

Legal Reform through Strengthening Protection of Communal Intellectual Property in the Enggano Community in Bengkulu Province

Rahma Fitri

Faculty of Law, Universitas Bengkulu, Bengkulu 38371, Indonesia

Candra Irawan

Faculty of Law, Universitas Bengkulu, Bengkulu 38371, Indonesia

Randy Pradityo✉

Faculty of Law, Universitas Bengkulu, Bengkulu 38371, Indonesia

✉ randypradityo@unib.ac.id

Abstract

Communal Intellectual Property (KIK) in various regions of Indonesia, including Enggano Island, is abundant. However, there is a notable absence of visible protection for KIK on this island. Thus, there is a need for legal reforms or the strengthening of intellectual property protection in order to address this issue. This study aims to inventory and identify the forms of communal intellectual property protection, as well as the factors inhibiting such protection. The empirical method was employed for this study. The population and sample consisted of pa'buki (traditional leaders), tribal chiefs, sub-tribal chiefs, community members, and the head of the regional office of the Ministry of Law and Human Rights. The findings of this study revealed

an inventory of KIK potentials, encompassing traditional knowledge, genetic resources, traditional cultural expressions, and potential geographical indications. However, special protection measures for KIK potentials in Enggano Island were found to be lacking, with only preventive and repressive means being available for protection. The inhibiting factors affecting KIK protection included the condition of the area, a lack of socialization efforts, and limited government attention. Based on the study's results, it is imperative to develop an inventory of these KIK potentials and establish relevant agencies responsible for registering and protecting KIK in Enggano Island. This will help ensure the preservation and safeguarding of Enggano's unique communal intellectual property.

Keywords

Legal Reform, Intellectual Property, Communal, Enggano, Human Rights

Introduction

Enggano Island, situated in the Bengkulu province, is considered one of the outermost islands. It encompasses Enggano Sub-district, located within the North Bengkulu District, spanning an area of 68,000 hectares or 680 km². Enggano Sub-district comprises Banjarsari, Meok, Apoho, Kahyapu, Malakoni, and Ka'ana Villages. What distinguishes Enggano Island is its unique tribal composition, which differs from those found in Bengkulu city or district. Specifically, Enggano Island is home to six tribes: Kaitora, Kauno, Kaohoa, Kaarubi, Kaaruba, and Kamay Tribes (migrant). These tribes actively preserve and uphold their cultural heritage, which has been passed down through generations.¹ These conditions have had a significant impact on the development of diverse communal uniqueness and communal intellectual property.

The diversity inherent in Enggano Island's communal intellectual property encompasses distinctive cultural elements, including traditional dances such as Yahaudu (war dance), Kipomo Yakaruba, Pakitiyaponge, and Yakahenau. Moreover, the island is blessed with abundant natural resources, including various animals and plants that hold traditional medicinal value. Communal

¹ Bappedalitbang Kabupaten Bogor, "SISTEM PERLINDUNGAN HUKUM KEKAYAAN INTELEKTUAL Oleh Kementerian Hukum Dan HAM RI," Bappedalitbang Kabupaten Bogor, 2017.

intellectual property refers to the intellectual property rights that are collectively owned by a specific group of people residing in a particular locality, such as local communities or indigenous peoples. This shared ownership, coupled with customary practices, ensures the preservation, protection, and perpetuation of their traditional knowledge and cultural heritage.²

Traditional works of art that have long existed in traditional societies are considered a valuable economic asset so it is important to protect communal intellectual property as explained by Yasona, the Minister of Law and Human Rights that a Shiseido company from Japan wanted to patent a product using Indonesian spices in 1995. However, canceled it because it violated Indonesian communal rights. Therefore, we have to be aware and protect intellectual property rights³.

The Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 13 of 2017 concerning Intellectual Property Data, especially Article 1 point 1 states that⁴: *Communal Intellectual Property, hereinafter abbreviated as KIK, is intellectual property in the form of traditional knowledge, traditional cultural expressions, genetic resources, and potential geographical indications.*

Enggano Island has genetic resources, potential geographical indications, traditional knowledge, and cultural expressions, but they have not been protected. Miqdad Abdullah Siddiq stated: *The large potential of traditional knowledge in Indonesia makes it one of the research destinations for both scientific and other purposes. It is not surprising that many foreign companies engaged in the pharmaceutical sector frequently conduct research in Indonesia to find sources for producing new medicines.*⁵

Enggano is rich in resources derived from hereditary inheritance as revealed in previous studies by Rahma Fitri, et al. that: *The forest in Enggano has some plants used as traditional medicines that have long existed such as Eyok Aroeh (Yellow Root), Ediho Kuaau (Kuaau Shoot), Iyuk Po Kibuh (young coconut shell), Hiyu Kanim, Doobeed, Eok Kak daih (White Bahar Root), and Kadaih Turmeric (White Turmeric).*

² Enninya S. Nwauche, "The Emerging Right to Communal Intellectual Property," *Marquette Intellectual Property Law Review* 19, no. 2 (2015): 220–44,

³ Merdeka, "Yasonna Minta Kepala Daerah Daftarkan Hak Kekayaan Intelektual Komunal," *Merdeka.com*, 2019.

⁴ Anonim, "PERATURAN MENTERI HUKUM DAN HAK ASASI MANUSIA REPUBLIK INDONESIA NOMOR 13 TAHUN 2017 TENTANG DATA KEKAYAAN INTELEKTUAL KOMUNAL," Pub. L. No. Nomor 3 Tahun 2017, 1 (2017).

⁵ Miqdad Abdullah Siddiq, "Dilema Komersialisasi Pengetahuan Tradisional Dalam Sistem Hukum Indonesia: Antara Perlindungan Dan Pembagian Manfaat," *Jurnal Hukum & Pembangunan* 48, no. 1 (2018): 168, <https://doi.org/10.21143/vol48.no1.1600>.

These assets can be used as the basis for research which later can be used as the basis for patent registration for researchers who do not come from the region. In Bengkulu, especially in the Enggano Sub-district, North Bengkulu District, there were no data on communal intellectual property as reported by the Directorate General of Intellectual Property (DJKI). Therefore, this study specifically discusses the protection of communal wealth in Enggano and the inhibiting factors.

Method

This legal study used an empirical legal approach. Soerjono Soekanto defines empirical sociological legal study as a study that includes legal identification (unwritten) and legal effectiveness⁶. In this study, the population was Enggano traditional leaders and the Bengkulu Regional Office of the Ministry of Law and Human Rights. The determination of the sample used a purposive sampling technique considering that the sample can represent the sample as a whole. This study involved the Enggano community, tribal chiefs, and heads of the Bengkulu Regional Office of the Ministry of Law and Human Rights.

Protection of Communal Intellectual Property of Enggano

Intellectual property is a right that arises as the result of a thought that produces a product or process that is useful for human life. Communal Intellectual Property becomes the most valuable asset in developing the economy of a nation. Based on the international law perspective, intellectual property rights have been regulated in various legal sources such as conventions as stated in Article 27 (2) of the Universal Declaration of Human Rights. The regulation shows that intellectual property rights are part of human rights that must be protected, respected, and fulfilled by the government⁷.

Besides, the 1945 Constitution of the Republic of Indonesia recognizes the broader traditional rights including cultural rights, customs, and tangible and

⁶ Muktifajar dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif Dan Empiris* (Yogyakarta: Pustaka Pelajar, 2010), 153.

⁷ Fakultas Hukum Universitas Airlangga, "PENTINGNYA PERLINDUNGAN HAK KEKAYAAN INTELEKTUAL (HKI) DALAM DUNIA BISNIS," <https://fh.unair.ac.id/en/pentingnya-perlindungan-hak-kekayaan-intelektual-hki-dalam-dunia-bisnis/>, 2019, <https://fh.unair.ac.id/en/pentingnya-perlindungan-hak-kekayaan-intelektual-hki-dalam-dunia-bisnis/>.

intangible movable objects as stated in Article 18B paragraph 2 of the Constitution of the Republic of Indonesia in 1945 that:

The state recognizes and respects the units of indigenous peoples and their traditional rights as long as they are still alive and in accordance with developments and the principles of a unitary state regulated in this law.

Article 18B paragraph 2 recognizes the existence of traditional rights that develop and continue to grow by passing them down from generation to generation. In this regulation, the state respects, protects and maintains the knowledge, innovations, and practices of indigenous and local communities that reflect traditional lifestyles.⁸

Besides, control of indigenous peoples with their land and natural resources as one of the pillars of the identity of customary law communities is reinforced in Article 6 paragraph (2) of Law Number 39 of 1999 concerning Human Rights, which states: *The identity of indigenous peoples, including customary land rights (rights over customary territories), is protected over time.*

Geographical conditions in Indonesia with abundant natural wealth support the cultures, biodiversity, and local wisdom which are numerous and unique to each region. Enggano Island has natural wealth, cultural diversity, and local wisdom. Enggano Island is located in the North Bengkulu district, Bengkulu Province with an area of 397.20 km² and a distance of 110 miles from Pulau Baai Port, Bengkulu City. Enggano Island is the outermost island in Bengkulu Province which is in the middle of the Indian Ocean and close to Australia. Enggano has 5 (five) tribes that are different from other districts in Bengkulu province, namely Mukomuko, Pekal, Rejang, Lembak, Serawai, Basemah, Kaur, and indigenous Enggano tribes. The tribes here are different from other areas. The indigenous tribe that only exists on Enggano Island are Kaitora, Kauno, Kaharubi, Kaahua, Kaharuba, and Kamay tribes (migrant tribes). One of its uniqueness is that migrants who come must belong to the Enggano tribe, namely Kamay. Those who will enter Enggano Island should enter the Enggano tribe first without bringing their original tribe. This tradition is still firmly adhered to by the community. The character that is strongly attached to indigenous peoples is traditions that have been passed down from generation to generation and knowledge which is a legacy from the

⁸ Taufik H. Simatupang, "Initiating The Concept of Sui Generis of the Legal Protection of Communal Intellectual Property in The Philosophy of Science Perspective," *Jurnal Penelitian Hukum De Jure* 22, no. 2 (2022): 243–56, <https://ejournal.balitbangham.go.id/index.php/dejure/article/view/2480>.

community's ancestors as one of the potential Intellectual Property on Enggano Island.

Many communal intellectual property potentials of the Enggano people have not been explored in terms of traditional knowledge, traditional cultural expressions, potential geographical indications, and genetic resources. These elements are not separated from one another but become an integrated part of the life of indigenous peoples. The inventory of communal intellectual property in Enggano can be seen below:

Traditional Knowledge

The Regulation of the Minister of Law and Human Rights Number 13 of 2017 concerning Communal Intellectual Property Data in Article 1 number 3 states that⁹: *Traditional Knowledge is intellectual work in the field of knowledge and technology containing elements of traditional heritage characteristics that are produced, developed and maintained by a particular community or society.*

Henry Soelistyo as cited by Muhammad Djumhana defines traditional knowledge as knowledge whose status and usage are part of the cultural tradition of society. Traditional Knowledge can be divided into technical skills (know-how); skills, agricultural knowledge; ecological knowledge; medical knowledge including related drugs and treatment procedures as well as genetic resources; and skills in making traditional crafts. The results of the field research are as follows:

a. Knowledge of medicines and genetic resource

The forest in Enggano has some plants that can be utilized as traditional medicines, for example:

1) *Eyok Aroeh* (Yellow Root)

Eyok Aroeh grows in dense forests. This plant is one of the remedies for malaria and liver disease. It has been used from generation to generation. This plant can be used by boiling it with 3 cups of water into 1 cup to drink.

2) *Ediho Kuaau* (*Pucuk Kuaau*)

Ediho Kuaau (*Pucuk Kuaau*) grows on the coast of Enggano Island. This plant can be used to treat infections in the nails by applying coconut oil on the leaves, rolling the leaves, and heating the leaves so that they can be smelled. Then, open the rolled leaves and placed them on the infection location.

⁹ Anonim, PERATURAN MENTERI HUKUM DAN HAK ASASI MANUSIA REPUBLIK INDONESIA NOMOR 13 TAHUN 2017 TENTANG DATA KEKAYAAN INTELEKTUAL KOMUNAL.

- 3) *Iyuk Po Kibuh* (Young coconut skin)
Iyuk Po Kibuh (young coconut skin) is a treatment using the outer skin of the young coconut. The coconut skin is pounded to squeeze the water and then burned until it is hot to treat wounds on the soles of the feet caused by stabbed wood or nails and others.
- 4) *Hiyu Kanimi*
Hiyum Kanimi grows on the coast of Enggano Island. This plant can be used to make fish drunk by taking and grounding the seeds and then sprinkling them into the pond for a few minutes. The fish will get drunk and come out to the surface.
- 5) *Doobeed*
Doobeed is a root that exists in the Enggano forest. The characteristics of this root cover watery and red skin which will turn to white if it is scratched. It can be used as eye drops and to treat thirst.
- 6) *Eok Kak daih* (White Bahar Root)
Eok kak daih is a medicine to treat drunk due to eating fish. It is finely scraped and then brewed with lukewarm water to drink.
- 7) *Kunyit Kadaih* (White turmeric)
Kunyit Kadaih or white turmeric is a traditional medicine used by the Enggono people to cure mag and cancer.

Enggano has great potential for traditional medicines. Asti stated that "In this drug discovery, the team examined 6 types of macrofungi and 22 isolates of endophytic fungi in which the research led to the discovery of anti-bacterial and anti-oxidants". This shows the great potential of traditional medicines that have not been explored and must be protected.

Ecological Knowledge

Ecological knowledge in astronomy is used when indigenous peoples fish in the sea.¹⁰ Besides, Enggano Island has a hibiscus tree (*Hibiscus tiliaceus*) which is called a "community tree" by the community here. The community tree is one of the most important parts of the wedding ritual in the Enggano community. When the wedding ceremony takes place, there is a stage where important groups of people such as sub-district heads, village heads, pa'buki, and the tribal chief, who attend the wedding ceremony hang money on the tree.

¹⁰ Mary Jane Proulx et al., "Indigenous Traditional Ecological Knowledge and Ocean Observing: A Review of Successful Partnerships," *Frontiers in Marine Science* 8, no. July (2021): 1–17, <https://doi.org/10.3389/fmars.2021.703938>.

Skills

On the coastal area of this island, there are a lot of Pandan plants. Pandan plant is the raw material for making woven cloth that can be used for various kinds of community needs. These leaves have no smell and the length of the leaves can reach 2 meters or longer. It is used for weaving. The pandan leaves can be used as raw material for fiberboard expecting that they could become alternative raw materials for insulating walls or (non-structural) house ornaments. Besides, this pandan leaf is material for Enggano traditional houses. The pandan leaves are also used by craftsmen to make canoes (Eahabadio, Uahanakahha, which at first was called Ebei'iyaa). Women generally weave rattan to make baskets, meneke (oda'y) called yahane'eyo, as well as woven mats from coastal and forest pandan leaves which is called *yahabadio uapanuiukarahha* in Enggano.

The institutional structure of Enggano customary law is organized into the leadership level of the customary law community consisting of Pa'buki (Coordinator of the Head of the Enggano Traditional Tribe) at the sub-district level, Ekappu Ea'ahoowa (Tribal Chief) at the Village level, and Ekappu Kaudarra (the sub-tribal chief) at the Hamlet level. Some traditions have been passed down from generation to generation, for example, Yakadea Yahanuani Kaudada ceremony. This ceremony is to commemorate the spirits of ancestors who have died earlier. Besides this yakadea ceremony, the Enggano people have other ceremonies, such as marriage ceremonies, which are divided into some levels, namely single girl marriages, mat changing marriages, widower and girl marriages, widower and widow marriages, bachelor and widow marriages, bachelor and widow marriages, matrimony (apehai'ya), and marriage that destroys other people's households (yaheroa). They also have ceremonies for welcoming the birth of a child, memorizing the death of a member of the tribe, giving custom donations (padabuki) in this case, working capital assistance (papruiawa'an), and donations for the core of traditional honors (padabuki). Traditional ceremonies in the context of customary peace cover small peace between families (yakodoa yahobba), and big (general) peace according to traditional ceremonies (yakodoa kaodada).

Besides, in the category of traditional cultural expressions, the Enggano people have folklore such as Kokonahai Kamunaya, Dikudua'a Kuduko'omao, Pukayaha Kita'awaki Daki'iya, and others. They also have traditional dances like Yahaudu, Kipomo Yakaruba, Pakitiyaponge, and Yakahenau. The art of the Enggano people is unique and different from other arts, especially the Yakahenau dance which is the result of folk culture and is still being preserved. Yakahenau dance is the ant dance. This dance is performed when the party is over and the guests have gone home. Usually, this dance and dancers are secret

when it will be performed so that guests will not expect that there will be a group of dancers coming. This dance is intended to congratulate the owner of the party or the bride and groom by giving a sudden surprise. It also functions as a sign of farewell to the group of dancers or guests to the bride and groom. Besides, the Enggano people have different knowledge and uses. In addition to showing the dynamics within the environment, it also shows the dynamics of knowledge in society. Some uses of plants are still maintained by the community, such as for musical instruments. The Enggano people are familiar with traditional musical instruments whose raw materials are plants, including the Markis or kecrek, made from coconut shells which are filled with stones or marbles. Ukulele is a kind of guitar with four strings made from ba'ba wood. Besides that, the community also has Pahum or drum which is made from hibiscus trees, while bas musical instruments are made from ba'ba wood.

Geographic Indication Potential

Based on the results of the study, Enggano Island has some valuable potential geographical indications for the government and the community. This island at least has two commodities namely, the Kepok banana which is mainly sold to Lampung and Java and *Emping mlinjo* which is quite different from other chips as it is not bitter.

Enggano Island has varied and unique flora and fauna with high potential economic value. They can attract attention both locally and internationally. Thus, it is necessary to protect the potentials of this island. Satjipto Rahardjo defines legal protection as an effort to protect a person's interests by allocating a human right of power to act in the context of the interests¹¹. The word protection means taking certain actions to protect the object from certain parties. Philipus M. Hadjon explains 2 (two) forms of legal protection, namely preventive and repressive legal protection¹². Based on the results of the study, preventive protection was carried out while preserving the culture, customs, social and behavior of indigenous peoples that have been passed down from generation to generation, such as traditional ceremonies, traditional medicine, language, and others.¹³ Pa'buki (Head of the Enggano Tribe Custom), Ekappu Ea'ahooowa (Head of the Tribe), and Ekappu Kaudarra (the sub-tribal chief) and the sub-district head supported the activities carried out by the Enggano

¹¹ Satjipto Rahardjo, *Sisi-Sisi Lain Dari Hukum Di Indonesia* (Jakarta: Kompas, 2003), 121.

¹² Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat Indonesia* (Surabaya: Bina Ilmu, 1987), 1.

¹³ Shaun Lohar, Nick Butera, and Edita Kennedy, "Child Family Community Australia | Information Exchange Key Messages Child Family Community Australia," no. 25 (2014): 1–20, <https://aifs.gov.au/cfca/sites/default/files/publication-documents/cfca25.pdf>.

people as a noble cultural tradition from their ancestors. Pa'buki, Ekappu Ea'ahoowa, and Ekappu Kaudarra have tried to make a simple recording of traditional ceremonial activities, the original form of the Enggano traditional house, knowledge of traditional medicine, and original traditions. This aims to protect and maintain the ancestral history and as a form of cultural inventory of the original Indonesian nation. Protection of the rights of indigenous peoples is important. Communal Intellectual Property does not fulfill the element of novelty but its existence is the result of the thinking of indigenous peoples that survive for a very long time. Besides, it has been proven that Communal Intellectual Property is beneficial for human life, so it is necessary to appreciate and protect it.

Communal Intellectual Property is part of a tradition that is attached to the identity of the community and it has developed from time to time. Communal intellectual property is a traditional cultural heritage that needs to be preserved because culture is the identity of a group or society.¹⁴ Thus, Government policies are needed to provide effective and efficient protection.¹⁵ At the first stage of protection, it is to apply a defensive approach. A defensive approach can be taken by compiling a database that shows that Communal Intellectual Property belongs to indigenous peoples in Indonesia. However, the communal intellectual property of the Enggano people has not been recorded at the Indonesian National Data Center at <https://kikomunal-indonesia.dgip.go.id/>. This does not mean that there is no protection by the government as one of the repressive efforts is through the existence of applicable laws and regulations namely:

1. Law of the Republic of Indonesia Number 11 of 2013 concerning Ratification of the Nagayo Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization
2. Law of the Republic of Indonesia Number 28 of 2014 concerning Copyright
3. Law of the Republic of Indonesia Number 20 of 2016 concerning Brand and Geographical Indications
4. Law of the Republic of Indonesia Number 13 of 2016 concerning Patent Rights
5. Law of the Republic of Indonesia Number 11 of 2019 concerning the National System of Science and Technology
6. Government Regulation of the Republic of Indonesia Number 48 of 2011 concerning Animal Genetic Resources and Livestock Breeding

¹⁴ Josephin Mareta, "Local Community Participation on Intellectual Property," *Dinamika Hukum* 17, no. 1 (2017): 89–95.

¹⁵ United Nations, *Governance Practices for the Protection, Labour*, n.d.

7. Regulation of the Ministry of Agriculture Number 67/Permentan/OT.140/12/2006 concerning Preservation and Utilization of Plant Genetic Resources
8. Regulation of the Minister of Law and Human Rights Number 13 of 2017 concerning Communal Intellectual Property Data
9. Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number P.2/Menlhk/Setjen/Kum.1/1/2018 concerning Access to Wild Species Genetic Resources and Sharing of Benefits from Their Utilization

Inhibiting Factors on the Protection of Communal Property in Enggano

It is important to protect the Enggano Intellectual Property. However, the protection of Communal Intellectual Property faces some inhibiting factors:

1. Regional Condition

The regional condition of Enggano island becomes one of the inhibiting factors in the protection of intellectual property. It is because this island has a radius of 110 miles from Bengkulu City. It can be reached by sea via a large ship with 12 hours travel and the ship will dock for some hours at Malakoni Pier for loading and unloading natural products from this island. Currently, there is only 1 ship a week coming for loading and unloading or distributing fuel on Enggano Island. This island can also be accessed by air using a plane which is only 40-50 minutes from Bengkulu City with only 1 (one) route of Bengkulu-Enggano. The sub-district head explained that transportation access is the most challenging factor for the district government or tourists due to its distance and access.

2. The Role of the Regional Government

The Preamble to the 1945 Constitution of the Republic of Indonesia states that the state has the responsibility to "Protect the entire Indonesian nation and all of Indonesia's bloodshed and to promote public welfare." This means that the Regional Government has an important role in protecting Communal Intellectual Property even though it is not requested by the community. The Enggano people as communal owners are entitled to economic rights or moral rights to intellectual property protection, but they do not understand these rights. Thus, the local government can take the initiative to provide protection to be a "guardian" to provide protection from the "illegal" use of intellectual property. Therefore, the Regional Government should actively collect

- data or record the inventory in order to have a database of Communal Intellectual Property on Enggano Island.
3. Lack of socialization from the government regarding intellectual property on Enggano Island so that the pa'buki, the tribal chief, the sub-tribal chief and the surrounding community do not know about communal intellectual property.

Conclusion

Based on the results of the study, the protection of the communal intellectual property of the Enggano community uses 2 (two) means, namely preventive and repressive. First, preventive efforts are done by Pa'buki, Ekappu Ea'ahoowa, and Ekappu Kaudarra by simply recording ancestral traditions that have been passed down from generation to generation. Besides, the local government has compiled a database for intellectual property in each district, including Enggano Island. Second, repressive efforts are carried through litigation and non-litigation. The inhibiting factor for the protection of communal wealth on Enggano Island is due to the regional condition in which Enggano is the outermost island where access to the island takes 12 hours by boat or 40-50 minutes by air with only 1 flight. Besides, this protection barrier lacks the role of local government and lack of socialization regarding Intellectual Property. Enggano Island is the outermost island of Indonesia that has the potential for intellectual property with economic value. The regional government, especially the North Bengkulu District Government responds to this problem by facilitating the community in terms of communication networks so that people can find out about developments outside the island. Besides, the community needs attention to business and agricultural products which have the most export commodities in agriculture

References

- Anonim. PERATURAN MENTERI HUKUM DAN HAK ASASI MANUSIA REPUBLIK INDONESIA NOMOR 13 TAHUN 2017 TENTANG DATA KEKAYAAN INTELEKTUAL KOMUNAL, Pub. L. No. Nomor 3 Tahun 2017, 1 (2017).
- Bappedalitbang Kabupaten Bogor. "SISTEM PERLINDUNGAN HUKUM KEKAYAAN INTELEKTUAL Oleh Kementerian Hukum Dan HAM RI." Bappedalitbang Kabupaten Bogor, 2017.
- Lohoar, Shaun, Nick Butera, and Edita Kennedy. "Child Family Community

- Australia | Information Exchange Key Messages Child Family Community Australia,” no. 25 (2014): 1–20. <https://aifs.gov.au/cfca/sites/default/files/publication-documents/cfca25.pdf>.
- Mareta, Josephin. “Local Community Participation on Intellectual Property.” *Dinamika Hukum* 17, no. 1 (2017): 89–95.
- Merdeka. “Yasonna Minta Kepala Daerah Daftarkan Hak Kekayaan Intelektual Komunal.” *Merdeka.com*, 2019.
- Muktifajar dan Yulianto Achmad. *Dualisme Penelitian Hukum Normatif Dan Empiris*. Yogyakarta: Pustaka Pelajar, 2010.
- Nations, United. *Governance Practices for the Protection. Labour*, n.d.
- Nwauche, Enninya S. “The Emerging Right to Communal Intellectual Propert.” *Marquette Intellectual Property Law Review* 19, no. 2 (2015): 220–44.
- Philipus M. Hadjon. *Perlindungan Hukum Bagi Rakyat Indonesia*. Surabaya: Bina Ilmu, 1987.
- Proulx, Mary Jane, Lydia Ross, Christina Macdonald, Shayla Fitzsimmons, and Michael Smit. “Indigenous Traditional Ecological Knowledge and Ocean Observing: A Review of Successful Partnerships.” *Frontiers in Marine Science* 8, no. July (2021): 1–17. <https://doi.org/10.3389/fmars.2021.703938>.
- Satjipto Rahardjo. *Sisi-Sisi Lain Dari Hukum Di Indonesia*. Jakarta: Kompas, 2003.
- Siddiq, Miqdad Abdullah. “Dilema Komersialisasi Pengetahuan Tradisional Dalam Sistem Hukum Indonesia: Antara Perlindungan Dan Pembagian Manfaat.” *Jurnal Hukum & Pembangunan* 48, no. 1 (2018): 164. <https://doi.org/10.21143/.vol48.no1.1600>.
- Simatupang, Taufik H. “Initiating The Concept of Sui Generis of the Legal Protection of Communal Intellectual Property in The Philosophy of Science Perspective.” *Jurnal Penelitian Hukum De Jure* 22, no. 2 (2022): 243–56. <https://ejournal.balitbangham.go.id/index.php/dejure/article/view/2480>.
- Universitas Airlangga, Fakultas Hukum. “PENTINGNYA PERLINDUNGAN HAK KEKAYAAN INTELEKTUAL (HKI) DALAM DUNIA BISNIS.” <https://fh.unair.ac.id/en/pentingnya-perlindungan-hak-kekayaan-intelektual-hki-dalam-dunia-bisnis/>, 2019. <https://fh.unair.ac.id/en/pentingnya-perlindungan-hak-kekayaan-intelektual-hki-dalam-dunia-bisnis/>.

Acknowledgment

The researchers highly appreciate the Research and Community Service Institute of the University of Bengkulu and the Community Service Unit for providing funds, and the Enggano community for assisting with the data collection.

Funding Information

LPPM Universitas Bengkulu

Conflicting Interest Statement

There is no conflict of interest in the publication of this article.

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.