




The Ius Constituendum of Inter-agency Synergy Arrangements Related to Natural Disaster Mitigation and Action

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Abstract

Introduction: Natural disasters cause resource destruction and social threats. The synergy of important institutions is facing impact. Indonesia is prone to natural disasters due to volcanic eruptions, earthquakes, etc. Climate change and urbanization are exacerbating the situation. Effective law is needed, including institutional synergy, for disaster mitigation and prosecution.

Purposes of the Research: To gain a deeper understanding of inter-agency synergies in dealing with natural disasters in Indonesia, as well as to contribute to the development of a better and more effective legal framework for mitigating and overcoming natural disasters. Implementation of a more solid and coordinated legal framework is expected to increase the efficiency and effectiveness of natural disaster mitigation and prosecution efforts.

Methods of the Research: This study uses a qualitative normative research method with a statutory approach. The collection of legal materials involves laws, government regulations, regional regulations, government policies, court decisions, as well as legal literature such as articles, journals and books. The analysis is carried out by identifying and selecting relevant regulations, categorizing issues related to institutional roles, resources, and responsibilities.

Results of the Research: Synergy between agencies is the main key in a rapid and coordinated response to natural disasters. Several related institutions have been assigned to deal with disasters, but the implementation of existing laws and regulations needs to be evaluated and improved. In facing this challenge, the Ius Constituendum concept can be applied to strengthen inter-agency synergies related to natural disaster mitigation and prosecution. In implementing the Ius Constituendum concept, the involvement of all stakeholders and an intensive dialogue process are very important to ensure that the laws and regulations that are implemented are in accordance with the needs and conditions that are developing. By formulating and implementing the Ius Constituendum concept correctly, inter-agency synergy in managing natural disasters in Indonesia can be increased.

1. INTRODUCTION

A natural disaster is an event or series of events that results in disruption, damage or loss of various human, material, economic and environmental resources, and threatens social stability and people's welfare. In dealing with the impact of natural disasters, inter-agency synergy is very important to ensure the effectiveness of mitigation and appropriate

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action to protect the public and minimize the losses incurred. Natural disasters have become a serious problem that threatens the lives and sustainability of people around the world. This phenomenon is getting exacerbated by climate change, uncontrolled urbanization, and human activities that are not environmentally friendly. The impact of widespread natural disasters does not only affect economic and social aspects, but also threatens human safety and life. In facing the increasing complexity of natural disaster challenges, the government of a country is required to develop an effective and comprehensive legal system to address the mitigation and prosecution of natural disasters. Natural disasters not only threaten the life and economic sustainability of a country, but can also cause profound social impacts.¹

Therefore, it is important to have an adequate legal framework and strong inter-agency synergy in order to deal with the effects of natural disasters efficiently and effectively. Efforts to mitigate and take action against natural disasters are important to reduce the risks and losses caused by disasters. In this case, the synergy between government institutions at the national level is a crucial factor in the success of this effort. However, even though there are laws and regulations governing the mitigation and prosecution of natural disasters, there are still problems in coordination and synergy among related institutions.² In this context, the concept of "Ius Constituendum" becomes relevant to be analyzed and realized in a country's legal system in creating a legal framework that supports inter-agency cooperation related to natural disasters.³ Strong and efficient legislation is able to provide a clear legal basis for the government and related institutions in dealing with natural disasters with a fast, appropriate and efficient response.

"Ius Constituendum" is a Latin term meaning "a law that is in the process of being formulated" or "a law that must be established".⁴ In the context of this research, "Ius Constituendum Arrangements for Inter-agency Synergy Related to Mitigation and Suppression of Natural Disasters" reflects efforts to explore and formulate optimal legal frameworks to create inter-agency synergies in dealing with natural disaster challenges. Law No. 24 of 2007 concerning Disaster Management (UU No. 24/2007) is the main legal basis governing disaster management in Indonesia. This law underlines that disaster management is a shared responsibility of all components of society and the government. In this Law, it is stated that disaster management must be carried out in an integrated, sustainable, participatory manner, and based on the potential that exists in the community. This Law on Disaster Management provides a legal basis for regulating the planning, implementation and evaluation of disaster management throughout Indonesia. This includes mitigation, emergency response, recovery and post-disaster rehabilitation efforts. The goal is to protect the community, the environment and the country's wealth from the effects of natural disasters that may occur.

¹ Neal D. Goldstein and Joanna S. Suder, "Application of State Law in the Public Health Emergency Response to COVID-19: An Example from Delaware in the United States," *Journal of Public Health Policy* 1, no. 1 (September 28, 2020): 1-9, <https://doi.org/10.1057/s41271-020-00257-8>.

² Haeril Haeril et al., "Penerapan Kebijakan Mitigasi Bencana (Fisik Dan Nonfisik) Dalam Mengurangi Risiko Bencana Di Kabupaten Bima," *Journal of Governance and Local Politics (JGLP)* 3, no. 1 (May 2021): 23-47, <https://doi.org/10.47650/jglp.v3i1.179>.

³ Alan Greene, *Permanent States of Emergency and the Rule of Law: Constitutions in an Age of Crisis* (New York: Bloomsbury Publishing, 2018).

⁴ Fradhana Putra Disantara, "TANGGUNG JAWAB NEGARA DALAM MASA PANDEMI COVID-19," *JCH (Jurnal Cendekia Hukum)* 6, no. 1 (September 30, 2020): 48-60, <https://doi.org/10.33760/jch.v6i1.262>.

This Law also regulates the formation of the National Disaster Management Agency (BNPB) as an institution directly responsible to the President in coordinating and implementing disaster management at the national level. However, in its implementation, obstacles and obstacles often occur that affect the effectiveness of disaster management. One of these obstacles is the lack of synergy between institutions involved in natural disaster management. There are many government agencies and institutions that participate in efforts to mitigate and act on natural disasters, such as the National Disaster Management Agency (BNPB), the Ministry of Environment and Forestry (KLHK), the Ministry of Public Works and Public Housing (PUPR), the TNI and the National Police. However, there are often disagreements in policy, planning and implementation of tasks between these agencies.⁵ In addition, laws and regulations related to natural disaster mitigation and prosecution also do not fully reflect the importance of inter-agency synergies. For example, the Law on Disaster Management does not explicitly regulate coordination and synergy among related institutions in handling natural disasters. Therefore, this study aims to examine and formulate the concept of "Ius Constituendum" (a law that needs to be formed) which regulates inter-agency synergies related to the mitigation and prosecution of natural disasters.

The formulation of the problem from the research entitled "Ius Constituendum Arrangements for Inter-agency Synergy Related to Mitigation and Suppression of Natural Disasters" can be formulated as follows: 1) How is the synergy between institutions in managing natural disasters in Indonesia based on an analysis of existing legal regulations? This problem formulation aims to examine and analyze the extent to which inter-agency synergies related to natural disaster mitigation and prosecution in Indonesia have been effective in accordance with existing legal regulations. This research will involve an analysis of relevant laws and regulations and see how the implementation of inter-agency cooperation has been carried out in dealing with natural disasters; 2) How can the concept of "Ius Constituendum" (a law that needs to be formed) be applied to strengthen inter-agency synergies regarding the mitigation and prosecution of natural disasters in Indonesia?

The formulation of this problem will focus on efforts to formulate and develop the concept of "Ius Constituendum" which can regulate and strengthen inter-agency synergies in handling natural disasters in Indonesia. This research will involve a comparative study with other countries that have succeeded in implementing an effective legal system in dealing with natural disasters in order to provide concrete recommendations to strengthen inter-agency cooperation in mitigating and acting on natural disasters.

With this research, it is hoped that it can contribute to the understanding and improvement of the existing legal system and provide concrete recommendations to strengthen the synergy between related institutions in dealing with natural disasters. Implementation of a strong and coordinated legal framework is expected to increase the efficiency and effectiveness of natural disaster mitigation and prosecution efforts, so that communities can be more resilient and ready to face challenges that come from nature. This research also has broad relevance, because natural disasters are global problems that require cooperation between countries and institutions to find the right solution. Thus, the results of this research are expected to be a positive contribution to global efforts to reduce the

⁵ Hendri Saporini, "Analisa Atas Mekanisme Pengelolaan Bencana Dan Dana Bencana Di Indonesia," 2012, 1-21.

impact and losses due to natural disasters and increase the resilience of communities in various parts of the world.

2. METHOD

The research entitled "Ius Constituendum Arrangements for Inter-agency Synergy Related to Mitigation and Suppression of Natural Disasters" can use qualitative normative research methods with a statutory approach. Qualitative normative research methods aim to analyze, interpret, and understand existing and applicable laws.⁶ This research will include a study of various laws and regulations related to natural disaster management. This method focuses on literature research and analysis of legal texts, laws and regulations, court decisions, and other legal sources. The statutory approach is an approach that focuses on the analysis and interpretation of existing laws in the applicable statutory system.⁷ In this research, you will analyze the relevant laws and regulations related to the mitigation and prosecution of natural disasters. The aim is to understand existing regulations and see how these regulations can be implemented synergistically between agencies in the context of natural disaster management. This research will use various sources of legal materials, including laws, government regulations, and regional regulations related to natural disaster mitigation and prosecution. In addition, policies and guidelines issued by the government regarding natural disaster management as well as court decisions relating to natural disaster cases and the responsibilities of related institutions will also be part of the analysis. In addition, legal literature, articles, journals and books that are relevant to the theme of this research will be an important source of reference. The legal material analysis technique in this study will include several steps. First, there will be a collection of relevant legal materials from the previously mentioned sources. Next, the laws and regulations that are most relevant to the research topic will be identified and selected. These regulations will then be categorized based on the specific issues to be studied, such as the role of institutions, resources, responsibilities, and so on. Furthermore, these regulations will be interpreted and analyzed to identify potential inter-agency synergies in natural disaster management. The results of the analysis will be used to draw conclusions and provide recommendations on how inter-agency synergies can be improved to increase the effectiveness of natural disaster mitigation and prosecution.⁸

3. RESULTS AND DISCUSSION

3.1 The Interagency Synergy of Natural Disaster Management in Indonesia: Current Legal Review

Natural disaster management is a very important and urgent issue for Indonesia, a country prone to various natural disasters such as earthquakes, tsunamis, volcanic eruptions, floods, and so on. The high frequency and intensity of natural disasters requires firm steps and effective coordination from various related institutions in an effort to protect people and state assets from the inevitable impacts of disasters.⁹ In dealing with the threat of natural disasters, inter-agency synergy is the key to responding quickly, precisely and in

⁶ Johannes Supranto, *Metode Penelitian Hukum Dan Statistik* (Jakarta: Rineka Cipta, 2003).

⁷ Peter Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi*, 13th ed. (Jakarta: KENCANA, 2017).

⁸ Umar Sidiq and Moh. Miftachul Choiri, *Metode Penelitian Kualitatif Di Bidang Pendidikan, CV. Nata Karya* (Ponorogo, 2019).

⁹ Teguh Eko Paripurno, "Manajemen, Modul Pengenalan, Bencana Untuk, Ancaman Bencana, Penanggulangan," n.d., 1-41.

a coordinated manner. Effective coordination between agencies will enable optimal use of resources, increased preparedness, and better and more sustainable post-disaster recovery. Even though there are laws and regulations governing natural disaster management and inter-agency synergies, their implementation still needs to be evaluated and improved in order to achieve optimal results. The role of BNPB as a central coordinating agency, inter-local government coordination, and cooperation between government and non-government agencies needs to be strengthened to achieve better synergy.

Through an in-depth understanding of existing laws and regulations, it is hoped that potential improvements can be identified in inter-agency synergies to increase the nation's resilience in dealing with natural disasters.¹⁰ With a strong and integrated synergy, Indonesia can be more prepared and responsive in facing unexpected natural challenges and protecting lives and the country's socio-economic sustainability. The importance of inter-agency synergy in managing natural disasters in Indonesia cannot be ignored considering that Indonesia is a country prone to natural disasters such as earthquakes, tsunamis, volcanic eruptions, floods, and so on. Some of the institutions involved in natural disaster management in Indonesia, among others:¹¹ 1) National Disaster Management Agency (*Badan Nasional Penanggulangan Bencana* BNPB); 2) Meteorology, Climatology and Geophysics Agency (*Badan Meteorologi, Klimatologi, dan Geofisika* BMKG); 3) TNI and POLRI; 4) Indonesian Red Cross (*Palang Merah Indonesia* PMI); 5) Local Government: Local governments have an important role in natural disaster management at regional and local levels. They are responsible for designing and implementing disaster management plans in their area; 6) Non-Governmental Organizations (NGOs): NGOs also play a role in providing assistance and support to victims of natural disasters. They often collaborate with governments and other agencies in providing assistance and emergency response.

The importance of inter-agency synergy in natural disaster management has been recognized and regulated in several laws and regulations in Indonesia. In practice, this inter-agency synergy can be achieved through various mechanisms such as establishing inter-agency coordination forums, implementing joint disaster management drills and simulations, and clear division of tasks and responsibilities among related agencies.¹² However, even though there are legal regulations governing natural disaster management and synergies between institutions, their implementation still requires continuous improvement and evaluation so that they can run more effectively and efficiently in facing the challenges of disasters in Indonesia. This involves coordinating efforts, effective communication, and a willingness to cooperate on the part of all parties involved. In inter-agency synergy in natural disaster management, things that need attention are inter-agency coordination, effective use of existing resources, and a clear division of tasks. BNPB as a national agency will act as the main coordinator, while other institutions, such as the

¹⁰ Anna Jonsson Cornell and Janne Salminen, "Emergency Laws in Comparative Constitutional Law – The Case of Sweden and Finland," *German Law Journal* 19, no. 2 (May 1, 2018): 219–50, <https://doi.org/10.1017/S2071832200022677>.

¹¹ Annisa Rengganis, "Aksi Dan Koordinasi Badan Penanggulangan Bencana Daerah (Bpbd) Kabupaten Kuningan Pada Tahap Mitigasi Bencana," *SOSFILKOM: Jurnal Sosial, Filsafat Dan Komunikasi* 14, no. 01 (2020): 1–8, <https://doi.org/10.32534/jsfk.v14i01.1509>.

¹² Danang Wijayanto, *Problematika Hukum Dan Peradilan* (Jakarta: Sekretariat Jenderal Komisi Yudisial Republik Indonesia, 2014).

TNI/Polri, related ministries/agencies, and regional governments, will contribute according to their respective duties and authorities.¹³

In addition, through existing laws and regulations, it is hoped that a mechanism will be created that allows data and information on natural disasters to be integrated with each other and used for more appropriate and effective decision-making in dealing with natural disasters in Indonesia. All parties must work together to achieve optimal synergy in an effort to protect society from the unavoidable impacts of natural disasters. In order to realize effective synergy between agencies in managing natural disasters in Indonesia, the following steps need to be taken:¹⁴ 1) Strengthen the role of BNPB as the central coordinating agency in disaster management, by ensuring good coordination between the central and regional governments and related institutions; 2) Optimizing the role of local government institutions in disaster management, by ensuring coordinated planning, implementation and evaluation; 3) Encouraging cooperation between government and non-government institutions, including civil society organizations and non-governmental organizations, in terms of post-disaster preparation, response and recovery; 4) Ensuring transparency and accountability in managing resources and distributing aid in disaster management; 5) Integrate information and communication technology to facilitate information exchange and coordination between agencies. By referring to existing legal regulations and implementing these steps, it is hoped that the synergy between institutions in managing natural disasters in Indonesia can be increased so that the response to disasters becomes more effective and efficient.

3.2 The Ius Constituendum of Inter-agency Synergy Arrangements Related to Natural Disaster Mitigation and Action

Ius constituendum is a term in constitutional law that refers to laws that still need or should be formed or regulated in a country.¹⁵ This concept can be applied to strengthen inter-agency synergies related to natural disaster mitigation and prosecution in Indonesia by drafting or revising relevant laws and regulations.¹⁶ In the context of natural disaster management, ius constituendum can lead to the preparation or amendment of legal regulations that are more precise and detailed to ensure coordination, cooperation and effectiveness of actions in dealing with natural disasters. The concept of Ius Constituendum refers to laws that are in the process of being formed or changed, and refers to the principle that law must always develop and adapt to changing times and the needs of society. In the context of natural disaster management in Indonesia, the application of the Ius Constituendum concept can play an important role in strengthening inter-agency synergies regarding the mitigation and prosecution of natural disasters.

As a country prone to natural disasters, Indonesia must face various challenges, such as complex inter-agency coordination, capacity building of related institutions, technology integration, and active community participation in disaster management efforts. The Ius Constituendum concept provides a basis for formulating and realizing more adaptive and

¹³ Hardi Warsono and Ahmad Buchari, *Collaboration in Emergency Response, Trim Komunikata*, 2019.

¹⁴ Endah Mustika Ramdani, "Koordinasi Oleh BPBD Dalam Penanggulangan Bencana Banjir Di Kabupaten Bandung," *Jurnal Ilmu Administrasi XII*, no. 3 (2015): 383-406.

¹⁵ Henny Saida Flora, Fradhana Putra Disantara, and Mac Thi Hoai Thuong, "The Lex Favor Reo Principle After New Criminal Code: A Corrective Justice's Perspective," *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 22, no. 2 (2023): 67-80.

¹⁶ H Susanto, "Implikasi Pelaksanaan Pemerintahan Di Kabupaten Kampar Dalam Masa Pandemi Covid-19 Berdasarkan Undang Undang Nomor 23 Tahun 2014 Tentang ...," 2021.

result-oriented laws and regulations.¹⁷ Furthermore, in the context of natural disaster management, the application of the *Ius Constituendum* concept can cover several aspects, such as improving and harmonizing laws and regulations, increasing the role and capacity of related institutions, integrating technology and information systems, developing coordination and communication mechanisms, encouraging participation and participation. Communities, as well as strengthen coordination between related agencies.¹⁸ By applying the *Ius Constituendum* concept and designing more comprehensive and precise laws and regulations,¹⁹ inter-agency synergies related to the mitigation and prosecution of natural disasters in Indonesia can be increased. Relevant laws and regulations need to be strengthened and developed to ensure that natural disaster management runs more effectively, efficiently and sustainably to protect people and state assets from the effects of disasters.

The application of the *Ius Constituendum* concept in natural disaster management is not an easy endeavor, but it is very important to ensure that this country is ready to face the challenges of disasters in the future.²⁰ By considering all relevant aspects and involving all relevant parties, we can strengthen inter-agency synergies in natural disaster management, so as to be able to provide better protection and empower communities to face disasters more resiliently. The application of the *Ius Constituendum* concept in strengthening inter-agency synergies related to the mitigation and prosecution of natural disasters in Indonesia can cover several aspects, including:

1) Completion and Harmonization of Legislation

Increasing inter-agency synergies in disaster management can begin with improving and harmonizing relevant laws and regulations. In this case, the concept of *Ius Constituendum* allows the revision or preparation of laws and regulations that are more integrated and clear in regulating the duties, authorities and responsibilities of each related institution.²¹ An example of relevant laws and regulations to be perfected and harmonized is Law no. 24 of 2007 concerning Disaster Management (UU No. 24/2007) and Government Regulation No. 21 of 2008 concerning Implementation of Disaster Management. This refinement and harmonization can strengthen inter-agency coordination, ensure a clear distribution of tasks, and encourage more effective cooperation in mitigating and responding to natural disasters.

2) Increasing the Role and Capacity of Related Institutions

The *Ius Constituendum* concept can also be applied to identify and increase the role and capacity of related institutions in natural disaster management. Increasing the capacity

¹⁷ Suprpto Statistisi and Pusdatinmas Bnpb, "Analisis Kesiapsiagaan Masyarakat Kota Padang Dalam Menghadapi Bencana Alam," *Jurnal Dialog Penanggulangan Bencana* 6, no. 2 (2015): 116–27.

¹⁸ Bayu Dwi Anggono, "Harmonisasi Peraturan Perundang-Undangan Di Bidang Penanggulangan Bencana," *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 22, no. 2 (2010): 373–90.

¹⁹ I Gede Agus Kurniawan, Lourenco de Deus Mau Lulo, and Fradhana Putra Disantara, "IUS Constituendum of Expert Advisor in Commodity Futures Trading: A Legal Certainty," *Jurnal IUS Kajian Hukum Dan Keadilan* 11, no. 1 (2023): 31–45, <https://doi.org/https://doi.org/10.29303/ius.v11i1.1170>.

²⁰ Muchamad Taufiq and Fradhana Putra Disantara, "The Principle of People's Authoritative Manifestation in Mining Management: An Inclusive Legal Perspective," *SASI* 29, no. 3 (June 12, 2023): 442, <https://doi.org/10.47268/sasi.v29i3.1329>.

²¹ Badan Pengkajian MPR RI, *Strategi Perampingan Dan Harmonisasi Regulasi Pusat Dan Daerah, Badan Pengkajian MPR RI*, 2017.

of these institutions can include training, funding, procuring human resources and technology, as well as developing integrated information systems.²²

Relevant laws and regulations in this regard are Presidential Regulation of the Republic of Indonesia Number 83 of 2018 concerning Strengthening Disaster Management Coordination (Perpres 83/2018). In this regulation, BNPB is mandated to ensure good coordination between the central and regional governments, as well as between related agencies in disaster management. The *Ius Constituendum* concept can encourage the revision and adjustment of this regulation to focus more on increasing the capacity of related institutions to achieve stronger synergies.

3) Integrating Technology and Information Systems

The *Ius Constituendum* concept can encourage efforts to integrate sophisticated technology and information systems in natural disaster management. This includes the use of information technology and systems for effective monitoring, early warning, mitigation and response to disasters. Presidential Regulation Number 91 of 2019 concerning the Use of Open Data has opened up opportunities for the use of information technology and systems in various sectors, including natural disaster management. This regulation can be further developed to support efforts to integrate technology and information systems in disaster management.

4) Development of Coordination and Communication Mechanisms

The concept of *Ius Constituendum* can be applied in the development of inter-agency coordination and communication mechanisms that are more effective and responsive to changing situations and conditions of natural disasters. The use of sophisticated information and communication technology can be used to facilitate the exchange of information quickly and accurately.²³

The relevant laws and regulations in this regard are Presidential Instruction Number 4 of 2012 concerning Disaster Logistics Management (Inpres 4/2012). The *Ius Constituendum* concept can encourage the adjustment of this regulation to integrate information and communication technology that is more up-to-date in optimizing the coordination and exchange of information between institutions.

5) Encouraging Community Participation and Participation

The *Ius Constituendum* concept also includes efforts to encourage community participation and active involvement in natural disaster management. Laws and regulations that can be formed must provide incentives and regulate community participation in disaster mitigation and action efforts. Government Regulation Number 45 of 2019 concerning Community-based Disaster Management has regulated efforts to increase community participation in natural disaster management. However, more incentives and support could be added to increase active community participation.²⁴

²² KPUPR, "Modul 3 Konsep Dan Karakteristik Bencana," *Pusat Pendidikan Dan Pelatihan Sumber Daya Air Dan Kontruksi*, 2017, 3-5.

²³ Edwi Arief Sosiawan, "Model Ideal Manajemen Teknologi Informasi Dan Komunikasi Dalam Mendukung Operasional Penanganan Bencana Alam," *JURNAL IPTEKKOM: Jurnal Ilmu Pengetahuan & Teknologi Informasi* 17, no. 2 (2015): 175, <https://doi.org/10.33164/iptekkom.17.2.2015.175-188>.

²⁴ Titiek Suliyati, "Menyelamatkan Arsip Dari Bencana : Antara Idealisme Dan Realitas," *Lentera Pustaka: Jurnal Kajian Ilmu Perpustakaan, Informasi Dan Kearsipan* 3, no. 2 (2017): 141, <https://doi.org/10.14710/lenpust.v3i2.16738>.

6) Strengthening Coordination Between Related Agencies

The Ius Constituendum concept can also guide efforts to reinforce and strengthen coordination mechanisms between related agencies in natural disaster management. This can be realized by clearly regulating the duties, responsibilities and authorities of each institution as well as ways to carry out effective coordination. Presidential Regulation Number 83 of 2018 concerning Strengthening Disaster Management Coordination has tried to regulate strengthening inter-agency coordination in disaster management. However, this regulation can be strengthened by a more detailed description of the coordination mechanism.²⁵

7) Involve the private sector and NGOs in disaster management synergy

The application of the Ius Constituendum concept can also encourage participation and a more active role from the private sector and non-governmental organizations (NGOs) in the synergy of natural disaster management. Relevant laws and regulations can be refined to provide clearer incentives and frameworks for private and NGO participation in disaster mitigation and response efforts.²⁶

By applying the Ius Constituendum concept and designing more comprehensive and precise laws and regulations, inter-agency synergies related to the mitigation and prosecution of natural disasters in Indonesia can be increased.²⁷ Relevant laws and regulations need to be strengthened and developed to ensure that natural disaster management runs more effectively, efficiently and sustainably to protect people and state assets from the effects of disasters. In its implementation, the Ius Constituendum concept requires the involvement of all stakeholders and an intensive dialogue process to ensure that the laws and regulations that are implemented are in accordance with the needs and conditions that are developing. Inter-agency synergy that is strengthened through the application of the Ius Constituendum concept is expected to increase Indonesia's resilience in dealing with natural disasters and reduce their negative impact on society and the environment.

Here are some ius constituendum concepts that can be applied:

1) National Disaster Law

Initiated the drafting of a "National Disaster Law" which comprehensively regulates aspects of disaster management, including inter-agency synergy. This law can outline the duties, authorities and responsibilities of each relevant institution in post-disaster mitigation, response and recovery. In addition, this law can regulate coordination mechanisms, conduct joint exercises, and exchange information between institutions.

2) Disaster Management Coordination Forum

Formulate a "Government Regulation on the Establishment of a Disaster Management Coordination Forum" which regulates the formation and functions of coordination forums

²⁵ Wasisto Raharjo Jati, "Analisis Penanggulangan Bencana Berbasis Perspektif Cultural Theory," *Jurnal Dialog Penanggulangan Bencana* 4, no. 1 (2013): 1-12.

²⁶ Rahmat Riadi, "STRATEGI PENANGANAN BENCANA NON-ALAM COVID-19 DALAM PEMILIHAN SERENTAK 2020," *Electoral Governance Jurnal Tata Kelola Pemilu Indonesia* 2, no. 2 (May 2021): 141-61, <https://doi.org/10.46874/tkp.v2i2.205>.

²⁷ Eko Listiyani et.al, *Filsafat Hukum Pancasila: (Kajian Hukum, Politik, Dan Hak Asasi Manusia)*, ed. Hafidz El Hilmi Dicky Eko Prasetyo, Fradhana Putra Disantara, Maydinah Syandra, 1st ed. (Bantul: CV MEGALITERA, 2020).

at the national, provincial and district/city levels. This regulation can regulate the process of joint decision-making, regular exchange of information, and implementation of coordinated disaster management drills.

3) Disaster Management Information System

Develop a "Ministerial Regulation on Disaster Management Information Systems" which obliges relevant agencies to share up-to-date data and information on disasters. This will ensure that all parties have access to the same information, so that coordination and decision making can be carried out more accurately. Financial Commitment Proposed an "Act on Special Funds for Disaster Management" which stipulates a special funding mechanism for disaster management. This law can regulate budget allocation, use of funds, and accountability in the management of financial resources for disaster mitigation and response.

4) The Role of Local Government

Strive for a "Regional Regulation on Disaster Management" in each local government that regulates coordination mechanisms, cooperation, and the tasks of related institutions in disaster mitigation and action at the regional and local levels.

5) Development of Operational Standards

Issuing "Head of Agency Regulations concerning Disaster Management Operational Standards" for each related institution. This operational standard will detail the steps, roles and responsibilities of each institution in each stage of disaster management. By designing and implementing the *ius constituendum* concept accompanied by revisions or drafting of laws and regulations that are more thorough, transparent and integrated, Indonesia can strengthen inter-agency synergies related to natural disaster mitigation and prosecution. This will provide a strong legal basis for dealing with disaster threats with a more effective and efficient response, as well as increasing the resilience of the nation in facing unforeseen natural challenges.

4. CONCLUSION

Natural disaster management is an important issue for Indonesia, which is prone to various disasters such as earthquakes, tsunamis and floods. Synergy between agencies is the main key in a rapid and coordinated response to natural disasters. Several related institutions have been assigned to deal with disasters, but the implementation of existing laws and regulations needs to be evaluated and improved. In facing this challenge, the *Ius Constituendum* concept can be applied to strengthen inter-agency synergies related to natural disaster mitigation and prosecution. Some examples of the *Ius Constituendum* concept that can be implemented are the formation of the National Disaster Law, the Disaster Management Coordination Forum, and the application of sophisticated technology and information systems. In implementing the *Ius Constituendum* concept, the involvement of all stakeholders and an intensive dialogue process are very important to ensure that the laws and regulations that are implemented are in accordance with the needs and conditions that are developing. By formulating and implementing the *Ius Constituendum* concept correctly, inter-agency synergy in managing natural disasters in Indonesia can be increased. Relevant laws and regulations need to be strengthened and developed so that disaster management can run more effectively, efficiently and sustainably. With strong synergies,

Indonesia will be better prepared to face natural disasters and protect the people and the country's socio-economic sustainability.

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