

Legal Analysis of Strengthening Legal Protection and Market Access for MSMEs in Kerta Buana Village

Reza Pramasta Gegana¹, Kalen Sanata², Gusti Fadhi Fithrian Luthfan³, Johan Tri Noval Hendrian Tombi⁴, M. Andika Nur Sholeh⁵

¹²³⁴⁵Faculty of Law, Mulawarman University, East Kalimantan,

Abstract

This study aims to analyze the effectiveness of legal protection and strategies to improve market access for Micro, Small, and Medium Enterprises (MSMEs) in Kerta Buana Village, Kutai Kartanegara Regency, East Kalimantan. Using a socio-legal approach and qualitative-empirical methods, this study explores legal and non-legal barriers in business formalization efforts through Business Identification Numbers (NIB), Intellectual Property Rights (IPR) ownership, and adaptation to market digitalization. The results show that 68% of MSME actors do not yet have an NIB and 84% do not yet have halal certification or SPPIRT, which directly implies low access to financing and digital markets. The proposed strengthening model consists of two main pillars: Legal Empowerment and Market Integration, developed within the collaborative framework of Penta-Helix (government, academia, private sector, community, and media). The implementation of programs such as Kredit Kukar Idaman (KKI) and the SME Clinic are strategic instruments for promoting business legality and increasing market competitiveness.

Keywords: *SMEs; Legal Protection; Market Access; Socio-Legal; Penta-Helix.*

A. Introduction

Micro, Small, and Medium Enterprises (MSMEs) are an important foundation in the national economic structure, especially in rural areas such as Kerta Buana Village, Kutai Kartanegara. MSMEs not only contribute to creating jobs and growing the local economy, but also play a social role as an instrument of empowerment for vulnerable groups such as women and low-income communities.¹ Given the contribution and role of MSMEs, it is important for the government to continue supporting MSMEs through strengthening so that their role as a pillar in building the nation's economy can be optimized.²

However, SMEs still face structural challenges, one of which is weak legal protection. Many MSME players do not have formal business licenses, such as a Business Identification Number (NIB), which results in a lack of legal certainty and limited access to government facilities,

¹ A. Mulyana and D. Prihamdani, "The Importance of Legality for Micro, Small, and Medium Enterprises in Kutagandok Village, Kutawaluya District, Karawang Regency," *Abdima Journal of Community Service* 7, no. 2 (2025), <https://journal.ubpkarawang.ac.id/index.php/AJPM/article/view/9564>.

² Dasrol Dasrol et al., "Legal Protection for Micro, Small, and Medium Enterprises in Efforts to Strengthen the Community Economy in Kampar District," *Journal of Legal Enforcement* 11, no. 2 (2024): 226–32, <https://doi.org/10.31289/jiph.v11i2.13049>.



financial institutions, and digital markets.³ Unclear regulations and weak supervision of law enforcement at the local level further exacerbate inequality in legal protection between large and small businesses.⁴

On the other hand, limited market access is also a significant obstacle faced by MSMEs. This includes a lack of digital literacy, limited access to e-commerce platforms, and a lack of policy support for strengthening local supply chains.⁵ Recent studies show that MSMEs that have accessed digital markets such as Shopee, with good legal and literacy support, have experienced a significant increase in income. Unfortunately, not all MSME actors have the same capabilities and support to enter this digital ecosystem.⁶

Therefore, this research is important to evaluate and formulate strategies to strengthen legal protection and expand market access for MSMEs through a socio-legal approach. This approach aims to bridge the gap between formal regulations and the real social conditions of MSME actors in the regions. Thus, the results of this study are expected to not only contribute to the development of legal theory, but also have a direct impact on the formulation of inclusive and adaptive policies at the local level.

Therefore, the research questions in this study are: What forms of legal protection are available for MSMEs? What are the main obstacles to market access? And what are the strategies for strengthening legal protection and market access based on a socio-legal approach?

Based on the above background, the research questions in this study are:

1. How is the implementation and effectiveness of legal protection regulations for MSMEs in Kerta Buana Village?
2. What are the legal and non-legal obstacles faced by MSMEs in Kerta Buana Village in accessing a wider market?
3. What is the appropriate and sustainable model for strengthening legal protection and improving market access for MSMEs in Kerta Buana Village, Kutai Kartanegara?

³ D. Ilmiyah et al., "NIB Certification: Opportunities and Challenges for MSMEs in Sentong Village," *Journal of Innovation and Community Empowerment*, 2025, <https://journal.iel-education.org/index.php/JIPPMas/article/view/426>.

⁴ G. Perkasa and Y. Yoestini, "Analysis of the Influence of Trade Credit Insurance, Government Support, and Entrepreneurial Orientation on SME Performance," 2025, <https://repofeb.undip.ac.id/15861/>.

⁵ N. Z. Djahamao, "Transformation of MSMEs through Shopee: A Study of Legal Policy in the Era of Digitalization based on Living Economics Growth in Indonesia," *Iqtishaduna Student Law Journal*, 2025, <https://tes-ojs.uin-alauddin.ac.id/index.php/iqtishaduna/article/view/56075>.

⁶ Ibid.



B. Research Method

The form of the research method is made into 1-2 paragraphs, there is no need to make separate points like in a thesis or thesis, journal writing is different from the two scientific works.

The research method must clearly state the research method used, legal materials used (if normative juridical research)/data used (if empirical/sociolegal juridical research), approach used (if normative), research location, informants and respondents (if empirical), legal material/data collection techniques, and data analysis techniques. Writing research methods does not need to use subtitles.

This research method uses a **socio-legal** approach, which combines normative legal analysis with empirical social dynamics in the field. This approach was chosen to explain the relationship between the effectiveness of legal norms and the social realities faced by Micro, Small, and Medium Enterprises (MSMEs) at the village level. The research was conducted in Kerta Buana Village, Tenggara Seberang District, Kutai Kartanegara Regency, East Kalimantan. Data collection techniques were carried out through observation and in-depth interviews with key informants consisting of MSME actors and village officials. In addition, an analysis of legal documents and regional policies was carried out, especially **primary legal materials** covering laws and regulations that form the legal basis for the empowerment and protection of MSMEs, such as *Law Number 20 of 2008 concerning Micro, Small and Medium Enterprises*, *Law Number 11 of 2020 concerning Job Creation*, which simplifies business licensing through the *Online Single Submission (OSS)* system, and *Government Regulation Number 7 of 2021 concerning Facilitation, Protection, and Empowerment of Cooperatives and MSMEs*. In addition, *Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing* is also used as a technical reference in analyzing business legality, as well as *Kutai Kartanegara Regency Regulation Number 2 of 2024 concerning the Protection of Local Products* and *Kutai Kartanegara Regent Regulation Number 74 of 2021 concerning the "Bena and Buy Local Products" Movement* as regional legal instruments that directly regulate the protection and promotion of local products at the village level. Other legal materials that were also used as references were *Law Number 33 of 2014 concerning Halal Product Guarantee* and *Law Number 6 of 2014 concerning Villages*, which provide legitimacy for village governments in establishing local regulations on community economic empowerment.

C. Result And Discussion

Consisting of conclusions and suggestions from this study presented briefly, there is no need to make it point by point, just use paragraph format. The Conclusion section will direct



readers to the important points of the complete article. The economy of a country depends on the strength of its economic cycle. This then creates synergy from the smallest regional component to the largest element. Kerta Buana Village, located in Tenggara Seberang District, Kutai Kartanegara Regency, East Kalimantan, is one of the villages with great potential for the development of Micro, Small, and Medium Enterprises (MSMEs) based on the local economy.⁷ Small and Medium Enterprises (SMEs) are an important part of the economy of a country or region.⁸

MSMEs are one of the strengths of a country's economy. Community empowerment is an effort to improve the community's ability to develop and live better.⁹ One of the MSMEs in this village has developed in various sectors such as handicrafts, specialty foods, processed agriculture, and home production. The existence of infrastructure support such as the development of a cultural tourism village is an indicator that the MSME ecosystem in this village has a promising foundation for development. It is hoped that product sales will increase significantly between periods so that they can compete with competitors.¹⁰ MSMEs in the Kerta Buana Village area still face structural and functional challenges. These challenges have become one of the obstacles for MSME entrepreneurs in Kerta Buana Village. MSMEs in the Kerta Buana area are developing in various potential sectors, including handicrafts, specialty cuisine, and processed agricultural products. The presence of a supporting ecosystem, such as the development of a cultural tourism village, further confirms that Kerta Buana Village is moving towards becoming a tourist village. The empowerment of Micro, Small, and Medium Enterprises (MSMEs) is carried out holistically, efficiently, and sustainably through efforts to improve the business environment, provide opportunities for business actors, provide protection support, and promote optimal business growth and development.¹¹

⁷ Elly Nurlaili et al., "Protection for Micro, Small and Medium Enterprises Based on Indonesian Law," *International Journal of Multicultural and Multireligious Understanding* 11, no. 5 (2024): 161–66, <https://doi.org/10.18415/ijmmu.v11i5.5710>.

⁸ Christian Punu et al., *The Effectiveness of Community Empowerment Programs for Small and Medium Enterprises (SMEs) in Manado City*, 1, no. 2 (2021): 1–8.

⁹ Riska Risty Wardhani et al., "Empowering Micro, Small, and Medium Enterprises (MSMEs) Through Digitalization for Economic Growth," *Hasil Karya 'Aisyiyah Untuk Indonesia* 3, no. 2 (2024): 115–22, <https://doi.org/10.31101/hayina.3299>.

¹⁰ Mersiana Varia Juita, "Strengthening the Competitiveness of MSMEs Through an Empowerment Model Based on Internal Control Systems," *Journal of Regional Economics Indonesia* 2, no. 2 (2021): 50–65, <https://doi.org/10.26905/jrei.v2i2.7218>.

¹¹ "Empowerment of Micro, Small, and Medium Enterprises through Trademark Protection under Law Number 20 of | POSTULAT," accessed January 13, 2026, https://journal.neolectura.com/index.php/postulat/article/view/1666?utm_source=chatgpt.com.



Kerta Buana Village, which is administratively located in Tenggara Seberang District, Kutai Kartanegara (Kukar) Regency, occupies a very strategic geographical and socio-economic position in the context of regional development in East Kalimantan. Kukar Regency has been designated as one of the main buffer zones for the Capital City of Nusantara (IKN). This position inherently creates transformational pressure on the local economy, particularly Micro, Small, and Medium Enterprises (MSMEs), which are required to increase their production capacity, quality standards, and legal compliance in order to integrate themselves into the IKN logistics supply chain.

The economic structure of Kerta Buana Village is clearly dominated by the primary sector. The primary sector in this economic activity refers to activities that extract or process natural resources from the environment.¹² Data shows that the majority of the village population works as farmers, which underscores the village government's commitment to making agricultural sector development a top priority in 2024. The village's production capacity is significant, as evidenced by the ownership of approximately 396 productive rice fields, which does not include plantation land. In order to improve the welfare of farmers and overcome technical production barriers, the Village Government and the Kukar Regency Government have focused on supporting infrastructure investment. These efforts include the cementing of farm roads, with the 2024 program targeting a length of 5 kilometers, adding to the nearly 11 kilometers that were completed in the previous year. The construction of this road infrastructure is a legal-economic intervention with two objectives: (1) to improve land accessibility; and (2) to directly reduce logistics (transportation) costs for agricultural MSMEs. The main challenge faced is an irrigation system that is still dependent on rainwater. To overcome this vulnerability, there are plans to build three reservoirs and provide four water pumps, including the utilization of former mining ponds. The utilization of former mining land requires careful legal review of regulations on reclamation and land conversion for public use.

Currently, Kerta Buana village is also known as a tourist village, which is what makes Kerta Buana village a tourist village. This tourist village highlights the diversity within the village. Before 2020, there were five state-recognized religions coexisting in Kerta Buana Village. This number has decreased because one of the residents of the Kong Hu Cu religion left Kerta Buana Village temporarily to seek medical treatment. This is why Kerta Buana Village was then declared a Pancasila village. In addition to the agricultural sector, Kerta Buana Village also strives

¹² Ramadhan Arya Winata et al., "PEREKONOMIAN 4 SEKTOR," *Musytari: Journal of Management, Accounting, and Economics* 10, no. 2 (2024): 81–90, <https://doi.org/10.8734/musytari.v10i2.6935>.



to diversify its economy through the development of tourist destinations, taking inspiration and reference from Penglipura Village in Bali. This diversification opens up potential for MSMEs in the tourism and creative economy sectors. This is proven by the fact that Kerta Buana Village won second place in a national competition. This became the starting point for the formation of Kerta Buana Tourism Village.

The problems faced by Kerta Buana Village in establishing this tourist village began with legal protection for MSMEs. Basically, when establishing a business, its legality must be taken into account. This legality serves as the basis for the state's right to protect the business from certain activities. This legality is the basis for a business to be granted legal protection. Therefore, managing the legality of a business is very important for people who want to start a business. This also applies to MSMEs in Kerta Buana Village. Essentially, as a form of business, the legality of the business must be established from the outset before the business begins operating. Government Regulation of the Republic of Indonesia Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing, Article 1, Paragraph 1, states that a business license is a legal document granted to a business actor to start and run a business and/or its activities. This article further emphasizes that business actors must have a business license when establishing a business. Furthermore, Article 4 states that business licensing to support business activities is a legal requirement granted to business actors to support their business activities. This reinforces the fact that business licensing must be obtained when an entrepreneur intends to establish a business.

Government Regulation of the Republic of Indonesia Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing, Article 1, paragraph 11, explains that a Business Actor is an individual or business entity that conducts business and/or activities in a particular field. The business license is issued to the business operator. The license issued to the business operator is a Business Identification Number, or NIB for short. The NIB is proof of registration of the business operator to conduct business activities and serves as the identity of the business operator in carrying out their business activities.

This licensing issue is currently still an obstacle for MSMEs in Kerta Buana Village. There are still many MSMEs in Kerta Buana Village that do not yet have a Business Identification Number (NIB). This is a fundamental problem for MSMEs, because without a Business



Identification Number (NIB), other problems will arise.¹³ One example is the inability to obtain business loans. This is not possible for MSMEs in Kerta Buana Village because their businesses do not have the legal status to do so. The legal status of a business that must be possessed by these business actors will become a fundamental problem if it is not done immediately.

When it comes to legal protection for MSMEs, especially in Kerta Buana Village, this is difficult to achieve because MSMEs in the area do not yet have the legal basis to operate. This is despite the fact that the Republic of Indonesia already has a legal framework in place. This is further exacerbated by the absence of specific legal protection regulations for MSMEs in Kerta Buana Village.

This needs to be done for MSMEs in Kerta Buana Village, creating a roadmap for MSMEs themselves. This roadmap is intended as a roadmap for MSMEs in the future, so that MSMEs in the Kerta Buana village area have targets in terms of legal protection. Kerta Buana village has potential for development in various sectors, such as handicrafts, culinary specialties, and processed agricultural products. However, this potential faces significant structural and functional challenges. Initial field data shows that local MSME actors still have low legal and entrepreneurial literacy, limited access to formal financing, and difficulty penetrating broader markets, especially digital markets. The absence of local regulations that are tangible and adaptive to small businesses exacerbates this condition. The urgency of this research increases with the designation of Kukar as a direct buffer zone for the Capital City of Nusantara (IKN). The transition to IKN requires standardization, formalization of legality, and increased digital capacity of Kukar MSMEs to be able to compete and participate in the supply chain of the new capital city. The existence of IKN encourages local MSMEs to substantially improve their competitiveness. Failure to facilitate the formalization of MSME legality at the village level has the potential to result in local economic marginalization, where Kerta Buana MSME actors fail to meet the standards and qualifications required by the IKN market.

The issue of legal protection for MSMEs certainly does not only focus on business legality, but will also be reflected in juridical and non-juridical obstacles. The most significant juridical anomaly is the critical reluctance of rural MSME actors to take care of formal legality, particularly the Business Identification Number (NIB). Although the NIB is a legal prerequisite that is easily accessible (through the *Online Single Submission/OSS* system) and essential for

¹³ Siti Fatimah et al., "Assistance in Applying for a Business Identification Number (NIB) Through the OSS-RBA System by MSMEs," *Nusantara Serving the Nation* 2, no. 1 (2025): 119–29, <https://doi.org/10.62383/numeken.v2i1.839>.



obtaining legal protection and financing facilities (such as Kukar Idaman Credit/KKI), this resistance is triggered by two main factors. Fiscal misunderstanding, deep and misguided concerns about the potential imposition of fees and taxes after formalization. The next misunderstanding is the limitation of meeting standards, difficulties in meeting the required administrative or technical standards, which are often considered too complex for micro businesses at the village level. Being trapped in an informal legal status hinders Kerta Buana MSMEs in accessing capital, legitimate business protection guarantees, and participation in large-scale public procurement such as IKN. The restructuring of the regulatory framework must focus on a “Legal Affirmative Action” strategy to change the perception among micro-business owners that legal compliance is an asset, not a burden. This can be achieved through a “Mandatory Linkage” policy, where possession of a Business Identification Number (NIB) is made an absolute administrative requirement for accessing state economic facilities, such as the 0% interest Kukar Idaman Credit (KKI). By integrating the NIB as the key to accessing capital, the regulation automatically provides direct economic benefits far greater than any concerns about fiscal burdens. Furthermore, technical and administrative barriers—often mistakenly perceived as tax burdens—can be mitigated through “Administrative Remediation” at the MSME Clinic. This unit functions as a one-stop service center providing free assistance for NIB, Halal, and SPPIRT certifications, thereby reducing transaction costs and bureaucratic complexity for business operators at the village level.

In the Online Single Submission (OSS) system, the NIB is not merely an identifier, but the basis for the state’s right to provide legal protection for business activities. This legal certainty is crucial for protecting MSMEs from predatory practices such as those of middlemen, who often exploit price volatility in commodity markets. Without an official legal identity (NIB), business operators risk facing “administrative exclusion,” where they cannot participate in large-scale public procurement such as the IKN project. To dispel misguided fiscal concerns, policy communication must emphasize that formalization is an instrument of market standardization and qualification, not merely a tax-collection tool. Digital transformation and financial literacy integrated into the KKI program are essential to ensure that SMEs possess sufficient competitiveness to avoid being marginalized (economic marginalization) when entering the IKN supply chain.

The next issue relates to the lack of legal certainty regarding institutional assets. The Kerta Buana Village-Owned Enterprise (BUMDes) faces legal obstacles related to the status of



institutional asset ownership. To date, BUMDes does not have a permanent office and plans to utilize land granted by the company.

From the perspective of village institutional law, the process of transferring asset status through grants cannot be done informally. This requires a clear stipulation in the Village Regulation (Perdes) and approval through the Village Deliberation Forum to ensure legal certainty over these assets and avoid disputes in the future. The absence of an office with clear legal status hinders the development of BUMDes as an independent and professionally operating legal entity. Optimizing the legal framework for village institutions is crucial to ensuring the autonomy and professionalism of Village-Owned Enterprises (BUMDes) through the clarification of asset status. Legally, the process of land utilization or the donation of corporate assets must not be conducted informally but must be formalized through Village Regulations (Perdes) and Village Assemblies to avoid future legal disputes that could paralyze operations. To prevent these bureaucratic procedures from hindering competitiveness in a fast-paced market, villages need to adopt the Penta-Helix collaboration model, which involves strategic partnerships with the private sector through Corporate Social Responsibility (CSR) programs. This collaboration enables BUMDes to receive direct management and technological support, ensuring they can continue to act as price stabilizers and guarantors of local product absorption without having to wait for the resolution of protracted internal bureaucratic processes.

These obstacles will also continue to cause gaps in quality certification compliance. The integration of MSME products, especially in the agricultural sector (such as oyster mushroom cultivation or grain processing), into broader markets—particularly the IKN—requires compliance with product quality and legality regulations. Many rural MSMEs still need intensive assistance to obtain basic product legality, such as: Home Industry Food Production Certificate (SPPIRT) and Halal Certification.

Although the Kukar Regency Government facilitates this certification free of charge (for example, the target of 3,500 free halal certifications by 2025), the administrative and operational readiness of Kerta Buana MSMEs to meet these standards is often an initial obstacle. Non-legal barriers are closely related to internal business issues, human resource capabilities, and structural challenges in the market and infrastructure in the field. In this case, there are several weaknesses that prevent this from going according to plan. First, low financial literacy and capital management. Although the Kukar Government provides highly *inclusive* access to capital through the Kukar Idaman Credit (KKI) with 0% interest, the effectiveness of this program is



hampered by the managerial capacity of the loan recipients. The main problem identified is the low financial literacy of micro MSMEs. Many business actors at the village level, who have difficulty managing loans, are unable to manage loans optimally amid fierce market competition. Another issue is the lack of financial records, as they do not have basic financial records or a clear separation between business and personal finances. This phenomenon, known as capital management failure, has the potential to render KKI funds unproductive or even cause financial trauma from previous loans.

The next problem is that MSMEs in Kerta Buana Village face structural challenges in human resources (HR), particularly related to understanding and utilizing information technology (IT). Limited Marketing: Many MSMEs do not yet understand how to utilize online platforms for digital marketing, so their product marketing is limited to the local market only. This hinders their ability to reach a wider market (regional or IKN) and reduces their competitiveness. Lack of Digital Knowledge: Initial surveys show that MSMEs' knowledge of digital marketing and accounting is still minimal before receiving training. This limitation slows down the digital transformation process promoted by the government.

The next problem is that as a village dominated by the agricultural sector (with 396 productive rice fields), Kerta Buana MSMEs are very vulnerable to commodity market dynamics. Price Instability: The performance of BUMDes Kerta Buana which should stabilize prices shows sensitivity to prices. A concrete example is the cessation of local grain purchases in March 2024 due to soaring market prices. This *risk-averse* policy of BUMDes has left primary MSMEs without a stable market, making farmers' welfare vulnerable to middlemen.

Although the Village Government has invested heavily in infrastructure (such as paving nearly 11 km of farm roads previously, and another 5 km in 2024), technical production challenges remain an obstacle: Dependence on Rainwater: The irrigation system in Kerta Buana is still largely dependent on rainwater (rainfed rice fields). This vulnerability leads to a significant risk of reduced productivity during the dry season, despite mitigation plans such as the construction of reservoirs and the provision of water pumps.

Overall, MSMEs in Kerta Buana Village are at a crossroads between progressive policy support (KKI, MSME Clinic) and internal capacity constraints (literacy) as well as legal anomalies (fear of NIB) that hinder their ability to move from the informal sector to highly competitive business entities integrated with regional economic opportunities (IKN). Essentially, there are three main things that the government must pay attention to in order to develop and improve MSME players in Indonesia, namely, easy licensing bureaucracy, ease of



access to capital, and ease of to access and enter the market.¹⁴ This is what the government must provide to support the running of the economy from the MSME sector, especially in the Kerta Buana village area.

Kerta Buana Village, with its strong primary production base (agriculture) and aspiration to become a buffer for the Capital City of Nusantara (IKN), requires an integrated policy intervention framework that is not only reactive to obstacles but also proactive in building a sustainable legal protection and market integration system.

The proposed strengthening model is based on the philosophy of Legal Affirmative Action and Penta-Helix Collaboration, utilizing existing regional policy instruments (KKI, MSME Clinic) to overcome the issues of legal compliance and managerial literacy, which are the main obstacles for rural MSMEs. This model of legal affirmation and the penta-helix cycle integrates two strategic pillars: legal protection (ensuring certainty and compliance) and increased market access (ensuring competitiveness and sustainability). The Penta Helix model is a design that integrates five mutually connected stakeholders (collaborative stakeholders).¹⁵

1. Pillar I: Strengthening Legal Protection (Legal Empowerment)

The main objective of this pillar is to change the perspective of MSMEs from fearing regulations to viewing legality as an asset. This is achieved through business formalization, securing intangible assets, and strengthening supporting institutions.

Table 1.0 Strategies for Strengthening Legal Protection

Intervention Strategies	Realistic Program Focus	Legal Basis & Realization
Mandatory Linkage of NIB with Access to Capital (KKI Linkage)	Making the possession of a Business Identification Number (NIB) an absolute administrative prerequisite for the disbursement of Kukar Idaman Credit (KKI).	Addressing reluctance to formalize due to tax concerns. The Kukar SME Agency has been actively providing NIB assistance. KKI is Kukar's flagship program.

¹⁴ Tri Syahbani Ananami Putri, "Legal Protection and Empowerment of Micro, Small, and Medium Enterprises in Indonesia: A Perspective on Government Regulation No. 7 of 2021 on Cooperatives and MSMEs," *Journal of Tana Mana* 6, no. 1 (2025): 558–63, <https://doi.org/10.33648/jtm.v6i1.1112>.

¹⁵ Tiffany Setyo Pratiwi and Hidayat Chusnul Chotimah, "POST-DISASTER RECOVERY FROM THE ERUPTION IN THE MERAPI TOURIST AREA OF THE SPECIAL REGION OF YOGYAKARTA FROM THE PENTA HELIX MODEL PERSPECTIVE," *Journal Konstituen* 4, no. 1 (2022): 1–8, <https://doi.org/10.33701/jk.v4i1.2435>.

Administrative Remediation Through the SME Clinic	Optimizing the role of the SME Clinic (planned to be built in Tenggarong Seberang) as a one-stop service center for NIB, SPPIRT, and free Halal Certification assistance.	The SME Clinic addresses distance and regulatory literacy barriers. This free certification facilitation has become a tangible program of the Kukar Regency Government.
Intellectual Property (IP) Protection for Flagship Products	Identifying Kerta Buana's leading agricultural commodities (e.g., oyster mushrooms) and facilitating collective trademark registration for farmer groups/BUMDes.	Trademark protection serves as an intangible economic asset, enhances competitiveness, and prevents claims by outside parties. The East Kalimantan Ministry of Law and Human Rights has been actively encouraging IP registration.

2. Pillar II: Market Integration

This model is geared toward larger regional markets, particularly integration into the IKN supply chain in the agriculture/food security sector.

Table 2.0 Market Access Improvement Strategies.

Intervention Strategy	Realistic Program Focus	Legal Basis & Implementation
Digital Transformation and Integrated Financial Literacy	Shifting the focus of KKI training from simply providing capital (lending) to Integrated Financial Incubation. Requiring basic financial management training, digital bookkeeping, and online marketing	Addressing the common problem of capital management failure among MSME loan recipients. Improving digital literacy is a priority challenge in East Kalimantan.

	strategies (digital branding) for KKI recipients.	
Establishing a Special Supply Chain (IKN Supply Chain)	Encouraging BUMDes Kerta Buana and farmer cooperatives to coordinate with the Agricultural Regionally Owned Enterprise (if formed) or the Kukar Regionally Owned Enterprise to <i>guarantee the purchase of</i> village agricultural products (paddy, oyster mushrooms).	Ensuring a stable market (overcoming price volatility and middleman practices), while connecting Kerta Buana's primary products to IKN's food security needs.
Multi-Stakeholder Partnership (Penta-Helix)	Realize the Penta-Helix model (Government-Academia-Private Sector-Community-Media). Partnerships with large companies in Tenggara Seberang are intensified through structured <i>Corporate Social Responsibility (CSR)</i> programs.	The private sector's role is realized through supply chain partnership schemes and the provision of technological/management assistance. This aligns with the Kukar Regent's Regulation on partnerships between BUMDes and companies.

Based on the overall discourse that has been discussed, within the framework of the model for strengthening legal protection and strategies for increasing market access, a clear legal conclusion can be drawn: the sustainability of Micro, Small, and Medium Enterprises (MSMEs) in Kerta Buana Village no longer depends solely on the availability of capital or sporadic training, but on the ability of the village and district institutional systems to affirmatively integrate legal aspects into economic policy. Efforts to achieve economic justice must be carried out on a democratic basis that takes into account two main principles of justice, namely providing equal



rights and opportunities for fundamental freedoms for all people, and being able to regulate social and economic disparities so as to generate mutual benefits for all groups.¹⁶

As a legal entity, Kerta Buana MSMEs must emerge from the informal sector. Reluctance to formalize businesses, triggered by fiscal misinterpretation, fundamentally places business actors at risk of administrative exclusion. Therefore, the proposed *Legal Affirmation* strategy through the mandatory binding of the Business Identification Number (NIB) with the Kukar Idaman Credit (KKI) facility is an unavoidable judicial prerequisite. This policy transforms the NIB from a mere bureaucratic burden into a *legal credential* that unlocks access to the economic rights provided by the state, and is a form of *affirmative action* by the state to favor small businesses.

D. Conclusion

1. Strengthening legal protection and increasing market access for MSME actors in Kerta Buana Village is a strategic step towards building an inclusive and competitive local economic ecosystem. Most business actors still face legal barriers such as not having an NIB, SPPIRT, or halal certification, which results in low access to financing and digital markets.
2. Therefore, affirmative policies are needed that link business legality with access to village economic facilities such as the Kukar Idaman Credit (KKI) program and MSME Clinic services as centers for legal assistance and digitalization.
3. In addition to legal aspects, improving the competitiveness of Kerta Buana MSMEs also depends on multi-stakeholder collaboration through the Penta-Helix model, which involves the government, academia, the private sector, communities, and the media. This collaboration is key to creating innovation, expanding market networks, and ensuring the sustainability of an economy based on local potential. With the implementation of the Legal Affirmation and Market Integration model, Kerta Buana Village has the opportunity to become an example of a resilient and adaptive digital law-economy village in the regional transformation towards the Capital City of Nusantara (IKN).

¹⁶ Nabilah Apriani and Ridwan Wijayanto Said, "Legal Protection Efforts for Micro, Small, and Medium Enterprises (MSMEs) in Indonesia," *Al Azhar Indonesia Journal of Social Sciences* 3, no. 1 (2022): 28–35, <https://doi.org/10.36722/jaiss.v3i1.1069>.



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