

Protection and Utilization of Indonesia Genetic Resources: Disentangle of Regime Complex

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ABSTRACT

This paper investigates the effective regulation of genetic resources (GR) in Indonesia. Using comparative study between related legal framework, this study explores which approach will be benefit mostly for the GR itself, since there is overlapping guidelines in term of GR. There are three legal systems, i.e., International Law, Intellectual Property Law, and Environmental Law that related to GR in Indonesia, but none of them directly and precisely regulate the protection and utilizing of the GR. The study results indicate that the most effective way to protect and utilizing GR continuously is to arrange the sui generis system that take into account its biology, genetic, technology, culture, and legal aspects at the same time.

Keywords: Genetic Resources, Sui Generis System, Intellectual Property.