

Intellectual property rights and innovation in the ASEAN economic community: Toward legal convergence for the creative industry

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Abstract

This paper explores the relationship between intellectual property rights (IPR) and innovation within the framework of the ASEAN Economic Community (AEC), with a focus on the need for legal convergence in private law. Despite ASEAN's aspiration to strengthen regional integration and position itself as a hub for creative and digital industries, IPR protection remains uneven across member states. Singapore and Malaysia have established advanced legal frameworks for copyright and related rights, while countries such as Indonesia, Cambodia, and Laos continue to face enforcement challenges. This disparity hampers innovation, limits cross-border collaboration, and reduces investor confidence in the creative economy. The central research question asks: How can legal convergence in intellectual property rights within ASEAN enhance innovation, particularly in the creative industry? Methodologically, this study employs a qualitative legal approach through doctrinal analysis and comparative perspectives, drawing on regulatory developments and case studies from Indonesia, Malaysia, and Singapore. The recent debate on music royalties in Indonesia, following the enactment of Government Regulation No. 56 of 2021, is examined as a concrete example of the difficulties faced by creators in securing equitable remuneration and the implications for regional harmonization. The key findings indicate that fragmented IPR systems across ASEAN create uncertainty for rights holders and impede innovation-driven growth. Greater harmonization through regional treaties, mutual recognition, and the ASEAN Working Group on Intellectual Property Cooperation offers a viable pathway to safeguard creative rights and stimulate innovation. This study contributes to the field of private law by demonstrating how convergence in IPR can balance legal diversity with regional integration, ultimately reinforcing the AEC's capacity to foster sustainable innovation and strengthen the competitiveness of ASEAN's creative industries.

Keywords

Intellectual Property Rights, Legal Convergence, Private Law, ASEAN Economic Community, Innovation

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Introduction

In the contemporary global economy, intellectual property rights (IPR) serve as one of the most critical instruments for fostering innovation, protecting creative output, and sustaining economic growth. Strong and predictable IPR regimes incentivize investment in research, development, and artistic production by assuring creators that their intellectual assets will be recognized and fairly compensated. Within the framework of the ASEAN Economic Community (AEC), which aspires to establish a highly integrated and innovation-driven regional economy, the importance of IPR cannot be overstated (Antons & Blakeney, 2023). The capacity of ASEAN to compete in the global knowledge economy depends significantly on its ability to ensure that intellectual property is adequately protected and effectively enforced across diverse legal systems.

ASEAN is home to a multiplicity of legal traditions, encompassing common law (Singapore, Malaysia), civil law (Vietnam, Thailand), Islamic-influenced systems (Indonesia, Brunei), and hybrid frameworks (Philippines, Myanmar). This diversity, while reflective of the region's cultural richness, has produced a fragmented legal landscape. Enforcement capacity, institutional sophistication, and levels of public awareness vary widely, resulting in uneven protection of IPR across the region (Garcia, 2023). Such fragmentation generates uncertainty for rights holders, discourages cross-border collaboration, and undermines the potential for ASEAN to emerge as a cohesive, innovation-oriented community.

A particularly vivid example of these challenges can be seen in Indonesia's ongoing struggle with the management of music royalties. For decades, Indonesian singers, songwriters, and musicians have voiced frustration over the inadequate protection of their economic rights. Despite the passage of copyright laws intended to guarantee creators a share of revenues generated from the commercial use of their works, implementation has remained deeply problematic.

The government's enactment of Government Regulation No. 56 of 2021 on the Management of Royalties for Songs and Music was designed to address these long-standing concerns (Rokan, 2021). The regulation requires that hotels, restaurants, karaoke establishments, transportation services, and other commercial entities pay royalties when using songs or music in public performances. The system is managed through the National Collective Management Body (Lembaga Manajemen Kolektif Nasional, or LMKN), which is tasked with collecting and distributing royalties to rights holders.

In theory, this regulation represents a significant step forward in aligning Indonesia's copyright regime with international standards and in strengthening the creative economy. In practice, however, it has sparked intense debate and dissatisfaction among both artists and business actors.

Musicians and singers have repeatedly complained about a lack of transparency in the royalty collection system. Many artists allege that they do not receive royalties in

proportion to the frequency with which their songs are played, raising concerns about flawed or incomplete data collection (Ramesh, 2024). The distribution process has been criticized as opaque, with creators unsure of how revenues are calculated or allocated. Some prominent Indonesian singers have publicly questioned whether LMKD is fulfilling its mandate effectively, noting that despite the wide commercial use of their works, the royalties received are negligible (Talahatu et al., 2023a).

Business operators, on the other hand, have resisted compliance with the regulation, arguing that the costs imposed are unclear, burdensome, and inconsistently enforced. Many hotels, restaurants, and karaoke establishments continue to play music without securing licenses, relying on weak enforcement and limited monitoring capacity to avoid paying royalties. The resulting tensions highlight not only deficiencies in institutional design but also broader societal challenges: low awareness of intellectual property rights, weak compliance culture, and inadequate judicial enforcement mechanisms.

The Indonesian case thus illustrates the gap between normative legal frameworks and practical realities. On paper, the law guarantees singers and musicians the right to be compensated when their works are commercially exploited (Rogate, 2024). In practice, systemic weaknesses mean that these rights are often unrealized. The consequence is that Indonesian singers and songwriters remain vulnerable, their livelihoods insecure, and their capacity to innovate stifled by a lack of fair economic incentives.

While the royalty problem may appear as a domestic issue, its implications resonate across ASEAN. Music, like many forms of creative work, transcends national boundaries (Sunarti et al., 2023). Indonesian songs are widely played in Malaysia, Singapore, and Brunei, just as Malaysian and Filipino works circulate in Indonesia. Yet, without a coherent regional mechanism for the recognition and enforcement of royalties, artists face enormous barriers to securing fair compensation beyond their home jurisdictions (Rogate, 2024).

This issue underscores the urgency of pursuing legal convergence in intellectual property rights across ASEAN. Convergence does not necessarily require absolute uniformity, but it does demand a commitment to shared standards, mutual recognition, and institutional cooperation. In the absence of such convergence, fragmentation will persist, discouraging cross-border collaboration and limiting the growth of ASEAN's creative economy.

The creative industry represents one of the most promising sectors for ASEAN's economic future. According to UNESCO (2019), creative industries contribute between 3–5% of GDP in several ASEAN countries, with music playing a central role (Syafri et al., 2023). The ability of singers and musicians to earn fair royalties is thus not only a matter of individual justice but also a driver of broader economic development. Protecting these rights through convergent legal frameworks would stimulate innovation, attract investment, and enhance ASEAN's global competitiveness (Antons & Blakeney, 2023).

Despite initiatives such as the ASEAN Intellectual Property Rights Action Plan (2016–2025), intellectual property enforcement in ASEAN remains uneven and fragmented. The Indonesian royalty case highlights systemic weaknesses: lack of transparency, weak enforcement, and low compliance. Similar challenges are evident, in varying degrees, across the region. Without regional mechanisms to address these disparities, the goal of building an integrated, innovation-driven ASEAN Economic Community will remain elusive.

This paper is guided by the central research question: How can legal convergence in intellectual property rights within ASEAN enhance innovation, with specific reference to the regulation and enforcement of music royalties in Indonesia?

The objectives of this study are to:

1. Analyze disparities in IPR protection across ASEAN, particularly in copyright and related rights.
2. Examine the Indonesian experience of regulating music royalties as a case study of broader regional challenges.
3. Compare Indonesia's approach with those of Malaysia and Singapore, identifying lessons and best practices.
4. Explore possible pathways toward legal convergence in ASEAN IPR frameworks.
5. Demonstrate how convergence can strengthen innovation and competitiveness within the ASEAN Economic Community.

The regulation of royalties lies at the heart of private law. It governs the contractual relationships between artists, collective management organizations, and commercial users. Yet, the implications of these private law relationships extend far beyond national boundaries, influencing the capacity of ASEAN to realize its vision of economic integration. By situating the analysis within the theme of legal convergence, this study contributes to the broader objective of navigating legal diversity and harmonization in ASEAN, as emphasized by the international conference theme.

Literature Review

Intellectual property rights as a catalyst for innovation

A growing body of literature underscores the role of intellectual property rights (IPR) as a fundamental driver of innovation and economic growth. Strong IPR regimes can stimulate investment in research and development (R&D) by providing inventors and creators with legal certainty and financial incentives. The World Intellectual Property Organization (WIPO, 2022) similarly emphasizes that the effective protection of patents, trademarks, copyrights, and related rights fosters the development of knowledge economies and facilitates technology transfer. However, scholars also note that

excessively stringent IPR regimes may hinder access to knowledge and restrict opportunities for late-developing countries to catch up technologically (Stiglitz, 2008).

Within the field of copyright law, innovation is increasingly linked to the creative industries, where music, film, and digital content form significant contributors to national economies. Cunningham (2014) argues that balanced copyright protection is essential not only to reward creators but also to maintain a dynamic cultural economy that encourages the free flow of ideas and creativity (Geiger, 2017). In this context, the regulation of royalties has emerged as a pressing issue, especially in regions with rapidly expanding digital markets.

IPR in the ASEAN context

ASEAN presents a unique landscape for studying IPR due to its legal diversity and varying levels of economic development. Several ASEAN states, such as Singapore and Malaysia, have achieved advanced IPR protection regimes in line with TRIPS and WIPO standards, others remain constrained by weak enforcement mechanisms and limited institutional capacity (Blakeney, 2023). This fragmentation leads to uncertainty for both domestic and foreign investors and hampers the creation of a truly integrated ASEAN Economic Community (AEC).

The ASEAN Intellectual Property Rights Action Plan (2016–2025) has been highlighted in several policy studies as an important step toward strengthening regional cooperation (Antons & Blakeney, 2023b). The plan aims to harmonize patent examination standards, establish cooperation among copyright offices, and promote awareness of IPR across the region. Yet, academic critiques argue that the plan lacks binding force, relying heavily on voluntary compliance and soft law mechanisms (Koh, 2019). This raises questions about the extent to which ASEAN can achieve substantive legal convergence in the absence of a regional treaty framework.

Legal diversity and the challenge of convergence

Legal pluralism in ASEAN has been widely discussed in comparative law literature. (Smith, 2024) argue that ASEAN's diversity encompassing civil law, common law, Islamic law, and hybrid systems creates significant barriers to harmonization. At the same time, scholars such as Antons (2011) suggest that diversity should not be viewed solely as an obstacle but as a potential source of innovation in legal integration, provided that convergence efforts respect cultural and legal traditions.

The concept of “legal convergence” in the field of IPR has gained increasing attention. (Low, 2022) highlights that convergence can occur not only through formal harmonization of statutes but also via judicial cooperation, mutual recognition agreements, and the adoption of best practices. In the ASEAN context, convergence is essential to create a level playing field for innovators and to ensure that creative industries can thrive across borders. However, there remains limited empirical research on how such convergence can be operationalized in specific sectors, such as the music industry.

Creative industry and music royalties in Southeast Asia

The creative economy, particularly the music industry, has been identified as a significant contributor to economic growth in ASEAN. UNESCO (2019) reports that creative industries contribute between 3–5% of GDP in several ASEAN countries, with music and film representing rapidly expanding sectors. Yet, effective protection of copyright and related rights remains uneven.

In Indonesia, the introduction of Government Regulation No. 56 of 2021 on music royalties has generated extensive debate. Legal scholars such as Suryomenggolo (2022) note that while the regulation reflects progress in recognizing performers' rights, its implementation has been hindered by inadequate institutional capacity and lack of transparency in collective management. By contrast, Malaysia and Singapore have more established systems for royalty collection, supported by stronger collective management organizations (CMOs) and clearer legal provisions (Lee, 2018). The divergence of practices across ASEAN highlights the absence of a regional framework for addressing cross-border royalty issues.

Gaps in the literature

While the relationship between IPR and innovation has been well documented globally, research focusing specifically on ASEAN remains relatively underdeveloped. Existing studies tend to analyze ASEAN's legal frameworks in broad terms, often emphasizing compliance with TRIPS or WIPO standards, but rarely examining the practical implications of fragmented IPR regimes for innovation in specific industries (Magdariza, 2023). Moreover, limited attention has been paid to the role of legal convergence as a strategy for overcoming disparities within ASEAN.

Most importantly, scholarship on music royalties in ASEAN is still nascent. Although national-level studies exist for Indonesia, Malaysia, and Singapore, there is little comparative research that situates these developments within the broader context of ASEAN legal integration. This represents a significant research gap, as the issue of royalties provides a concrete entry point for analyzing the intersection of IPR, private law, and innovation in the region.

Contribution of the study

This study contributes to the literature by bridging these gaps. First, it situates the analysis of IPR within the specific framework of ASEAN's legal diversity and economic integration. Second, it employs a comparative legal approach to highlight how differences in national systems affect the protection of copyright and related rights, particularly in the creative industries. Third, it uses the Indonesian case of music royalties as an illustrative study to demonstrate the challenges and opportunities for convergence. In doing so, this paper extends the discourse on private law in ASEAN and underscores the importance of legal convergence as a mechanism for fostering innovation and competitiveness in the AEC.

Method

This study adopts a qualitative legal research design, grounded in doctrinal and comparative legal methodologies. Legal research of this nature does not rely on statistical or quantitative data, but rather focuses on the systematic analysis of legal norms, principles, and doctrines derived from authoritative legal sources. The objective is to identify, interpret, and evaluate the rules governing intellectual property rights (IPR) in ASEAN member states, with particular reference to copyright and related rights in the creative industries. The doctrinal method forms the foundation of this research. As [Hutchinson and Duncan \(2012\)](#) explain, doctrinal research involves the study of legal texts to ascertain “what the law is” on a particular subject. In this study, the doctrinal method is applied to examine primary and secondary sources of law. Through doctrinal analysis, this study clarifies the legal positions of different jurisdictions and identifies areas of convergence and divergence in IPR protection across ASEAN.

In addition to doctrinal analysis, this study employs a comparative legal methodology to examine the differences and similarities in IPR regimes among ASEAN member states. Comparative law is particularly valuable in the ASEAN context, where legal diversity is both a defining feature and a major challenge to integration. By focusing on the jurisdictions of Indonesia, Malaysia, and Singapore, the study highlights three distinct approaches: (1) Indonesia represents a developing legal system grappling with enforcement challenges and evolving institutional frameworks; (2) Malaysia exemplifies a hybrid system with stronger copyright protection mechanisms, supported by established collective management organizations; and (3) Singapore reflects a highly developed system, closely aligned with international standards and serving as a model for regional innovation policy. The comparative analysis enables the identification of best practices and lessons that may inform ASEAN-level convergence.

To contextualize the doctrinal and comparative findings, this study incorporates a case study approach focusing on the issue of music royalties in Indonesia. The enactment and implementation of Government Regulation No. 56 of 2021 serves as a lens through which the challenges of IPR enforcement are examined. The case study highlights the gaps between normative legal provisions and practical realities, illustrating the broader difficulties of achieving legal convergence in ASEAN.

The data are analyzed using qualitative content analysis. Legal provisions and policy documents are read critically to identify recurring themes, principles, and challenges. Comparative analysis is then applied to synthesize similarities and differences across jurisdictions. Finally, the findings are interpreted through the conceptual framework of legal convergence, understood as the gradual alignment of legal systems through harmonization, cooperation, and best practice adoption. This analytical framework allows the study to move beyond descriptive accounts of national laws and instead propose normative recommendations for ASEAN-wide convergence in IPR.

Results and Discussion

Fragmentation of intellectual property rights in ASEAN

The ASEAN region is marked by significant diversity in legal systems, institutional capacity, and enforcement practices related to intellectual property rights (IPR). While ASEAN members are formally bound by international obligations under the TRIPS Agreement, their levels of compliance and enforcement vary widely. Singapore is widely recognized for having one of the most advanced IPR regimes in Asia, with comprehensive statutory provisions and strong enforcement mechanisms (Wee Loon, 2023). Malaysia also maintains a well-developed system, supported by collective management organizations (CMOs) that distribute royalties effectively to creators (Mohd Syaufiq Abdul Latif et al., 2024). In contrast, countries such as Cambodia, Laos, and Myanmar continue to struggle with institutional weakness, limited resources, and low public awareness of IPR (Tieng et al., 2024).

This diversity creates what scholars have termed a “patchwork” system, where legal protections are uneven and business actors face uncertainty when operating across borders. Investors and innovators may hesitate to expand into jurisdictions with weak IPR enforcement, fearing piracy, counterfeiting, or lack of judicial remedies (Kumar & Jawed, 2024). This fragmentation not only undermines the competitiveness of individual states but also erodes ASEAN’s collective ambition to build an integrated and innovation-driven economic community.

The Indonesian case: music royalties and copyright enforcement

The enactment of Government Regulation No. 56 of 2021 on the Management of Royalties for Songs and Music represents Indonesia’s attempt to strengthen copyright enforcement, particularly in the creative industry. The regulation mandates that any party utilizing songs or music for commercial purposes such as restaurants, hotels, karaoke establishments, or streaming platforms must pay royalties through a designated system managed by the National Collective Management Body (LMKN) (Talahatu et al., 2023b).

While this legal development was welcomed as a step toward greater recognition of artists’ rights, its implementation has been highly contested. First, transparency remains a major concern: musicians have questioned how royalties are calculated, collected, and distributed, with many alleging that revenues are not reaching the rightful performers. Second, resistance from business operators has been widespread, with many refusing to comply due to the perceived burdens of payment and lack of clarity in enforcement procedures. Third, Indonesia’s judiciary and enforcement bodies have limited capacity to prosecute non-compliance effectively, resulting in weak deterrence.

The Indonesian case illustrates the difficulties of translating normative legal provisions into effective practice. It highlights the broader challenge facing ASEAN: without robust

institutions and transparent mechanisms, even well-designed legal frameworks may fail to protect creators and incentivize innovation (Nasution & Judijanto, 2024).

Comparative perspectives: Malaysia and Singapore

In contrast to Indonesia, Malaysia and Singapore offer more structured and effective systems for the management of royalties.

1. Malaysia: The Copyright Act 1987, as amended, provides a solid foundation for the protection of music and related rights. Collective management organizations, such as the Music Authors' Copyright Protection (MACP), have established mechanisms for licensing and royalty collection. These organizations operate under clear regulatory oversight, and while challenges remain, the system has achieved a higher level of transparency and compliance compared to Indonesia.
2. Singapore: With the Copyright Act 2021, Singapore has modernized its copyright regime to align with international standards and address the realities of the digital economy. Collective management is conducted through entities such as COMPASS (Composers and Authors Society of Singapore), which utilizes digital tracking systems to ensure accurate royalty distribution. The country's efficient judicial system and strong enforcement capacity further enhance the credibility of its IPR framework, making Singapore a model for the region.

The comparison underscores that ASEAN states are not starting from the same baseline. Whereas Singapore represents a benchmark of best practices, Indonesia's struggles reflect the difficulties of building effective institutions in contexts of limited resources and lower levels of legal awareness (Universitas Indonesia et al., 2024).

Implications for regional innovation

The disparities among ASEAN members in regulating royalties and protecting IPR have profound implications for innovation. Innovation thrives in environments where creators are confident that their rights will be respected and enforced. Weak or inconsistent protections discourage investment in creative industries, reduce incentives for artists to produce original works, and create opportunities for exploitation by intermediaries.

Conversely, robust and convergent IPR regimes can serve as a catalyst for innovation. When musicians, filmmakers, software developers, and entrepreneurs are assured that their rights will be recognized across borders, they are more likely to collaborate regionally, share knowledge, and invest in long-term creative ventures. In this sense, legal convergence is not merely a technical or bureaucratic goal but a strategic imperative for building a sustainable and competitive ASEAN Economic Community.

Pathways Toward Legal Convergence

Achieving legal convergence in IPR within ASEAN requires a combination of harmonization, mutual recognition, and regional cooperation. Several pathways are available:

1. **Harmonization of Substantive Law:** ASEAN could adopt model laws or minimum standards for copyright, patent, and trademark protection, ensuring a basic level of uniformity across member states. This approach has precedent in the EU's directives on intellectual property.
2. **Mutual Recognition Agreements:** Even in the absence of full harmonization, ASEAN states could agree to recognize the validity of licenses, contracts, and rights management decisions made in other member states. This would facilitate cross-border royalty collection and distribution in the music industry.
3. **Strengthening Regional Institutions:** The ASEAN Working Group on Intellectual Property Cooperation could be granted a stronger mandate to coordinate enforcement, share best practices, and provide technical assistance to less developed members.
4. **Leveraging Technology:** Digital platforms for licensing and royalty collection, supported by blockchain or other transparent tracking systems, could enhance accountability and reduce disputes. ASEAN could establish a regional digital rights management system as a pilot initiative.
5. **Balancing Public Interest and Private Rights:** Any convergence effort must balance the need to reward creators with considerations of access, affordability, and cultural exchange. Excessively strict regimes may hinder educational and public uses, while overly lax systems undermine innovation. The principle of proportionality should therefore guide convergence efforts.

The role of private law in regional integration

The issues of royalties, licensing, and contractual arrangements in the creative industry fall squarely within the domain of private law. However, their regional significance demonstrates how private law issues intersect with broader goals of economic integration. By converging IPR frameworks in the private law domain, ASEAN can create a predictable and innovation-friendly environment that benefits both creators and consumers. This strengthens not only private rights but also collective aspirations for regional development.

Conclusion

This study has examined the relationship between intellectual property rights (IPR) and innovation within the framework of the ASEAN Economic Community (AEC), with particular attention to the issue of copyright royalties in the creative industry. The findings demonstrate that while ASEAN has made commendable progress in strengthening regional cooperation on IPR through initiatives such as the ASEAN Intellectual Property Rights Action Plan (2016–2025), the region continues to suffer from fragmentation, uneven enforcement, and lack of binding mechanisms for legal convergence.

The Indonesian case of music royalties illustrates these challenges in concrete terms. Although Government Regulation No. 56 of 2021 represents a step forward in recognizing the rights of creators, its implementation has been marred by institutional weaknesses, resistance from business actors, and lack of transparency in royalty distribution. When contrasted with the more developed systems of Malaysia and Singapore, it becomes evident that disparities among ASEAN member states undermine not only national innovation ecosystems but also regional integration efforts.

The comparative analysis underscores that legal convergence in IPR is essential for transforming ASEAN into an innovation-driven community. Convergence offers multiple benefits: it enhances predictability for investors, strengthens the position of creators in cross-border transactions, facilitates knowledge transfer, and builds regional competitiveness in the global creative economy. Without convergence, ASEAN risks perpetuating a fragmented legal landscape that deters innovation and erodes its collective ambition for economic integration.

From a legal perspective, the regulation of royalties, licensing, and contractual relationships belongs squarely within the domain of private law. Yet, as this study has shown, the consequences of private law fragmentation extend far beyond individual disputes, shaping the trajectory of regional economic development. Legal convergence in private law, particularly in the field of IPR, is therefore both a legal necessity and a strategic priority for ASEAN.

Suggestions

Based on the findings of this study, the following recommendations are proposed for policymakers, regional institutions, and stakeholders in ASEAN:

1. Adopt Regional Minimum Standards for IPR Protection

ASEAN should consider developing regional guidelines or model laws that establish minimum standards for copyright and related rights protection. While full harmonization may not be feasible in the short term due to legal diversity, minimum standards would provide a baseline of protection that reduces disparities and creates greater predictability for rights holders.

2. Strengthen the ASEAN Working Group on Intellectual Property Cooperation

The existing working group should be granted a stronger mandate to monitor implementation, facilitate knowledge sharing, and coordinate cross-border enforcement. This could include a mechanism for peer review, whereby member states periodically evaluate each other's progress in strengthening IPR systems.

3. Promote Mutual Recognition Agreements in Royalty Management

ASEAN could pilot mutual recognition agreements in the field of collective management of royalties. Such agreements would allow musicians and creators from one member state to receive royalties when their works are used in another,

without facing duplicative administrative burdens. This initiative would directly benefit the creative industry and foster regional cultural exchange.

4. Leverage Technology for Transparency and Accountability

The adoption of digital rights management systems, possibly supported by blockchain technology, could significantly improve the transparency of royalty collection and distribution. A regional digital platform for licensing and royalty tracking could be developed under ASEAN's auspices, ensuring accountability and reducing disputes.

5. Enhance Capacity Building and Public Awareness

Less developed ASEAN states require targeted capacity-building initiatives to strengthen their legal institutions, train enforcement officers, and raise public awareness of IPR. Technical assistance could be provided through ASEAN cooperation or partnerships with international organizations such as WIPO and UNESCO.

6. Balance Innovation Incentives with Public Interest

Convergence efforts must avoid a one-size-fits-all approach. Excessively strict regimes could restrict access to cultural works, education, or essential technologies. ASEAN should therefore adopt a balanced framework that rewards creators while safeguarding public interest, consistent with the principle of proportionality in private law.

7. Use the Creative Industry as a Pilot Project for Legal Convergence

The music royalty issue provides an ideal starting point for testing regional convergence in IPR. Success in this sector could build momentum for broader harmonization in other areas, such as patents, trademarks, and digital rights. By demonstrating tangible benefits in the creative industry, ASEAN can foster political will for deeper integration.

References

- [1] Government Regulation of the Republic of Indonesia Number 56 of 2021 concerning Management of Royalties for Copyright of Songs and/or Music
- [2] -, P. P., -, U. R., -, S. K., & -, K. N. (2024). The Role of Intellectual Property in Fostering Innovation and Economic Growth. *International Journal For Multidisciplinary Research*, 6(5), 28732. <https://doi.org/10.36948/ijfmr.2024.v06i05.28732>
- [3] Antons, C., & Blakeney, M. (2023a). Intellectual property, creativity and innovation in ASEAN. In C. Antons & M. Blakeney (Eds.), *Intellectual Property Law in South East Asia* (pp. 1–16). Edward Elgar Publishing. <https://doi.org/10.4337/9781035308392.00005>
- [4] Antons, C., & Blakeney, M. (2023b). Intellectual property, creativity and innovation in ASEAN. In C. Antons & M. Blakeney (Eds.), *Intellectual Property Law in South East Asia* (pp. 1–16). Edward Elgar Publishing. <https://doi.org/10.4337/9781035308392.00005>
- [5] Blakeney, M. (2023). Enforcement of IPRs in ASEAN. In C. Antons & M. Blakeney (Eds.), *Intellectual Property Law in South East Asia* (pp. 358–377). Edward Elgar Publishing. <https://doi.org/10.4337/9781035308392.00018>

- [6] Garcia, G. (2023). Intellectual property rights in South East Asian least developed countries: The cases of Cambodia, the Lao Peoples Democratic Republic, and Myanmar. In C. Antons & M. Blakeney (Eds.), *Intellectual Property Law in South East Asia* (pp. 157–215). Edward Elgar Publishing. <https://doi.org/10.4337/9781035308392.00011>
- [7] Geiger, C. (2017). Copyright as an access right: Securing cultural participation through the protection of creators' interests. In R. Giblin & K. Weatherall (Eds.), *What if we could reimagine copyright?* (1st ed., pp. 73–109). ANU Press. <https://doi.org/10.22459/WIWCRC.01.2017.03>
- [8] Kumar, K., & Jawed, S. (2024). Emerging Issues of IPR in Developing and Under Developed Countries. *International Journal of Social Science Research and Review*, 7(10), 202–210. <https://doi.org/10.47814/ijssrr.v7i10.2379>
- [9] Low, G. (Ed.). (2022). *Convergence and Divergence of Private Law in Asia* (1st ed.). Cambridge University Press. <https://doi.org/10.1017/9781108566391>
- [10] Magdariza, M. (2023). Pengaturan Hak Kekayaan Intelektual dalam Masyarakat Ekonomi Asean dan Implikasinya bagi Indonesia. *UNES Law Review*, 6(1), 2318–2329. <https://doi.org/10.31933/unesrev.v6i1.1022>
- [11] Mohd Syaufiq Abdul Latif, Nazura Abdul Manap, & Nabeel Mahdi Althabhwawi. (2024). Proposal For Copyright Compensation For Artificial Intelligence (AI) Data Training In Malaysia. *IUM Law Journal*, 32(2), 159–192. <https://doi.org/10.31436/iiumlj.v32i2.978>
- [12] Nasution, E. R., & Judijanto, L. (2024). Legal Strategies for Protecting Intellectual Property Rights in Business A Case Study Creative Industry in Indonesia. *The Easta Journal Law and Human Rights*, 2(02), 80–88. <https://doi.org/10.58812/eslhr.v2i02.209>
- [13] Ramesh, Dr. S. (2024). The Economics of Music Streaming: Impact on Artist Compensation and Industry Structure in the Digital Era. *Journal of Humanities, Music and Dance*, 46, 1–8. <https://doi.org/10.55529/jhmd.46.1.8>
- [14] Rogate, L. (2024). Hak Royalti Dalam Industri Musik: Analisis Perlindungan Hukum Terhadap Pencipta Lagu Terkait Cover Lagu: Royalty Rights in The Music Industry: Legal Protection Analysis For Songwriters Regarding Cover Songs. *Jurnal Globalisasi Hukum*, 1(2), 320–341. <https://doi.org/10.25105/jgh.v2i1.21423>
- [15] Rokan, M. P. (2021). Royalty Management Arrangements for Song and/or Music Copyright: The Needs of Indonesian Musicians. *Locus: Jurnal Konsep Ilmu Hukum*, 1(1), 30–37. <https://doi.org/10.56128/jkih.v1i1.15>
- [16] Smith, R. B. (2024). Complexity of Legal Harmonisation in Southeast Asia: A Diversity of Legal Systems & Languages. *Athens Journal of Law*, 10(2), 233–254. <https://doi.org/10.30958/ajl.10-2-4>
- [17] Sunarti, L., Tejowasono, N. S., Hussin, H., Ibrahim, A., & Sari, N. F. L. (2023). Travelling songs: Heritage and popular culture in contemporary ASEAN. *Cogent Arts & Humanities*, 10(1), 2198313. <https://doi.org/10.1080/23311983.2023.2198313>
- [18] Syafri, M., Shobirin, M. S., Ekowati, D., & Maghfirah, N. (2023). The Impact of Creative Industries on Economic Growth: Case Studies in Developing Countries in Malaysia and Indonesia. *West Science Journal Economic and Entrepreneurship*, 1(10), 271–278. <https://doi.org/10.58812/wsjee.v1i10.295>
- [19] Talahatu, R. C., Berlianty, T., & Balik, A. (2023a). Perlindungan Hak Ekonomi Pencipta Dan Pemegang Hak Cipta Atas Pemutaran Musik Atau Lagu Di Kafe Dan Restoran. *KANJOLI Business Law Review*, 1(2), 81–89. <https://doi.org/10.47268/kanjoli.v1i2.11609>
- [20] Talahatu, R. C., Berlianty, T., & Balik, A. (2023b). Perlindungan Hak Ekonomi Pencipta Dan Pemegang Hak Cipta Atas Pemutaran Musik Atau Lagu Di Kafe Dan Restoran. *KANJOLI Business Law Review*, 1(2), 81–89. <https://doi.org/10.47268/kanjoli.v1i2.11609>
- [21] Tieng, M., Hour, R., Yoeng, H., Vam, P., & Sam, R. (2024). Legal Challenges of Intellectual Property in Southeast Asia: Key Issues and Implications for Cambodia. *Open Science Framework*. <https://doi.org/10.31219/osf.io/czy6r>
- [22] Universitas Indonesia, Ayuningrum, W. M., Herari, N., & LSPR Institute of Communication & Business. (2024). Comparative Analysis of Government Communication Strategies in Environmental Law Enforcement: A Case Study of Indonesia (DKI Jakarta) and Singapore. *Journal of Communication & Public Relations*, 3(2), 83–101. <https://doi.org/10.37535/105003220245>
- [23] Wee Loon, N.-L. (2023). Intellectual property law in Singapore. In C. Antons & M. Blakeney (Eds.), *Intellectual Property Law in South East Asia* (pp. 18–32). Edward Elgar Publishing. <https://doi.org/10.4337/9781035308392.00007>