

## **Praktik *Online Dispute Resolution* dalam Sengketa Transaksi Elektronik**

Oleh: Rizky Syabannela Putri Kinasih<sup>1</sup> Herliana<sup>2</sup>

### **INTISARI**

Penelitian ini memiliki 2 (dua) tujuan, yang pertama adalah mengetahui praktik penyelesaian sengketa dengan asas cepat, sederhana dan berbiaya ringan. Tujuan yang kedua adalah mengetahui implementasi penerapan asas cepat, sederhana dan berbiaya ringan dalam prosedur *Online Dispute Resolution* yang dimiliki oleh *platform* CekRekening.id.

Metode Penelitian yang digunakan dalam Penulisan Hukum ini adalah kombinasi antara metode empiris dan metode normatif dengan menggunakan data primer dan sekunder. Data primer diperoleh dari hasil wawancara dengan narasumber, sedangkan data sekunder diperoleh dari penelitian kepustakaan antara lain sumber hukum primer, sekunder dan tersier.

Berdasarkan hasil penelitian, penulis menemukan bahwa praktik penyelesaian sengketa di Indonesia telah menerapkan asas cepat, sederhana, dan berbiaya ringan baik dalam penyelesaian sengketa alternatif maupun pengadilan. Metode alternatif penyelesaian sengketa yang akan dibahas lebih dalam adalah *Online Dispute Resolution*. Lebih lanjut, pengaturan *Online Dispute Resolution* di Indonesia belum diatur secara eksplisit. Penulis menemukan dalam hal ini, meskipun *Online Dispute Resolution* belum diatur secara khusus oleh perundangan, *Online Dispute Resolution* dapat tetap dilaksanakan dengan menerapkan asas cepat, sederhana, dan berbiaya ringan dalam pelaksanaan *Online Dispute Resolution*.

Kata Kunci: *Online Dispute Resolution*, Asas Cepat, Asas Sederhana, Asas Biaya Ringan, Alternatif Penyelesaian Sengketa

---

<sup>1</sup> Mahasiswa Fakultas Hukum, Magister Ilmu Hukum Jakarta, Fakultas Hukum Universitas Gadjah Mada

<sup>2</sup> Dosen Pembimbing Tesis, Departemen Hukum Perdata, Fakultas Hukum, Universitas Gadjah Mada

## **Online Dispute Resolution Practices in Electronic Transaction Disputes**

By: Rizky Syabannela Putri Kinasih<sup>3</sup> Herliana<sup>4</sup>

### **ABSTRACT**

This research has 2 (two) objectives, The first is to determine the practice of dispute resolution with the principles of fast, simple, and low cost. The second objective is to determine the implementation of fast, simple, and low-cost principles in the Online Dispute Resolution procedure owned by the CekRekening.id platform.

The research method used in this law is a combination of empirical and normative methods using primary and secondary data. Primary data were obtained from interviews with expert, while secondary data were obtained from library research, including primary, secondary, and tertiary legal sources.

Based on the results of the study, the authors found that the practice of dispute resolution in Indonesia has applied the principles of fast, simple, and low cost in both alternative dispute resolution and the courts. An alternative dispute resolution method that will be discussed in more detail is Online Dispute Resolution. Furthermore, the regulation of Online Dispute Resolution in Indonesia has not been explicitly regulated. The author found that in this case, although the Online Dispute Resolution has not been specifically regulated by law, the Online Dispute Resolution can still be implemented by applying the fast, simple, and low-cost principle in the implementation of the Online Dispute Resolution.

Keywords: Online Dispute Resolution, Quick Principle, Simple Principle, Low-Cost Principle, Alternative Dispute Resolution

---

<sup>3</sup> Student of The Faculty of Law, Master of law, Jakarta, Faculty of Law, Gadjah Mada University

<sup>4</sup> Thesis Advisor, Department of Civil Law, Faculty of Law, Gadjah Mada University