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Responsibilities of E-Commerce Platforms and Business Actors in Ensuring Data Protection and Consumer Rights in the Digitalization Era

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ABSTRACT

Advances in information technology have given rise to digital trading systems, commonly known as e-commerce, which make it easier for people to conduct online transactions. However, this convenience has led to various legal issues that result in legal consequences for all parties, particularly regarding consumer protection and the security of personal data for marketplace users. The objective of this study is to analyze the liability of e-commerce platforms and business operators in ensuring the protection of personal information and consumer rights in buying and selling activities. The method used is normative legal research employing a statutory approach, a conceptual approach, and a comparative approach. The results of the study indicate that platforms have a responsibility to provide a secure, transparent, and trustworthy system for consumers. Although regulations regarding consumer protection and personal information—such as the Consumer Protection Law (UUPK), the Personal Data Protection Law (UU PDP), and the Electronic Information and Transactions Law (UU ITE)—already exist, their implementation still faces various obstacles. Therefore, stricter regulations and the establishment of a more efficient oversight system are necessary to ensure consumer protection and legal certainty in e-commerce in Indonesia.

Keywords: *E-Commerce, Consumer Protection, Platform Responsibility.*

INTRODUCTION

Current advances in information technology are a logical result of increasing computerization. The majority of Indonesians view technological progress in the era of globalization as a positive development, even though some people struggle to keep up with it. Infrastructure and technology are, fundamentally, designed to provide the products and components that humanity needs. Technology aims to solve problems, drive innovation, and make human activities easier. Therefore, technological progress is vital for humans to process, organize, manage, and store data, as well as generate accurate information. One development in the field of information and communication is the collection, storage, sharing, and analysis of data carried out efficiently and effectively between companies or communities. Additionally, many Indonesians utilize internet technology(Sutarli & Kurniawan, 2023).

Several previous studies have examined various aspects of consumer protection in digital transactions. Although these studies have made significant contributions, there remains a gap that needs to be addressed: namely, the lack of research that specifically compares and harmonizes the three main regulatory instruments—the Consumer Protection Law (UUPK), the Electronic Information and Transactions Law (UU ITE), and the Personal Data Protection Law (UU PDP)—regarding the liability of e-commerce platforms. This study aims to address these gaps by integrating these three legal instruments into a comprehensive normative legal analysis. Economic activities that were once predominantly conducted through direct interaction are now gradually shifting toward activities focused on online transactions(Clarissa et al., 2026). Currently, marketing approaches utilize social media platforms, digital marketplaces, websites, and various online applications to reach consumers more broadly, quickly, and measurably. This digitalization process in marketing not only expands market access for the sale of goods and services but also provides companies with the opportunity to analyze consumer behavior through available data, enabling them to tailor their business strategies more precisely and optimally to meet market needs and preferences. Rapid growth in e-commerce from 2022 through early 2023 shows that 62.2% of internet users engaged in specific e-commerce activities have made online purchases of products or services.(Prayuti, 2024).

The convenience offered by marketplaces seems unproblematic to the general public, who simply want to purchase goods or services. However, the convenience provided by marketplaces often comes with legal issues, particularly those related to the protection of personal data for users of e-commerce platforms that process consumers' personal data(Budiandru & Hidayat, 2025). Other legal issues related to fraud and products received by consumers that differ from their descriptions have become serious problems in the e-commerce sector. On the other hand, consumers often fail to carefully read the terms and conditions of service, potentially putting themselves at a disadvantage in electronic transactions. This lack of awareness can have an impact on the market, as buyers may not exercise all their rights or may not even realize that their rights have been violated(Wiraguna et al., 2024).

Data privacy is a responsibility that marketplaces must fulfill for their customers. As the volume of data processed increases, so does the likelihood of security incidents and data breaches(Mareati et al., 2026). Data breaches highlight the disconnect between consumer protection laws and the reality on the ground. The high number of consumer complaints regarding online transactions indicates that consumer protection in the digital realm still faces various challenges(Clarissa et al., 2026). Incidents of negligence occurring in electronic transactions indicate that, although legal regulations currently exist, legal protection for consumers remains limited and is not fully guaranteed(Sihombing et al., 2026). Therefore, the platform is expected to monitor the business activities operating within its system, provide a consumer complaint mechanism, and ensure the security of users' personal data(Dewi & Mahuli, 2025). Therefore, e-commerce platforms must strive to demonstrate accountability in providing legal protection for consumers. Platforms are expected to monitor the business activities operating within their systems, provide consumer complaint mechanisms, and ensure the security of users' personal data.

LITERATURE REVIEW

E-commerce, or electronic commerce, is a transaction model used to buy and sell through digital platforms and the internet; it can be described as bringing buyers and sellers together in a single space provided within the digital realm. Within the legal framework, a consumer is defined as an individual who utilizes goods and/or services available in society, whether for personal, family, or others' interests, or for the benefit of other living beings, in accordance with Article 1, Paragraph 2 of the Consumer Protection Act (UUPK). This law also guarantees consumer rights, such as the right to comfort, safety, and protection, as well as the right to receive accurate, clear, and honest information regarding the condition of goods and/or services. The legal responsibilities of marketplace platforms extend beyond their role as transaction intermediaries; they also include the obligation to provide secure, reliable, and responsible electronic systems, in accordance with the provisions of the ITE Law. Relevant legal principles in this context include strict liability—meaning no need to prove fault—and negligence, which refers to reckless conduct that may cause harm to a third party; both may apply to platforms if it is proven they failed to fulfill their obligations to protect consumers. Additionally, the Personal Data Protection Act (PDP Act) establishes regulations governing the obligations of data controllers to process personal data lawfully, transparently, and responsibly, and grants data subjects the right to access, update, and delete their personal data. Although these three regulations—the UUPK, the ITE Law, and the PDP Law—together establish a legal framework for consumer protection in electronic transactions in Indonesia, to date, there are still numerous cases involving the negligence of businesses and e-commerce platforms in ensuring consumer protection.

METHODOLOGY

This study employs a normative legal approach that analyzes applicable legal norms; this approach was chosen because the subject matter encompasses legislation, legal principles, and legal doctrines related to consumer rights and protection in the digital age. The methods applied include a normative legal approach, a conceptual approach, and a comparative approach. The legal approach involves systematically evaluating relevant regulations through legislation, while the conceptual approach is used to examine legal terms such as consumer protection, platform liability in e-commerce, personal data management, and electronic system security based on expert perspectives. The legal sources used include primary sources such as the UUPK, the Personal Data Protection Act (UU PDP), the Electronic Information and Transactions Act (UU ITE), and the Government Regulation on Electronic Commerce (PPMSE); secondary sources such as legal literature and scientific journals; and tertiary sources such as legal dictionaries and encyclopedias, all of which were collected through library research in both physical and digital formats. The legal materials were analyzed using qualitative analysis with legal interpretation methods and descriptive analysis to describe and examine the consistency, effectiveness, and synchronization of norms between regulations, which were then formulated into logical and systematic legal explanations to address the research questions.

RESULTS AND DISCUSSION

With the rapid growth of digital commerce (e-commerce) in Indonesia, there is a need for a legal framework that can provide certainty, protection, and a balance of rights and obligations among the three parties: the platform, the seller, and the buyer. Under the law, consumer protection reflects the state's role in ensuring fair and balanced relationships between businesses and consumers(Dewi & Mahuli, 2025). Under existing regulations in Indonesia, there are several provisions establishing rules regarding consumer protection in digital commerce, including Law No. 8 of 1999 on Consumer Protection (UUPK), Law No. 1 of 2024 on Electronic Information and Transactions, Law No. 27 of 2022 on Personal Data Protection, and Government Regulation No. 80 of 2019 on Trade via Electronic Systems as a specific regulation detailing the rules for transactional activities in e-commerce. This regulation constitutes a specific framework governing transactional activities in e-commerce. These regulations contain various provisions related to the conduct of e-commerce activities. Key aspects of these regulations include procedural and operational requirements for electronic system platform operators, the obligation of all parties to adhere to principles of transparency and consumer protection, as well as a fair and efficient dispute resolution system related to online commerce(Shabrina Izazi et al., 2024).

As outlined above regarding the e-commerce consumer protection regulations in effect in Indonesia, there are still several cases involving negligence on the part of e-commerce platforms/marketplaces and businesses in implementing legal protections for consumers. One common issue that persists involves cases where product information provided does not match reality upon delivery; this includes product descriptions that are inaccurate or product photos that do not match the items actually sent to consumers(Shabrina Izazi et al., 2024). In cases like this, business operators are obligated to compensate consumers for any losses they incur, with penalties ranging from warnings and sanctions to business closure. The provisions regarding such liability are set forth in Articles 19–29 of the Consumer Protection Law, one of which addresses the business operator's obligation to replace goods that do not conform to their description.

Not only do businesses have a duty to act responsibly, but e-commerce platforms must also support consumers and ensure that all business operators conduct their sales and purchasing activities in accordance with applicable regulations. This is reinforced by the ruling in case number 13/Pdt. Sus-BPSK/2020/PN.Jkt.Sel. The plaintiff sued the e-commerce platform for failing to issue a refund for goods that were not delivered by the merchant. In this ruling, the court held that the platform should be held liable for failing to exercise adequate oversight and for neglecting its duty to address consumer complaints(Dewi & Mahuli, 2025). Another case that has captured the public's attention involves the Tokopedia platform, where the Indonesian Consumer Protection Agency (KKI) filed a lawsuit against the Minister of Communication and Information Technology and PT Tokopedia over a number of legal violations related to the protection of electronic personal data. The case number is 235/PDT.G/PN.JKT.PST. KKI filed his lawsuit through the electronic court system at the Central Jakarta District Court(Anindya & Subiyanto, 2025).

The enactment of the Personal Data Protection Act (PDPA) represents a significant advancement in Indonesia's legal framework and aims to establish clearer legal regulations that comprehensively address the rights of personal data subjects following data collection, the responsibilities of data controllers, and the consequences imposed in the event of a violation of personal data protection(Simanjuntak, 2024). With the implementation of the Personal Data Protection Act (PDP Act), it is hoped that cases involving personal data breaches through major platforms (such as Tokopedia) will no longer occur in the future. Marketplaces act as data controllers and data processors. When compared to the General Data Protection Regulation (GDPR), both apply similar principles such as lawfulness, transparency, purpose limitation, data minimization, accuracy, storage limitation, integrity, confidentiality, and accountability. A key difference between the PDP Law and the GDPR lies in the presence of an independent supervisory authority to oversee personal data. The absence of an independent authority indicates that Indonesia has not yet met the standards for providing an adequate level of protection. As outlined in Article 53 of the GDPR, an individual appointed as a data protection officer must possess the necessary competence, professional practice, and expertise in the field of personal data protection. This means that this position cannot be assigned arbitrarily to someone lacking adequate digital competence(Hakim et al., 2023).

According to information from the National Consumer Protection Agency (BPKN), complaints related to online transactions have been the most common over the past five years. The main issues encountered include undelivered goods, poor product quality, purchase fraud, and the lack of an effective complaint system on these platforms(Dewi & Mahuli, 2025). According to data from the National Consumer Protection Agency (BPKN), as of June 10, 2025, there have been 420 consumer complaints related to e-commerce. This clearly indicates that the implementation of consumer protection measures and the accountability of e-commerce platforms in electronic commerce activities remain inadequate and continue to be a growing concern(Mbonigaba, 2022). Although regulations such as the UUPK, the ITE Law, and the PDP Law serve as important legal foundations, these three regulations require harmonization of provisions and compliance by entities that control personal data in personal data processing activities in accordance with the PDP Law to ensure the implementation of legal protection for consumers through the accountability of e-commerce platforms; this is because Article 19 of the UUPK states that the responsible party is the "business entity." This makes it easy for digital platforms to evade responsibility by claiming that they merely provide a platform commonly referred to as a marketplace(Dewi & Mahuli, 2025). This differs from the provisions of Article 57 of the Personal Data Protection Act, which outlines the legal consequences for negligence on the part of personal data controllers, who may face sanctions ranging from written warnings and fines to permanent closure. Therefore, the legal framework governing the liability of marketplaces and e-commerce platforms requires further strengthening to ensure consumer protection in the realm of digital commerce.

It is not just a matter of strengthening the law; achieving consumer protection requires the participation of the government, businesses, platforms, and the public in fulfilling their obligations and understanding the rights they are entitled to. As research findings indicate, the effectiveness of consumer protection cannot rely solely on regulations but also requires the active involvement of all parties in fulfilling their obligations and understanding their rights in a balanced manner(Azhari, 2021). Another effort to ensure consumer protection and provide recourse for negligence on the part of businesses or platforms in safeguarding personal data is to establish an independent body that can directly handle the resolution of e-commerce disputes.

CONCLUSION AND RECOMMENDATION

Conclusion

The current growth of e-commerce has made it easier for the public to conduct online transactions, but it has also given rise to various legal consequences, particularly regarding consumer protection and the security of personal information. Based on an analysis of the Consumer Protection Law (UUPK), the Electronic Information and Transactions Law (UU ITE), and the Personal Data Protection Law (UU PDP), it can be concluded that the legal framework in Indonesia essentially regulates consumer rights and protections, as well as the obligations of platform businesses in operating electronic systems for digital transactions. Although various regulations are in place, the implementation of legal protections for consumers in e-commerce still faces several challenges, particularly regarding the clarity of platforms' liability limits for consumer losses and oversight of personal data protection. Therefore, strengthening legal regulations, enhancing oversight, and clarifying the liability mechanisms of e-commerce platforms are necessary to ensure that legal certainty and consumer protection are optimally established in the ongoing development of digital commerce in Indonesia.

Recommendation

Based on the findings of this study, a series of strategic measures is needed to restore legal protection for consumers in all digital sales and transactions. This includes the need to review and amend regulations such as the Consumer Protection Law (UUPK) and the Electronic Information and Transactions Law (UU ITE) by adding provisions that explicitly clarify the legal status and responsibilities of digital platforms. Furthermore, the government, platforms, businesses, and consumers must be aware of and comply with all existing regulations so that they understand their rights, can conduct transactions safely, and are aware of the available complaint mechanisms in the event of a violation.

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