


# Legal Protection for Communities Managing the Geographical Indication of Toraja Arabica Coffee

Nuzulia Kumala Sari <sup>1</sup>

Emanuel Raja Damaitu <sup>2</sup>

Dylan Kinyawa Savero Katemba <sup>3\*</sup>

## Abstract:

*This article aims to analyze the legal protection of the Geographical Indication of Toraja Arabica coffee and to examine its significance for the community responsible for its management. The study uses a normative legal approach supported by empirical observations, focusing on statutory regulations, legal principles, and the implementation of Geographical Indication protection in practice. Recent developments show that geographical Indication has become an increasingly important legal instrument in Indonesia for protecting regional products, preserving local identity, and strengthening the economic value of community-based commodities. In the case of Toraja Arabica coffee, its legal protection is reinforced through national intellectual property regulations and regional policy instruments that recognize its distinctive quality, reputation, and geographical origin. The findings indicate that Geographical Indication protection provides legal certainty, prevents misuses of the name by unauthorized parties, and supports the preservation of product authenticity and quality. Moreover, it strengthens the legal position of the local community as the geographical indication protection contributes not only to economic sustainability, but also to cultural preservation and community empowerment.*

**Keywords:** Legal Protection; Geographical Indication; Intellectual Property Rights; Toraja Arabica Coffee; Community Empowerment

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## Introduction

The Unitary State of the Republic of Indonesia is inherently heterogeneous, comprising a rich tapestry of ethnic groups and races, each possessing unique cultural heritage. This diversity has led to Indonesia being known as an archipelago, derived from

<sup>1</sup> Faculty of Law, Universitas Jember, Indonesia. E-mail: [nuzulia@unej.ac.id](mailto:nuzulia@unej.ac.id).

<sup>2</sup> Faculty of Law, Universitas Jember, Indonesia. E-mail: [emanuel.dokumen@gmail.com](mailto:emanuel.dokumen@gmail.com)

<sup>3</sup> Faculty of Law, Universitas Jember, Indonesia. \*Correspondence E-mail: [katembadylan@gmail.com](mailto:katembadylan@gmail.com)

the words "nusa" meaning island and "antara" meaning across or beyond. Such natural and cultural abundance is a gift that has become an integral part of the nation's identity. As a state based on the rule of law, Indonesia operates under binding norms and regulations that govern societal life. Law in Indonesia is created by authorized bodies, primarily the legislature, through formal processes, and may also derive from judicial decisions or legally recognized customs (Apriansyah, 2018). The concept of legal protection encompasses various state-led efforts to safeguard the rights of individuals, groups, or specific entities from unlawful or harmful actions, with the ultimate aim of ensuring justice, order, and public welfare.

One significant form of legal protection relates to Indonesia's cultural assets through Intellectual Property Rights. Intellectual Property Rights arise from human intellectual activities that hold economic value. The underlying conception is that intellectual works require investments of time, energy, and financial resources, thereby granting them economic worth due to the benefits they provide. This necessitates legal recognition and protection. Communal ownership in Intellectual Property Rights refers to intellectual assets owned collectively by a community or the public rather than by any individual. Such assets constitute cultural heritage and group identity that must be preserved. A key form of Intellectual Property Rights in Indonesia is Geographical Indication.

A Geographical Indication is a sign indicating the origin of goods or products, where environmental factors—including natural elements, human factors, or a combination of both—impart specific reputation, quality, and characteristics to the resulting goods or products. The state provides protection for all forms of intellectual property, particularly geographical indications. Such protection correlates with the three primary objectives of law: legal certainty, meaning clear identification of rightful holders;

utility, meaning significant benefits especially for those seeking protection, such as market expansion and increased regional revenue; and justice, meaning improved welfare for rights holders and increased state foreign exchange (Asri & Sriyono, 2023).

Typically, signs protected under Geographical Indications include regional names, words, images, letters, or combinations thereof. Indonesia is one of the world's largest coffee producers, renowned for high-quality varieties with distinctive flavors. Its volcanic highlands and tropical climate support premium coffee growth, particularly Arabica and Robusta types. Indonesia ranks as the third-largest coffee producer, with production reaching approximately 794,800 tons in 2022, marking a 1.1% increase from the previous year. The nation has a long coffee history dating back to the Dutch colonial era of the 17th century (FIKRAN, 2024).

Among Indonesia's internationally famous coffee products is Toraja Arabica Coffee, an authentic regional asset, particularly from Toraja and North Toraja regencies. This coffee is characterized by irregular shapes, sizes, and dark brown coloring, making it easily recognizable. Its distinctive aroma is strong and unique upon opening the package. Toraja Arabica Coffee is known for balancing pleasant bitterness with rich notes of sweetness, chocolate, spices, citrus, and floral aromas. Its low acidity makes it ideal for individuals with stomach acid issues, contributing to its popularity.

Indonesia's abundant coffee production reaches both domestic and international markets. Toraja Coffee is an intellectual asset managed by the Toraja Arabica Coffee Geographical Indication Protection Community. With Geographical Indication protection, Toraja Coffee can avoid disputes such as the past case involving Toarco Coffee, which was once registered by Key Coffee Inc. of Japan. However, despite such protection, the management community has not yet experienced specific impacts from existing regulations. These impacts include economic benefits and the actual rights that

the community should receive. Therefore, this research aims to analyze the legal protection of Toraja Arabica Coffee's Geographical Indication and examine its significance for the managing community, focusing on statutory regulations, legal principles, and practical implementation (Kurnianingrum, 2017).

Recent developments indicate that Geographical Indication has become an increasingly important legal instrument in Indonesia for protecting regional products, preserving local identity, and strengthening the economic value of community-based commodities. In the case of Toraja Arabica Coffee, legal protection is reinforced through national intellectual property regulations and regional policy instruments that recognize its distinctive quality, reputation, and geographical origin. The findings of this study demonstrate that Geographical Indication protection provides legal certainty, prevents misuse of the name by unauthorized parties, and supports the preservation of product authenticity and quality. Moreover, it strengthens the legal position of the local community, as such protection contributes not only to economic sustainability but also to cultural preservation and community empowerment (Mangera & Paserangi, 2023).

The research questions addressed in this study are as follows: first, what are the benefits of legal protection through Intellectual Property Rights, particularly Geographical Indications, for the managing community? Second, what forms of local government roles exist in utilizing Geographical Indication protection for Toraja Arabica Coffee? Third, how can digitalization of Geographical Indication governance serve as a preventive protection instrument? And fourth, how can the community be positioned as an active subject in protection governance? By answering these questions, this research provides both theoretical and practical contributions to the development of Geographical Indication protection in Indonesia.

## Methods

This research employs a combination of normative legal research and empirical legal research (Dillah, 2015). The normative legal approach involves examining statutes, policy regulations, and other legal instruments relevant to the legal issues under investigation. This method aims to understand the legal substance, material actualization, and sanctions within the framework of legal protection for Geographical Indication rights. Particular attention is given to the provisions of national laws and regional regulations that govern the recognition, registration, and enforcement of Geographical Indications. The normative analysis includes an examination of legal principles, doctrinal interpretations, and the hierarchical structure of relevant regulations. Meanwhile, the empirical legal research component supports the normative findings by acknowledging that law also manifests as written rules whose implementation must be observed in societal practice. The empirical approach involves direct or indirect observation of how Geographical Indication protection is applied in real-world contexts, including the experiences of the Toraja Arabica Coffee Geographical Indication Protection Community. This dual methodology—normative and empirical—allows for a comprehensive understanding of both the formal legal framework and its practical effectiveness. The combination ensures that the analysis is not limited to theoretical legal constructs but also captures the lived realities of the community managing this valuable intellectual asset.

## **Result and Discussion**

### **1. Benefits of Legal Protection of Intellectual Property Rights for the Community**

Intellectual Property Rights refer to entitlements arising from human intellectual labor and creativity. The term itself is derived from "Intellectual Property Right," defined as ownership rights emerging from intellectual work. Fundamentally, Intellectual Property Rights constitute a form of legal protection that has evolved into a distinct legal

institution. Within this concept, three main components exist. First, rights refer to exclusive entitlements granted to intellectually gifted individuals over their original works, provided such works are innovative, possess economic value, and are applicable. Second, property in this context is economic in nature, meaning it holds monetary value, can be absolutely owned, and is tradeable. Third, intellectual refers to individuals with high intelligence in scientific or artistic fields. Intellectual Property Rights are granted to individuals or groups for their intellectual creations, protecting works born from human thought, knowledge, or talent, thereby allowing creators or owners to enjoy economic benefits or recognition (MUDI, 2021).

The primary purpose of Intellectual Property Rights is to encourage societal innovation and creativity by providing legal protection for intellectual works. These rights hold economic value and grant owners the economic enjoyment of their creative outputs. Strong and effective Intellectual Property Rights protection benefits society by stimulating investment, creating employment opportunities, and expanding access to innovations and technologies that contribute to general welfare. One protected form of Intellectual Property is trademarks. A trademark functions as product identity, distinguishing one individual's or company's goods from those of others. From different perspectives, trademarks serve varying purposes. For producers, trademarks guarantee product value, particularly regarding quality, ease of use, or technological aspects. For merchants, trademarks act as promotional tools to expand markets. For consumers, trademarks assist in product selection (Pawana & Hutahuruk, 2021).

The definition and meaning of trademarks continue to evolve with globalization and technological advancement. A trademark is defined as a graphically representable sign, such as images, logos, names, words, letters, numbers, color combinations, whether two-dimensional or three-dimensional, sounds, holograms, or combinations thereof,

which distinguishes goods or services produced by individuals or legal entities in commercial activities. Trademarks serve as commercial identity for similar goods or services while guaranteeing product quality compared to competitors. Trademarks may be trade marks or service marks. By seeing, reading, or hearing a trademark, one can immediately recognize the form and quality of the products or services traded by the owner.

Geographical Indication protection offers multiple benefits for producers, consumers, and regional economies. For producers, Geographical Indications protect products from counterfeiting and unauthorized name use, thereby preserving reputation and sale value (SABIR, 2025). This protection also encourages farmers and producers to maintain distinctive quality standards from their region of origin, as only products meeting specific criteria may use the Geographical Indication label. Furthermore, Geographical Indications enhance competitiveness in global markets by providing unique identities that distinguish products from other regions, thereby opening broader export opportunities. From an economic perspective, Geographical Indication protection can improve local community welfare by creating added product value and strengthening the bargaining position of small farmers and producers. For consumers, Geographical Indications provide assurance that purchased products possess authentic quality and characteristics consistent with their region of origin, thus increasing consumer trust. Overall, Geographical Indication protection not only preserves product authenticity but also contributes to cultural preservation, tradition maintenance, and economic sustainability in the relevant regions.

Trademark and Geographical Indication protection are essential aspects of intellectual property law aimed at safeguarding the rights of owners and consumers. Trademark protection follows a constitutive system, meaning trademark rights arise only

upon registration. This provides legal certainty for trademark owners against potential infringements and prevents imitation practices that harm both consumers and original owners (Sahindra, 2022). Similarly, Geographical Indications receive crucial legal protection, particularly for products whose reputation and quality are linked to their geographical origin. Such protection includes registration with the Directorate General of Intellectual Property and repressive measures such as litigation to address violations. Geographical Indications aim to preserve product authenticity and provide clear information to consumers regarding product origin, thereby promoting local economic development and protecting consumers from fraudulent practices.

For the Toraja Arabica Coffee Geographical Indication Protection Community specifically, the benefits of registration are substantial. Legal protection over the name and reputation of Toraja Arabica Coffee ensures that only products meeting the distinctive standards of the Toraja region may use that name. This prevents counterfeiting and preemptive registration by external parties while maintaining product quality and authenticity (Sihotang, 2025). The registration also encourages local farmer empowerment through institutional strengthening of the management community, which plays roles in supervision, promotion, and sustainable product development. Consequently, the community not only gains economic benefits but also receives clear legal protection and a properly managed organizational structure.

The concept of communal Intellectual Property Rights is particularly relevant here. Communal ownership refers to intellectual property owned collectively by a community or the general public rather than by individuals. Such assets represent cultural heritage and group identity that must be preserved (Biringkanae, 2020). Legal protection for Geographical Indications correlates with the three objectives of law: legal certainty, utility, and justice. Legal certainty means clear identification of the rightful holder of the

geographical indication. Utility means significant benefits, especially for those seeking protection, such as the ability to market products internationally and increase regional revenue. Justice means improved welfare for rights holders in the form of increased income and increased state foreign exchange. Therefore, Geographical Indication protection serves as more than a mere commercial tool; it is a device for protecting local knowledge, social production relations, and cultural identity.

However, it must be recognized that the effectiveness of legal protection cannot be measured solely by the existence of formal regulations. Rather, it depends on the extent to which such regulations are operationalized in consistent and sustainable protection practices. Recent studies indicate that many registered Geographical Indication products have not fully secured quality sustainability due to the absence of strict prohibitions against planting similar commodities outside the Geographical Indication area (Hidayah & Nasyiah, 2020). This results in circulating products that may share similar characteristics but differ in quality. This condition confirms that the primary weakness of Geographical Indication protection often lies not in the absence of norms, but in limited institutional capacity, inter-agency coordination, and post-certification supervision. Therefore, the role of local government in the context of Toraja Arabica Coffee should not cease at registration facilitation and legal recognition but must evolve into quality control, supply chain supervision, and continuous development support for farmers and local businesses (Hidayat, 2014). Without active supervision mechanisms, Geographical Indication protection risks becoming symbolic legitimization benefiting only certain actors, while farmers—who contribute most to product reputation—may not receive proportional economic benefits.

## **2. The Role of Local Government, Digitalization, and Community as Active Subjects**

Indonesian society, particularly in Toraja, has long recognized Toraja Arabica Coffee as a delicious and distinctive product with unique flavor characteristics. Given the high level of public interest—both from producers seeking to sell and consumers seeking to purchase—the local government has also paid attention to safeguarding the quality of this regional commodity. The protection of Toraja Arabica Coffee as a Geographical Indication is fully supported by both central and local governments through various regulations, including national laws and regional regulations, which guarantee the authenticity, quality, and reputation of this product (Irawan, 2020). The national law on Trademarks and Geographical Indications serves as the primary legal umbrella governing the registration, supervision, and enforcement of Geographical Indications, including Toraja Coffee. This law establishes criteria for geographically based products, mandates the formation of Geographical Indication management institutions, and provides sanctions for counterfeiters.

Furthermore, a specific regional regulation concerning the genetic preservation of Toraja Arabica Tipika Coffee explicitly recognizes the uniqueness of this coffee produced in the North Toraja region, with distinctive characteristics resulting from natural factors and local cultural practices. This regional regulation also governs production standards, certification processes, and supervision mechanisms to prevent misuse of the "Toraja" name on coffee that does not meet the requirements. This regulatory support is reinforced by official certification from the Ministry of Law and Human Rights, which affirms the exclusive right of local farmers to use the Toraja Arabica Coffee name (Khoeronnajmi, 2023). Thus, these regional regulations not only protect the economic aspects of farmers but also preserve the cultural heritage and environmental conditions that produce high-quality coffee in the Toraja region.

Nevertheless, the effectiveness of local government roles cannot be measured solely by the existence of formal regulations, but rather by the extent to which such regulations are operationalized in consistent and sustainable protection practices. Recent studies show that many registered Geographical Indication products have not fully secured quality sustainability due to the absence of strict prohibitions against planting similar commodities outside the Geographical Indication area. This condition confirms that the primary weakness of Geographical Indication protection often lies not in the absence of norms, but in limited institutional capacity, inter-agency coordination, and post-certification supervision (Mangera, 2023). Therefore, the role of local government in the context of Toraja Arabica Coffee should not cease at registration facilitation and legal recognition but must evolve into quality control, supply chain supervision, and continuous development support for farmers and local businesses. Without active supervision mechanisms, Geographical Indication protection risks becoming symbolic legitimization benefiting only certain actors, while farmers—who contribute most to product reputation—may not receive proportional economic benefits.

At this point, the role of local government becomes crucial not only as a regulator but also as a mediator of interests between the state, producer communities, and markets. Local government must ensure that legal protection for Toraja Arabica Coffee is not read solely as a product commercialization instrument, but rather as a legal device for protecting local knowledge, social production relations, and the cultural identity of the Toraja people (RAPPE, 2024). Therefore, progressive regional policies need to be directed toward strengthening the Geographical Indication management institution, participatory quality standardization, and the development of transparent tracking and promotion systems so that the added value from Geographical Indications does not accumulate solely with market intermediaries. With such an approach, legal protection not only

preserves product authenticity but also creates a fairer, more accountable, and more sustainable local economic governance (Setiyo Utomo & Kn, 2024).

A significant gap in the discussion of legal protection for Toraja Arabica Coffee is the still-dominant formal-normative protection approach, which focuses on registration, legal recognition, and administrative supervision by relevant institutions. Yet, in the context of the digital economy and expanding cross-border trade, threats to Geographical Indications no longer arise only from physical product counterfeiting but also from misuse of geographical identity in online promotions, marketplaces, social media, and digital distribution chains that are difficult to supervise through conventional means. Within this framework, the legal protection of Toraja Arabica Coffee needs to be read more progressively through the idea of digitalization of Geographical Indication governance as a form of preventive protection that has not been extensively addressed in conventional discussions. (Sudjana, 2018)

Conceptually, this article identifies a shift in focus from ex post protection to ex ante protection—that is, from enforcement after violations occur to prevention from the stages of identification, certification, promotion, and product distribution. Studies on communal intellectual property protection in the digital era show that old protection models dependent on administrative supervision are no longer adequate to face the mobility of information and commodification of cultural identity in digital spaces. Therefore, the Toraja Arabica Coffee Geographical Indication Protection Community is not sufficient to function only as an administrative management institution but also needs to be developed into a digital verification node capable of ensuring that every product bearing the "Toraja" label genuinely originates from the designated region, process, and production standards.

From a legal perspective, digitalization of Geographical Indication governance can be realized through open databases concerning authorized producers, production areas, quality standards, and official distribution chains. Such mechanisms not only strengthen legal certainty but also reduce opportunities for product identity manipulation by unauthorized parties (UTAMI, 2025). Furthermore, such digital systems enable product traceability, so that the reputation of Toraja Arabica Coffee is not maintained solely through legal claims but through publicly verifiable evidence. Thus, legal protection becomes more adaptive to the characteristics of contemporary trade, which is based on data, image, and information speed.

Equally important is positioning the managing community as an active subject in protection governance, not merely as passive beneficiaries. If the Geographical Indication Protection Community is given access to digital platforms, documentation training, and online-based violation reporting mechanisms, the bargaining position of local communities will significantly increase. Some studies also show that Geographical Indication-based environmental protection is closely related to production sustainability, community accountability, and region-based product quality control. In this context, Geographical Indication protection does not only function to preserve product authenticity but also encourages institutional transformation of communities to adapt to the digital economic ecosystem.(Apriansyah, 2018)

Critically, this approach addresses the weaknesses of Geographical Indication protection, which has tended to be fragmented between national law, regional policies, and market practices. Without digitalization, supervision over the use of geographical names will always lag behind market dynamics, especially when Toraja products are marketed through channels that transcend regional administrative boundaries. Therefore, strengthening protection through digital governance deserves to be placed as

part of developing this article, as it offers more refreshing theoretical and practical contributions compared to conventional discussions on registration and supervision alone (FIKRAN, 2024).

The local government plays an essential role as a facilitator by supporting Geographical Indication registration through data provision, financing, and legal advocacy. Additionally, the government plays a role in supervision and enforcement of rules concerning the use of the "Toraja Arabica Coffee" name, thereby protecting product quality and reputation. The government also encourages promotion through marketing activities, exhibitions, and collaboration with business actors to increase the sale value of Toraja Coffee in both domestic and global markets. With such support, it is expected that the Geographical Indication Protection Community can obtain economic benefits and improved welfare.

## Conclusion

The benefits received by the Toraja Arabica Coffee Geographical Indication Protection Community from Geographical Indication registration are highly significant. Registration provides legal protection over the name and reputation of Toraja Arabica Coffee, ensuring that only products meeting the distinctive standards of the Toraja region may use that name. This prevents counterfeiting and preemptive registration by external parties while maintaining product quality and authenticity. Registration also encourages local farmer empowerment through institutional strengthening, which plays roles in supervision, promotion, and sustainable product development. Thus, the community not only gains economic benefits but also receives clear legal protection and a properly managed organizational structure.

The role of local government in utilizing Geographical Indication protection for Toraja Arabica Coffee is essential for ensuring the sustainability of the community's

livelihood. Local government acts as a facilitator by supporting registration through data provision, financing, and legal advocacy. The government also performs supervision and enforcement of rules concerning the use of the product name, thereby protecting quality and reputation. Additionally, the government promotes marketing activities, exhibitions, and collaboration with business actors to increase product value in national and global markets. With such support, the community is expected to obtain economic benefits and improved welfare. Digitalization of governance and active community participation further strengthen this protection framework.

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