

ROLE OF THE INTERNATIONAL ORGANIZATIONS AND FOREIGN NON GOVERNMENT ORGANIZATION ON DISASTER MANAGEMENT

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Legislation Sub-system

- National:
 - Law Number 24 Year 2007
 - Government Regulations (Peraturan Pemerintah – PP)
 - PP 21/2008 on Disaster Management
 - PP 22/2008 on Funding and Management of Aids
 - PP 23/2008 on the Role of the International Organizations and Foreign Non-Government Organizations
 - Presidential Regulation
 - Status and Level of Disaster
 - Establishment of BNPB
- Regional/Local:
 - Regional/Local Regulation
 - Establishment of BPBD

PP Number 23 Year 2008

The Role of the International Organizations and Foreign Non-Government Organizations (IO and FNGO) on Disaster Management

Purpose:

- To strengthen disaster mitigation efforts, reduce disaster hazards and risks, reduce the suffering of affected people and accelerate community recovery.
- Covering pre-disaster, during disaster, and post disaster.

To be coordinated by BNPB.

MECHANISM

Pre and post disaster

To develop:

- a. proposal;
- b. Memorandum of Understanding (MoU); and
- c. work plan.

Note:

- Proposal to be consulted with Indonesian mission outside of the country;
- MoU to be coordinated by BNPB to involve relevant and related government institutions/ministries on international related issues.

During disaster

- Direct assistance without normal procedures
- Submission of personnel, logistics, equipment lists, as well as location of activities; the submission could be done before, during, or soon after the assistance arrive in Indonesia.
- Head of BNPB coordinates with relevant institutions in approving the international assistance.
- Funds should be given or transferred directly to BNPB, in compliance with the applicable rules and regulations.

Command and Coordination

- For pre and post disaster, IO and FNGO has to adhere to disaster management policy and be coordinated by BNPB.
- During emergency response, IO and FNGO are under the command of BNPB.

- IO and FNGO could take their role on disaster management individually, together with, and/or working with their partner from Indonesia.
- Access facility could be granted to the IO and FNGO for their disaster management activities in line with the applicable rules and regulations.

Implementation

BNPB and BPBD has access facility on:

- Mobilization of:
 - Human resources
 - Equipment
 - Logistics
- Immigration, customs and quarantine
- Permits
- Provision of goods and services
- Management and accountability on funds and/or goods
- Rescue
- Command over sectors/institutions.

Monitoring and Reporting

- BNPB undertakes monitoring on the role of the IO and FNGO on their activities for disaster management.
- The provisions on monitoring mechanism is regulated through the Regulation of the Head of BNPB.

*The Regulation of the Head of BNPB
Number 22 Year 2010*

on
**THE ROLE OF THE INTERNATIONAL
ORGANIZATIONS AND FOREIGN NON-
GOVERNMENT ORGANIZATION DURING
EMERGENCY RESPONSE**

Background

- Referred to the International Disaster Response Law (IDRL)**
- Role and contribution of the IO and FNGO are significant enough on disaster management to support the government and the community.**
- To enhance the understanding of related government institutions as well as the IO and FNGO on domestic rules and regulations on emergency response.**

Purpose:

- To provide guideline for stakeholders (relevant government institutions as well as IO and FNGO) on the management of international assistance during emergency response as stipulated in articles 7 and 30 of the Law Number 24 Year 2007 on Disaster Management.

Objective:

- To facilitate the support from the IO and FNGO;
- To facilitate arrangement and appropriate monitoring;
- To clarify the role and responsibilities of relevant institutions in disaster management during emergency response.

Scope

This Guideline includes coordination, administration, supervision, security and proper handling of assistance in terms of personnel and goods for disaster affected people during emergency response.

Process: inter-department cooperation

- 27-28 July 2009: Workshop on the Application of Facility for Domestic Regulation and Law on International Emergency Response for the International Humanitarian Assistance in Indonesia;
- 24-26 Nov. 2009: 1st workshop for development of draft guideline on the role of the IO and FNGO in emergency response in Indonesia;
- 15-17 Dec. 2009: 2nd workshop for development of draft guideline on the role of the IO and FNGO in emergency response in Indonesia;
- 12 Aug. 2010: Public consultation with the international community.

Participants of the Workshop

The workshop was attended by 36 participants (five of them are female), among others are:

- National Agency for Disaster Management (BNPB)
- Indonesian Military Force (Tentara Nasional Indonesia)
- Indonesian Police (Kepolisian Negara Republik Indonesia)
- Ministry of Foreign Affairs
- Ministry of Health
- Ministry of Home Affairs
- Ministry of Finance (Customs & Excise, Tax)
- Ministry of Law and Human Rights – Directorate General for Immigration
- Ministry of Agriculture – Animal Quarantine
- State Secretariat – Bureau for International Technical Cooperation (KTLN)
- Ministry of Transportation
- Ministry of Defence
- Ministry of Trade
- National Agency for Drugs and Food Control (Badan POM)
- Soekarno-Hatta International Airport
- State Intelligence Agency (BIN)
- PT Garuda Indonesia, PT MAS, MCO

THE ROLE OF THE IO and FNGO DURING EMERGENCY RESPONSE IN INDONESIA



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Chapter I: Introduction

A. Background

1. Medium and small scale disaster → enable to cope; however for large scale still needs support and assistance from the international community.
2. Empathy from the international community → partnership commitment as well as regional and global cooperation.
3. Law Number 24 Year 2007, PP.21, 22 and 23
4. IO & FNGO are allowed to take role in case the government declares the need and/or accept the offer in line with the needs.
5. Faster, accurate and useful, however still comply with the applicable rules and regulation.

Principles

- Respecting the sovereignty
- Equality on partnership and coordination
- Compatible with local culture
- Allocated according to the needs (both goods and services)
- Non discriminatory
- Respecting and protecting dignity and rights of disaster-affected people
- Providing positive impact
- IO and FNGO have to be independent in providing and distributing their aids.
- No violation of rule/taking advantage.

CHAPTER II: INITIATION OF THE INTERNATIONAL ASSISTANCE

A. INITIATION

- A.1. Triggers for the Entry of the International Assistance
- A.2. Mechanism for the Entry of the International Assistance

B. MANAGEMENT OF THE INTERNATIONAL ASSISTANCE

- B.1. Conduct rapid and accurate assessments on the location, damages and resources available.
- B.2. Rescue and Evacuation
- B.3. Provision of basic needs
- B.4. Protecting vulnerable groups
- B.5. Immediate rehabilitation of vital facilities and infrastructure

INTERNATIONAL ASSISTANCE

■ INITIATION

- Government Policy/Statement to accept the assistance
- BNPB will determine the Entry Point
- Supporting Post (BNPB and relevant institutions) for registration, permission process (CIQ), centre of logistics prior to distribution.

Type of Assistance

- 1. Funds and grant assistance:** to be directly sent to BNPB; administrative record will be done compliance to the applicable rules and regulation.
- 2. Goods:**
 - Goods have to be packed, categories, and marked with clear address for distribution according to needs.
 - When selecting beneficiaries with certain criteria, such selection should be coordinated with the local government up to the grass root levels. Whenever possible, communities should be involved in determining the criteria and distribution of in kind assistance.
 - Distribution of in-kind assistance should not provoke/heighen conflict between members of the community.
- 3. Expert:** to meet the required qualifications set by the government through related technical ministries. Whenever possible, technical experts should be accompanied by Indonesian counterparts to allow capacity development.

General provision:

1. To have permit from the government, coordinated through BNPB.
2. Access facilitation on the process of immigration, customs and quarantine (personnel, logistics including equipment)
3. The government has the authority to accept or refuse entry of personnel from the international community.
4. Has diplomatic relation.
5. Military assistance (personnel, quipment/plane/ship) has to get Security Clearance from the Indonesian Military Force Hqs.

PERMIT, to be processed through Supporting Post; outside emergency response period will need to follow the applicable rules and regulations.

Process: (PERSONNEL)

1. Submit lists of personnel, logistics and equipment – pre, during, and post disaster, soon after the assistance arrives in Indonesia.
2. Meet the qualification of the needs: Health, SAR, Construction, Communication, liaison, etc.
3. Registration of personnel: submitting copy of passport, visa, photographs (4 x 6 cm).
4. Access facilitation on immigration, visa, entry permit, stay permit, and exit permit.
5. Supporting Post provides ID Card to be returned upon completion of the mission.

Permit for goods

- Submit the list of logistics, equipment and location of activity → BNPB will coordinate with related ministries/institutions.
- Foreign military assets → entry permit will refer to the regulation of the Indonesian Military Force HQs. (Mabas TNI).
- Complete with certification and quarantine documents.
- Import goods:
 - Exemption/deferred customs and excise, no import tax (PDRI), permit facility, import and export facility.
 - Submitting request to BNPB for the above purpose.
 - Attaching: Manifest, Invoice, airway bill, gift certificate and certificate of analysis.
 - Barang yg akan dibawa pulang kembali harus dilengkapi dgn dokumen Reekspor
 - Guarantee the quality, compatibility and safety of imported foods. Medicines/drugs with expiry period of at least two years and of six months for food.
- Quarantine:
 - Completed by health certificate from country of origin and transit country for animals, substances derived from animal, product derived from animal, plant and other part of plants, except carrier which are categorized as other objects.
 - Pass through predetermined entry and exit points in compliance on the applicable rules and regulations.
 - Reported and submitted to quarantine officials at points of entry for quarantine treatment.

GOODS DISTRIBUTION is the responsibility of Local Government

- Handed over to the Government or Local Government, once relief goods arrive and permission granted.
- Work together with partners from the Indonesian.
- Direct distribution to direct beneficiaries under the coordination with the Supporting Post.

CHAPTER III: MANAGEMENT OF INTERNATIONAL ASSISTANCE

1. Coordination:
 - BNPB coordinates rapid assesment
 - Commander of Emergency Response Command prepared operation plan involving the international community
 - Routine cluster coordination Cluster
 - Information management
2. Protection and Security
3. Cost
4. Immunity: the Government of Indonesia shall not be held responsible for any loss suffered by IO and FNGO resulting from acts of violation or neglect during the implementation of humanitarian activities in Indonesia.
5. Monitoring and Reporting

CHAPTER IV: SANCTION

In the event that IO and FNGO do not adhere to the existing regulations, the sanction will be given in compliance with the existing rules and regulation.

CHAPTER V TERMINATION OF INTERNATIONAL ASSISTANCE

- At the time when the Government issues the statement on the termination of emergency response phase.
- Before the deadline by observing the development at disaster-affected area as well as the national situation.
- BNPB will provide:
 1. A summary report of latest situation and condition
 2. Progress of emergency response conducted by the Indonesian government as well as IO and FNGO.
 3. Fixed date signifying the end of the emergency response phase and decision to end international humanitarian assistance.
 4. Letter of appreciation for IO and FNGO.

THANK YOU