Received: 2026-07-08
Accepted: 2026-10-29
Issued: 2026-11-08
p-ISSN: 2541-2345, e-ISSN: 2580-8842

DOI: 10.26623/jic.v11i3.15353

Jurnal Ius Constituendum Volume 12 (1) February 2027
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Justice-Based Reconstruction of the Geographical Indication Protection System for Micro, Small, and Medium Enterprises in Ciamis Regency

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Abstract

This study examines the institutional and regulatory barriers preventing the effective protection of Geographical Indications (GIs) for Micro, Small, and Medium Enterprises (MSMEs) in Ciamis Regency, Indonesia, and develops a justice-based reconstruction model. Despite the region's distinctive products, including Galendo and Mount Sawal coffee, their potential has not been translated into effective collective legal protection or equitable economic benefits. Employing normative-empirical legal research, this study combines an analysis of Law Number 20 of 2016 on Trademarks and Geographical Indications with semi-structured interviews involving eight purposively selected informants from government agencies and MSME communities. The findings reveal that ineffective GI protection stems primarily from an implementation gap rather than the absence of eligible products. The main barriers comprise unfulfilled regional government obligations, the absence of a representative Geographical Indication Protection Society (MPIG), inadequate intellectual property literacy, and limited institutional coordination. These factors interact and hinder collective action, leaving local product reputations vulnerable to misappropriation. The principal novelty of this study lies in developing a justice-based reconstruction model that translates distributive, participatory, and restorative justice into operational governance criteria, linking specific regulatory and institutional deficiencies to five interconnected reform pillars. The model advances GI protection beyond administrative registration towards inclusive governance of communal intellectual property, with particular emphasis on institutional accountability, community participation, quality assurance, and equitable benefit-sharing.
Keywords: *Collaborative Governance; Communal Intellectual Property; Geographical Indication; MSMEs*

1. INTRODUCTION

Geographical Indications (GIs) constitute a distinct regime within Intellectual Property Rights (IPRs) because, unlike other forms of intellectual property, their protection is not granted to individuals but to communities that produce goods whose specific qualities, reputation, or characteristics are attributable to the interaction of natural factors, human factors, or a combination of both. In the context of national economic development, Geographical Indications serve not only as a legal mechanism for protecting local products but also as an instrument for enhancing competitiveness, increasing economic value, preserving cultural heritage, and strengthening regional identity. Accordingly, developing an effective Geographical Indication protection system is an integral part of legal development strategies aimed at promoting public welfare through the use of intellectual property based on local potential.[1]

Indonesia possesses substantial potential for Geographical Indications (GIs), supported by its rich diversity of natural resources, unique geographical conditions, and cultural heritage distributed across its regions. Nevertheless, the number of products that have obtained

[1] Diana Harding et al., "Geographical Indication in Indonesia: A Review on the Spatial Distribution and Classification of Geographical Indication-Registered Products and -Related Publications," *Journal of World Intellectual Property* 28, no. 1 (2025): 263–85, https://doi.org/10.1111/jwip.12332.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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Geographical Indication registration remains significantly lower than the country's actual potential. Numerous studies indicate that the development of Geographical Indications in Indonesia continues to be concentrated on certain agricultural commodities, while many distinctive local products have yet to receive legal protection. This situation suggests that the existing protection system has not been fully effective in promoting the identification, registration, management, and commercialization of Geographical Indications. As a result, the economic benefits derived from Geographical Indications have not been equitably distributed among local communities and Micro, Small, and Medium Enterprises (MSMEs).[2]

These challenges are also evident in Ciamis Regency, which possesses a wide range of flagship products rooted in local wisdom, including processed food products, agricultural commodities, handicrafts, and cultural products that have historically been closely associated with the region's geographical characteristics. One of the most well-known products is Galendo Ciamis, which continues to encounter significant obstacles in obtaining effective Geographical Indication protection. Beyond administrative issues, additional challenges include weak institutional capacity among applicant communities, limited coordination among relevant stakeholders, low levels of legal awareness regarding Geographical Indications, and the lack of integration between local government policies and MSME empowerment strategies. Consequently, the economic potential that should collectively benefit local communities has not been fully realized and remains vulnerable to misuse and misappropriation by third parties.[3]

The urgency of this research has become increasingly significant in line with the evolving paradigm of Intellectual Property Rights (IPRs), which no longer focuses solely on formal legal certainty but also emphasizes substantive justice for communities as collective rights holders. The communal nature of Geographical Indications (GIs) requires a protection system capable of accommodating the interests of local communities, Micro, Small, and Medium Enterprises (MSMEs), local governments, academics, and other relevant institutions within a collaborative governance framework. A legal protection system that merely emphasizes the registration process is insufficient to ensure the sustainable economic benefits of Geographical Indications unless it is accompanied by strengthened institutional capacity, effective product quality control, strategic marketing, community empowerment, and equitable benefit-sharing mechanisms. Therefore, reconstructing the Geographical Indication protection system has become an urgent necessity to achieve a balanced framework that promotes legal certainty, social utility, and substantive justice.

The existing literature on GIs can be grouped into three strands that have developed largely in isolation from one another. The first strand is normative and registration-oriented. It examines the legal requirements for and obstacles to registration, including the case of Galendo Ciamis,[4] and argues for broadening defensive and positive protection of GIs as communal intellectual

[2] Taufik H. Simatupang, "Expansion of Defensive and Positive Legal Protection Concepts and Measures to Protect Geographical Indications as Part of Communal Intellectual Property," *Jurnal Penelitian Hukum De Jure* 23, no. 1 (2023): 101–14, https://doi.org/http://dx.doi.org/10.30641/dejure.2023.V23.101-114.

[3] Alis Yulia, Ibnu Rusydi, and Doni Cakra Gumilar, "Perlindungan Hukum Terhadap Indikasi Geografis Galendo Sebagai Makanan Khas Kabupaten Ciamis," *Jurnal Ilmiah Galuh Justisi* 10, no. 2 (2022): 196–214, https://doi.org/http://dx.doi.org/10.25157/justisi.v10i2.8491.

[4] Yulia, Rusydi, and Gumilar.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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property.[5] Gultom and Wartini extend this strand by treating registration as a means of safeguarding the cultural identity of indigenous and local communities.[6] What these studies share is an implicit assumption that legal protection is largely achieved once a GI is registered.

The second strand is institutional. Siregar et al. attribute weak GI implementation to ineffective monitoring and inadequate coordination,[7] while comparative research shows that in Indonesia and Vietnam the state is active at every stage, from selecting candidate products to supervising codes of practice, often leaving producers with limited ownership of the governance process.[8] Marie-Vivien and Biénabe similarly show that the role of the state in GI protection varies considerably across countries and increasingly extends to defining the content of GIs, which in turn shapes who controls them.[9] The third strand is economic and developmental. It demonstrates that GIs can generate price premiums and rural development effects,[10] but also that these benefits are neither automatic nor evenly distributed. In the Indonesian coffee sector, Neilson, Wright, and Aklimawati found little evidence that registered GIs had delivered tangible economic benefits to growers, largely because local institutional arrangements were unable to engage effectively with the lead firms that dominate the value chain;[11] the Tequila case likewise shows that GI rules can be shaped by dominant industrial actors to the detriment of small producers.[12] Harding et al. further observe that Indonesian GI scholarship remains dominated by legal aspects, while governance, community empowerment, and economic benefits receive far less attention.[13]

Read together, these strands reveal a conceptual gap rather than a merely geographical one. Registration-oriented studies treat protection as a legal status, institutional studies treat it as a coordination problem, and economic studies treat it as a question of value capture. Few studies explain how these dimensions must be combined so that the governance of a communal intellectual property right produces both effective legal protection and a fair distribution of its economic benefits. This question is especially pressing where, as in Ciamis Regency, products have not yet been registered, because the design choices made before registration, such as who

[5] Simatupang, "Expansion of Defensive and Positive Legal Protection Concepts and Measures to Protect Geographical Indications as Part of Communal Intellectual Property."

[6] Alif Muhammad Gultom and Sri Wartini, "Preserving Indigenous Cultures: Analyzing Geographical Indication Registration for Indigenous People Protection in Indonesia," *Journal of Judicial Review* 25, no. 1 (2023): 33–50, https://doi.org/10.37253/jjr.v25i1.7647.

[7] Raja Koresy Melkisedek Siregar, Priskila Lambasa Septuagesima Siregar, and Raja Yosia Manahan Trinitas Siregar, "Misapplication of Geographical Indication Rules in Indonesian Local Products," *Santhet (Jurnal Sejarah Pendidikan Dan Humaniora)* 8, no. 2 (2024): 1849–58, https://doi.org/10.36526/santhet.v8i2.4495.

[8] Claire Durand and Stéphane Fournier, "Can Geographical Indications Modernize Indonesian and Vietnamese Agriculture? Analyzing the Role of National and Local Governments and Producers' Strategies," *World Development* 98 (2017): 93–104, https://doi.org/10.1016/j.worlddev.2015.11.022.

[9] Delphine Marie-Vivien and Estelle Biénabe, "The Multifaceted Role of the State in the Protection of Geographical Indications: A Worldwide Review," *World Development* 98 (2017): 1–11, https://doi.org/10.1016/j.worlddev.2017.04.035.

[10] Giovanni Belletti, Andrea Marescotti, and Jean-Marc Touzard, "Geographical Indications, Public Goods, and Sustainable Development: The Roles of Actors' Strategies and Public Policies," *World Development* 98 (2017): 45–57, https://doi.org/10.1016/j.worlddev.2015.05.004.

[11] Jeffrey Neilson, Josephine Wright, and Lya Aklimawati, "Geographical Indications and Value Capture in the Indonesia Coffee Sector," *Journal of Rural Studies* 59 (2018): 35–48, https://doi.org/10.1016/j.jrurstud.2018.01.003.

[12] Sarah Bowen and Ana Valenzuela Zapata, "Geographical Indications, Terroir, and Socioeconomic and Ecological Sustainability: The Case of Tequila," *Journal of Rural Studies* 25, no. 1 (2009): 108–19, https://doi.org/10.1016/j.jrurstud.2008.07.003.

[13] Harding et al., "Geographical Indication in Indonesia: A Review on the Spatial Distribution and Classification of Geographical Indication-Registered Products and -Related Publications."

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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forms the MPIG, who drafts the Description Document, and who controls quality standards, largely determine who will benefit afterwards. Existing studies on Ciamis have identified product potential and registration barriers but have not examined this governance question.

To address this gap, this study adopts justice as its evaluative framework and operationalizes it through three complementary dimensions. Distributive justice, drawing on Rawls, concerns whether the benefits and burdens of a social arrangement are allocated in a way that improves the position of its least advantaged participants;[14] in the GI context, it asks whether micro-producers, and not only larger processors or traders, capture the reputational premium. Participatory justice, understood as parity of participation, concerns whether all affected parties can take part as peers in the decisions that govern them;[15] this is consistent with Ostrom's finding that common resources are governed sustainably when those affected help to make and monitor the rules.[16] Restorative justice, adapted from Braithwaite's work on responsive regulation, concerns repairing harm and restoring relationships through dialogue before resorting to punitive measures;[17] here, it means restoring the community's control over a reputation that is currently exposed to misappropriation. These three dimensions, together with collaborative governance theory,[18] serve as the analytical criteria used to diagnose implementation failures and to derive the components of the reconstruction model.

Accordingly, this study makes two contributions. Empirically, it identifies the causal relationships among the factors that have prevented GI protection in Ciamis Regency, rather than listing them as separate obstacles. Conceptually, it proposes a reconstruction model whose distinguishing features, compared with earlier studies, are that (1) each component is derived from a specific gap between the legal norm (*das sollen*) and practice (*das sein*); (2) each component is tied to operational indicators of distributive, participatory, or restorative justice; and (3) the model extends beyond registration to post-registration governance, including benefit-sharing and community-based quality control. In this way, GI protection is reconceived not as an administrative outcome but as the governance of a communal asset whose legitimacy depends on how its benefits are shared.

Based on the foregoing discussion, this study addresses three research questions: (1) why the existing GI protection system has not been effective for potential MSME products in Ciamis Regency when measured against the obligations established by Law Number 20 of 2016; (2) how the inhibiting factors are interrelated; and (3) what justice-based reconstruction model can resolve them. The proposed model is intended to strengthen legal protection, enhance the competitiveness of MSMEs, and promote the sustainable welfare of local communities.

[14] John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).
[15] Nancy Fraser, *Scales of Justice: Reimagining Political Space in a Globalizing World* (New York: Columbia University Press, 2009).
[16] Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge: Cambridge University Press, 1990).
[17] John Braithwaite, *Restorative Justice and Responsive Regulation* (New York: Oxford University Press, 2002).
[18] Chris Ansell and Alison Gash, "Collaborative Governance in Theory and Practice," *Journal of Public Administration Research and Theory* 18, no. 4 (2008): 543–71, https://doi.org/10.1093/jopart/mum032.

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2. METHOD

This study employs a normative-empirical legal research method, combining a normative juridical approach with an empirical approach.[19] The normative juridical approach is used to examine the legal framework governing Geographical Indication (GI) protection, particularly the provisions of Law Number 20 of 2016 on Trademarks and Geographical Indications, its implementing regulations, and relevant national and international legal instruments concerning Intellectual Property Rights (IPRs). Meanwhile, the empirical approach is applied to obtain a comprehensive understanding of the implementation of Geographical Indication protection for leading Micro, Small, and Medium Enterprise (MSME) products in Ciamis Regency. The integration of these two approaches is intended to analyze the conformity between the applicable legal norms (das sollen) and their practical implementation (das sein), thereby enabling the formulation of a more effective and substantively just reconstruction model for the Geographical Indication protection system.

This research adopts a descriptive-analytical design with a prescriptive orientation. It first describes the existing condition of the Geographical Indication (GI) protection system for Micro, Small, and Medium Enterprises (MSMEs) in Ciamis Regency, and subsequently analyzes the various issues affecting the effectiveness of legal protection from the perspectives of regulatory framework, institutional capacity, and practical implementation. The findings of this analysis serve as the basis for formulating a substantive justice-based reconstruction model of the Geographical Indication protection system, aimed at strengthening legal certainty, enhancing MSME empowerment, and promoting the sustainable economic utilization of local resources for the benefit of local communities.

The study utilizes both primary and secondary data. Primary data were collected through semi-structured interviews with eight informants selected through purposive sampling.[20] Informants were selected on the basis of their direct role in, or knowledge of, one or more stages of the GI cycle, namely identification, application, management, and supervision, so that each stage could be examined from the perspectives of both regulators and producers. Their distribution and the rationale for their selection are presented in Table 1. Fieldwork was conducted from 2021 to 2023 in Ciamis Regency, West Java, and included interviews with the relevant provincial agencies of West Java Province. Documentary and statistical data, including the Regional Government Work Plan (RKPD) and BPS publications, were subsequently updated to 2025–2026 so that the analysis reflects current conditions.

Table 1. Informant Categories and Selection Rationale

Code	Informant Category	Number	Rationale for Selection
RG-1, RG-2	Ciamis Regency Government: Office of Industry, Trade, and Cooperatives, and Office of Trade and Industry (Head of the Industry Section)	2	Responsible for the regency's development mandate under Article 70 of Law Number 20 of 2016 and for MSME programmes; hold standing as a potential GI applicant under Article 53(3).

[19] Sidi Ahyar Wiraguna, "Metode Normatif Dan Empiris Dalam Penelitian Hukum: Studi Eksploratif Di Indonesia," *Public Sphere: Jurnal Sosial Politik, Pemerintahan Dan Hukum* 3, no. 3 (2024): 58–65, https://doi.org/10.59818/jps.v3i3.1390.

[20] Putu Gede Subhaktiyasa, "Menentukan Populasi Dan Sampel : Pendekatan Metodologi Penelitian Kuantitatif Dan Kualitatif," *Jurnal Ilmiah Profesi Pendidikan* 9, no. 4 (2024): 2721–31, https://doi.org/10.29303/jipp.v9i4.2657.

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Code	Informant Category	Number	Rationale for Selection
PG-1, PG-2	West Java Provincial Government: Office of Industry and Trade, and Office of Cooperatives and MSMEs	2	Coordinate provincial MSME and industry programmes, including facilitation of intellectual property registration across regencies.
LR-1	Regional Office of the Ministry of Law and Human Rights of West Java	1	Represents the ministry responsible for intellectual property at the regional level; provides the normative and administrative perspective (*das sollen*) and conducts IP dissemination.
MS-1 to MS-3	MSME (small industry) actors: Sari Rasa (processed beef floss), Motekar, and Puspa Jaya	3	Prospective users and beneficiaries of GI protection; provide the perspective of legal literacy, perceived costs and benefits, and distributive impact.
	Total	**8**	

Source: Author's research design.

Secondary data consist of primary legal materials, including statutory regulations and international legal instruments; secondary legal materials, such as books, peer-reviewed journal articles, dissertations, theses, conference proceedings, and other relevant research publications; and tertiary legal materials, including legal dictionaries, encyclopedias, and other supporting reference materials. The principal legal materials are Law Number 20 of 2016 on Trademarks and Geographical Indications and Minister of Law and Human Rights Regulation Number 12 of 2019 on Geographical Indications.[21]

Data were collected through library research and field research. The library research involved identifying, reviewing, and critically evaluating relevant legal sources and scholarly literature concerning Geographical Indication (GI) protection, Micro, Small, and Medium Enterprise (MSME) empowerment, and theories of justice as the conceptual foundation of the study. Field research was conducted through in-depth, semi-structured interviews guided by a protocol organized around four themes: (a) knowledge and perception of GIs; (b) the roles performed, and not performed, by each actor in the GI cycle; (c) institutional arrangements for collective action and quality control; and (d) expectations regarding the distribution of economic benefits. Each interview lasted approximately 30 to 45 minutes, was conducted with the informant's consent, and was recorded and transcribed or documented in field notes. Informants are referred to in this article by the codes listed in Table 1 to protect their confidentiality. To ensure validity, source triangulation was employed by comparing interview data with official documents, such as the Regional Government Work Plan (RKPD) and regional MSME programme documents, and with the relevant statutory regulations.[22]

The collected data were analyzed qualitatively through the stages of data reduction, data display, and conclusion drawing.[23] In the reduction stage, interview transcripts and documents were coded deductively according to four analytical dimensions derived from the legal framework, namely regulatory, institutional, capacity, and economic benefit, and inductively

[21] Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis, Pasal 1 angka 6, 7, dan 11, Pasal 53, Pasal 70, dan Pasal 71; Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 12 Tahun 2019 tentang Indikasi Geografis.

[22] Wiyanda Vera Nurfajriani et al., "Triangulasi Data Dalam Analisis Data Kualitatif," *Jurnal Ilmiah Wahana Pendidikan* 10, no. 17 (2024): 826–33, https://doi.org/https://doi.org/10.5281/zenodo.13929272.

[23] Qomaruddin and Halimah Sa'diyah, "Kajian Teoritis Tentang Teknik Analisis Data Dalam Penelitian Kualitatif: Perspektif Spradley, Miles Dan Huberman," *Journal of Management, Accounting and Administration* 1, no. 2 (2024): 77–84, https://doi.org/https://doi.org/10.52620/jomaa.v1i2.93.

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for emerging themes; the codes were then grouped into findings for each dimension.[24] The normative analysis applied the statutory, conceptual, and case approaches.[25] The normative and empirical findings were then integrated in four steps. First, the obligations and entitlements established by Law Number 20 of 2016 and its implementing regulation were mapped as the normative standard (*das sollen*). Second, the empirical conditions relating to each obligation were identified from the coded interview and documentary data (*das sein*). Third, each discrepancy was analyzed to determine its root cause and its legal consequence for MSMEs, and was classified according to the dimension of justice it affects (distributive, participatory, or restorative). Fourth, each classified discrepancy was translated into a corrective component, which yielded the five pillars of the reconstruction model. This procedure, summarized in Table 6 and Table 8, is intended to ensure consistency between the research problem, method, findings, and proposed reconstruction.

3. RESULTS AND DISCUSSION

3.1 Potential of Geographical Indications for MSME Products in Ciamis Regency

Ciamis Regency is one of the regions in West Java Province that possesses rich natural resources, cultural heritage, and traditional knowledge developed and preserved across generations. Its geographical conditions, characterized by extensive agricultural areas, plantations, livestock activities, and household-based industries, have enabled Ciamis to produce various local products with distinctive characteristics and significant potential to obtain protection under the Geographical Indication (GI) regime. This potential is reflected not only in the quality of the products produced but also in the strong relationship between product characteristics and geographical environmental factors, as well as the skills and traditional knowledge of local communities passed down from generation to generation. These elements constitute essential requirements within the Geographical Indication protection system as regulated under Law Number 20 of 2016 on Trademarks and Geographical Indications.[26]

From a regional economic development perspective, products possessing geographical identities generate significant added value by enhancing product differentiation, strengthening market competitiveness, and establishing the reputation of their regions of origin. Geographical Indication (GI) protection also functions as a legal instrument that guarantees product authenticity, thereby increasing consumer trust while preventing the misuse of geographical names by unauthorized parties.

The relevance of these products for GI protection does not lie simply in their market popularity but in the legal and economic nature of their value. Legally, a GI protects a sign indicating the origin of goods whose reputation, quality, and characteristics are attributable to geographical environmental factors, including natural factors, human factors, or a combination of both.[27] Economically, the value of such products resides in a collective reputation that no single

[24] Matthew B. Miles, A. Michael Huberman, and Johnny Saldaña, *Qualitative Data Analysis: A Methods Sourcebook*, 3rd ed. (Thousand Oaks: SAGE Publications, 2014).
[25] Mehzabul Hoque Nahid et al., "Challenges and Mitigation Strategies of Geographical Indication (GI) Registration Process for Local Products: A Case Study from Bangladesh," *Paper Asia* 41, no. 3 (2025): 296–308, https://doi.org/10.59953/paperasia.v41i3b.480.
[26] Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis.
[27] Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis, Pasal 1 angka 6.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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producer creates or can protect alone. A reputation of this kind behaves like a common resource: every producer in the area benefits from it, but any producer, or an outsider, can free-ride on it by selling inferior or non-local goods under the same name, which erodes the premium for all.[28] For this reason, the protection of such products is a matter of communal intellectual property rather than individual trademarks, and the analysis below focuses on whether Ciamis products satisfy the legal link to origin rather than merely on their market potential.

3.1.1 The Economic Potential of MSMEs in Ciamis Regency

Micro, Small, and Medium Enterprises (MSMEs) constitute one of the main pillars of the economic development of Ciamis Regency. The regional economic structure, which remains largely dominated by the agricultural sector, trade activities, and household-based industries, positions MSMEs as an important instrument for creating employment opportunities, increasing community income, and strengthening local economic resilience. This condition has become increasingly evident following the COVID-19 pandemic, during which MSME actors demonstrated their ability to sustain economic activities by developing products based on local potential and utilizing digital marketing technologies. Therefore, strengthening the protection of regional flagship products, including through the Geographical Indication (GI) regime, is highly relevant as part of a sustainable economic development strategy.

The development of Micro, Small, and Medium Enterprises (MSMEs) in Ciamis Regency demonstrates a consistent upward trend over the years. Based on data from the Ciamis Regency Government, the number of MSMEs in 2020 was recorded at 15,165 business units, increasing to 15,702 units in 2021, 16,492 units in 2022, and reaching 17,042 units in 2023. Of this total, approximately 16,875 units have been categorized as productive MSMEs. This growth indicates that community entrepreneurship activities continue to expand despite facing various economic dynamics at both national and global levels.[29]

Meanwhile, based on the latest publication of the Central Bureau of Statistics (Badan Pusat Statistik/BPS) of Ciamis Regency, regional economic development throughout 2024–2025 continued to demonstrate a positive trend, supported by increased activities in trade, manufacturing, agriculture, and other service sectors. This condition provides broader opportunities for the growth of MSMEs, particularly those utilizing local resources as primary raw materials and as elements of product identity.[30] Until 2026, the Ciamis Regency Government continues to prioritize increasing the number of productive MSMEs, strengthening the competitiveness of micro-enterprises, and expanding market access as key indicators within the Regional Government Work Plan (Rencana Kerja Pemerintah Daerah/RKPD). This policy direction reflects the continuity of regional strategies in promoting the sustainable development of the MSME sector.

[28] Belletti, Marescotti, and Touzard, "Geographical Indications, Public Goods, and Sustainable Development."
[29] Pemerintah Kabupaten Ciamis, *Rancangan Awal Rencana Kerja Pemerintah Daerah (RKPD) Kabupaten Ciamis Tahun 2026* (Ciamis: Pemerintah Kabupaten Ciamis, 2025), 69-70.
[30] Badan Pusat Statistik Kabupaten Ciamis, *Produk Domestik Regional Bruto Kabupaten Ciamis Menurut Lapangan Usaha 2021-2025* (Ciamis: BPS Kabupaten Ciamis, 2026).

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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Table 2. Development of the Number of MSMEs in Ciamis Regency, 2020–2026

Year	Number of MSMEs	Description
2020	15.165	Regional Government Work Plan (RKPD) of Ciamis Regency
2021	15.702	Increased by 3.54%
2022	16.492	Increased by 5.03%
2023	17.042	Number of Productive MSMEs: 16.875 units
2024	The MSME strengthening program is continuously implemented	Emphasis on productivity enhancement
2025	Development of MSMEs Based on Regional Competitiveness	The RKPD and GRDP reflect positive economic development performance
2026	Targets for increasing productive MSMEs and promoting business digitalization	The 2026 RKPD Policy Framework

Source: Data from the Ciamis Regency Office of Cooperatives, MSMEs and Trade based on the 2026 Ciamis Regency Regional Government Work Plan (RKPD), processed by the author.

From the perspective of the regional economic structure, the sectors that serve as the foundation for MSME development include the food and beverage industry, agricultural product processing, coconut-based industries, handicrafts, retail trade, as well as coffee and other plantation commodities. Among these sectors, the local food industry holds a strategic position because it utilizes raw materials originating from Ciamis Regency and is processed based on the traditional knowledge of local communities. Products such as Galendo, coconut sugar, coffee from the Mount Sawal area, and various other processed food products demonstrate a strong relationship between geographical factors, community skills, and regional reputation. These characteristics constitute essential elements that form the basis for establishing a Geographical Indication (GI).

The contribution of Micro, Small, and Medium Enterprises (MSMEs) to the economy of Ciamis Regency is also reflected in the structure of the Gross Regional Domestic Product (GRDP). Based on data from the Central Bureau of Statistics (Badan Pusat Statistik/BPS) of Ciamis Regency, during the period of 2020–2025, the agriculture, forestry, and fisheries sectors consistently represented the largest contributors to the regional GRDP of Ciamis Regency. The subsequent contributors were the wholesale and retail trade sector, followed by manufacturing, construction, and transportation sectors. This economic structure indicates that most regional economic activities are closely associated with the existence of MSMEs, both as production actors and as integral components of the local product distribution chain.[31]

The dominance of the agricultural sector as the primary contributor to the regional Gross Domestic Product (GRDP) also implies that most of the leading products of Ciamis Regency originate from natural resources with distinctive regional characteristics. Therefore, a

[31] Badan Pusat Statistik Kabupaten Ciamis, *Produk Domestik Regional Bruto Kabupaten Ciamis Menurut Lapangan Usaha 2021-2025*.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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protection approach through the Geographical Indication (GI) regime becomes more relevant than relying solely on individual trademark protection, as the economic value of these products is not merely attached to specific business actors but is instead derived from the collective reputation of the community and the geographical origin of the products.

In order to enhance MSME competitiveness, the Ciamis Regency Government has implemented various policies aimed at improving the quality of local products. These policies include facilitating business legality, halal certification, digital marketing assistance, capacity building for MSME actors, product promotion through various exhibitions, and the development of partnerships between MSMEs and the modern trade sector. Furthermore, the local government has established the increase in the number of productive MSMEs as one of the key indicators of regional development performance. Consequently, MSME development and assistance programs are continuously implemented through the Ciamis Regency Office of Cooperatives, Micro, Small, and Medium Enterprises, and Trade.[32]

Nevertheless, these policy orientations remain predominantly focused on improving production capacity, access to financing, and marketing development. Specific efforts aimed at strengthening communal intellectual property protection, particularly through the registration of Geographical Indications (GIs), remain relatively limited. As a result, various local products with strong reputations and distinctive regional characteristics have not yet obtained adequate legal protection. This condition indicates a gap between regional economic development policies and legal protection strategies for local product identities. Therefore, strengthening the Geographical Indication protection system has become an essential necessity, not only to protect the rights of local communities but also to increase economic added value, enhance MSME competitiveness, and support equitable regional economic development.

The economic data above are relevant to this study not merely because they show that MSMEs are important to Ciamis Regency, but because they reveal the mechanism through which the absence of GI protection affects value creation and its distribution. This mechanism operates in four linked steps. First, the growth of MSMEs from 15,165 units in 2020 to 17,042 units in 2023, an increase of approximately 12.4 percent, is concentrated in food processing and agro-based activities that depend on local raw materials. Second, because these products rely on local resources and inherited techniques, their market differentiation rests on geographical reputation rather than on individual brands. Third, in the absence of legal protection, a geographical reputation cannot be reserved for those who sustain it: as the number of producers grows, so does the risk that some of them, or producers outside the region, will use the Ciamis name for goods that do not meet the traditional standard, eroding the reputation on which all depend. Fourth, without a collectively enforceable standard, the reputational premium tends to be captured by actors who control branding and distribution, such as traders and larger processors, rather than by the micro-producers who maintain the product's characteristics.[33] Consequently, the failure to protect GIs is not only a legal omission; it weakens value creation,

[32] Pemerintah Kabupaten Ciamis, *Rancangan Awal Rencana Kerja Pemerintah Daerah (RKPD) Kabupaten Ciamis Tahun 2026*, 69-73.
[33] Neilson, Wright, and Aklimawati, "Geographical Indications and Value Capture in the Indonesia Coffee Sector."

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blurs market differentiation, and skews the distribution of economic benefits against the least advantaged producers, which is precisely the concern of distributive justice.

3.1.2 Identification of Leading Products with Geographical Indication Potential

Based on its regional characteristics and community economic activities, Ciamis Regency possesses a number of leading commodities that substantively fulfill the basic elements required for Geographical Indication (GI) protection, although most of these products have not yet been officially registered with the Directorate General of Intellectual Property (DJKI).[34] This condition indicates a gap between the potential of the local economy and the level of legal protection currently available.

Table 3. Potential Leading MSME Products in Ciamis Regency Eligible for Geographical Indication Protection

No	Leading Product	Characteristics	Geographical Factors	GI Potential
1	Galendo Ciamis	Traditional coconut milk-based food product with unique taste characteristics	Traditional processing practices passed down through generations among the Ciamis community	Very High Potential
2	Gula Kelapa Ciamis	Characterized by a distinctive aroma and natural color	Coconut trees are widely cultivated in the geographical area of Ciamis	High Potential
3	Kopi Gunung Sawal	The aroma and flavor characteristics are influenced by the altitude of the geographical area	The agroclimatic conditions of the Mount Sawal region	Very High Potential
4	Sale Pisang Ciamis	Distinctive texture and traditional drying methods	Production of high-quality local bananas	Moderate to High Potential
5	Abon Sapi Ciamis	Produced using local spices and traditional processing techniques	Well-developed community-based livestock farming	Moderate Potential
6	Kerajinan Bambu Ciamis	Traditional weaving motifs and techniques	Availability of locally sourced bamboo	Moderate Potential

Source: Author's analysis based on data obtained from the Ciamis Regency Government, the Central Bureau of Statistics (BPS) of Ciamis Regency, and the Directorate General of Intellectual Property (DJKI) for the period 2024–2025.

To avoid conflating local economic potential with legal eligibility, this study distinguishes the two explicitly. Economic potential refers to a product's market value and contribution to

[34] Direktorat Jenderal Kekayaan Intelektual, *DJKI Bahas Tujuh Produk Unggulan Daerah untuk Diusulkan sebagai Indikasi Geografis*, 8 Juli 2025.

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MSME income, whereas legal eligibility refers to whether the product can satisfy the substantive requirements for GI registration, including the link to origin and the content of the Description Document.[35] Eligibility was assessed using five indicators: (1) natural factors, namely geographical, climatic, soil, water, topographical, or environmental conditions that contribute to the product's characteristics; (2) human factors, namely traditional knowledge, production techniques, skills, and processing methods that are distinctive and passed down through generations; (3) reputation, namely public recognition, product history, popularity, and the association of the product name with its place of origin; (4) continuity, namely the sustainability of production, the number of producers, the availability of raw materials, and the persistence of the production tradition; and (5) specifiability, namely the existence of particular characteristics that can be described in a Description Document and distinguished from similar products. Each indicator was verified on a five-point scale: 1 (very weak: evidence very limited or unavailable), 2 (weak: evidence exists but is limited and inconsistent), 3 (moderate: evidence is adequate but has gaps), 4 (strong: evidence is relatively complete, consistent, and supported by more than one source), and 5 (very strong: evidence is consistent, documented, and supported by several sources). The eligibility category was then determined by the mean score of the five indicators: *very high* (4.0–5.0), *high* (3.6–3.9), *moderate to high* (3.3–3.5), and *moderate* (2.5–3.2). A sixth indicator, institutional readiness, covering the existence of producer groups or an MPIG, the capacity to prepare the Description Document, quality control, and government support, was scored on the same scale but assessed separately, because it does not determine legal eligibility but does determine whether an eligible product can realistically be registered. The results are presented in Table 4.

Table 4. Legal Eligibility and Institutional Readiness Matrix of Leading Products

Product	Natural	Human	Reputation	Continuity	Specifiability	Mean	Category	Readiness
Galendo Ciamis	3	4	4	4	5	4.0	Very high	3
Kopi Gunung Sawal	4	3	4	4	5	4.0	Very high	3
Gula Kelapa Ciamis	4	3	4	4	4	3.8	High	2
Sale Pisang Ciamis	4	3	3	4	3–4	3.5*	Moderate to high	2
Abon Sapi Ciamis	2	3	3	4	3	3.0	Moderate	2
Kerajinan Bambu Ciamis	3	4	2	4	3	3.2	Moderate	2

Source: Author's verification based on interview data, documents of the Ciamis Regency Government and BPS, and previous studies. Natural = natural factors; Human = human factors; Mean = mean of the five eligibility indicators; Category = eligibility category; Readiness = institutional readiness (not included in the mean). Scale: 1 = very weak, 2 = weak, 3 = moderate, 4 = strong, 5 = very strong. *Calculated using the midpoint (3.5) of the verified specifiability range of 3–4.

Table 4 demonstrates that not all leading products automatically fulfill the requirements for Geographical Indication (GI) protection. The assessment is based on the relationship between product quality and geographical conditions, natural factors, human factors, reputation, and the continuity of production by local communities. Among the various products identified,

[35] Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis, Pasal 1 angka 6 dan 11 serta Pasal 53; Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 12 Tahun 2019 tentang Indikasi Geografis.

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Galendo Ciamis and Mount Sawal Coffee have the greatest potential, as both demonstrate a strong connection between their product characteristics and geographical environment, while also possessing reputations that are recognized beyond Ciamis Regency.[36] Previous academic studies have also identified Galendo as a distinctive local product possessing geographical origin characteristics and worthy of consideration for Geographical Indication (GI) protection. The matrix also reveals a pattern that is central to the argument of this article: legal eligibility and institutional readiness do not coincide. The products that best satisfy the substantive requirements, Galendo and Mount Sawal coffee, still lack a representative producer institution capable of acting as applicant and maintaining quality. The obstacle to protection is therefore located not in the products themselves but in the governance arrangements surrounding them, which are examined in Section 3.2.

Galendo is one of the traditional food products that has become a culinary identity of Ciamis Regency for decades. This product is produced through a process of heating coconut milk until a fatty sediment is formed, resulting in a distinctive texture and flavor. The uniqueness of Galendo lies not only in its raw materials but also in its traditional processing techniques that have been passed down through generations, producing characteristics that are difficult to replicate by other regions. This reputation demonstrates a strong relationship between the product, the local community, and its geographical origin, which represents the essence of Geographical Indication (GI) protection.

In addition to Galendo, the Mount Sawal area also possesses significant potential as a producer of high-quality coffee. The agroclimatic conditions, including altitude, temperature, volcanic soil characteristics, and rainfall patterns, influence the flavor profile of the coffee produced. In the context of Geographical Indication (GI) protection in Indonesia, such characteristics represent fundamental elements that distinguish a product from similar products originating from other regions. Therefore, the development of Mount Sawal Coffee as a Geographical Indication product has the potential to generate higher economic value for farmers and MSME actors.

Another potential product is coconut sugar produced by rural communities in Ciamis Regency. This product is recognized for its natural aroma and traditional production process without the use of additional ingredients. Although it is currently marketed primarily as a household-based product, its relatively consistent quality standards and strong connection with local coconut resources provide opportunities for development as a Geographical Indication (GI)-based product. Such development requires support through the establishment of producer institutions and the preparation of a Book of Requirements.[37]

The existence of sale pisang and various other processed food products also demonstrates that Ciamis Regency possesses a relatively strong local economic foundation. Nevertheless, most of these products are still marketed as ordinary MSME products without a clear geographical

[36] Badan Pusat Statistik Kabupaten Ciamis, *Analisis Sektor Unggulan Kabupaten Ciamis 2022* (Ciamis: BPS Kabupaten Ciamis, 2023).

[37] Yudha Agung Nugraha and Imam Haryanto, "Hambatan Pendaftaran Indikasi Geografis Tahu Sumedang Sebagai Aset Potensial Daerah," *Jurnal Education and Development Institut* 9, no. 1 (2021): 119–30, https://doi.org/https://journal.ipts.ac.id/index.php/ED/article/view/2306.

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identity. As a result, the economic value received by producers remains relatively low because these products are difficult to differentiate from similar products originating from other regions.

Table 5. Analysis of the Potential of Geographical Indications for Leading Products in Ciamis Regency

Aspect	Current Condition	Analysis
Product Distinctiveness	The majority of products demonstrate distinctive local characteristics	Meets the requirements of reputation and distinctive characteristics
Geographical Factors	Shaped by natural factors and local cultural heritage	Potentially qualifies for Geographical Indication (GI) protection
Legal Status of Geographical Indication (GI)	Not all products have been officially registered for Geographical Indication (GI) protection	A gap remains between local product potential and the level of legal protection provided
Institutional Capacity	The establishment of the Geographical Indication Protection Society (MPIG) remains suboptimal	Creates obstacles to the Geographical Indication registration process
Marketing Strategy	Predominantly marketed in local markets	The economic added value remains suboptimal

Source: Author's analysis based on data obtained from the Directorate General of Intellectual Property (DJKI), the Ciamis Regency Government, and field research observations

Based on the analysis above, it can be understood that the primary issue in Ciamis Regency does not lie in the limited potential of its products, but rather in the suboptimal governance of legal protection. The leading products have fulfilled most of the substantive elements required for Geographical Indication (GI) protection; however, they are not yet supported by institutional mechanisms capable of coordinating the processes of product inventory, preparation of product description documents, establishment of the Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG), and submission of applications to the Directorate General of Intellectual Property (DJKI).

This condition indicates that the development approach for Micro, Small, and Medium Enterprises (MSMEs) has so far remained primarily oriented toward improving production capacity and marketing, while the aspect of intellectual property protection has not yet become a priority. However, experiences from various regions in Indonesia demonstrate that Geographical Indication (GI) certification can increase product value, expand market access, strengthen producers' bargaining positions, and preserve product reputation from counterfeiting practices and unauthorized use of geographical names. The Directorate General of Intellectual Property (DJKI) has also continued to encourage local governments to identify leading products that fulfill substantive requirements as part of a strategy to strengthen an economy based on intellectual property.

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From the perspective of justice theory, this condition reflects the absence of adequate distributive justice for MSME actors. Local communities have produced goods with distinctive characteristics shaped by geographical factors and traditional knowledge; however, the economic benefits they receive remain disproportionate due to the lack of adequate legal protection. In this context, the reconstruction of the Geographical Indication (GI) protection system should be directed toward strengthening the role of local governments, establishing representative Geographical Indication Protection Societies (Masyarakat Perlindungan Indikasi Geografis/MPIG), developing databases of leading local products, providing assistance in the preparation of Geographical Indication product description documents, and integrating policies between intellectual property protection and MSME development.

Therefore, Ciamis Regency essentially possesses sufficient economic, social, and cultural capital to develop Geographical Indications (GIs) as an instrument for enhancing MSME competitiveness. The main challenge lies in transforming institutional structures and policy frameworks so that existing potential can be converted into intellectual property rights that provide legal protection while simultaneously improving the welfare of local communities.

3.1.3 Economic Value and Competitiveness of Geographical Indication-Based Products

Geographical Indication (GI) protection does not only function as a legal instrument to safeguard the name and reputation of a product but also serves as an economic strategy capable of increasing product added value and competitiveness in the market. The unique characteristics derived from natural factors, human factors, or a combination of both make Geographical Indication products distinct and difficult to replicate by similar products from other regions. This condition builds consumer confidence in product quality while simultaneously strengthening the bargaining position of business actors within national and international trade chains.[38]

From an economic perspective, Geographical Indications (GIs) generate economic value through the formation of collective reputation. Unlike trademarks, which are attached to individual business actors, the reputation established through Geographical Indications is collectively owned by producer communities within a specific geographical area. This reputation becomes an economic asset that enhances consumer preference for authentic products originating from their regions of origin, thereby enabling the creation of price premiums, market expansion, and increased consumer loyalty. Therefore, Geographical Indication protection not only provides legal certainty but also functions as an instrument for improving the welfare of local communities.[39]

For MSMEs in Ciamis Regency, the existence of Geographical Indications (GIs) has the potential to provide significant economic value because most of the region's leading products have a strong relationship with geographical conditions and the traditional knowledge of local communities. Products such as Galendo, coconut sugar, coffee from the Mount Sawal area, and

[38] Mohammad Ikbal Borman, Marini Citra Dewi, and Adiguna Kharismawan, "Indikasi Geografis Sebagai Nilai Tambah Produk Kopi Menuju Pasar Domestik Dan Internasional," *Jatiswara* 38, no. 1 (2023): 85–94, https://doi.org/10.29303/jtsw.v38i1.449.

[39] Nizar Apriansyah, "Perlindungan Indikasi Geografis Dalam Rangka Mendorong Perekonomian Daerah," *Jurnal Penelitian Hukum De Jure* 19, no. 4 (2018): 525–42, https://doi.org/http://dx.doi.org/10.30641/dejure.2018.V18.525-542.

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other local food products not only possess distinctive physical characteristics but also contain historical, cultural, and regional identity values. If these characteristics are codified through Geographical Indication protection, the products will no longer be marketed merely as commodities but as products with legal identity, quality assurance, and officially recognized reputation.[40]

From a competitiveness perspective, Geographical Indications (GIs) create competitive advantages through product differentiation. In an increasingly competitive market that emphasizes quality, food safety, and sustainable production, consumers tend to prefer products with clear origins (traceability) and established quality standards. A Geographical Indication certificate serves as an indicator that a product is produced in accordance with the characteristics of its geographical origin and complies with the specifications established in the Geographical Indication Description Document. Therefore, the existence of GIs can enhance market confidence while reducing counterfeiting practices and the unauthorized use of geographical names.[41]

In addition to improving product positioning in the market, Geographical Indications (GIs) also encourage the creation of collective economic value at the regional level. This protection strengthens the involvement of farmers, artisans, MSME actors, local governments, academics, and communities in maintaining product quality sustainably. Such collaboration generates a multiplier effect through increased employment opportunities, the development of local processing industries, the growth of tourism sectors based on regional specialty products, and increased community income. Therefore, the economic benefits of Geographical Indications are not only enjoyed by producers but also contribute to overall regional economic development.[42]

These benefits, however, are not automatic. Indonesian and international evidence shows that registration alone does not guarantee that producers capture the value of their collective reputation. In the Indonesian coffee sector, registered GIs have so far produced little measurable economic benefit for growers, because local institutions have been unable to engage effectively with the downstream firms that control access to premium markets.[43] In Mexico, the rules governing Tequila were shaped by large industrial producers in ways that marginalized small agave farmers.[44] For Ciamis Regency, these cases indicate that the economic promise of GIs depends on governance arrangements that determine who defines the standard, who may use the name, and how the premium is shared. These questions are addressed in Section 3.3.

[40] Intan Tri Hafsari, Hamdani, and Herry Syahbannuddin Nasution, "Perlindungan Hukum Terhadap Merek Usaha Mikro, Kecil. Dan Menengah (UMKM) Sebagai Upaya Pemberdayaan Ekonomi Masyarakat (Studi Literatur Dalam Perspektif HKI)," *Al Wadiah : Jurnal Ekonomi Dan Perbankan Syariah* 4, no. 1 (2026): 127–35, https://journal.pancabudi-stai.ac.id/index.php/JPS/id/article/view/127.

[41] Rizkya Ahdiyati, "Pendaftaran Indikasi Geografis Sebagai Perlindungan Hukum Dan Peningkatan Ekonomi Masyarakat Daerah," *Jurnal Tana Mana* 6, no. 2 (2025): 46–48, https://ojs.staialfurqan.ac.id/jtm/article/view/1209.

[42] Roni Sahindra, "Pemanfaatan Indikasi Geografis Sebagai Pendorong Pertumbuhan Usaha Mikro Kecil Dan Menengah," *Kodifikasi* 4, no. 2 (2022): 66–76, http://ejournal.uniks.ac.id/index.php/KODIFIKASI/article/view/2538.

[43] Neilson, Wright, and Aklimawati, "Geographical Indications and Value Capture in the Indonesia Coffee Sector."

[44] Bowen and Valenzuela Zapata, "Geographical Indications, Terroir, and Socioeconomic and Ecological Sustainability."

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When associated with the condition of Ciamis Regency, this potential has not yet been optimally utilized. Various regional leading products have already gained recognition among consumers; however, most of them are still marketed without Geographical Indication (GI) protection. As a result, the economic value of these products remains dependent on conventional market mechanisms and has not benefited from the added value derived from the exclusivity of their geographical identity. This condition makes it difficult for MSME actors to obtain a stronger bargaining position, particularly when competing with similar products from other regions that are marketed on an industrial scale.

Therefore, strengthening the Geographical Indication (GI) protection system in Ciamis Regency is not merely intended to fulfill legal requirements but also serves as a regional economic development strategy oriented toward enhancing MSME competitiveness. Such protection will strengthen local product identity, increase market value, expand market access, and create a more equitable distribution of economic benefits for producer communities. From the perspective of economic justice, Geographical Indications represent an instrument capable of integrating legal protection with local community empowerment, ensuring that the added value generated from a product's reputation remains within and benefits the originating community.[45]

3.1.4 Constraints on the Development of Geographical Indication Potential

Ciamis Regency possesses various leading products with the potential to obtain Geographical Indication (GI) protection, including Galendo, coconut sugar, and coffee from the Mount Sawal area. These products possess distinctive characteristics influenced by geographical conditions, local wisdom, and traditional knowledge passed down through generations. However, to date, no products originating from Ciamis Regency have been officially registered as Geographical Indications. This condition indicates that the existing potential has not yet been accompanied by an adequate legal protection system. A search of the DJKI registry of registered GIs, accessed on 26 September 2026, confirms that no GI originating from Ciamis Regency has been registered, whereas numerous GIs from other regencies and cities in West Java appear in the same registry.[46]

One of the main obstacles is the limited understanding among MSME actors regarding the concept and benefits of Geographical Indications (GIs). Most business actors still perceive intellectual property protection as being limited to trademarks, and therefore have not yet recognized that GIs can enhance added value, competitiveness, and the collective reputation of products. This low level of legal literacy has resulted in limited initiatives to identify, inventory, and register products with potential for Geographical Indication protection.[47]

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[45] Asriati and Salmawati, "Perlindungan Hak Kekayaan Intelektual Terhadap Usaha Mikro Kecil Dan Menengah Pada Sektor Ekonomi Kreatif," *Indonesian Journal of Legality of Law* 8, no. 1 (2025): 14–20, https://doi.org/10.35965/ijlf.v8i1.7877.

[46] Direktorat Jenderal Kekayaan Intelektual, "Indikasi Geografis Terdaftar," accessed September 26, 2026, https://dgip.go.id/menu-utama/indikasi-geografis/listing.

[47] Tornando Sinaga and I Made Dedy Priyanto, "Kendala Dalam Pendaftaran Perlindungan Indikasi Geografis," *Kertha Semaya : Journal Ilmu Hukum* 8, no. 11 (2020): 1825–33, https://doi.org/10.24843/ks.2020.v08.i11.p15; Dara Quthni Effida et al., "Perlindungan Hukum Merek Sebagai Identitas Produk: Analisis Empiris Terhadap Usaha Mikro, Kecil Dan Menengah Di Kabupaten Aceh Barat," *Jurnal Yuridis* 13, no. 1 (2026): 35–58, https://doi.org/10.35586/jyur.v13i1.12929.

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Another obstacle is the suboptimal role of local governments in the development of Geographical Indications (GIs). Existing MSME development programs have primarily focused on improving production capacity, marketing, and business legality, while specific assistance related to the identification of potential GI products, preparation of the Geographical Indication Description Document, and the registration process has not yet become a priority. As a result, regional economic potential has not been fully integrated into a communal-based intellectual property protection system.[48]

Furthermore, the absence of a well-established Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG) represents a significant obstacle. MPIG functions as an institution authorized to submit registration applications and manage product quality standards. Without such an institutional structure, the registration process and continuous monitoring of product quality will be difficult to implement effectively and sustainably.[49]

From a regulatory perspective, there is currently no specific regional policy that integrates Geographical Indication (GI) protection into the strategy for developing leading local products. In fact, GI protection does not merely function to preserve product reputation but also has the capacity to increase economic value, strengthen regional identity, and prevent the misuse of geographical names by unauthorized parties.[50]

Therefore, the development of Geographical Indication (GI) potential in Ciamis Regency requires synergy among local governments, MSME actors, higher education institutions, and communities through the inventory of leading products, establishment of Geographical Indication Protection Societies (Masyarakat Perlindungan Indikasi Geografis/MPIG), preparation of Geographical Indication Description Documents, and strengthening of regional policies. These efforts constitute essential prerequisites to ensure that local product potential obtains legal protection while simultaneously generating greater economic benefits for local communities.

3.2 Implementation of the Geographical Indication Protection System for MSMEs in Ciamis Regency

The implementation of the Geographical Indication (GI) protection system for Micro, Small, and Medium Enterprises (MSMEs) in Ciamis Regency has generally not demonstrated optimal effectiveness. Although the region possesses several products that fulfill the characteristics of Geographical Indications, such as Galendo Ciamis, Mount Sawal Coffee, coconut sugar, and various other traditional food products, not all of these potentials have obtained legal protection through the Geographical Indication registration mechanism. This condition reflects a gap

[48] Apriansyah, "Perlindungan Indikasi Geografis Dalam Rangka Mendorong Perekonomian Daerah."
[49] Rifqi Muttaqin, "Analisis Yuridis Peran Pemerintah Kabupaten Gayo Dalam Perlindungan Indikasi Geografis Terhadap Produk Lokal," *Locus: Jurnal Konsep Ilmu Hukum* 2, no. 4 (2022): 185–204, https://doi.org/https://doi.org/10.56128/jkih.v2i4.35.
[50] Ranti Fauza Mayana and Tisni Santika, "Pengembangan Produk Indikasi Geografis Dalam Konteks Sharing Economy Di Era Disrupsi Digital," *Litigasi* 21, no. 1 (2020): 128–46, https://doi.org/10.23969/litigasi.v21i1.2217.

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between local resource potential and the implementation of intellectual property protection policies at the regional level.[51]

Normatively, the Geographical Indication (GI) protection system in Indonesia has provided sufficient legal space for local governments, producer groups, and the Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG) to submit registration applications. However, the implementation of these legal provisions in Ciamis Regency continues to face various institutional and administrative challenges. Studies on Galendo Ciamis indicate that this product has not yet obtained a Geographical Indication certificate, despite being widely recognized as a regional culinary identity with a strong reputation among the community. Consequently, the name "Galendo Ciamis" has not yet received exclusive legal protection against unauthorized use by other parties, creating potential risks of geographical name misuse and unfair business competition.[52]

The gap becomes clearer when the empirical conditions are measured against the specific obligations established by law. Normatively, Law Number 20 of 2016 does not treat the regional government as a passive party. Article 53(3) authorizes both an institution representing the producer community and the regency government to act as applicant. Article 70 assigns the central and regional governments, in accordance with their respective authority, the task of development (*pembinaan*), which explicitly includes preparing applications, mapping and inventorying potential GI products, disseminating knowledge of GI protection, providing training and assistance, monitoring and evaluation, legal protection, and facilitating the development, processing, and marketing of GI products. Article 71 further assigns them the task of supervision, in which the community may also participate, while Article 1 point 7 provides that the right to a GI subsists only as long as the reputation, quality, and characteristics on which protection was granted continue to exist.[53] Empirically, however, the interviews show that these mandates have not been translated into practice. Informants from the regency agencies (RG-1, RG-2) and the provincial agencies (PG-1, PG-2) indicated that there is no programme or budget line specifically devoted to GI development. Regional policy remains directed at general MSME development, such as production capacity, packaging, halal certification, digital marketing, and business licensing, while intellectual property protection, particularly GIs, has not been integrated into MSME programme planning. The available inventory consists of general MSME records rather than a GI-specific database that maps products according to their geographical characteristics, reputation, quality, and link to local environmental and human factors; consequently, products such as Galendo, Mount Sawal coffee, and coconut sugar have not been followed up toward GI protection. No representative MPIG has been formed to organize producers, file an application, prepare the Description Document, and supervise the use and quality of the products, and the regional government has

[51] Yulia, Rusydi, and Gumilar, "Perlindungan Hukum Terhadap Indikasi Geografis Galendo Sebagai Makanan Khas Kabupaten Ciamis."

[52] Divva Arum Anggraini, "Studi Implementasi Undang-Undang Nomor 20 Tahun 2016 Tentang Merek Dan Indikasi Geografis Pada Masyarakat Perlindungan Indikasi Geografis Carica Dieng Di Kabupaten Wonosobo," *Lontar Merah* 7, no. 2 (2024): 811–23, https://doi.org/10.31002/lm.v7i2.4423%0Ahttps://jom.untidar.ac.id/index.php/lontarmerah/article/download/4423/1418.

[53] Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis, Pasal 1 angka 7, Pasal 53 ayat (3), Pasal 70, dan Pasal 71.

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not used its own standing as an applicant. Technical capacity to prepare the Description Document remains limited, and dissemination and legal assistance on GIs, including those provided at the regional level of the Ministry of Law and Human Rights (LR-1), remain sporadic and oriented toward business licensing, halal certification, and trademark registration. The central problem is therefore not a normative vacuum but a failure to operationalize existing mandates at the regional level: the obligations exist in the law, but no regional instrument translates them into responsibilities, programmes, and budgets.

The responses of the MSME informants show how deep this literacy and access gap runs. None of the three enterprises interviewed had registered even an individual trademark, let alone engaged with the collective GI regime. The first (MS-1), a producer of processed beef floss, had not registered its mark and did not know the registration procedure; the second (MS-2) understood the importance of registration but intended to postpone it until the business had grown; and the third (MS-3) knew the procedure but declined to register because it considered the cost too high. If individual trademark registration, which is simpler than a GI application, is perceived as unknown, premature, or unaffordable, the collective organization and technical documentation required for a GI are unlikely to be initiated by producers on their own. The barrier is therefore simultaneously one of knowledge, of perceived benefit, and of cost, and it bears directly on distributive justice, because the producers least able to bear the cost of protection are those most exposed to the loss of their reputational value.

The implementation of Geographical Indication (GI) protection cannot be understood merely as an administrative registration process conducted through the Directorate General of Intellectual Property (DJKI). More broadly, implementation encompasses a series of activities, including the identification of potential products, establishment of producer institutions, preparation of the Book of Requirements, quality control mechanisms, and the development of marketing strategies based on geographical reputation. Research on the implementation of GI protection within the Carica Dieng Geographical Indication Protection Society (MPIG) demonstrates that the success of GI protection is strongly influenced by the existence of producer organizations capable of performing quality monitoring functions, controlling the use of GI names, and coordinating activities among members. This institutional model has not yet been fully developed in Ciamis Regency.[54]

From a policy implementation perspective, the implementation of Geographical Indication (GI) protection in Ciamis Regency remains primarily oriented toward general MSME development, while the aspect of intellectual property protection has not yet become a major priority. Local government programs have so far focused more on improving production capacity, product packaging, halal certification, digital marketing development, and business licensing facilitation. Although these programs are important in supporting MSME competitiveness, such an approach has not yet been integrated with a strategy for developing Geographical Indications as an instrument of legal protection and economic value enhancement for local products.

[54] Sahindra, "Pemanfaatan Indikasi Geografis Sebagai Pendorong Pertumbuhan Usaha Mikro Kecil Dan Menengah."

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To provide an overview of the implementation conditions, the results of the analysis are presented in Table 6. The table is structured as an analytical framework that links each legal norm (*das sollen*) to its empirical condition (*das sein*), its root cause, its legal consequence for MSMEs, and its implication for reform.

Table 6. Analytical Framework of the Implementation Gap in the Geographical Indication Protection System for MSMEs in Ciamis Regency

Aspect	Legal Norm (Das Sollen)	Empirical Condition (Das Sein)	Root Cause and Legal Consequence	Implication for Reconstruction
Identification and inventory	Art. 70(2)(e): the regional government maps and inventories potential GI products	Inventory is partial and based on general MSME data; no GI-specific database	GI is not a programme item in regional planning. Eligible products remain legally invisible and cannot proceed to application.	Pillar 1: regional regulation mandating a periodic GI inventory
Applicant institution	Art. 53(3): application by an institution representing the community or by the regional government	No representative MPIG; the regional government has not acted as applicant	Weak capacity for collective action and absence of facilitation. No party with legal standing has applied; no collective right holder exists.	Pillar 2: community-based MPIG with inclusive membership and benefit-sharing rules
Description Document	Art. 1 point 11 and Art. 53; Ministerial Regulation 12/2019: the application must include a Description Document	Not yet prepared for any product	Lack of technical and scientific assistance. Substantive examination cannot begin; product characteristics remain uncodified and open to appropriation.	Pillar 3: continuous legal and technical assistance
Legal literacy and assistance	Art. 70(2)(d) and (f): dissemination, training, and assistance	Assistance is sporadic and focused on business licensing, halal certification, and trademarks; none of the three MSME informants had registered even a trademark	Sectoral programmes treat IP as an administrative matter. Producers do not initiate collective action; access to legal protection is unequal.	Pillars 2 and 3
Quality control and supervision	Art. 71 and Art. 1 point 7: supervision to maintain reputation, quality, and characteristics, with community participation	No agreed production standards or monitoring mechanism	Absence of an MPIG and a Description Document. Even after registration, protection would be fragile; reputation remains vulnerable to free-riding.	Pillar 4: community-based quality control
Commercialization and benefit distribution	Art. 70(2)(c) and (i): utilization, commercialization, and facilitation of processing and marketing	MSME policy is not integrated with GI; products are marketed without a geographical identity	Fragmentation between IP policy and MSME development. The reputational premium is not captured by producers; benefits are skewed.	Pillar 5: integration of GI with MSME, tourism, and creative economy policies

Source: Author's analysis based on Law Number 20 of 2016, interview data (Table 1), and document review.

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Table 6 shows that implementation remains at an early stage, but, more importantly, that the six problems are not independent obstacles. They are causally linked in a reinforcing cycle. Low intellectual property literacy means that producers do not perceive GIs as a collective asset and therefore do not organize; without organized producers, no representative MPIG emerges; without an MPIG, there is no body to prepare the Description Document or to file an application, and the regional government, which has standing under Article 53(3), has not stepped in; without a Description Document, there are no agreed quality standards to supervise; and without registration and standards, producers see no tangible benefit, which in turn confirms their perception that intellectual property is merely an administrative burden. The regional government's failure to operationalize Article 70 lies at the centre of this cycle, because the dissemination, inventory, and assistance it is obliged to provide are precisely the interventions capable of breaking it. This causal reading explains why isolated interventions, such as one-off socialization events, have had limited effect, and why the reconstruction proposed in Section 3.3 must address these factors simultaneously rather than sequentially.

From the perspective of policy implementation theory, the successful implementation of a regulation is influenced by several factors, including the clarity of policy objectives, availability of resources, inter-organizational communication, characteristics of implementing actors, and support from the social environment.[55] In the context of Ciamis Regency, most of these factors have not yet functioned optimally. Inter-institutional communication remains sectoral, legal assistance has not been provided continuously, and MSME actors still perceive intellectual property as an administrative requirement rather than as a strategic economic asset with significant value. These variables follow the policy implementation model developed by Van Meter and Van Horn,[56] and their weakness in Ciamis Regency corresponds to the root causes identified in Table 6.

Another factor affecting implementation is the low level of intellectual property literacy among MSME actors. Most business actors prioritize increasing production and sales rather than establishing legal protection for their products. Consequently, the process of identifying product characteristics, documenting product history, and developing production standards as requirements for Geographical Indication (GI) registration has not received adequate attention. This condition has also been identified in various studies on the utilization of Geographical Indications in Indonesia, which conclude that limited public understanding is one of the factors contributing to the suboptimal utilization of the Geographical Indication system as an instrument for regional economic development.

On the other hand, the implementation of Geographical Indication (GI) protection requires multi-stakeholder collaboration through collaborative governance. Local governments play a role as policy facilitators, higher education institutions contribute through scientific studies and the preparation of technical documents, while producer groups are responsible for maintaining product quality standards. Without such synergy, Geographical Indication protection tends to remain at a normative level and fails to generate economic benefits for local communities. The

[55] Apriansyah, "Perlindungan Indikasi Geografis Dalam Rangka Mendorong Perekonomian Daerah."
[56] Donald S. Van Meter and Carl E. Van Horn, "The Policy Implementation Process: A Conceptual Framework," *Administration & Society* 6, no. 4 (1975): 445–88, https://doi.org/10.1177/009539977500600404.

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experience of the Carica Dieng Geographical Indication Protection Society (MPIG) demonstrates that the establishment of producer institutions is a crucial factor in maintaining the sustainability of legal protection after a Geographical Indication certificate has been issued.

For Ciamis Regency, the implementation of Geographical Indication (GI) protection also has a dimension of local economic development. A Geographical Indication certificate does not only provide exclusive rights over the use of a geographical name but also enhances product reputation, expands market access, strengthens producers' bargaining positions, and creates economic added value. Studies on Geographical Indication protection in Indonesia indicate that products obtaining Geographical Indication certificates tend to experience increased selling prices and gain higher consumer trust due to the assurance of product origin and quality.[57]

Therefore, the implementation of the Geographical Indication (GI) protection system for MSMEs in Ciamis Regency cannot yet be categorized as effective. The main obstacles lie in the suboptimal institutional capacity of the Geographical Indication Protection Society (MPIG), the low level of intellectual property literacy, the absence of a prepared Geographical Indication Book of Requirements, and the lack of integration between MSME development policies and intellectual property protection policies. Accordingly, the reconstruction of the Geographical Indication protection system should be directed toward strengthening regional institutions, establishing a representative MPIG, providing continuous legal assistance, developing a database of leading products, and integrating policies among local governments, higher education institutions, business actors, and the Directorate General of Intellectual Property (DJKI). This approach is expected to establish legal protection that is not merely formal in nature but also provides economic justice for MSME actors in Ciamis Regency. Each of these problems, together with its root cause and legal consequence, forms the logical basis for one or more components of the justice-based reconstruction model presented in the next subsection.

3.3 Reconstruction of a Justice-Based Geographical Indication Protection System for MSMEs in Ciamis Regency

The reconstruction of the Geographical Indication (GI) protection system for MSMEs in Ciamis Regency represents an urgent necessity, considering that the current system remains predominantly focused on the administrative aspects of registration rather than achieving substantive justice for producer communities. Although the national legal framework has regulated GI protection through Law Number 20 of 2016 on Trademarks and Geographical Indications, its implementation has not fully addressed the needs of local communities producing goods based on geographical characteristics. As a result, various leading regional products possessing distinctive reputations and qualities have not yet obtained effective legal

[57] Doni Cakra Gumilar, Ibnu Rusydi, and Melinda Bunga Lestari Fakultas, "Sosialisasi Pemanfaatan Kekayaan Intelektual Untuk Peningkatan Kesejahteraan Pelaku UMKM Galendo Di Kabupaten Ciamis," *Abdimas Galuh* 6, no. 2 (2024): 2225–31, https://doi.org/http://dx.doi.org/10.25157/ag.v6i2.15523.

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protection, causing the economic benefits that should be enjoyed by producer communities to remain unrealized.[58]

Conceptually, reconstruction does not mean replacing the entire existing system, but rather refers to a process of reforming normative, institutional, and implementation-related weaknesses so that Geographical Indication (GI) protection becomes more oriented toward justice. From the perspective of progressive law, law should not merely be understood as a set of formal rules but must function as an instrument capable of promoting welfare and protecting community interests. Therefore, the GI protection system needs to be developed by positioning producer communities as the primary subjects of protection, rather than merely as objects of government policy.[59]

The concept of justice underlying the reconstruction in this study refers to distributive justice, participatory justice, and restorative justice.[60] Distributive justice requires that the economic benefits arising from the reputation of Geographical Indication (GI) products be distributed proportionally to the communities that have maintained the quality and distinctive characteristics of such products. Participatory justice requires the involvement of producer communities from the stages of product identification, preparation of the Book of Requirements, establishment of the Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG), to the supervision of GI utilization. Meanwhile, restorative justice is directed toward restoring the economic rights of local communities over products that have not yet obtained adequate legal protection and therefore remain vulnerable to exploitation by other parties.[61]

For the purposes of this model, each dimension of justice is operationalized into observable indicators so that it can serve both as a design criterion and as a benchmark for evaluating implementation. Distributive justice is operationalized as (a) the share of the GI premium received by micro-producers, (b) open and non-discriminatory access to the right to use the GI for all producers who comply with the Description Document, and (c) fees and compliance costs proportionate to producers' capacity. Participatory justice is operationalized as (a) the inclusion of micro-producers, small-scale processors, and farmers in the membership and governing bodies of the MPIG, (b) producers' involvement in drafting the Description Document, and (c) transparent decision-making and dispute resolution within the MPIG. Restorative justice is operationalized as (a) the restoration of community control over the geographical name through registration and enforcement, (b) mechanisms for correcting misuse through dialogue and graduated sanctions before litigation, and (c) the documentation of traditional knowledge to prevent its appropriation. Table 8, presented after the discussion of

[58] U. Sudjana, "Kepastian Hukum Dalam Efektivitas Perlindungan Merek Dan Indikasi Geografis: Analisis Perbandingan," *Lembaga Kajian Hukum, Fakultas Hukum, Universitas Singaperbangsa Karawang* 5, no. 1 (2020): 127–155, https://journal.unsika.ac.id/index.php/jurnalilmiahhukumdejure/article/view/3499.

[59] Satjipto Rahardjo, *Hukum Progresif: Sebuah Sintesa Hukum Indonesia* (Yogyakarta: Genta Publishing, 2009).

[60] Teng Berlianty and Yosia Hetharie, "Registration Urgency and Legal Protection of Enbals As a Geographic Indication Southeast Maluku," *Jurnal IUS Kajian Hukum Dan Keadilan* 8, no. 2 (2020): 244–55, https://doi.org/10.29303/ius.v8i2.793.

[61] Winda Risna Yessiningrum et al., "Perlindungan Hukum Indikasi Geografis Sebagai Bagian Dari Hak Kekayaan Intelektual," *Jurnal IUS Kajian Hukum Dan Keadilan* 3, no. 1 (2015): 42–53, https://jurnalius.ac.id/ojs/index.php/jurnalIUS/article/view/198.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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the five pillars, links these indicators to the implementation problems identified in Table 6 and to each pillar of the reconstruction.

Based on the analysis in the previous subsection, the main weakness of the Geographical Indication (GI) protection system in Ciamis Regency lies not in the availability of potential products but in weak institutional governance. The absence of a strong Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG), limited legal assistance, low levels of intellectual property literacy, and the lack of policy integration between the local government and the Directorate General of Intellectual Property (DJKI) have prevented GI potential from developing into an effective instrument for improving community welfare.[62] This condition shows that existing legal protection remains predominantly legal-formal and has not yet fully reflected the principles of social justice.

Based on these conditions, this study proposes a reconstruction model for a justice-based Geographical Indication (GI) protection system that is built upon five main pillars.

Table 7. A Justice-Based Reconstruction Model for the Geographical Indication Protection System

Aspect	Current System	Proposed Reconstruction	Justice Value
Regulatory Framework	Administratively oriented	Regional regulatory framework supporting GI development	Legal certainty; participatory and distributive justice
Institutional Framework	The establishment and function of MPIG remain suboptimal	Community-based strengthening of MPIG	Participatory justice
Assistance and facilitation	Occasional and unsystematic	Ongoing legal and technical assistance	Distributive and participatory justice (equal access to legal protection)
Monitoring	Has not yet been fully integrated	Community-based quality control system	Restorative justice (collective legal protection)
Economic empowerment of producer communities	Has not yet been integrated with MSME development policies	Strategic integration of GI with MSME development, tourism, and creative economy initiatives.	Distributive justice

Source: Author's analysis based on a synthesis of various research studies concerning Geographical Indication protection.

The first reconstruction is directed toward strengthening regional regulations. The Ciamis Regency Government needs to establish regional policies that specifically regulate the inventory, development, facilitation, and protection of Geographical Indication (GI) products. The existence of regional regulations will provide legal certainty regarding the distribution of

[62] Trias Palupi Kurnianigrum, "Pelindungan Hak Ekonomi Atas Indikasi Geografis," *Negara Hukum* 7, no. 1 (2016): 19–34, https://jurnal.dpr.go.id/index.php/hukum/article/view/947/559.

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authority among regional government institutions, funding mechanisms, and forms of assistance for producer groups. Therefore, the protection process will no longer depend solely on central government policies but will become an integral part of the regional economic development strategy.[63] In justice terms, this pillar serves participatory and distributive justice: it operationalizes the obligations under Articles 70 and 71 that Table 6 shows have not been implemented, and it can require that GI programmes give priority to micro-producers. Its concrete form could be a Regional Regulation or Regent Regulation on the development and protection of GI products that designates a lead agency, establishes a budget line, and mandates a periodic inventory.

The second reconstruction focuses on strengthening the Geographical Indication Protection Society (Masyarakat Perlindungan Indikasi Geografis/MPIG) as a representation of producer communities. Various studies indicate that the success of Geographical Indication (GI) protection is strongly influenced by the capacity of producer organizations to maintain quality standards, conduct monitoring, and manage the use of geographical names. Therefore, MPIG should not merely be established as an administrative institution but must possess a professional organizational structure, participatory decision-making mechanisms, and the capacity to manage the collective interests of MSME actors. To embody participatory justice, the MPIG statutes should guarantee open membership for all producers within the geographical area who comply with the Description Document, representation of micro-producers in its governing bodies, and transparent decision-making. To embody distributive justice, the statutes should also regulate membership fees, the use of the collective GI logo, and the allocation of promotional benefits, so that the reputational premium is not captured only by larger enterprises. This pillar responds directly to the absence of an applicant institution identified in Table 6.

The third reconstruction involves establishing a sustainable legal assistance system. To date, assistance provided to MSMEs has primarily focused on business legality aspects, while intellectual property protection remains sporadic. In the future, collaboration among local governments, higher education institutions, professional organizations, and the Directorate General of Intellectual Property (DJKI) is required to provide assistance ranging from product identification, preparation of the Book of Requirements, verification of geographical characteristics, to the registration process and post-certification monitoring. This approach will strengthen community capacity in managing collective rights over Geographical Indications (GIs). This pillar operationalizes distributive and participatory justice by ensuring equal access to legal protection for producers who lack the resources to engage consultants, and by involving producers directly in drafting the Description Document so that it codifies their own traditional practices rather than externally imposed standards, a risk that has been observed in state-driven GI processes in Indonesia.[64]

The fourth reconstruction involves strengthening a community-based quality monitoring system. GI protection does not end when a certificate is issued; rather, it must be followed by

[63] Triyono Adi Saputro and Teguh Hartono, "Sistem Perlindungan Indikasi Geografis: Perbandingan Antara Indonesia Dan China," *Sapientia Et Virtus* 8, no. 1 (2023): 164–84, https://doi.org/10.37477/sev.v8i1.409.
[64] Durand and Fournier, "Can Geographical Indications Modernize Indonesian and Vietnamese Agriculture?"

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quality control mechanisms to ensure that product reputation is maintained. Monitoring is carried out through production standards, the use of raw materials consistent with geographical characteristics, and periodic evaluation mechanisms conducted by MPIG in collaboration with local governments. This model is essential because the sustainability of GI protection largely depends on the consistency of product quality produced by all members of the producer community. This pillar reflects restorative justice: non-compliance is first addressed through internal dialogue, guidance, and graduated sanctions within the MPIG, while formal legal remedies are reserved for serious or external misuse of the name. It also reflects the principle that monitoring is most effective when it is carried out by, or accountable to, the users of the common resource themselves.[65]

The fifth reconstruction involves integrating Geographical Indication (GI) protection with regional economic development policies. Products that have obtained GI protection need to be positioned as part of strategies for developing MSMEs, tourism, the creative economy, and regional exports. Such integration will create greater added value compared to viewing GI protection merely as an intellectual property regime. Experiences from various regions demonstrate that products with GI certification gain enhanced reputation, broader market access, and higher selling value, thereby directly contributing to the welfare of producer communities. [66] This pillar is the principal instrument of distributive justice, because it determines whether the added value generated by the GI reaches the producers who maintain the product's characteristics rather than being captured downstream.

Table 8 summarizes how the problems identified in Section 3.2 are linked to the dimensions of justice and their operational indicators, and how each is addressed by a specific pillar of the reconstruction.

Table 8. Operationalization of Justice Principles in the Reconstruction Model

Implementation Problem (Table 6)	Dimension of Justice	Operational Indicators	Reconstruction Pillar
Regional GI mandate not operationalized; partial inventory	Distributive; participatory	GI programme and budget line exist; periodic inventory published; micro-producers prioritized	Pillar 1: regional regulation
No representative MPIG	Participatory	Open membership; representation of micro-producers in MPIG bodies; transparent decision-making	Pillar 2: community-based MPIG
No Description Document; sporadic assistance; low literacy	Participatory; distributive	Producers involved in drafting; free or subsidized assistance; number of producers trained	Pillar 3: continuous legal and technical assistance
No quality standards or supervision	Restorative	Internal control system; dialogue and graduated sanctions before litigation; misuse of the name corrected	Pillar 4: community-based quality control

[65] Ostrom, *Governing the Commons*.

[66] Wahyu Sasongko, "Indikasi Geografis: Rezim HKI Yang Bersifat Sui Generis," *Jurnal Media Hukum* 19, no. 1 (2012): 100–109, https://doi.org/https://journal.umy.ac.id/index.php/jmh/article/view/1980; Faizah Bafadhal, Evalina Alissa, and Suhermi Suhermi, "Perlindungan Merek Dalam Pengembangan Usaha Kecil Dan Menengah Bidang Ekonomi Kreatif Di Indonesia," *Zaaken: Journal of Civil and Business Law* 5, no. 2 (2024): 152–68, https://doi.org/10.22437/zaaken.v5i2.36075.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
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Implementation Problem (Table 6)	Dimension of Justice	Operational Indicators	Reconstruction Pillar
Benefits not captured by producers	Distributive	Share of the price premium received by producers; access to the GI logo for all compliant producers; inclusion in tourism and creative economy programmes	Pillar 5: policy integration

Source: Author's analysis.

This model demonstrates that Geographical Indication (GI) protection should be viewed as an interconnected system rather than as an independent administrative process. The success of GI protection is determined by the interrelationship among regulatory frameworks, institutional capacity, community participation, quality monitoring, and economic development strategies.

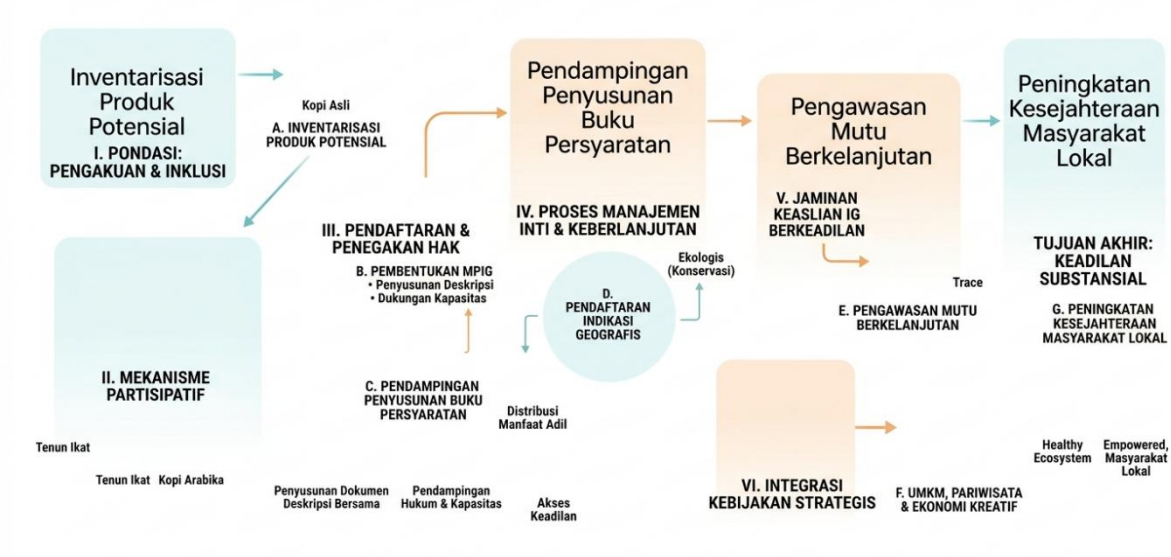


Figure 1. A Justice-Based Reconstruction Model for the Geographical Indication Protection System

The model differs from earlier proposals in three respects. First, whereas previous studies on Galendo and other Indonesian GIs recommend registration and socialization, this model treats registration as one stage within a governance cycle that begins with inventory and continues through post-registration benefit-sharing. Second, whereas state-driven GI models place control over the Description Document and quality standards with government experts, this model places it with a community-based MPIG that is supported, but not replaced, by the regional government and universities. Third, whereas most studies invoke justice as a general value, this model translates each dimension of justice into indicators against which implementation can be monitored.

Therefore, the reconstruction of the justice-based Geographical Indication (GI) protection system proposed in this study is not solely oriented toward legal certainty but also places the welfare of local communities as its primary objective. This model is expected to address the weaknesses of the existing system through institutional strengthening, increased community participation, cross-sectoral policy integration, and a more equitable distribution of economic benefits for MSME actors in Ciamis Regency. This approach is also consistent with the communal nature of Geographical Indications as a sui generis intellectual property regime,

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which positions producer communities as holders of collective rights over the reputation and quality of products originating from a specific geographical area.

4. CONCLUSION

This study concludes that the ineffectiveness of Geographical Indication (GI) protection for MSMEs in Ciamis Regency results not from the absence of eligible local products, but from systemic implementation gaps involving unoperationalized regional government obligations, weak producer institutions, inadequate intellectual property literacy, and the absence of structured quality control and benefit-sharing mechanisms. These interconnected deficiencies undermine legal protection and prevent local communities from equitably capturing the economic value of their collective reputation. To address these problems, this study proposes a five-pillar justice-based reconstruction model comprising regional regulatory reform, an inclusive and community-based Geographical Indication Protection Society (MPIG), continuous legal and technical assistance, participatory quality control, and integration of GI protection into MSME, tourism, and creative economy policies. The principal novelty lies in operationalizing distributive, participatory, and restorative justice as measurable governance criteria that connect identified implementation failures with specific institutional and regulatory reforms across the pre-registration and post-registration stages. This contribution reconceptualizes GI protection beyond administrative registration towards the equitable governance of communal intellectual property. Accordingly, regional governments, DJKI, universities, and producer communities should establish coordinated implementation mechanisms with dedicated institutional and financial support. Nevertheless, the findings are limited to one regency and products that have not yet been registered. Further comparative research should assess the model's applicability in registered GI regions and empirically evaluate its effects on producer participation and income distribution.

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Acknowledgements

The authors would like to express their sincere gratitude to the Editor and the anonymous Reviewers for their time, insightful comments, and constructive suggestions, which have significantly contributed to improving this article. The authors also hope that this article will provide valuable insights, make a meaningful contribution to ongoing discussions in the relevant field, and benefit readers and future researchers.

p-ISSN: 2541-2345, e-ISSN: 2580-8842
https://journals.usm.ac.id/index.php/jic

Funding Information
This research was independently funded by the authors.

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The authors declare that there are no conflicts of interest regarding the publication of this article.

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