HUMAN RIGHTS TO HEALTH AND WELLBEING FOR VULNERABLE GROUPS IN TIDAL FLOOD AREAS: A POLICY BRIEF

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ABSTRACT

Objective: Mental health problems in vulnerable groups in tidal flood areas include impaired self-concept, stress, and anxiety. Many policies regulate flood management especially to manage mental health problems in disaster areas. However, during tidal floods, the implementation of programs to handle psychosocial problems was not optimal. This research aims to develop policy recommendations to meet the need for the right to a healthy and prosperous life among vulnerable groups in tidal flood areas.

Method: This research is a review type of research that examines the policies and legal norms that apply in Indonesia and is related to the tidal flood disaster situation. Prescriptive analysis is carried out by researchers so that researchers can describe problems based on the perspective of policy studies and legal norms that have been studied and analyzed using literature studies.

Result: Various efforts to deal with tidal floods have been carried out, but they still focus on improving the physical environment and dealing with physical health problems. Mental health problems are still ignored because they tend not to be studied and presented by society and the government. Fulfillment of the right to health is unequal because it is not implemented holistically.

Conclusion: Exposure to tidal floods that cannot be changed and prevented requires the existence of policies that regulate the prevention and treatment of mental health problems. Existing policies need to be integrated with each other so that they can be implemented technically by carrying out continuous mental health efforts.

Keywords: human rights, health and wellbeing, vulnerable group, tidal flood.

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DIREITOS HUMANOS PARA A SAÚDE E O BEM-ESTAR DOS GRUPOS VULNERÁVEIS NAS ZONAS DE INUNDAÇÕES CAUSADAS PELAS MARÉS: UM RESUMO DAS POLÍTICAS

RESUMO

Objetivo: Problemas de saúde mental em grupos vulneráveis em áreas de inundação de maré incluem comprometimento do autoconceito, estresse e ansiedade. Muitas políticas regulam o gerenciamento de inundações especialmente para gerenciar problemas de saúde mental em áreas de desastres. No entanto, durante as inundações de maré, a implementação de programas para lidar com problemas psicossociais não foi ideal. Esta investigação visa desenvolver recomendações políticas para satisfazer a necessidade do direito a uma vida saudável e próspera entre os grupos vulneráveis em zonas de inundações causadas pelas marés.

Método: Esta pesquisa é um tipo de revisão de pesquisa que examina as políticas e normas legais que se aplicam na Indonésia e está relacionada com a situação de desastre de inundação de maré. A análise prescritiva é realizada por pesquisadores para que os pesquisadores possam descrever problemas com base na perspectiva de estudos de políticas e normas legais que foram estudadas e analisadas usando estudos de literatura.

Resultado: vários esforços têm sido feitos para lidar com as enchentes de maré, mas eles ainda se concentram em melhorar o ambiente físico e lidar com problemas de saúde física. Os problemas de saúde mental ainda são ignorados porque tendem a não ser estudados e apresentados pela sociedade e pelo governo. O cumprimento do direito à saúde é desigual porque não é aplicado de forma holística.

Conclusão: A exposição a inundações de maré que não podem ser alteradas e evitadas requer a existência de políticas que regulem a prevenção e o tratamento de problemas de saúde mental. As políticas existentes têm de ser integradas entre si, de modo a poderem ser implementadas tecnicamente através da realização de esforços contínuos em matéria de saúde mental.

Palavras-chave: direitos humanos, saúde e bem-estar, grupo vulnerável, inundação de maré.

DERECHOS HUMANOS A LA SALUD Y EL BIENESTAR DE LOS GRUPOS VULNERABLES EN LAS ZONAS INUNDADAS POR LAS MAREAS: RESUMEN DE POLÍTICAS

RESUMEN

Objetivo: Los problemas de salud mental en grupos vulnerables en áreas inundadas por mareas incluyen deterioro del autoconcepto, estrés y ansiedad. Muchas políticas regulan la gestión de inundaciones, especialmente para manejar problemas de salud mental en áreas de desastre. Sin embargo, durante las inundaciones de las mareas, la aplicación de programas para abordar los problemas psicosociales no fue óptima. Esta investigación tiene como objetivo desarrollar recomendaciones de políticas para satisfacer la necesidad del derecho a una vida saludable y próspera entre los grupos vulnerables en las zonas de inundación mareomotriz.

Método: Esta investigación es un tipo de revisión de la investigación que examina las políticas y normas legales que se aplican en Indonesia y está relacionada con la situación de desastre por inundaciones de marea. El análisis prescriptivo es llevado a cabo por investigadores para que los investigadores puedan describir problemas basados en la perspectiva de estudios de políticas y normas legales que han sido estudiados y analizados utilizando estudios de literatura.

Resultado: Se han llevado a cabo varios esfuerzos para lidiar con las inundaciones de las mareas, pero todavía se centran en mejorar el entorno físico y lidiar con problemas de salud
física. Los problemas de salud mental siguen siendo ignorados porque tienden a no ser estudiados y presentados por la sociedad y el gobierno. El ejercicio del derecho a la salud es desigual porque no se aplica de manera integral.

**Conclusión:** La exposición a inundaciones mareomotrices que no se pueden cambiar y prevenir requiere la existencia de políticas que regulen la prevención y el tratamiento de los problemas de salud mental. Las políticas existentes deben integrarse entre sí para que puedan aplicarse técnicamente mediante la realización de esfuerzos continuos de salud mental.

**Palabras clave:** derechos humanos, salud y bienestar, grupo vulnerable, inundación de marea.

1 INTRODUCTION

The right to a healthy life is part of human rights that must be fulfilled. The right to a healthy life is related to the survival of human life as a whole and comprehensively. Components that influence human survival are the availability of health facilities that are easily accessible, the availability of medicines, a safe, comfortable and clean environment, as well as the fulfillment of basic human needs so that the integrity of their survival can be maintained, the right to a healthy life must be fulfilled (LBHM, 2019).

Fulfilling the right to a healthy life in general is still a big problem. An important aspect in fulfilling the right to a healthy life emphasizes that the government has an obligation to guarantee the fulfillment of the community's right to a healthy life and the community must also make efforts using the resources it has. Even though it is stated in many laws and regulations, health as an individual right is still not fully recognized because there are many factors that influence its fulfillment, such as budgeting, community behavior and natural factors (Perwira, 2014).

In Indonesia, it is emphasized that the government has guaranteed the health of every Indonesian citizen and implemented the fulfillment of the right to a healthy life on a strong legal basis. The legal basis that serves as the government's guideline includes the 1945 Constitution of the Republic of Indonesia, Law No. 39 of 1999, and other relevant legal bases. It is stated in the 1945 Constitution of the Republic of Indonesia in 28 H that every person has the right to live in physical and spiritual prosperity, to live and have a good and healthy living environment and the right to receive health services. It is even emphasized in article 34 paragraph 3 of the 1945 Constitution that the state is responsible for providing adequate health service facilities and public service facilities (Undang-Undang Dasar Republik Indonesia, 1945). This means that every Indonesian citizen has
the full and complete right to live a healthy life both physically and mentally through health efforts, both health services and public services.

Law No. 36 of 2009 concerning Health also legally guarantees the health of the Indonesian people fairly and equally through the provision of health services (Undang-Undang No.36, 2009). Access to health services is important considering Indonesia's diverse geographical conditions. This includes the risk of disasters that could occur. Indonesia's geographical conditions make it an area prone to various kinds of natural disasters ranging from volcanic eruptions, earthquakes, to floods. One form of serious flood disaster is tidal floods.

Tidal floods are floods in coastal areas that occur due to sea level rise, land subsidence, and changes in coastal space utilization (Kusumaning & Puriningsih, 2019). Rob floods can damage the physical and psychological environment of the affected communities. Tidal floods disturbed the mental health of 30% of 51 respondents more than the impact on physical health (14%) (Boyer-Villemaire et al., 2021).

In children, for example, apart from physical disorders, damage to schools, unavailability of social space and emotional changes in the family can also disrupt their psychosocial development. Therefore, as one of the vulnerable groups in disasters, children must be protected and guaranteed the fulfillment of their rights, especially the right to live a healthy life. Protection of children as a group vulnerable to disasters is regulated by the government through Law Number 24 of 2007 concerning Disaster Management which states that vulnerable groups must be protected including children, pregnant and breastfeeding mothers, people with disabilities and the elderly (Undang-Undang No.24, 2007). Law No. 35 concerning Child Protection articles 59 and 59A states that the government is obliged to protect children, including children who are victims of disasters. Forms of government protection include psychosocial assistance efforts to ensure that children have the right to live a healthy life and avoid psychosocial problems resulting from disasters (Undang-Undang Nomor 35, 2014).

The results of short interviews with five families who have school-aged children showed that families view physical needs and the physical environment as still a family priority, apart from that efforts from schools, health centers and the government, both during floods and at low tide, focus more on physical health efforts. There is no effort to provide social space for children to be able to grow and develop according to their growth and development stages like other school age children who live in areas that are...
safe from tidal floods. In fact, if floods come and access to schools is closed, children can only play in the water or stay at home. There are no substitute school activities organized by schools, health centers and the government to facilitate children in achieving their developmental tasks.

2 METHOD

This research is a type of research that examines the policies and legal norms that apply in Indonesia and is related to the tidal flood disaster situation. The research was carried out by identifying problems that were the gap between problems in the context of tidal floods and the implementation of statutory regulations. Researchers develop problem points, identify policies and legal norms related to the problem, conduct gap analysis, and present alternative recommendations from the findings and research. Prescriptive analysis is carried out by researchers so that researchers can describe problems based on the perspective of policy studies and legal norms that have been studied and analyzed using literature studies.

3 RESULTS AND DISCUSSION

3.1 TIDAL FLOODS AND THE GOVERNMENT'S FOCUS ON HANDLING THEM

Tidal floods are a natural disaster that can occur continuously in coastal areas. Therefore, even though the intensity and discharge varies, it is not wrong that tidal floods are also the government's focus to be addressed immediately. However, unfortunately the government only focuses on efforts to physically handle and control tidal floods, both physical health and physical environmental management. In fact, quoted from an online article in the dialogue between the Governor of Central Java and the ranks of the Regent and Mayor of Pekalongan Raya, it was stated that anticipating and dealing with tidal floods physically, approaching the community regarding stilt houses, and water transportation as well as alternatives for emptying residential areas prone to flooding (Marula Sardi, 2022).

Pekalongan Regent Regulation Number 24 of 2021 concerning the 2022 Regional Government Work Plan for Pekalongan Regency also states that it is necessary to
strengthen economic growth and resilience by paying attention to environmental sustainability and strengthening disaster resilience by improving infrastructure for dealing with floods, tidal waves and landslides. Strengthening and providing quality infrastructure by increasing disaster and climate resilience through strengthening early warning systems and preparedness for flood-tidal disasters. Innovation initiative to develop Pekalongan district in flood and tidal management as well as developing regional assets through collaboration with business entities with plans to build retention ponds. The work plan is still based on Presidential Decree 79 of 2019 (Peraturan Bupati Pekalongan No.24, 2021). The focus of regional policies that have been implemented is on handling physical aspects and public facilities. The government has not focused on understanding the need for the right to a healthy life free from mental health problems and efforts to deal with them as a result of persistent tidal floods.

3.2 THE RIGHT TO A HEALTHY LIFE AND FREEDOM FROM PSYCHOSOCIAL PROBLEMS DUE TO ROB FLOODS

Regional government policies which still focus on aspects and the physical environment are not in line with Law Number 24 of 2007 concerning Disaster Management Article 55 paragraph (1) which states that forms of protection for disaster vulnerable groups are rescue, evacuation, security, health services, and psychosocial (Undang-Undang No.24, 2007). Infrastructure development and physical prevention are forms of security when disasters do not occur. This type of health service is often found in tidal flood conditions or not. This type of psychosocial service can only be found during high intensity tidal floods and is implemented in refugee areas to overcome psychosocial problems that arise at that time.

Handling psychosocial problems aims to fulfill the need for the right to a healthy mental life to overcome psychosocial problems that arise in school-aged children, improve mental health through achieving the developmental tasks of school-aged children, and facilitate the needs in achieving the developmental tasks of school-aged children. The focus should be on handling psychosocial problems not only when tidal floods occur but should be carried out continuously for school-aged children who live in tidal flood areas. Therefore, efforts to deal with tidal floods must be carried out comprehensively by implementing continuous mental health efforts both in flood
situations and not. The need for continuous implementation due to tidal floods is one of the floods that occur due to the vulnerability of coastal areas. Therefore, prevention and assistance efforts in handling psychosocial problems are important, either through education or outreach efforts (Lestari, 2023).

Fulfilling the right to a healthy life of school age children in tidal flood areas can also be integrated into several existing government policies. Activities to fulfill the right to a healthy and mentally healthy life by providing mental health support during the tidal flood disaster can be carried out in health settings and in the community. The next order of health service facilities in Indonesia has been regulated in Government Regulation No. 47 of 2016 concerning Health Service Facilities which states that one of them is about first level health service facilities which have the authority to provide basic health services in the context of promotive, preventive, curative and rehabilitative efforts. (Peraturan Pemerintah No.47, 2016). This means that community health centers in tidal flood areas are also responsible for fulfilling the right to a healthy and mentally healthy life for pre-school aged children. This is supported by Law No. 23 of 2014 concerning Regional Government article 12 paragraph (1) stating that regional governments are obliged to provide basic health services point (b) (Undang-Undang Nomor 23, 2014).

3.3 GUARANTEING THE RIGHT TO A HEALTHY LIFE THROUGH OPTIMIZING THE ROLE OF COMMUNITY HEALTH CENTERS

Community Health Centers can carry out mental health efforts in the tidal flood environment in a comprehensive, integrated and sustainable manner using a family and community approach. As stated in Law No. 18 of 2014 concerning Mental Health, article 3 point (a), guarantees that everyone can achieve a good quality of life, enjoy a healthy mental life, free from fear, pressure and other disorders that can disrupt mental health. Efforts that can be made are explained in article 8 paragraph (2), namely promotive efforts with a family approach through parenting and communication within the family, paragraph (5) with a community approach through providing a conducive environment (Undang-Undang No.18, 2014). These mental health efforts are integrated with essential community health efforts at community health centers, namely health promotion, environmental health services, children's health services, and disease prevention and control services (Permenkes No.75 tahun 2014, 2014).
Even though it is guaranteed by the government, health protection and fulfilling the right to a healthy life remains a shared responsibility with the community. Therefore, good cooperation between the two is also needed. Fulfilling the right to a healthy life of school age children in tidal flood areas can be done by providing social space for children and providing psychosocial support. Providing psychosocial support can be carried out jointly by health workers from community health centers, volunteers, and also assisted by the community. Health workers can routinely carry out home visits, form peer groups, create mentally healthy friends for each child, hold regular meetings with the group to check physical and mental conditions, and provide therapies according to the child's condition. Forms of community assistance and cooperation can be in the form of support for creating democratic parenting patterns in families, open communication patterns, creating an adaptive community environment, and providing an adequate physical and psychological social environment. Apart from that, there is a need for special health cadres to provide psychosocial support for school-age children who are trained to accompany the child's growth and development so that they still have the right to live a healthy life. Grow into a physically and mentally healthy person even though you are in a high stressor area.

4 CONCLUSION AND RECOMMENDATION

Various efforts to deal with tidal floods have been carried out, but they still focus on improving the physical environment and dealing with physical health problems. Mental health problems are still ignored because they tend not to be studied and presented by society and the government. Fulfillment of the right to health is unequal because it is not implemented holistically. In particular, school-age children do not have the right to live a healthy life because there are no mental health efforts carried out continuously to support the achievement of developmental tasks and manage the psychosocial problems they experience. School age children in the Rob area do not yet have the right to live a healthy life. Based on this, it is necessary to refresh policies that regulate efforts to fulfill the right to a healthy and mental life of school-aged children as a group vulnerable to tidal flood disasters. The policy must clearly regulate the prevention of mental health problems, handling mental health problems, and optimizing the achievement of
development tasks for school-aged children in tidal flood conditions. Therefore, it is recommended:

1. There is a need for a policy regarding the implementation of mental health efforts for vulnerable groups of school-age children to fulfill the need for the right to live a healthy and mentally healthy life throughout life in tidal flood areas;

2. The technical implementation of mental health efforts for vulnerable groups of school-age children in tidal flood areas includes:

   2.1 The government, through basic health services, carries out home visits (Societ approach) and forms peer groups, mentally healthy friends for each child, holds regular meetings with groups of school-aged children to check physical and mental conditions, and provides therapies according to the child’s condition (group approach and Society);

   2.2 The government, through basic health services, invites families and communities to be active in mental health efforts by creating democratic family parenting patterns, open communication patterns, creating an adaptive community environment, and providing an adequate physical and psychological social environment. Apart from that, the formation of mental health cadres for school-age children can also be carried out to assist families and children in achieving optimal development tasks in tidal flood areas.
REFERENCES


