

## Restrictions on Cross-Border Trade in E-commerce as a Form of Consumer Protection

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### Abstract

Since the beginning of the third millennium era, the world of commerce has experienced a significant evolution with the emergence of e-commerce platforms. Bank Indonesia estimates that e-commerce transactions in 2022 will reach IDR 489 trillion. Correspondingly, in Q3 2022, it was recorded that 62.6% of internet users over the age of 16 have used e-commerce platforms to purchase products and services online, increasing the potential for discrepancies between product descriptions and reality, as well as difficulties in returning products from abroad, resulting in financial losses and dissatisfaction for consumers. This research aims to investigate the effectiveness of cross-border trade restrictions in e-commerce as a consumer protection strategy in Indonesia. The normative juridical method is used in this research. The research found that restrictions on cross-border trade in e-commerce refer to various barriers and regulations applied by states to govern cross-border electronic commerce activities. These barriers include tariffs, taxes, quotas, product quality standards, certification, etiquette, as well as rules regarding consumer personal data and payment transactions. In addition, in the era of globalization, trading cross-border transactions have become routine, but carry legal and commercial risks for consumers transacting with entities outside their jurisdiction. Therefore, to respond to the escalation of cross-border trade in e-commerce platforms, Indonesia needs to emphasize data protection and security in digital transactions such as related to cryptographic techniques and privacy policies of e-commerce providers in order to provide certainty and legal protection in terms of protecting consumers.

**Keywords:** restrictions, trade, cross-border, e-commerce, consumer protection

**INTRODUCTION**

Since the beginning of the third millennium, the world of commerce has experienced significant evolution with the emergence of global scale e-commerce platforms such as Alibaba, Amazon, and a number of other similar entities. This phenomenon indicates a monumental transformation in the dynamics of international trade, which not only affects consumption patterns, but also the structure and governance of the trade industry itself.(Lizardo & Furinto, 2020). In the era of global economic digitalization, electronic commerce, also known as e-commerce, is experiencing significant growth and revolutionizing the way commercial transactions are conducted. This phenomenon facilitates consumers to access products from sellers in various parts of the world, promising product diversification that previously may not have been available in the domestic market. However, despite the significant potential, cross-border transactions via e-commerce platforms carry legal implications and challenges that consumers need to face(Barkatullah & others, 2019).

In this regard, Bank Indonesia (BI) confirmed that the estimated e-commerce transactions in 2022 will be IDR 489 trillion. In normal situations, every month, e-commerce can generate transactions between IDR 40 to IDR 50 trillion. This high figure is comparable to the massive activity on e-commerce platforms, in Q3 2022 it was recorded that 62.6% of internet users over 16 years old had used e-commerce platforms to buy products and services online.

From a consumer protection law perspective, several crucial issues arise. First, related to personal data protection. Consumers often have to share sensitive information, including financial details, in the transaction process. If e-commerce platforms do not have adequate security standards, this can pose a risk of privacy breaches and data theft(Prastika & Marlina, 2023).Furthermore, issues of product quality and suitability are highlighted. In conventional practice, consumers have the ability to physically inspect the product before the transaction. However, in the context of e-commerce, purchasing decisions are often based on visual representations and product descriptions. This creates a potential mismatch between expectations and reality when the goods are received, which in turn can give rise to legal disputes related to product non-conformity or fraud(Rustam et al., nd).

Another relevant legal aspect is related to logistics and additional costs. International shipping, especially with customs duties and import taxes, may increase the total cost of the purchase. Apart from that, differences in regulations and product standards between countries can be an issue. A product that meets standards in one country may not meet standards in another country, creating potential legal and regulatory conflicts. In this context, it is important for consumers to understand the legal framework for cross-border e-commerce and conduct due diligence before making a transaction. Having an understanding of regulations, rights and obligations in e-commerce transactions will provide an additional layer of protection for consumers and reduce the potential for future disputes. In addition, the implementation of strict security standards by e-commerce platforms and consumers' understanding of their rights and obligations are crucial elements in ensuring the sustainability and integrity of cross-border e-commerce transactions(Sinaga & Putri, 2020).

In the context of economic globalization and digitalization of trade, the phenomenon of cross-border consumption has become increasingly prominent. Global consumers, and especially in Indonesia, now have increasingly easier access to obtain goods from sellers abroad. There are several main factors that encourage this kind of consumption behavior, including product variety, price competitiveness, and the uniqueness of goods that may be difficult to find in the domestic market. However, transactions of this kind certainly cannot be separated from various considerations, especially from an academic legal and economic perspective(Adha, 2020).

First, the variety of products offered by foreign sellers is often more diverse than those available on the domestic market. This is caused by differences in culture, innovation and production technology in various countries which influence the types and characteristics of the products produced. From an economic perspective, access to foreign products allows consumers to benefit from product diversification, giving them more choices and meeting specific individual preferences. Second, competitive prices are one of the main considerations for consumers when choosing to shop from abroad. Economies of scale, lower production costs, or pricing strategies by foreign sellers can result in more attractive prices for Indonesian consumers. From a legal perspective, issues such as tariffs, taxes, and import regulations are certainly important considerations in determining the final price of goods for consumers. Third, there is the uniqueness of the goods offered by foreign sellers. Many typical or authentic products from certain countries are not available or difficult to find in the Indonesian domestic market. This creates a special attraction for consumers who are looking for authenticity or uniqueness in a product(Raspita, 2021).

In an international context, cross-border consumer protection is often a complex issue because it involves more than one legal jurisdiction. Some countries have a strong legal framework to protect consumers, while others may not. For Indonesia, Law no. 8 of 1999 concerning Consumer Protection focuses more on consumer protection in the domestic context, although it is not explicitly explained. The Consumer Protection Law regulates several articles that may be relevant to cross-border transactions. Article 4 of the Consumer Protection Law explains that consumers have the right to comfort, security and safety in consuming goods and/or services. So it is appropriate that the Indonesian government is obliged to protect and secure data in digital transactions, such as those related to cryptographic techniques and privacy policies for e-commerce operators.(Umar & Kakampu, 2022).

However, although there are a number of advantages in transacting with foreign sellers, Indonesian consumers also need to consider the potential risks. From a legal perspective, there are challenges such as non-compliance with product standards, consumer protections that may differ, as well as potential difficulties in resolving cross-border disputes. In addition, from an economic perspective, exchange rate fluctuations, shipping costs, and other potential additional costs may affect the final calculation of the economic benefits of the transaction. Thus, although cross-border trade offers various opportunities for Indonesian consumers, the decision to transact requires careful consideration that combines economic and legal understanding. Consumer education and legal literacy are crucial to ensure that consumers can take advantage of these opportunities wisely, while still minimizing potential risks that may arise(Bahtiar, 2020).

The development of large-scale e-commerce platforms can be analyzed from several perspectives, including economic, technological, and legal. Economically, the emergence of these e-commerce entities accelerates the process of economic globalization. Markets that were previously segmented and limited are now connected more efficiently, allowing goods and services from one country to be easily accessed by consumers in other countries. Additionally, manufacturers and sellers now have access to a wider market, allowing them to increase sales volumes and optimize profits(Palupi & Sanjaya, 2023). From a technological perspective, advances in digital infrastructure and information technology play an important role in the emergence and growth of these e-commerce platforms. Advanced technology solutions enable safe, fast and efficient transactions, while innovations in logistics and supply chain ensure timely and accurate delivery of goods. Technology also facilitates in-depth consumer data analysis, enabling sellers to tailor their offerings according to consumer needs and preferences(Anisa & Setyowati, 2023).

From a legal perspective, the emergence of e-commerce on a global scale raises a number of new challenges and questions regarding regulation, consumer protection,

intellectual property rights, and other related issues. The incompatibility between the domestic legal frameworks of various countries and the dynamics of cross-border electronic commerce requires adaptation and revision of existing regulations. For example, how electronic contracts should be enforced, how disputes between sellers and buyers from different countries should be resolved, or how consumer data should be protected in cross-border transactions. Furthermore, the emergence of large e-commerce platforms also influences social and cultural dynamics. Consumers now have greater freedom in choosing products, comparing prices, and making purchasing decisions based on broader information and reviews from other consumers. This, in turn, influences consumer expectations, brand loyalty, and consumption patterns (Santoso, 2018).

Thus, the 2000s marked a trade revolution with the emergence of global e-commerce platforms. These changes present new opportunities and challenges, requiring rethinking in many aspects from economics, technology, law, to socio-culture. In response to these rapidly changing dynamics, stakeholders, including government, industry and civil society, need to collaborate to create a conducive environment for the growth of e-commerce while ensuring fairness, sustainability and protection for all parties involved. Therefore, this research aims to investigate the effectiveness of cross-border trade restrictions in e-commerce as a consumer protection strategy in Indonesia, understand consumer perceptions of the risks and benefits of cross-border shopping, and provide recommendations for policy makers on how to increase consumer trust in e-commerce. cross-border commerce.

## **RESEARCH METHODS**

This research uses a normative juridical method, using conceptual methodology and legislation as the main basis. Secondary data sources were also included in this research. Data analysis was carried out descriptively and qualitatively. The research method used here is descriptive analytical, which focuses on evaluating data to gain in-depth insight into certain legal events in society. Methods such as these facilitate the examination of data in accordance with relevant rules and guidelines. Legal resources, seen from a normative point of view, are mainly used to investigate legal problems related to the essence of established legal norms (*ius constitutum*).

## **RESULTS AND DISCUSSION**

### **Cross-Border Trade Restriction Mechanisms and Regulations**

Cross-border trade restrictions in e-commerce refer to a set of barriers, rules, or regulations applied by a country to electronic commerce activities involving parties from other countries. These barriers may take the form of tariffs, taxes, quotas, or other regulations that affect how products and services are sold, purchased, or shipped across national borders. (Diphayana, 2018a). In cross-border e-commerce, there are special tariffs and taxes imposed on imported or exported products or services. Products sold must meet quality standards, have appropriate certification and clear labels (Kurnianingrum et al., 2021). There are strict rules regarding how consumer data, especially personal data, is stored, processed and transferred between countries. To ensure consumer safety, there are regulations that guarantee products imported via e-commerce are safe and protect consumers from fraud or misleading business practices. Cross-border payment transactions are subject to special conditions, including currency conversion, payment processing and refunds. Meanwhile, delivery of goods is regulated through special regulations that include required documents, inspections by customs, and delivery standards that must be met. (Hadiarianti, 2019a).

Restrictions on cross-border trade in e-commerce are important because each country has an interest in protecting its domestic economy, its consumers, and ensuring fairness and balance in international trade. However, these restrictions must also be balanced so as not to

hamper the growth of e-commerce, which is one of the main drivers of global economic growth today(Pedrason, 2021). In the context of e-commerce, cross-border trade restrictions are a series of rules or regulations applied by a country to cross-border online transactions. Some countries impose special tariffs or taxes on products or services imported or exported digitally. Additionally, there are quality standards, certifications and etiquette that products sold online across borders must adhere to(DR Pratiwi, 2021).

Protection of consumer data, especially personal data, is also a major concern, with specific regulations on storage, processing and cross-border transfer of data. For consumer safety, regulations are implemented to ensure imported products are safe and to protect consumers from fraud. There are also special rules regarding cross-border payment transactions, such as currency conversion and refunds(Syamsudin et al., 2020). In terms of logistics, there are regulations regarding shipping goods across borders, including required documents and customs inspections. While the aim is to protect the domestic economy and consumers and ensure fair trade, these restrictions could hinder the growth of cross-border e-commerce and global market integration(Soedjono et al., 2023).

Domestic economic protection is one of the main reasons behind the implementation of trade restrictions by many countries. When a country faces intense foreign competition, domestic industries may feel threatened, especially if foreign industries have competitive advantages such as lower production costs or more advanced technology.(Basri, 2012). In this situation, the government may decide to take action to protect local industry by imposing tariffs, quotas, or other trade barriers. The aim is to provide a competitive advantage to domestic industries, enabling them to compete more effectively and maintain employment and their economic contribution at the national level(Christophorus Barutu & others, 2018).

Product safety and quality are a major focus in many countries' trade policies. When consumers buy products, they have the right to get goods that are safe to use and meet the expected quality standards. Imported products, especially from countries with different regulatory standards, may not meet certain safety and quality criteria(Bungan, 2022). Therefore, countries often set standards and regulations to ensure that products entering their domestic markets do not harm their residents or disappoint in terms of quality. In this way, the government can protect its consumers from potential risks and ensure that they get proper value from their purchases(Ulum, 2018).

However, in terms of cross-border transactions, the Consumer Protection Law currently only regulates business actors operating within Indonesian jurisdiction. Apart from that, the Consumer Protection Law also does not recognize the existence of digital contracts, third parties (organizers) and the enforcement of which contracts are binding between sellers and buyers.

Data protection and privacy have become key issues in today's digital era. As e-commerce and other digital services grow, consumer data is being collected, processed and transferred across borders with unprecedented frequency. While this brings benefits in terms of efficiency and personalization of services, there are also significant risks associated with data misuse and privacy breaches(AR Pratiwi & Hidayati, 2022). Restrictions on trade in the context of data protection and privacy typically focus on regulations that determine how personal data should be handled by companies. This could include provisions on data storage (for example, data must be stored on in-country servers), limitations on cross-border data transfers, as well as requirements to obtain consumers' consent before collecting or sharing their data.(Puspaningrum, 2022).

The purpose of this regulation is to ensure that consumer data is protected from potential misuse, such as identity theft, fraud, or unauthorized use of data for marketing purposes. By ensuring the security and privacy of consumer data, the government seeks to increase consumer confidence in the digital economy and ensure that consumer rights and interests remain

protected in the digital era(Aji, 2023). The balance of trade, which measures the difference between a country's imports and exports, is a vital indicator of economic health. Countries whose imports exceed their exports face a trade deficit, while those whose exports exceed their imports enjoy a surplus. The importance of observing this balance lies in its impact on economic stability; A sustained trade deficit could signal over-dependence on imports or the inability of domestic industry to compete(Sunardi & others, 2015). Additionally, a deficit can reduce the value of a currency, increase import costs, and trigger inflation. Diplomatic and economic relations with other countries can also be affected by trade surpluses or deficits. Furthermore, heavy reliance on imports, especially of essential goods, increases vulnerability to external disruptions. Therefore, monitoring the trade balance allows the government to formulate policies that support domestic industry and maintain economic stability(Pariyana, 2019).

Social and environmental issues play an important role in international trade policy. To ensure that human rights values, labor standards, and environmental protection are respected, countries may impose restrictions on the import of goods that do not comply with those standards. For example, goods produced using child labor or under environmentally damaging conditions may be prohibited from import. This step aims to encourage ethical and responsible business practices and ensure that consumers do not support, even unintentionally, human rights violations or environmental damage through their purchases(Said, 2018). National security considerations are often one of the main reasons behind trade restrictions implemented by countries. In the context of geopolitics and defense, the need to protect national interests and the security of citizens is a priority(Noviansyah, 2019). Therefore, countries may prohibit the import of certain technologies or goods that have the potential to be used for military purposes or that are deemed to threaten national security. This may include advanced technology, software, or certain materials. Steps such as these are taken to prevent the spread of technology or information that could be used by hostile actors or for purposes undesired by the country. Thus, national security considerations in trade ensure that the country's strategic interests and safety are maintained(Winarno, 2008).

Protection of consumer rights is a fundamental pillar in trade regulation and consumer policy. Consumers have the right to obtain products that are as advertised, free from defects, and safe to use. In the context of trade, it is important for countries to ensure that imported goods meet established quality and safety standards(Zulham, 2017). Apart from getting fair and quality products, consumers must also have an easily accessible channel to submit complaints or claims if they feel they have been disadvantaged. This ensures that consumer rights and interests are protected, increases consumer confidence, and ultimately supports sustainable economic growth(Yusuf Shofie & others, 2018). In the era of globalization and growth of e-commerce, an in-depth understanding of the various reasons for trade restrictions has become very important. The government needs to understand it to formulate fair and effective policies. Entrepreneurs, especially those operating on an international scale, need to consider this to ensure their business operations comply with trade regulations and ethics(Marhawati et al., 2023). Meanwhile, for consumers, this understanding helps to make informed purchasing decisions and supports ethical trading practices. Thus, understanding and considering all these aspects allows all parties to operate more wisely in the international trade and e-commerce environment(Z. Setiawan et al., 2023).

### **Restrictions as a Strategy for Protecting Consumer Rights and Interests in Cross-Border Transactions**

When conducting cross-border transactions, customers may face risks related to the quality of goods they purchase from overseas sellers. This includes potential non-conformance with the description or image provided as well as the possibility of low-quality products, which

can result in wasted money and customer dissatisfaction(Ranto, 2019). Returning goods from abroad can also be a complicated and expensive task, especially since the cost of sending the goods back to the seller in another country can be a significant financial burden. In addition, different return rules between countries and diverse languages can also be obstacles for consumers(Saptia et al., 2021).

In addition, customers may experience difficulties in understanding and maintaining their rights under the laws of the seller's country. Differences in consumer protection regulations, contract law, and commercial law between countries can confuse customers and leave them less prepared in the event of a dispute(Nandayani & Marwanto, 2020). Resolving disputes or issues in transactions with sellers operating overseas can be challenging due to complex international legal processes, and the associated costs may make dispute resolution difficult to access for customers(ARN Harahap et al., 2022).

Law no. 8 of 1999 concerning Consumer Protection (Consumer Protection Law) only legally regulates the rights and obligations of consumers as well as the responsibilities of business actors in transactions carried out conventionally/traditionally, while consumer protection in transactions using electronic systems cannot yet fully refer to the Consumer Protection Law. Electronic transaction arrangements are then regulated in Law no. 11 of 2008 concerning Information and Electronic Transactions as amended by Law no. 19 of 2016 concerning Amendments to Law no. 11 of 2008 concerning Information and Electronic Transactions (UU ITE). Article 1 number 2 of the ITE Law defines electronic transactions as legal acts carried out using computers, computer networks and/or other electronic media. Furthermore, Article 9 of the ITE Law regulates the obligations of business actors to provide complete and correct information regarding contract terms, producers and products offered. Responding to the ITE Law, Law no. 7 of 2014 concerning Trade (Trade Law) regulates e-commerce transactions in a separate chapter, namely in Chapter VIII concerning Trade Through Electronic Systems. The two articles contained in Chapter VIII of the Trade Law regulate the obligations and prohibitions for business actors in carrying out trade transactions via electronic systems, dispute resolution if there is a dispute between consumers and business actors, as well as sanctions for business actors who violate the provisions of the Law. The remainder of the Trade Law delegates further regulations to Government Regulations (Article 66 of the Trade Law).

There is a risk of fraud that needs to be taken into account when transacting with sellers from other countries. This includes sellers who are dishonest and may try to deceive customers by offering fake products, delaying delivery after receiving payment, or employing other fraudulent methods(Izmi, 2018). Cross-border transactions often involve additional fees such as international shipping costs, customs duties, or import taxes, which can hurt customers' budgets. Connecting with customer service based in another country can also be complicated, especially if there are problems with orders or products. Time zone, language, and cultural differences often make communication and problem solving more difficult(Diphayana, 2018b).

From a regulatory perspective, preventive protection is carried out through the establishment of norms whose substance is to prevent violations of consumer rights in statutory regulations. The regulations for carrying out trade transactions through electronic systems that are currently in force are the ITE Law and the Trade Law. As an electronic system-based transaction, complete and accurate information regarding the subject and object of the transaction is really needed by the parties in electronic trade transactions. Therefore, the ITE Law requires business actors offering products through electronic systems to provide complete and correct information regarding contract terms, producers and the products offered (Article 9 of the ITE Law). The explanation of Article 9 of the ITE Law states that what is meant by "complete and correct information" includes: a. information containing the identity and status of legal subjects and their competence, whether as producers, suppliers, organizers or

intermediaries; b. other information that explains certain things that are conditions for the validity of the agreement and explains the goods and/or services offered, such as name, address and description of goods/services.

In this regard, the government has a tool, namely trade restrictions, which can be used to keep consumer data safe and not exploited by foreign companies that may not comply with data protection regulations applicable in the consumer's country.(H. Setiawan et al., 2020). Governments can impose restrictions on foreign companies' access to local consumer data by enforcing rules that require foreign companies to comply with data protection standards equivalent to those applicable in the consumer's country. Such standards may include requirements to store data in-country, implement strict data security policies, or undergo strict audit procedures. The main goal is to ensure that consumer data is maintained and not misused by foreign companies operating in the region(Setiantoro et al., 2018).

The government also has the authority to impose heavy sanctions and fines on foreign companies that violate data protection rules(Agung & Nasution, 2023). These sanctions can include a ban on doing business in the consumer's country or large financial fines. This measure is designed as a powerful incentive tool for foreign companies to comply with the rules seriously, as they must avoid potentially detrimental sanctions and in doing so ensure strong consumer data protection(Makarim, 2015).

Furthermore, the government has the capability to stimulate the growth of the domestic information technology industry which has the ability to manage consumer data efficiently. The aim is to reduce dependence on foreign companies(Alfi & Aslami, 2022). In this effort, the government can provide incentives to local companies that comply with data protection regulations, and also encourage them to invest in technology that supports data security. These steps aim to create local infrastructure that is able to manage consumer data well, while increasing data security which is very important in today's digital era. Thus, this action can help safeguard consumer data and reduce dependence on foreign companies in data management(Siringo-ringo, 2023).

Trade policies can also be used by governments to support efforts to maintain consumer data security at the local level. One way to achieve this is by implementing bilateral or multilateral trade requirements that mandate partner countries to follow applicable consumer data protection regulations.(Amelia Setyawati et al., nd). Thus, within the framework of international trade agreements, these countries agree to comply with data protection standards that are in line with those applicable in the consumer's country. This action aims to safeguard local consumer data and create an international legal basis that supports data protection in cross-border trade(Pritama, 2023).

Lastly, international cooperation between countries through international institutions such as the United Nations (UN) or the World Trade Organization (WTO) has the potential to contribute to the development of global standards in efforts to protect data. This collaboration aims to create a more uniform framework for consumer data protection throughout the world(Widyastuti, 2023). By working together at the global level, countries can jointly formulate guidelines and regulations that establish widely recognized data protection standards. This will help create a consistent and reliable environment for consumer data protection across countries, as well as advance data security at an international level(Tampubolon, 2020).

However, it is important to always remember that when implementing trading restrictions, it must be done with due care and caution. This is because too many trade barriers can have a negative impact on the global economy as a whole. Therefore, the government must find the right balance between two main goals, namely protecting consumer data and encouraging healthy economic growth(Muin, 2023). In seeking to achieve this balance, governments need to consider the impact of each trade restriction measure on the global

economy and ensure that efforts to protect consumer data do not unduly hamper economic growth. A balance between data protection and healthy economic growth is key to maintaining a good balance in implementing trade policies(Mansyur & Rahman, 2015).

Dispute resolution mechanisms refer to the steps or procedures used to resolve conflicts or disputes between consumers and foreign sellers. Trade restrictions can facilitate the dispute resolution process by establishing a legal framework that regulates the rights and responsibilities of the parties involved(Sutiyoso, 2008). One method of resolving disputes outside of court is International Arbitration, which involves an agreement between the parties involved to allow an independent arbitrator to make decisions regarding their dispute. Institutions such as the International Chamber of Commerce (ICC) provide international arbitration services that are accessible to foreign consumers and sellers. This independent arbitrator acts as a judge in the arbitration process and usually has special knowledge of the law applicable in international trade transactions(Hadiarianti, 2019b).

International Courts are an alternative for resolving disputes that can be used in several situations involving foreign consumers and sellers. Examples of international courts include the International Court of Justice (ICJ) or the World Trade Organization (WTO) Dispute Settlement Body. Despite being a legitimate option, the use of international courts tends to be more complicated and more expensive than other methods of dispute resolution(A. Harahap, 2023). This is because international litigation involves specific rules and procedures, which may require stronger legal representation and more time to reach a final decision. Therefore, foreign consumers and sellers often consider alternatives such as arbitration or mediation to resolve disputes more efficiently(Wicaksono et al., 2022).

Mediation is a dispute resolution method that involves an intermediary whose job is to help the parties involved in the dispute reach a voluntary agreement. Intermediaries do not have the authority to decide disputes, but rather act as facilitators who assist in the negotiation process between conflicting parties. They seek to facilitate efficient communication between the parties, help them understand each other's points of view, and encourage mutually beneficial agreements(Tampongangoy, 2015). The mediation process is often quicker and less formal than court or arbitration. This can be a more time and cost efficient option for foreign consumers and sellers seeking to resolve their disputes. There are many organizations and independent mediators who provide international mediation services to help parties involved in a dispute reach a peaceful solution without having to go through more formal legal processes.(Riza & Abduh, 2018).

The Trade Ombudsman, which exists in several countries, acts as an intermediary or mediator in resolving disputes between consumers and foreign sellers. Usually, this agency is also referred to as a consumer protection agency. Its main duties include advising consumers, supporting in mediation, and providing legal assistance when consumers encounter problems with products or services purchased from foreign sellers(Barkatullah, 2007). The Trade Ombudsman is a valuable source of information for consumers who need guidance regarding their rights in disputes with foreign sellers. Apart from providing advice, this institution can also play a role in facilitating negotiations between the parties involved, with the aim of reaching an agreement that satisfies all parties. In some situations, they have the authority to take legal action if necessary. The existence of a trade ombudsman strengthens consumer protection in international trade transactions and provides an easier way for consumers to seek assistance and fair dispute resolution(Albar, 2019).

## **CONCLUSION**

Cross-border trade restrictions in e-commerce refer to various barriers and regulations implemented by countries to regulate cross-border electronic commerce activities. These barriers include tariffs, taxes, quotas, product quality standards, certification, labeling, as well

as rules regarding consumer personal data and payment transactions. Although the aim of these restrictions is to protect the domestic economy, consumer security and personal data, and ensure fair trade, the side effects can hinder the growth of e-commerce and global market integration. In addition, considerations of national security, human rights, labor standards, and environmental protection often form the basis of trade restrictions.

Therefore, a balance must be struck between protecting domestic interests and stimulating global economic growth. Apart from that, in the era of globalization, cross-border trade transactions have become routine, but carry legal and commercial risks for consumers who transact with entities outside their jurisdiction. Potential discrepancies between product descriptions and reality, as well as difficulties in returning products from abroad, can result in financial losses and dissatisfaction for consumers. Therefore, to respond to the escalation of cross-border trade on e-commerce platforms, Indonesia needs to strengthen data protection and security in digital transactions, such as those related to cryptographic techniques and privacy policies of e-commerce operators to provide certainty and legal protection in terms of protecting consumers.

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