Presentation of the Report

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Background
Aims and objectives
Research methodology
CDR legal framework
• Law Number 8 of 1999 on Consumer Protection (GCPL)
• Legal mechanisms for CDR
• Out-of-court mechanisms for CDR
• Law Number 30 of 1999 on Arbitration and Alternative Dispute Resolution (AADR Law)
• Law Number 7 of 2014 (Trade Law)
• Government Regulation on E-Commerce - GR 80, 2019 (GR E-Commerce)
• Electronic Information and Transactions (EIT Law)
Institutional and Policy framework
Authority and Institutions

- Consumer Dispute Settlement Agency (BPSK)
- National Consumer Protection Agency (BPKN)
- Non-Governmental Consumer Protection Institutions (LPKSM)
- The Ministry of Trade
- Financial Services Sector (LAPS SJK)
Implementing Consumer ODR and challenges
E-commerce and ODR

Ongoing ODR developments

• BPKN
• Ministry of Trade

Challenges in implementing Consumer ODR
Conclusions and recommendations
1. **Harmonize provisions of Consumer Protection Law and Consumer Dispute Resolution** with regards to national legislation and sectoral regulations to clarify institutional mandates, roles and responsibilities, as well as define terminology and concepts.

2. **Increase cooperation among the authorities in building a full-fledged national consumer ODR platform.**

3. **Design an ODR platform having two stages and modules tailored according to authorities’ mandates:** a primary module with B2C direct negotiation feature for complaints handling (overseen by the national consumer protection agency, BPKN) and; a second module dedicated to mediation (by BPSK).

4. **Create a national policy to support ODR activities**, including measures aimed at developing, implementing, and improving the forthcoming national consumer ODR to incorporate into the ASEAN ODR Network.
5. Enable various consumer stakeholders to participate and monitor the national ODR platform. This requires a modular system, which would allow the implementation of various stages through pilot projects.

6. Develop and harmonize policies that encourage business participation in the forthcoming national consumer ODR and healthy competition among businesses to better assist consumers.

7. Use statutory instruments to facilitate the implementation of a national consumer policy for ODR. This includes capacity building and awareness-raising activities such as public education, financial literacy and financial inclusion with regards to using the new national consumer ODR.

8. Conduct research to identify the causes of Supreme Court rulings that have annulled BPSK’s decisions, so that consumer protection law and policy can be better implemented.
Terima kasih
Thank you
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