


Legal Protection of Regional Local Potential Through Registration of Geographical Indications of Ponda Mats to Strengthen the Community Economy In Buton Regency

Avelyn Pingkan Komuna 

Faculty of Law, Social and Political Sciences, Universitas Terbuka

Safrin Salam 


Universitas Muhammadiyah Buton, Indonesia

A. Rachmat Wirawan 

Faculty of Law, Social and Political Sciences, Universitas Terbuka

Agus Slamet 

Faculty of Teacher Training and Education, Universitas Muhammadiyah
Buton

I Made Gunawan Sanjaya 

Faculty of Law, Social and Political Sciences, Universitas Terbuka

✉ avelynkomuna@ecampus.ut.ac.id

Abstract

The character of geographical indications from the provisions of international law refers to the area of the object of geographical indications. The purpose of this research is to find the characteristics of

Ponda Wasampela Mats so that they have the potential to meet the criteria to be given legal protection as a geographical indication product and analyze the local government's efforts in encouraging legal protection of Ponda Wasampela Mats as geographical indication products. This research uses the type of Socio-Legal Legal Research. The legal approach taken is the legislation approach, concept approach and case approach. The results showed that the Ponda Wasampela mat has met the criteria to be submitted for registration of geographical indications, this is reflected in the aspect of reputation, namely that it has been used during the Buton Sultanate era in traditional rituals of marriage, death events, from the aspect of quality, namely the raw material of the mat (pandan leaves) used, raw materials (dyes and seawater), leaf drying techniques, shapes / motifs, weaving techniques, the level of neatness, and the quality of the resulting mats, aspects of characteristics namely Pandanus duri leaves (as raw material), dyes (as coloring materials), economic aspects namely Ponda Wasampela Mats currently have a selling price in the range of IDR. 50,000 (fifty thousand rupiah) and has been marketed both locally and nationally. While the government's efforts in order to encourage Ponda Wasampela Mats in geographical indication registration are the local government of Buton Regency needs to initiate commitment and efforts in carrying out supervision and guidance in encouraging Ponda Wasampela Mats to be submitted for Geographical Indication registration.

Keywords

Geographical Indication, Ponda Wasampela Mats, Registration, Local Potential

Introduction

Geographical indications are regulated internationally in Articles 22-24 of the TRIPS Agreement. According to Article 22.1, a geographical indication is a sign indicating the origin of a good from the territory of a member, where the quality, reputation, or characteristics of the good are due to its geographical origin. In accordance with these arrangements, Law No. 20/2016 on Trademarks and Geographical Indications (UUMIG) Article 1 point 6 stipulates that geographical indications are marks indicating the origin of goods or products that due to geographical factors, including natural factors, humans, or a combination of both, give the goods or products a certain reputation, quality, and characteristics.¹ The character of geographical indications

¹ Candra Irawan, "Pendaftaran Indikasi Geografis Sebagai Instrumen Perlindungan Hukum Dan Peningkatan Daya Saing Produk Daerah Di

from the provisions of international law refers to the region of the object of geographical indications (Shepherd, 2006).² The regulatory objective is divided into two: in general, to reduce environmental pressure; and in particular, to improve the environmental sustainability of Geographical Indication products, clear environmental objectives should be introduced in the Geographical Indication specification, while producer awareness, multidimensional cooperation and regional linkages should be strengthened (Falasco, Caputo, & Garrone, 2024).³

The provision shows that the setting of Geographical Indication Products can be derived from natural resources, handicrafts, or industrial products that are characteristic of the region of origin. The right to a geographical indication is an exclusive right granted by the State to the holder of the registered right to a geographical indicator, as long as the reputation, quality, and features that ensure the protection of the geographical indication remain.⁴ The arrangement shows that the regulation of Geographical Indications aims to protect this distinctive nature from counterfeiting or improper utilization and provide opportunities and protection to the community producing the distinctive product.⁵ One form of legal protection is the registration of geographical indications, on the other hand, the registration of geographical indications does not directly increase the economic income of the community. But indirectly the registration of geographical indications can increase the price of the product. This is

Indonesia,” *Seminar Nasional Multi Displin Dan Call For Papers Unisbank Ke 3* 3, no. 1 (2017): 358–66.

² Ben Shepherd, “Costs and Benefits of Protecting Geographical Indications: Some Lessons from the French Wine Sector,” 2006.

³ Silvia Falasco, Paola Caputo, and Paola Garrone, “Can Geographical Indications Promote Environmental Sustainability in Food Supply Chains? Insights from a Systematic Literature Review,” *Journal of Cleaner Production* 444, no. February (2024): 141100, <https://doi.org/10.1016/j.jclepro.2024.141100>.

⁴ Imam Lukito, “Peran Pemerintah Daerah Dalam Mendorong Potensi Indikasi Geografis (Studi Pada Provinsi Kepulauan Riau),” *Jurnal Ilmiah Kebijakan Hukum* 12, no. 3 (2018): 313, <https://doi.org/10.30641/kebijakan.2018.v12.313-330>.

⁵ Devica Rully Masrur, “Perlindungan Hukum Indikasi Geografis Yang Telah Didaftarkan Sebagai Merek Berdasarkan Instrumen Hukum Nasional Dan Hukum Internasional,” *Lex Jurnalica* 15, no. 2 (2018): 194–206.

done directly by the Community Institutional Protection of Geographical Indications (MPIG).⁶

Indonesia has many Geographical Indications (GIs), with 123 registered according to the Director General of Intellectual Property Rights. Some of these are Gayo Arabica Coffee, Jepara Carved Furniture, Muntok White Pepper, Sumbawa Horse Milk, and Solok Bareh. The actual number may be more but not yet fully registered. Protecting GIs is very important because it has great economic potential. In a 2018 presentation, the Director General of Intellectual Property Rights noted that some registered GI products experienced significant price and market increases. For example, vanilla from the Alor Islands experienced a 190% increase in price and a 20% increase in market, while Simalungun Arabica coffee experienced a 25% increase in price and 20% growth in market. This increase in price and demand is expected to boost the local economy.⁷ In a broader context, the potential for geographical indications is also found in areas that have abundant natural resources, crafts and industrial products in Buton Regency, Southeast Sulawesi Province. One of the areas in Buton Regency that has the potential of GI is Wasampela Village, Wabula Village, Wabula District, Buton Regency.

Wasampela Village is one of the 7 villages in Wabula sub-district which typologically its area is on the coast, which stretches and extends from north to south, which has an area of approximately 12,000 Ha. The potential of IG in Wasampela Village is the Ponda Wasampela Mat. The existence of Tikar Ponda Wasampela from the results of previous research found that Tikar Ponda Wasampela has the potential to be filed IG because it can meet the criteria for submitting IG products, namely having a reputation, quality, characteristics and great economic potential that is not only sold on a local scale (region) but also its existence has been sold on a national scale. In the economic aspect, the Ponda Wasampela mat is a primary job for the Wasampela community, especially mothers from Wasampela village. From the work of making ponda wasampela mats, the economic needs of the community have been met. But on the other hand, in the aspect of legal protection, the

⁶ Deslaely Putranti and Dewi Analis Indriyani, "Perlindungan Indikasi Geografis Oleh Masyarakat Perlindungan Indikasi Geografis Pasca Sertifikasi Di Yogyakarta," *Jurnal Ilmiah Kebijakan Hukum* 15, no. 3 (2021): 395–414.

⁷ Dayu Medina and Dewi Enggriyeni, "Pengaturan Dan Penerapan Prinsip Teritorial Dalam Perlindungan Indikasi Geografis Indonesia (Dalam Perspektif Hukum Internasional Dan Nasional)," *UNES Law Review* 6, no. 1 (2023): 25–34, <https://doi.org/10.31933/unesrev.v6i1.835>.

existence of Ponda Wasampela mats has not yet been registered as GI, this can be seen from the absence of the establishment of the Community Institution for the Protection of Geographical Indications (MPIG) of Ponda Wasampela mats and many other things. Therefore, this research tries to examine several problems, namely how are the characteristics of the Ponda Wasampela mat so that it has the potential to meet the criteria to be given legal protection as a geographical indication product? And how are the efforts of local governments in encouraging legal protection of Ponda Wasampela Mats as geographical indication products?

Methods

This research uses the type of Socio-Legal Legal Research⁸. The research location was Wasampela Village, Wabula District, Buton Regency. The legal approach taken is the statutory approach, concept approach and case approach (Marzuki, 2013).⁹ The data sources used are primary data in the form of direct interviews with Wasampela ponda mat craftsmen, secondary data are several journals and law books related to geographical indications, and tertiary data are in the form of legal dictionaries and legal encyclopedias.¹⁰ The data collection technique was carried out directly with the interview method to craftsmen, legal experts on intellectual property rights of the Ministry of Law and Ham of the South Sulawesi Region while the data population was the Wasampela community while the sampel of Tigr Ponda Wasampela craftsmen totaling 10 people. The data analysis used is qualitative data with descriptive and prescriptive data presentation which produces data that is applicable to answer the problems in this study.¹¹

Result, Discussion and Analysis

A. Characteristics Of Ponda Wasampela Mats That Potentially Meet the Criteria for Legal Protection As Geographical Indication Products.

The geographical concept is the main premise of intellectual property rights. This concept limits intellectual property rights to the

⁸ D Tan, "Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum," *Nusantara: Jurnal Ilmu Pengetahuan Sosial*, 2021.

⁹ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2013).

¹⁰ MYAR Sari et al., *Metodologi Penelitian Hukum* (neliti.com, 2021).

¹¹ Sari et al.

territory in which they are granted, allowing the state to control intellectual property rights based on the "capabilities" of the state. Despite accelerated globalization, this approach is still used today. This concept allows countries to control the protection of their intellectual property rights, including the protection of geographical indications within the country. This idea is enshrined in TRIPs, which sets minimum standards for IPR regulation in WTO member countries.¹² In addition, in the national legal framework, the registration of GIs has a major impact, namely formal recognition of historical knowledge and high-quality reputation can help transform local expertise, socio-cultural assets, and local natural and human characteristics into global connectivity.¹³ The role of Geographical Indications as a channel of sustainable development, involving multiple targets, and providing empirical evidence supporting government programs that geographical indications can be linked to overall sustainability (economic, social, as well as environmental). Applicants can benefit from identifying high-priority environmental improvements that will be incorporated into the specification.¹⁴ Geographical Indications therefore contribute to strengthening rural areas by creating jobs, which are consolidated over time. This highlights the link between the production of geographical indications and the valorization of local resources that can support economic and social sustainability.¹⁵

The legal consequence for member countries of the TRIPs Agreement is the obligation to comply with the provisions of TRIPs by adopting laws that provide legal protection for all areas of intellectual property rights. Conceptually, the impact of legal politics on the ratification of the TRIPs Agreement is the harmonization of the global IPR system arrangements which are *lex generalis* in nature.

¹² Medina and Enggriyeni, "Pengaturan Dan Penerapan Prinsip Teritorial Dalam Perlindungan Indikasi Geografis Indonesia (Dalam Perspektif Hukum Internasional Dan Nasional)."

¹³ Riccardo Crescenzi et al., "From Local to Global, and Return: Geographical Indications and FDI in Europe," *Papers in Regional Science* 102, no. 5 (2023): 985–1006, <https://doi.org/10.1111/pirs.12758>.

¹⁴ Silvia Falasco et al., "Are Geographical Indication Products Environmentally Sound? The Case of Pears in North of Italy," *Journal of Cleaner Production* 467, no. May (2024): 142963, <https://doi.org/10.1016/j.jclepro.2024.142963>.

¹⁵ Valentina Raimondi et al., "Dynamic and Spatial Approaches to Assess the Impact of Geographical Indications on Rural Areas," *Journal of Rural Studies* 108, no. April 2023 (2024): 103279, <https://doi.org/10.1016/j.jrurstud.2024.103279>.

¹⁶. To fulfill this obligation, TRIPS regulates the rules for developing countries and less developed countries in Article 65 paragraph (2) and Article 66 paragraph (1) TRIPS. Under both provisions, the obligation for developing countries to fulfill all legal obligations under TRIPS took effect on January 1, 2000, which is a five-year delay from the TRIPS entry into force date of January 1, 1995. The delay for least developed countries is ten years and applies until January 1, 2006. Apparently, the full implementation of TRIPS provisions for least developed countries is likely to be delayed again, given the ability and economic conditions of these countries. ¹⁷. Indonesia regulates geographical indications in Law No. 20/2016 on Trademarks and Geographical Indications. Through this Act, the government aims to improve the protection of Indonesian trademarks and geographical indications. The previous law (Law No. 15 of 2001 on Trademarks) only vaguely regulated geographical indications. The provisions on geographical indications are only regulated in one chapter (Articles 56-60), which provides an understanding of geographical indications and indications of origin. ¹⁸. Article 56 provides for a different period of protection for marks (i.e. as long as the characteristics and/or properties on which the protection is based still exist). The law has not regulated geographical indications in more detail, so improvements are needed. Law No. 20 Year 2016 on Trademarks and Geographical Indications regulates geographical indications in more detail (regulated in Chapter IX to Chapter on Forms of Infringement and Actions as well as Guidance and Supervision of Geographical Indications).

To understand the concept of geographical indications and the form of legal protection, refer to Law Number 20 Year 2016 on trademarks and geographical indications. In the provisions of Article 1 point 6 stipulates that:

¹⁶ Erika Vivin Setyoningsih, "Implementasi Ratifikasi Agreement on Trade Related Aspects of Intellectual Property Right (Trips Agreement) Terhadap Politik Hukum Di Indonesia," *Jurnal Penegakan Hukum Dan Keadilan* 2, no. 2 (2021): 117–29, <https://doi.org/10.18196/jphk.v2i2.11749>.

¹⁷ Rani Fadhila Syafrinaldi and David Hardiogo, "Trips Agreement Dan Standarisasi Hukum Perlindungan Hak Kekayaan Industri Di Indonesia," *UIR Law Review* 5, no. 1 (2021): 19–29, [https://doi.org/10.25299/uirlrev.2021.vol5\(1\).6992](https://doi.org/10.25299/uirlrev.2021.vol5(1).6992).

¹⁸ Medina and Enggriyeni, "Pengaturan Dan Penerapan Prinsip Teritorial Dalam Perlindungan Indikasi Geografis Indonesia (Dalam Perspektif Hukum Internasional Dan Nasional)."

"Geographical indication is a mark indicating the region of origin of a good and/or product which due to geographical environmental factors including natural factors, human factors or a combination of both factors gives a certain reputation, quality and characteristics to the goods and/or products produced."

Then in Article 1 point 7 regulates the right to geographical indications, namely

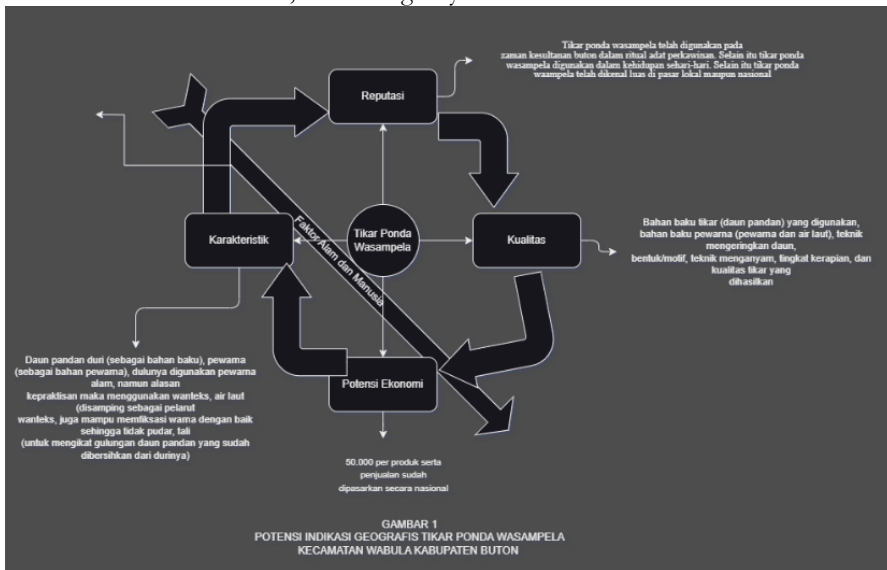
"The right to geographical indication is an exclusive right granted by the state to the registered holder of the geographical indication right, as long as the reputation, quality, and characteristics that are the basis for granting protection to the geographical indication still exist."

Referring to the provisions of Article 1 point 6 and Point 7 of Law No. 20 of 2016 shows that geographical indications are signs that have a reputation, quality and characteristics of the goods and / or products produced, which later after registration is carried out, the applicant will obtain rights to geographical indications that are exclusive to the goods and / or products registered. In this context, Wasampela Pandanus Mats must fulfill 3 (three) criteria, namely, reputation, quality, characteristics and economic potential for the Wasampela Community. Wasampela Pandanus Mats have materials in the form of pandanus duri leaves (*Pandanus tectorius* which grows and develops in coastal areas, plants with the Pandanus clan are very widely used as the main material for making plaits such as mats, pandanus, bags or wrapping materials which are mainly used from the leaves. Pandanus has many branches and green color with a length of 90-150 cm and a width of up to 4 cm. This kind of shape is because pandanus has a natural and easily formed according to the expected craft creation. On the other hand, pandanus is relatively cheap and very environmentally friendly.¹⁹

The description of the Wasampela Pandanus Mats and the materials for making Wasampela mats show the great potential of GI because the materials are provided by nature. The results of the analysis of the Potential of Wasampela Pandan Mats in 4 (four) main criteria for filing geographical indications according to Law No. 20 of 2016 can be described as follows:

¹⁹ Nia Aprilla et al., "Olahan Daun Pandan Duri (*Pandanus Tectorius*) Menjadi Tikar Di Kabupaten Kampar," *JMM (Jurnal Masyarakat Mandiri)* 5, no. 5 (2021): 2693–2700.

FIGURE 1: shows the geographical indication potential of Ponda Wasampela Mats in Wabula District, Buton Regency.



The figure shows that the characteristics, quality, reputation and economic potential aspects of the Ponda Wasampela Mats have been fulfilled. These criteria if adjusted to the legal framework as in the provisions of Article 1 point 6 of Law Number 20 of 2016 and Regulation of the Minister of Law and Human Rights Number 12 of 2019 concerning Geographical Indications Article 1 point 1 and point 2 have been fulfilled related to the Ponda Wasampela Mats which have fulfilled the signs and formation of products due to natural factors and human factors so that the aspects of reputation, quality and characteristics are fulfilled as described in Figure 1 above. The next stage that must be fulfilled is the submission of an application for registration of geographical Indications as stipulated in Article 3 of the Regulation of the Minister of Law and Human Rights Number 12 of 2019 concerning Geographical Indications. After the required documents are fulfilled, the applicant applies for registration, but according to the provisions of Article 1 point 4 of the Minister of Law and Human Rights Regulation Number 12 of 2019 concerning Geographical Indications, stipulates that:

"The applicant is an institution representing the community in a particular geographical area and/or local government that submits an application for geographical indication".

The provisions of Article 1 point 4 of Permenkumham Number 12 of 2019 require the applicant to be an institution, in the development

of the institution in question is the institution of the Geographical Indication Protection Society (MPIG) which will later be referred to as MPIG Tikar Ponda Wasampela. This is important because the applicant as stipulated in the law cannot be done on behalf of a private person but on behalf of the MPIG institution which is a representation of the Wasampela Community as craftsmen of Ponda Wasampela mats. Based on this, that in addition to the substantial aspects that must be fulfilled by the Wasampela Community and the regional government of Buton Regency, there is also an institution that must be formed, namely MPIG Tikar Ponda Wasampel, whether the institution is in the nature of several villages, between sub-districts which must have a Decree from the Buton Regent and make a deed.

B. Local Government Efforts in Encouraging the Legal Protection of Ponda Wasampela Mats as Geographical Indication Products.

To improve the efficiency and effectiveness of the implementation of autonomous government, local governments must create innovation and creativity in expanding sources of financing by exploring and strengthening various existing regional potentials to realize community welfare. It is important that the diffusion of geographical indications will affect the competitive environment of food agriculture, a conclusion that is consistent with several previous studies investigating the possible collusive effects of the *distance-to-the-frontier* model (Stranieri et al., 2023).²⁰ One of them is the optimization of economic rights arising from geographical indications in a region.²¹ This step is part of the efforts that must be made, developed, and strengthened so that the regions can be independent in financing their government. To fulfill the duties, authorities, obligations, and responsibilities as well as the power of higher legislation, in this case related to the Geographical Indication Regulations (Trademark and GI Law), local government administrators can establish regional policies that are formulated, among others, in the form of regional regulations and main regulations (Lukito, 2018).²²

There are five reasons why the role of local governments in the protection and preservation of geographical indications needs to be

²⁰ Stefanella Stranieri et al., “Geographical Indications and Innovation: Evidence from EU Regions,” *Food Policy* 116, no. March (2023): 102425, <https://doi.org/10.1016/j.foodpol.2023.102425>.

²¹ Lukito, “Peran Pemerintah Daerah Dalam Mendorong Potensi Indikasi Geografis (Studi Pada Provinsi Kepulauan Riau).”

²² Lukito.

optimized, as well as requiring a network of international standards for geographical indications, namely ²³:

- a. *The use of geographical indications is a powerful tool for regional institutions and professionals.* Agricultural production processes and food products are linked to indigenous knowledge and preserve and develop the skills of local people. The regional economy is driven by the development of local product industries;
- b. *Geographical indications create a wealth multiplier.* It is a collective right of locals, as geographical indications are trademarks that are jointly owned by farmers and artisans in a region. Geographical indication marks are used for specific products that always have a link to the region and community they come from;
- c. *The geographical indication mechanism will improve the balanced distribution of value-added between producers and traders.* Geographical indications are a unique type of intellectual property that can benefit developing countries without requiring large investments;
- d. *Geographical indications encourage quality improvement and in turn increase competitiveness.* Competition between similar GI products will encourage producers to strive to improve quality;
- e. *Geographical indication products reflect the cultural identity of a particular country or region.*

This reason is very important because local governments choose full responsibility and have a great interest in the registration of geographical indications. This has been expressly regulated in Article 70 of Law 12 Number 2019 which stipulates that local governments conduct guidance on the existence of geographical indications, such guidance includes preparation for the fulfillment of application requirements, application, utilization and commercialization of GI, socialization and understanding of GI protection, mapping and inventory of potential geographical indication products, training and assistance, legal protection, facilitation of development, processing and marketing of goods and / or products of geographical indications, as well as Article 71 of Law 12 Number 2019 stipulates that local governments and the central government supervise to ensure the

²³ Sugih Ayu Pratitis, "Peranan Pemerintah Dalam Meningkatkan Produk Indikasi Geografis Di Indonesia," *Jurnal Perspektif Hukum* 2, no. 2 (2021): 264–96, <https://doi.org/10.35447/jph.v2i2.433>.

reputation, quality, and characteristics that are the basis for the issuance of geographical indications and prevent unauthorized use of geographical indications.

Based on these provisions, it shows that the local government of Buton Regency has a great responsibility in registering geographical indications of Ponda Wasampela Mats. If the government's responsibility is connected with the theory of legal protection in terms of intellectual property rights, it can be seen that according to Philipus Hadjon, there are two types of legal protection for the community, namely: First, preventive legal protection that protects the public by giving them the opportunity to express their opinions before government decisions are taken, with the aim of avoiding the emergence of disputes. Second, repressive legal protection that aims to resolve disputes. When talking about the protection of geographical indications, then ²⁴:

- a. Preventive protection aims to prevent and assess violations of geographical indications, so the Geographical Indications Law (MIG Law) divides legal protection into criminal law and civil law.
- b. Repressive protection aims to resolve disputes or cases when there is an infringement of geographical indications by other parties. This is to ensure that registered geographical indication groups have the power to file civil suits for rights infringed by the use of geographical indications.

The protection of IPR if examined is more focused on the aspect of individual protection by paying attention to the balance of individual interests with the interests of individuals with the interests of society, so that the framework of the IPR system is based on 2 (two) principles, namely a) The Principle of Justice that creators who work or submit applications are obliged to obtain compensation. ²⁵. These rewards can be in the form of material or non-material such as a sense of security because they are protected, and recognized for their work. Then b) Economic Principles. In this context, IPR has been grouped as an

²⁴ Ibnu Maulana Zahida, Sri Reski Putri, and Aditya Satrio Wicaksono, "Perlindungan Hukum Potensi Indikasi Geografis Guna Meningkatkan Ekonomi Masyarakat (Studi Pada Kabupaten Trenggalek)," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 10, no. 2 (2021): 309, <https://doi.org/10.24843/jmhu.2021.v10.i02.p09>.

²⁵ Muhammad Rusli Arafat Annisa Justisia Tirtakoesoemah, "Penerapan Teori Perlindungan Hukum Terhadap Hak Cipta Atas Penyiaran," *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 18, no. 1 (2019): 1–14.

economically valuable creative industry and categorized as a trade commodity that directly touches the economic system in a country. Economists can calculate the economic value of intellectual property rights in real terms in the form of royalties or good will and other economic rights and monopoly rights.²⁶

The theory of legal protection of IPR and the principles of the IPR system when linked to the efforts of the Buton Regency Government in encouraging the legal protection of Ponda Wasampela Mats in the form of registration of wasampela geographical indications can be pursued with several efforts, namely:

- a. The local government needs to conduct counseling to the wasampela community, especially craftsmen, about the importance of registering the geographical indication of the ponda wasampela mat and the economic consequences of the IG registration.
- b. Establishment of MPIG Ponda Wasampela Mats. The regional government of Buton immediately held a meeting with the Industry Office, Tourism Office and Ponda Wasampela Tikar Craftsmen to sit together and agree on the MPIG of Ponda Wasampela Mats. After the agreement, a Decree of MPIG Ponda Wasampela Mats was issued. This is important to determine the legal standing of the geographical indication applicant.
- c. The Buton Regency Government immediately provided assistance for the preparation of the Geographical Indication document description of the Ponda Wasampela Mat, because the contents of the document description containing a description of the Ponda Wasampela mat profile as well as a description of the characteristic aspects, reputation aspects, quality aspects and economic aspects are important things that will be verified by the Ministry of Law and Human Rights of Southeast Sulawesi.
- d. The local government needs to facilitate lab tests related to the durability and strength of the Ponda Wasampela Mats at a licensed lab. The results of this lab test are important as a condition for submitting geographical indication documents.
- e. The local government invited external experts (Kemenkumham Southeast Sulawesi geographical indication validation analysis section, IPR legal experts from universities). It is important to involve external experts in

²⁶ Annisa Justisia Tirtakoesoemah.

order to ensure the fulfillment of administrative and substantive documents of geographical indications of ponda wasampela mats.

- f. Local Government, experts and the community of ponda wasampela mat craftsmen together evaluate the IG document, after submitting IG registration to the Ministry of Law and Human Rights.
- g. After the issuance of the IG certificate for Ponda Wasampela Mats, the Buton Regency Government ensured that Ponda Wasampela Mats products were marketed both locally, nationally and internationally by guaranteeing that the market value increased from the usual (previously only Rp. 50,0000 could be sold up to Rp. 150,000).

Conclusion

The results of the above research show that the ponda wasampela mat has met the criteria to be submitted for registration of geographical indications, this is reflected in the aspect of reputation, namely that it has been used during the Buton Sultanate era in traditional rituals of marriage, death events. and marketing has been carried out locally and nationally. From the quality aspect, namely the raw material of the mat (pandan leaves) used, the raw material of the dye (dye and seawater), the technique of drying the leaves, the shape / pattern, the weaving technique, the level of neatness, and the quality of the resulting mat, the characteristic aspect is pandan leaves (as raw material), dye (as coloring material), In the past, natural dyes were used, but for reasons of practicality, wanteks were used, seawater (in addition to being a wanteks solvent, it is also able to fix the color well so that it does not fade, ropes (to tie the pandanus leaf rolls that have been cleaned of thorns), the economic aspect is that the ponda wasampela mat currently has a selling price of around Rp. 50,000 (fifty thousand rupiah). The formation of the ponda wasampela mat is influenced by natural and human factors. While the government's efforts in order to encourage ponda wasampela mats in IG registration is the local government of Buton district needs to initiate commitment and efforts in carrying out supervision and guidance in encouraging ponda wasampela mats to be submitted for Geographical Indication registration. Therefore, researchers recommend that the Buton Regency Government immediately invite the Wasampela Community, especially the Ponda Wasampela Mat craftsmen to jointly form a geographical indication institution (MPIG) Ponda Wasampela Mats and provide assistance for the preparation of administrative documents, lab tests, and filling the substance of the

geographical indication description document of the Ponda Wasampelat.

References

- Annisa Justisia Tirtakoesoemah, Muhammad Rusli Arafat. “Penerapan Teori Perlindungan Hukum Terhadap Hak Cipta Atas Penyiaran.” *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 18, no. 1 (2019): 1–14.
- Aprilla, Nia, Dwi Viora, Syafriani, and Afiah. “Olahan Daun Pandan Duri (*Pandanus Tectorius*) Menjadi Tikar Di Kabupaten Kampar.” *JMM (Jurnal Masyarakat Mandiri)* 5, no. 5 (2021): 2693–2700.
- Crescenzi, Riccardo, Fabrizio De Filippis, Mara Giua, Luca Salvatici, and Cristina Vaquero-Piñeiro. “From Local to Global, and Return: Geographical Indications and FDI in Europe.” *Papers in Regional Science* 102, no. 5 (2023): 985–1006.
<https://doi.org/10.1111/pirs.12758>.
- Falasco, Silvia, Paola Caputo, and Paola Garrone. “Can Geographical Indications Promote Environmental Sustainability in Food Supply Chains? Insights from a Systematic Literature Review.” *Journal of Cleaner Production* 444, no. February (2024): 141100.
<https://doi.org/10.1016/j.jclepro.2024.141100>.
- Falasco, Silvia, Paola Caputo, Paola Garrone, and Niso Randellini. “Are Geographical Indication Products Environmentally Sound? The Case of Pears in North of Italy.” *Journal of Cleaner Production* 467, no. May (2024): 142963.
<https://doi.org/10.1016/j.jclepro.2024.142963>.
- Irawan, Candra. “Pendaftaran Indikasi Geografis Sebagai Instrumen Perlindungan Hukum Dan Peningkatan Daya Saing Produk Daerah Di Indonesia.” *Seminar Nasional Multi Displin Dan Call For Papers Unisbank Ke 3 3*, no. 1 (2017): 358–66.
- Lukito, Imam. “Peran Pemerintah Daerah Dalam Mendorong Potensi Indikasi Geografis (Studi Pada Provinsi Kepulauan Riau).” *Jurnal Ilmiah Kebijakan Hukum* 12, no. 3 (2018): 313.
<https://doi.org/10.30641/kebijakan.2018.v12.313-330>.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana Prenada Media Group, 2013.
- Masrur, Devica Rully. “Perlindungan Hukum Indikasi Geografis Yang Telah Didaftarkan Sebagai Merek Berdasarkan Instrumen Hukum Nasional Dan Hukum Internasional.” *Lex Jurnalica* 15, no. 2 (2018): 194–206.

- Medina, Dayu, and Dewi Enggriyeni. "Pengaturan Dan Penerapan Prinsip Teritorial Dalam Perlindungan Indikasi Geografis Indonesia (Dalam Perspektif Hukum Internasional Dan Nasional)." *UNES Law Review* 6, no. 1 (2023): 25–34. <https://doi.org/10.31933/unesrev.v6i1.835>.
- Pratitis, Sugih Ayu. "Peranan Pemerintah Dalam Meningkatkan Produk Indikasi Geografis Di Indonesia." *Jurnal Perspektif Hukum* 2, no. 2 (2021): 264–96. <https://doi.org/10.35447/jph.v2i2.433>.
- Putranti, Deslaely, and Dewi Analis Indriyani. "Perlindungan Indikasi Geografis Oleh Masyarakat Perlindungan Indikasi Geografis Pasca Sertifikasi Di Yogyakarta." *Jurnal Ilmiah Kebijakan Hukum* 15, no. 3 (2021): 395–414.
- Raimondi, Valentina, Daniele Curzi, Filippo Arfini, and Chiara Falco. "Dynamic and Spatial Approaches to Assess the Impact of Geographical Indications on Rural Areas." *Journal of Rural Studies* 108, no. April 2023 (2024): 103279. <https://doi.org/10.1016/j.jrurstud.2024.103279>.
- Sari, MYAR, M Amalia, M Ridwan, S H Jumaah, and ... *Metodologi Penelitian Hukum*. neliti.com, 2021.
- Setyoningsih, Erika Vivin. "Implementasi Ratifikasi Agreement on Trade Related Aspects of Intellectual Property Right (Trips Agreement) Terhadap Politik Hukum Di Indonesia." *Jurnal Penegakan Hukum Dan Keadilan* 2, no. 2 (2021): 117–29. <https://doi.org/10.18196/jphk.v2i2.11749>.
- Shepherd, Ben. "Costs and Benefits of Protecting Geographical Indications: Some Lessons from the French Wine Sector," 2006.
- Stranieri, Stefanella, Luigi Orsi, Ivan De Noni, and Alessandro Olper. "Geographical Indications and Innovation: Evidence from EU Regions." *Food Policy* 116, no. March (2023): 102425. <https://doi.org/10.1016/j.foodpol.2023.102425>.
- Syafrinaldi, Rani Fadhila, and David Hardiogo. "Trips Agreement Dan Standarisasi Hukum Perlindungan Hak Kekayaan Industri Di Indonesia." *UIR Law Review* 5, no. 1 (2021): 19–29. [https://doi.org/10.25299/uirlrev.2021.vol5\(1\).6992](https://doi.org/10.25299/uirlrev.2021.vol5(1).6992).
- Tan, D. "Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum." *Nusantara: Jurnal Ilmu Pengetahuan Sosial*, 2021.
- Zahida, Ibnu Maulana, Sri Reski Putri, and Aditya Satrio Wicaksono. "Perlindungan Hukum Potensi Indikasi Geografis Guna Meningkatkan Ekonomi Masyarakat (Studi Pada Kabupaten Trenggalek)." *Jurnal Magister Hukum Udayana (Udayana Master*

Law Journal) 10, no. 2 (2021): 309.

<https://doi.org/10.24843/jmhu.2021.v10.i02.p09>.