

Signifikansi Pengaturan *Benefit Sharing* Sumber Daya Genetik Laut Dalam Perjanjian *Biodiversity Beyond National Jurisdiction* Bagi Indonesia

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INTISARI

Penelitian ini menganalisis sejauh mana dampak pengaturan *benefit sharing* atas pemanfaatan sumber daya genetik laut di *area beyond national jurisdiction* bagi Indonesia. Metode penelitian yang digunakan adalah penelitian doktrinal dengan pendekatan perundang-undangan serta konseptual. Penulis mengkaji berbagai perjanjian internasional, khususnya Perjanjian *Biodiversity Beyond National Jurisdiction* (BBNJ) sebagai bahan analisis. Selain itu, penulis juga menggunakan studi-studi terdahulu untuk menunjang argumentasi mengenai perkembangan keilmuan di bidang *benefit sharing* dan sumber daya genetik. Hasil penelitian menunjukkan bahwa proses perumusan *benefit sharing* sumber daya genetik laut melewati proses yang panjang, mulai dari *the Convention on Fishing and Conservation of the Living Resources of the High Seas*, *Convention on the Law of the Sea* hingga Perjanjian BBNJ. Selanjutnya, penulis menemukan bahwa *benefit sharing* di dalam Perjanjian BBNJ akan memiliki dampak positif bagi Indonesia. Khususnya mengenai kategori non-moneter berupa akses terhadap sumber daya genetik dan *digital sequence information* serta transfer teknologi. Hal tersebut dikarenakan keuntungan moneter di dalam Perjanjian BBNJ bersifat futuristik dan praktik pada rezim lainnya menunjukkan kurang berhasilnya kategori tersebut. Perlu adanya persiapan matang oleh pemerintah Indonesia bagi dari sisi regulasi maupun institusi yang akan berperan ke depannya dalam mengimplementasikan Perjanjian BBNJ.

Kata kunci: *benefit sharing*, sumber daya genetik laut, Perjanjian BBNJ

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***The Significance of Benefit Sharing of Marine Genetic Resources in
Biodiversity Beyond National Jurisdiction Agreement for Indonesia***

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ABSTRACT

This thesis studies how far benefit sharing for the utilization of marine genetic resources in area beyond national jurisdiction (ABNJ) 'benefits' Indonesia. The study uses doctrinal research method with statutory and conceptual approaches. The author analyzes several international agreements, particularly Biodiversity Beyond National Jurisdiction Agreement (BBNJ Agreement). Furthermore, the author uses scientific articles on benefit sharing and genetic resources to support his argumentations. This result shows that the governance of benefit sharing of marine genetic resources in ABNJ has gone through a very long journey from the Convention on Fishing and Conservation of the Living Resources of the High Seas, Convention on the Law of the Sea and then BBNJ Agreement. Additionally, the author finds that non-monetary benefits (samples to and digital sequennce of marine genetic resources and transfer of marine technology) would give advantages to Indonesia more than the monetary benefits. That is because the monetary benefits is futuristic and previous regimes show unsatisfying results. There has to be proper preparations from national regulations to institutional mangements in applying BBNJ Agreement in the future.

Keywords: benefit sharing, marine genetic resources, BBNJ Agreement

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