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Humanitarian assistance and disaster relief in the perspective of Indonesia Defense Policy

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Abstract. The development and progression in humankind's understanding of the world and life, ensured a continuous evolution in the response to events threatening our livelihoods. Humankind also developed techniques to deal with natural hazards, either by aiming to contain the forces of nature, or by altering human own behavior. The humanitarian assistance and disaster relief are crucially important in order to protect the nations. This research employed literature review method. The results showed that every nation should prepare and manage their capabilities in Humanitarian Assistance and Disaster Relief (HADR), both in protection for own countries or in providing aids for the others. Military Operation Other Than War (MOOTW) does not involve the use or threat of violence but prioritizes the provision of HADR. In MOOTW, military forces synergize with other institutions/organizations, especially those related to diplomacy, economy, government, even politics and religion. Moreover, in handling disasters, especially in Indonesia, the combination between civilians and the military is crucial in realizing Civil-Military Cooperation (CIMIC) and Civil-Military Coordination

(CMCoord). Under certain mechanism, the military power is only used to support civilian institution in HADR.

Keywords. Humanitarian Assistance, Disaster Relief, Civil-Military Coordination.

1. Introduction

The development and progression in humankind's understanding of the world and life, ensured a continuous evolution in the response to events threatening our livelihoods. Humankind also developed techniques to deal with natural hazards, either by aiming to contain the forces of nature, or by altering human own behavior [1]. In 2019, 396 natural disasters were reported, above the annual average of the last 10 years (343 disasters per year), killing 11,755 people, affecting nearly 95 million others and causing approximately \$150 billion in losses. Natural disasters triggered 24.9 million new displacements in 2019, the highest recorded figure since 2012. By 30 June 2020, 9.8 million people had been newly displaced by disasters. This condition is assumed to be risen, as displacements are yet to be accounted for from major flooding in Asia and the Sahel region, and the typhoon season in East Asia and the Pacific. Moreover, climate change and extreme weather events are key drivers of the recent rise in global hunger and food insecurity. In 2019, 34 million people suffered from weather-driven acute food insecurity – a 17 per cent increase from the previous year. These numbers are expected to rise, as more than 80 per cent of the world's most food insecure people live in disaster-prone countries [2].

Asia-Pacific is the region most exposed to disasters in the world, so disaster management comes as a regional priority. More than in the past decade, most countries in the region have established authorities and systems national disaster management which continues to increase its capacity in handling disaster response effectively. Furthermore, the emergence of response settings prominent bilateral relations, based on cooperation available, and capacity building regional organizations contribute to a more diverse response system. As a result, disaster management and response in this region are based on strong national leadership, particularly in the context of natural disasters, with regional and international standards that complement Government efforts when necessary. Usually, national-led disaster management includes not only the Government, but also 'society as a whole', including the army, private sector, civil society, and others especially, the affected communities themselves. In Asia-Pacific, local communities have always been first and last responders, so that disaster management is strengthened by active community involvement, particularly through risk reduction approaches community-based disasters that build local capacity. If humanitarian actions truly relevant, timely, effective and efficient, disaster-affected communities must be at the center of all humanitarian action, and they must be actively involved before, during and after disasters [3].

National defense is a way to safeguard, protect, and defend the sovereignty, unity, and integrity of Indonesia against every threats. Indonesia has adopted total defense system that involves all people, territories, and other national resources in national defense. Total defense system is prepared as early as possible in a total, integrated, directed, and continuous manner to defend the sovereignty, territorial integrity, and safety of all Indonesian people from all kind of threats. Total defense system was originated from the historical struggle of Indonesian people in maintaining its independence against the colonials [3].

Furthermore, humanitarian action seen from the perspective of humanitarian agencies is considered the need to assist and protect people affected by a disaster—their lives, livelihoods

and environments. The goals of humanitarian action include saving lives, alleviating suffering, maintaining human dignity during and after a natural or human-caused crisis or disaster, and working both at disaster prevention as well as improving disaster response. Humanitarian actors usually frame their work in a rights-based approach. Humanitarian assistance is fundamental for victims of disasters and other emergencies. This means that people affected by disasters have the right to request and receive assistance and protection from governments, which hold the main responsibility for providing such assistance and protection.

In the case of humanitarian assistance, this may also relate to the humanitarian intervention. However, what makes humanitarian interventions complicated are the associated principles and approaches. An intervention involves the use of coercive power, either that of another state's military forces or that of international organizations like the United Nations (UN), to enforce a sovereign country when it is unable to safeguard its citizens' fundamental rights. It seems difficult to underline the exact border between the politics, norms, and legal principles of this entry, determining that humanitarian interventions tend to be obscured. Not only their confusion, however, the term 'right to intervene' ratified as part of international law, is also questionable given the past and present humanitarian crises worldwide. Due to the progress in the academic discourse on human rights, the context of state sovereignty is changing. Recently, sovereignty details more of a responsibility to protect the universal human rights of individuals. Broadly, global nations and the sovereignty of different states include human rights values [4].

Similarly, to the cases in Indonesia, there are certain rules or term and condition to gain or to provide humanitarian aid, especially for the international cases. The rules are aimed to assure the certain irresponsible act or to fulfil the international customary law in order to protect the nations from the threats. Moreover, Indonesia Defense White Paper also acknowledge that the disaster as the real threat to the nations so that it may need all the national resources to be dealt with [5]. Increased natural disasters is a real threat to national security that threatens life and safety of Indonesian nation. Besides, natural disasters also affect life socio-economic community. However, thus, the high risk of disaster does not usually match with the readiness of disaster capability of a nation. To deal with various types of disaster, all national resources should have the capability to prevent, to deal and to recover from this threat in order to protect the nations and its sovereignty.

2. Research Method

This study employed literature review method as the methodology. The literature review or literature research is research that examines or critically reviews knowledge, ideas, or findings contained in the body of academic-oriented literature, as well as formulating theoretical and methodological contributions to certain topics. The nature of this research is descriptive analysis, namely the regular breakdown of the data that has been obtained, then understanding and explanation are given so that it can be understood well by the reader [6].

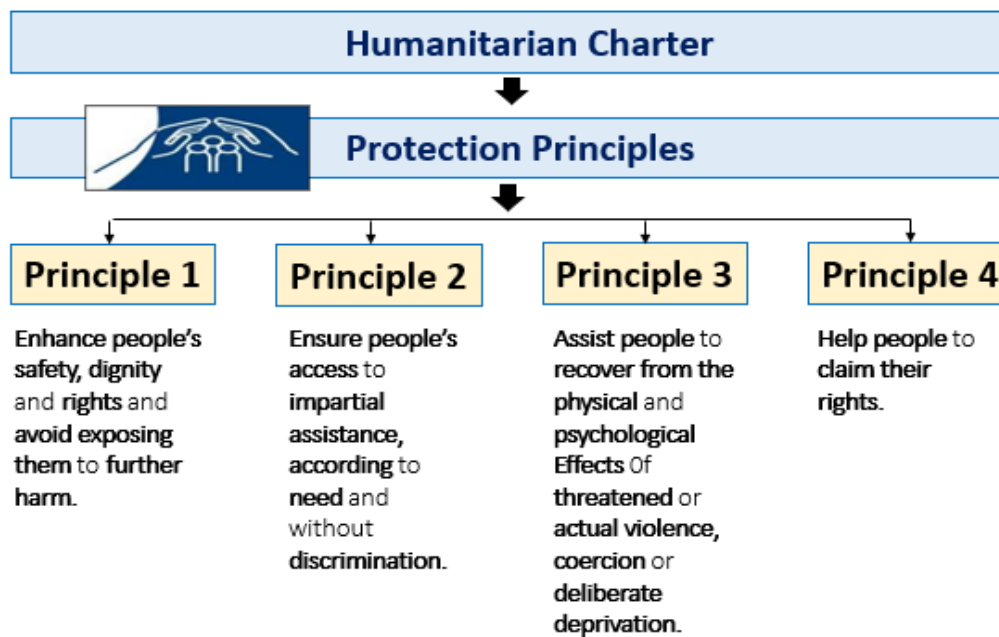
This literature review was synthesized using a narrative method by grouping similar extracted data according to the results measured to answer the objectives. Research journals that match the inclusion criteria are then collected and a journal summary is made including the name of the researcher, the year the journal was published, the title of the study, the method and a summary of the results or findings. The summary of the research journal is entered into the table according to the format mentioned above. To further clarify the analysis of the abstract and full text of the journal, read and observe. The journal summary then analyzed the contents contained in the research objectives and research results/findings.

3. Result and Discussion

3.1. The Protection Principle in the Humanitarian Charter

In terms of legal rights and obligations, the Humanitarian Charter summarizes the core legal principles that have most bearing on the welfare of those affected by disaster or conflict. With regard to shared belief, it attempts to capture a consensus among humanitarian agencies on the principles which should govern the response to disaster or conflict, including the roles and responsibilities of the various actors involved.

Figure 1. Protection principles in Humanitarian Charter



Source: Modified from Sphere Association (2018)

Based on Figure 1, there are 4 (four) protection principles derive from the Humanitarian Charter. Principle 1, enhancing people's safety, dignity and rights also avoid exposing them to further harm. This principle includes some activities, which are, understanding protection risks in context, providing assistance that reduces risks that people may face in meeting their needs with dignity, providing assistance in an environment that does not further expose people to physical hazards, violence or abuse; and supporting the capacity of people to protect themselves.

Principle 2, ensuring people's access to impartial assistance, according to need and without discrimination. Some activities include in these principles are, challenging any actions that deliberately deprive people of their basic needs, using humanitarian principles and relevant law, ensuring people receive support on the basis of need, and that they are not discriminated against on any other grounds; and ensuring access to assistance for all parts of the affected population.

Principle 3, assisting people to recover from the physical and psychological effects of threatened or actual violence, coercion or deliberate deprivation. Some activities in this principle may include, referring survivors to relevant support services, taking all reasonable steps to ensure that the affected population is not subject to further violence, coercion or deprivation; and supporting people's own efforts to recover their dignity and rights within their communities and be safe.

The last principle, helping people to claim their rights. This principle includes, supporting people to assert their rights and to access remedies from government or other sources, assisting people to secure the documentation they need to demonstrate their entitlements; and advocating for full respect of people's rights and international law, contributing to a stronger protective environment [7].

Based on the principles explained before, the protection principles are provided to be more focused on the condition of people affected by the disaster or any emergency situations. This also may follow the principle in how to deal with disaster management, from pre, current and after situation to ensure the life existence in improving their psychological condition after the disaster happened. Moreover, in armed conflict or other situations of violence, the protection of civilians who may be exposed to harm and suffering is critical. An effective protection response requires professional competence and adherence to commonly agreed professional Minimum Standards that are applicable to all protection actors.

The Professional Standards for Protection Work were established to create a shared basis for protection work among humanitarian and human rights actors, and to maximize the effectiveness of that work for the affected population. They complement the Protection Principles. The standards reflect the view that people must be at the center of action taken on their behalf. People have a meaningful role to play in analyzing, developing and monitoring protection responses to the threats and risks they face. Beyond improving people's physical security, protection efforts should promote respect of the rights, dignity and integrity of those at risk or subject to violations and abuse.

3.2. Humanitarian Assistance and Disaster Relief

Humanitarian assistance seeks to save lives and alleviate suffering of people affected by a crisis, be it a natural disaster or conflict. It focuses on short-term emergency relief, to provide basic life-saving services that are disrupted due to the crisis. Humanitarian assistance is needs-based, with the sole purpose to save lives and reduce human suffering that originated from a crisis [8]. In addition, disaster relief is the monies or services made available to individuals and communities that have experienced losses due to disasters such as floods, hurricanes, earthquakes, drought, tornadoes, and riot. A more comprehensive sense of disaster preparedness and management that encompassed functions of preparedness, prevention, mitigation, reconstruction and rehabilitation began to be more widely recognised as a much-needed alternative to disaster relief.

Messages received from both the press and the aid community focus attention on the most visible health effects of natural disasters. This tends to confirm the myth that populations and authorities are in need of whatever help the "outside" world can provide. In the most advanced developing countries, in particular in Latin America, national health services, voluntary organizations, and the affected communities mobilize their own resources to meet the most compelling medical needs in the early phase after a disaster. Requirements for external assistance are generally limited to highly skilled expertise or equipment in a few specialized areas. Nevertheless, disaster workers continue to be overwhelmed with donations, the large majority of which are unsolicited medicines, food, clothing, blankets, and other low priority items [9].

In the case of international Humanitarian aid, the term Responsibility to Protect (R2P) may play the role in understanding the act to intervene into another country. The Responsibility to Protect – known as R2P – is an international norm that seeks to ensure that the international community never again fails to halt the mass atrocity crimes of genocide, war crimes, ethnic

cleansing, and crimes against humanity has emerged as an important global principle since the adoption of the UN World Summit Outcome Document in 2005.

The basic definition of the concept embodies two interlinking elements: The first of these is that sovereignty implies responsibility in the state apparatus to ensure the protection of all persons residing within the territory of the state from genocide, crimes against humanity, ethnic cleansing and war crimes. The second element of the doctrine asserts an international responsibility upon all states to act when the population of another state is suffering serious harm from the international crimes outlined above – as a result of internal war, insurgency, repression or state failure – and the sovereign state concerned is unwilling or unable to halt or avert the suffering [10].

Based on the description above, it is assumed that in order to provide some international aid or receiving international, should be obey to certain rules to respect the sovereignty of a country and also to assure that the help is safety, useful and meaningful for the people affected in emergency situation.

3.3. Civil-Military Relation: UN CMCOORD & Indonesian Context

The idea of civil-military relations in humanitarian assistance is considered vital to finally attain civil-military coordination. United Nations Humanitarian Civil-Military Coordination (UN-CMCoord) is the essential dialogue and interaction between civilian and military actors in humanitarian emergencies, that is necessary to protect and promote humanitarian principles avoid competition minimize inconsistency and when appropriate pursue common goals. UN-CMCoord is a framework - that enhances a broad understanding of humanitarian action - and guides political and military actors - on how to support that action better. The framework is provided as follows:

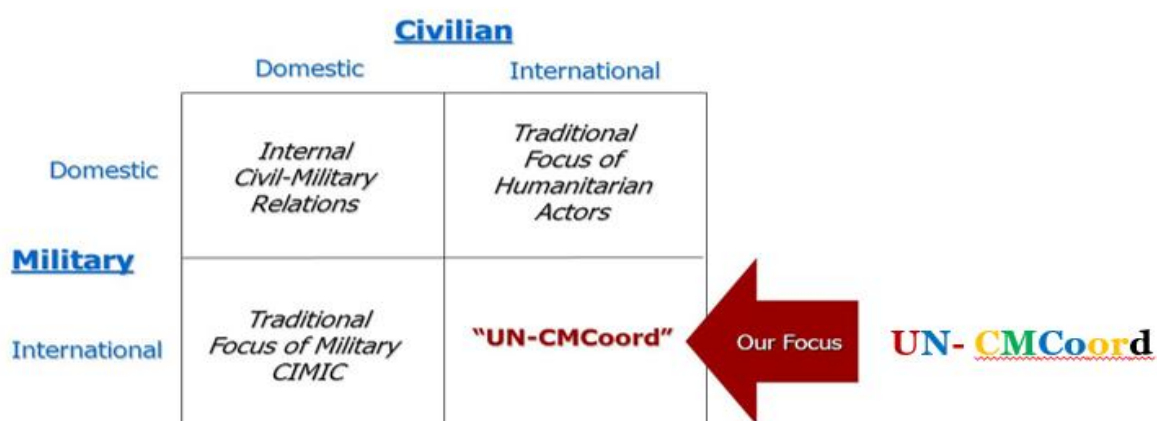


Figure 2. Civil-military Relations in UN-CMCoord
Source : UN-OCHA (2017)

Some efforts have also conducted in Indonesia in order to face disaster. Due to disaster management, The Government of Indonesia's carried out in a more structured, systematic and continuous code of conduct, through the enactment Law of the Republic of Indonesia, Number

24 of 2007 Concerning Disaster Management. The significant development overarching legislative framework for disaster management as the response to the Indian Ocean Tsunami in 2004 and the need to review and reform the disaster management system. It assigns the function of BNPB (National Disaster Management Agency) to coordinate the implementation of disaster management in a well-planned, integrated, and comprehensive action. Meanwhile, the Indonesian Armed Forces (Tentara Nasional Indonesia, TNI) is mandated to respond to disaster and is integrated into the system at the level of first response. The TNI is considered a part of the government disaster response effort and its mandate in disaster response is mentioned in Law No. 34/2004 on the Indonesian Armed Forces. Based on the doctrine of Military Operations Other Than War (MOOTW), TNI coordinate with BNPB helping to respond to the impact of natural disasters, displacement, and delivery of relief aid, and assisting with search and rescue activities.

Concerning the rules and regulation to admit international aid in Indonesia, the terms and condition are provided on the rules as follow:

1. Law No. 24 / 2007 and Government Regulation No. 21/2008 regarding Disaster Management Implementation
2. Government Regulation No. 23 / 2008 : Participation of International Institutions and Foreign NGO in Disaster Management
3. Regulation of the Minister of Foreign Affairs of the Republic of Indonesia No. 20 of 2020 concerning Formation of a team and working procedures for the Ministry of Foreign Affairs for handling foreigners and international assistance in disaster emergencies in Indonesia
4. Regulation of the Minister of Foreign Affairs of the Republic of Indonesia No. 20 of 2020 concerning Formation of a team and working procedures for the Ministry of Foreign Affairs for handling foreigners and international assistance in disaster emergencies in Indonesia

The rules described above are also incorporated with the civil-military relation in facing the disaster. The figure 3 below explain more detail about the idea.

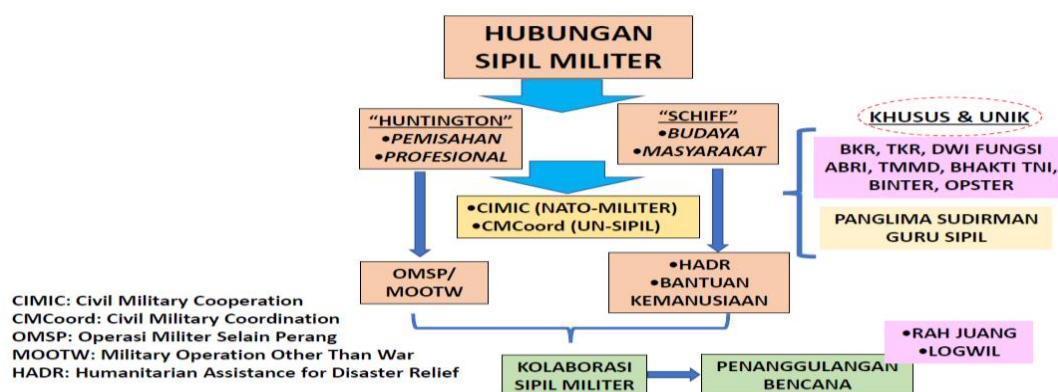


Figure 3. Civil-military Relations in the Context of Indonesia

Source : designed by the researchers

In Indonesian context the civil-military relation is also crucial in realizing the effort in HADR. The Indonesian armed forces which originated from the soul of the nation will enable the integration or collaboration between civilian and military forces in disaster management. the concept of MOOTW by military and humanitarian assistance proposed by civilian are

uniquely happened in Indonesia since the total defense idea also doctrinized among all the national elements in Indonesia.

4. Conclusion

This study has underlined the importance of HADR, more especially in the context of Indonesia. To conclude that, every nations should prepare and manage their capabilities in Humanitarian Assistance and Disaster Relief (HADR), both in protection for own countries or in providing aids for the others. Military Operation Other Than War (MOOTW) does not involve the use or threat of violence but prioritizes the provision of HADR. In MOOTW, military forces synergize with other institutions/organizations, especially those related to diplomacy, economy, government, even politics and religion. Moreover, in handling disasters, especially in Indonesia, the combination between civilians and the military is crucial in realizing Civil-Military Cooperation (CIMIC) and Civil-Military Coordination (CMCoord). Under certain mechanism, the military power is only used to support civilian institution in HADR.

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