JURNAL AKTA
Volume 13 No. 2, June 2026
SINTA 2,
Decree No. 164/E/KPT/2021

THE URGENCY OF STRENGTHENING CONSUMER LEGAL PROTECTION IN E-COMMERCE TRANSACTIONS IN INDONESIA

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Abstract. *The rapid expansion of the digital economy has transformed commercial transactions by increasing the use of e-commerce platforms, creating both greater convenience and new legal challenges for consumer protection. The development of e-commerce in Indonesia has facilitated transaction activities, but also poses various risks for consumers, such as fraud, personal data breaches, and product non-conformity. This study aims to analyze the legal framework for consumer protection, evaluate the effectiveness of regulations in guaranteeing digital consumer rights, and examine the implementation and challenges faced in e-commerce practices in Indonesia. The research method used is a normative juridical approach with a descriptive-analytical type of research, using primary and secondary legal materials. The results show that although regulations such as Law Number 8 of 1999 and Law Number 1 of 2024 have provided a strong legal basis, the effectiveness of consumer protection is still not optimal. This is due to weak supervision, low consumer literacy, and a gap between regulations and practice in the field. Therefore, regulatory harmonization, strengthened law enforcement, and increased digital literacy are needed to realize effective consumer protection in the digital era.*

Keywords: *Consumer Protection; Consumer Rights; Digital Regulation; E-Commerce; Law Enforcement.*

1. Introduction

Over the past decade, the development of information and communication technology has driven significant transformations in the economic activities of Indonesian society. The increasingly widespread access to the internet, supported by the massive use of smartphones, has shifted consumption patterns from conventional to digital (Mubarok et al., 2026). People now prefer shopping through e-commerce platforms due to the convenience, speed, and variety of products offered (Sugianto et al., 2022; Rahardjo et al., 2025). In addition, digital payment systems such as e-wallets and mobile banking have accelerated transaction processes, making them more efficient and practical. This shift has also stimulated rapid growth in the digital economy, marked by the emergence of various startups and technology-based business innovations. Micro, Small, and Medium Enterprises (MSMEs) are also encouraged to adapt by utilizing digital platforms to expand their market reach (Santy, 2023). However, on the other hand, challenges such as data security, digital literacy, and unequal access to technology still require attention to ensure that this transformation proceeds in an inclusive and sustainable manner.

Behind the convenience and efficiency offered, e-commerce transactions also present various risks for consumers. One of the main risks is the discrepancy between the goods received and the descriptions or images displayed, leading to disappointment and financial loss (Silfiah et al., 2024). In addition, fraud whether from fictitious sellers or phishing practices targeting users' personal data has become a growing concern. Furthermore, the manipulation of reviews is a serious issue as it can mislead consumers in making purchasing decisions. Dark patterns, such as user interface designs intended to deceive users into making purchases or subscriptions without full awareness, are also increasingly prevalent (Widijowati et al., 2019; Karimullah, 2024).

The rapid expansion of e-commerce in Indonesia has been accompanied by the development of a comprehensive legal framework governing electronic transactions, consumer protection, and personal data security. Electronic commerce activities are principally regulated under Law Number 1 of 2024, which amends Law Number 11 of 2008 on Electronic Information and Transactions (Undang-Undang Informasi dan Transaksi Elektronik/ITE Law), providing the legal basis for electronic transactions, digital evidence, and the responsibilities of electronic system providers. Consumer rights in online transactions are further protected by Law Number 8 of 1999 on Consumer Protection, which guarantees consumers' rights to accurate information, product safety, and compensation for losses arising from defective goods or unfair business practices (Izazi et al., 2024).

However, regulatory and security issues remain key challenges in the development of e-commerce in Indonesia. The rapid growth of digital transactions has not been fully matched by a strong and adaptive legal framework, resulting in suboptimal consumer protection. Many cases indicate weak law enforcement against violations such as fraud, data misuse, and transaction disputes that are difficult to resolve (Ramadhan et al., 2023; Rizkia et al., 2024). On the other hand, personal data protection has become increasingly crucial alongside the rising collection, storage, and utilization of consumer data by digital platforms. Personal data is often used without clear consent or is not managed with adequate security standards, thereby increasing the risk of data breaches and misuse (Fibrianti, 2017; Ariawan, 2025; Badruzaman, 2025).

Despite the growing body of literature on e-commerce regulation and digital consumer protection, existing studies have primarily focused on individual aspects such as online fraud, personal data protection, or electronic transactions in isolation (Sugianto et al., 2022; Rahardjo et al., 2025). Few studies have comprehensively examined the effectiveness of Indonesia's current legal framework in simultaneously addressing consumer protection, data security, and the evolving risks associated with digital commerce (Widijowati et al., 2019; Santy, 2023). This gap highlights the need for a more integrated legal analysis to assess whether existing regulations remain adequate in responding to contemporary challenges in Indonesia's digital economy.

Based on the background described above, this study is directed to comprehensively analyze three main aspects of consumer protection in e-commerce transactions in Indonesia. First, this study examines the legal framework governing consumer protection, including regulations related to digital transactions and the extent to which these norms accommodate the dynamics of electronic commerce. Second, this study evaluates the effectiveness of these regulations in ensuring the rights of digital consumers, particularly in addressing risks such as fraud, personal data violations, and unfair business practices. Third, this study analyzes the implementation and challenges of legal consumer protection in e-commerce practices in Indonesia, highlighting the gap between normative provisions and realities in practice.

Based on the paragraph, your research discussion has three main focuses: (1) the legal framework, (2) the effectiveness of regulations, and (3) implementation and its challenges. Therefore, the research questions to be discussed are as follows:

1. How does the existing legal framework regulate consumer protection in e-commerce transactions in Indonesia?

2. To what extent are the current legal regulations effective in protecting consumers against fraud, personal data breaches, and other unfair business practices in e-commerce transactions?

3. What are the principal challenges in implementing legal consumer protection in Indonesia's e-commerce sector, and how can the existing regulatory framework be strengthened to address the gap between normative provisions and practical implementation?

2. Research Methods

This study employs a normative juridical approach to examine the legal norms governing consumer protection in e-commerce transactions in Indonesia. This approach is considered appropriate because the research primarily focuses on analyzing the consistency between the existing legal framework and its practical implementation in regulating digital commercial activities. The study adopts a descriptive-analytical research design, which systematically identifies and describes the applicable statutory provisions while critically evaluating the legal issues arising from their implementation. Through this approach, the research assesses the adequacy of current regulations in addressing consumer protection challenges in e-commerce, particularly those related to digital transactions, personal data protection, fraud, and other unfair business practices, thereby providing a comprehensive legal analysis of the effectiveness of Indonesia's regulatory framework.

The data sources in this study comprise both primary and secondary legal materials. The primary legal materials are drawn from Indonesia's legislative framework governing consumer protection and electronic commerce, with particular emphasis on Law Number 8 of 1999 on Consumer Protection and Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions, which serve as the primary normative foundation for the legal analysis. Secondary legal materials include authoritative legal textbooks, peer-reviewed journal articles, scholarly publications, and previous studies addressing consumer protection, digital commerce, and electronic transactions. Data were collected through a comprehensive literature review to identify and examine relevant legal sources systematically. The collected materials were subsequently analyzed using a qualitative method with an interpretative approach, enabling the study to interpret legal norms, evaluate their practical application, and assess the adequacy of the existing regulatory framework in protecting consumers engaged in e-commerce transactions.

3. Results and Discussion

3.1. Legal Framework for Consumer Protection in E-Commerce Transactions in Indonesia

Law Number 8 of 1999 concerning Consumer Protection serves as the primary legal foundation in Indonesia, providing guarantees for consumer rights, such as the right to safety, comfort, accurate information, and the right to obtain compensation in the event of loss (Izazi et al., 2024). This law also regulates the obligations of business actors to act in good faith in conducting their business activities, including providing accurate and non-misleading information. In addition, dispute resolution mechanisms are regulated through the Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen/BPSK) as an alternative outside the court system. Meanwhile, Law Number 1 of 2024 as the second amendment to Law Number 11 of 2008 on Electronic Information and Transactions plays an important role in regulating digital activities, including electronic transactions and cybercrime (Safriawan, 2024).

The principles of consumer protection in Indonesia, as stipulated in Law Number 8 of 1999 concerning Consumer Protection, are based on the principles of benefit, justice, balance, security, and legal certainty. The principle of benefit emphasizes that every policy must provide advantages for both consumers and business actors. The principles of justice and balance require a proportional relationship between the rights and obligations of the parties involved (Jiao & Niu, 2021). Meanwhile, the principles of consumer safety and security aim to protect consumers from risks of loss, both physical and non-physical, including in digital transactions. In addition, the main principles of consumer protection also include transparency in the delivery of information, fair and non-discriminatory treatment, reliability of products and services, and protection of personal data confidentiality (Daud & Suyanto, 2024).

Consumer rights and obligations in Indonesia are regulated under Law Number 8 of 1999 concerning Consumer Protection as an effort to create balance in the relationship between consumers and business actors (Izazi et al., 2024). Consumers have the right to comfort, security, and safety in consuming goods and/or services, as well as the right to obtain accurate, clear, and honest information regarding the condition and guarantees of products. Furthermore, consumers have the right to choose goods or services according to their needs, to submit complaints, to obtain advocacy, and to receive compensation or redress in the event of loss. Consumers are also entitled to non-discriminatory services. On the other hand, consumers have obligations that must be fulfilled, including reading and following product usage instructions, acting in good faith in transactions, paying according to the agreed price, and resolving disputes properly (Musmualim et al., 2024).

The regulation of electronic transactions in Indonesia is primarily governed by Law Number 1 of 2024 as the second amendment to Law Number 11 of 2008 on Electronic Information and Transactions. This regulation aims to provide legal certainty in digital activities, particularly in transactions conducted through electronic systems. The law recognizes the validity of electronic documents as legitimate legal evidence, including the use of electronic signatures in various agreements (Arismunandar & Abustan, 2025). In addition, electronic contracts are also recognized as legally binding as long as they meet the legal requirements of a valid agreement. This regulation further stipulates the obligations of electronic system providers to ensure the security and reliability of their systems, as well as to protect users' personal data. In the context of consumer protection, this law plays a crucial role in ensuring that digital transactions are conducted in a secure, transparent, and accountable manner (Azni et al., 2024).

The effectiveness of the legal framework governing consumer protection in e-commerce also depends on the consistency and coherence of the regulations that govern different aspects of digital transactions. The increasing integration of online marketplaces, digital payment services, logistics providers, and cross-border electronic commerce requires legal norms that operate in a complementary rather than fragmented manner. A coherent regulatory framework enables business actors to clearly understand their legal obligations while providing consumers with predictable standards of protection. Conversely, inconsistencies among sectoral regulations may create overlapping responsibilities, legal uncertainty, and enforcement difficulties that weaken consumer confidence in digital commerce (Sanusi, 2024). Therefore, legal coherence should be regarded as an essential element in ensuring that consumer protection regulations remain effective amid the continuous evolution of digital business models.

The legal framework should also be viewed as a dynamic instrument that evolves alongside technological innovation rather than as a static body of rules. Emerging technologies, including artificial intelligence, automated decision-making systems, and algorithm-driven marketing, continue to reshape the relationship between consumers and digital business actors. These developments generate legal issues that were not fully anticipated when existing regulations were enacted, particularly concerning transparency, accountability, and the fairness of digital commercial practices (Dzuhriyan et al., 2024). Consequently, regulatory adaptation should be carried out periodically through legislative review and policy evaluation to ensure that consumer protection remains responsive to technological developments while preserving legal certainty, fairness, and market efficiency in Indonesia's digital economy.

The findings also indicate that the effectiveness of the legal framework should not be assessed solely by the existence of statutory provisions, but by its capacity to adapt to continuous technological innovation. Digital commerce evolves much faster than legislative reform, causing legal norms to face increasing pressure in addressing new forms of commercial practices, including algorithmic recommendations, artificial intelligence-assisted transactions, and platform-based business models (Suryantoro, 2025). This situation demonstrates that legal certainty in e-commerce depends on the flexibility of the regulatory system to accommodate emerging technologies while maintaining fundamental principles of consumer protection. Therefore, periodic legislative evaluation and closer coordination among regulatory authorities are necessary to ensure that the legal framework remains responsive without compromising fairness, legal certainty, or the protection of consumers' fundamental rights.

3.2. Effectiveness of Regulation in Guaranteeing Digital Consumer Rights

The alignment of regulations with the development of e-commerce in Indonesia still faces various challenges. Law Number 8 of 1999 concerning Consumer Protection (UUPK) was essentially designed for conventional transactions, and therefore has not been fully able to accommodate the complexity of rapidly evolving digital transactions. On the other hand, Law Number 1 of 2024 as the second amendment to the Law on Electronic Information and Transactions focuses more on aspects of electronic transactions and cybercrime, but does not yet comprehensively regulate the dynamics of the modern e-commerce ecosystem such as marketplaces, fintech, and application-based digital platforms. This condition indicates an urgent need for regulatory harmonization with other regulations, including the Personal Data Protection Law as well as implementing regulations such as government and ministerial regulations. Such harmonization is essential to create an integrated, adaptive, and responsive legal framework to technological developments, thereby providing optimal protection for consumers in the digital era (Jayabalan, 2012; Daud & Suyanto, 2024).

The level of consumer rights protection in Indonesia has normatively been guaranteed through Law Number 8 of 1999 concerning Consumer Protection (Devi & Simarsoit, 2020). This regulation provides a fairly comprehensive foundation regarding consumer rights, such as the right to safety, clear information, and the right to obtain compensation. However, in practice, the fulfillment of these rights remains suboptimal, especially in the context of rapidly developing digital transactions. On major e-commerce platforms, aspects of transaction security and information transparency have relatively been fulfilled through secure payment systems and fairly clear product descriptions. Nevertheless, the protection of consumers' personal data remains a crucial issue due to its vulnerability to breaches and misuse (Anugerah, 2024; Badruzaman, 2025). In addition, the process of claiming compensation is often considered complicated and time-consuming, making it difficult for consumers to obtain their rights. This condition reflects a gap between legal guarantees and their implementation in practice (Ramadhan et al., 2023).

Law enforcement against violations in e-commerce transactions in Indonesia is carried out through supervision and the imposition of sanctions by the government, such as the Ministry of Trade, the Business Competition Supervisory Commission (Komisi Pengawas Persaingan Usaha/KPPU), and the Ministry of Environment and Forestry. The approaches used include both preventive and repressive measures to prevent and address violations by business actors. However, the effectiveness of law enforcement still varies due to technical constraints, rapid digital developments, and suboptimal coordination among institutions. Administrative sanctions, ranging from warnings to the revocation of business licenses, serve as the primary instruments for addressing violations while also restoring the losses suffered by consumers across various sectors of the digital economy (Kurniawan & Setyawan, 2024).

The legal foundation for consumer data protection in Indonesia is primarily established through Law Number 8 of 1999 concerning Consumer Protection (Undang Undang Perlindungan Konsumen/UUPK) and Law Number 1 of 2024, which constitutes the second amendment to the Law on Electronic Information and Transactions. The UUPK generally regulates privacy rights and consumer protection, while the ITE Law places greater emphasis on the security of electronic systems in digital transactions. However, both regulations do not yet comprehensively govern personal data protection as stipulated in the Personal Data Protection Law. In practice, various challenges remain, such as weak implementation, limited supervision, and the complexity of cross-border jurisdiction in digital transactions. This condition highlights the need for regulatory harmonization and strengthening to ensure more effective consumer data protection (Priyono et al., 2019; Saputro et al., 2026).

The findings of this study indicate that the effectiveness of consumer protection regulations in Indonesia remains largely dependent on the extent to which legal provisions can be translated into practical enforcement within the digital marketplace. Although the existing regulatory framework formally recognizes consumers' rights and imposes obligations on business actors, its practical implementation has not yet produced a consistently high level of legal protection (Dzuhriyan et al., 2024). The persistence of personal data breaches, online fraud, misleading product information, and difficulties in obtaining compensation demonstrates that the effectiveness of the current legal framework cannot be assessed solely by the existence of statutory provisions. Instead, the findings suggest that regulatory effectiveness should be measured by its ability to provide timely legal remedies, ensure compliance by digital business actors, and maintain consumer confidence in electronic transactions. These results highlight that strengthening institutional enforcement and improving regulatory coordination are equally important to ensure that legal protection functions effectively in Indonesia's rapidly evolving digital economy (Yulianingsih & Putra, 2024).

Regulatory effectiveness is closely linked to the practical capacity of the institutions responsible for implementing consumer protection, not just legislative completeness. While legal provisions formally guarantee consumer rights, effective protection depends on consistent oversight, prompt complaint handling, and readily accessible legal remedies. The increasing complexity of digital transactions requires regulatory institutions to adopt more integrated oversight mechanisms supported by technological innovation, including digital monitoring systems and inter-agency information sharing (Romdoni, 2024). Consequently, improving institutional performance should be considered an equally important component of consumer protection policy, as legal certainty can only be achieved when regulatory obligations are consistently and efficiently implemented in a rapidly changing digital market.

3.3. Implementation and Challenges of Consumer Legal Protection in E-Commerce Practices in Indonesia

The implementation of consumer protection regulations in Indonesia is carried out based on Law Number 8 of 1999, which guarantees consumer rights to safety, accurate information, and compensation for losses incurred (Devi & Simarsoit, 2020). In practice, the application of this law is conducted through product supervision by institutions such as the National Agency of Drug and Food Control and other relevant government agencies, as well as through the regulation of business actors’ obligations to provide accurate and non-misleading information. In the event of violations, consumers may pursue dispute resolution through the Consumer Dispute Settlement Agency (BPSK) or through the courts, in accordance with the applicable legal provisions in Indonesia.

The challenges of enforcing consumer protection law in Indonesia remain quite complex, particularly in the context of the digital economy. One of the main obstacles is that existing regulations, such as the Consumer Protection Law, are not yet fully adaptive to the dynamics of e-commerce transactions (Indriani, 2017; Silfiah et al., 2024). In addition, weak supervision of business actors and the lack of strict enforcement of sanctions further hinder the effectiveness of consumer protection. Enforcement against violators operating across regions and even across national borders is also difficult due to jurisdictional limitations. Furthermore, limited legal literacy among consumers continues to hinder their understanding of their rights and the legal remedies available in e-commerce transactions. In addition, access to dispute resolution through the Consumer Dispute Settlement Agency (BPSK) remains inadequate, particularly for consumers residing outside major urban areas. Furthermore, the increasing risks of cybercrime and the circulation of counterfeit products on e-commerce platforms further complicate effective law enforcement (Daud & Suyanto, 2024; Rahardjo et al., 2025).

The low level of legal literacy and consumer awareness in Indonesia constitutes a major barrier to the enforcement of consumer protection law, particularly in the e-commerce era. Many consumers do not fully understand their basic rights as stipulated in Article 4 of Law Number 8 of 1999, such as the right to accurate information, safety, and compensation. As a result, consumers tend to remain passive when experiencing losses and are reluctant to pursue complaint mechanisms or dispute resolution processes. This condition is exacerbated by limited understanding of available complaint mechanisms as well as low levels of digital literacy among parts of the population. Unequal access to information and education also means that legal protection has not been optimally experienced by all segments of consumers in Indonesia (Ramadhan et al., 2023).

The gap between regulation and practice in consumer protection in Indonesia remains a significant issue. Although Law Number 8 of 1999 provides a fairly comprehensive legal framework, its implementation in practice has not been optimal (Izazi et al., 2024; Alam et al., 2026). This is due to weak supervision of business actors, resulting in the persistence of business practices that do not comply with legal provisions, including operations without clear authorization. In addition, low consumer literacy leads to a lack of awareness of rights and a tendency to remain passive when harmed. On the other hand, the slow adaptation of regulations to the development of the digital economy further widens this gap. Inconsistent law enforcement and relatively complicated dispute resolution processes further hinder the realization of effective and equitable consumer protection (Safriawan, 2024; Arismunandar & Abustan, 2025).

The findings further demonstrate that the implementation of consumer protection in Indonesia's e-commerce sector is influenced not only by the adequacy of the existing legal framework but also by the capacity of institutions responsible for its enforcement. The persistence of implementation gaps reflects the need for stronger coordination among regulatory authorities, digital platform providers, and consumer protection agencies to ensure that legal norms are consistently applied in practice (Fista et al., 2023). The study also reveals that effective consumer protection requires a more proactive compliance culture among e-commerce business actors, supported by continuous monitoring and transparent accountability mechanisms. Without these supporting elements, statutory regulations alone are insufficient to respond to increasingly sophisticated digital commercial practices and emerging technological risks. Accordingly, the findings suggest that strengthening institutional governance and promoting greater regulatory compliance constitute essential prerequisites for enhancing consumer trust and ensuring the long-term effectiveness of legal protection within Indonesia's rapidly expanding digital marketplace (Ayunda, 2022).

The implementation challenges identified in this study also demonstrate that consumer protection in the digital economy should be understood as a shared responsibility involving regulators, digital platform providers, business actors, and consumers themselves (Karimullah, 2024; Bhakti et al., 2025). Strengthening legal protection cannot rely exclusively on government intervention because the rapid expansion of e-commerce creates regulatory challenges that frequently exceed the capacity of conventional supervisory mechanisms. Digital platforms therefore play a significant role in preventing consumer losses through transparent business policies, effective complaint resolution systems, reliable seller verification procedures, and proactive monitoring of fraudulent commercial practices. The findings indicate that collaborative governance among all stakeholders constitutes an essential element for improving compliance while creating a safer and more trustworthy digital marketplace for consumers (Ariawan, 2025).

Another important finding emerging from this study is that consumer trust represents one of the most valuable outcomes of effective legal protection within digital commerce. Consumers are more likely to participate in electronic transactions when they perceive that regulatory institutions are capable of enforcing legal obligations fairly and resolving disputes efficiently (Priliasari, 2023). Conversely, repeated experiences involving misleading information, personal data breaches, delayed compensation, or ineffective law enforcement may gradually reduce public confidence in digital platforms and discourage long-term participation in the digital economy. Therefore, strengthening consumer trust should be regarded not merely as a legal objective but also as an economic strategy that supports sustainable digital market growth by encouraging responsible business conduct, improving regulatory compliance, and fostering greater confidence in Indonesia's evolving e-commerce ecosystem.

4. Conclusion

This study finds that Indonesia has developed a robust legal framework for consumer protection in e-commerce, primarily through Law Number 8 of 1999 concerning Consumer Protection and Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions. Together, these statutes recognize and safeguard consumers' rights, define the responsibilities of business actors, and provide the principal legal framework governing electronic transactions and digital consumer protection. Nevertheless, the findings reveal that the effectiveness of these regulations remains limited due to the persistent gap between normative provisions and their practical implementation. Weak regulatory enforcement, inadequate institutional coordination, limited consumer legal and digital literacy, and the growing complexity of cross-border digital transactions continue to hinder the realization of effective legal protection. Furthermore, the increasing risks associated with personal data misuse and rapidly evolving digital business models highlight the need for continuous regulatory adaptation to address emerging legal challenges within Indonesia's digital economy.

From a theoretical perspective, this study contributes to the development of consumer protection law by demonstrating that the effectiveness of legal protection in the digital marketplace depends not only on the existence of comprehensive statutory regulations but also on the capacity of institutions to implement and enforce those regulations effectively. Practically, the findings provide valuable insights for policymakers, regulatory authorities, and e-commerce platform providers to strengthen regulatory harmonization, improve supervisory mechanisms, enhance institutional coordination, and promote greater consumer awareness through continuous legal and digital literacy programs.

This study is limited by its normative juridical approach, which relies primarily on statutory regulations, legal doctrines, and previous scholarly literature without incorporating empirical evidence from consumers, business actors, or regulatory institutions. Consequently, future research is encouraged to adopt empirical, socio-legal, or comparative approaches to evaluate the practical effectiveness of consumer protection regulations across different e-commerce platforms and jurisdictions. Such studies are expected to provide broader insights into the implementation of digital consumer protection and contribute to the development of more adaptive and effective legal policies in Indonesia.

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