

THE URGENCY OF REGULATING CASH ON DELIVERY COURIER PROTECTION IN INDONESIA'S E-COMMERCE ECOSYSTEM

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Article	Abstract
<p>Article History: Submitted: August 2025 Reviewed: April 2026 Accepted: April 2026 Published: April 2026</p> <p>Keywords: COD Courier; E-Commerce; Legal Protection; Regulation.</p>	<p><i>The rapid growth of e-commerce in Indonesia has driven the widespread use of the Cash on Delivery (COD) payment system. However, behind the convenience of such transactions, COD couriers face various risks, ranging from physical violence by consumers and transaction fraud to work-related accidents with minimal protection. This condition highlights a regulatory gap that does not explicitly provide legal protection for couriers, despite their role as the frontliners in the digital ecosystem. The main problems examined in this study are the legal position of COD couriers within Indonesia's e-commerce ecosystem, the risks they encounter, the extent to which existing regulations provide protection, and the urgency of establishing specific regulations to protect couriers as vulnerable workers. This research employs a normative juridical method with a statute approach and a conceptual approach. Author also conducted interviews with 10 COD couriers and observations from a Facebook community group of couriers. The data were analyzed qualitatively using content analysis. The findings reveal a legal vacuum that leaves COD couriers in the status of vulnerable workers. Current regulations still prioritize consumers and business actors without encompassing the protection of couriers. Therefore, a specific regulation is urgently needed in the form of a Government Regulation or Ministerial Regulation that stipulates the obligations of e-commerce platforms, the responsibilities of logistics companies, social security schemes, and a fast-track dispute resolution mechanism. In conclusion, legal protection for COD couriers is essential to ensure justice, legal certainty, and utility within Indonesia's e-commerce ecosystem.</i></p>

A. Introduction

Advances in information technology have brought about major changes in the way people conduct transactions, particularly through the advent of electronic commerce (e-commerce).¹ In Indonesia, e-commerce has experienced rapid growth over the past decade, marked by the rise of various online shopping platforms such as Tokopedia,² Shopee,³ Lazada,⁴ and

¹ Luthfia Eka Putri, "Pengaruh E-Commerce Terhadap Perkembangan Usaha Di Indonesia," *JURNAL TAFIDU* 2, no. 1 (2023): 42–52, <https://doi.org/10.57113/jtf.v2i1.269>. See also, Amanda Adelia and Dina Aulia, "Pemanfaatan Teknologi Informasi Dalam Perkembangan Bisnis Di Era Globalisasi," *Jurnal Ekonomi dan Bisnis Digital* 2, no. 3 (2025): 1449–1456, <https://jurnal.itc.web.id/index.php/jebd/article/view/2167>.

² Upik Sri Sulistyawati, "Membangun Keunggulan Kompetitif Melalui Platform E-Commerce: Studi Kasus Tokopedia," *Jurnal Manajemen Dan Teknologi* 1, no. 1 (2024): 43–56, <https://doi.org/10.63447/jmt.v1i1.776>.

³ Zumhur Alamin *et al.*, "Perkembangan E-Commerce: Analisis Dominasi Shopee Sebagai Primadona Marketplace Di Indonesia," *J-ESA (Jurnal Ekonomi Syariah)* 6, no. 2 (2023): 120–131, <https://doi.org/10.52266/jesa.v6i2.2484>.

⁴ Atika Handayani *et al.*, "Manajemen Sekuriti Yang Efektif Untuk Meningkatkan Kepercayaan Pelanggan Platform E-Commerce Lazada," *Orbit: Jurnal Ilmu Multidisiplin Nusantara* 1, no. 2 (2024): 47–59, <https://doi.org/10.63217/orbit.v1i2.92>.

Bukalapak.⁵ Based on reports from various research institutions, Indonesia ranks highest in Southeast Asia in terms of the number of e-commerce users.⁶ This phenomenon shows a shift from conventional transactions to digital transactions, in line with the principles of the digital economy, which is now a key pillar of national economic development. However, this development has not only had a positive impact, but has also created new challenges, particularly in terms of legal protection for the parties involved.

One of the most popular payment systems for e-commerce transactions in Indonesia is Cash on Delivery (COD).⁷ This system allows consumers to make payments after receiving goods at home, which psychologically provides a sense of security because consumers can check the goods before paying. COD is considered to be in line with the characteristics of Indonesian society, which still has low trust in digital payments. However, the success of COD as a transaction method cannot be separated from the role of couriers as third parties who bridge the gap between sellers and buyers. In other words, couriers not only function as delivery personnel but also as “field cashiers” managing a certain amount of cash, making their position highly vulnerable to various risks.

Based on the author's preliminary research with several couriers and monitoring of the Courier Facebook group, which has 1.900 members, from July 1-20, 2025, it appears that as the use of COD systems increases, various problems arise, especially for couriers.⁸ There have been numerous cases of physical assault and verbal abuse experienced by couriers when dealing with dissatisfied customers or those refusing to pay for goods. In addition, consumer fraud is also rampant, for example by providing false addresses, refusing to accept goods, or even claiming never to have ordered the product. This situation causes losses not only for couriers, but also for logistics companies and e-commerce platforms. Several cases that have gone viral on social media show couriers becoming victims of harassment and even criminalization, even though their position is only as an intermediary in the transaction.

⁵ Doli Witro *et al.*, “Kontestasi Marketplace Di Indonesia Pada Era Pandemi: Analisis Strategi Promosi Tokopedia, Shopee, Bukalapak, Lazada, Dan Blibli Dalam Pemulihan Ekonomi Nasional,” *OIKONOMIKA: Jurnal Kajian Ekonomi Dan Keuangan Syariah* 2, no. 2 (2021): 33–42, <https://pdfs.semanticscholar.org/6672/c097e49971671184983339d01dd855236ff6.pdf>.

⁶ Afrizal Fajrianto Anggara Sakti *et al.*, “Analisis Perbandingan Platform E-Commerce Dengan Metode Simple Additive Weighting (SAW),” *JATI (Jurnal Mahasiswa Teknik Informatika)* 9, no. 2 (2025): 1836–1841, <https://doi.org/10.36040/jati.v9i2.12732>.

⁷ Nur Khotimah, Sri Astutik, and Ernu Widodo, “Perdagangan Online Dengan Sistem Pembayaran Cash On Delivery (COD) Atas Pembatalan Sepihak Konsumen Dalam Perspektif Hukum Perdata,” *COURT REVIEW: Jurnal Penelitian Hukum (e-ISSN: 2776-1916)* 5, no. 03 (2025): 130–140, <https://doi.org/10.69957/cr.v5i04.1986>.

⁸ Interview Result 1–20 July 2025.

The risks faced by COD couriers are not limited to violence and fraud, but also concern occupational safety. Previous research has revealed that the lives of partner couriers in the package delivery industry in Indonesia are full of challenges that threaten their safety, especially when they use the COD payment system couriers are often intimidated and abused by customers, face the risk of traffic accidents, and are positioned as informal workers without a clear employment relationship with the company.⁹ The research by Alifvio Bramandika Karindra *et al.* also identified various forms of criminal acts against COD couriers, including physical violence, psychological violence, economic violence, and even sexual violence, with triggering factors such as social stress, weak self-defense, and a lack of public understanding of the COD system.¹⁰ This condition is further exacerbated by a legal vacuum, as to date there is no specific legislation regulating the COD system, so protection for couriers has not been adequately guaranteed. Couriers only have authority based on the provisions of power of attorney in the Indonesian Civil Code Articles 1792–1819, without a clear legal position in the online buying and selling transaction chain. This highlights that COD couriers are in a highly vulnerable position, physically, psychologically, and financially; yet unfortunately, this condition has not been fully addressed with adequate legal protection.

From a regulatory perspective, there are already several regulations that can serve as the legal basis for e-commerce transactions in Indonesia. For example, Law No. 11 of 2008 concerning Electronic Information and Transactions, as amended by Law No. 19 of 2016, which regulates the legality of electronic transactions.¹¹ In addition, there is also Law No. 8 of 1999 concerning Consumer Protection, which guarantees the rights and obligations of consumers and business actors.¹² However, both laws emphasize the relationship between consumers and businesses, while couriers, as intermediaries in the e-commerce ecosystem, have not yet been specifically regulated.

⁹ Rarai Ayu Singgat Perwira and Abraham Ferry Rosando, “Perlindungan Hukum Bagi Kurir Saat Pembeli Tidak Melakukan Pembayaran Pada Sistem COD (Cash On Delivery Order),” *Research Journal of Social Science and Economics* 1, no. 1 (2025): 22–37, <https://jurnal.untag-sby.ac.id/index.php/rejosse/article/view/7582>. See also, Chao-Hung Chiang and Kuo-Cheng Chung, “Understanding the Risks: Health and Safety Challenges for Food Delivery Couriers,” *Research in Transportation Business & Management* 62 (2025): 101441, <https://doi.org/10.1016/j.rtbm.2025.101441>.

¹⁰ Alifvio Bramandika Karindra *et al.*, “Konstruksi Hukum Perlindungan Kurir Cash On Delivery (COD) Berbasis Asas Keadilan Dan Kepastian,” *Lex Stricta: Jurnal Ilmu Hukum* 4, no. 1 (2025): 43–54, <https://doi.org/10.46839/lexstricta.v4i1.1430>.

¹¹ Melani Putri Adelia, Maharani Putri Adelia, and Yundira Kamini Zahra, “Perlindungan Konsumen Dalam Transaksi Elektronik Di Indonesia,” *Journal of Economic and Management (JEM) Terekam Jejak* 2, no. 1 (2025): 1–13, <https://journal.terekamjejak.com/index.php/jem/article/view/232>.

¹² Edwin Yuliska, “Peran Perlindungan Bagi Konsumen Dan Pelaku Usaha Berdasarkan Undang-Undang No. 8 Tahun 1999,” *Journal of Global Legal Review* 2, no. 2 (2024): 99–108, <https://doi.org/10.59963/jglegar.v2i2.371>.

Based on several previous studies, it has been explained that in terms of employment, couriers generally work under logistics companies as contract workers or even as freelance workers (gig workers).¹³ Previous literature shows that based on Law Number 13 of 2003 concerning Manpower (Manpower Law), which was partially amended by Law Number 6 of 2023 concerning Job Creation, workers are entitled to occupational safety and health protection as well as social security.¹⁴ However, in practice, many COD couriers are not bound by formal employment agreements and therefore do not automatically obtain these rights. This phenomenon indicates a regulatory gap that prevents couriers from receiving optimal protection.

This regulatory gap is further exacerbated by the absence of specific government regulations regarding the protection of couriers in COD-based e-commerce transactions. Existing regulations tend to be general in nature, such as the Indonesian Criminal Code and the Indonesian Civil Code, yet their application to the protection of COD couriers has proven inadequate. The Criminal Code (for example, Article 351 on assault and Article 378 on fraud) only provides repressive protection after an incident occurs, without creating preventive mechanisms such as requiring platforms to provide safety training or cash-handling protocols. Meanwhile, the Civil Code (Articles 1792–1819 on power of attorney) does not clearly define the position and responsibility of couriers when a consumer refuses to pay whether the loss is borne by the courier personally or by the logistics company. Furthermore, these two general regulations do not impose systemic obligations on logistics companies or e-commerce platforms such as registration with Social Security of Employment (*BPJS*), provision of work insurance, or dispute mediation mechanisms because such matters fall outside the scope of

¹³ Oka Halilintarsyah, “Ojek Online, Pekerja Atau Mitra?,” *Jurnal Persaingan Usaha* 1, no. 2 (2021): 64–73, <https://doi.org/10.55869/kppu.v2i.24>. See also, Regita Pramesti Cahyaningrum and Lintang Yudhantaka, “Perlindungan Hukum Kepada Gig Worker Gudang Logistik Terhadap Wanprestasi Oleh Penyedia Platform Digital Dalam Hubungan Kemitraan Berbasis Gig Economy,” *Jurnal Hukum Lex Generalis* 6, no. 5 (2025), <https://doi.org/10.56370/jhlg.v6i5.1070>. See also, Akhdan Adityo Latri *et al.*, “Hak Pekerja Di Era Gig Economy: Perlindungan Hukum Bagi Pekerja Lepas Dan Kontrak,” *Media Hukum Indonesia (MHI)* 2, no. 2 (2024), <https://doi.org/10.5281/zenodo.11770886>.

¹⁴ Muhammad Zubi, Marzuki Marzuki, and Ibnu Affan, “Tinjauan Yuridis Perlindungan Hak-Hak Normatif Tenaga Kerja Setelah Berlakunya Undang-Undang Cipta Kerja (Omnibus Law),” *Jurnal Ilmiah METADATA* 3, no. 3 (2021): 1171–1195, <https://ejournal.steitholabulilmi.ac.id/index.php/metadata/article/view/104>; See also, Akis Jahari and Rahmatin Artita, “Perlindungan Hukum Terhadap Pekerja Akibat Pemutusan Hubungan Kerja Tanpa Pesangon Berdasarkan Undang-Undang Nomor 13 Tahun 2003 Dan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 Tentang Cipta Kerja,” *Case Law: Journal of Law* 4, no. 2 (2023): 79–100, <https://doi.org/10.25157/caselaw.v4i2.3264>. See also, Mohammad Bangsu and Nor Cholis, “Telaah Hukum Omnibus Law Dan Perlindungan Tenaga Kerja Indonesia (Perspektif Undang-Undang No: 11 Tahun 2020 Tentang Cipta Kerja),” *Jurnal Legisla* 15, no. 1 (2023): 64–78, <https://doi.org/10.58350/leg.v15i1.257>. See also, Nikmah Dalimunthe and Fitria Nurhaliza, “Analisis Perubahan Hukum Ketenagakerjaan Pada UU Cipta Kerja Mengenai Perlindungan Hak Pekerja,” *Jurnal Cahaya Mandalika ISSN 2721-4796 (online)* 4, no. 3 (2023): 1548–1556, <https://doi.org/10.36312/jcm.v4i3.2347>.

criminal and civil law. Thus, the inability of general regulations to address the issue of COD couriers is not due to the absence of law, but rather due to their reactive nature and their failure to reach the structural protection that can only be filled by specific regulations. Yet, couriers are key players in the e-commerce value chain, and their presence is crucial to the sustainability of the COD system. Without clear legal protection, couriers will continue to face recurring risks, while companies and consumers continue to enjoy the benefits of this system. From a legal perspective, this situation contradicts the principle of equality before the law, which emphasizes equal protection for all legal subjects.

Thus, the urgency of regulating COD courier protection in Indonesia's e-commerce ecosystem cannot be ignored. Couriers must be recognized as parties with legal standing in the electronic trading system, so that their rights are clearly recognized and protected. Special regulations are needed to govern the responsibilities of logistics companies, e-commerce platforms, and mechanisms to protect couriers from physical, financial, and legal risks. Without clear regulations, the COD system will continue to harbor the potential for legal and social conflicts. Therefore, the establishment of comprehensive and progressive regulations is an urgent necessity to achieve a fair, safe, and sustainable e-commerce ecosystem in Indonesia.

B. Method

The type of research used in this study is normative legal research with a statute approach and a conceptual approach.¹⁵ A normative legal approach was used to examine various regulations applicable in Indonesia related to legal protection in e-commerce and employment transactions. Meanwhile, a conceptual approach was used to examine legal theories on worker protection and the digital ecosystem, as well as the concept of the gig economy in relation to the position of COD couriers.

To strengthen the empirical dimension, this study also uses a limited sociological approach (socio-legal approach). This is done by conducting direct interviews with COD couriers at several shipping companies to explore their experiences, obstacles, and perceptions of the risks they face at work. Additionally, the researcher conducted observations and analyzed conversations within a Facebook group for couriers, where members frequently shared their experiences, concerns, and the vulnerabilities they encounter while performing their duties.

¹⁵ Galang Taufani Suteki, *Metodologi Penelitian Hukum (Filsafat, Teori Dan Praktik)* (Depok: PT Radja Grafindo Persada, 2018), 89.

This data provides a realistic picture of on-the-ground conditions, thereby reinforcing the urgency and relevance of regulatory measures.

The research data sources consist of:

1. Primary legal materials, namely laws and regulations such as the 1945 Constitution, Law No. 8 of 1999 concerning Consumer Protection, Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE) and its amendments, Law No. 13 of 2003 on Manpower, which has been amended by Law No. 6 of 2023 on Job Creation, as well as various implementing regulations such as OJK regulations related to e-commerce and digital consumer protection regulations.
2. Secondary legal materials, including legal literature, national and international scientific journals, academic articles, research reports, and mass media news discussing cases of violence, fraud, and various COD courier issues.
3. Non-legal material (*empirical data*), in the form of direct interviews with COD couriers and content analysis from courier communities on social media, which reveal the concerns, challenges, and protection needs that they express directly.

The analysis technique used is normative qualitative analysis with content analysis. Regulatory data and literature are analyzed to identify legal gaps and weaknesses in courier protection in the e-commerce system, then linked to empirical data from interviews and social media to show the gap between existing legal norms and the reality in the field. With this method, the study is expected to provide a comprehensive analysis of the urgency of legal protection for COD couriers and formulate regulatory recommendations that align with current needs.

C. Analysis and Discussion

1. The Role of COD Couriers in the E-Commerce Ecosystem

In the e-commerce ecosystem, couriers play a vital role as a link between consumers and businesses. This role is not merely technical in nature, but also involves legal aspects, as couriers are the parties who ensure that sales agreements are carried out legally. In the Cash on Delivery system, the courier's position becomes more strategic yet vulnerable, as they are not only the delivery agent but also the direct recipient of payment from consumers. This means couriers perform a dual function as “field cashiers,” which carries significant legal liability and social risks.

When considered in relation to the existing regulatory framework, Law No. 8 of 1999 on Consumer Protection regulates the rights and obligations between businesses and

consumers, but does not explicitly mention couriers as legal subjects entitled to protection. Meanwhile, Law No. 11 of 2008 on Electronic Information and Transactions (Electronic Information and Transactions Law) in conjunction with Law No. 19 of 2016 places greater emphasis on the validity of electronic contracts (e-contracts) and aspects of digital transactions, without clearly addressing the position of COD couriers. Thus, it can be said that there is a regulatory vacuum or legal gap that leaves couriers in a limbo position, not fully protected as workers or as parties to the transaction.

From an employment perspective, the position of courier is also controversial. According to Law No. 13 of 2003 on Employment, which was amended by Law No. 6 of 2023 on Job Creation (Manpower Law), workers are entitled to wages, social security, and occupational safety protection.¹⁶ However, in reality, many COD couriers are employed through outsourcing contracts or even fall into the category of gig workers who are only paid based on the number of deliveries (piece rate system). In labor law literature, this position is referred to as a disguised employment relationship, which places workers in a vulnerable situation because they do not have the formal protections afforded to permanent workers.

Based on a review of the literature, Satjipto Rahardjo's progressive legal theory emphasizes that the law must be on the side of humans, not humans for the law.¹⁷ This means that COD couriers, as vulnerable subjects, must be the main focus of regulatory frameworks. This is in line with Philipus M. Hadjon's view on legal protection theory, which emphasizes the need for both preventive and repressive protection for weak legal subjects. In this context, COD couriers clearly require preventive legal protection in the form of workplace safety guarantees and platform liability rules, as well as repressive protection in the form of dispute resolution mechanisms in the event of losses resulting from violence or consumer fraud.

¹⁶ Winsherry Tan, "Analisis Yuridis Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja Dalam Bidang Ketenagakerjaan," *Dialogia Iuridica* 13, no. 2 (2022): 46–64, <https://doi.org/10.28932/di.v13i2.3630>. See also, Solihin Solihin and Markoni Markoni, "Perlindungan Hukum Pekerja Pasca PEMBERLAKUAN Undang-Undang No. 11 Tahun 2020 Tentang Cipta Kerja," *Jurnal Locus Penelitian Dan Pengabdian* 1, no. 12 (2022): 717–737, <https://doi.org/10.58344/locus.v1i9.573>. See also, Sandy Maldini, Aerlangga Bagus Setiawan, and Imam Budi Santoso, "Perbandingan Undang-Undang Cipta Kerja Klaster Ketenagakerjaan Dengan Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan Mengenai Status Perjanjian Kerja Waktu Tertentu," *Veritas* 7, no. 2 (2021): 59–69, <https://www.neliti.com/publications/547711/perbandingan-undang-undang-cipta-kerja-klaster-ketenagakerjaan-dengan-undang-und>.

¹⁷ Vincent Patria Setyawan, "Hukum Yang Membebaskan: Sintesis Hukum Progresif Dan Humanisme Yuridis," *Legal Advice Journal Of Law* 2, no. 1 (2025): 45–54, <https://doi.org/10.51454/jq94z825>. See also, M Zulfa Aulia, "Hukum Progresif Dari Satjipto Rahardjo: Riwayat, Urgensi, Dan Relevansi," *Undang: Jurnal Hukum* 1, no. 1 (2018): 159–185, <https://doi.org/10.22437/ujh.1.1.159-185>. See also, Satria Sukananda, "Pendekatan Teori Hukum Progresif Dalam Menjawab Permasalahan Kesenjangan Hukum (Legal Gaps) Di Indonesia," *Jurnal Hukum Ekonomi Syariah* 1, no. 2 (2018): 135–158, <https://doi.org/10.30595/jhes.v1i2.3924>. See also, M Yasin Al Arif, "Penegakan Hukum Dalam Perspektif Hukum Progresif," *Undang: Jurnal Hukum* 2, no. 1 (2019): 169–192, <https://doi.org/10.22437/ujh.2.1.169-192>.

To clarify the legal status of COD couriers in the e-commerce ecosystem, the following table can be presented:

Table 1.
Legal Status of COD Couriers in The E-Commerce Ecosystem

COD Courier Position	Characteristics	Legal Status	Risks Faced
Formal Worker (Employee)	Bound by a permanent employment contract with a logistics company	Protected by Labor Law & Social Security	Work accidents, excessive workload
Contract/Outsourcing Worker	Bound by a fixed-term employment agreement, often without full benefits	Limited protection, depending on the contract	Job loss, no retirement benefits
Gig Worker/Freelancer	No formal contract, order-based (on-demand)	Not directly protected by Labor Law	Customer violence, COD fraud, no social security

Source : Author Self Analysis

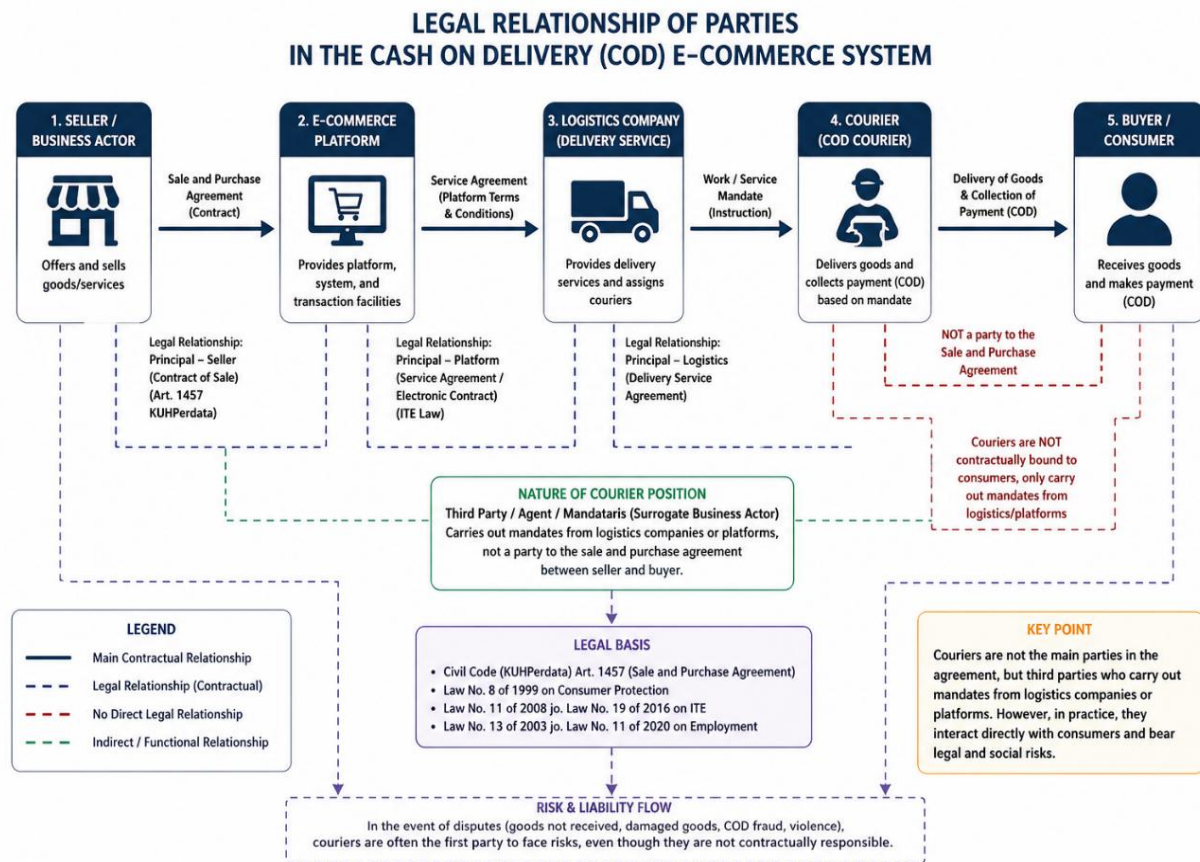
This table shows that the more lenient the legal status of couriers, the higher the risk they must bear personally without adequate protection.

In addition, the position of COD couriers must also be viewed in the context of contractual relationships. Previous research has explained that in the Indonesian civil law system, a sale and purchase is an agreement between a seller and a buyer (Article 1457 of the Civil Code).¹⁸ Couriers are not actually the main parties in the agreement, but rather third parties who carry out mandates from logistics companies or platforms.

¹⁸ Johanis F Mondoringin, "Tinjauan Hukum Tentang Hak Dan Kewajiban Penjual Dan Pembeli Dalam Perjanjian Jual Beli Menurut KUH-Perdata," *Lex Privatum* 12, no. 3 (2023), <https://ejournal.unsrat.ac.id/index.php/lexprivatum/article/view/52460>. See also, Chandra Israel Palar Sinaulan, Hendrik Pondaag, and Deasy Soeikromo, "Akibat Hukum Terhadap Konsumen Yang Tidak Melakukan Transaksi Sesuai Prosedur Cash On Delivery (COD) Ditinjau Dari Hukum Perdata," *Lex Privatum* 11, no. 5 (2023), <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/48582>. See also, Eriyan Rahmadani Dianova and Gunawan Djajaputra, "Analisis Hak Dan Kewajiban Para Pihak Dalam Perjanjian Jual Beli Yang Berujung Wanprestasi," *Jurnal Pendidikan Sejarah Dan Riset Sosial Humaniora* 5, no. 1 (2025): 21–28. See also, Khotimah, Astutik, and Widodo, *Loc.Cit.* See also, Muhammad Naufal Hilmy Rayyas, "Keabsahan Jual Beli Melalui Sistem COD Pada Platform E-Commerce Shopee Berdasarkan Prespektif Hukum Perdata," *Jurnal Hukum Lex Generalis* 6, no. 4 (2025), <https://doi.org/10.56370/jhlg.v6i4.1073>.

Picture 1.

Legal Relationship of Parties in The COD E-Commerce System



Source : Author Self Analysis

However, the fact that couriers receive cash payments puts them in the position of “substitute business actors,” so that sociologically, couriers are treated as if they are responsible for the quality of goods and the smooth running of transactions. This is what often triggers legal conflicts, as consumers vent their frustration at couriers who are contractually not authorized to bear such risks.

In international legal literature, courier workers are often included in the category of platform workers or gig economy workers.¹⁹ The 2023 International Labour Organization

¹⁹ Pedro Mendonça and Nadia K Kougiannou, “We Are Not All the Same’: The Capacity of Different Groups of Food Delivery Gig Workers to Build Collective and Individual Power Resources,” *Work, employment and society* 39, no. 2 (2025): 311–335, <https://doi.org/10.1177/09500170241257437>. See also, Tat Chor Au-Yeung et al., “The Gig Economy, Platform Work, and Social Policy: Food Delivery Workers’ Occupational Welfare Dilemma in Hong Kong,” *Journal of Social Policy* 54, no. 2 (2025): 673–691, <https://doi.org/10.1017/S0047279423000673>. See also, Tatiana López et al., “Building Labour Power in the Platform Economy: A Comparative Analysis of Worker Struggles in German and Norwegian Food and Grocery Delivery,” *New Technology, Work and Employment* 40, no. 2 (2025): 242–264. See also, Moritz Altenried, “Mobile Workers, Contingent Labour: Migration, the Gig Economy and the Multiplication of Labour,” *Environment and Planning A: Economy and Space* 56, no. 4 (2024): 1113–1128, <https://doi.org/10.1111/ntwe.12312>. See also, Nicholas Martindale, Alex J

(ILO) report emphasizes that platform workers are in a position of legal ambiguity because they are not recognized as full employees, but are also not considered independent contractors with full autonomy. This ambiguity also exists in Indonesia, particularly for COD couriers, where there is no certainty regarding rights to social security, work insurance, or legal protection when facing criminal acts or financial losses.

Looking at the overall situation, it is clear that COD couriers occupy a unique yet problematic position in the e-commerce ecosystem. They are key actors in ensuring the sustainability of the COD system, but their legal status is often overlooked in the regulatory framework. The absence of clear legal protection leaves couriers vulnerable to exploitation by logistics companies, e-commerce platforms, and consumers alike. Therefore, legal protection for COD couriers must be immediately established through specialized regulations that affirm their status as legal entities entitled to safety, fairness, and legal certainty in performing their duties.

2. Risks and Issues Faced by COD Couriers

Based on direct interviews conducted by the author with three couriers working at expedition companies during the period of July 1–15, 2025, as well as monitoring of discussions and complaints from couriers in the Facebook group *Persatuan Kurir Jabodetabek* (which has 1,900 members) during the same period, it was found that COD couriers face various serious risks in carrying out their work. The interviews were conducted face-to-face, lasting approximately 30–45 minutes per courier, using a semi-structured interview guide. Monitoring of the Facebook group was carried out using a non-participant observation method, in which the author observed posts, comments, and discussions containing complaints or experiences of couriers related to the COD system, without actively engaging in the conversations. The couriers consistently revealed that they are often at the forefront of conflicts with consumers, even though legally their position is merely that of an intermediary. This situation demonstrates structural injustice, where couriers become the most vulnerable party despite having no control over the sales contract.

The first and most common risk faced by couriers is physical or verbal violence from consumers. From the interviews, at least six couriers admitted to having been scolded, pushed, or even hit by consumers dissatisfied with the ordered goods. In courier community Facebook

Wood, and Brendan J Burchell, “What Do Platform Workers in the UK Gig Economy Want?,” *British Journal of Industrial Relations* 62, no. 3 (2024): 542–567, <https://doi.org/10.1111/bjir.12797>.

groups, many posts display similar videos or stories in which couriers become the target of consumer anger over delivery delays or product discrepancies. From a criminal law perspective, acts of violence against couriers can be classified as assault under Article 351 of the Indonesian Criminal Code. However, in practice, many couriers are reluctant to report such incidents due to limited time, costs, and work pressure.

The second risk is fraud in COD transactions. From the interviews, four couriers reported having experienced cases where consumers refused to pay, claiming they did not order the goods, or provided false addresses, causing couriers to bear losses in time and expenses. Such fraud cases are also frequently shared in courier community groups on social media. From a civil law perspective, this act can be categorized as breach of contract, while from a criminal law perspective it may constitute fraud (Article 378 of the Indonesian Criminal Code). However, since couriers are not the main contracting party in the sales agreement, they face difficulties in seeking legal protection for the losses suffered.

The third risk is work-related accidents. Almost all interviewed couriers stated that they had experienced road incidents, ranging from falls due to exhaustion to minor collisions. The pressure to meet delivery deadlines forces them to work in fatigued conditions, increasing the likelihood of traffic accidents. In labor law theory, this should fall under the scope of occupational safety protection as regulated in Law No. 1 of 1970 on Occupational Safety and Law No. 24 of 2011 on Social Security of Employment (*BPJS*). However, many couriers are not registered as participants in social security programs, so when accidents occur, they must bear the financial burden themselves.

The fourth and most striking risk is the lack of insurance and social security protection. Of the ten couriers interviewed, only two were registered in Social Security of Employment, while the rest worked under contract or freelance systems without any benefits. In Facebook groups, complaints about the absence of insurance are very common, especially when couriers suffer work accidents and must pay medical expenses out of pocket. According to Philipus M. Hadjon's theory of legal protection, this condition illustrates the weakness of preventive protection from both the state and companies, as workers are left to bear risks on their own without adequate regulatory intervention.

To clarify these risks, the following table summarizes the findings from interviews with couriers and observations of the courier community Facebook group:

Table 2.**Risks and Issues Faced by COD Couriers**

Type of Risk	Case Example (Interview & Courier FB Group)	Legal Basis	Consequences for Couriers
Physical Violence	Courier was hit/insulted by a customer due to damaged goods	Article 351 Indonesian Criminal Code (Assault)	Trauma, physical injuries, psychological burden
Transaction Fraud	Customer refused to pay, provided a fake address	Article 378 Indonesian Criminal Code (Fraud), Breach of Contract under Civil Code	Financial loss & wasted working time
Work Accidents	Courier fell due to exhaustion while chasing delivery targets	Law No. 1/1970 on Occupational Safety, Law No. 24/2011 on BPJS Employment	Medical expenses borne personally
Lack of Insurance & Social Security	Majority of couriers not registered with BPJS	Law No. 13/2003 on Manpower, Job Creation Law	No long-term social protection

Source : Author's Interview Result

From a legal theory perspective, Hans Kelsen's Stufenbau theory emphasizes the importance of order in the legal hierarchy so that legal subjects can be effectively protected.²⁰ In the context of COD couriers, the existence of various existing laws the Criminal Code, Consumer Protection Law, ITE Law, and Manpower Law is not clearly integrated, creating a legal gap in the protection of couriers. Meanwhile, Lon L. Fuller in *The Morality of Law* states that laws must have clarity and consistency in order to protect citizens.²¹ The situation of COD couriers in Indonesia shows the opposite, where the law exists but is not operational for those who need protection the most.

Thus, it can be concluded that the risks faced by COD couriers are not ordinary risks that can be borne personally, but systemic risks arising from legal vacuums and weak regulations. Without clear legal protection, couriers remain the most vulnerable party in the e-commerce supply chain, both physically, financially, and socially. Therefore, the urgency

²⁰ Muhamad Bacharuddin Jusuf and Adara Khalfani Mazin, "Penerapan Teori Hans Kelsen Sebagai Bentuk Upaya Tertib Hukum Di Indonesia," *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 2, no. 01 (2024), <https://journal.forikami.com/index.php/dassollen/article/view/519>.

²¹ Fila Rahmat Dhiva Ammade, Siti Nurhasanah Natalia Muslihat, and Zahira Kamilia, "Tantangan Dan Hambatan Dalam Upaya Penegakan Delapan Prinsip Moralitas Hukum Lon L. Fuller Di Indonesia," *Nusantara: Jurnal Pendidikan, Seni, Sains Dan Sosial Humaniora* 1, no. 02 (2023), <https://journal.forikami.com/index.php/nusantara/article/view/562>.

of special regulations for the protection of COD couriers has become an urgent necessity, not only for social justice but also for the sustainability of Indonesia's digital trade ecosystem.

3. The Urgency of COD Courier Protection Regulations

From a positive law perspective, to date there are no specific regulations that explicitly govern legal protection for COD couriers. It must be emphasized that the term "legal vacuum" in this study does not mean the complete absence of law, but rather the absence of a regulatory framework specifically designed to address the structural vulnerabilities of COD couriers. Indeed, the Criminal Code (Article 351 on assault, Article 378 on fraud) and the Civil Code (Articles 1792–1819 on power of attorney, Article 1243 on breach of contract) formally address such general matters. However, their application to COD couriers faces three obstacles: first, the Criminal Code and Civil Code only provide repressive protection (after an incident occurs) without creating preventive mechanisms such as requiring platforms to provide work insurance, safety training, or cash-handling protocols; second, the burden of proof and litigation costs in criminal and civil law are prohibitively high for low-income couriers, making a law that is theoretically available sociologically inaccessible; third, these two regulations do not explicitly recognize the legal position of couriers as a vulnerable party in the e-commerce transaction chain, leaving couriers in a state of legal uncertainty when facing disputes. Thus, the term "regulatory gap" is more precise than a pure "legal vacuum," but the essence remains the same: existing regulations were not designed to address the work realities of COD couriers in the digital era, leaving couriers in a vulnerable position neither fully protected as workers because many are gig workers, nor positioned as business actors within the framework of consumer protection.

Law No. 8 of 1999 concerning Consumer Protection regulates the relationship between consumers and businesses, including consumers' rights to safe and convenient goods and services, as well as the obligation of businesses to provide compensation in the event of loss.²² However, this regulation does not mention the position of couriers at all. In practice, when consumers feel aggrieved, couriers often become the target of their emotions, even though legally they have no legal standing in the sales agreement. This shows that there is a regulatory

²² Mercy Anastasya Sekeon Ralfie Pinasang and Cornelis D Massie, "Perlindungan Hak-Hak Konsumen Dalam Transaksi E-Commerce Terhadap Produk Tidak Sesuai Deskripsi Barang," *Innovative: Journal Of Social Science Research* 5, no. 4 (2025): 138–162, <https://doi.org/10.31004/innovative.v5i4.20217>. See also, Dwi Atmoko, "Tinjauan Aspek Hukum Perlindungan Konsumen Pada Pengiriman Paket Barang Melalui Jasa Kurir Di Indonesia," *Journal Scientific of Mandalika (JSM) e-ISSN 2745-5955/ p-ISSN 2809-0543* 6, no. 7 (2025): 1804–1811.

gap because strong consumer protection actually creates injustice for couriers, who are a vulnerable party.

From an employment perspective, Law No. 13 of 2003 on Manpower and Law No. 6 of 2023 on Job Creation actually provide fairly comprehensive protection for formal workers, including the right to social security, occupational safety, and legal protection in the event of an accident.²³ However, most COD couriers are not classified as formal workers because they are bound by short-term employment contracts, outsourcing, or even freelance work. As such, the status of couriers, who often fall under the category of *informal labor*, means that they do not receive the protection stipulated in the regulation.

In addition, Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE Law) in conjunction with Law No. 19 of 2016 places greater emphasis on aspects of electronic transactions, the validity of digital contracts (e-contracts), and dispute resolution mechanisms between consumers and businesses. This regulation emphasizes electronic commerce regulation in general, but does not address the dimension of COD courier protection. In practice, couriers are the parties who most frequently interact directly with consumers and even manage cash as part of the transaction. This regulatory gap weakens the position of couriers because they are outside the scope of the law that should protect all actors in the digital commerce ecosystem.

To clarify this analysis, the author presents a table of relevant regulations and their limitations in protecting COD couriers:

Table 3.

Relevant Regulations and Their Limitations in Protecting COD Couriers

Regulation	Scope	Limitations for COD Couriers
Law No. 8 of 1999 on Consumer Protection	Protects consumer rights and regulates business actors' obligations	Does not regulate couriers as legal subjects, leaving them without specific protection
Law No. 13 of 2003 on Manpower in conjunction with Law No. 6 of 2023 on Job Creation	Provides protection for formal workers, including wages, social security, and occupational safety	Does not cover couriers who are gig workers or non-formal contract workers

²³ Laila Nurul Hidayati *et al.*, "Perlindungan Hukum Pekerja Kontrak Dalam Perspektif Undang-Undang Nomor 13 Tahun 2003 Dan Undang-Undang Omnibus Law," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 3 (2025): 1934–1945, <https://doi.org/10.61104/alz.v3i3.1484>. *See also*, Zubi, Marzuki, and Affan, *Loc.Cit.* *See also*, Tutik Asmorowati, "Analisis Faktor Perlindungan Tenaga Kerja Di Proyek Konstruksi Berdasarkan Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja," *Pagaruyuang Law Journal* 7, no. 2 (2024): 414–432, <https://doi.org/10.31869/plj.v7i2.5129>.

Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law) in conjunction with Law No. 19 of 2016	Ensures the validity of electronic contracts, regulates digital transactions	Focuses on consumers and business actors, without addressing the position of COD couriers
Law No. 24 of 2011 on BPJS (Social Security Agency)	Guarantees workers' social security	Does not automatically apply to couriers not registered by their companies

Source : Author Self Analysis

Given these conditions, the author believes that the urgency of specific regulations for the protection of COD couriers is becoming increasingly apparent. Cash on Delivery (COD) couriers are the frontliners in the digital commerce ecosystem. They not only serve as a link between consumers and businesses, but also bear the direct risks that arise from the transaction process, whether in the form of physical violence, fraud, or occupational accidents. This position makes couriers the most vulnerable party, yet ironically, they do not receive clear legal protection under Indonesia's legal system. Without clear regulations, couriers remain in a *legal vacuum* that undermines their rights as workers and as citizens.

The urgency of legal protection for COD couriers can be analyzed through the theory of legal protection put forward by Philipus M. Hadjon. According to him, the law has two functions, namely preventive protection (preventing violations or losses) and repressive protection (providing a solution when violations have occurred).²⁴ In the context of COD couriers, preventive regulations can take the form of an obligation for logistics companies or e-commerce platforms to provide work insurance and social security, while repressive protection can take the form of clear legal mechanisms to prosecute consumers or business actors who cause harm to couriers.

Previous literature explains that the concept of balance of interests put forward by Roscoe Pound in his theory of sociological jurisprudence also reinforces this urgency. Pound emphasizes that law is a means of reconciling and balancing the interests that exist in society.²⁵ In the e-commerce ecosystem, there are three major interests that need to be

²⁴ Daffa Arya Prayoga, Jadmiko Anom Husodo, and Andina Elok Puri Maharani, "Perlindungan Hukum Terhadap Hak Warga Negara Dengan Berlakunya Undang-Undang Nomor 23 Tahun 2019 Tentang Pengelolaan Sumber Daya Nasional," *Sovereignty* 2, no. 2 (2023): 188–200, <https://journal.uns.ac.id/index.php/sovereignty/article/view/865>.

²⁵ Gisa Inggit Maulidia *et al.*, "Hukum Dan Perubahan Masyarakat: Pendekatan Filsafat Roscoe Pound," *Praxis: Jurnal Filsafat Terapan* 1, no. 01 (2022), <https://journal.forikami.com/index.php/praxis/article/view/534>. *See also*, Raesha Diva *et al.*, "Filsafat Hukum Dalam Perspektif Roscoe Pound," *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 4, no. 01 (2025), <https://journal.forikami.com/index.php/dassollen/article/view/911>. *See also*, Elijah Tukwariba Yin Yin and Peter

protected: the right of consumers to receive goods as ordered, the right of businesses to receive payment, and the right of couriers to obtain job protection and safety in carrying out their duties. COD courier protection regulations will serve as an instrument of balance, so that no party is sacrificed for the benefit of another.

From Satjipto Rahardjo's progressive legal perspective, law should not be limited to the text of legislation, but must also be able to deliver substantive justice.²⁶ Legal protection for COD couriers is not only a technical issue related to employment or e-commerce, but also concerns the state's responsibility to provide legal security to its citizens. Special regulations will demonstrate that the state is present to protect vulnerable groups, so that the law is not merely normative, but also humanistic.

In the author's opinion, if specific regulations are not immediately established, the risks faced by COD couriers will continue to grow they may continue to be victims of physical violence from consumers, lose money due to fraud, or bear the burden of workplace accidents without insurance protection. Regarding the question of whether this matter cannot be resolved through e-commerce internal regulations alone, the answer is no, because internal regulations have four fundamental limitations: first, they are voluntary and non-binding across companies, resulting in no uniform minimum standard; second, they lack publicly binding enforcement mechanisms for example, companies cannot impose criminal sanctions on consumers who commit violence; third, they cannot compel logistics companies to register couriers with BPJS Employment, as such obligations can only be established by legislation; fourth, as articulated by Satjipto Rahardjo from a progressive legal perspective, the state has a constitutional responsibility to protect all its citizens, including vulnerable groups such as COD couriers, because protection of occupational safety, social security, and access to justice

Atudiwe Atupare Atupare, "Ghana's Need For Sociological Jurisprudence: A Critical Application Of Roscoe Pound's Theory," *UCC Law Journal* 4, no. 2 (2025): 1–26, <https://doi.org/10.47963/ucclj.v4i2.1718>. See also, Andi Annisa Nurlia Mamonto, Viorizza Suciani Putri, and Nazwa Milka Salsabila, "Legal Reconstruction of the Distribution of Common Property through a Study of Sociological Jurisprudence," *Journal of Law, Politic and Humanities* 5, no. 5 (2025): 3392–3401, <https://doi.org/10.38035/jlph.v5i5.198>. See also, Igor Mitrović and Vojislav Sretenović, "Law And Social Interests.," *Journal of Law & Administrative Sciences*, no. 22 (2024), <https://www.ceeol.com/search/article-detail?id=1300403>.

²⁶ Azka Afdhalul Rizquallah, Andre Fernando Situmorang, and Fraja Mulya Dwi Bakt, "Peran Hukum Progresif Dalam Mencari Keadilan Menurut Satjipto Rahardjo," *Nusantara: Jurnal Pendidikan, Seni, Sains dan Sosial Humaniora* 3, no. 01 (2025), <https://journal.forikami.com/index.php/nusantara/article/view/971>. See also, Nabila Annisa Ramadanti *et al.*, "Kritik Satjipto Rahardjo Terhadap Positivisme Hukum," *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 4, no. 01 (2025), <https://journal.forikami.com/index.php/dassollen/article/view/932>. See also, Anisa Rizki Fadhila, "Teori Hukum Progresif (Prof. Dr. Satjipto Rahardjo, SH)," *Sinda: Comprehensive Journal of Islamic Social Studies* 1, no. 1 (2021): 122–132, <https://doi.org/10.28926/sinda.v1i1.966>. See also, Wildan Nafis and Noor Rahmad, "Hukum Progresif Dan Relevansinya Pada Penalaran Hukum Di Indonesia," *El Ahli: Jurnal Hukum Keluarga Islam* 1, no. 2 (2020): 1–15, <https://pdfs.semanticscholar.org/3fb0/47b6428b338775f1838353682905aa63dfd2.pdf>.

are fundamental rights that cannot be fully entrusted to market mechanisms. Therefore, government intervention through binding regulations (*dwingend recht*) is a necessity to create justice and legal certainty within Indonesia's e-commerce ecosystem.

The author presents the following reasons that illustrate the urgency of regulating COD courier protection in Indonesia's e-commerce ecosystem:

Table 4.

Urgency of Regulating COD Courier Protection in Indonesia's E-Commerce Ecosystem

Risk Aspect	Current Condition	Regulatory Needs
Physical risks (violence, intimidation)	No specific legal protection, couriers often become the target of consumer anger	Regulation ensuring preventive & repressive legal protection mechanisms
COD transaction fraud risk	Couriers bear the loss if consumers refuse to pay or commit fraud	Regulation to fairly distribute responsibility between consumers, couriers, and platforms
Work accident risk	Informal couriers are not automatically protected by the Manpower Law or BPJS	Regulation mandating work insurance and social security for all COD couriers
Financial & psychological risks	Mental pressure due to heavy workload and uncertain employment status	Regulation guaranteeing decent working rights and workload balance

Source : Author Self Analysis

The urgency of this regulation is also in line with international legal perspectives on decent work promoted by the International Labour Organization (ILO). According to the ILO, all workers, including informal workers and gig workers, are entitled to fair, safe, and dignified working conditions. By adopting this principle into national regulation, Indonesia not only protects COD couriers but also demonstrates its commitment to international labor standards that uphold social justice.

Therefore, the regulation for COD courier protection is not merely a sectoral necessity but also part of a national agenda to create a sustainable e-commerce ecosystem. Such regulation would establish a fair system in which consumers remain protected, business actors obtain payment certainty, and couriers gain a clear legal standing. With the presence of specific regulation, the balance of interests, substantive justice, and legal certainty can be ensured, while simultaneously strengthening Indonesia's legal foundation in the digital era.

4. Regulatory Model Recommendations

In the author's view, the urgency of drafting regulations for the protection of COD couriers in Indonesia arises from the fact of a legal vacuum that places couriers as vulnerable

actors within the digital ecosystem. Existing regulations, such as Law No. 8 of 1999 on Consumer Protection, Law No. 13 of 2003 on Manpower, and Law No. 11 of 2008 in conjunction with Law No. 19 of 2016 on Electronic Information and Transactions (ITE Law), have primarily focused on consumers and business actors. Couriers, as the frontline actors, have not been specifically accommodated. Therefore, the establishment of special regulations, either in the form of Government Regulations (*Peraturan Pemerintah*) or Ministerial Regulations (*Peraturan Menteri*), is an urgent necessity to guarantee *legal certainty*.

The proposed regulation should recognize couriers as part of digital economy workers, including permanent employees, contract workers, outsourced workers, and gig workers (application-based freelancers). The principle is that legal protection must not be discriminatory based solely on employment status. This aligns with Lon L. Fuller's theory of the inner morality of law, which emphasizes that law must uphold substantive justice rather than mere formalities. Thus, even if COD couriers do not always fall within the category of formal workers, they are still entitled to legal protection.

Furthermore, the regulation must proportionally stipulate liability. E-commerce platforms must ensure the security of COD payment systems and prevent fraudulent acts, while logistics companies should bear responsibility for occupational safety and the social security of couriers. The concept of shared responsibility, which has developed within international consumer protection law, can be adopted to establish a balance of interests among consumers, business actors, and couriers.

Another essential component is the provision of a social security scheme. Regulations should oblige logistics companies to register couriers with BPJS Employment and BPJS Health, or with private insurance offering equivalent standards of protection. This is consistent with the principle of decent work promoted by the International Labour Organization (ILO), which underscores that every worker is entitled to protection from occupational risks. Consequently, COD couriers would be safeguarded from risks of accidents, violence, and financial losses.

Beyond social protection, regulations must also provide a fast-track dispute settlement mechanism. This mechanism may take the form of mandatory mediation under consumer protection agencies or special units within the Ministry of Trade. With a simple and low-cost procedure, couriers can gain access to justice without bearing the heavy burden of going through formal court proceedings. This concept is in line with Mauro Cappelletti's access to

justice movement, which stresses that justice must be accessible to vulnerable groups, including informal workers such as COD couriers.

To strengthen the concept, the regulation should designate a special supervisory authority or cross-sector regulatory body. This body could involve the Ministry of Communication and Information (in matters of electronic transactions), the Ministry of Transportation (in matters of delivery and logistics), and the Ministry of Manpower (in matters of worker protection). With such an authority in place, regulation would not merely exist as “paper law”, but would have real enforceability. This resonates with Roscoe Pound’s view of law as *a tool of social engineering*.

When compared internationally, Indonesia lags behind in terms of courier protection regulations. In India, the government has issued the Code on Social Security 2020, which explicitly regulates the rights of platform workers, including couriers. In the Philippines, the Philippine E-Commerce Roadmap 2022 emphasizes courier protection in COD transactions due to the high frequency of violence cases. Even in the European Union, Directive (EU) 2019/1152 on Transparent and Predictable Working Conditions grants minimum rights to gig workers. Such comparisons highlight the growing urgency for Indonesia to adopt similar measures to avoid falling behind in protecting digital workers.

Through this regulatory model, COD couriers would obtain a clear legal protection pathway, ranging from risk prevention and social security to dispute resolution mechanisms. A holistic regulation would ensure a balance of interests among consumers, platforms, logistics companies, and couriers. Ultimately, such regulation would create justice in line with Gustav Radbruch’s theory of the triad of legal values: justice, legal certainty, and utility. Without this regulation, COD couriers will remain vulnerable, and the Indonesian e-commerce ecosystem risks losing its foundation of trust.

D. Conclusion

Based on the findings of this research, it can be concluded that Cash on Delivery (COD) couriers hold a highly strategic position within Indonesia’s e-commerce ecosystem. They act as a bridge between consumers and business actors, while also serving as the frontliners who ensure the smooth execution of digital transactions in their physical form. However, this vital role is not matched by adequate legal protection, thereby exposing couriers to significant vulnerabilities and various risks physical, financial, and psychological.

The legal vacuum remains the central issue in the context of COD courier protection. Existing regulations, such as the Consumer Protection Law, the ITE Law, and the Manpower

Law, place greater emphasis on the interests of consumers and business actors, without specifically addressing the protection of couriers. This situation places couriers in the category of vulnerable workers, who often face violence, fraud, and occupational risks without sufficient access to social security.

To address this legal vacuum, this study recommends the urgency of establishing specific regulations that explicitly govern the legal protection of COD couriers. Such regulation could take the form of a Government Regulation or a Ministerial Regulation, covering: (1) the obligation of e-commerce platforms to ensure a secure COD system; (2) the obligation of logistics companies to provide social security and work insurance; (3) the right of couriers to physical, financial, and psychological protection; and (4) an accessible and affordable dispute resolution mechanism. Through such a regulation, the principles of justice, legal certainty, and utility.

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