

# ‘THE PROTECTION OF CULTURAL RESOURCES IN LOMBOK’

## Abstract

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This paper is aimed to discuss cultural resources in Lombok, Indonesia in relation with communal intellectual property. In Lombok Island, West Nusa Tenggara, Indonesia, traditional dances, traditional musics, and sacred places like Sade Traditional Village and Sembalun Traditional Village can be widely found. Indonesia has had a number of laws dealing with the protection of its cultural resources. However, the protection is still unharmonized and scattered. This research used juridical normative and juridical-antropologist research approaches in data collection, and analytic-descriptive method in analyzing data and writing the report. The contribution of this paper, firstly, is to avoid disputes between Indonesia and its neighbour countries. Secondly, a sui generis legal protection is needed for the protection of cultural resources. Thirdly, cultural resources must be revitalized to raise the economic value and used as the bases of innovations which have appropriate impacts to the economic development of the local community concerned.

### Keywords:

culture, resources, communal, intellectual property, Lombok, Indonesia.

## 1. Introduction

Indonesia is one of mega cultural diversity countries in the world. It has more than 800 ethnic languages. Beside that, cultural resources of Indonesia are very rich, including traditional textiles ornaments, traditional dances, folk tales, traditional architectures and local songs. In this regard, this paper would discuss about Lombok which is one of small islands in West Nusa Tenggara Province of Indonesia. Lombok is a main island of West Nusa Tenggara Province beside Sumbawa. It is surrounded by a number of small islands which are locally called *Gili*.<sup>4</sup>

International term resembles with cultural resources in WIPO Glossary of 1980, is Folklore. In the Glossary, Folklore is defined as:<sup>5</sup>

“... works belonging the cultural heritage of a nation, created, preserved and developed in indigenous community by unidentified persons from generation to generation. Example for such works are folk tales, folk songs, instrumental music or dances, and the different rites of people....”

Literary and artistic works are stipulated in Berne Convention. Yet, as international convention regarding copyright, it does not provide folklore nor cultural resources. However, Article 15 (4)<sup>6</sup> of the Convention could be used to implicitly protect cultural resources. In the

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<sup>4</sup><http://www.ntbprov.go.id/hal-kondisi-geografis-nusa-tenggara-barat.html>, [10 May 2016].

<sup>5</sup> *WIPO Glossary of Terms of the Law of Copyrights and Neighboring Rights*, WIPO, 1980, 121.

<sup>6</sup> *Convention for the Protection of Literary and Artistic Works*, 1886: Art 15 (4) (a)