

**THE URGENCY ON THE ACCESSION OF GENEVA ACT OF THE
LISBON AGREEMENT ON APPELATIONS OF ORIGIN AND
GEOGRAPHICAL INDICATIONS TO PROTECT GEOGRAPHICAL
INDICATIONS IN INDONESIA**

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ABSTRACT

This legal research is meant to construct a further understanding on whether the features in the newly adopted Geneva Act of the Lisbon Agreement on the Appellations of Origin and Geographical Indications (“**Geneva Act**”) could strengthen the geographical indications protection in Indonesia. Moreover, the Author will also observe the current Indonesian government standing in seeing the possibilities to access the Geneva Act as a tool to strengthen its geographical indications protection.

The legal research is conducted through normative-empirical legal research approach. The normative approach is required to analyze the secondary data that covers the material concerning geographical indications and the Geneva Act. Meanwhile, the empirical approach is needed to support the normative approach in managing this legal research.

The Author has concluded that by looking on the legal and technical features in the Geneva Act, it is important that Indonesia should access the Geneva Act immediately as an effort to strengthen its geographical indications protection. This is supported by the fact, that the features in the Geneva Act would not only strengthen geographical indications protection in a domestic sphere but also in the international level. However, currently the government of Indonesia is reluctant to access the Geneva Act. There are three considerations that leads up to the current standing of the government, firstly is concerning the formulation process of the Geneva Act that is considered as unfair. Secondly, the future prospect of the Geneva Act is unclear. Lastly, the human resources in Indonesia is not yet sufficient to perform the obligation sets out in the Geneva Act.

Keywords: Geneva Act, Accession, Geographical Indications, Geographical Indications Protection

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URGENSI DALAM MELAKUKAN AKSESI TERHADAP GENEVA ACT OF THE LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS UNTUK MELINDUNGI INDIKASI GEOGRAFIS DI INDONESIA

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INTISARI

Penelitian hukum ini dimaksudkan untuk memberikan pemahaman tentang apakah fitur yang terdapat dalam Geneva Act of the Lisbon Agreement on the Appellations of Origin and Geographical Indications (“Geneva Act”) dapat memperkuat perlindungan indikasi geografis di Indonesia. Penulis juga akan mengamati posisi dari pemerintah Indonesia dalam melihat peluang untuk melakukan aksesi terhadap Geneva Act sebagai upaya untuk memperkuat perlindungan indikasi geografis.

Penelitian hukum ini dilaksanakan melalui pendekatan normatif-empiris. Pendekatan normatif diperlukan untuk menagalisa data sekunder yang membahas materi terkait dengan indikasi geografis dan Geneva Act. Sedangkan pendekatan empiris dilaksanakan guna mendukung analisis dari pendekatan normatif.

Penulis telah menyimpulkan bahwa dengan mempertimbangkan aspek hukum dan teknis dari Geneva Act, maka Indonesia sudah seharusnya melakukan Aksesi terhadap Geneva Act sebagai upaya dalam memperkuat perlindungan indikasi geografis. Hal ini menjadi penting, dikarenakan fitur yang terdapat dalam Geneva Act tidak hanya akan memperkuat perlindungan indikasi geografis di ranah domestik, tetapi juga di tingkat internasional. Akan tetapi, pemerintah Indonesia saat ini enggan untuk melakukan Aksesi terhadap Geneva Act. Terdapat tiga buah pertimbangan yang mendasari sikap tersebut. Pertama, proses perumusan Geneva Act yang dirasa kurang adil. Kedua, prospek masa depan Geneva Act yang belum jelas. Terakhir, sumber daya manusia di Indonesia yang dirasa belum cukup memadai untuk melaksanakan kewajiban yang tertuang dalam Geneva Act.

Kata Kunci: Geneva Act, Aksesi, Indikasi Geografis, Perlindungan Indikasi Geografis

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