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ECONOMIC CIVIL LAW: CONSUMER PROTECTION IN DIGITAL TRANSACTIONS AND NEW LEGAL CHALLENGES

Gunawan Widjaja
Senior Lecturer Faculty of Law Universitas 17 Agustus 1945 Jakarta
widjaja_gunawan@yahoo.com

Abstract

This study analyses consumer protection in digital transactions through the lens of Indonesian economic civil law, focusing on the effectiveness of the synergy between Law No. 8 of 1999 on Consumer Protection (UUPK), the Law on Information and Electronic Transactions (UU ITE), Government Regulation No. 71 of 2019 on the Operation of Electronic Systems and Transactions (PP PSTE), and Law No. 27 of 2022 on Personal Data Protection (UU PDP) in addressing e-commerce disputes, marketplace liability, and personal data management, which have proven effective in theory but face implementation challenges due to low consumer literacy and a surge in complaints; simultaneously, new legal challenges such as cross-jurisdictional transactions, AI algorithmic liability, regulatory inconsistencies, and the limitations of the Civil Code regarding smart contracts demand progressive reforms in the form of digital civil codification, Online Dispute Resolution (ODR), and AI liability regulations to foster a fair and adaptive digital transaction ecosystem.

Keywords: consumer protection, digital transactions, economic civil law, UUPK, UU PDP, e-commerce, marketplace liability, AI algorithms, ODR, cross-jurisdictional.

Introduction

The growth of the digital economy in Indonesia over the past few years has shown a very significant acceleration, reflected in the surge in the value and volume of e-commerce transactions as well as digital payments via apps and internet banking (Central Statistics Agency, 2025). Data from the Central Statistics Agency (BPS) indicates that the value of Indonesia's e-commerce transactions reached approximately idr 1,100 trillion in 2023, representing an increase of around 40 per cent compared to the previous year, signalling a shift in consumer behaviour from conventional transactions to online platforms (Central Statistics Agency, 2025). Meanwhile, Bank Indonesia reported that digital economic and financial transactions in the second quarter of 2025 grew by more than 30 per cent year-on-year and reached over 11 billion transactions, driven in part by the rapid uptake of mobile and internet banking services (Bank Indonesia, 2025). This phenomenon underscores that the digital transaction space has become a key infrastructure in everyday economic practices, for both large enterprises and micro, small and medium-sized enterprises.

This development is also evident in the use of QR code-based payment systems such as QRIS, which in recent years has become one of the driving forces behind the national cashless transaction ecosystem (Bank Indonesia, 2025). A Bank Indonesia

report indicates that digital payments via mobile and internet applications reached over 3 billion transactions in February 2025, with annual growth exceeding 30 per cent, whilst the volume of transactions via QRIS grew by more than 160 per cent year-on-year, thanks to the increasing number of users and merchants integrated into this system (Bank Indonesia, 2025). This exponential growth highlights the convenience, speed and efficiency offered by digital technology in meeting the transaction needs of modern society. However, behind this convenience lies a complexity of risks for consumers that are not always recognised, ranging from the potential for fraud and misuse of personal data to the lack of legal certainty regarding cross-platform and cross-jurisdictional transaction disputes (Bintarawati & Rismana, 2024) .

From the perspective of economic civil law, the proliferation of digital transactions raises fundamental questions regarding how classical principles such as freedom of contract, good faith, breach of contract, and unlawful acts are applied in legal relationships mediated by technology (Sulaiman et al., 2023). Transactions that were originally conducted face-to-face with clear written evidence have now been replaced by a click of approval on standard terms and conditions unilaterally drafted by platform operators, which often contain standard clauses that are difficult for consumers to negotiate (Maulana et al., 2026) . This situation has the potential to shift the balance of bargaining power between businesses and consumers, thereby creating a need for a new interpretation of civil law principles in the digital context. It is here that the urgency of strengthening a civil law framework for the digital economy that is responsive to the dynamics of the digital economy becomes increasingly apparent.

Indonesia actually already possesses a legal instrument serving as the primary umbrella for consumer protection, namely Law No. 8 of 1999 on Consumer Protection (UUPK), which regulates the rights and obligations of consumers and business operators, including prohibitions on practices that harm consumers (Law of the Republic of Indonesia No. 8 of 1999, 1999). The UUPK affirms consumers' rights to comfort, security, and safety when consuming goods and/or services, as well as the right to receive accurate, clear, and honest information regarding the condition of the goods and/or services offered (Law of the Republic of Indonesia No. 8 of 1999, 1999). On the other hand, business operators are obliged to guarantee the quality of the goods or services traded and are prohibited from providing misleading information, which is also conceptually relevant to digital platform-based transactions (Law of the Republic of Indonesia No. 8 of 1999, 1999). However, the UUPK was enacted before the digital economy boom, meaning many specific issues relating to electronic transactions, personal data, and the role of platforms have not yet been explicitly regulated within it.

To fill this gap, the state subsequently enacted the Electronic Information and Transactions Law (EIT Law) along with its implementing regulations, such as Government Regulation No. 71 of 2019 on the Operation of Electronic Systems and Transactions (GR PSTE), which governs the validity of electronic transactions, the

responsibilities of electronic system operators, and data protection within the context of digital services (Maulana et al., 2026) . PP PSTE designates electronic system operators as parties obliged to present complete and accurate product information and to guarantee the reliability and security of the systems used for online transactions (Tamba, 2018) . Consequently, the civil law framework for the digital economy regarding digital transactions does not rely solely on the UUPK, but is also intertwined with the provisions of the ITE Law and its subsidiary regulations governing the validity of electronic contracts, evidence, and civil liability for consumer losses. Nevertheless, the implementation and enforcement of these standards in practice still face various technical and institutional challenges.

Another crucial aspect of digital consumer protection is the management and protection of personal data, given that almost all transactional activities in the digital space require the collection, processing, and storage of users' personal data. The enactment of Law No. 27 of 2022 on Personal Data Protection (PDP Law) marks a new chapter in the regulation of personal data in Indonesia by establishing principles such as specific purpose, data minimisation, accuracy, and security, which must be adhered to by every data controller and processor, whether from the public or private sector (Nasution, 2023) . The PDP Act requires data controllers to have a lawful basis for processing, to maintain confidentiality, and to protect data from unlawful processing; breaches of these obligations may result in civil and administrative liability (Piansah, 2024) . In the context of digital transactions, these provisions are directly linked to the obligations of businesses and platforms to protect consumer data from leaks, misuse for excessive commercial profiling, or even cybercrime.

Although legal instruments governing consumer protection in digital transactions are available in theory, various studies indicate that significant gaps remain at the level of implementation and enforcement. A recent study on consumer protection in the digital age confirms that the main challenges lie in the oversight of e-commerce platforms, particularly those based overseas, as well as consumers' low digital literacy regarding their rights. The research concludes that consumers' lack of understanding, the limited capacity of regulatory bodies, and the complexity of proving claims in online disputes often leave consumers at a disadvantage when disputes arise (Bintarawati & Rismana, 2024) . Consequently, there is a gap between the relatively comprehensive design of regulations and the effectiveness of protection actually experienced by consumers in practice.

In practice, disputes arising in digital transactions generally relate to breach of contract, misrepresentation, and unlawful acts such as online fraud, the delivery of goods that do not match their description, unilateral cancellation, or deductions from account balances without clear consent (Yahman, 2017). The nature of transactions via marketplaces or digital platforms often makes it difficult for consumers to accurately identify which party should be held liable: whether it is the individual seller, the platform

operator, the payment service provider , or another party involved in the ecosystem (Tamba, 2018) . This introduces new complexities in applying the concept of civil liability, particularly regarding the allocation of risk and the proof of negligence or fault within a transaction chain that is entirely technology-mediated. This situation demonstrates that technological development has not been accompanied by sufficient clarity regarding the boundaries of legal liability.

In addition to the problem of identifying the liable party, cross-jurisdictional issues also pose a serious challenge to digital consumer protection, particularly when consumers transact with businesses or platforms based abroad. Differences in legal systems, the choice of law stipulated in terms and conditions, and dispute resolution mechanisms that are often directed towards arbitration or foreign courts, can hinder access to justice for domestic consumers (Prayuti, 2024) . From the perspective of private international law, this raises questions regarding the applicable law, the competent forum, and the extent to which court judgments or decisions by dispute resolution bodies are recognised and enforceable across borders. These challenges necessitate the formulation of more comprehensive regulatory and policy strategies to ensure that consumer protection is not fragmented by national borders.

At the same time, technological developments such as recommendation algorithms, artificial intelligence, and big data analytics are increasingly shaping patterns of digital transactions and consumer decision-making. Algorithms designed to maximise engagement and transactions have the potential to drive aggressive and asymmetric marketing practices, where consumers do not fully understand how their data is used to influence their preferences and transactional choices (Piansah, 2024) . This has sparked a debate on algorithmic responsibility and the need for regulation regarding fairness, transparency, and accountability of automated systems that play a role in shaping consumers' contractual intent (Prayuti, 2024) . Within the framework of economic civil law, this issue relates to the validity of consent, potential misrepresentation, and the possibility of new forms of abuse of position in a digital context.

From a policy perspective, various regulatory bodies in Indonesia are striving to both promote and oversee digital transformation through the provision of reliable and secure payment system infrastructure, such as BI-FAST and the expansion of the QRIS network, whilst emphasising the importance of strengthening security measures and digital literacy (Bank Indonesia, 2025). Initiatives such as the Indonesian Digital Financial Economy Festival (FEKDI) demonstrate the state's commitment to making digitalisation a key driver of national economic and financial integration, including efforts to promote financial inclusion and the empowerment of SMEs (Bank Indonesia, 2026). However, these macro-level initiatives must be synergised with the strengthening of consumer protection governance, oversight of digital businesses, and effective complaint mechanisms to ensure that digital economic growth does not lead to exclusion or new

vulnerabilities for consumers. In other words, the agenda for accelerating digitalisation must be balanced by an equally robust legal protection agenda.

In the context of dispute resolution, consumers who have suffered losses from digital transactions may, in principle, pursue litigation in court or non-litigation mechanisms such as mediation, arbitration bodies, or the Consumer Dispute Resolution Board (BPSK) for specific cases (Law of the Republic of Indonesia No. 8 of 1999, 1999). However, the technical complexity of proving claims, the relatively small value of losses per case, and the imbalance of resources between consumers and businesses often render these mechanisms ineffective and inefficient for digital consumers. Several studies suggest the development of faster and cheaper online dispute resolution mechanisms, alongside strengthening the role of regulators and business associations in providing transparent internal resolution channels (Maulana et al., 2026) . These recommendations reaffirm the need to update the approach to economic civil law to align with the fast-paced and cross-border nature of digital transactions.

Referring to the various dynamics outlined above, it is evident that consumer protection in digital transactions is no longer a sector-specific issue, but has become an integral part of the broader design of the national economic civil law framework. The interconnection between the UUPK, the ITE Law, the PSTE Regulation, and the PDP Law illustrates efforts to create a complex regulatory mosaic, which on the one hand seeks to maintain public trust in online transactions, and on the other must still allow room for innovation in digital business models (Law of the Republic of Indonesia No. 8 of 1999, 1999; Law of the Republic of Indonesia No. 27 of 2022, 2022). The challenge lies in ensuring that this regulatory mosaic does not overlap, create uncertainty, or inadvertently open up grey areas exploited by irresponsible business operators. It is within this framework that an analysis of consumer protection in digital transactions and new legal challenges must be systematically situated.

Research Method

This study employs a normative legal approach using a literature review as the primary method for collecting secondary data, encompassing a qualitative analysis of national legislation such as Law No. 8 of 1999 on Consumer Protection, Law No. 11 of 2008 on Information and Electronic Transactions as amended by LawNo. 19 of 2016, Government Regulation No. 71 of 2019 on the Operation of Electronic Systems and Transactions, and Law No. 27 of 2022 on Personal Data Protection, supported by studies of the doctrine of economic civil law, court rulings on digital consumer disputes, and the latest academic literature; this approach is complemented by an analysis of selected empirical cases from e-commerce transaction practices in Indonesia to illustrate the application of legal norms in reality, using data collection techniques through inventory, systematic interpretation, and systematisation of regulations, thereby producing

contextual and progressive policy recommendations regarding new legal challenges in the era of digital transactions (Eliyah & Aslan, 2025).

Results and Discussion

Consumer Protection in Digital Transactions

Consumer protection in digital transactions in Indonesia is fundamentally based on Law No. 8 of 1999 on Consumer Protection (UUPK), which establishes basic consumer rights such as the right to comfort, security, safety, and accurate, clear, and honest information regarding the goods or services offered, which in principle also applies to electronic transactions even though the law was enacted before the rise of e-commerce (Law of the Republic of Indonesia No. 8 of 1999, 1999). The UUPK obliges business operators to guarantee the quality of goods/services, prohibits misleading practices, and imposes criminal penalties of up to 5 years' imprisonment or a fine of up to Idr2 billion for violations, which is relevant to cases of online fraud or the delivery of goods that do not match the description on marketplace platforms. In a civil context, such breaches may be classified as breach of contract or unlawful acts under Article 1365 of the Civil Code, whereby consumers are entitled to claim compensation for both material and immaterial losses suffered (S & Gunadi, 2025) . This provision serves as the primary foundation, although it requires adaptive interpretation in light of digital dynamics such as recommendation algorithms that influence consumers' purchasing decisions.

The strengthening of specific regulations governing digital transactions came about through Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law), as amended by Law No. 19 of 2016, which recognises the validity of electronic contracts and evidence and places digital transactions on an equal footing with conventional ones (Patricia, 2024) . The implementation of the EIT Act is formalised in Government Regulation No. 71 of 2019 on the Operation of Electronic Systems and Transactions (GR PSTE), which requires electronic system operators (including marketplaces) to ensure the security, integrity, and confidentiality of transaction data, as well as to verify user identities to prevent fraud. GR PSTE specifically regulates security principles such as confidentiality, authenticity, and non-repudiation, whereby failure on the part of the operator may result in civil liability for consumer losses arising from data theft or unauthorised transactions (Agusta, 2022). Thus, this framework complements the Consumer Protection Act with specific technical standards for the digital ecosystem.

The principle of civil liability in digital consumer protection follows the doctrine of strict liability or negligence as stipulated in the Civil Code, whereby businesses or platforms may be held liable if proven negligent in ensuring transaction security (S & Gunadi, 2025) . Marketplaces, as intermediaries, are not exempt from liability, as they are obliged to verify the legality of products and the identity of third-party sellers, as emphasised in the legal analysis of the Consumer Protection Act (UUPK) and the

Government Regulation on Electronic Commerce (PP PSTE); failure to do so may be categorised as negligence giving rise to compensation (Erdem & Swait, 2016). Court rulings such as No. 48/Pdt.Sederhana/2018/PN-MKS indicate that e-commerce platforms are liable for consumer losses if they fail to provide adequate oversight mechanisms, even when acting as facilitators (Winn & Wright, 2000) . This principle emphasises the platform's duty of care (due diligence) within the digital supply chain.

Previous research has shown the limited effectiveness of current regulations, such as the surge in consumer complaints to the Ministry of Trade, which reached 20,942 cases from 2022 to March 2025, with 92.7% or 19,428 complaints related to e-commerce, including fraud, counterfeit goods, and personal data breaches. The phenomenon of counterfeit goods flooding online platforms has harmed thousands of consumers, prompting the Ministry of Trade to propose a new Consumer Protection Bill to replace the 26-year-old Consumer Protection Law (UUPK), as consumer awareness remains low with the 2024 Consumer Empowerment Index standing at just 60.11 (Indonesia, 2025) . These cases often involve breaches of contract where goods do not match the description or are not delivered, which, under the UUPK, can be pursued through civil litigation (Patricia, 2024) . This data underscores the urgency of strengthening enforcement.

Law No. 27 of 2022 on Personal Data Protection (PDP Law) is a crucial pillar in digital transactions, as almost all online purchases require the collection of personal data for verification and personalisation. The PDP Act requires data controllers (e-commerce platforms) to apply the principles of data minimisation, explicit consent, and security, with administrative and even criminal sanctions for violations causing consumer harm such as data breaches (Xiaying, 2019). In practice, this means platforms must be transparent regarding data usage for recommendation algorithms, prevent misleading profiling, and provide consumers with the right to access, rectify, or erase data (Patricia, 2024) . The integration of the PDP Act with the Consumer Protection Act strengthens civil liability claims for privacy breaches.

The role of digital businesses such as marketplaces is strictly regulated under the PSTE Regulation, under which they are obliged to present product information in a complete, accurate, and non-misleading manner, as well as to ensure that their systems do not facilitate illegal content or fraud (Agusta, 2022). Marketplaces are responsible for verifying the authenticity of sellers' identities and implementing transaction security procedures, including data theft detection; failure to do so may result in civil liability under Article 1365 of the Civil Code (Adelia et al., 2025) . For example, platforms must block high-risk sellers to protect consumers from illegal goods such as counterfeits or those without distribution authorisation (Erdem & Swait, 2016) .

An evaluation of enforcement effectiveness indicates that the implementation of the UUPK in digital transactions remains hampered by regulatory gaps, cross-jurisdictional issues, and weak dispute resolution mechanisms, as analysed in recent

normative legal studies. Although regulations exist, the complexity of multi-seller platforms makes it difficult to identify offenders, whilst low consumer literacy hinders the filing of complaints. The research found a need to harmonise the UUPK with IT regulations and to strengthen the Consumer Dispute Resolution Body (BPSK) for digital disputes (Syafriana, 2016) .

Mechanisms for resolving digital consumer disputes may involve litigation (civil lawsuits in court) or non-litigation methods such as mediation and arbitration via the BPSK, in accordance with Articles 54–57 of the UUPK, which state that BPSK decisions are final and binding following a court's enforcement order (Winn & Wright, 2000) . The BPSK plays a crucial role in online disputes through conciliation, mediation and arbitration procedures, although the challenge lies in adapting to electronic evidence and digital jurisdiction (Tamba, 2018) . The ITE Law permits direct claims against service providers for transaction losses, complementing the BPSK route.

Illustrative cases of e-commerce fraud often involve counterfeit goods that harm thousands of consumers, where marketplaces may be sued for negligence in verification, as in court rulings recognising platform liability (Martin, 2025) . Similar cases involving digital wallets demonstrate the protection afforded by the UUPK through deterrent sanctions for illegal transactions (Djamaludin & Fuad, 2024) . This case confirms the application of Article 1365 of the Civil Code for compensation.

In digital wallets and fintech, consumer protection focuses on the security of cashless transactions, where the Consumer Protection Act (UUPK) and the Information and Electronic Transactions Act (UU ITE) require verification and security measures to prevent balance theft. Violations may be prosecuted as civil breach of contract, with the Personal Data Protection Act (UU PDP) protecting personal transaction data (Xiaying, 2019) . E-commerce platforms are required to comply with comprehensive information standards in accordance with the PSTE Regulation, including minimum transaction data for transparency, to prevent misrepresentation that is detrimental to consumers (Kovalenko, 2022) .

Overall, the effectiveness of protection depends on the synergy between the UUPK, the ITE Law, the PSTE Regulation, and the PDP Law, although studies indicate a need to strengthen oversight and digital literacy to address implementation challenges in online marketplaces.

New Legal Challenges in the Digital Age

One of the greatest legal challenges in digital transactions is cross-jurisdictional disputes arising from the borderless nature of the digital economy, where global platforms such as international marketplaces enable cross-border transactions but create uncertainty regarding national laws on jurisdiction, choice of law, and the enforcement of judgments (Pendang, 2025) . In Indonesia, cross-border e-commerce transactions are often governed by foreign arbitration clauses in platform terms of

service, making it difficult for domestic consumers to assert their rights due to differences in legal systems and the difficulties of cross-border enforcement, as analysed in a normative legal study highlighting the lack of harmony between the ITE Law and private international law (Pendang, 2025) . These challenges are exacerbated by business models such as dropshipping and global fulfilment, where the weak position of consumers requires adaptive regulation and bilateral cooperation for effective protection (Saifullah et al., 2023) .

Contractual autonomy in civil law often clashes with minimum standards of protection for digital consumers, where standard form contracts on platforms hinder negotiation and frequently favour businesses, violating the principle of good faith under the Civil Code (Tamba, 2018) . Clauses such as limitations on platform liability or foreign choice of forum conflict with the Consumer Protection Act, which mandates a balance of rights, creating uncertainty regarding the validity of digital contracts (Mulyati, 2025) . Reform is needed to limit unfair clauses, similar to European countries that have implemented the Unfair Contract Terms Directive in the digital economy.

Algorithmic and AI liability has emerged as a new challenge, where AI-based marketplace recommendation systems can mislead consumers through data profiling without transparency, in the absence of explicit regulation in Indonesia (Hasanah & Basarah, 2023) . AI liability has not yet been specifically recognised, although the Personal Data Protection Act (PDP Act) requires algorithmic transparency; this failure could potentially constitute a breach of contract or a tort if recommendations result in loss. Specific AI regulations are required, such as recognising AI as a legal agent and algorithmic disclosure for accountability (Jusar et al., 2023) .

The need to update economic civil law regulations is becoming increasingly urgent because the 180-year-old Civil Code does not regulate electronic transactions, smart contracts, or digital assets, creating a gap with modern business realities. Modernisation of legal substance is required for the recognition of electronic contracts, digital consent mechanisms, and national codification based on living law, to ensure adaptability to e-commerce and fintech (Tamba, 2018) . Without reform, Indonesia lags behind countries such as the Netherlands, which has revised its law of obligations for the digital era.

Regulatory harmonisation between the UUPK, the ITE Law, the PSTE Regulation, and the PDP Law remains overlapping, leading to a dualism of norms regarding dispute jurisdiction and data liability, which hinders the enforcement of digital consumer law. The revision of the UUPK must be integrated to address these gaps, including digital jurisdiction and data protection (Patricia, 2024) . Normative studies emphasise the strengthening of the BPSK and IT regulations to ensure synergy.

Dispute resolution mechanisms require the development of Online Dispute Resolution (ODR) to improve efficiency in terms of time, cost and accessibility, given that digital disputes are difficult to resolve through conventional litigation. Platforms

such as CekRekening, SIMPKTN, and SP4N-LAPOR have adopted ODR, but specific regulations are needed for integration with the BPSK and the enforcement of rulings (Fajri, 2025) . ODR minimises psychological disparities and is suitable for online transactions (Tamba, 2018) .

The challenges of cybercrime in digital transactions demand strengthened compliance regulations, cross-border data protection, and law enforcement, where national jurisdiction is limited to foreign perpetrators. The integration of digital banking systems requires investment in security infrastructure and international collaboration to protect consumers.

The integration of ESG (Environment, Social, Governance) principles into digital regulation presents a new challenge for sustainability, including governance transparency and consumer protection from the carbon footprint of digital payments. Regulations must encourage environmentally friendly innovations such as energy-efficient blockchain and strong encryption for social governance (Lagasio & Cucari, 2019) Business ethics in recommendation algorithms demand transparency and fairness, whereby platforms are required to disclose whether content is generated by AI or paid promotion to avoid misrepresentation. Specific regulation of algorithms is required for ethics and consumer protection (Jusar et al., 2023) .

The complexity of new business models such as crypto, fintech, and dropshipping requires flexible yet firm regulation, including consumer protection against volatility and cross-platform fraud (Saifullah et al., 2023) . Strengthening supervisory bodies such as the OJK and the Ministry of Trade is necessary for real-time monitoring of digital transactions and swift sanctions, given low consumer literacy (Syafriana, 2016) .

Thus, consumer protection in digital transactions in Indonesia has a relatively comprehensive legal foundation through the synergy of the Consumer Protection Act (UUPK), the Electronic Information and Transactions Act (UU ITE), the Government Regulation on Electronic Transactions (PP PSTE), and the Personal Data Protection Act (UU PDP), which regulate consumer rights, platform responsibilities, the validity of electronic contracts, and the management of personal data; however, its effectiveness is hampered by the complexity of implementation, such as difficulties in proving claims, low consumer literacy, and a surge in e-commerce disputes; whilst new legal challenges such as cross-jurisdictional transactions, algorithmic liability of AI, regulatory inconsistencies, and the need to modernise the Civil Code demand progressive reforms in the form of developing ODR, the codification of digital civil law, the strengthening of supervisory bodies, and the integration of ESG principles to create a digital transaction ecosystem that is fair, transparent, and adaptable to technological innovation, so that economic civil law is not merely reactive but also anticipatory to the dynamics of the digital age.

Conclusion

Consumer protection in digital transactions in Indonesia is underpinned by a comprehensive framework of economic civil law, comprising Law No. 8 of 1999 on Consumer Protection (UUPK), the Electronic Information and Transactions Act (EITA), Government Regulation No. 71 of 2019 on the Operation of Electronic Systems and Transactions (GR PSTE), andLaw No. 27 of 2022 on Personal Data Protection (PDP Law), which collectively regulate consumers' rights to truthful information, transaction security, the validity of electronic contracts, and the management of personal data, based on the principle of civil liability arising from breach of contract, negligence, or unlawful acts as provided for in Article 1365 of the Civil Code; however, the effectiveness of implementation remains hampered by the complexity of digital evidence, low consumer literacy, a surge in e-commerce disputes, and weak oversight by marketplace platforms over third-party sellers.

New legal challenges in the digital age are further complicating the dynamics of consumer protection, including cross-jurisdictional transactions that hinder the enforcement of national law due to foreign arbitration clauses, algorithmic liability arising from AI systems and automated recommendations that may be misleading in the absence of transparency regulations, regulatory inconsistencies leading to a dualism of norms, and the inability of the 180-year-old Civil Code to accommodate smart contracts, digital assets, and fintech business models; these phenomena highlight the gap between classical civil law norms and the fast-paced, cross-border, data-driven reality of the digital economy.pkbh.

Therefore, progressive reform of economic civil law is required through adaptive national codification, the development of Online Dispute Resolution (ODR) integrated with the Consumer Dispute Resolution Body (BPSK), strengthening of regulations under the Personal Data Protection Act (PDP) regarding AI liability, harmonisation of regulations with ASEAN standards, and the integration of ESG principles for the sustainability of digital transactions, thereby creating a legal ecosystem that is not only reactive to consumer vulnerabilities but also anticipatory of technological innovation, ensuring a balance of interests between digital economic growth and substantive justice for Indonesian consumers.

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