

Research Article

Legal Protection for Search and Rescue Officers (Civil Servants) in the Implementation of Search and Rescue Operations

Hakim Fajrin ¹, Lusia Sulastris ²

Universitas Bhayangkara Jakarta Raya, Indonesia^{1,2}

Corresponding Author, Email: fajrin.hakim@gmail.com

Abstract

Search and Rescue (SAR) officers who serve as Civil Servants (ASN) play a strategic role in saving human lives during rescue operations. However, this responsibility exposes them to high occupational risks, including severe injury and death, which necessitates strong and comprehensive legal protection. This study aims to analyze the legal protection framework for SAR personnel within Indonesia's national regulations and identify challenges in its implementation. Using a normative juridical approach, the research examines Law Number 29 of 2014 concerning Search and Rescue, the Head of BASARNAS Regulation Number 1 of 2025, and several empirical cases highlighting the limited legal safeguards for rescuers. The findings indicate that, despite existing regulations on liability and compensation mechanisms, implementation remains suboptimal due to overlapping policies, weak inter-agency coordination, and limited compensation funding. Comparative analysis with international standards further reveals that legal protection for rescuers must include occupational safety, fair compensation rights, and legal certainty for the families of victims. Therefore, a more assertive and responsive legal policy framework is required to ensure justice, legal certainty, and proper recognition for ASN officers serving at the humanitarian front line.

Keywords: Legal protection, civil servants, search and rescue, rescuer, BASARNAS



INTRODUCTION

The role of Civil Servants (ASN) serving as search and rescue officers (rescuers) is crucial in saving lives during accidents and disasters. However, these duties involve high levels of risk, necessitating clear guarantees of legal protection, including comprehensive insurance mechanisms, fair compensation, and prompt claim procedures for families in the event of a fatal incident during SAR operations (Abdullah 2021).

National Legal Framework and Operational Regulations

In Indonesia, relevant legislation — including Law No. 29 of 2014 on Search and Rescue and its implementing regulations under BASARNAS (the National Search and Rescue Agency) — establishes the authority of BASARNAS and governs SAR operations. Recent Head of BASARNAS Regulations and updated operational guidelines have sought to strengthen governance and operational safety standards. Nonetheless, many provisions remain general in nature, requiring further clarification regarding the rights of ASN rescuers, the scope of insurance coverage, and the compensation procedures (Pranata, Helmi, and Sartika 2024).

Empirical studies highlight persistent implementation challenges, including bureaucratic barriers in claims, inter-agency coordination difficulties, limited budget allocations, and insufficient special regulation for rescuers. Consequently, despite the existence of regulations, practical protection remains suboptimal (Ruzzetta 2023).

Comparative international experiences further demonstrate that the fulfillment of human rights obligations during SAR operations — particularly in maritime and migrant contexts — requires an approach that simultaneously ensures the safety and rights of victims while providing robust legal protection for rescuers (Boztilki and BARIŞ 2024).

Policy Recommendations and Conclusion

Key policy recommendations include:

1. Establishing specific provisions within legislation or BASARNAS regulations addressing insurance, compensation, and claim procedures for ASN rescuers;
2. Developing rapid response mechanisms among related institutions (Ministry of Manpower, Ministry of Finance, and BASARNAS) to expedite claims and provide family support (Pranata et al. 2024);
3. Implementing periodic legal and occupational safety training, along with systematic risk documentation; and
4. Harmonizing national regulations with international human rights principles in SAR operations (Lirola-Delgado 2023).

The implementation of these recommendations would reinforce both the legal and moral protection of rescuers, ensuring that lifesaving duties are carried out with legal certainty, institutional accountability, and respect for human dignity(Kensinger 2017).

2. METHOD

This study employs a normative juridical approach using the statute approach, conceptual approach, and comparative approach. The analysis focuses on Law Number 29 of 2014, Government Regulation Number 70 of 2015, and several technical regulations issued by BASARNAS(Laksmiana 2022). Secondary data were collected from scientific journals, legal articles, and relevant international literature. All data were analyzed qualitatively to identify regulatory gaps and to formulate legal protection recommendations for SAR personnel(Jurišić 2021).

The main legal sources include:

- Regulation of the Head of BASARNAS Number 1 of 2025 on Guidelines for the Implementation of Search and Rescue Operations(Hadiyanti and Sari 2025);
- Regulations concerning Civil Servants (ASN), occupational accident compensation, and workplace safety protection;
- Court decisions, journal articles, and previous studies addressing the protection of SAR officers in Indonesia (Rahman et al. 2021).

Furthermore, this study applies a conceptual and comparative analysis by contrasting Indonesia's legal protection framework with international standards, including examinations of human rights obligations in SAR operations as discussed in international legal and humanitarian literature(Hakimi, Mukarramah, and Sari 2024). The analysis is conducted through a descriptive-analytical method to assess the adequacy of existing regulations and to identify legal loopholes (gaps) that persist in practical implementation (Wulandari et al. 2021).

3. RESULT AND DISCUSSION

The analysis indicates that the national legal framework has, in principle, provided a basic foundation for the protection of rescuers. Law No. 29 of 2014 establishes BASARNAS's authority in organizing Search and Rescue (SAR) operations, while its implementing regulations outline safety standards, operational procedures, and assistance/compensation mechanisms for personnel(Sari and Saputra 2025). However, these regulations remain general in nature and do not specify detailed protection measures—particularly regarding the rights of civil servant rescuers (ASN) in cases of occupational accidents or death in the line of duty(Nabila and Aslami 2024).

Implementation Challenges in the Field

The findings reveal several implementation challenges, including:

- Regulatory overlap, especially between BASARNAS regulations and provisions under the Civil Service Law (ASN), BPJS Employment (Social Security), and occupational accident regulations(Wiwik Sugiantari et al. 2025);
- Slow bureaucratic claim processes, which often result in long delays for families of deceased rescuers to receive compensation;
- Weak inter-agency coordination, particularly when SAR operations involve ministries, local governments, and related institutions;
- Limited internal budget for compensation, reducing the effectiveness of high-risk protection measures(Irawan et al. 2025);
- Absence of specific high-risk insurance schemes, which are commonly implemented in other countries to protect rescue personnel(Trisliatanto et al. 2021).

Lessons from International Standards

International literature highlights that legal protection for SAR personnel goes beyond financial compensation, encompassing:

- Assurance of occupational safety and clear risk mitigation procedures;
- Human rights protection for rescuers during SAR operations;
- State accountability mechanisms for ensuring rescuer safety;
- Legal safeguards against criminalization of rescue personnel when rescue operations fail to save victims(Shidqi et al. 2025).

Comparative international practices emphasize the importance of legal certainty for rescuers as an integral component of search and rescue missions. This perspective should inform the formulation of Indonesia's national SAR policies (Kurniawan and Sukardi 2024).

Reconstruction of Legal Protection

Based on the analysis, policy reconstruction should be directed toward the following key measures:

1. Formulation of a specific and comprehensive regulation governing legal protection for rescuers;
2. Development of a rapid compensation scheme, including death benefits, high-risk insurance, and educational scholarships for the children of fallen rescuers;
3. Increased budget allocation for occupational safety and periodic risk evaluations(Wenas Inkiriwang 2021);
4. Establishment of integrated coordination mechanisms among BASARNAS, the Ministry of Finance, the Ministry of Administrative and Bureaucratic Reform (KemenPAN-RB), the Ministry of Manpower, and BPJS Employment;
5. Strengthening of safety training and standard operating procedures (SOPs) in accordance with international standards(Gati and Utomo 2024).

4. CONCLUSION

This study concludes that legal protection for Search and Rescue (SAR) officers who are Civil Servants (ASN) in Indonesia already has a normative foundation; however, its implementation remains suboptimal. Various challenges—such as overlapping regulations, slow compensation mechanisms, limited inter-agency coordination, and the absence of high-risk protection schemes—indicate the need for a more comprehensive policy reform. To ensure legal certainty and justice for SAR personnel, the state must strengthen specific regulations on rescuer protection, provide adequate and prompt compensation, and enhance safety standards aligned with international best practices. This policy reconstruction is essential to ensure proper recognition and protection for civil servants who perform humanitarian duties in high-risk environments.

Daftar pustaka

- Abdullah, Muhamad. 2021. "Rekonstruksi Perlindungan Hukum Petugas Pencarian Dan Pertolongan (Rescuer) Di Indonesia Berbasis Nilai Keadilan."
- Boztilki, Melike, and İsmail BARIŞ. 2024. "A Research on The Experiences of Disaster Volunteers on 2023 Kahramanmaraş Earthquakes." *Amme İdaresi Dergisi* 57(2).
- Gati, Rindri Andewi, and Tri Widodo Wahyu Utomo. 2024. "Talent Management in Indonesian National Armed Force: Addressing Personnel Bottlenecks." *Jurnal Borneo Administrator* 20(2):133–46.
- Hadiyanti, Karin, and Erita Yuliasesti Diah Sari. 2025. "Validating the Job Stress Scale for Indonesian Police: A CFA Study." *Jurnal Psikologi Teori Dan Terapan* 16(01):69–76.
- Hakimi, Abdul Rahim, Mukarramah Mukarramah, and Rahma Pramudya Nawang Sari. 2024. "Legal Policy for Women Workers in Indonesia: A Review of Contemporary Islamic Law." *MILRev: Metro Islamic Law Review* 3(1):66–94.
- Irawan, Benny, Firdaus, Belardo Prasetya Mega Jaya, A. H. Asari Taufiqurrohman, Siti Wulan Sari, and Sarah Furqoni. 2025. "State Responsibility and Strategy in Preventing and Protecting Indonesian Fisheries Crews Working on Foreign Fishing Vessels from Modern Slavery." *Australian Journal of Maritime & Ocean Affairs* 17(2):186–206.
- Jurišić, Dragiša. 2021. "Regulations and Deficiencies Regarding the Training of the Protection and Rescue Units in Bosnia and Herzegovina." *Journal of Security and Criminal Sciences* 3(2):47–61.
- Kensinger, Scott E. 2017. "Considerations for Implementing a Small Unmanned Aircraft System (SUAS) Program for Public Safety Emergency Response."
- Kurniawan, Yudhi, and Sukardi Sukardi. 2024. "EXPLORATION OF THE RELATIONSHIP BETWEEN INNOVATIVE BEHAVIOR AND SAFETY PERFORMANCE OF THE SEMARANG BASARNAS SAR TEAM." *Fokus*

- Ekonomi: Jurnal Ilmiah Ekonomi* 19(2):241-52.
- Laksmana, Evan A. 2022. "Remodelling Indonesia's Maritime Law Enforcement Architecture." *Contemporary Southeast Asia* 44(1):122-49.
- Lirola-Delgado, Isabel. 2023. "Compliance with the International Gender Framework in Maritime Mixed Migration Interception and Rescue Operations: The Case of Spain in a European Context." *Paix & Sec. Int'l* 11:1.
- Nabila, Mutia Putri, and Nuri Aslami. 2024. "Analysis of Generic Competency Development Strategies for the Medan SAR Team in Facing Disaster Management Challenges." *Jurnal Ad'ministrare* 267-74.
- Pranata, Andri, Sulaiman Helmi, and Dewi Sartika. 2024. "The Impact of Search and Rescue Training and Leadership on Employee Performance: Job Satisfaction as a Mediator Variable in the South Sumatra Regional Marine and Air Police Directorate." *Sinergi International Journal of Management and Business* 2(3):125-47.
- Rahman, Abdul, Saleha Mufida, Dian Handayani, and Wavin Nuha Kuntanaka. 2021. "Strengthening National Defence: Coordinating Waters and Air Territory Security under the Indonesian National Police." *Journal of Maritime Studies and National Integration* 5(1):48-56.
- Ruzzetta, Annachiara. 2023. "Rule of Flaws: Challenges to Revitalizing the International Legal Protection of Search and Rescue Humanitarian Aid Workers Facing Criminalization in the Mediterranean."
- Sari, Ade Risna, and Haris Mirza Saputra. 2025. "EMPLOYMENT LAW POLICY AND PROTECTION OF INDONESIAN MIGRANT WORKERS." *INJOSEDU: International Journal of Social and Education* 2(5):1358-74.
- Shidqi, Rafid A., Dewi R. Sari, Jeheskiel Alopen, Yodhikson M. Bang, Igo Arianto, Primiaty N. S. Kopong, Vivekananda Gitandjali Td, Etoile Smulders, and Hollie Booth. 2025. "Designing and Evaluating Alternative Livelihoods for Shark Conservation: A Case Study on Thresher Sharks in Alor Island, Indonesia." *Oryx* 59(1):19-30.
- Trisliatanto, Dimas Agung, Anis Byarwati, Sri Iswati, Arif Rahman Nurdianto, Fery Setiawan, Heribertus Agustinus Bilo Tena, and Hendro Puspito. 2021. "Optimizing Role and Synergy of Indonesian National Police for Handling Prevention of Covid-19 Spread: A Case Study in Human Resource Development Perspective." *Indian Journal of Forensic Medicine & Toxicology* 15(3):2783-90.
- Wenas Inkiriwang, Frega. 2021. "Multilateral Naval Exercise Komodo: Enhancing Indonesia's Multilateral Defence Diplomacy?" *Journal of Current Southeast Asian Affairs* 40(3):418-35.
- Wiwik Sugiantari, Anak Agung Putu, I. Wiryawan, I. Hengki, and Abu Bakar Munir. 2025. "Unfolding Data Protection Officer Regulation in Personal Data Protection: Evidence Malaysia." *Pakistan Journal of Life & Social Sciences* 23(1).
- Wulandari, Endang Widuri, Endang Budi Hastuti, Vivi Setiawaty, Vensya Sitohang, and Sudarto Ronoatmodjo. 2021. "The First Intra-Action Review of Indonesia's Response to the COVID-19 Pandemic, August 2020." *Health Security* 19(5):521-31.