

## LEGAL RESPONSIBILITY OF BUILDING OWNERS TOWARDS FIRE VICTIMS: A CIVIL LAW PERSPECTIVE

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Entere : December 01, 2024  
Accepted : December 25, 2024

Revised : December 21, 2024  
Published : December 30, 2024

### Abstract

*Fire is a disaster that is often caused by the negligence of building owners in meeting the required safety standards, threatening both property and human lives. This study aims to evaluate the legal responsibility of building owners within the civil law system, particularly regarding negligence that leads to physical and material losses. The research is conducted using a normative juridical method, focusing on the analysis of relevant regulations, such as Law No. 28 of 2002 on Building Construction, Law No. 24 of 2007 on Disaster Management, and provisions in the Civil Code (KUHPerdata), especially Article 1365. The research findings indicate that, although existing regulations have outlined the obligations of building owners to prevent fires, the implementation faces various challenges. These challenges include insufficient supervision, suboptimal law enforcement, and lengthy legal processes for victims to obtain justice. The study identifies a gap between legal norms and field practices, resulting in the difficulty of enforcing building owners' responsibilities. Through this study, it is hoped that solutions can be found to strengthen the civil law system, ensuring that building owners are held more accountable and fire prevention efforts are effectively implemented, providing optimal protection for building occupants and users.*

**Keywords:** Legal Responsibility; Fire; Civil Law.

Citation : Suhermi, Windarto, Oktaviani F, Legal Responsibility Of Building Owners Towards Fire Victims: A Civil Law Perspective, Leges Privatae Vol 1(4) December 2024 pages (28)

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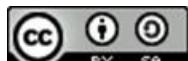
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### 1. INTRODUCTION

Fire is a disaster that not only threatens property but also human lives, and often occurs due to the negligence of building owners in meeting the required safety standards. Although building owners are legally obligated to ensure that the buildings they manage are safe for their occupants and users, field practices show that many fire incidents are caused by non-compliance with safety regulations.<sup>1</sup> This raises profound questions about the extent to which the legal

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<sup>1</sup> Sufianto, H., Nugroho, A. M., & Aditama, M. S. (2017). Perilaku Tanggap Kebakaran Pada Bangunan Leges Privatae | 28



responsibility of building owners can be enforced within the civil law system, particularly in cases of negligence that result in physical and material losses. While civil law provides for compensation to victims, in reality, there are many obstacles preventing victims from obtaining justice, such as lengthy legal processes and limited supervision of building owners.<sup>2</sup>

There have been several recent fire incidents that have caught public attention, revealing the seriousness of negligence in maintaining building safety and preventing fires. One of these was the fire on September 26, 2024, in Pacitan, which was suspected to be caused by the negligence of the homeowner who left a traditional stove still burning.<sup>3</sup> Additionally, a large fire at Plaza Glodok in Jakarta in January 2025 also highlighted a similar issue. Preliminary investigation results suggest that the fire at Plaza Glodok likely originated from the 7th floor, specifically in a discotheque room that used glasswool soundproofing material, which is highly flammable.<sup>4</sup> This case adds to the long list of fires caused by building management that does not meet adequate safety standards. Data from the Central Statistics Agency of West Jakarta also recorded 1,258 fire incidents in 2023 caused by electrical issues, emphasizing that negligence in maintaining and managing electrical systems remains a leading cause of fires.<sup>5</sup> This phenomenon raises serious questions about the extent to which the legal responsibility of building owners can be enforced within the civil law system, especially regarding negligence that causes physical and material losses.<sup>6</sup> While civil law provides compensation for victims, in reality, many obstacles hinder victims from obtaining justice, such as lengthy legal processes and limited supervision of building owners.

It is important to further evaluate how civil law and existing regulations can ensure that building owners are held responsible for preventing fires and protecting victims. According to

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Kampus: Studi Kasus: Kampus Universitas Brawijaya, Malang. *Jurnal Koridor*, 8(1), 9-20.

<sup>2</sup> Indriana, D. R. (2019). Upaya Mewujudkan Undang-Undang Bangunan Gedung Ditinjau Dari Aspek Keandalan Bangunan Gedung. *Jurnal Arsitektur GRID*, 1(1).

<sup>3</sup> Pacitan Times, "Kebakaran Lagi di Pacitan, Kali Ini Disebabkan Kelalaian Pemilik Rumah" <https://pacitan.times.co.id/news/berita/xysqm9vgay/Kebakaran-Lagi-di-Pacitan-Kali-Ini-Disebabkan-Kelalaian-Pemilik-Rumah> diakses pada 10 Januari 2025

<sup>4</sup> Kompas.id, "8 Tewas dalam Kebakaran Plaza Glodok, Apa Pemicunya dan Bagaimana Mencegah Insiden Serupa?" <https://www.kompas.id/artikel/kebakaran-plaza-glodok-apa-pemicunya> diakses pada 10 Januari 2025

<sup>5</sup> Kompas.id, "1.258 Bencana Terjadi di Jakarta, Kebakaran Jadi Kasus Tertinggi" <https://www.kompas.id/baca/metro/2024/01/25/1258-bencana-terjadi-di-jakarta-kebakaran-jadi-kasus-tertinggi> diakses pada 10 Januari 2025

<sup>6</sup> Evangelista, O., & Tanawijaya, H. (2018). Analisis Mengenai Pertanggungjawaban Pengembang Rumah Susun Terkait Ketiadaan Sertifikat Laik Fungsi Menurut Undang-Undang Nomor 20 Tahun 2011 Tentang Rumah Susun Junto Undang-Undang Nomor 28 Tahun 2002 Tentang Bangunan Gedung (Studi Kasus Apartemen Parama Cilandak Jakarta Selatan). *Jurnal Hukum Adigama*, 1(1), 1709-1732.





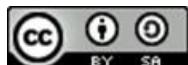
the applicable laws, building owners have an obligation that is not limited to maintaining the building but also includes implementing fire prevention measures in accordance with safety standards. In line with this, Law No. 28 of 2002 on Building Construction stipulates that building owners must meet safety requirements, including controlling the potential for fires, to prevent greater losses. Additionally, Law No. 24 of 2007 on Disaster Management provides a legal foundation for the obligations of relevant parties, including building owners, to manage fire risks and reduce the impact of disasters. In this context, civil law studies also emphasize that if the negligence of a building owner is proven to have caused a fire that harms others, the owner can be held accountable based on the principle of negligence as outlined in the Civil Code (KUHPerdata), particularly in Article 1365, which addresses liability for damages caused by negligent actions.<sup>7</sup> Therefore, a deeper study of the role of building owners in fire prevention is crucial to ensure that owners not only fulfill their legal obligations but also provide optimal protection for occupants and users.

Referring to the importance of evaluating the legal obligations of building owners in fire prevention, it is crucial to further examine how the existing legal system can accommodate more optimal protection for fire victims. Although existing laws provide a clear legal basis, their implementation in the field often faces various challenges, ranging from inadequate supervision to the ineffective enforcement of legal responsibility. Therefore, a deeper effort is needed to understand how civil law can enforce the obligations of building owners in cases of negligence that cause physical and material harm. With a more critical approach to the existing legal provisions, it is hoped that solutions can be found to strengthen the legal accountability system, ensuring that building owners are held more responsible and that fire prevention efforts are more effectively implemented.

## 2. METHOD

The method used in this study is a normative juridical approach, which focuses on the analysis of applicable legal norms, both those written in laws and regulations as well as their practical application in society. This approach prioritizes doctrinal study by referring to various relevant laws, such as Law No. 28 of 2002 on Building Construction and Law No. 24 of 2007 on Disaster Management, as well as provisions in the Civil Code (KUHPerdata) governing the

<sup>7</sup> Hukumonline.com, "Kelalaian Mengakibatkan Kebakaran, Ini Hukumannya" <https://www.hukumonline.com/klinik/a/kelalaian-mengakibatkan-kebakaran--ini-hukumannya-lt5492bf25276de/> diakses pada 10 Januari 2025





responsibility of building owners. In this method, the author will examine how civil law regulates the liability of building owners for negligence that causes fires, as well as how these legal norms are applied in fire cases in practice. With this approach, it is expected that gaps or challenges in the implementation of existing laws can be identified, thus providing a clearer picture of legal protection for fire victims.

### 3. DISCUSSION

#### *Legal Basis for Building Owners' Responsibility in Fire Prevention*

The legal responsibility of building owners to ensure the safety of buildings is one of the fundamental aspects regulated in Law No. 28 of 2002 on Buildings. Article 16 of this law explicitly states that the reliability requirements of buildings include aspects of safety, health, comfort, and convenience, which must be met by the building owner. However, the reality on the ground shows that many building owners fail to fulfill this obligation, whether due to economic reasons, negligence, or weak oversight from authorities. This negligence not only has the potential to cause material damage, but more seriously, it can endanger the lives of building occupants and users. This raises a serious question regarding the effectiveness of the application of this law in preventing fire risks, where in reality, many buildings do not meet the safety standards that should serve as a benchmark.<sup>8</sup> Therefore, strengthening supervision and firm law enforcement against building owners is crucial to ensure that these regulations are not just written rules but are truly implemented for the safety of the public.

The use of materials that do not meet standards, the absence of adequate fire protection systems, and the lack of emergency evacuation routes are some of the common violations found.<sup>9</sup> These represent serious breaches that reflect negligence regarding safety standards regulated in Law No. 28 of 2002 on Buildings. Article 16, paragraph (1) of this law emphasizes that every building must meet safety requirements, including the building's resilience, availability of rescue facilities, and protection against fire hazards. Non-compliance with this regulation not only violates the legal duty of the building owner, but it can also be categorized as an unlawful act (onrechtmatige daad) under Article 1365 of the Civil Code if such negligence results in harm to others. From a criminal law perspective, non-compliance may also result in sanctions based on Article 55 of Law

<sup>8</sup> Anggraeni, M. R., Renaldi, M., Hermawan, D., & Apriliani, A. (2024). Implementasi Kebijakan Penanggulangan Bahaya Kebakaran. *Karimah Tauhid*, 3(7), 8187-8199.

<sup>9</sup> Hermawan, M. E. A., Vidiyanti, C., & Astari, I. Y. (2020). Efektivitas Sarana Dan Jalur Evakuasi Darurat Mall Blok M Plaza. *Jurnal Arsitektur Komposisi*, 13(2), 95-103.





No. 28 of 2002, which allows for fines or imprisonment for parties found to have neglected building technical requirements. Additionally, doctrinally, this violation also indicates a weakness in the legal accountability principle of building owners, who are supposed to take responsibility for anticipating risks to protect public safety.

The obligations of building owners include providing fire extinguishing equipment that meets standards, planning clear evacuation routes, and ensuring accessibility for rescue teams in the event of a fire. Unfortunately, the implementation of these principles is often inadequate. For instance, the major fire at Plaza Glodok, Jakarta, in January 2025 revealed serious negligence in executing these measures. According to preliminary investigation results, the fire was strongly suspected to have originated from glasswool material used as a soundproofing agent in the nightclub on the 7th floor—a material known to be highly flammable but still utilized without strict supervision.<sup>10</sup>

The facts show that not all commercial buildings in Indonesia are equipped with adequate fire protection systems. According to data from the Jakarta Regional Disaster Management Agency (BPBD), throughout 2024, the number of fires in Jakarta reached 1,258 incidents, with the majority caused by electrical short circuits and the use of non-fire-resistant materials. This highlights weak supervision and law enforcement regarding building safety standards. Negligent building owners not only incur material losses but also pose a threat to human lives. In this context, the strict and consistent enforcement of sanctions for violations of fire risk mitigation obligations is urgently needed to encourage better compliance and minimize the impact of future fire disasters.

The principle of negligence outlined in Article 1365 of the Indonesian Civil Code (KUHPerdata) emphasizes that any unlawful act causing harm to another party must be accounted for through compensation. This principle aligns with the theory of negligence-based civil liability, which comprises four key elements: legal duty, breach of duty, causal relationship, and actual damage.<sup>11</sup> In the context of fires caused by building owners' negligence, owners have a legal duty to ensure their buildings comply with safety standards as stipulated in Law No. 28 of 2002 on Buildings. This includes using fire-resistant materials, installing fire protection systems, and providing emergency evacuation routes. Breaching these obligations—such as using flammable

<sup>10</sup> Kompas.com, "Glodok Plaza Sudah Dinyatakan Tak Aman Sejak 2023" <https://megapolitan.kompas.com/read/2025/01/21/18133521/glodok-plaza-sudah-dinyatakan-tak-aman-sejak-2023> diakses pada 11 Januari 2025

<sup>11</sup> Heltaji, H., & Kadriah, A. (2024). Vicarious Liability Karyawan Perbankan Ditinjau Dari Pasal 1365 dan 1367 KUHperdata. *Jurnal Supremacy Of Law (Ilmu Hukum)*, 1(1), 26-47.





materials or failing to provide fire extinguishers—constitutes an omission (failure to act) that can be categorized as an unlawful act (*onrechtmatige daad*).<sup>12</sup> To prove causation, the *causa proxima* (proximate cause) and *causa sine qua non* (but-for cause) theories can be used to determine whether the harm suffered by victims was directly caused by such negligence.<sup>13</sup> Furthermore, actual damages, whether material (e.g., property damage) or immaterial (e.g., psychological trauma), must be quantifiable to establish the appropriate amount of compensation.<sup>14</sup>

The relevant legal theories in this context include the theory of negligence-based liability, which emphasizes that parties who are negligent and fail to fulfill their legal obligations can be held accountable, and the legal protection theory, which underlines that the law must provide protection to those who suffer harm. In cases of fire, the law functions to safeguard victims through mechanisms such as compensation and the enforcement of safety standards. To strengthen civil law enforcement, measures such as improving evidence collection by involving fire forensics experts, enhancing regulations by requiring building owners to have fire risk insurance, and imposing strict civil penalties need to be implemented. By applying the principles of negligence and relevant legal theories, the legal responsibility of building owners can be effectively enforced, ensuring justice for victims and creating a deterrent effect for violators.

The principle of negligence, as regulated in Article 1365 of the Indonesian Civil Code (KUHPerdata), asserts that unlawful acts resulting in harm to others must be accountable by providing compensation. In the context of a fire caused by the negligence of a building owner, this principle is highly relevant to apply. Building owners have a clear legal obligation to ensure that the buildings they manage meet established safety standards<sup>15</sup>, including adequate fire protection systems and proper maintenance of other infrastructure. Negligence in fulfilling these obligations, such as using easily flammable materials or failing to provide adequate fire extinguishers, can be categorized as unlawful acts, opening the door for claims for compensation.

The application of the principle of negligence in practice often faces various obstacles,

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<sup>12</sup> Abdurrahman, M. I., Agustina, S. H., & MH, P. (2024). Analisis Perbedaan Prinsip Kesalahan Dan Implikasinya Terhadap Tanggung Jawab Dalam Perbuatan Melawan Hukum: Studi Komparatif Antara Hukum Indonesia Dan Hukum Inggris. *Lex Patrimonium*, 3(1), 5.

<sup>13</sup> Ani Purwati, S. H., MH, C., CPCLE, C., CLA, C., & CLI, C. (2020). *Metode Penelitian Hukum Teori dan Praktek*. Jakarta: Jakad Media Publishing. Hlm. 18

<sup>14</sup> Ariyanto, A., & Mulyana, M. (2024). Legal Protection Of Fire Officers When On Duty (Case Study Of The DKI Jakarta Provincial Fire And Rescue Service). *HUMANIORUM*, 2(3), 37-44.

<sup>15</sup> Maulana, I., & Harisman, H. (2024). Perbuatan Kelalaian Oleh Konsultan Pengawas Konstruksi Atas Bangunan Yang Menyebabkan Kerugian Negara. *Ranah Research: Journal of Multidisciplinary Research and Development*, 6(5), 2010-2026.





revealing gaps in the civil legal system.<sup>16</sup> One of the main challenges is proving that the negligence of the building owner directly caused the fire and the resulting damage. In many cases, the victims face a heavy burden of proof, especially when the fire causes widespread damage or when the cause of the fire involves technical complexities, such as electrical system failures or the use of easily flammable building materials. This burden of proof is often not matched with effective legal mechanisms, such as access to fire forensic experts or the availability of technical evidence relevant to the case. This situation highlights the need for deep reforms in the enforcement of the negligence principle. First, there must be increased accessibility for victims to evidentiary tools, such as independent technical experts who can help untangle the complexities of fire cases. Second, oversight of building owners should be strengthened through regular inspections and stricter administrative sanctions to ensure compliance with safety standards. Third, legal regulations should clearly allocate responsibility, including placing additional responsibility on third parties, such as contractors or material suppliers, who fail to meet safety standards. With these measures, the principle of negligence will not only remain a norm on paper but also become an effective legal instrument to protect victims and prevent future violations.<sup>17</sup>

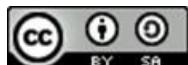
In examining whether the legal basis for the building owner's responsibility in fire prevention is adequate, it can be observed through various regulations governing the obligations of building owners, such as those outlined in Law Number 28 of 2002 on Building Construction and Law Number 24 of 2007 on Disaster Management. Although both provide a clear legal foundation regarding the building owner's responsibility to ensure the safety of occupants and users, in practice, violations are still commonly found that lead to fires, such as the use of materials that do not meet standards and the lack of adequate fire protection systems. The fire at Plaza Glodok in January 2025 is a concrete example of negligence in complying with building safety regulations, where the fire is suspected to have been caused by the use of glasswool as a soundproofing material, which is highly flammable. This fact demonstrates that, despite the existence of clear regulations, oversight and law enforcement are still very weak, leading to the failure to fully enforce the building owner's responsibility.

The integration of international safety standards into national regulations is crucial for

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<sup>16</sup> Kurniawan, H. (2024). Perlindungan Hak Anak dalam Konflik Perceraian: Analisis Hukum Keluarga Indonesia. *Wathan: Jurnal Ilmu Sosial dan Humaniora*, 1(3), 314-324.

<sup>17</sup> Panjaitan, B. V., & Basani, C. S. (2024). Urgency Of Amendment To The Law On Human Rights Courts Regarding The Establishment Of AD HOC Human Rights Courts In Resolving Cases Of Gross Human Rights Violations In Indonesia. *Jurnal Hukum Sehasen*, 10(2), 607-616.





enhancing protection for the safety of buildings and their occupants. One relevant example is the National Fire Protection Association (NFPA), a global organization that develops internationally accepted fire safety standards.<sup>18</sup> NFPA standards, such as NFPA 101 on Life Safety Code and NFPA 13 on Fire Suppression Systems, provide detailed guidelines on how buildings should be designed and managed to minimize fire risks.<sup>19</sup> Additionally, ISO (International Organization for Standardization) also has fire safety standards, such as ISO 1182 on Fire Resistance Testing of Materials and ISO 23932 on Fire Protection in Buildings. These standards offer stricter guidelines on material selection, evacuation route design, and the installation of fire protection systems that meet modern conditions.

The implementation of these international standards into Indonesia's national regulations can strengthen the existing legal framework, guiding building owners more effectively in fulfilling their obligations to prevent fires. By adopting international standards, Indonesia not only updates its building safety regulations but also enhances fire risk mitigation efforts with a more holistic approach that aligns with global best practices. However, to ensure the success of this integration, stricter oversight is necessary, along with training for building owners and relevant parties to apply these standards. Strengthening this oversight is also crucial to prevent the implementation of standards that remain purely administrative without proper field application. This will ensure that fire safety regulations are not just on paper but are effectively implemented, reducing potential losses and providing optimal protection for building occupants.

### ***Implementation and Challenges of Law Enforcement against Building Owners***

The lack of supervision and consistent law enforcement is a significant challenge in ensuring that building owners comply with the safety obligations set forth. Although regulations exist requiring building owners to adhere to safety standards, their implementation on the ground is often hindered by weak oversight. Authorities are often unable to conduct routine and thorough inspections of buildings, causing many owners to feel unbound by their safety obligations, such as providing adequate fire protection systems, using materials that meet standards, and ensuring clear evacuation routes.<sup>20</sup> This leads to a high potential for fire disasters that could have been prevented

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<sup>18</sup> Rullie Annisa, S. T. (2017). *Teknik Keselamatan, Kesehatan Kerja dan Lingkungan di Industri*. Jakarta: Media Nusa Creative (MNC Publishing). Hlm. 76

<sup>19</sup> Sujatmiko, W. (2016). Penerapan standar keselamatan evakuasi kebakaran pada bangunan gedung di Indonesia. *Jurnal Permukiman*, 11(2), 116-127.

<sup>20</sup> Nasution, F., Syahfira, A., Kholijah, S., & Pulungan, A. S. (2021). Evaluasi Standar Peletakan Alat Leges Privatae | 35



with stricter supervision.

The data supporting this analysis is evident in the number of fires recorded in Jakarta in 2024. According to the Regional Disaster Management Agency (BPBD) of DKI Jakarta, there were 1,258 fires throughout the year, with the majority of causes attributed to electrical short circuits and the use of fire-incompatible materials. This indicates that despite clear regulations, the implementation of oversight to ensure building owners comply with fire safety standards is minimal. In fact, the data suggests that insufficient oversight can increase the risk of accidents that threaten the safety of building occupants and users, which could have been prevented with a more serious approach from the authorities.

The fire that occurred at Glodok Plaza, West Jakarta, illustrates the critical importance of stricter oversight of building owners, especially regarding the fulfillment of safety standards. The fire, which took place in January 2025, resulted in fatalities, with three victims identified by the Kramat Jati Police Hospital—two women and one man—out of the 14 people previously reported missing. Preliminary investigation results suggest that the fire was likely caused by the use of glasswool, a highly flammable soundproofing material, in the nightclub on the 7th floor, which should have been more closely monitored due to its potential hazard. This is a clear example of how weak oversight in meeting safety standards led to losses not only in material damage but also in human lives.

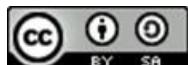
This fact underscores the need for improved oversight and law enforcement regarding the building owner's obligation to ensure that every aspect of the building meets the established safety standards. From a legal theory perspective, particularly the responsive legal theory proposed by Philippe Nonet and Philip Selznick, law is not only viewed as an instrument of social control but also as a tool to respond to societal needs.<sup>21</sup> Cases like the fire at Plaza Glodok reflect the gap between existing regulations and their implementation on the ground. In this context, responsive legal theory demands a more adaptive law, where the regulations must be accompanied by effective oversight mechanisms, strict law enforcement, and sanctions that create a deterrent effect. Additionally, Aristotle's theory of distributive justice is also relevant in explaining the importance of justice for the victims of the fire.<sup>22</sup> This theory emphasizes fair distribution of rights and duties,

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Pemadam Api Ringan (APAR) di Kantor BPBD Provinsi Sumatera Utara. *Shihatuna: Jurnal Pengabdian Kesehatan Masyarakat*, 1(2), 53-59.

<sup>21</sup> Nonet, P., & Selznick, P. (2019). *Hukum responsif*. Jakarta: Nusamedia. Hlm. 16

<sup>22</sup> Kartawijaya, R. F., Dijayanti, T., Pamungkas, A. D., & Pratama, M. A. (2024). Legal Justice dan Natural Justice Aristotle. *Praxis: Jurnal Filsafat Terapan*, 1(02).





including the safety protection for building occupants and visitors. When building owners fail to meet safety standards, their legal responsibility becomes part of efforts to restore justice balance. Weak law enforcement against such violations reflects the misalignment between legal obligations and the protection society receives, thus failing to achieve distributive justice. Responsive legal theory and distributive justice highlight the need for a more firm and just approach in addressing building safety violations to ensure that the law truly functions as a protector of the public<sup>23</sup> and a deterrent to fire risks in the future.

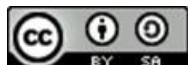
The challenge in proving the negligence of building owners is one of the main obstacles in law enforcement related to fire incidents. Negligence is the primary basis for establishing civil liability in damage claims, as outlined in Article 1365 of the Indonesian Civil Code, which states that any unlawful act that causes harm to another person obligates the party causing the harm to provide compensation. In this context, negligence is defined as a failure to act in accordance with reasonable standards of care, resulting in harm to others<sup>24</sup>. To prove negligence, several elements must be met<sup>25</sup>, the duty of care, where the building owner is obligated to ensure the safety of the building; the breach of duty, such as failing to provide fire extinguishers or neglecting routine inspections; causation, which shows that the breach directly caused the harm; and actual damages, both material and immaterial. However, proving negligence in large fire cases, such as at Plaza Glodok, often faces challenges, such as physical evidence destruction due to the fire, making it difficult to identify the primary cause, technical complexities involving electrical system analysis or safety devices, the involvement of multiple parties making it hard to determine responsibility, and the limitations of witnesses who are often traumatized or confused. To overcome these obstacles, thorough audits and documentation regarding maintenance and safety inspections are needed, involvement of independent professional investigative teams, use of technology such as surveillance cameras to provide concrete evidence, and stricter regulations with periodic inspections by authorities. With this approach, the mechanism for proving negligence can be strengthened, allowing the court to ensure justice for fire victims and impose appropriate sanctions on the negligent parties.

To address the challenges related to fire safety, especially in major cases such as the fire at

<sup>23</sup> Taimenas, E. (2022). Substansi Hukum Perundang-Undangan Harus Dipastikan Bersifat Komprehensif. *Jurnal Pendidikan Tambusai*, 6(1), 872-879.

<sup>24</sup> Heltaji, H., & Kadriah, A. (2024). Vicarious Liability Karyawan Perbankan Ditinjau Dari Pasal 1365 dan 1367 KUHperdata. *Jurnal Supermacy Of Law (Ilmu Hukum)*, 1(1), 26-47.

<sup>25</sup> Masjhoer, M. H. A., & Juarsa, E. (2022, January). Tinjauan Yuridis Terhadap Unsur Kelalaian Yang Mengakibatkan Orang Lain Meninggal Dunia Dihubungkan Pertanggungjawaban Pidana. In *Bandung Conference Series: Law Studies* (Vol. 2, No. 1, pp. 95-102).





Plaza Glodok, updating regulations and enhancing supervision are urgent necessities. The current regulations, although covering many important aspects, still show deficiencies in terms of oversight, the application of stringent standards, and adequate sanctions for negligent building owners. Therefore, there is a need for updates that include technical improvements and evaluations of the implementation of existing rules. This will ensure that every building, whether commercial or residential, meets safety standards that can reduce the risk of fire.

In addition, the implementation of international standards, such as those set by NFPA and ISO, can enrich national regulations and enhance building safety quality. These international standards provide more comprehensive and up-to-date guidelines in terms of fire risk mitigation, ensuring that existing buildings not only comply with domestic regulations but also remain competitive with buildings in other countries that are more advanced in fire safety. By integrating stricter regulations and higher international standards, Indonesia can reduce the number of fires and ensure that victims receive better protection, while holding building owners accountable.

#### 4. CONCLUSIONS

The legal responsibility of building owners in fire prevention is crucial to ensuring the safety of life and property of building occupants. Although there are clear regulations, such as Law No. 28 of 2002 on Buildings and Law No. 24 of 2007 on Disaster Management, which regulate the obligation of building owners to meet safety standards, in reality, many fire incidents occur due to the negligence of owners in adhering to these regulations. The lack of consistent supervision and law enforcement is a key factor hindering the successful implementation of these regulations in practice. The existence of regulations such as Article 1365 of the Civil Code, which addresses liability for the negligence of building owners, provides a strong legal basis to sue negligent building owners. However, in practice, there are many obstacles in the process of proving negligence and applying justice for fire victims. The use of flammable materials, the absence of adequate fire protection systems, and negligence in planning evacuation routes are common violations that can worsen the impact of fires. Fire incidents, such as the one at Plaza Glodok in Jakarta, illustrate the serious safety threats resulting from non-compliance with these regulations. Therefore, it is essential to strengthen supervision, enforce stricter law enforcement, and apply international safety standards to ensure that building owners are fully responsible for the safety of occupants and reducing fire risks. Thus, reforms in supervision and law enforcement must be implemented to prevent fires and ensure victims receive the justice they deserve.



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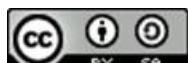
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