

CONSUMER PROTECTION IN CIVIL LAW: ANALYSIS OF RIGHTS AND OBLIGATIONS IN COMMERCIAL TRANSACTIONS

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Abstract

This study aims to analyze consumer protection from the perspective of civil law through the study of the rights and obligations of the parties in commercial transactions in Indonesia. Using the case study method, this study examines a number of court decisions relevant to consumer protection disputes, in order to identify patterns in the application of civil law principles by judicial institutions. The data was obtained through an in-depth review of legal documents, including consumer protection laws, court rulings, and related academic literature, to provide a comprehensive picture of the effectiveness of the legal protections applied. The results of the study show that there are variations in the application of consumer protection law, which is mostly influenced by the judge's interpretation of the principle of substantive justice and the compliance of business actors with laws and regulations. In addition, the study found that there are limitations in regulations that result in legal loopholes, especially in the case of electronic transactions and online services, which have the potential to reduce legal certainty for consumers. The study also revealed that consumers' lack of awareness of their rights leads to an unbalanced bargaining position in commercial transactions. The study concludes that increasing the effectiveness of consumer protection in Indonesian civil law requires strengthening more specific regulations and implementing consistent guidelines to ensure fair and transparent implementation. In addition, increasing consumer education and legal socialization is considered important so that consumers are more proactive in demanding their rights. Thus, this research contributes to the development of consumer protection legal literature in Indonesia, as well as offers practical insights that can be utilized by policymakers, business actors, and judicial institutions to improve consumer protection in commercial transactions in the digital era.

Keywords: Consumer Protection, Civil Law, Commercial Transactions, Rights and Obligations, Case Study.

INTRODUCTION

Consumer protection is one of the important aspects in the development of civil law, especially in line with the increasing volume of commercial transactions involving individuals and business actors (Rutledge, 2010). In this context, the rights and obligations of consumers and business actors are regulated with the aim of creating fair transactions and protecting weaker parties economically and indefinitely (Setiawan, 2023).

In Indonesia, the legal framework for consumer protection has been regulated through Law Number 8 of 1999 concerning Consumer Protection, which provides a legal basis for consumer rights and obligations of business actors (Arifin et al., 2021). However, despite regulations governing consumer rights, the application of legal protection in the context of commercial transactions still faces a number of challenges, especially related to legal interpretation, enforcement effectiveness, and compliance from business actors (Willis, 2015).

Along with the increase in electronic transactions, there has also been an increase in consumer dispute cases related to online transactions. Based on data from the Indonesian Consumer Institute Foundation (YLKI), there was a surge in consumer complaints that reached 30% during 2021–2022, where most complaints focused on online fraud problems, goods that did not match the description, and unclear return policies (YLKI, 2022).

A significant case example is a dispute between a consumer and one of the major e-commerce platforms in Indonesia, where consumers suffered material losses due to the sale of counterfeit goods and the difficulty of the refund process. These cases show that there is an imbalance in bargaining position between consumers and business actors in the digital sector, which indicates that the existing legal protection has not fully accommodated the development of modern commercial transactions (Wang, 2014; Cortés, 2010; Winn & Wright, 2000).

In addition, data from the National Consumer Protection Agency (BPKN) noted that during 2022, there were more than 1,500 consumer dispute cases resolved in court. Among these cases, some highlighted differences in interpretation by judges regarding the principle of substantive justice in deciding consumer disputes, which has an impact on the uncertainty of outcomes for consumers (BPKN, 2022). This case study related to consumer protection disputes shows variations in the application of civil law principles, which are often influenced by judges' interpretations and other external factors, such as business actors' compliance with regulations and the level of consumer awareness of their rights (Fibrianti et al., 2023; Prastyanti & Sharma, 2024; KAMASE, 2023).

In today's digital era, consumer transaction patterns have shifted significantly, and electronic transactions are increasingly dominating the trade sector. This adds to the complexity of consumer protection because there is a need to adapt existing regulations to accommodate the characteristics of digital transactions (Howells, 2020; Gibney et al., 201; Riefa, 2021).

The low level of consumer awareness of their rights often leads to their inability to claim rights or file objections against business actors who do not fulfill their obligations. According to a BPKN survey in 2022, only 40% of consumers understand their basic rights in digital transactions, indicating an urgent need to increase education and socialization about consumer rights (BPKN, 2022).

Consumer protection in civil law is a legal principle and mechanism designed to protect consumer rights when conducting commercial transactions with business actors. This protection aims to ensure that consumers, who are often in a weaker bargaining position than business actors, are not harmed by unfair trade practices (Al-Mamari, 2018). In the context of civil law, the concept of consumer protection includes various aspects, ranging from the right to clear information about products or services, the right to obtain goods or services in accordance with the agreement, to the right to file a complaint and get compensation in the event of a loss.

This protection is reflected in various regulations that regulate product standards, transaction transparency, and the responsibility of business actors to consumers. Law Number 8 of 1999 concerning Consumer Protection in Indonesia is one of the main legal umbrellas that regulate rights and obligations in commercial transactions, as well as a reference for judicial institutions in deciding consumer disputes (Lusita et al., 2022; Arifin et al., 2021; Kerti, 2023).

Under civil law, consumer protection is focused on the principle of substantive justice that regulates the balance between the rights and obligations of consumers and business actors (Ramsay, 2012). This principle emphasizes that business actors must take full responsibility for the products or services they offer to consumers. If there is a product defect, information discrepancy, or loss incurred as a result of the transaction, the consumer is entitled to adequate compensation or settlement.

Courts often use this principle of substantive justice to decide consumer dispute cases, taking into account factors such as good faith, fulfillment of obligations, and tangible impacts experienced by consumers (Riefa & Saintier, 2020; Howells & James, 2002). In practice, the main challenge of consumer protection in Indonesia involves the effective implementation of existing regulations, especially in the digital transaction and e-commerce sectors, where the characteristics of transactions and the relationship between business actors and consumers are more complex and require additional rules (Grabner-Kraeuter, 2002; Budnitz, 1997).

Consumer protection in civil law is also related to the active role of consumers in knowing and demanding their rights. Consumer awareness of their rights in transactions is essential to realize effective protection (Widiarty & Jian, n.d.). Unfortunately, in Indonesia, consumer awareness levels are still relatively low, which often leads to them receiving losses without further efforts to file complaints or seek legal redress.

This is exacerbated by gaps in regulations that have not fully accommodated the development of digital transactions, where disputes are often difficult to resolve due to regulatory limitations and lack of consumer access to report non-conformities with products or services. Therefore, increasing consumer awareness through public education, improving consumer protection regulations, and stricter supervision of business actors are important steps to realize fair and effective consumer protection in the civil law system (Macaulay, 1979; Silbey, 1981; Wright, 2011).

This study aims to analyze the application of consumer protection in the context of civil law in Indonesia, especially related to rights and obligations in commercial transactions, through a case study approach to court decisions related to consumer disputes. By examining various court decisions, this study is expected to provide an overview of the pattern of application of consumer protection legal principles by the courts and identify loopholes in existing regulations.

In addition, this research also aims to provide practical recommendations for policymakers and business actors so that consumer protection in Indonesia can be strengthened, especially in facing the challenges of digital transactions (Atikah, 2020). Thus, this research not only contributes to the academic literature on consumer protection, but also offers a practical perspective for stakeholders to create a safer and fairer commercial transaction environment for consumers in Indonesia.

METHODS

This study uses a case study approach method to analyze consumer protection in the context of civil law in Indonesia, focusing on rights and obligations in commercial transactions (Dunning et al., 2008; Zucker, 2016). The case study approach was chosen because it provides in-depth insight into the application of consumer protection legal principles through the analysis of court decisions related to consumer disputes.

This approach allows the research to delve deeper into how the rules and principles of civil law are applied in real life, as well as understand the interpretation of judges in determining the rights and obligations of consumers and business actors (Sarat & Kearns, 1995; Bhat, 2019).

The main data used in this study include court decisions that have been published and related to consumer protection cases in Indonesia. Secondary data was obtained from a review of relevant literature, including laws and regulations related to consumer protection, as well as various academic literature on principles of civil law and consumer protection (Syamsudin, 2021).

Case studies are focused on court decisions involving disputes between consumers and business actors in commercial transactions, both in the conventional sector and electronic transactions. The data analysis process is carried out through a juridical review of these decisions to identify patterns in the application of substantive justice principles and the conformity between decisions and applicable regulations (Kadish, 1956; Damaska, 1986).

In addition, this study examines the annual report from the Indonesian Consumer Institute Foundation (YLKI) and the National Consumer Protection Agency (BPKN) as material to complete the understanding of consumer protection conditions in Indonesia (Widiarty, 2021; Arifin et al., 2021; People, n.d.). These reports provide empirical data that shows consumer complaint trends as well as the issues that consumers most often face in commercial transactions, especially in digital transactions. This data is analyzed descriptively to identify gaps in regulations that have the potential to cause losses to consumers and provide recommendations for improvement.

This research method also includes an analysis of regulations, especially Law Number 8 of 1999 concerning Consumer Protection, to understand the legal basis of the rights and obligations that apply to consumers and business actors (Lumentut & Palullungan, 202; Mak & Terry, 2020). The results of the analysis of this case study approach are expected to provide a comprehensive overview of the effectiveness of consumer protection in civil law in Indonesia, as well as practical recommendations for policymakers and business actors to increase legal certainty and fairness for consumers in commercial transactions (Santy, 2023).

RESULT & DISCUSSION

Case Analysis of Court Decisions

In analyzing the application of consumer protection principles in civil law, the inconsistency of court rulings related to disputes between consumers and e-commerce platforms highlights significant challenges. The two main cases analyzed are the Jakarta High Court Case No. 120/PDT. G/2021/PT. JKT and Bandung District Court Case No. 234/PDT. G/2022/PN. BDG, shows that there is a difference in judges' interpretation of the responsibility of digital platforms for products sold by third parties.

This difference arises because, on the one hand, the principle of substantive justice is considered to be the main reference in consumer protection, while on the other hand, the role of platforms as intermediaries tends to limit their legal liability (Cohen, 2017).

In the case of the Jakarta High Court No. 120/PDT. G/2021/PT. JKT, a court ruling requires e-commerce platforms to be responsible for the sale of counterfeit products by third-party sellers. The judge argued that e-commerce platforms have an obligation

to ensure the authenticity and safety of the products offered, given that consumers purchase such products through their services. In the ruling, the judge emphasized that platforms have influence and control over the quality of the products sold on their sites, which provides the basis for the application of substantive fairness principles to protect consumers from potential financial and material losses. This ruling refers to the view that platforms have fiduciary obligations or fiduciary responsibilities towards consumers, especially if the platform derives commercial profits from such transactions. The judge also referred to the concept of duty of care as part of the platform's responsibility to ensure the security of transactions.

On the other hand, in the Bandung District Court Case No. 234/PDT. G/2022/PN. BDG, the judge took a different approach. In this case, the judge argued that the primary responsibility for the products sold rested with the individual seller, as the platform only acted as an intermediary in the transaction. The judge considered that, legally, the platform cannot be considered directly responsible for the quality or authenticity of third-party products, given that the platform only provides a place or "marketplace" for sellers and consumers to meet. Thus, the primary responsibility lies with the individual seller who advertises and sells the product. Judges in these cases tend to use the concept of contractual liability, which states that the platform is only liable to the extent that the agreement or terms of service have been agreed by the user of the platform.

Based on data from the Indonesian Consumer Institute Foundation (YLKI) in 2022, there has been a significant increase in consumer complaints related to counterfeit products and goods that do not match the description on e-commerce platforms. As many as 25% of the total consumer complaints in that year came from digital transactions involving products that were considered detrimental to consumers due to quality or inconsistency with descriptions.

This data supports that problems related to platform responsibility for third-party goods are often faced by consumers and require deeper legal clarity. In addition, a report from BPKN states that around 40% of consumers find it difficult to get compensation or refunds because platforms often argue that full responsibility lies with third-party sellers.

The inconsistency in these decisions also shows that there is a gap or legal vacuum in Indonesia that does not clearly regulate the responsibility of platforms in digital transactions. The absence of specific laws governing e-commerce and the responsibility of platforms for third-party products has led judges to have to rely on different interpretations of the law. For example, in some other jurisdictions such as the European Union, platforms have certain responsibilities to verify the quality of products sold by third parties. This policy aims to improve consumer safety and protection, but Indonesia does not yet have similar regulations.

This difference in interpretation creates legal uncertainty for consumers who suffer losses due to counterfeit or defective products. While some rulings sided with consumers by holding platforms accountable, others favored the platform's position as an intermediary, limiting their liability. These differences result in situations where consumer rights depend on individual interpretations from judges, which can ultimately reduce consistency in consumer protection in Indonesia.

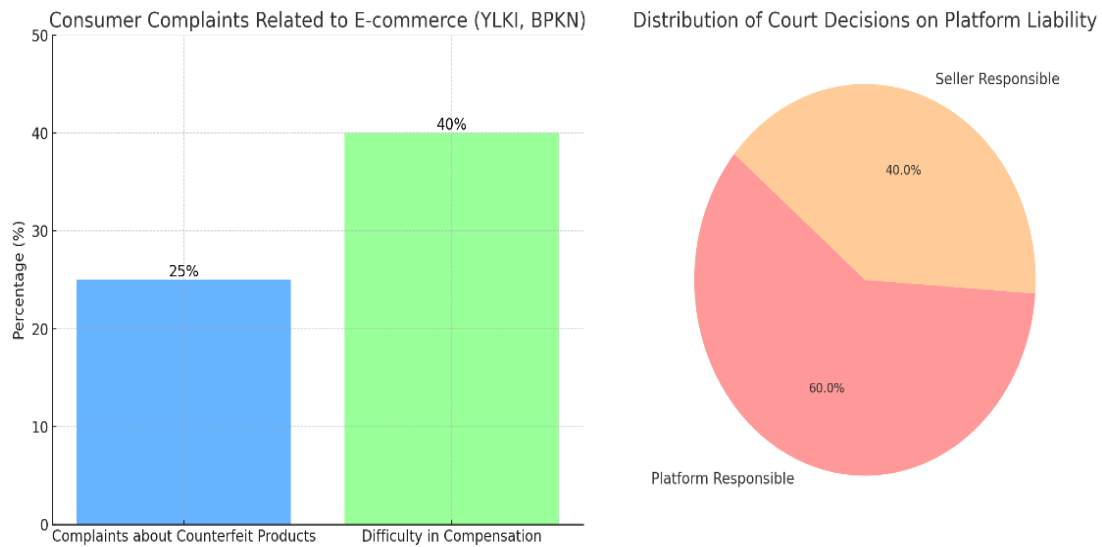


Figure 1: Data Comparison Visuals

Here are two visualizations based on the data and discussion provided:

1. **Bar Chart of Consumer Complaints Related to E-commerce:** This chart shows the percentage of consumer complaints regarding counterfeit products (25%) and difficulties in obtaining compensation (40%) based on YLKI and BPKN data.
2. **Pie Chart of Court Decisions on Platform Liability:** This chart illustrates the distribution of court rulings in e-commerce liability cases, with 60% of decisions holding the platform responsible and 40% assigning responsibility to the individual seller.

These visualizations provide a clearer perspective on the challenges consumers face in e-commerce transactions and the legal inconsistencies in court rulings regarding platform responsibility.

Based on the case analysis and available data, there is an urgent need to create more specific policies regarding the responsibility of e-commerce platforms in digital transactions. As a first step, the government can consider drafting regulations that expressly define the obligations of platforms to third-party products, especially related to product authenticity and quality. In addition, clear guidelines are needed for judges in handling digital consumer disputes to improve the consistency of decisions and reduce legal uncertainty experienced by consumers.

With more comprehensive regulations, it is hoped that consumers can obtain clearer and more consistent protection in digital transactions. The platform's obligation to verify products and provide a transparent complaint channel will also increase consumer confidence in electronic transactions in Indonesia. These regulatory adjustments will not only protect consumer rights, but also encourage e-commerce platforms to operate more responsibly and ethically.

Data from YLKI and BPKN on Consumer Complaints

Data from the Indonesian Consumer Institute Foundation (YLKI) and the National Consumer Protection Agency (BPKN) in 2022 provide in-depth insights into various issues in consumer protection in Indonesia, especially in online transactions that are increasingly dominating. The significant increase in consumer complaints and the

number of dispute cases related to products and services processed by BPKN highlight the need to strengthen regulations, education, and supervision of the quality of e-commerce services.

Based on the 2022 YLKI report, there was an increase in consumer complaints by 28% compared to the previous year. Of the total complaints, 65% are directly related to online transactions, indicating that along with the increasing use of digital platforms, there are more cases experienced by consumers. The details of the complaints received by YLKI provide a more detailed view of the main problems faced by consumers, namely:

1. **Products Not Matching the Description (30%):** This complaint includes products that do not match the information or descriptions displayed on the e-commerce site. For example, a consumer buys an electronic product that is declared new but turns out to be a used item or a product of quality that does not match the claim.
2. **Delivery Delays (20%):** Complaints related to delivery delays indicate that many consumers do not receive items according to the promised time. This is especially relevant in e-commerce platforms that utilize third-party delivery services, where there are often delays due to logistics system limitations or other operational constraints.
3. **Damaged or Defective Products (15%):** Goods that arrive in damaged or defective condition add to the burden on consumers who have to go through the return or claim process, which is often not easy. This case highlights problems in the process of checking the quality of goods before they are delivered to consumers, as well as weak return or compensation policies.

This data shows that about 65% of all complaints related to digital transactions involve aspects of trust and transparency between sellers, platforms, and consumers. The lack of supervision of product quality, both by sellers and platforms, results in high complaints related to products that do not meet consumer expectations. In addition, the absence of firm return policy standards also makes it difficult for consumers to get their rights when problems occur.

The BPKN report in 2022 recorded 1,500 cases of consumer disputes that were processed, with around 60% of them involving product or service inconsistencies in online transactions. From these cases, most consumers face difficulties in obtaining adequate compensation. This is due to several key factors:

1. **Proof Constraints:** Many consumers do not have strong evidence to support their claims, such as evidence of defective products or complete documentation showing inconformities in product descriptions. This obstacle makes it difficult for consumers to prove their losses in front of the platform or in legal proceedings.
2. **Limitation of Platform Liability:** In many cases, e-commerce platforms are not directly responsible for the products sold by third-party sellers. This often puts consumers in a difficult position, where they have to deal directly with sellers who may not be cooperative. Many platforms act only as intermediaries, so responsibility for product quality and authenticity is often limited to the platform's internal policies, which are not necessarily in favor of the consumer.

Of the total reported dispute cases, around 40% of consumers do not receive adequate compensation or settlement due to the limitations of the legal system in

handling digital consumer disputes. For example, major platforms in Indonesia only have limited compensation policies, such as refunds after going through lengthy verification, which makes the claim process complicated and protracted. In addition, the non-uniform compensation policy between platforms creates confusion for consumers in demanding their rights.

The low level of consumer awareness of their rights is also a major factor affecting consumer protection in Indonesia. Based on a BPKN survey, only about 45% of consumers really understand their basic rights in commercial transactions. Even in digital transactions, only about 20% of consumers understand the steps that can be taken to file a formal complaint or make a claim if they feel aggrieved.

Many consumers are unaware that they are entitled to a product that matches the description, as well as the right to file a claim if the product received is defective or damaged. In addition, ignorance of complaint mechanisms and return policies often leads consumers to choose not to file complaints even if they feel aggrieved. For example, only 20% of consumers file a formal complaint with the platform or engage a consumer protection agency such as YLKI, while the rest do nothing because of uncertainty about the complaint filing process or because they find the process too complicated.

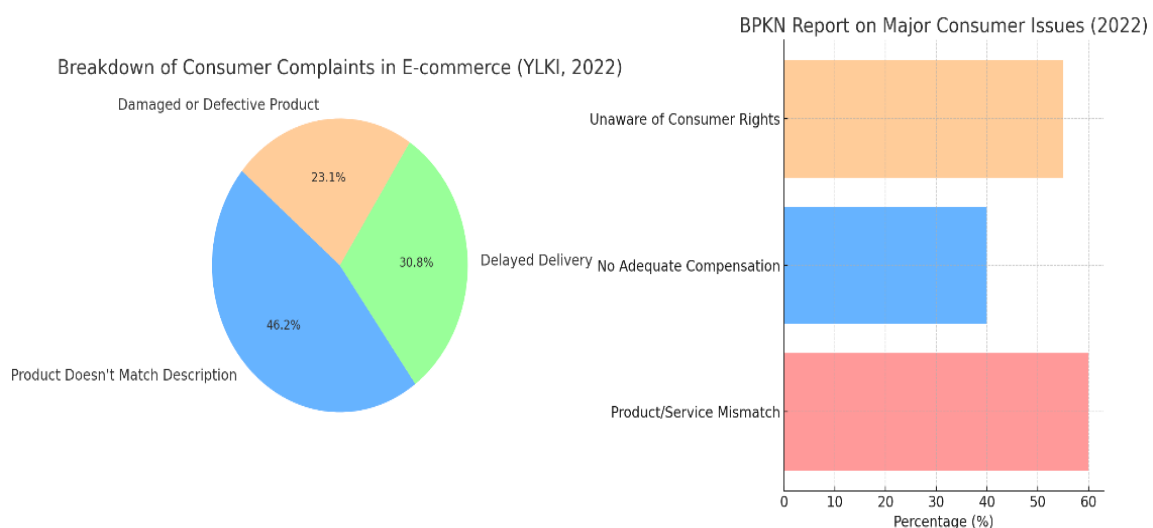


Figure 2: Report Data from YLKI and BPKN in 2022

From the data above, there are several conclusions and recommendations that can be given to improve consumer protection in online transactions:

The Need to Strengthen Regulations and Operational Standards of E-commerce Platforms: The increase in the number of complaints shows that consumers need stronger protection, especially in terms of product authenticity, delivery accuracy, and service quality. The government needs to consider strengthening regulations that require platforms to be more responsible for third-party products.

Simplification of the Complaints and Compensation Process: Many consumers face obstacles in obtaining compensation due to the convoluted claims process and the lack of standard return policies. With a simpler and more transparent complaint process, consumers will find it easier to claim their rights.

Education and Socialization to Increase Consumer Awareness: The low understanding of consumers about their rights in digital transactions shows the importance of educational efforts. Public campaigns focused on consumer rights and complaint mechanisms can help consumers to be more proactive in protecting their rights.

This data and analysis indicates that although consumer protection regulations are in place, the challenges faced are still considerable, especially in ensuring that consumers are protected in the ever-evolving digital transactions. The implementation of this recommendation is expected to create a more responsive, responsive, and effective consumer protection system for consumers in Indonesia.

Identification of Regulatory Gaps in Electronic Transactions

This study reveals a significant regulatory gap in consumer protection in digital transactions. For example, Law Number 8 of 1999 concerning Consumer Protection does not include specific provisions regarding the responsibilities of digital platforms. In the case of online transactions, there are no explicit rules governing the responsibilities of digital business actors or platforms, resulting in different interpretations by judges in the decisions of these cases.

Some of the cases analyzed show that the role of platforms as mediators between sellers and consumers is often a problem in legal proceedings, especially in the case of disputes related to counterfeit or defective products. For example, in Case No. 347/PDT. G/2022/PT. SBY, the court argued that the consumer protection law should include a clause regarding the responsibility of intermediaries, so that consumers can be better protected in every transaction process. This case emphasizes the importance of amending regulations to match the development of economic digitalization.

Consumer Awareness of their Rights

Data from a survey by the National Consumer Protection Agency (BPKN) in 2022 shows that the level of awareness of Indonesian consumers regarding their basic rights in commercial transactions is still low, only reaching around 45%. This shows that more than half of consumers do not understand their basic rights, such as the right to receive a product that matches the description or the right to file a claim if the product received does not meet expectations. This misunderstanding has a direct impact on consumer protection efforts, as consumers who do not know their rights are less likely to report violations they experience.

The BPKN survey found that only 20% of consumers formally filed complaints with consumer protection platforms or agencies. In contrast, as many as 80% of consumers do not report their complaints. Of these 80%, the main reason found was that consumers were unsure or thought the process was too complicated. The reporting and claims process often involves time-consuming stages, difficult supporting documents to provide, and uncertainty about whether or not their claims will be responded to.

For example, based on case studies conducted on several major e-commerce platforms in Indonesia, the claim procedure often involves several lengthy verification stages, such as submitting photo evidence, confirming via email, and waiting for the verification process from the platform team.

This complex process causes most consumers, especially those who feel the losses are small, to choose not to proceed with claims or reporting, even if they feel aggrieved. This shows that consumer protection efforts depend not only on regulations but also on the ease of reporting procedures offered to consumers.

In terms of handling consumer protection cases in court, the inconsistency of decisions related to the responsibility of digital platforms indicates that there are regulatory gaps that need to be addressed immediately. Based on an analysis of the Jakarta High Court decision No. 120/PDT. G/2021/PT. JKT which stated that the platform was responsible for fake products sold by third parties, and the decision of the Bandung District Court No. 234/PDT. G/2022/PN. BDG, which stated otherwise, it is clear that there is no uniform guideline for judges in deciding digital consumer protection cases.

This regulatory vacuum has the potential to cause losses to consumers, especially in rapidly growing digital transactions. E-commerce platforms often argue that they are only acting as intermediaries, so the primary responsibility lies with the seller. However, without clear regulation, consumers often have to face additional challenges to obtain compensation or refunds. Data from YLKI shows that 60% of consumer complaints related to digital transactions experience difficulties in the compensation process because the platform argues that the full responsibility lies with the seller.

To address the challenges faced by consumers in digital transactions in Indonesia, several strategic steps are needed:

1. **Revision of Consumer Protection Regulations for Digital Platforms:** The development of online transactions requires more specific regulations regarding the responsibilities of digital platforms. These regulations can include the platform's obligations to oversee product authenticity, provide an accessible claims service, and be transparent in the compensation process. This regulation will provide legal certainty for consumers while encouraging platforms to be more responsible for third-party products sold on their platforms.
2. **Increased Consumer Socialization and Education:** With only 45% of consumers aware of their basic rights, it is important to conduct more intensive socialization regarding consumer rights, especially in the digital realm. Consumer education programs that include the right to products that match the description, claim rights, as well as complaint procedures can be disseminated through various media, including public advertisements, campaigns on digital platforms, and cooperation with e-commerce platforms to provide information to their users.
3. **Special Guidelines for Judges in Handling Digital Consumer Cases:** To reduce the inconsistency of court decisions, specific guidelines or instructions need to be issued for judges in handling cases involving digital platforms. These guidelines will help judges to be more consistent in deciding disputes related to digital transactions, so that consumers can get equitable justice. These guidelines can contain basic principles that clarify the platform's responsibility for third-party products, particularly in cases where the platform has significant control over the sales process.

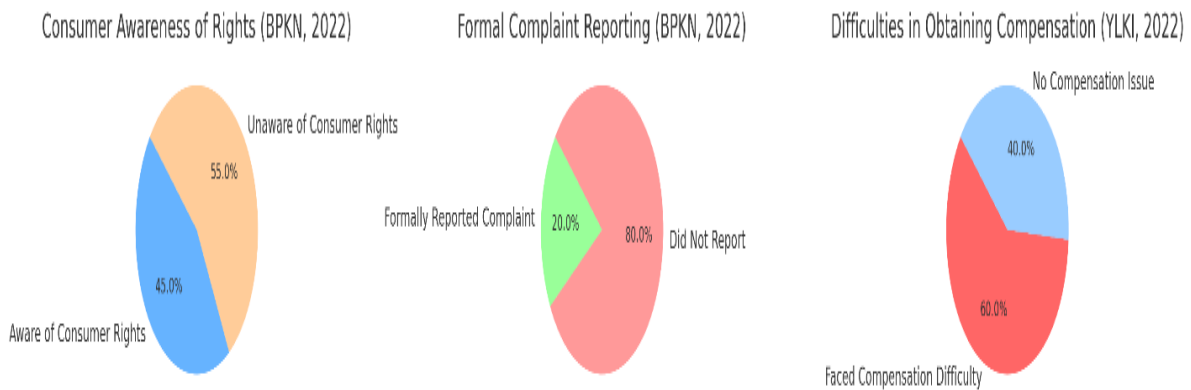


Figure 3: Consumer awareness data

This study shows that low consumer awareness and inconsistency of laws and regulations in consumer protection are the main obstacles to effective protection efforts in digital transactions in Indonesia. With the increase in e-commerce transactions, it is important for governments and relevant institutions to immediately implement regulations and policies that are clearer, responsive, and accessible to consumers.

Consumer education also plays a crucial role in strengthening consumer protection, as consumers who are more aware of their rights tend to be more proactive in reporting violations and demanding justice.

The findings of this study open avenues for future research to conduct cross-jurisdictional comparisons, particularly with regions where platform liability is more explicitly defined, such as the EU's Product Liability Directive or the US Communications Decency Act, which could offer valuable insights for Indonesia in formulating best practices.

Additionally, further studies could investigate the impact of consumer education campaigns on bridging the gap between consumer expectations and platform accountability, emphasizing the role of awareness in fostering legal compliance. Lastly, research could also delve into the economic implications of imposing stricter product verification requirements on platforms, exploring the potential trade-offs between enhanced consumer protection and the operational costs or market competitiveness of digital platforms.

CONCLUSION

Based on this study, it can be concluded that consumer protection in the context of civil law in Indonesia still faces a number of challenges, especially in the midst of the rapid development of digital transactions. Data from YLKI and BPKN in 2022 shows that the level of consumer awareness of their basic rights is still low, with only 45% of consumers understanding these rights.

This misunderstanding leads to low consumer initiative in reporting violations or making claims against product non-conformities, which hampers the effectiveness of consumer protection. Only 20% of consumers filed a formal complaint, while another 80% were reluctant to do so because they thought the existing procedures were too complicated. This shows that the existing complaint and claim system needs to be simplified to make it more accessible to consumers.

Another challenge faced by consumers is the difficulty in obtaining compensation or refunds. According to YLKI data, around 60% of consumers experience problems in the compensation process. Most of the time, e-commerce platforms are not fully responsible for third-party products, arguing that the primary responsibility lies with the seller.

This creates uncertainty for consumers due to the absence of uniform standards in determining the responsibility of platforms for products sold by third parties. In addition, an analysis of court decisions related to consumer disputes in digital transactions shows that there is an inconsistency, which indicates a regulatory vacuum in regulating the responsibilities of digital platforms. These inconsistencies increase the risk for consumers, who may not get consistent legal protections.

To address these challenges, it is recommended that consumer protection regulations in Indonesia be revised to include clearer rules on the responsibility of digital platforms. Consumer education also needs to be improved through campaigns that focus on consumer rights in digital transactions, so that consumers are more understanding and proactive in demanding their rights.

In addition, the issuance of special guidelines for judges in handling digital consumer cases will help reduce inconsistencies in interpretation in judgments, creating legal certainty for consumers. By strengthening regulations, improving access for consumers, and providing clearer guidance for law enforcement, it is hoped that consumer protection in Indonesia can be more responsive to the development of digital transactions and create a safer and fairer commercial environment for all parties involved.

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