

Optimization of Legal Protection for Consumers in Online Buying and Selling Transactions based on Consumer Protection Law

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Abstract. Consumer protection in e-commerce transactions in Indonesia faces significant challenges due to the lack of specific regulations that clearly define the responsibilities of digital platforms. Law Number 8 of 1999 concerning Consumer Protection (UUPK) serves as the primary legal framework, but it has not adequately addressed the complexities of digital transactions, leading to legal uncertainty in resolving disputes and safeguarding consumer rights. This gap in the law leaves consumers vulnerable, as their rights are not clearly protected in the digital environment. One of the main issues is the low level of consumer legal literacy in Indonesia, which exacerbates the problem. Many consumers are unaware of their rights or how to enforce them, making it difficult for them to seek redress in case of problems with e-commerce transactions. This lack of understanding creates an environment where consumers are often left without proper recourse when facing issues such as faulty products, delayed deliveries, or breaches of personal data security. This study aims to identify the barriers to consumer protection in e-commerce and propose solutions to address these challenges. The study suggests that more comprehensive and adaptive regulations are needed to define the responsibilities of e-commerce platforms clearly. These regulations should include effective complaint mechanisms, stronger consumer data protection policies, and a framework for resolving disputes quickly and transparently. Additionally, the study emphasizes the need for stricter supervision and more robust law enforcement to ensure that digital trading platforms comply with consumer protection laws. The findings highlight the importance of creating a safe, fair, and trusted digital trading ecosystem in Indonesia, where consumers feel secure and are empowered to demand their rights. By implementing these recommendations, Indonesia can improve consumer protection in the digital economy, ultimately fostering a more sustainable and transparent e-commerce environment.

Keywords: Consumer Legal Literacy, Consumer Protection, Consumer Protection Law, Digital Platforms, Online Transactions.

1 INTRODUCTION

The development of e-commerce in Indonesia has experienced very rapid growth in recent years. The increasingly massive digitalization, supported by increasing internet penetration and the use of mobile devices, has encouraged people to switch to online transactions (Rohimah, 2018). E-commerce offers various conveniences, such as unlimited accessibility, ease of digital payments, and a wider variety of products compared to conventional stores. E-commerce platforms are now not only a means of buying and selling goods, but also include services, such as transportation, food ordering, and digital finance (Fani, 2024). This makes e-commerce a rapidly growing sector and increasingly part of the lifestyle of modern society.

Some of the main factors driving the growth of e-commerce in Indonesia include the wide reach of the Internet, changes in people's consumption patterns, and increasing trust in digital transactions (Nida, 2024). People now prefer online shopping because it is considered more practical, and efficient, and often offers more competitive prices than physical stores (Mahran, 2023). In addition, innovations in digital payment systems and logistics also

accelerate the growth of e-commerce by increasing the convenience and security of transactions (Saptadi, 2025). The COVID-19 pandemic has also been an accelerator in the adoption of e-commerce, as many consumers and business actors have turned to digital platforms to meet their daily needs. With these various driving factors, e-commerce in Indonesia is predicted to continue to grow and play an important role in the digital economy (Lukito, 2017).

The number of e-commerce transactions in Indonesia continues to increase significantly every year. Based on data from Bank Indonesia and various research institutions, the value of e-commerce transactions in 2023 will reach more than IDR 500 trillion, an increase compared to previous years (Harjadi, 2024). This growth is driven by the increasing number of internet users which has reached more than 200 million people, as well as changes in consumer behavior who are increasingly accustomed to online shopping (Angeline, 2023). In addition, the increase in transactions is also influenced by various promotions from e-commerce platforms, such as big discounts at annual events such as Harbolnas (National Online Shopping Day), as well as easy access to digital payments that are increasingly widely used by the public (Purwa, 2022).

E-commerce makes a major contribution to the national economy, both in terms of trade, job creation, and the growth of the logistics and financial technology (fintech) sectors (Abdillah, 2024). MSMEs that join e-commerce platforms get a greater opportunity to reach a wider market, thereby increasing their competitiveness in the digital era (Saputri, 2023).

In addition, the growth of online transactions also contributes to increasing state revenues through e-commerce taxes and digital trade VAT. With the continued development of this industry, e-commerce is expected to become one of the main pillars in driving economic digitalization and sustainable national economic growth (Haryadi, 2020).

One of the main challenges in consumer protection in digital transactions is the high risk of fraud, either in the form of goods that do not match the description or unsent goods (Rahmawati, 2024). Many consumers experience losses due to the inconsistency of the products they buy with those displayed on the e-commerce platform, both in terms of quality, specifications, and authenticity of the product (Sanggor, 2024).

In addition, several cases show that there are business actors who deliberately commit fraud by selling fictitious products or withdrawing payments without sending goods. The complaint mechanism that is not yet fully effective and the time-consuming dispute resolution process often make consumers reluctant to file complaints, so their position remains weak in digital transactions (Wijaya, 2023). In addition to the risk of fraud, another challenge faced by consumers in digital transactions is the misuse of personal data by irresponsible parties (Afrillo,

2024). In online transactions, consumers are required to provide various personal information, such as name, address, telephone number, and even banking data (Benuf, 2019).

Unfortunately, not all e-commerce platforms have a strong data protection system, making them vulnerable to data leaks that can be exploited for cybercrime, such as identity theft or data misuse for financial fraud (Soer, 2025). In addition, the asymmetry of information between business actors and consumers is also a serious challenge. Consumers often do not have sufficient access to information related to products, return policies, or their rights as consumers, so they are vulnerable to losses in digital transactions (Molle, 2023).

Law Number 8 of 1999 concerning Consumer Protection is the main legal basis for protecting consumer rights in Indonesia. However, this law does not specifically regulate digital transactions or e-commerce, so there is still a legal vacuum in protecting consumers in online transactions. Article 1 number 1 emphasizes that consumer protection aims to provide legal certainty for consumers (Soemarwi, 2023), but in practice, many aspects of protection in e-commerce have not been properly accommodated in this regulation. For example, provisions regarding consumer rights in online transactions, the obligations of digital platforms as transaction intermediaries, and more effective complaint mechanisms in the digital environment are still not regulated in detail in the law (Pratama, 2024).

In addition, the limited dispute resolution mechanism for consumers abused by e-commerce transactions is also a major obstacle (Yetno, 2022). Although Article 4 provides consumers with the right to comfort, security, and safety in consuming goods and/or services, in reality, consumers still often have difficulty obtaining their rights when problems arise with business actors on digital platforms (Maharani, 2021). Many consumers feel disadvantaged by products that are not by or even by non-transparent business practices, but they have difficulty obtaining compensation because there is no fast, effective, and easily accessible dispute resolution mechanism (Marlina, 2025). The litigation process in court is often considered complicated and time-consuming, while non-litigation resolution through mediation or arbitration is still not optimal in e-commerce transactions (Domili, 2025).

To overcome this weakness, it is necessary to strengthen the role of the government in supervising e-commerce business actors to be more responsible towards consumers. The government needs to update existing regulations by including specific provisions regarding digital transactions, including consumer rights in e-commerce, personal data protection standards, and faster and more effective complaint mechanisms (Domili, 2025). In addition, supervision of e-commerce platforms must be tightened so that they have clearer policies regarding product warranties, returns, and dispute resolution (Cailla, 2024). With the

strengthening of regulations and stricter supervision, it is hoped that legal protection for consumers in online buying and selling transactions can be more guaranteed following technological developments and current community needs.

Strengthening legal protection for consumers in online buying and selling transactions is urgent considering the rapid development of e-commerce which is accompanied by various challenges, such as fraud, misuse of personal data, and information asymmetry between business actors and consumers. More adaptive and responsive policies are needed to ensure optimal protection, considering that Law Number 8 of 1999 concerning Consumer Protection has not specifically accommodated digital transactions (Kharisma, 2024). In addition, the role of e-commerce platforms in providing complaint and dispute resolution mechanisms also needs to be strengthened so that consumers get fast and effective solutions (Indriyani, 2025). Future regulations should consider the application of stricter protection standards, platform obligations to guarantee consumer rights, and more optimal government supervision to address challenges in strengthening legal protection for consumers in the digital era.

2 METHOD

This analysis uses a normative legal method with a statute approach and a case approach. The statute approach is carried out by analyzing applicable laws and regulations, especially Law Number 8 of 1999 concerning Consumer Protection, as well as other relevant regulations in e-commerce transactions. Meanwhile, the case approach is used to examine various cases of consumer disputes in online buying and selling transactions to understand how legal protection is applied in practice. Through this method, the study seeks to identify weaknesses in existing regulations and formulate recommendations to strengthen legal protection for consumers in digital transactions.

3 RESULT AND DISCUSSION

Optimizing Legal Protection for Consumers in Online Buying and Selling Transactions

Legal protection for consumers in online buying and selling transactions is an important aspect of realizing legal certainty and preventing practices that are detrimental to consumers. Law Number 8 of 1999 concerning Consumer Protection has regulated the rights and obligations of consumers and business actors in conducting buying and selling transactions of goods and/or services. Article 1 number 1 of the Consumer Protection Law emphasizes that consumer protection is all efforts that guarantee legal certainty for consumers. In digital

transactions, this protection is increasingly relevant considering the rapid development of e-commerce which opens up opportunities and presents new challenges for consumers.

Article 4 of the Consumer Protection Law regulates basic consumer rights, such as the right to comfort, security, and safety in consuming goods and/or services, the right to obtain correct and honest information, and the right to compensation if the goods or services received do not comply with the agreement. These rights are crucial in online transactions, considering that consumers cannot see or try the goods directly before purchasing. In addition, Article 5 stipulates consumer obligations, including the obligation to read product information, act in good faith in transactions, and pay according to the agreed exchange rate. This obligation is important to balance consumer rights with the responsibilities they must fulfill in electronic transactions.

Meanwhile, Article 6 and Article 7 regulate the rights and obligations of business actors. Business actors have the right to receive payment by the agreement and receive legal protection from consumer actions with bad intentions. However, they also must provide clear and honest information, guarantee the quality of goods or services, and provide compensation if losses occur due to the use of products that do not comply with the agreement. In online buying and selling transactions, business actors' compliance with this obligation is still a challenge, especially because many e-commerce platforms do not yet have an effective monitoring mechanism for sellers.

Although the Consumer Protection Law has provided a strong legal basis, this regulation still has several weaknesses in dealing with the characteristics of digital transactions. One of the main weaknesses is the absence of regulations that specifically accommodate consumer protection in e-commerce, including the protection of consumers' data. The security of consumer data in online transactions is an important concern due to the rampant cases of misuse of personal data by irresponsible parties. In addition, supervision of digital business actors is also a challenge in itself, considering the many transactions carried out through platforms that are cross-border and do not have legal clarity regarding jurisdiction.

In online buying and selling transactions, disputes between consumers and business actors often occur due to product inconsistencies, fraud, or services that do not comply with the agreement. To resolve these disputes, there are two main mechanisms, namely non-litigation and litigation. The non-litigation route is the main choice because it is faster, more efficient, and does not require a complex court process. Dispute resolution through non-

litigation can be done through mediation, arbitration, and complaint services provided by e-commerce platforms.

Mediation and arbitration are dispute resolution methods that are often used in e-commerce. Mediation involves a neutral third party to help both parties reach an agreement voluntarily. Meanwhile, arbitration provides a binding decision based on an agreement between the consumer and the business actor. The advantages of this method are flexibility in settlement and lower costs compared to court proceedings. However, the main challenges in mediation and arbitration are the lack of consumer awareness of their rights and the difficulty in enforcing arbitration decisions, especially if the business actor is outside the applicable legal jurisdiction.

In addition, many e-commerce platforms have provided internal complaint services for consumers who experience problems in transactions. Consumers can file complaints through the complaint feature provided by the marketplace or digital service provider. In this process, the e-commerce platform acts as a mediator who mediates disputes between consumers and sellers, often by providing solutions in the form of refunds, replacement of goods, or negotiations between the two parties. This mechanism allows for faster and more practical dispute resolution without the need to involve third parties outside the platform. However, non-litigation mechanisms in e-commerce dispute resolution also have several weaknesses. One of them is the lack of transparency in the settlement process, where consumers often do not receive clear information regarding their rights and applicable procedures. In addition, some e-commerce platforms tend to be more biased towards business actors, especially if they are strategic partners or sellers with large transaction volumes. This causes dissatisfaction for consumers who feel disadvantaged and do not receive fair protection.

When a dispute between a consumer and a business actor in an e-commerce transaction cannot be resolved through non-litigation channels, such as mediation or arbitration, then the litigation channel through a general court is the last step that can be taken. This legal process involves a lawsuit filed by the consumer against a business actor who is considered to have violated their rights. In this case, consumers can sue based on the provisions of Law Number 8 of 1999 concerning Consumer Protection (UUPK) and other relevant laws and regulations.

The court has a crucial role in providing legal protection for consumers who are disadvantaged in e-commerce transactions. In the trial process, the judge will assess the evidence submitted by the consumer and business actor to determine whether there has been a violation of consumer rights. If the court decides that the consumer has suffered a loss due to negligence or fraudulent actions by the business actor, then sanctions can be imposed in the form of compensation, cancellation of the transaction, or other appropriate legal actions. The

court can also provide a deterrent effect on business actors to be more responsible in running their businesses, especially in ensuring that the products or services offered are in accordance with the agreements made with consumers.

Although the litigation route offers stronger legal certainty, there are several obstacles that prevent consumers from filing lawsuits in court. One of the main obstacles is the long settlement time because the legal process in court can take months to years, especially if the case is appealed or cassation. In addition, high litigation costs are also an obstacle for consumers, because they have to bear attorney fees, court administration costs, and other possible additional costs. Another obstacle is the difficulty of executing court decisions, especially if the business actor is based abroad or does not have sufficient assets to meet the compensation decision.

Legal protection for consumers in e-commerce transactions is becoming increasingly important along with the increasing number of digital transactions. Currently, Law Number 8 of 1999 concerning Consumer Protection (UUPK) is still the main basis for protecting consumer rights, but the regulation has not specifically accommodated the increasingly complex characteristics of digital transactions. Therefore, a more specific revision of regulations regarding e-commerce is needed, including personal data protection, a more effective complaint mechanism, and the responsibility of digital platforms in ensuring transaction security. The preparation of this new regulation must consider the dynamics of technological developments and electronic commerce practices so that it can provide legal certainty for consumers and business actors.

In addition to improving regulations, increasing the role of the government in supervising and enforcing the law against digital business actors is also very necessary. The government through related agencies, such as the Ministry of Trade and the National Consumer Protection Agency (BPKN), must strengthen the monitoring mechanism for business practices on e-commerce platforms. One step that can be taken is to require digital platforms to provide a complaint system that is transparent and easily accessible to consumers. In addition, law enforcement against business actors who are proven to have committed violations, such as fraud or other violations of consumer rights, must be carried out firmly to provide a deterrent effect and prevent similar violations in the future.

On the other hand, increasing legal literacy for consumers is also a key factor in strengthening consumer protection in online transactions. Many consumers still do not understand their rights and obligations in digital transactions, making them vulnerable to becoming victims of detrimental business practices. Therefore, education about consumer

rights, complaint procedures, and how to identify safe transactions needs to be continuously disseminated through various media, including digital campaigns and education programs from the government and consumer protection organizations. With increasing legal awareness among consumers, they will be more proactive in demanding their rights and more careful in performing online transactions.

Challenges and Efforts to Optimize Consumer Protection in Online Buying and Selling Transactions

One of the main obstacles in providing effective protection for consumers in e-commerce transactions is the absence of specific regulations that explicitly regulate the responsibilities of digital platforms. Currently, Law Number 8 of 1999 concerning Consumer Protection (UUPK) is still the main legal basis for protecting consumers in Indonesia. However, UUPK was drafted before the rapid development of the digital economy, so many aspects of e-commerce transactions have not been properly accommodated.

E-commerce platforms are viewed as intermediary service providers between sellers and buyers. As a result, when a dispute occurs between consumers and business actors, the platform often does not have a clear legal obligation to be involved in resolving the dispute. In many cases, the platform only provides a complaint feature without having an effective and transparent mechanism to resolve consumer problems. This condition weakens the position of consumers because there is no legal guarantee regarding the protection of their rights when they experience losses in online transactions.

The absence of this regulation also triggers legal uncertainty regarding who is responsible in cases of fraud, non-conforming goods, or unsatisfactory service. Consumers often have difficulty claiming compensation because there are no clear rules regarding the accountability of digital platforms. This indicates the need for more specific and adaptive legal reforms to the development of digital transactions, including determining the role and responsibilities of e-commerce platforms at every stage of the transaction, from ordering to dispute resolution.

In addition to regulatory issues, the low level of legal literacy and consumer awareness is also a significant obstacle to consumer protection in the e-commerce sector. Many consumers still do not understand their rights as consumers, including the right to obtain products or services according to the information provided, the right to compensation when a loss occurs, and the right to file a complaint or dispute through the appropriate legal channels.

This lack of education often makes consumers passive and reluctant to file complaints when facing problems in online transactions. They may feel that the complaint process is too

complicated, ineffective, or even worried that they will not get satisfactory results. In addition, the lack of access to information regarding dispute resolution institutions, such as the Consumer Dispute Resolution Agency (BPSK) or mediation mechanisms in court, also contributes to the low number of consumer complaints. This condition provides irresponsible business actors with the freedom to exploit consumer weaknesses, either by providing non-transparent information, offering fake products, or not following up on consumer complaints fairly. To overcome this obstacle, collaborative efforts are needed between the government, e-commerce platforms, and consumer protection organizations to improve public legal literacy, provide outreach regarding consumer rights, and ensure that consumers are aware of effective and efficient complaint and dispute resolution mechanisms in e-commerce transactions.

Along with the rapid development of digital transactions, more specific regulations related to consumer protection in e-commerce are very much needed. Currently, Law Number 8 of 1999 concerning Consumer Protection (UUPK) is still the main legal basis, but this regulation does not yet regulate in detail the responsibilities of digital platforms, complaint mechanisms, and protection of consumer personal data in online transactions. Therefore, it is necessary to revise or draft new regulations that can accommodate digital business models and provide legal certainty for consumers and business actors. More comprehensive regulations must include specific provisions related to the responsibilities of digital platforms, especially in mediating disputes between consumers and sellers, ensuring the security of personal data, and providing effective complaint mechanisms.

In addition, this regulation needs to be aligned with international standards in electronic commerce so that consumers in Indonesia receive equal protection to other countries that are more advanced in e-commerce regulation.

Furthermore, clear regulations, supervision and law enforcement must also be strengthened so that consumer protection can run effectively. The government, through related ministries such as the Ministry of Trade and the Ministry of Communication and Information, must be more active in supervising e-commerce business actors' compliance with applicable regulations. Aspects that need to be monitored include transparency of product information, consumer complaint mechanisms, and guarantees of digital transaction security. To increase the effectiveness of protection, the government needs to implement a stricter sanction mechanism against business actors who are proven to have violated consumer rights. The form of sanctions can be in the form of administrative fines, restrictions on business activities, to revocation of business licenses for digital platforms that do not provide adequate protection to their consumers. With the implementation of strict and firm sanctions, it is hoped that business

actors will be more responsible in running their businesses and more serious in handling complaints and disputes submitted by consumers. One of the main challenges in consumer protection in e-commerce is the slow, inefficient, and less transparent dispute resolution process. Therefore, there needs to be a digital dispute resolution system that is faster and more easily accessible to consumers. The government and e-commerce platforms need to work together to build a digital technology-based dispute resolution mechanism, such as an e-commerce ombudsman, an online mediation system, or a digital court that allows consumers to file complaints quickly and get resolution in a shorter time. In addition, e-commerce platforms must also be required to provide transparent complaint services that can be monitored by consumers, so that every complaint can be handled professionally and fairly.

4 CONCLUSION

Legal protection for consumers in e-commerce transactions is a crucial aspect in realizing legal certainty and preventing practices that are detrimental to consumers. Although Law Number 8 of 1999 concerning Consumer Protection has regulated the rights and obligations of consumers and business actors, this regulation still has limitations in accommodating the characteristics of digital transactions, especially regarding the protection of personal data and effective dispute resolution mechanisms. Dispute resolution in e-commerce can be carried out through non-litigation channels, such as mediation and arbitration, or litigation through the courts, although the litigation channel is often constrained by high costs and long times. Therefore, it is necessary to revise regulations that are more specific regarding digital transactions, strengthen government supervision of digital business actors, and increase legal literacy for consumers so that they are more aware of their rights and can conduct online transactions more safely.

Consumer protection in e-commerce transactions in Indonesia still faces various obstacles, especially due to the absence of specific regulations that expressly regulate the responsibilities of digital platforms. The Consumer Protection Law as the main legal basis has not fully accommodated the dynamics of the digital economy, thus creating legal uncertainty in dispute resolution and protecting consumer rights. In addition, low consumer legal literacy further worsens the situation, making many consumers reluctant or having difficulty in demanding their rights. Therefore, more adaptive and comprehensive regulatory reform is needed, including establishing e-commerce platform responsibilities, effective complaint mechanisms, and personal data protection. In addition to regulation, stricter supervision and law enforcement must be implemented, accompanied by the development of a fast and

transparent digital dispute resolution system. With these steps, it is hoped that consumer protection in e-commerce can be more optimal, creating a safe, fair, and trusted digital trading ecosystem.

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