

ANALYSIS OF THE ROLE OF SUSTAINABLE TOURISM VILLAGE CERTIFICATION IN EFFORTS TO PROTECT TOURISM VILLAGE MANAGEMENT REVIEWED FROM LAW NO 10 OF 2009 ON TOURISM (CASE STUDY : PENGLIPURAN VILLAGE, BALI)

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Abstract

Sustainable tourism village certification is one of the sustainable tourism certification products issued by the Indonesian Sustainable Tourism Certification Council. The sustainable tourism village certification program was initiated by the Ministry of Tourism and Creative Economy in 2020 aimed at developing sustainable tourism in Indonesia. Penglipuruan Tourism Village has community-based and sustainable tourism management, but the management's human resources need to be strengthened. Meanwhile, sustainable management requires specific knowledge and skills to reduce the negative impacts of tourism. The aim of this research is to analyze efforts to protect the management of Tourism Villages through sustainable tourism village certification based on Law of the Republic of Indonesia no. 10 of 2009 on Tourism. This research is normative legal research with a statutory approach, analysis of legal concepts (analytical conceptual approach), and case study methods supported by secondary data. Researchers found that the role of sustainable tourism village certification as a condition for business standardization in the form of business certification was studied in the form of preventive and repressive legal protection means. Preventive legal protection is regulated in Article 19 and Article 52 of Law No. 10 of 2009 on Tourism. Repressive legal protection is regulated in Articles 27, 62, 63 and 64 of Law No. 10 of 2009 on Tourism.

Keywords: *sustainable tourism village certification, sustainable tourism, tourism village, Penglipuruan village, sustainable tourism village*

1. INTRODUCTION

Tourism is one of the sectors that supports Indonesia's third largest foreign exchange. Tourism has a strategic role in the economy of Indonesia, which is an archipelagic country with abundant natural and cultural potential. Tourism also can act as a driver of tourism development at the grassroots level. Tourism is a regional development tool that can advance a region, especially in empowering the community and transforming people into superior individuals who can contribute positively to their region.

Village tourism focuses on the community as the owner, manager, and beneficiary of local land owned by village residents, which is used as a tourism business. Based on the Tourism Village guidelines issued by the Ministry of Tourism and Creative Economy, Tourism Villages are the initiation of a tourism program by the Ministry of Tourism and Creative Economy, which is supported by village autonomy to manage resources and direction of village development and development with the aim of the concept of building from the outskirts or existing villages. Aims to bring prosperity to the community through exploring regional potential and the concept of community empowerment (Pemerintah Republik Indonesia, 2021). The right to village autonomy is regulated in Law No. 6 of 2014 on Villages, which states the authority of the village government to have the right of proposal and traditional rights in the regulation and management of village development affairs. In other words, the village has the right to change the status of the village to a Tourism Village.

Transforming a village into a Tourism Village takes work. Apart from being regulated in Article 19 of Law No. 10 of 2009 on Tourism, the community has priority rights as managers. However, priority rights in management must be accompanied by human resources with competence, skills, and knowledge regarding village tourism management, which is often a classic problem in many villages throughout Indonesia (Maghviroh, 2020). Improper and optimal governance can lead to mismanagement and vulnerability and impact environmental issues in a region's ecosystem (Hatibie, Dai, & Lagalo, 2021).

Law no. 10 of 2009 on Tourism is the legal basis for the tourism sector in Indonesia as well as a form of legal protection in the form of legal certainty of community rights that the Indonesian Government provides to the Indonesian people in implementing Indonesian tourism. This law provides a legal framework for the development, management, and protection of the tourism sector, as well as guidelines for tourism implementation that can provide optimal benefits for the people of Indonesia. According to Widia, tourism legal regulation is a means of realizing order, which is the basis for social order, conformity, and harmony of the steps and efforts carried out by tourism organizers, namely the Government, business entities, tourism business actors/entrepreneurs, and the community (Widia, 2021).

The principle of sustainable tourism is also mentioned in Article 2h of Law 10 of 2009 on Tourism, which states the principle of sustainability as a principle for organizing tourism in Indonesia. This is also the fundamental basis for sustainable tourism development that considers future generations' needs. Sustainable tourism pays attention to the balance between ecological, socio-cultural, and economic aspects. These three aspects are interrelated and connected so that no aspect is sacrificed or forgotten.

There are 4732 Tourism Villages spread across Indonesia (Jadesta, 2023). Some of them promote environmental and cultural conservation. However, only 40 Tourism Villages have received sustainable tourism village certification recognition. (Jadesta, 2022). Tourism village awareness of sustainable tourism certification has yet to be widespread, and tourism village entities in Indonesia are not thoroughly convinced of its existence and benefits.

Penglipuran village is one of the villages that received sustainable tourism certification as the first batch of certified sustainable tourism villages in 2020. Penglipuran village is one of the ancient villages that received the status of tourism village in 1993 that implements environmental wisdom as the basis of village management policy (Sutrisna et al., 2020). Research conducted by (Parwata et al., 2022) mentioned that Penglipuran village was affected during the Covid-19 pandemic outbreak, which decreased the number of tourists visiting the village. The pandemic has become a challenge for the Penglipuran village to survive and sustainably contribute to the community's welfare and independence (Parwata et al., 2022). Sustainable tourism village certification was used as the effort of the Penglipuran village to overcome the challenges of the Covid-19 pandemic outbreak that required tourism to shift to sustainable tourism to build better quality for the tourism destinations (Gill and Williams, 2014) in (Parwata et al., 2022).

The sustainable tourism movement is part of the sustainable development agenda which has created 17 points of sustainable development goals (SDGs) issued by the United Nations/UN in 2015. The emergence of the urgency of the sustainable development agenda began with the first Earth Summit in 1972, which emphasized the importance of environmental development for Indonesia's prosperity (Alisjahbana & Murniningtyas, 2018). One of the positive impacts of sustainable development is increasing the world community's awareness of environmental damage caused by industrial activities (Wongkar & Apsari, 2021). However, one of the negative impacts of increasing public awareness of the environment, which then increases public demand for environmentally friendly products and/or services, is encouraging the emergence of unhealthy business competition practices known as greenwashing, which means inaccurate claims for a product or service or practices with eco-friendly claims or labels (Wongkar & Apsari, 2021). Many businesses are affected by these elements, which also causes losses to businesses that honestly carry out sustainable business practices following business ethics.

Sustainable tourism certification has emerged in society to protect the management of tourism business practices by sustainable standards. The expectation for sustainable tourism certification is that it can become a new strategy for Tourism Villages in facing a period of adaptation to new habits that can be relied upon as a national economic recovery after the COVID-19 pandemic and a driver for changes in community behavior (Habibie, Arafah, Mustika, & Ratnaningtyas, 2021). In 2020, the Ministry of Tourism and Creative Economy launched a derivative of sustainable tourism certification, namely sustainable tourism village certification, which recognizes sustainable standards for tourism villages. Sustainable tourism village certification can guide tourists and related stakeholders to obtain legal certainty through legal protection for implementing sustainable standards in tourism villages. Legal protection is a form of protection for legal subjects through legal instruments (Rahardjo, 2014) in the form of restitution, compensation, medical care, and legal assistance (Hadjon, 2011). Legal protection aims to protect a person from exercising the human rights that each person has and to be free from interference or threats that threaten that person's human rights (Rahardjo, 2014). According to Sasongko, there are two types of legal protection, namely preventive and repressive legal protection (Sasongko, 2007). Legal protection is preventive as a form of preventing legal violations through statutory regulations. In contrast, legal protection is repressive in the form of sanctions aimed at protecting legal subjects in the event of conflict or violation (Sasongko, 2007).

Many studies on tourism village have been conducted, however there is a lack of research on the sustainable tourism village management. Sustainable tourism village certification is considered a new legal tool and is undergoing a socialization phase. Theoretically this research can provide benefits for scientific development on the study of the legal aspect of sustainable tourism management and the role of sustainable tourism

certification as sustainable tourism management support. Practically, this research aims to provide insight for government, tourism village managers, tourism actors, and the local community to understand the role of tourism village certification in protecting the management of Tourism Villages.

Based on the description above, a research question was formulated: "What is the role of sustainable tourism village certification in protecting the management of Tourism Villages in terms of Law No. 10 of 2009 on Tourism?"

2. METHOD

Researchers are interested in researching and examining the role of sustainable tourism village certification in protecting the management of Tourism Villages, which is studied in Law No. 10 of 2009 concerning Tourism. Researchers use legal theory analysis of legal protection. The research aims to understand the role of sustainable tourism village certification in providing protection efforts for managing tourism villages in Law No. 10 of 2009 on Tourism.

The research was designed as normative legal research with a statutory approach and analysis of legal concepts (analytical, conceptual approach), supported by secondary data, described using case study and descriptive analysis. Normative research methods are carried out by examining laws and regulations relating to the legal issue being handled by strengthening facts and comparing differences and/or similarities between theory and practice in the unit of analysis of this research. Research is described using a descriptive analysis approach by describing conditions, phenomena, events, and happenings that are currently occurring using relevant legal principles to obtain answers to research problems. Focus on analysis of protection efforts in tourism village management as seen from Law No. 10 of 2009 concerning Tourism. This research chose 'Penglipuran village' as case study. Penglipuran village is chosen as one of the pioneer of certified sustainable tourism village in Indonesia.

The secondary data types are divided into primary, secondary, and tertiary legal materials. The primary legal materials used are the 1945 Constitution and Law No. 10 of 2009 concerning Tourism. The secondary legal materials used are supporting literature in the form of books, scientific articles written by experts, supporting regulations, and information collected from the media. The tertiary legal materials used are Indonesian, English, and legal dictionaries.

3. RESULT AND DISCUSSION

The Role of Tourism Villages in Sustainable Tourism

Sustainable tourism is tourism that pays attention to the balance between sustainable aspects (Ardika, 2018). Sustainable tourism seeks to protect nature and culture from exploitation by tourism as a business. Tourism villages are a tourism business that emphasizes authenticity and local wisdom in developing tourism businesses (Pemerintah Republik Indonesia, 2021). Tourism villages are an example of community-based tourism implementation that emphasizes community development. Community-based tourism management emphasizes the idea of "from the community for the community," namely that the community is the host, manager, and beneficiary of the tourism business (Demartoto dkk., 2013).

Tourism villages are a form of alternative tourism that carries the concept of sustainable tourism, which aims not only to fulfill tourists' interest in visiting and experiencing unique experiences in traveling but also to protect the original cultural aspects of the area and the village's environmental ecosystem. The economic aspect applied to Tourism Villages is a people's economy or community-based economy because Tourism Villages aim to provide employment opportunities or open up business

opportunities, both tourism businesses and other businesses that aim to support tourism businesses for village communities.

Penglipuran village is determined as tourism village based on Bangli Regent decree No 15 of 1993 concerning the establishment of tourist objects. Penglipuran village establish a special unit to manage the tourism village called Penglipuran Tourism Village Management (POKDARWIS) on 1 January 2012 based on Decree No 556/557/DISBUDPAR/2012. According to (Sutrisna et al., 2020) Penglipuran village implements community based tourism which tourism development of the village is carried out entirely by the local community itself.

According to (Laksmi & Wisnumurti, 2019), the Penglipuran village community implements environmental local wisdom that reflects on Penglipuran Tourism Village Management's policy from the direction consists of vision and mission based on environmental, culture, and community aspect; organizational structure that works closely with the indigenous village head; and division of the management results that divided fairly between local community and government. Based on research by (Bayu & Pradana, 2022), Penglipuran tourism village management creates positive implication towards local wisdom preservation based on local tradition. Tourism village management ran by the people of the village successfully resulted into positive impacts in various aspects, such as additional income from cultural conservation, new actualization space for local culture preservation, and local culture preservation as tourism products (Bayu & Pradana, 2022).

Tourism Village Management Protection Arrangements Based on Law No. 10 of 2009 on Tourism

Law No. 10 of 2009 on Tourism meets the criteria for legal protection for business actors in the tourism sector. Examined from a preventive aspect, Law No. 10 of 2009 on Tourism is the primary tourism legislation formulated, among other things, to outline the protection of community rights in tourism development. Article 19, paragraphs 1 and 2 explain that all components of society have rights in tourism development. What is of concern in this research is Article 19, paragraphs 1b and 1d, namely the right to carry out tourism business and play a role in the tourism development process as well as management priority rights. Article 19, paragraph 2c explains that the meaning of community priority rights in management is the right of every individual to manage and utilize resources to support tourism businesses.

Efforts to protect the management of Tourism Villages are carried out through a series of indicator tests, culminating in granting certification to sustainable tourism villages. Going through the testing stages, as proven by obtaining a certificate, supports Tourism Villages from the widespread issue of greenwashing. The stages of protection through certification consist of several steps (Kemenparekraf, 2019): 1) The certification registration stage is for tourism village managers as related destinations to register on the Indonesia Sustainable Tourism Certification Online System (ISTC-online) website; 2) The document reception stage is the document submission stage, the submission of relevant documents for applying certification assessment to the secretariat of the Indonesian Sustainable Tourism Council; 3) The expert assessment stage consists of desk evaluation, namely the process of assessing the suitability and propriety of meeting the standards of a proposal for certification submission, and field assessment is a field visitation with the aim of field assessment, 4) The results stage gives certificates to related Tourism Villages undergoing all stages and assessments.

Sustainable Tourism Village Certification as Recognition for Sustainable Tourism Village Management

Sustainable tourism village certification is a high recognition of a Tourism Village that has successfully managed its village optimally with sustainable standards. Sustainable tourism village certification is obtained voluntarily, which reflects that a destination has succeeded in complying with the highest sustainable standards. (Habibie dkk., 2021). Managing a tourist destination, especially a tourism village, takes time and effort. Many tourism villages need help with management, which causes damage to tourism villages. One example is the Jatiluwih Tourism Village, which has natural potential and has been recognized as a world heritage. (Laksmi, 2023). Jatiluwih Tourism Village experienced damage due to the flow of tourists coming to the village and destroying agricultural land.

The sustainable tourism village certification was adapted from the global sustainable tourism certification standard issued by UNWTO in 2020 when the global COVID-19 pandemic hit Indonesia. Based on the attached sheet to the Regulation of the Minister of Tourism and Creative Economy of the Republic of Indonesia Number 9 of 2021 on Guidelines for Sustainable Tourism Destinations, it explains that sustainable tourism certification emerged to follow up on challenges in the world of tourism due to the spread of the COVID-19 pandemic virus, namely related to quality standards. The destination is precisely the elements of cleanliness, health, safety, and environmental sustainability known as the CHSE (Cleanliness, Health, Safety, and Environment sustainability) protocol (Amelia & Prasetyo, 2022).

The COVID-19 pandemic forced the government of the Republic of Indonesia to issue emergency policies such as social restriction policies and even regional quarantine, which caused paralysis of tourism business operations. The COVID-19 pandemic has resulted in a decline in the tourism industry sector in general, starting from a decrease in the number of domestic and foreign tourists, which has resulted in a decrease in occupancy rates in star hotels, which also has an impact on tens of millions of tourism sector workers who are threatened directly and indirectly as a result of COVID-19, 13 million direct and threatened workers from 13 types of tourism businesses and around 32.5 million indirect workers, namely workers who work in tourism-supporting sectors such as money exchange places, souvenir sales, the entertainment industry, and others. Another unfortunate thing is that this has caused a decrease in Indonesia's national tourism income (Paludi, 2022).

The Covid-19 pandemic also affected the Penglipuran tourism village, causing a decrease in tourist arrivals and the sustainability and resilience of the tourism village (Parwata et al., 2022). In research carried out by (Parwata et al., 2022), it is mentioned that 80% of local income comes from the tourism sector. Thus, the people sought a solution to protect the tourism village from stagnancy by constantly innovating. One of the economic resilience strategies implemented in Penglipuran tourism village is implementing CHSE certification (Negarayana, 2021) and sustainable tourism village certification on 2020. In 2023, Penglipuran tourism village received international award from UN Tourism as one of the best tourism villages (UNWTO, 2023). According to (UNWTO, 2023), the village earned the recognition for its commitment to maintain and preserve their local culture and implemented various measures to preserve its cultural heritage while embracing the responsibility tourism practices.

The tourism policy on revitalizing the quality of destinations is implemented to support tourism businesses in maintaining their businesses and preparing to welcome normalization standards in the post-pandemic era. Tourism policy on revitalizing destination quality aims to increase public awareness of tourists' confidence in traveling safely through tourism business management through cleanliness, health, and safety standards (Sutrisnawati, Budiasih, & Ardiasa, 2020). Tourism villages are one of the destinations with a variety of tourism businesses which are also encouraged to implement the CHSE protocol (Arunala.com, 2023).

Sustainable tourism certification also supports the CHSE certification assessment dimensions, manifested in the Global Sustainable Tourism Council (GSTC) indicators. GSTC are criteria and indicators used as guidelines for assessing and evaluating a tourist destination based on the four pillars of sustainable development. Sustainable tourism certification is an advanced stage for a destination or tourism business that wants to improve the quality of its tourism business, from meeting health protocol standards to transforming into a sustainable tourism business.

Analysis of the Role of Sustainable Tourism Village Certification in Efforts to Protect Tourism Village Management

The aim of implementing sustainable tourism village certification is to provide formal written recognition of accreditation assessment of implementing sustainable tourism village management standards that a tourism village has successfully implemented. Tourism villages that successfully implement sustainable management standards need to be given appropriate awards, which not only increase the status of the Tourism Village but can also have an impact on increasing employment opportunities and business opportunities for the village community, which can provide prosperity to the community. The role of tourism village certification is not just to provide awards but also to positively impact the community.

Penglipuran village is considered high resilience village (Widiastuti, 2018) in (Pratiwi & Wikantiyoso, 2022) with its sustainable practice that incorporates traditional Bali philosophy called Tri Hita Karana, emphasized on harmonious relationship between human and spiritualism (parahyangan), social environment (pawongan), and physical environment (pabelasan) (Pratiwi & Wikantiyoso, 2022). According to (Wijaya et al., 2023), Penglipuran village has rich tourism potential from physical culture, socio-facts, and socio-facts with green and sustainable tourism practices as a manifestation of Tri Hita Karana. The application of green and sustainable tourism using the green economy concept can be seen in the environmentally friendly tourism products offered by the village, such as traditional houses using bamboo trees and souvenirs made of processed products from agricultural and plantation products (Prayogi et al., 2022). Managing sustainable tourism practices requires a trained team to be able to mitigate adverse impacts by enhancing tourism's benefits in the right direction since the purpose of the concept is to reduce the adverse effects of tourism activities on the environment, society, and economy to achieve ecologically sustainable, economically viable, ethically, and socially equitable (Pan et al., 2018). However, according to research (Wibowo, 2019), one weakness of tourism management in Penglipuran village is the low quality of human resources. Thus, Penglipuran village needs external support to guide them in protecting and managing their village sustainably.

The study of legal issues emphasized in this research is the protection of sustainable tourism village management. In an analysis of legal protection, the role of sustainable tourism village certification in efforts to protect tourism village management is studied from the perspective of legal protection. Legal protection means are a form of media or tool to carry out the function of legal protection for society, divided into preventive and repressive legal means.

The role of sustainable tourism village certification seen from a preventive legal perspective is reflected in Law No. 10 of 2009 concerning Tourism. Article 19, paragraph 1c explains every person's right to conduct a tourism business or participate in the tourism development process. This is supported by Article 19, paragraph 2c, which explains the priority rights of each person in carrying out management. The community can choose to build a tourism business or support the tourism process by providing services and facilities to support tourism businesses. Article 1 explains the definition of a tourism business, which provides goods and/or services to meet tourist needs and

develop tourism. The tourism business, referred to as regulated in Article 14, includes tourist attractions; tourism areas; tourist transportation services; tourist travel services; food and beverage services; accommodation services; entertainment and recreational activities organizer; meetings, incentive trips, conferences, and exhibitions organizer; tourism information services; tourism consultant services; tour guide services; nautical tourism; and spas.

Article 15 mentions the registration of tourism businesses with the local government. Based on the Tourism Village Guidelines, there are three types of tourism village legal entities: tourism awareness groups (Pokdarwis), Village-Owned Enterprises (BUMDes), or Koperasi. These three tourism businesses are forms of tourism business that can be determined to provide legality or legal certainty to tourism village managers. The benefit of legal certainty is to provide authority in business management, namely a country's legal instruments that fulfill the rights and obligations of every citizen (Remaja, 2014).

Article 54 of Law No. 10 of 2009 on Tourism explains the obligation to implement business standards through certification. Article 54 defines business certification as a business certification run by an independent institution. Sustainable tourism village certification is a sustainable business standard that can be obtained by relevant Tourism Villages that register their Tourism Village destinations voluntarily through the Indonesian sustainable tourism certification online system (OS-STCI). Tourism villages that register their destinations apply for certification from the independent institution, the Indonesian Sustainable Tourism Council. The Indonesian Sustainable Tourism Council will carry out field evaluation and assessment assignments through assessors.

Sustainable tourism village management emphasizes sustainable tourism certification indicator standards, namely standard A for sustainable management, which reflects the management's efforts. Standards B, C, and D, namely standard B, socio-economic sustainability; standard C, cultural sustainability; and standard D, environmental sustainability. It remains under consideration because standards B, C, and D reflect the impacts arising from sustainable management efforts carried out by the manager.

To obtain a sustainable tourism village certificate, tourism village managers must go through the stages of sustainable tourism certification, namely auditing documents on aspects of sustainable tourism (Kemenparekraf, 2019). The process is as follows: the applicant (tourism village manager) submits a certification application, and then the ISTC secretariat section receives the application from the applicant. The secretariat section will assign experts as assessors/auditors through an assessor assignment decree and field visit planning to conduct a desk evaluation. Assessors consisting of a team of experts conclude the results of the field review in the form of an audit report based on the field visit. The results of the audit will determine whether the applicant's Tourism Village passes certification or not. The audit report will be immediately forwarded to the review panel if certification passes. If they do not pass certification, the applicant will be assisted in a corrective action plan by an assessor/auditor. The results of the improvement plan are forwarded to the reviewer. After being followed up by the reviewer, the review panel will decide on the results of the improvement plan. An essential task of the review panel is to determine the certification designation. From determining the predicate, the chairman will determine the certification predicate. The secretariat will carry out the making and distribution of certificates and plaques. After receiving the certificate and plaque, the applicant must write a report for the secretariat. The assessor is assigned to conduct a supervisory audit at least once a year after receiving a written report from the applicant. Re-certification can be carried out every two years.

The role of repressive legal protection is to provide sanctions if disputes and violations occur. First, Article 27 regarding regulations prohibits anyone from damaging

part or all of the physical tourist attraction. Suppose someone is caught without permission carrying out an act considered destructive, which includes changing the color or shape, eliminating a particular species, environmental pollution, moving or taking or destroying and destroying tourist attractions that reduce or eliminate the beauty, uniqueness, and authentic value of a tourist attraction. In that case, the legal subject can receive punishment or sanctions. This prohibition regulation is helpful for Tourism Village managers to preserve the tourist attraction of the Tourism Village from interference by specific individuals.

The rules regarding this prohibition are supported by the role of repressive means of legal protection in providing sanctions as outlined in Articles 62 and 63, which discuss administrative sanctions, and Articles 64 and 65, which discuss criminal sanctions. Sanctions are divided into two categories of legal subjects: sanctions given to tourists and tourism entrepreneurs. The categories of sanctions are differentiated because the two legal subjects have different provisions of articles and legal consequences.

Article 62 regulates sanctions on tourist legal subjects. Suppose tourists violate Article 25, which contains obligations as tourists. So, the legal consequences in the form of sanctions are divided into stages. The first stage is a warning. However, if the tourist does not heed the warning, the Indonesian government has the right to expel these tourists from the location of the crime.

Article 63 regulates sanctions on legal subjects for tourism entrepreneurs. Suppose a tourism entrepreneur violates one or both articles, Article 15 and Article 26. Then, the government of the Republic of Indonesia has the right to impose sanctions as regulated in Article 63. Article 15 is related to the legality of the tourism business's legal entity. Namely, tourism entrepreneurs are required to register their tourism business first. Article 26 regulates the obligations of tourism entrepreneurs. Article 26n is closely related to sustainable tourism village certification. It is an example of business certification, namely the obligation of tourism entrepreneurs to apply business standards to their tourism businesses. Administrative sanctions given to business actors or tourism entrepreneurs are divided into stages, the first stage being a written warning. If tourism entrepreneurs do not heed the warning sanctions, they will be subject to the second stage of sanctions, namely restrictions on business activities. If tourism entrepreneurs continue to ignore the second stage of sanctions, then tourism entrepreneurs will be subject to the third stage of sanctions, namely the temporary suspension of business activities.

The final sanction given is the criminal sanction given to every person as regulated in Article 64. Criminal sanctions are imposed on legal subjects who violate the rules of Article 27, which relate to someone's offense in destroying part and/or all of the physical tourist attraction. The following sanctions are given because the action is considered unlawful (*onrechtmatige daad*). However, sanctions are divided into two categories: actions carried out intentionally and against the law that physically damage a tourist attraction will be subject to imprisonment for a maximum of 7 (seven) years and a fine of IDR 10,000,000,000 (ten billion rupiah). Meanwhile, if the action is carried out due to negligence and is against the law, causes physical damage, or reduces the value of a tourist attraction. The subject will still be charged with imprisonment, but a maximum of 1 (one) year and/or a maximum fine of IDR 5,000,000,000 (five billion rupiah).

Ownership of a sustainable tourism village certificate provides a form of community trust in managing an authentic, sustainable tourism village. The public can easily distinguish between tourism village management that is appropriately managed sustainably and not just greenwashing. Sustainable tourism village managers can compete healthily.

4. CONCLUSION

The role of sustainable tourism village certification in efforts to protect the management of tourism villages, as reviewed from Law No. 10 of 2009 on Tourism, is that sustainable tourism village certification is a form of business certification. The purpose of implementing sustainable tourism village certification is to formalize written recognition as an accreditation assessment for implementing sustainable tourism village management standards. Sustainable tourism village certification aims to provide recognition for the operations of tourism villages so that sustainable tourism villages can be confirmed as those that officially carry out sustainable operations and are not just an image. Penglipuran village is a sustainable tourism village with rich tourism potentials that incorporate tourism village management with their local wisdom (Tri Hita Karana). However, managing sustainable tourism practices requires a trained team to be able to mitigate adverse impacts by enhancing tourism's benefits in the right direction since the purpose of the concept is to reduce the adverse effects of tourism activities on the environment, society, and economy to achieve ecologically sustainable, economically viable, ethically, and socially equitable. However, weakness of tourism management in Penglipuran village is the low quality of human resources. Thus, Penglipuran village needs external support to guide them in protecting and managing their village sustainably. The role of sustainable tourism village certification in protecting tourism village management can be studied from the theory of legal protection, namely repressive and preventive protection. Preventive protection is outlined in Law No. 10 of 2009 on Tourism, namely Article 19 paragraph 1c, explaining the rights of every person to carry out a tourism business or participate in the tourism development process. To support this right, Article 26n states the obligation of tourism entrepreneurs to implement business standards. Based on Article 54, business certification can fulfill the obligations of tourism business management business standards. To support repressive legal protection, it is also regulated in Law No. 10 of 2009 on Tourism, namely in the prohibition chapter in Article 27; administrative provisions chapter in Article 62 and Article 63; and the criminal provisions chapter Article 64. It is suggested that the national government cooperate with the local and village governments to socialize and spread awareness of the role and importance of sustainable tourism village certification to tourism village managers to build a more resilient tourism village. It would be beneficial for the tourism village managers to gain the certification as a long-term business strategy. Since the sustainable tourism village certification is considered new, research on its effectiveness and influence on tourism village existence would be beneficial for future research.

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