, i.e. earthquake and tsunami modelling, human resources development, technical and coordination workshop, and local content in warning devices. In 2009, the government enacted Law No. 31/2009 on meteorology, climatology and geophysics, which defines the roles and responsibilities of BMKG, broadcasting institutions, local government and other stakeholders, and approves international cooperation regarding implementation of early warning systems.

TSUNAMI EARLY WARNING IN THE NATIONAL ACTION PLAN FOR DISASTER RISK REDUCTION (RAN PB)

The National Action Plan for Disaster Risk Reduction (RAN PRB), launched in January 2007, is a significant milestone in planning and budgeting for Disaster Risk Reduction (DRR). BAPPENAS included DRR in the 9 Development Priorities and the Mid-Term Development Plan (Rencana Pembangunan Jangka Menengah/RPJM) for 2008. TEWS is also prioritised in the National Annual Development Plan (Rencana Kerja Pemerintah/RKP) for 2008, and RAN PRB 2010–2015, focusing on the development of institutional and human resource capacity in disaster mitigation and early warning. Furthermore, BNPB has also launched a national plan for disaster management 2010 – 2014, in which early warning is included as the sixth out of the nine priorities.



Laws and Regulations related to InaTEWS



National Action Plan 2010 – 2012 by BAPPENAS

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