



Legal Protection Challenges for E-commerce Consumers in Indonesia: From Fraud to Dispute

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Received : September 6, 2024

Accepted : October 23, 2024

Published : October 31, 2024

Citation: Nurhayati (2024). Legal Protection Challenges for E-commerce Consumers in Indonesia: From Fraud to Dispute. Ijomata International Journal of Social Science, 5(4), 1271-1281.

<https://doi.org/10.61194/ijss.v5i4.1429>

ABSTRACT: This study analyzes legal protection for consumers in electronic transactions in Indonesia, focusing on the challenges faced by consumers and the effectiveness of existing regulations. Using a qualitative approach and a normative juridical study, data was collected through in-depth interviews with 50 respondents, including consumers, businesses, and legal experts. Results showed that 76% of respondents lacked an understanding of their rights, 82% had experienced online fraud, and 68% were dissatisfied with dispute resolution mechanisms. The results emphasize increased consumer education and improved dispute-resolution mechanisms. The study concludes that while consumer protection regulations exist, their implementation remains ineffective. Recommendations in this study include collaboration between the government and businesses to increase public awareness of consumer rights and strengthen regulation and transparency in electronic transactions.

Keywords: Legal Protection, Consumers, Electronic Transactions, E-Commerce.



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INTRODUCTION

Information and communication technology development has significantly changed various aspects of life, including commerce. E-commerce, or electronic commerce, has become one of the most prominent innovations, allowing consumers to transact without geographical or time constraints. In Indonesia, e-commerce has shown impressive growth, with an increasing number of digital platforms offering various products and services. According to a 2023 report by the Indonesian Internet Service Providers Association (APJII), the number of internet users in Indonesia has surpassed 200 million, creating vast opportunities for businesses to market their products online. (APJII, 2023). However, the convenience offered by electronic transactions also brings new risks and challenges for consumers, such as fraud and dissatisfaction with online products. In this context, legal protection for consumers becomes crucial to safeguard their rights. As stated by Gunawan Widjaja and Ahmad Yani (2002), "Violations of consumer rights, particularly in electronic transactions, need to be addressed through legislation to enhance consumer dignity." (Gunawan & Yani, 2022).

Consumer rights in electronic transactions are regulated by Law No. 8 of 1999 on Consumer Protection, which guarantees several fundamental rights, such as the right to information, the right to choose, the right to product safety and security, and the right to file complaints. However, many consumers must be aware of these rights or need help to enforce them. A lack of understanding of their rights may lead consumers to become victims of fraud or dissatisfaction with the products they purchase. This issue is further exacerbated by many business actors failing to comply with applicable legal provisions, thus harming consumers. Article 4 of the Consumer Protection Law states, "Consumers have the right to comfort, security, and safety in consuming goods and services. (Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 tentang Perlindungan Konsumen)." However, reality often differs.

Moreover, consumer protection regulations in Indonesia also include Law No. 11 of 2008 on Information and Electronic Transactions (ITE Law), which regulates electronic transactions and provides a legal basis for using electronic signatures and protecting personal data. Despite the existence of these regulations, their implementation still needs to be improved. (Undang-Undang Republik Indonesia Nomor 19 Tahun 2016 Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik). The dispute resolution mechanism through the Consumer Dispute Settlement Agency (BPSK) is often seen as ineffective by the public. The complex and time-consuming dispute resolution process discourages many consumers from filing complaints when they encounter problems. As Abdul Halim Barkattullah (2019). Stated, "Disputes in electronic media sales transactions require preventive measures to provide consumer protection.

The main challenges in providing legal protection for consumers in electronic transactions include a lack of legal knowledge among the public, weak dispute resolution mechanisms, the prevalence of online fraud, and issues surrounding personal data protection (Gunawan & Yani, 2022). Many consumers need help understanding how to enforce their rights when problems arise with online products or services. Additionally, online fraud is becoming increasingly rampant, with business actors offering products at low prices but failing to deliver the goods after payment (Hidayati, 2021). In real cases, such as selling counterfeit smartphones on leading e-commerce platforms, consumers often feel deceived after receiving products that do not match the description (Kurniawan, 2023).

Several other studies have also shown that personal data protection and transaction security are crucial issues in e-commerce (Almalki et al., 2023; Chen et al., 2022). This research seeks to link local challenges with global trends, providing relevant policy recommendations to improve the effectiveness of legal protection for consumers in Indonesia. Thus, it is hoped that this research can contribute to developing consumer protection policies in the digital era and increase public trust in e-commerce.

The government plays a crucial role in creating a legal environment that supports consumer protection in electronic transactions. Government efforts can include educating the public about consumer rights and enforcing laws against business actors who violate consumer protection regulations (Fadilah, 2020). On the other hand, business actors must also take responsibility for providing clear and accurate product information and offering good customer service to address consumer complaints. Collaboration between the government and business actors can create a

safer and more trustworthy commercial environment for all parties (Abdurrahman & Iskandar, 2020).

Through joint efforts between the government, business actors, and the public, legal protection for consumers in electronic transactions is hoped to be enhanced, leading to a safer and more reliable commercial environment for all parties (Dharmawan & Wiryawan, 2023). With the increasing use of e-commerce in Indonesia, the government needs to raise public awareness about consumer rights and strengthen dispute resolution mechanisms to make them more efficient and effective. Legal protection for consumers in electronic transactions in the digital era is a crucial issue that requires serious attention from all relevant parties to boost public trust in e-commerce (Halim, 2019).

This research aims to analyze the legal protection available to consumers in electronic transactions in Indonesia and assess the effectiveness of the current protections. By gaining a deeper understanding of this legal protection, the study hopes to contribute to developing consumer protection policies in the digital era and increase public awareness of the importance of legal protection in electronic transactions.

The research questions include how legal protection is governed by Law No. 8 of 1999 on Consumer Protection and Law No. 19 of 2016, which amends Law No. 11 of 2008 on Information and Electronic Transactions, as well as the main challenges faced by consumers, such as a lack of legal knowledge, weak dispute resolution mechanisms, and the rise of online fraud. Additionally, this research discusses how the government and business actors can improve consumer legal protection and the effectiveness of current regulations in resolving consumer disputes. The problem formulation in this research includes the effectiveness of regulations in preventing fraud and ensuring consumer safety, weaknesses in the dispute resolution mechanism, and the efforts by the government and business actors to raise public awareness about consumer rights. This research also provides policy recommendations to enhance the effectiveness of legal protection for consumers in electronic transactions in Indonesia.

METHOD

This research methodology is designed to provide an in-depth understanding of consumer legal protection in electronic transactions. This research uses a qualitative approach with a normative juridical research type to analyze and evaluate existing legal protection based on applicable regulations. The target population in this research is all consumers who conduct electronic transactions on various e-commerce platforms in Indonesia, focusing on the interaction between consumers and businesses in the digital environment and how the law regulates these relationships. The unit of analysis consists of individuals involved in electronic transactions, including consumers who have experienced disputes and businesses that provide e-commerce services.

The sample was drawn using purposive sampling, with the criteria that respondents must be consumers who have experienced problems or disputes in electronic transactions and registered e-commerce businesses. The target sample size was approximately 30-50 respondents, covering a variety of demographics to gain a broader perspective. Respondents consisted of three main

groups: consumers who have conducted online transactions, businesses from e-commerce platforms, and legal experts or academics with in-depth consumer protection knowledge.

Data collection techniques were conducted through several methods, including in-depth interviews, document analysis, and observation. Semi-structured interviews were conducted with consumers, businesses, and legal experts to obtain detailed information about their experiences with legal protection in electronic transactions. Data was also collected from official documents such as laws, government regulations, e-commerce platform annual reports, and relevant academic literature. Direct observation of the transaction process on several e-commerce platforms was also conducted to understand consumer protection practices in the real world.

Data was analyzed using qualitative techniques through data triangulation to compare information from various sources (interviews, documentation, observations). To ensure the validity and reliability of the information. Item validity was tested by ensuring the correlation of item scores with total scores, while reliability was measured using Cronbach alpha to ensure the consistency of the research instrument.

In addition, data processing was done by transcribing the interview results and organizing the data into categories based on emerging themes. Qualitative descriptive analysis was used to interpret the data so that it could be used to answer the research questions.

Research ethics were applied by ensuring respondents' privacy and obtaining permission before conducting interviews. Sensitive information was not divulged without the respondents' consent. The research report also clarifies the research methodology and limitations to increase the research results' transparency and credibility. With this approach, the research methodology is expected to provide an in-depth understanding of legal protection for consumers in electronic transactions and ensure the validity and reliability of the data collected.

RESULT AND DISCUSSION

The results of this study indicate that legal protection for consumers in electronic transactions in Indonesia still faces various challenges. Based on in-depth interviews with 50 respondents, consisting of consumers, business actors, and legal experts, several key findings related to the research questions and problem statements were identified.

Table 1. Key Findings from Respondent Interviews

NO	MAIN FINDING	PERSENTAGE OF RESPONDENTS (%)
1	Lack of understanding of consumer rights	76
2	Dissatisfaction with dispute resolution mechanisms	68
3	The rise of online fraud	82
4	Unclear product information	70
5	Expectation of increased legal protection	85

From the table above, it can be seen that most respondents (76%) do not understand their rights as consumers. In addition, 68% of respondents expressed dissatisfaction with existing dispute resolution mechanisms, and 82% reported experiences of online fraud. This suggests the need for further efforts to improve legal understanding among the public.

a. Lack of Understanding of Consumer Rights

The lack of understanding of consumer rights emerged as a crucial issue during the interviews, revealing that many consumers need to be aware of their rights protected under the Consumer Protection Law. This finding aligns with Danial and Warsiah (2009), who emphasized that the lack of education on consumer protection is one of the main factors that make consumers vulnerable to online fraud (Kristiana & Rahmawati, 2021). In the rapidly growing e-commerce environment, this low level of awareness can lead to consumers becoming targets of fraud and abuse by irresponsible businesses.

The Consumer Protection Act No. 8 of 1999 clearly outlines several fundamental consumer rights, including the right to accurate information, the right to choose, the right to product safety, and the right to file complaints (Indrajit, 2021). However, with adequate understanding, consumers can exercise these rights when encountering issues in electronic transactions. For instance, when receiving defective or misrepresented products, consumers unaware of their rights may feel powerless and reluctant to file complaints or seek resolution.

Education on consumer protection is crucial. The government and businesses must collaborate to develop effective educational programs to raise public awareness of their rights as consumers. Information campaigns via social media, seminars, and workshops can be effective platforms to disseminate this knowledge. (Lestari & Prasetyo, 2020). By increasing awareness of consumer rights, the public is expected to be more proactive in protecting themselves from harmful practices and more confident in asserting their rights when engaging in online transactions.

Enhancing consumer understanding of their rights is essential to creating a safer and more reliable e-commerce environment. This protects consumers from fraud and encourages businesses to operate more transparently and responsibly (Setiawan & Sari, 2021).

b. Dissatisfaction with the Dispute Resolution Mechanism

Most respondents in this study expressed dissatisfaction with the dispute resolution process facilitated by the Consumer Dispute Settlement Agency (BPSK). Many consumers feel that the existing mechanism could be more effective, complicated, and time-consuming, making them reluctant to file complaints when facing problems. This reflects a significant challenge in the legal system that should provide certainty and justice for consumers. According to A.Z. Nasution (2019), consumer protection must be carried out effectively and efficiently to provide legal certainty to consumers (Hidayati, 2021). This dissatisfaction indicates that BPSK needs to comprehensively evaluate the existing mechanisms to improve the speed and effectiveness of dispute resolution.

In this context, it is essential to consider the implementation of alternative dispute resolution (ADR). Mechanisms offer a more flexible and faster approach than formal litigation. Methods such as mediation and conciliation can help disputing parties reach an agreement without going through lengthy legal processes. Accessibility to dispute resolution mechanisms is also critical, as many consumers do not know how to file complaints or feel that the process is too complex. Therefore, efforts must be made to increase information transparency regarding dispute resolution procedures, including the steps consumers must take to file a complaint.

The government also needs to strengthen consumer protection regulations by considering public feedback and enforcing stricter laws against violations of consumer rights. By implementing alternative solutions such as ADR, improving the accessibility of information, and enhancing existing regulations, it is hoped that public trust in BPSK and the overall legal protection system will increase, creating a safer and more reliable e-commerce environment for all parties involved (Zainal, 2020).

c. Proliferation of Online Fraud

The rise of online fraud has become a severe issue in e-commerce, where consumers often receive products that do not match their descriptions or even fail to receive the goods after making payments. This finding is consistent with previous research by Mukti Fajar and Yulianto Achmad (2013), which showed that online fraud has increased alongside the growth of e-commerce (Fista et al., 2023). Such fraud causes financial losses for consumers and diminishes public trust in e-commerce platforms.

One common type of fraud is employment-related scams, where perpetrators offer the allure of part-time jobs that turn out to be fraudulent schemes. A recent case involved around 1,000 victims who collectively lost up to Rp 35 billion due to a scam that required them to boost the ratings of an e-commerce platform by commenting and liking posts, only to find that after topping up their accounts, they were unable to withdraw their money (Kompas, 2023). Such schemes demonstrate how fraudsters continually adapt and create new ways to exploit unsuspecting consumers.

According to the Indonesian Customs Office, scams conducted through online stores are among the most commonly used methods, resulting in losses of billions of rupiah (Indonesian Customs Office, 2023). This underscores the need for increased consumer awareness and education on identifying and avoiding online fraud. Furthermore, businesses must take responsibility for providing clear and accurate product information and ensuring that their transaction security systems are robust enough to protect consumers from potential fraud. (Salim & Wibowo, 2023).

Stricter regulations must be addressed. The government must strengthen consumer protection laws and impose tougher penalties on businesses involved in fraudulent practices (Sukma, 2020). These efforts can achieve a safer and more trustworthy consumer e-commerce environment. Public participation in preventing online fraud through educational campaigns and outreach programs on consumer rights and fraud prevention is also critical.

d. Unclear Product Information

Seventy percent of respondents in this study revealed that the product information provided by businesses needed to be more precise and accurate. This reflects a severe challenge of e-commerce, where transparency in product information is critical to ensuring consumer satisfaction and reducing the risk of fraud. Explicit information can lead to clarity among consumers, resulting in better purchasing decisions and satisfaction with the products they receive (L. Sari, 2020).

Accurate and precise product information is vital in e-commerce, where consumers cannot physically see or feel the product before purchasing. According to previous research, uncertainty about the quality and specifications of products is often the main reason consumers hesitate to engage in online transactions (D. Sari & Rahman, 2022). When the information provided reflects the true condition of the product, consumers can avoid receiving defective, misrepresented, or even counterfeit goods.

The Consumer Protection Act also supports the importance of transparency in information, which emphasizes consumers' right to receive accurate, clear, and honest information about goods and services. Business actors ensure product descriptions include all essential details, such as technical specifications, materials, sizes, and usage instructions. If businesses fail to meet this obligation, they violate the law and risk losing consumer trust.

To improve product information transparency, businesses must adopt best practices in information presentation. This includes using representative images, providing complete and accurate descriptions, and allowing consumer reviews from those who have already purchased the product. Additionally, businesses should provide easily accessible communication channels for consumers to ask questions or file complaints about the product (Paryadi, 2018).

By increasing product information transparency, businesses can improve consumer satisfaction and build a positive reputation in the e-commerce market. Consumer trust in e-commerce platforms will increase if they receive accurate and reliable information before purchasing. Therefore, efforts to address the need for more clarity in product information should be a priority for all business actors in the e-commerce industry. (Ningsih & Adianto, 2021).

e. Expectations for Improved Legal Protection

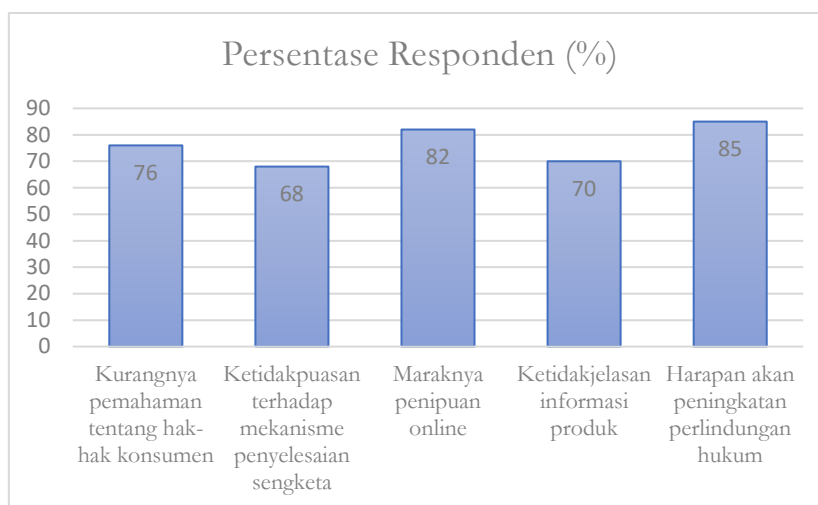


Figure 1. Chart of Expectations for Improved Legal Protection

Based on this study, most respondents (85%) expressed hopes for enhanced consumer legal protection, as illustrated in Figure 1. This expectation indicates a high level of public awareness regarding the importance of legal protection in safeguarding their interests as consumers in electronic transactions. Respondents desire stricter regulations for business operators, which are necessary to ensure that businesses are accountable in conducting their operations and provide adequate consumer protection. More stringent regulations could encompass aspects such as product information transparency, transaction security, and the enforcement of laws against violations of consumer rights (Nasution, 2019).

Additionally, respondents seek broader educational campaigns about their rights as consumers. Better education can help raise public awareness of these rights and how to assert them, enabling consumers to be more proactive in protecting themselves from harmful practices. In the continually evolving digital era, legal protection becomes increasingly critical, as without adequate protection, consumers are vulnerable to fraud and dissatisfaction with products. (Pramono & Wibowo, 2020). Therefore, the government and business operators must collaborate to create a safer and more trustworthy e-commerce environment. With stricter regulations and more comprehensive educational campaigns, consumers will likely feel safer and more protected when conducting online transactions, thereby creating a better e-commerce ecosystem for all parties involved (Rizki, 2019).

In the evolving digital era, legal protection is becoming increasingly important, as without adequate protection, consumers are vulnerable to fraud and product dissatisfaction. The findings of this research are globally relevant as the phenomenon of a lack of understanding of consumer rights and rampant online fraud is not only limited to Indonesia but is also experienced in other countries. For example, international research shows that the need for legal awareness among the public remains a significant issue in online commerce (OECD, 2020). Similarly, alternative dispute resolution (ADR) was implemented. Mechanisms have been practiced in various countries to improve the effectiveness of dispute resolution in the context of the digital economy (UNCTAD,

2022). Efforts to enhance product information transparency have also been a key focus of consumer protection strategies at the international level (EU Commission, 2022).

Compared to previous research, such as the study conducted by Mukti Fajar and Yulianto Achmad (2013), this study shows a significant increase in the number of online fraud cases in line with the growth of e-commerce. However, unlike previous studies that focused more on the technical aspects of electronic transactions, this research highlights the importance of consumer understanding of their rights and how dissatisfaction with the dispute resolution mechanism can hinder effective legal protection (Prabowo, 2018).

This research contributes new insights by thoroughly analyzing the legal protection aspects available to consumers in electronic transactions in Indonesia and evaluating the effectiveness of current legal protection measures. Through a qualitative approach and in-depth interviews with 50 respondents, this study reveals relevant empirical data on consumer understanding of their rights, dissatisfaction with dispute resolution mechanisms, and the prevalence of online fraud. These findings align with consumer protection theories, which state that education and legal awareness are key factors in safeguarding consumer rights (Danial & Warsiah, 2009).

However, this study has limitations, including the relatively small number of respondents and a geographical focus limited to certain areas of Indonesia. Additionally, the study needs to provide an in-depth analysis of differences in consumer behavior based on demographics or socioeconomic background. These limitations may affect the generalization of the study's findings to the entire consumer population in Indonesia.

CONCLUSION

Based on the research findings and discussions presented, it can be concluded that legal protection for consumers in electronic transactions in Indonesia still faces significant challenges. Most respondents demonstrated a lack of understanding of their rights as consumers, dissatisfaction with dispute resolution mechanisms, and a high rate of online fraud. Additionally, the need for more clarity in the product information businesses provide is another issue that needs to be addressed promptly.

The practical implications of these findings indicate the need for collaboration between the government, businesses, and the public to create a safer and more trustworthy e-commerce environment. The government must enhance public education efforts regarding consumer rights through broader and more structured campaigns. On the other hand, businesses must be held accountable for providing clear and accurate product information and improving transaction transparency. Theoretically, this study contributes to understanding consumer legal protection in Indonesia's e-commerce context. These findings can serve as a reference for future research examining consumer protection aspects in the digital era.

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