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The development of disaster management governance in Indonesia: a legal and regulatory review

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Abstract: Indonesia's geographical and socio-environmental conditions make disaster management a critical aspect of public governance. This study examines the historical development of disaster management governance in Indonesia through a legal and regulatory perspective. Using a qualitative legal-historical approach, the research traces major regulatory and institutional changes from 1945 to the present. The findings show that before 1990, disaster management policies mainly focused on institutional formation and authority distribution through presidential decrees, with limited attention to disaster scope and governance mechanisms. After 1990, government awareness expanded to recognise broader disaster classifications, including natural, man-made, and social disasters. A major shift came with the enactment of Law No. 24 of 2007, which established a comprehensive disaster management framework in Indonesia. The law formalised disaster management phases, strengthened national and regional institutions, and promoted multi-stakeholder participation involving communities and international cooperation. These developments reflect the gradual institutionalisation of disaster governance in Indonesia.

Keywords: disaster management; disaster management governance; disaster governance; legal framework; regulatory framework; legal review; regulatory review; presidential decrees; multi-stakeholder participation; international cooperation; public law; public policy; Indonesia.

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1 Introduction

Disasters have become an increasingly significant policy concern in Indonesia due to the country's high exposure to natural hazards and complex socio-environmental conditions. Located along the Pacific Ring of Fire and characterised by extensive coastlines, active volcanoes, and frequent hydro-meteorological events, Indonesia experiences a wide range of disasters, including earthquakes, volcanic eruptions, floods, landslides, and social conflicts (Djalante et al., 2017). These conditions have made disaster management an important area of public governance requiring coordinated institutional and regulatory responses.

Disaster management governance in Indonesia has developed gradually through a series of legal and institutional arrangements. Despite these developments, scholars have not widely examined the historical evolution of disaster management regulation in Indonesia from a legal-institutional perspective. This article examines the historical development of disaster management governance in Indonesia through the evolution of its legal and institutional framework. The study traces regulatory arrangements from the early post-independence period to the present, highlighting the institutional reforms of agencies responsible for disaster management and the shifting conceptual understanding of disasters within the Indonesian government, as reflected in the scope, duties, functions, and authorities assigned to these institutions. By analysing these developments, the article aims to provide a clearer understanding of the evolution of Indonesia's disaster management framework.

2 Results

2.1 Arrangements 1945–1965

Although Indonesia declared independence *de jure* on 17 August 1945, the new republic continued to face *de facto* instability as the Dutch tried to reassert colonial control (Aliya et al., 2018). Consequently, governance priorities centred on sovereignty, security, and political stabilisation rather than developing the disaster management sector. No comprehensive statutory framework governed disaster management. Although several executive decisions and presidential decrees were issued, these instruments functioned primarily as reactive, administrative measures.

Within this broader context of post-independence instability, disaster-related matters were addressed primarily through the constitutional framework on states of emergency. Law 6/1946 (6 June 1946) was among the earliest statutory instruments to recognise that extraordinary situations, including natural disasters, could justify the declaration of a state of emergency. This approach was later refined through Law 74/1957 (2 October 1957), which introduced clearer categories and levels of emergency status. Following the reinstatement of the 1945 Constitution, the government enacted Government Regulation

in place of Law 23/1959 (16 December 1959), which maintained a tiered system consisting of civil emergency, military emergency, and state of war. In all three regulations, natural disasters were explicitly acknowledged as grounds for declaring a state of emergency and embedded within the security and defence framework.

Parallel to this legislative framework, institutional responses also began to emerge. According to historical documentation from the National Disaster Management Agency (BNPB), one of the earliest institutions established during this period was the War Victims Family Assistance Agency (BPKKP), formed on 20 August 1945 pursuant to a decision of the Preparatory Committee for Indonesian Independence (PPKI). BPKKP primarily addressed the humanitarian consequences of armed conflict by assisting war victims and supporting families affected during the struggle for independence. However, BPKKP's functions overlapped with those of the People's Security Agency (BKR), the precursor to the Indonesian National Armed Forces (TNI), which was responsible for national security and defence. Although BKR was formally positioned under BPKKP, the institutional configuration remained functionally overlapping. This arrangement shows the lack of clear sectoral differentiation among humanitarian relief, civil protection, and security functions (Dinas Sejarah Militer Tentara Nasional Indonesia Angkatan Darat, 1982).

While the immediate post-independence years were dominated by humanitarian relief efforts intertwined with security and defence functions, the early 1960s marked the beginning of more structured coordination in disaster-related affairs. Presidential Decree 54/1961 (8 February 1961) indicates that disaster management responsibilities had previously been carried out by the Minister of Home Affairs and Regional Autonomy in his capacity as Chair of the Cabinet Ad Hoc Committee for Natural Disaster Affairs established under Presidential Decree 71/1960. Although the formal text of Presidential Decree 71/1960 is not readily accessible, making it difficult to determine in detail the scope of authority and institutional mandate of the committee, its decree suggests that the government had begun to move beyond purely humanitarian assistance.

The institutional strengthening of disaster coordination in the early 1960s followed a series of major natural disasters. On 15th December 1960, a severe cyclone struck Saumlaki in the Tanimbar Islands (Maluku), causing fatalities and extensive destruction of residential housing and public infrastructure. In early 1961, major floods and landslides affected several regions across Java, Sumatra, Nusa Tenggara, and Kalimantan, resulting in casualties, damage to public facilities, and substantial losses to agricultural land. These events exposed the limits of existing ad hoc arrangements and highlighted the need for a more structured disaster-response mechanism (Putro, 2022).

In response to these developments, the central government established the Natural Disaster Shelter Committee (PPBA) through Presidential Decree 54/1961. PPBA was designed as a coordinating body to facilitate collaboration among various ministries and strengthen inter-departmental coordination at both the central and regional levels. PPBA reflects the recognition that disaster management requires cross-sectoral involvement at the highest level of government. The composition of PPBA consisted of:

- a Chairman: Prime Minister/Deputy Prime Minister.
- b Members:
 - Minister of Home Affairs and Regional Autonomy
 - Minister of Social Welfare

- Minister of Finance
- Minister of Public Works and Manpower
- Minister/Deputy Minister of National Security
- Minister of Health
- Minister of Agriculture
- Minister PETRA
- Secretary General of the National Front.

After the restructuring of the Dwikora Cabinet in 1965, PPBA was renamed the Natural Disaster Shelter Centre Committee (P3BA) through Presidential Decree 312/1965 (20 October 1965). Although the institutional nomenclature changed, its primary function as a coordinating body remained the same. This restructuring did not fundamentally alter the character of disaster governance at the time; rather, it reflected broader political-administrative reconfiguration within the cabinet system. The reorganisation adjusted its structure in accordance with cabinet realignment, with the following composition:

- a Chairman: Second Deputy Prime Minister.
- b Vice Chairman: Coordinating Minister for the Welfare Compartment.
- c Members:
 - Coordinating Minister for the Defense and Security Compartment
 - Coordinating Minister for the Law and Home Affairs Compartment
 - Coordinating Minister for the Finance Compartment
 - Coordinating Minister for the Distribution Compartment.

Taken together, developments during 1945–1965 show that disaster governance in Indonesia was anchored in emergency-state legislation and cabinet-centred coordination. Natural disasters were treated as conditions warranting extraordinary governmental control rather than as matters of systematic risk management. Institutional arrangements were largely reactive, security-oriented, and administratively coordinated, but not yet embedded in a dedicated disaster management regime or guided by a long-term regulatory vision. Nevertheless, this period marked the first recognition of disaster as a multi-sectoral issue requiring coordination across government portfolios, laying the foundation for subsequent institutional formalisation in the decades that followed. This finding parallels Demiroz (2023), who argues that crisis management governance fundamentally requires cross-sectoral collaboration.

2.2 Arrangements 1966–1979

The transition from the Dwikora Cabinet to the Ampera Cabinet in 1966 led to significant institutional restructuring in disaster management. As part of this reorganisation, Presidential Decree 256/1966 (14 December 1966) dissolved P3BA and replaced it with the Natural Disaster Management Advisory Board (BP2BA). BP2BA was placed under the responsibility of the Minister of Social Affairs and was tasked with formulating policy recommendations and advising the Government on measures related to natural

disaster management, including disasters that had occurred or were likely to occur. In carrying out its functions, BP2BA was accountable to the Chairman of the Cabinet Praesidium. The organisational structure of BP2BA consisted of:

- a Chairman (concurrently Member): Minister for People's Welfare Affairs.
- b Vice Chairman (concurrently Member): Minister of Social Affairs.
- c Members:
 - Minister of Home Affairs
 - Minister of Finance
 - Minister of Public Works
 - Minister of Agriculture
 - Minister of Mining
 - Minister of Health
 - Minister of Information
 - Representative of Commission F, People's Representative Council (DPR-GR)
 - Chief of Staff for Defense and Security.

After the establishment of BP2BA, the number of disaster-related incidents and government responses increased during this period. Inventories from the archives of the Ministry of State for Economic, Financial, and Industrial Affairs (1967–1973) document numerous reports concerning natural disasters across various regions of Indonesia. These include reports on disaster impacts in Central Java (1968–1971), natural disaster relief in Burma (1967), requests for international assistance, and fundraising initiatives for disasters such as the Mount Merapi eruption. The increasing frequency of natural disasters during the late 1960s highlighted the need for a more structured national coordination mechanism. In response, the Cabinet Praesidium issued Decision No. 14/U/KEP/I/1967, which established the National Coordination Team for Natural Disaster Management (TKP2BA).

2.3 Arrangements 1979–1990

The increasing complexity of disaster events and the need for a more integrated national response led the government to institutionalise disaster governance in the late 1970s. This development resulted in the establishment of the National Coordinating Agency for Natural Disaster Management (Bakornas PBA) through Presidential Decree 28/1979 (18 June 1979). The decree replaced earlier institutional arrangements, including BP2BA in 1966 and TKP2BA formed in 1967.

Under this regulation, Bakornas PBA was established as a non-structural national body at the central level, directly responsible to the President. Its primary responsibilities included formulating policy directions, providing guidance, coordinating disaster management activities, and controlling the implementation of disaster response programs across government institutions. The decree further emphasised that disaster management should be conducted through integrated efforts covering preventive, repressive, and rehabilitative measures, indicating a shift in the emergency response approach.

The organisational structure of Bakornas PBA reflected its multi-sectoral coordination role. The Coordinating Minister chaired it for People's Welfare. It included representatives from numerous ministries and national institutions, including the Ministries of Social Affairs, Home Affairs, Public Works, Health, Defence and Security, Agriculture, Finance, Transportation, and Information, as well as agencies such as the National Search and Rescue Agency and the Indonesian Red Cross. This composition illustrates the growing recognition that disaster management requires coordinated action across multiple governmental sectors.

Taken together, Presidential Decree 28/1979 shifted disaster management from a solely central government function to one that extended to regional administrations through the creation of the Coordinating Unit for Natural Disaster Management (Satkorlak PBA). Under this arrangement, Bakornas PBA served as the national coordinating body, setting policy direction and coordinating disaster management at the central level. In contrast, Satkorlak PBA served as operational coordination units at the regional level, established at both the provincial and district/municipal levels. Satkorlak PBA was responsible for implementing disaster management policies, coordinating response activities among regional institutions, and reporting disaster events and response measures to the national coordinating body. The emphasis on establishing Satkorlak PBA was also reflected in Instruction of the Minister of Home Affairs 27/1979, which reportedly provided further guidance on forming regional coordination units. However, the author has not been able to locate the official archival record of this ministerial instruction.

2.4 Arrangements 1990–2000

Presidential Decree 43/1990 (19 September 1990) transformed Bakornas PBA into the National Coordinating Agency for Disaster Management (Bakornas PB). This institutional change reflected a new scope of disaster in Indonesia. Unlike the previous arrangement, which focused primarily on natural disasters, the new institution recognised man-made disasters. As a result, the scope of disaster management under Bakornas PB was broadened to address a wider range of emergencies beyond natural hazards. However, based on available archival and regulatory sources, the author has not been able to identify specific policy discussions or disaster events that directly explain this expanded recognition.

In addition to expanding the conceptual scope of disasters, Presidential Decree 43/1990 also simplified the institutional composition. While Presidential Decree 28/1979 included a wide range of ministerial representatives and national agencies, Presidential Decree 43/1990 introduced a more compact structure centred on key ministries such as Social Affairs, Home Affairs, Health, Public Works, and Transportation, along with the Commander of the Armed Forces.

This expansion in scope is significant from a governance perspective. As Bongiovanni and Fischbacher-Smith (2023) stated, the complexity of modern disasters unfolds across multiple dimensions, and an effective governance framework must be capable of addressing this complexity. The recognition of man-made disasters in Indonesia's regulatory framework in 1990 represents a step toward this more comprehensive understanding, even if the institutional and regulatory mechanisms to operationalise it remained limited.

Presidential Decree 106/1999 (2 September 1999) further developed Indonesia's disaster governance framework. The decree recognised that disasters could include not only natural and man-made disasters but also social disasters. The regulation also broadened the institutional composition by involving a wider range of ministries and national agencies, including the Ministry of Home Affairs, Ministry of Defense and Security, Ministry of Social Affairs, Ministry of Health, Ministry of Public Works, Ministry of Transportation, Ministry of Energy and Mining, Ministry of Agriculture, Ministry of Forestry and Plantation, Ministry of Environment, Ministry of Research and Technology/Agency for the Assessment and Application of Technology, and the National Development Planning Agency, along with the Commander of the Indonesian Armed Forces.

At the regional level, the decree divided the coordination mechanism by establishing a two-tier operational structure at the provincial and district/municipal level. The provincial level coordinated disaster management through Satkorlak, chaired by the Governor. In contrast, the district or municipal level carried out operational implementation through the Disaster Management Implementation Unit (Satlak), led by the Regent or Mayor. Through this arrangement, disaster management continued to strengthen the coordination between central and regional governments while addressing a broader scope of disasters.

2.5 Arrangements 2001–2006

In 2001, Presidential Decree 3/2001 (9 January 2001) reorganised the national disaster management institution into the National Coordinating Agency for Disaster Management and Refugee Management (Bakornas PBP). The institutional name changed amid the multidimensional crisis Indonesia faced during this period, marked by a growing number of social disasters. As a matter of fact, the growing number of refugees became a new challenge that required specific policy attention within the national disaster management framework.

While the disaster management cycle established in previous regulations remained applicable, the decree added a new scope: humanitarian services and refugee protection. This scope includes activities such as prevention, emergency response, temporary shelter, relocation, and returning refugees to their places of origin. The institutional structure was also expanded to involve a wider range of ministries and national institutions, including the Ministry of Home Affairs and Regional Autonomy, Ministry of Health and Social Welfare, Ministry of Settlement and Regional Infrastructure, Ministry of Transportation and Telecommunications, Ministry of Energy and Mineral Resources, Ministry of Manpower and Transmigration, Ministry of Finance, Ministry of Forestry, and the Ministry of Environment, as well as the Commander of the Indonesian National Armed Forces and the Chief of the Indonesian National Police. The body was chaired by the Vice President of the Republic of Indonesia, reflecting the increasing urgency and political importance of disaster management within Indonesia's governance framework.

Later on 12 October 2001, Presidential Decree 111/2001 (12 October 2001) was issued. However, this regulation did not substantially change the mandate of Bakornas PBP. Instead, the decree primarily amended the body's institutional composition. The amendment introduced a Vice Chairman position held by the Coordinating Minister for

People's Welfare and streamlined ministerial membership to align with the restructuring of the cabinet.

On 26 December 2004, a magnitude 9.15 earthquake with an epicentre off the west coast of Indonesia triggered a massive tsunami that struck several coastal regions, including Banda Aceh (Ecember et al., 2005). The tsunami waves, which reached heights of more than 30 meters in some areas, caused widespread destruction and resulted in approximately 239,411 fatalities, while more than 430,000 people were displaced (Norhazlina Fairuz Musa, 2017). The scale of the disaster exposed significant limitations in the existing disaster management system and became a critical turning point in the development of disaster management in Indonesia.

In response, the government issued Presidential Regulation 83/2005 (29 December 2005), which re-established the institutional framework under Bakornas PB with several important changes. Under the new regulation, the institutional focus returned primarily to disaster and emergency management, while refugee handling was no longer explicitly included in the agency's mandate. Structurally, the regulation maintained the Vice President as Chair of Bakornas PB, but added the Minister of Home Affairs as a second Vice Chair and established a Daily Executive Unit led by the Head of the Daily Executive (Kalakhar) to provide technical and administrative support for disaster management activities. Additionally, the regulation emphasised the need for coordinated action before, during, and after disasters and introduced a clearer disaster management cycle with four main phases: prevention, preparedness, emergency response, and recovery. This aligns with what governance scholarship identifies as the essential phases of emergency management that government capacity must be designed to address (Demiroz, 2023).

2.6 Arrangements 2007–present

Globally, the unprecedented scale of the 2004 Indian Ocean Tsunami generated strong momentum for the emergence of the disaster risk reduction (DRR) paradigm. The disaster significantly changed how disasters were understood and how disaster risks were managed worldwide (Djalante and Garschagen, 2017). In response, the international community adopted the Hyogo Framework for Action (HFA) in January 2005, which became the first global framework guiding Indonesia in strengthening disaster management and risk reduction strategies.

In Indonesia, the Aceh tsunami also prompted the government to prioritise disaster management reforms. Responding to the disaster revealed critical weaknesses in the existing institutional and regulatory framework. Consequently, the government undertook a series of reforms to strengthen national disaster governance. These efforts culminated in the enactment of Law 24/2007 (26 April 2007) on Disaster Management, which marked a significant transition toward a comprehensive disaster management framework in Indonesia.

The enactment of Law 24/2007 provided Indonesia's first comprehensive statutory foundation for disaster management. Earlier regulations mainly focused on establishing coordinating bodies and defining institutional structures without providing a comprehensive legal framework for disaster management activities. Law 24/2007 reflects several significant advancements. First, it established a clear legal definition and classification of disasters and formalised the disaster management cycle into three stages: pre-disaster, emergency response, and post-disaster. This formalisation is consistent with

Demiroz (2023), who identifies it as the essential prerequisite for effective disaster governance: a clear delineation of the stages at which government capacity and cross-sector collaboration must be mobilised.

Second, the law created a permanent national disaster management institution, BNPB, as a non-ministerial government agency directly responsible for coordinating disaster management at the national level. BNPB was designed with a dual structure consisting of policy-directing and operational elements, enabling it to perform coordination, command, and implementation functions. Presidential Regulation No. 8 of 2008 later elaborated on BNPB's structure and functions. At the provincial and district/municipal levels, the law introduced the Regional Disaster Management Agency (BPBD). This arrangement ensured that disaster management responsibilities were shared across administrative levels rather than concentrated solely at the central government.

Lastly, the law expanded actor involvement by incorporating community participation, private sector engagement, and international cooperation. Through this law, disaster management was no longer seen merely as an administrative coordination function but became a comprehensive legal regime emphasising risk reduction, institutional clarity, and multi-actor involvement.

Several presidential decrees have been enacted throughout the historical development of disaster management governance in Indonesia. Nevertheless, since the establishment of the current disaster management regulatory framework in 2007, institutional and substantive adjustments have remained relatively limited. Meanwhile, the global disaster framework has evolved from the Hyogo Framework for Action (2005–2015) to the Sendai Framework for Disaster Risk Reduction (2015–2030), which places stronger emphasis on disaster risk governance, resilience, and proactive risk management. These global developments illustrate the broader transformation in how disaster risks are understood and managed at the international level.

3 Conclusions

The historical evolution of disaster management governance in Indonesia demonstrates a gradual institutional and regulatory transformation. In the early post-independence period, disaster-related matters were closely linked to national security concerns. Over time, the government established coordinating bodies, starting with inter-ministerial coordination mechanisms and later with national coordinating institutions such as Bakornas PB. However, these arrangements remained largely administrative and coordination-based, lacking a comprehensive statutory framework. A major turning point occurred with the enactment of Law 24/2007, which provided the first comprehensive legal foundation for disaster management in Indonesia. The law introduced clearer disaster classifications, formalised the disaster management cycle, established the BNPB and BPBD, and expanded the involvement of multiple actors in disaster governance.

Despite establishing this comprehensive legal framework, Indonesia's disaster management regulatory structure has remained unchanged since 2007. Additionally, the global framework for disaster has also been renewed from HFA 2005–2015 to Sendai Framework for Disaster Risk Reduction 2015–2030, which emphasises risk governance, resilience, and proactive disaster risk management. Consequently, regulatory renewal is needed to align Indonesia's national disaster governance system with the current

international framework. Such regulatory renewal may also serve as an important instrument for evaluating disaster management implementation in Indonesia. In this context, updating Indonesia's disaster management regulatory framework becomes an important step toward strengthening national disaster governance in an increasingly complex risk environment.

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Declarations

The authors used Claude (Anthropic) during manuscript preparation to refine text and improve language. All source selection, interpretation, analysis, and final manuscript revisions were conducted and verified by the authors.

All authors declare that they have no conflicts of interest.

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