

TANGGUNG JAWAB SHOPEE TERHADAP TRANSAKSI ILEGAL JUAL-BELI HEWAN DILINDUNGI DI E-COMMERCE

ABSTRAK

Aktivitas Perniagaan Elektronik/*Transaksi Electronic Commerce* berkembang pesat seiring dengan perkembangan teknologi. Salah platform transaksi jual beli online ("*E-commerce*") di Indonesia adalah "Shopee". Dalam pelaksanaannya terdapat pengguna Shopee yang tidak memenuhi Pedoman yang diberlakukan Shopee, kurangnya pengawasan atas barang yang diperjualbelikan melalui transaksi E-Commerce sehingga banyak beredar barang ilegal yang diperjual-belikan di Shopee. Penulisan ini membahas implementasi tanggung jawab dan tanggung gugat Shopee dalam transaksi E-Commerce berdasarkan ketentuan KUHPdata, terkait dengan Objek Transaksi Jual beli hewan dilindungi seracara ilegal di Shopee. Metode penelitian ini menggunakan Penelitian Yuridis Normatif dengan menggunakan pendekatan dengan menggunakan Undang-Undang (*Statute Approach*) Hasil penelitian menunjukkan bahwa Shopee bertanggungjawab atas konsekuensi hukum akibat terdapatnya konten informasi elektronik ilegal tersebut. Maka perlu adanya identifikasi pelanggaran serta validasi dari tiap produk yang dijual. Shopee dapat dibeban tanggung gugat secara hukum berdasarkan Pasal 1365 KUHPdata. Sebaiknya Shopee sebagai Platform marketplace selaku penyelenggara sistem elektronik menyelenggarakan platform marketplace-nya dengan bertanggungjawab, aman, andal, dan membangun kepercayaan publik atas pengoperasiannya sesuai dengan ketentuan dalam Undang-Undang dan Shopee turut dibebankan tanggung gugat secara hukum dan tidak mengalihkan tanggung gugat ke penjual

Kata Kunci : E-Commerce, Ilegal, Tanggung Jawab

**SHOPEE'S RESPONSIBILITY FOR ILLEGAL TRANSACTIONS IN
THE SALE OF PROTECTED ANIMALS
IN E-COMMERCE**

ABSTRACT

Electronic Commerce activities are growing rapidly along with the development of technology. One of the online buying and selling transaction platforms ("E-commerce") in Indonesia is "Shopee". In its implementation, there are Shopee users who do not meet the Guidelines imposed by Shopee, the lack of supervision of goods traded through E-Commerce transactions so that there are many circulating illegal goods traded at Shopee. This writing discusses the implementation of Shopee's responsibility and liability in E-Commerce transactions based on the provisions of the Civil Code, related to the object of the transaction of buying and selling protected animals illegally at Shopee. This research method uses Normative Juridical Research using a Statute Approach The results of the study indicate that Shopee is responsible for the legal consequences due to the existence of illegal electronic information content. So it is necessary to identify violations and validate each product sold. Shopee can be legally liable based on Article 1365 of the Civil Code. It is better if Shopee as a marketplace platform as an electronic system organizer organizes its marketplace platform responsibly, safely, reliably, and builds public trust in its operation in accordance with the provisions of the Law and Shopee is also legally liable and does not divert its responsibility.

Keywords: E-Commerce, Illegal, Liability