

CHAPTER FIVE

CONCLUSSION AND RECOMMENDATION

A. Conclusion

The Regional Government of Yogyakarta is the Representative of the Central Government in Governing the regional area in the form of Regional Government system. The cultural affair is handled by a relevant agency, in this matter, it will be arranged by the Yogyakarta Cultural Department, Based on Section 21 of the Provincial Regulation DIY No. 6 of 2008 on Organization and Working Procedures of the Provincial Department DIY, Culture Department has a task to run the governance in the area of cultural, deconcentrating and things related to the protection, maintance,development and utilization of Yogyakarta cultures to strengthen the characters and identity of DIY people.¹

Based on the Decree of the Head of Yogyakarta Cultural Departmen No.188/146ITP on the Formulation of Infomarnt Team and Training Participants management of Culture Department in Protecting, guiding, preserving and developing the cultural which exist in every cultural village (desa budaya) in the area of Yogyakarta.

¹ *Peraturan Daerah Provinsi DIY nomor 6 Tahun 2008 tentang Organisasi dan tata kerja Dinas Daerah provinsi DIY*

Until now there is no legal basic or method to determine a work is a Traditional Knowledge, there are only a few conditions that must be passed since the registration stages, academic studies and documentation explaining the history of the emergence of the cultural (when and where it first appeared, the origin, the creator) the picture of the work (shape, colour, texture, taste) the number of craftsmen, picture and videos, if all conditions have been meet, art and cultural to the central Government. ²

After the Cultural Department of Yogyakarta Registered and Submits all data of Traditional to the national level trough the ministry of National Education, Traditional Knowlede will be proposed at International level based on the UNESCO Convention 2003 which has been ratified by Indonesia. Indonesia needs to prepare the document and texts to submitted to UNESCO. The proses to preparing the document related to the Traditional Knowledge of Yogyakarta, Indonesia has been carried out since few years ago.

Nevertheless, the proses was not easy and is taking long period of time, to propose a cultural product to enter the records of UNESCO is only done every year in March. To get into the list of cultural heritage belonging to UNESCO, there are several conditions that must be met, there are four criteria to entry in the list of UNESCO World Cultural Heritage, namely originalit, uniqueness, contain values

² *Interview with Director of intellectual Property Right center;s executive, Universitas Islam Indonesia, October 3, 2016*

that can be accepted by the world, and has a value of humanity as a whole and values which can prosper the people.

There are a lot of proves that must be proves that must be provided before UNESCO provides a certificate which tells that the result of cultural, goods or particular area actually belongs to the people who submitted the proposal. The UNESCO recognition may promote the prestige of the state. If there as a bold claim to be the owner of the cultural heritage that has been set by UNESCO, then the countries concerned can be prosecuted.

The Certificate of Intangible Cultural Heritage from the Ministry of Eduaction and Culturalgiven to the Regional Government aims to inform that a particular cultural, goods or territory is genuinely a proprietary proposition. UNESCO's acknowledgment can accentuate the prestige of the state. If anyone darrd to claim to be the owner of a prescribed cultural heritage of UNESCO, then the country concerned can be prosecuted.³

B. Suggestion

1. Yogyakarta Department of Culture should coordinate with other institutions in conducting programs that protect traditional knowledge, so that the

³ *Interview with the Head of the Science of Yogyakarta Cultural Department, March 17, 2016*

traditional knowledge that exist in the region of Yogyakartaare recorded properly.

2. The Central Government and the Local Government of Yogyakarta, should immediately Create a *sui generis* Regulations relating to the Protection of Traditional Knowledge.