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Reconstructing Communal Intellectual Property Protection for Traditional Maritime Technology to Support Blue Investment in Tomini Bay

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ABSTRACT

The transformation of the maritime sector towards a blue economy in Teluk Tomini, Gorontalo Province, is often characterized by a top-down approach that may ignore the local wisdom of coastal communities. The Gorontalo fishing community possesses traditional technologies, katinting and Soma pajeko, classified as Communal Intellectual Property (KIK). Although recognized under Government Regulation No. 56 of 2022, this KIK has not been integrated into marine space utilization permits and maritime investment schemes. This normative legal research, using legislative, conceptual, and comparative approaches with studies of Kenya and Peru, aims to analyze the implications of regulatory gaps and formulate an ideal legal reconstruction model. The results show that the absence of specific regulations triggers overlapping claims, risks of biocultural piracy (biopiracy), and legal uncertainty, thereby reducing investor interest. Furthermore, the absence of a KIK appraisal agency creates obstacles to bank financing. As a solution, progressive legal reconstruction is formulated through the concept of Securing Blue Investment in Gorontalo Province. This model integrates four main elements: (1) a sui generis Perda based on living law in accordance with the 2023 National Criminal Code; (2) local governments as legal trustees through Maritime KIK Centers; (3) institutionalization of Access and Benefit Sharing (ABS) contracts based on Prior Informed Consent, managed by Regional Public Service Agencies (BLUD); and (4) legalization of KIK certificates as objects of banking fiduciary security. This concept transforms KIK protection from passive cultural preservation into an active legal shield, ensuring investor legal certainty and economic justice for traditional fishermen.

Kata Kunci:
Kekayaan Intelektual Komunal; Teknologi Maritim Tradisional; Investasi Biru

ABSTRAK

Transformasi sektor maritim menuju ekonomi biru di Teluk Tomini, Provinsi Gorontalo, sering ditandai dengan pendekatan top-down yang berpotensi mengabaikan kearifan lokal masyarakat pesisir. Masyarakat nelayan Gorontalo memiliki teknologi tradisional katinting dan Soma pajeko yang diklasifikasikan sebagai Kekayaan Intelektual Komunal (KIK). Meskipun telah diakui melalui PP No. 56 Tahun 2022, KIK tersebut belum terintegrasi dalam perizinan pemanfaatan ruang laut dan skema investasi maritim. Penelitian hukum normatif dengan pendekatan perundang-undangan, konseptual, dan komparatif melalui studi Kenya dan Peru bertujuan menganalisis implikasi kesenjangan regulasi serta merumuskan model rekonstruksi hukum yang ideal. Hasil penelitian menunjukkan bahwa ketiadaan regulasi khusus memicu tumpang tindih klaim, risiko pembajakan biokultural (biopiracy), dan ketidakpastian hukum yang menurunkan minat investor. Selain itu, ketiadaan lembaga appraisal KIK menyebabkan hambatan dalam pembiayaan perbankan. Sebagai solusi, dirumuskan rekonstruksi hukum progresif melalui konsep Securing Blue Investment in Gorontalo Province. Model ini mengintegrasikan empat unsur utama: (1) Perda sui generis berbasis living law sesuai dengan KUHP Nasional Tahun 2023; (2) pemerintah daerah sebagai legal trustee melalui Maritime KIK Centers; (3) pelembagaan kontrak Access and Benefit Sharing (ABS) berbasis Prior Informed Consent yang dikelola oleh Badan Layanan Umum Daerah (BLUD); dan (4) legalisasi sertifikat KIK sebagai objek jaminan fidusia perbankan. Konsep ini mentransformasi perlindungan KIK dari pelestarian budaya pasif menjadi tameng hukum aktif untuk menjamin kepastian hukum investor dan keadilan ekonomi bagi nelayan tradisional.

1. INTRODUCTION

Indonesia's maritime sector is undergoing a major transformation toward a sustainable and inclusive blue economy. This concept is stipulated in Law Number 32 of 2014 concerning Marine Affairs and serves as the basis for the National Medium-Term Development Plan. The government is also promoting substantial investment to increase fisheries productivity and economic growth by up to eight percent (BAPPENAS, 2025). This policy is implemented through the provision of fishing vessels, the development of modern fishing areas, and the provision of supporting facilities such as cold storage and fuel stations.

The objective is to enable coastal communities to become self-reliant in managing marine resources. However, approaches that tend to be top-down may overlook customary law and the traditional rights of coastal communities. Therefore, blue economy investment needs to be assessed not only in terms of increased production but also in terms of its capacity to protect the communal knowledge and technologies that sustain local economic activities.

Tomini Bay in Gorontalo is a relevant research locus because its ecological characteristics shape local patterns of maritime production and technology. As a semi-enclosed bay with important coastal and fishery resources, the area has been regulated through a zoning plan as part of the Marine Spatial Plan (Banteng, 2022). Ecological connectivity between coastal areas, small islands, and the open sea means that changes in one part of the bay can affect the ecosystem as a whole. easonal currents and the dynamics of pelagic fish further influence local fishing strategies. These adaptations have given rise to katinting as a means of mobility and soma pajeko as communal fishing gear, both of which have developed as traditional maritime technologies of the Gorontalo people. Thus, the ecological description in this study is used only to explain the origins and functions of these communal technologies and does not constitute a separate focus of analysis.

Katinting and soma pajeko are not merely physical objects but also encompass manufacturing techniques, methods of use, division of labor, knowledge of water conditions, and inherited social practices. The dimensions of knowledge and skills may be categorized as traditional knowledge under Government Regulation (PP) No. 56 of 2022, while the forms, ornaments, local terms, and rituals associated with them may constitute expressions of traditional culture when practiced communally and transmitted across generations. These two categories are not employed as separate theoretical frameworks but rather as a juridical basis for positioning katinting and soma pajeko as Communal Intellectual Property (CIP/KIK). As KIK, the community of origin serves as the custodian, while the state is obliged to undertake their inventory, protection, maintenance, and development.

The key issue arises because the involvement of KIK has not been significantly integrated into blue economy enterprises, contracting, supervision, and the development of investment resources. The protection of traditional maritime technology remains weak and marginalized (Perangin-Angin et al., 2020). The modern cultural understanding that has developed around individual and exclusive rights is fundamentally opposed to the character of the maritime KIK of Tomini Bay (Asy-Syafi'i, 2025), which is collective, communicative, and transgenerational .

This issue can also be identified through comparisons with other countries. *First,* Kenya is selected because its legal framework protects traditional knowledge in a broad sense, including skills, innovation, design, architecture, and construction technology, making it functionally closer to the design of katinting and the operating procedures of soma pajeko. Kenya also distributes functions among the national government, local governments, and communities (Ayu et al., 2022). *Second*, Peru is selected because it has established a sui generis regime that provides for agreements based on prior informed information, written licensing contracts, contract registration, compensation, confidentiality, and funds for Indigenous Peoples. Although the Peruvian regime is limited to collective knowledge associated with biological resources, its contractual architecture is relevant for comparison with the weaknesses of commercial utilization mechanisms in Indonesia. The selection of these two countries is therefore based on functional similarities rather than on similarities between their legal systems as a whole (Prabowo, 2020).

This normative gap creates opportunities for exploitation, unilateral commodification, and biocultural piracy by modern industrial corporations. The lack of protection not only harms Indigenous Peoples but also creates legal uncertainty within the framework of sustainable maritime investment. herefore, legal reconstruction is needed to align KIK protection with blue economy investment flows (Rosidawati, 2013). The geographical condition of the waters of Tomini Bay that extend across the Gorontalo region is specifically presented in Figure 1.

Figure 1. Map of the Gulf of Tomini

This study maps its academic position within several trends in previous studies examining KIK. Research on KIK in Indonesia has so far been dominated by three main clusters. First, studies have focused on cultural preservation and the anthropological rights of Indigenous Peoples (Aly, 2023). *Second*, normative studies have examined the effectiveness of defensive registration through the KIK database at the Ministry of Law and Human Rights of the Republic of Indonesia. *Third*, studies of the maritime political economy have highlighted how foreign capital flows may undermine the socioeconomic rights of traditional fishers through the commercialization of marine space (Pope et al., 2025). These three trends have provided important insights into the cultural, administrative, and political-economic dimensions of KIK but have not directly linked KIK protection to the legal design of blue economy investment.

On this basis, the research gap lies in the absence of studies that conceptualize maritime KIK as a prerequisite for protection within blue economy investment governance. This study does not view katinting and soma pajeko merely as passive or nostalgic cultural artifacts but rather as legal institutions with economic value that need to be integrated from the planning and implementation stages of investment. The novelty of this study lies in the concept of Securing Blue Investment in Gorontalo Province, which connects KIK recognition with investment legal certainty, community approval, and fair benefit sharing. This study aims to analyze the legal status of katinting and soma pajeko as KIK, identify weaknesses in their integration into blue economy investment, and formulate the concept of securing blue investment as a more operational model of legal protection.

2. RESEARCH METHODS

This study employs normative legal research, which conceptualizes law as a system of principles, rules, and legal doctrines (Marzuki, 2011) related to the protection of Maritime Communal Intellectual Property (KIK) and investment law, This method is applied because the research focuses on the adequacy, consistency, and interconnection of legal norms governing the utilization of maritime KIK within blue economy investment activities. Tomini Bay in Gorontalo Province is selected as the locus of the normative study based on its strategic position as a semi-enclosed sea with distinctive ecological and socio-cultural characteristics, the existence of traditional technologies such as katinting and soma pajeko that normatively qualify as KIK but have not received optimal economic protection, and its designation as a priority area for blue economy investment development, thereby providing a relevant locus for examining the interaction between modern investment regimes and the communal rights of coastal communities (Pasisingi & Olii, 2022). To comprehensively analyze the legal issues, this study applies three approaches. the statutory approach to examine the vertical and horizontal synchronization of legislation; the conceptual approach to formulate the theoretical basis for reconstructing KIK protection from passive cultural preservation into an active legal safeguard through the concept of "Securing Blue Investment"; and the comparative approach to compare norms and best practices for integrating traditional knowledge into maritime investment frameworks in countries that have implemented commercially inclusive KIK protection regimes. The legal materials consist of primary legal materials, including national legislation concerning maritime affairs, investment, and KIK, Government Regulation No. 56 of 2022, and relevant international agreements such as the TRIPS Agreement and the Convention on Biological Diversity (CBD), as well as secondary legal materials comprising books, scientific journals, and relevant legal expert opinions. Legal materials are collected through library research by systematically inventorying, classifying, and categorizing written legal sources, and are subsequently analyzed using prescriptive qualitative analysis with deductive legal reasoning by relating positive legal norms on KIK to legal facts and investment regulations in Tomini Bay to formulate legal prescriptions and recommendations for a fair maritime KIK protection model that ensures investment certainty.

3. RESULTS AND DISCUSSION

3.1 Implications of the Kik regulatory gap on the legal risks of Blue Economy investments

The findings indicate that the primary legal problem concerning Maritime Communal Intellectual Property (KIK) in Tomini Bay is not the absence of regulation, but the fragmentation and incompleteness of the existing regulatory framework. Investment law, maritime law, intellectual property law, and marine spatial planning regulate different interests but do not provide an integrated procedure for determining the legal status of communal maritime knowledge before its use in investment activities (Basalama et al., 2024).

Consequently, fundamental questions remain unresolved: which community is the legitimate custodian, who is authorized to grant consent, and how should the economic benefits derived from the use of katinting and Soma pajeko be distributed?

The first regulatory gap concerns legal substance. Article 38 of Law Number 28 of 2014 on Copyright recognizes state responsibility for traditional cultural expressions, while Government Regulation Number 56 of 2022 strengthens the inventory and safeguarding of KIK. However, these instruments do not provide a comprehensive mechanism for commercial licensing, community representation, benefit sharing, valuation, or legal remedies for unauthorized use. KIK recording therefore remains primarily declarative and defensive rather than creating directly enforceable economic rights.

A similar limitation exists under the patent regime. Law Number 13 of 2016 requires novelty and identifiable inventors, whereas knowledge relating to the construction of katinting boats and the operation of Soma pajeko has developed collectively and has been transmitted across generations. Such knowledge therefore does not easily fit within the conventional patent system and is not yet governed by a specific sui generis regime (Tindige et al., 2023). This creates a normative risk of misappropriation when the origin of the knowledge, the custodial community, and the conditions governing its use cannot be verified. The 2024 WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge demonstrates an international movement toward greater transparency regarding the origin of traditional knowledge, although its approach does not by itself establish a complete domestic licensing mechanism (Nugroho et al., 2024).

The second gap concerns institutional coordination. Gorontalo Provincial Regulation No. 7 of 2017 emphasizes the documentation and preservation of traditional cultural expressions but does not clearly address traditional technological knowledge, including katinting construction and the Soma pajeko operating system. Even where cultural or KIK objects have been recorded, recording does not automatically establish procedures for licensing, valuation, benefit sharing, supervision, or commercial dispute resolution. The weakness of the current framework therefore lies not only in incomplete documentation, but also in the absence of a transition from administrative recording to governance of economic utilization (Elly, 2024).

Using (Friedman, 2019)'s legal system theory, this problem can be understood across three dimensions. *First*, the legal substance emphasizes inventory more strongly than rights, obligations, and commercial transactions. *Second,* the legal structure distributes authority among the Directorate General of Intellectual Property, local governments, cultural and maritime agencies, investment licensing institutions, and financial institutions without an integrated KIK due diligence mechanism. *Third,* legal culture continues to measure protection primarily through the number of recorded assets rather than through the capacity of communities to control utilization and receive economic benefits. The Bali Endek experience illustrates this limitation by demonstrating that administrative documentation alone may be insufficient to resolve questions concerning authorization and commercial use (Parameswara et al., 2022).

The regulatory fragmentation becomes more significant when KIK protection intersects with marine spatial planning. Investors may obtain location permits, business licenses, or approvals for marine-space utilization, but such permits do not determine whether the technology or traditional knowledge used constitutes KIK or whether the relevant community has provided authorization. Conversely, KIK registration does not determine whether its utilization in a particular marine zone is legally permissible. This creates a dualism of legality in which an activity may comply with marine spatial regulations while remaining uncertain from the perspective of communal rights, or may have community approval without satisfying sectoral licensing requirements.

This uncertainty has substantial economic relevance. Traditional capture fisheries, aquaculture, and fish processing constitute a significant part of Indonesia's marine economy, while blue economy development requires effective coordination, stakeholder participation, institutional capacity, and financing mechanisms (Yulianingsih et al., 2025). However, KIK-related uncertainty also affects financing. Although Government Regulation Number 24 of 2022 provides for intellectual-property-based financing, KIK recording cannot currently function as a straightforward financing asset because communal rights remain declarative, non-transferable, and difficult to value. The legal status, revenue entitlement, and enforcement mechanism of KIK are therefore insufficiently clear to support its direct treatment as conventional collateral.

Accordingly, the causal relationship identified in this study is normative and institutional rather than statistical. Regulatory gaps complicate due diligence concerning knowledge origin, custodial communities, consent, benefit sharing, and potential disputes. Incomplete due diligence increases transaction costs and residual legal and reputational risks. Investors may consequently require additional safeguards, restrict the use of local knowledge, postpone transactions, restructure projects, or prefer assets with clearer legal status. Thus, ineffective KIK protection may reduce the legal certainty and bankability of blue economy investments.

These findings demonstrate that the existing protection model is insufficient because it remains centered on inventory and defensive protection. KIK must therefore be repositioned as part of the legal due diligence process for blue economy investment. This finding provides the basis for the proposed Securing Blue Investment model.

3.2 Feasibility Based Reconstruction of Communal Intellectual Property Protection for Securing Blue Investment

The findings above demonstrate that a feasible reconstruction of KIK protection cannot simply create new exclusive rights through regional regulation (Susanti, 2022). Any proposed model must satisfy three conditions: legal authority, institutional capacity, and transactional operability. Based on these conditions, the Securing Blue Investment model is reconstructed through four interconnected components: (1) verified community protocols, (2) multilevel KIK due diligence, (3) authorized-user and benefit-sharing agreements, and (4) phased financing based on enforceable economic rights rather than on KIK certificates themselves (Darwance, 2026).

First, community recognition should be based on a verified community protocol rather than a unilateral declaration of ownership by the regional government. A regional regulation may regulate matters within regional authority, including inventory, community verification, consultation, institutional coordination, and facilitation of agreements. However, the creation of erga omnes exclusive economic rights or new security rights requires a national legal basis.

A community protocol should therefore identify the custodial community, representative institution, decision-making procedures, overlapping or shared knowledge, confidential information, permitted and prohibited uses, and benefit-sharing arrangements. The protocol should function as a verified due diligence document rather than as a transferable title. This approach preserves community control while providing investors with greater legal certainty regarding the appropriate channel for obtaining authorization.

The implementation of this mechanism in Tomini Bay may begin through a limited pilot involving katinting and Soma pajeko. The verification process should include participatory mapping, public notification, an objection period, expert validation, and mediation of overlapping claims. Only non-confidential information should be integrated into the national KIK information system, while sensitive technical knowledge should remain subject to restricted access.

Second, the role of the Gorontalo Provincial Government should be limited to facilitation and administrative coordination rather than ownership or automatic representation of communities. A Maritime KIK Desk may initially be established within an existing regional agency. Its functions should include supporting community protocols, coordinating information with the Directorate General of Intellectual Property, providing non-binding due diligence information, maintaining a register of commercial agreements, providing model contractual clauses, and facilitating mediation (Kunusa et al., 2026).

The establishment of a separate institution or Regional Public Service Agency (BLUD) should be considered only after the pilot demonstrates a stable public-service function, adequate institutional capacity, and sustainable financial viability. Even if established, such an institution should provide verification, documentation, training, mediation, and contract-administration services rather than acquire ownership over communal knowledge.

Third, commercial utilization should be governed through authorized-user and benefit-sharing agreements. The principles of prior information, community consent, negotiated conditions, and fair benefit sharing are relevant to KIK protection, but they should not automatically be treated as genetic-resource access arrangements. In the case of katinting and Soma pajeko, these principles can instead be adapted through contract law and regional facilitation.

Under the proposed model, the community or a community-controlled cooperative should act as the licensor, the investor as the authorized user, and the regional government as facilitator and contract registrar. Agreements should specify the authority of the parties, the knowledge being used, the permitted scope of utilization, duration, territory, confidentiality, attribution, benefit-sharing arrangements, environmental and employment obligations, reporting and audit mechanisms, dispute resolution, sanctions, and termination.

Fourth, the findings demonstrate that recorded KIK cannot currently be treated directly as an object of fiduciary security. The principal obstacle is that KIK recording is declarative and communal and does not clearly establish transferability, valuation, or execution mechanisms. Financing should therefore be based on the legally enforceable economic rights generated by authorized transactions rather than on the KIK certificate itself.

Under this approach, financing may rely on royalty receivables, revenue-sharing agreements, purchase orders, business cash flows, equipment, vessel assets, or credit-guarantee schemes. KIK thus functions as a source of differentiated economic value and a due diligence asset, while financial institutions rely on measurable contractual revenues and conventional risk controls (Podungge et al., 2025).

The implementation of the Securing Blue Investment model should proceed in three phases. The first phase should focus on legal authority assessment, verification of katinting and Soma pajeko, community protocols, and pilot agreements. The second phase should integrate KIK due diligence into regional blue economy programmes, establish coordination with the national KIK system, and monitor commercial agreements. The third phase should evaluate the pilot results as a basis for potential national sui generis legislation, national licensing standards, benefit-sharing mechanisms, and financing regulations (Rambe et al., 2026). The feasibility of the proposed model is summarized below.

Chart 1. Implementation Feasibility Matrix

Proposed Component	Current Legal Basis	Immediately Feasible Form	Main Risk and Mitigation
Community recognition	PP No. 56/2022; regional authority over culture and facilitation	Verified community protocol and due-diligence statement	Overlapping claims: public notice, objections, expert validation, mediation

Maritime KIK institution	Regional inventory, safeguarding, maintenance, and public-service authority	KIK Desk in an existing agency; BLUD only after feasibility review	Duplication or state capture: limit functions and preserve community control
Authorization and benefit-sharing	Contract law; PP No. 56/2022; PIC/MAT as analogous principles	Written authorized-user agreement between community and investor	Unequal bargaining power: counsel, audit, disclosure, grievance mechanism
Financing	PP No. 24/2022 for commercially managed registered/recorded IP	Royalty receivables, cash flow, equipment, or guaranteed cooperative loans	Valuation and execution risk: pilots and conventional risk controls

3.3 Comparative analysis of regulation and economic valuation of communal IPR based Blue Economy

The comparative approach in this study is no longer used to compare the current legal status with the proposed model. Comparison is done functionally against three legal regimes, namely Indonesia, Kenya, and Peru. The Tertium comparationis used is the same legal issue of how a legal system identifies a community of traditional knowledge holders, determines the nature of records, regulates commercial use approvals, shares benefits, protects confidential information, and resolves overlapping claims (Ilyasa, 2020). Functional methods entail the preparation of an overview of each jurisdiction, the establishment of common socio-legal problems, then a critical assessment of their similarities, differences and possible adaptations.

Chart 2. Functional Comparison of Traditional Knowledge Protection Regimes

Tertium Comparationis	Indonesia	Kenya	Peru
Objects and rights holders	PP number 56 of 2022 recognizes traditional knowledge and Traditional Cultural Expressions as KIK and places the community of origin as guardians. However, the relationship between Guardians, community representation, and the authority to grant permission has not been detailed as a positive economic right	The Protection of Traditional Knowledge and Cultural Expressions Act covers knowhow, Skills, Innovation, Design, Architecture, and construction technology. Communities acquire the right to permit or prevent the exploitation of traditional knowledge	Law No. 27811 recognizes the right of indigenous peoples to determine the use of collective knowledge relating to biological resources. The scope is narrower than Kenya and does not automatically cover the entire maritime technology
Nature of recording	Recording serves as an inventory and defensive protection. Unrecorded Kiks can still be protected, but the recording is not yet a transferable or executable right	County governments document and register, while national governments maintain repositories. Registration is declarative and does not become a source of birth of rights	There are national public registers, national secret registers, and local registers that Indigenous peoples can form. The differentiation of registers enables the protection of sensitive data and the defense of the claims of other parties.

Economic Valuation of Marine Sector Products	Nike fly fishing and endemic fish based on marine traditional fishing seasons.	Only valued as a raw commodity with low profit margins for traditional fishermen.	Integrated with Geographical Indications (IG) to increase the Commercial added value of products in the international market.
Commercial use consent	PP No. 56 of 2022 recognizes the use of KIK, but does not yet provide complete procedures for applications, internal community consultations, decision deadlines, or forms of authorization for use	Utilization outside the traditional context requires prior informed consent. The owner can accept or reject the request and create an authorized-user agreement after consultation with community members.	Akses komersial atau industrial wajib memperoleh prior informed consent dan dituangkan dalam kontrak lisensi tertulis antara organisasi representatif masyarakat adat dan pengguna.

The comparison shows that the advantages of the Indonesian framework lie in the broad scope of KIK and the recognition that protection does not depend entirely on record-keeping. Weaknesses are found in the stage after the inventory where there is no operational authorization rights, verification procedures for community representatives, contract formats, benefit sharing standards, and enforcement mechanisms. The condition of katinting and Soma pajeko shows the problem. Traditional and ecological characters have both been described through outrigger structures, fads systems, and komuna fishing practices (Banteng, 2022), but documentation of those characteristics has not in itself answered Who is authorized to grant permits or receive benefit. In the context of protecting the visual identity of MSMEs in Gorontalo, previous studies have also found that protection still faces normative, institutional, procedural, cultural, economic, and supervisory gaps.

The Kenya Model is superior for issues of rights identification and authorisation because it explicitly covers construction technology, gives communities the right to permit exploitation, and links regional documentation to national repositories. The Peruvian Model is superior at the transaction stage because it establishes approvals, written contracts, compensation, reporting, confidentiality and contract registration (Wenhai et al., 2019). However, both regimes cannot be transplanted directly. Exclusive rights and sanctions require the basis of national legislation, while local regulations can only facilitate verification, consultation, documentation, contracts, and coordination according to local authorities. On this basis, the Securing Blue Investment model selects the community protocol and regional national function sharing from Kenya as well as the contract structure and benefit sharing from Peru, while still using Indonesia's KIK inventory system as an administrative gateway.

The choice of the model also explains why access and benefit sharing Contracts are not automatically implemented as genetic resource contracts. For katinting and soma pajeko, the principle of pre-approval, mutually agreed terms, and benefit sharing are used as adapted contractual principles. The local government serves as a facilitator and Registrar of contracts, while the community or cooperative that obtains the mandate of the community remains the party of the licensor. This construction preserves the nature of collective ownership and prevents the local government from taking over the position of the community.

4. CONCLUSION

The fragmented and incomplete protection of Maritime Communal Intellectual Property (KIK) in Tomini Bay creates legal uncertainty that may increase investment risks in the blue economy. The existing framework remains predominantly declarative and administrative, emphasizing inventory and documentation without providing clear and operational mechanisms for determining community authority, obtaining authorization for commercial use, ensuring benefit sharing, conducting valuation, facilitating financing, or resolving disputes. Consequently, regulatory uncertainty complicates legal due diligence and prevents recorded KIK from functioning directly as conventional collateral. To address these limitations, this study proposes the Securing Blue Investment model, which integrates KIK protection into blue economy investment governance through four interconnected components: verified community protocols, multilevel due diligence, authorized-user and benefit-sharing agreements, and phased financing based on legally enforceable economic rights arising from lawful KIK utilization. The comparative analysis of Indonesia, Kenya, and Peru further demonstrates that Indonesia can strengthen its existing KIK framework by functionally adapting mechanisms for community verification, contractual authorization, benefit sharing, confidentiality, and coordinated registration, while recognizing that the establishment of exclusive economic rights, national licensing mechanisms, or KIK-based security rights requires a national legal basis. Accordingly, Securing Blue Investment transforms KIK protection from passive cultural preservation into an operational legal instrument for investment governance, reducing legal uncertainty for investors while ensuring that coastal communities retain recognition, control, and access to measurable economic benefits, thereby supporting legally secure, socially legitimate, and sustainable blue economy investment.

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