

CHAPTER I

INTRODUCTION

A. Background

The rapid rise in online scams is closely linked to technological advancements, which allow fraudsters to use more sophisticated tactics. Global losses due to digital fraud reached 47.8 billion in 2024, marking a 15% increase from the previous year¹. Technological developments have brought progress in almost all aspects of human life. As contained on the internet which provides information and communication that has a significant impact on many aspects of life, especially in the field of business and e-commerce. In Indonesia, e-commerce is growing rapidly along with the increasing public interest in online shopping.²

Technological advancements provide many opportunities for cybercriminals to launch phishing attacks, especially as more personal and financial activities are conducted online without adequate security awareness. They can use various online methods such as email, social media, as well as malware to try to deceive their victims. They can use various online methods such as email, social media, as well as malware to try to deceive their victims, often by exploiting psychological tactics like

¹David Krause, "The Rise of Online Scams and Consumer Protections: A Comparative Analysis of the U.S. and Singapore", (SSRN Electronic Journal, 2025), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5134496, p.1

²Man Suparman Sastrawidjaja, *Perjanjian Baku Dalam Aktivitas Dunia Maya, Suatu Pengantar*, Cet. I (Jakarta: Elips II, 2002), p.14

fear, urgency, or curiosity to prompt quick and careless actions. Phishing refers to attempts to steal sensitive information, usually in the form of usernames, passwords, credit card numbers, bank account information, or other important data in order to utilize or sell stolen information.³ Phishing is aimed at finding confidential information by sending false messages to users through electronic means of communication. This fraudulent activity is in the form of emails and websites that appear to come from companies and aims to obtain users' personal information in the form of passwords, account numbers, numbers, etc.

However, despite the facilities offered, there are still certain risks that threaten consumer safety, including cases of fraud. One of the most common fraud techniques is phishing, this case of phishing not only harms consumers, but can also damage the reputation of the brand identity involved. In many cases in the world, for example in the country of Singapore, consumers do not realize that they have been a victim of phishing until the loss occurs. This is like online purchase scams targeting consumers through fake e-commerce websites or fake social media ads. Triangulation fraud, which is a scheme used by scammers to buy goods for unsuspecting buyers, has also increased sharply, harming consumers and legitimate businesses. Social media platforms are often used for scams involving fake gifts, phishing links, and

³MOHD. Yusuf DM, Addermi, & Jasmine Lim, "Kejahatan Phising Dalam Dunia Cyber Crime Dan Sistem Hukum Di Indonesia," *Jurnal Pendidikan dan Konseling* volume 4, number 5 (2022) <https://doi.org/10.31004/jpdk.v4i5.7977>, p.8018-8023

counterfeit goods. This tactic exploits users' trust in social media ads and influencers. This research aims to identify the weaknesses of existing legal protection and provide recommendations to improve consumer safety and legal certainty in the digital era. Therefore, it is generally known that there are four basic rights of consumers that must be protected, namely: "the right to safety, the right to be informed, the right to vote and finally the right to be heard".⁴

Legal protection is a development of the concept of recognition and protection of human rights that has developed since the 19th century. With the presence of law in social life, it is useful to integrate and coordinate interests that usually conflict with each other. The law can be used to realize protections that are not only adaptive and flexible, but also predictive and anticipatory.⁵

The law aims to integrate and coordinate various interests in society because in the traffic of interests, the protection of certain interests can only be done by limiting the various interests on the other hand. For The interest of the law is to take care of human rights and interests, so that the law has the highest authority to determine the interests of human beings that need to be regulated and protected. Legal protection should be understood in stages, beginning with the protection derived from legal

⁴Titiek Tjahja Andari, "Hak Konsumen Sedunia," Universitas Djuanda, 2024, : <https://info.unida.ac.id/artikel/hak-konsumen-sedunia> , acce 13 Juni 2025.

⁵Tirtakoesoemah A. J., & Arafat, M. R., *Penerapan Teori Perlindungan Hukum Terhadap Hak Cipta Atas Penyiaran* (Pena Justisia, Pekalongan,2020), p. 78.

norms and regulations established by society.⁶ These laws essentially reflect mutual agreements intended to govern the conduct among community members, as well as between individuals and the government, which acts as a representative of public interests. According to Munir Fuady, Business Law is a set of legal rules and their enforcement mechanisms that regulate the procedures for carrying out commercial, industrial, or financial activities.⁷ These include activities related to the production and exchange of goods or services, involving the investment of capital by entrepreneurs who take on certain levels of risk. According to the theory put forward by Soerjono Soekanto, legal protection is any effort to fulfill rights and provide assistance to provide a sense of security to witnesses and/or victims, the protection of crime victims as part of community protection, can be realized in various forms, such as through the provision of restitution, compensation, medical services, legal aid, compensation, and as an approach to restorative justice.⁸

However, legally, the definition of legal protection is all efforts made consciously by every person and government and private institution that aims to guarantee, control, and fulfill the welfare of life in accordance with existing human rights as stipulated in Law Number 39 of 1999 concerning Human Rights. Therefore, legal protection is the protection provided to legal subjects in the form of devices,

⁶Satjipto Raharjo, *Ilmu Hukum*, PT. Citra Aditya Bakti, Bandung, 2000, p. 54.

⁷Gaeldeba Garaika, "Hukum Bisnis dan Perannya dalam Transaksi E-Commerce," *Jurnal Hukum Bisnis*, Vol. 5 No. 2, Juli 2020, <https://jurnal.um-palembang.ac.id/doktrinal/article/download/2913/2080>, p. 239.

⁸Soerjono Soekanto, *Pengantar Penelitian Hukum*, UI Press, Jakarta, 1984, p.133.

both preventive and repressive, both oral and written. In other words, it can be said that legal protection is a separate picture of the function of law itself, which has the concept that law provides justice, order, certainty, usefulness, and peace.⁹ Consumer protection also requires broad thinking. Broad conceptual thinking and the study of legal aspects also require broad legal insights, so they cannot be studied from the legal aspect alone. This is very important considering that consumer interests basically exist from the beginning before the goods/services are produced during production until the time of distribution so that they reach the hands of consumers for optimal use. World organizations such as the United Nations are no less concerned about this issue. Consumer Protection, This is evidenced by the issuance of UN Resolution No. 39/248 of 1985. In this resolution, the interests of consumers that must be protected include:¹⁰

- a. protection of consumers from harm to their health and safety.
- b. promotion and protection of consumer socio-economic interests.
- c. The availability of adequate information for consumers to provide their ability to make the right choice according to their personal desires and needs.
- d. consumer education.

⁹Wahyu Simon Tampubolon, "Upaya Perlindungan Hukum Bagi Konsumen Ditinjau dari Undang-Undang Perlindungan Konsumen," *Jurnal Ilmiah Advokasi* Vol. 4, No. 1 (Maret 2016), DOI: 10.36987/jiad.v4i1.356, p. 1

¹⁰Erman Rajagukguk, *Pentingnya Perlindungan Konsumen Dalam Era Perdagangan Bebas*, Mandar Madju. Bandung, 2000, p.3

- e. availability of effective compensation efforts.
- f. freedom to form consumer organizations.

Indonesia is no exception and also seeks to provide consumer protection in certain ways, one of which is by stipulating Law No. 8 of 1999 concerning Consumer Protection (hereinafter abbreviated as UUPK) Consumer protection in Indonesia is very important can be seen in the legal provisions of the weighing section, among others: that national development aims to realize a just and prosperous society that is equally materially and spiritually equal in the era of economic democracy based on Pancasila and the 1945 Constitution; that national economic development. The use of e-commerce media in the world of trade has a great impact on the international community in general and Indonesian people in particular. The era of globalization has brought changes in various fields of life, including the development of information and communication technology which plays an important role in development. Information and communication technology has changed the behavior of society and civilization, humans globally. The development of information technology has caused the world to become borderless and caused significant social changes to occur so quickly. Today's information and communication technologies lead to a convergence that facilitates human activities as creators, developers, and users of technology itself. ¹¹

¹¹ *Ibid*

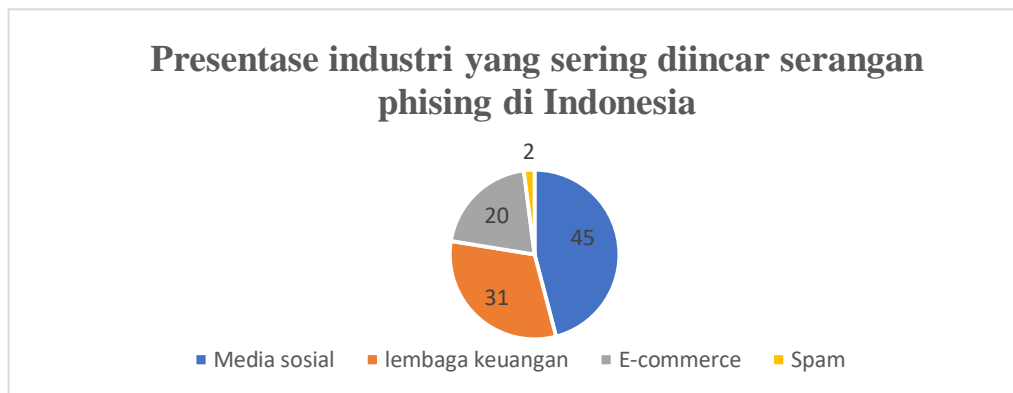
One of them can be seen from the rapid development of internet media. The Internet as an electronic information and communication medium has been widely used for various activities, including browsing, searching for data and news, sending messages to each other via email, and trading. Trade activities using internet media are known as electronic commerce, or e-commerce for short.¹² Today, e-commerce transactions have become a part of national and international trade. For example, buying clothing products, bags or ordering very personal medicines. The public can do so easily through the field of telematics which continues to grow unstoppable, along with the discovery of new copyrights and patents in the field of information technology. Almost any item can be traded through the internet, that's because the internet is the most effective medium today.

Once the internet was opened to the wider community, the internet started to be used for commercial purposes as well. There are two things that encourage trading activities in relation to technological advancements, namely the increasing demand for technology products themselves and the ease of making fraudulent transactions. In today's internet world, communities specializing in the trade of certain goods are starting to grow. With this e-commerce system, sellers do not have to meet face-to-face with buyers (buyers/consumers),¹³ in a trade transaction. Transactions can only

¹² Ahmad M. Ramli, *Cyber Law dan HAKI dalam Sistem Hukum Indonesia*, PT. Refika Aditama, Bandung, 2004, p.1

¹³ Agus Raharjo, *Pemahaman dan upaya Pencegahan Kejahatan Berternologi*, Cet ke-I, PT. Citra Aditya Bakti, Bandung, 2002, p.15

be made through correspondence via e-mail, fax and others. Payments can also be made via the internet. Data messages containing agreements and contractual agreements (aggreements) can be delivered by one of the related parties to the other party directly or through a mediator through electronic services such as the internet, extranet, email and others



Data source: Indonesia Anti-Phishing Data Exchange (IDADX) 2023

In 2023, there will be 279.84 million cyberattacks that occurred in Indonesia. However, this figure decreased by 24% when compared to 2022 which touched 370.02 million cyber attacks. The Ministry of Communication and Information also highlighted Indonesia, which is among the exchanges of countries with the largest number of cyberattacks in the Asean region. This is based on data from the National Cyber Security Index (NCIS) in 2023, while for data obtained from the Indonesia Anti-Phishing Data Exchange (IDADX) source about the percentage of industries that are often affected by phishing attacks in Indonesia, around 20% of these industries are e-commerce and 45% is social media. The number of cyber attacks in Indonesia is

5th among Asean countries. Still referring to the same data, Indonesia is ranked 49th in cybersecurity out of 176 countries.¹⁴ The rapid development of digital technology in the past year has brought many significant changes in various aspects of human life, including people's consumption patterns and transactions. Information technology not only makes it easier for people to access information, but also facilitates interaction between consumers and business actors. The e-commerce sector is the third most frequently targeted phishing attack, one of which has seen a rapid increase in online sales, with many fashion brands turning to digital platforms to expand their market reach. However, behind these advantages, there are serious challenges related to consumer security and protection, one of which is the rise of phishing actions targeting consumers through these platforms.

The official term for phishing is phishing, which comes from the English word fishing. Phishing crimes use social engineering techniques to trick people into obtaining personal information or sensitive data such as usernames, passwords, and credit card details.¹⁵ This fashion is very threatening to the fashion sector, given the popularity of fashion brands on e-commerce platforms. Phishing perpetrators often create fake websites or send legitimate-looking emails to deceive consumers. When

¹⁴Rika Anggraeni, "Kejahatan Siber Merajalela", There Are 572,185 Majority Fraud in E-Commerce <https://teknologi.bisnis.com/read/20240903/84/1796481/cybercrime-merajalela-ada-572185-fraud-majority-in-e-commerce>, in November 2024 accessed December 25, 2024, 17.50 WIB

¹⁵Ananta Fadli Sutarli dan Shelly Kurniawan, "Peranan Pemerintah melalui Undang-Undang Perlindungan Data Pribadi dalam Menanggulangi Phising di Indonesia", *Innovative: Journal of Social Science Research*, Vol. 3, No. 2 (2023), doi: 10.31004/innovative.v3i2.760, p.3

consumers enter their data, this information falls into the hands of irresponsible parties, often resulting in significant financial losses and privacy breaches.

In Indonesia, legal protection for consumers is regulated in Law Number 8 of 1999. on Consumer Protection (UUPK). This law stipulates that consumers have the right to comfort, security, and safety in consuming goods and services (Article 4). Business actors are also required to ensure the quality and authenticity of the products and to keep the products offered so as not to mislead consumers (Article 7 and Article 8).¹⁶ However, this regulation does not provide specific rules regarding the protection of consumers from phishing acts, especially those related to commercial brand identity profiteering. On the other hand, Law Number 19 of 2016 concerning Electronic Information and Transactions (UU ITE) which aims to protect the public from the misuse of technology, including in the form of online fraud, is also still limited in scope. Although the ITE Law includes provisions on illegal access and dissemination of misleading information (Article 28 paragraph 1 and Article 30),¹⁷ it does not specifically regulate phishing that involves profiteering a brand or company identity. This creates a legal vacuum that is detrimental to the consumers and brands involved, as these parties do not have adequate legal protections to effectively crack down on phishing perpetrators.

¹⁶Fitri Rahmawati, "Perlindungan Hukum terhadap Konsumen yang Mengalami Kasus Phising melalui Layanan Online Banking," *Depositi Widyakarya*, Vol. 2, No. 1 (2024),p.2

The absence of special regulations is becoming an increasingly important issue along with the increasing number of phishing cases in Indonesia.¹⁸ Thus, adequate interest protection efforts are very urgent to immediately find solutions, especially in Indonesia. Cybersecurity reports show that Indonesia is one of the countries with a high rate of phishing crimes, especially in the *e-commerce* and financial services sectors. This not only harms the consumer who is the victim, but also damages the reputation of the brand whose identity is benefited by the perpetrators. In this case, special regulations regarding phishing involving brands in the *e-commerce* sector are an urgent need so that consumers can be legally protected.

This study aims to examine the increasing e-commerce activities in Indonesia, legal protection for consumers is becoming an increasingly important issue, especially with the rise of cybercrimes such as phishing that target consumers in online transactions. Phishing as a form of cyber fraud that imitates trusted entities to steal consumers' personal and financial information has caused significant losses, both materially and immaterially. Although Indonesia already has several legal instruments that regulate consumer protection and cybersecurity, such as Law Number 8 of 1999 concerning Consumer Protection and Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE) and its amendments, there

¹⁸Husni Syawali and Neni Sri Imaniyati, *Hukum Perlindungan Konsumen*, Mandar Maju, Bandung, 2000, p.33

are still a number of gaps in norms and weaknesses in implementation, especially in terms of specific protection against phishing victims in the e-commerce ecosystem.

In response to the need to strengthen the existing legal system, the comparative legal approach is seen as relevant and strategic. In this case, Singapore was chosen as a comparator country because it is considered to have a more mature and structured legal system in responding to cybercrime and protecting consumers in electronic transactions. Singapore has implemented various regulations that specifically regulate consumer protection and cybersecurity, including the Consumer Protection (Fair Trading) Act (CPFTA), Personal Data Protection Act (PDPA), and Computer Misuse and Cybersecurity Act¹⁹. These regulations not only provide more comprehensive legal protection to consumers, but also reflect the country's seriousness in dealing with the threat of digital crime through supervision mechanisms, strict sanctions, and strengthening the role of supervisory institutions.

In addition, Singapore is also known for having a proactive and technology-based approach in preventing and handling cybercrime. This can be seen from the collaboration between the government, private sector, and the community in forming a secure digital ecosystem. Singapore's effectiveness in integrating consumer protection and cybersecurity aspects makes it an ideal model to be analyzed comparatively with the legal system in Indonesia. This comparison is expected to

¹⁹David Krause, *Op.cit* p.8

provide broader insight into the weaknesses and potential improvements in Indonesia's legal framework, especially in an effort to provide maximum protection to consumers who are victims of phishing in e-commerce transactions.

Thus, the comparative approach with Singapore aims not only to look at regulatory differences, but also to identify best practices that can be adopted or adapted to Indonesia's legal and social conditions. In order to strengthen consumer protection and improve the effectiveness of law enforcement against phishing crimes. It is hoped that the results of this analysis can contribute academically and practically in encouraging legal reform in Indonesia, especially in the field of consumer protection and cybersecurity in the context of e-commerce.

B. Problem Formulation

Based on the Background of the problems described above, the problem is formulated as follows: "What are the regulations for Consumer Protection Against *Phishing* in Indonesia?"

C. Research Objectives

The purpose of this study is: "To find out and analyze Consumer Protection Regulations Against *Phishing* Actions in Indonesia"

D. Research Benefits

The results of this research are expected to be useful for the development of science regarding legal protection for consumers with phishing actions.

a. Theoretical Objectives

Theoretically, the results of this study are useful to add information in terms of the application of legal protections for consumers that support phishing actions that apply today and how ideal they will be in the future

b. Practical Purpose

Practically, the results of this research are useful to be a reference for University of Jambi students in general and law students in particular.

E. Conceptual framework

To make it easier to understand the author's intentions, the author provides definitions or limitations to the concepts contained in the title of this thesis. This definition is useful for the author as an introduction to initial understanding.

1. Legal Protection

Legal protection for consumers referred to in this study is as stipulated in article 1 number 1 of the Consumer Protection Law, which regulates it. "All efforts to ensure legal certainty to provide protection to consumers". Protection in English is called protection, which in Indonesian is known as protection While according to the Black Law Dictionary, "Protection is an act of protecting" which means that protection is a preventive measure.

2. Consumer Protection

Definition of Consumer according to Law No. 8 of 1999 concerning Consumer Protection Based on article 4 number (1) of the Consumer Protection Law, it is regulated that "the right to comfort, security, and safety in consuming goods and/or services;". In this case, the Consumer is as a customer in e-commerce who is affected by phishing.

3. *Phishing*

The term phishing is another form of the word phishing that comes from the English word "fishing", namely fishing or what is meant by phishing actions that aim to lure people to voluntarily provide personal information without realizing it for the purpose of crime. In other words, phishing means an attack that is carried out to trick or lure the victim into clicking on a link or link and entering credential information such as username and password. Phishing has different types of actions, one of which is often encountered is Spoofing Phishing is an attack in which an attacker creates a fake web page that mimics the look and function of the original website.²⁰ The goal of these attacks is to trick users into visiting fake websites and entering their personal information or damaging their systems. Website spoofing attacks attempt to mimic known and trusted websites, such as banking, e-commerce, or social media sites. They can use methods such as

²⁰Devie Rahmawati et al., *Waspada Kejahatan Phising Attack*, (PT. Nusantara Abadi Group Literacy, Malang, 2024) ,p.67

spoofing URLs, creating looks, and mimicking design and content elements from an actual website²¹.Based on Law No. 8 of 1999 concerning consumer protection which provides a legal basis to protect consumers from dangerous phishing practices. Furthermore, this law emphasizes the rights of consumers to accurate information, safety, and security in every transaction, which is often violated in cases of phishing and website spoofing.

F. Theoretical Basis

1. Legal Protection Theory

Legal protection theory aims to protect a person's interests by giving him or her the power to act in fulfilling his or her interests. The granting of power, or what is often referred to as this right, is carried out based on the applicable laws and regulations. Legal protection is the protection of dignity and dignity, as well as the recognition of human rights possessed by legal subjects based on legal provisions from arbitrariness or as a set of rules or rules that will be able to protect one thing from another. In relation to consumers, it means that the law provides protection for the rights of customers from something that results in the non-fulfillment of these rights.²²

²¹Nur Jamal shaid, "Apa Itu Phising: Definisi, Cara Kerja, Ciri-ciri, dan Cara Mencegahnya",<https://money.kompas.com/read/2022/06/16/183024326/apa-itu-phising-definisi-cara-kerja-ciri-ciri-dan-cara-mencegahnya?page=all>,accessed November 25, 2022,21.15 WIB

²²Philip M. Hadjon,*Perlindungan Bagi Rakyat*,PT. Bina Ilmu, Surabaya,1987,p.2

2. Consumer Protection Theory

Consumer Protection is a term used to describe the legal protection provided to the public. Consumers in their efforts to meet the needs of things that are detrimental to consumers themselves. The Government of Indonesia is engaged in providing legal protection to consumers in issuing regulations that accommodate the rights and obligations of the parties. As a form of legal certainty that in practice requires the agreement of the parties, namely issuing Law No. 8 of 1999 concerning Consumer Protection. Consumer protection laws are part of consumer law. Which is in accordance with principles or rules that are regulatory and contain properties that protect the interests of consumers. Based on Law Number 8 of 1999 concerning Consumer Protection in article 4, it is stipulated that consumer rights are "the right to comfort, security, and security in consuming goods and/or services as well as the right to choose the goods and/or services in accordance with the exchange rate and the conditions and guarantees guaranteed."²³

Consumer Protection is the goal and effort to be achieved or the situation to be realized. Therefore, consumer protection goals need to be designed and built in a planned manner and prepared from an early age. The purpose of consumer protection includes activities in the form of making and implementing a

²³Satjipto raharjo, *op.cit* p.53

consumer protection system. In the context of legal development, consumer protection is regulated gradually, from awareness to empowerment. Consumer protection is regulated gradually, from awareness to empowerment. The achievement of consumer protection goals does not have to go through stages based on regulation, but by looking at the urgency. Ideally, the achievement of consumer protection goals is carried out simultaneously. With the presence of the UUPK and other legal instruments, here consumers have balanced rights and positions and can sue or sue if it turns out that their rights have been harmed or violated by business actors. The scope of consumer protection laws is difficult to limit by accommodating them in one type of law such as the Consumer Protection Law.

Consumer protection law is always related and interacts with various other fields and branches of law because in every field and branch of law there is always a party with the title of consumer. By understanding the definition of consumer, the distinction between consumer law and consumer protection law, between consumer fundamental rights and consumer protection legal interests and other areas of law can provide a comprehensive picture of the challenges to consumer protection law. Basically, legal protection theory does not look at gender. The State of Indonesia as a state of law based on Pancasila must provide legal protection to its citizens, therefore the protection of human rights in the

form of individual and social beings in a unitary state that upholds kinship in order to achieve common prosperity. Legal protection facilities are divided into two types, which are as follows:

- 1) Preventive Legal Protection Means, in this preventive legal protection, legal subjects are given the opportunity to express their objections or opinions before the government's decision gets a definitive form. The goal is to prevent disputes. In Indonesia, there are no special regulations regarding preventive legal protection.
- 2) Repressive Legal Protection Means, Repressive Law Protection aims to resolve disputes. The handling of legal protection by the General Court and the State Administrative Court in Indonesia is included in this category of legal protection. The principle of legal protection of government actions rests on and comes from the concept of recognition and protection of human rights because according to Western history, the birth of the concept of recognition and protection of human rights is directed at the limitation and placement of the obligations of society and the government.

G. Research Originality

To ensure the authenticity of this research and at the same time facilitate the understanding of the differences in legal issues researched and studied in this study compared to previous research:

1. Risa Salsabila in her thesis entitled "Legal protection of personal data confidentiality of users of telecommunication operator products in Indonesia" This research focuses on Law No. 27 of 2022 concerning Personal Data Protection and Law No. 36 of 1999 concerning Telecommunications. Users of telecommunication services, such as the obligation of the provider to maintain the confidentiality of customer data (name, NIK, communication data). The main issue is how the Personal Data Protection Act (PDP Law) and the Telecommunications Law protect users' personal data from leakage or misuse by telecommunications providers. The difference from the author's research is that personal data and the responsibility of telecommunications providers in general, while the research on phishing in e-commerce is more specific to the mode of crime based on the theft of consumer data through manipulation techniques (social engineering) in online transactions on e-commerce platforms.²⁴
2. Khairunnisa Arisha in her thesis entitled "Consumer Protection in E-commerce Transactions of the Bukalapak Platform" This research discusses how the Bukalapak platform provides legal protection to consumers in e-commerce transactions, including return policies, payment protection, and dispute resolution in the event of problems such as non-compliant goods or fraud. The difference with the author's research is that this research focuses on consumer protection on

²⁴Salsabila Risa, *Perlindungan hukum kerahasiaan data pribadi pengguna produk provider telekomunikasi di Indonesia*, Bachelor of Law Thesis, Faculty of Law, University of Jambi, 2021.

one platform (Bukalapak), especially regarding the violation of consumer rights in legitimate transactions. In contrast, research on phishing focuses on crimes that involve data theft or digital fraud through e-commerce broadly, with an emphasis on security and cyber law aspects.²⁵

3. Ricki Aditya Putra in his thesis entitled "Legal protection of consumer rights in the case of fraudulent buying and selling transactions in online commerce (shopee)" This research discusses how consumer rights are protected when they are victims of fraud in transactions on Shopee, such as undelivered goods or unauthorized payments. The focus is on the mechanism for resolving complaints and disputes in e-commerce. The difference with the authors' research is that this study emphasizes on conventional buying and selling transaction fraud, while the study highlights a mode of fraud that involves manipulating digital data with the aim of accessing important consumer information, such as accounts, passwords, or payment information on various e-commerce platforms.²⁶

H. Research Methods

To know and understand in detail and detail, the research method used by the researcher in this thesis, must explain the following elements:

²⁵Khairunnisa Arisha, *Perlindungan Konsumen dalam Transaksi E-commerce Platform Bukalapak*, Skripsi Sarjana Hukum, Fakultas Syariah dan Hukum, Universitas Islam Indonesia Syarif Hidayatullah, Jakarta, 2021.

²⁶Aditya Ricki, *Perlindungan hukum atas hak Konsumen dalam kasus penipuan transaksi jual beli di perdagangan online (shopee)*, Skripsi Sarjana Hukum, Fakultas Hukum, Pusat Islam Universitas Darul Ulum Sudirman GUPPI (UNDARIS), 2022.

1. Research Type

This research employs a normative juridical method, focusing on the analysis of the application, rules, and norms within the framework of existing positive law. Unlike empirical approaches, the normative juridical approach does not rely on data or social facts, as normative legal studies are solely based on legal materials. In this context, the law is explained and interpreted through legal concepts, without the need for empirical evidence, using strictly normative methods.²⁷ This type of legal research involves studying and analyzing statutory regulations and scholarly literature that provide theoretical insights related to the legal issues being examined, in accordance with prevailing legal principles and norms.²⁸

2. Research Approach

Judging from the legal studies taken from this study, the approach used by the author is the statue approach. The legal approach is carried out by examining all laws and regulations related to the legal issues being studied. To further explore the problems studied, in addition to using the statue approach, a conceptual approach (conceptual aapproach) is also used in this study. The conceptual approach is carried out by studying the views, doctrines, principles and theories that develop in law that have reference to the problem studied.

²⁷Bahder Johan Nasution, *Metode Penelitian Ilmu Hukum*,Mandar Maju,Bandung2008,p.87

²⁸Peter Mahmud Marzuki,*Penelitian Hukum*,Edisi Revisi,Kencana,Jakarta,2010,p.35

3. Collection of Legal Materials

This research is normative juridical, so the main material used in this study is only secondary data, namely legal materials sourced from literature (literature research). Research on the legal material used in this literature includes:

a. Primary Legal Materials

The primary legal materials consist of laws and regulations relevant to the subject of this research, namely:

- 1) Law Number 8 of 1999 concerning Consumer Protection.
- 2) Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 19 of 2016.

b. Secondary Legal Material

Secondary legal material is material that provides an explanation of primary legal material, including by studying literature, in the form of publications that are not official documents, including law books, research results, legal journals, various websites with addresses on the internet, theses, and dissertations.

c. Tertiary Legal Material

Tertiary legal materials are materials that provide definitions, instructions and explanations of primary and secondary legal materials, including general dictionaries and legal dictionaries.

4. Analysis of Legal Materials

The analysis used in this thesis is with:

- a. Interpret all laws and regulations in accordance with the issues discussed
- b. Assess legal material related to the issue being studied.
- c. Evaluate laws and regulations related to the issues discussed.

I. Thesis Structure

In the writing of this thesis, it is written in a systematic series, between the parts in it and each other are closely related to each other. To give an overview of this thesis, the author divides it into four parts consisting of four chapters, namely:

CHAPTER I : The introduction in this chapter is presented about the background that is the basis of the thinking behind the choice of titles, problem formulation, research objectives and benefits, conceptual framework, theoretical foundations, research methods and writing systematics.

CHAPTER II : This chapter contains an overview of legal protection against consumers, phishing and e-commerce in Indonesia.

CHAPTER III : This chapter contains articles on the results of research and discussion on how to protect consumers in *Phishing* (e-commerce) in Indonesia and the obstacles faced for legal protection for consumers in phishing (e-commerce) in Indonesia.

CHAPTER IV : The chapter concludes with conclusions and suggestions based on previous chapter.