

A Comparative Study of Electronic Commerce ODR: Legal Challenges and Reform Perspectives in China and Indonesia

Zuo Xiangbin ^{a b}  , **Nur Khalidah Dahlan** ^a ,
Haniff Ahamat ^a 

^a Faculty of Law, Universiti Kebangsaan Malaysia, Bangi, Selangor, Malaysia

^b Guangzhou Kingpound Law Firm, Guangzhou, Guangdong, PR China

 corresponding email: P127253@siswa.ukm.edu.my

Abstract

This article examines the differentiated development paths of Online Dispute Resolution (ODR) systems in China and Indonesia, two core digital economies in ASEAN. China has established a centralized ODR framework through its “E-commerce Law,” which strengthens the enforcement of awards via a judicial coordination model. However, the exclusion of ad hoc arbitration in the “Arbitration Law” limits the effectiveness of platform autonomous awards (internal platform rulings). In contrast, Indonesia relies on platform autonomy, with platforms such as Tokopedia handling disputes. However, enforcement issues for mediation agreements arise from the absence of central legislation, fragmentation of jurisdiction across islands, and the failure of the Arbitration Law to recognize temporary arbitration (ad hoc arbitration). Shared challenges faced by both countries include barriers to mutual recognition of cross-border rulings, lack of technical standards, and privacy protection conflicts due to data localization policies. This article provides several policy recommendations: China should amend the Arbitration Law to recognize the validity of temporary arbitration and establish a national ODR data center to streamline the judicial confirmation process. Indonesia needs to quickly set up a central judicial certification center to make sure that all of its outer islands follow the same rules.

This can be done by changing the E-commerce Law and the Arbitration Law. At the regional level, ASEAN should learn from the EU's ODR platform by creating a system that recognizes certain cross-border rulings and setting up a data exchange center that balances Indonesia's data storage needs with Singapore's rules for sharing data across borders. The results supplement to legal reform scholarship by offering practical solutions for integrating ODR systems and harmonizing cross-border dispute resolution across ASEAN, fostering a dynamic adaptation of technical justice to legal authority in the digital age.

Keywords

Electronic Commerce ODR, Platform Autonomous ODR, Legal Challenges and Reform Perspectives, China and Indonesia, ASEAN Cross-Border Mutual Recognition.

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Introduction

The global expansion of e-commerce has reshaped traditional transaction patterns, making cross-border online consumption the norm and creating new points for dispute growth. China and Indonesia, as major digital economies in ASEAN, continue to expand their e-commerce markets, but their approaches to dispute resolution differ. China has developed a centralized ODR framework through policy initiatives, while Indonesia relies on platform autonomy and arbitration. Both countries face challenges such as inconsistent application of laws, lack of technical standards, and cross-border implementation issues. Recent studies highlight the urgency of addressing these challenges (Zhang, 2023; Li & Wang, 2022), with China's policy-driven framework improving enforcement but limiting flexibility, and Indonesia's platform autonomy facing fragmentation risks (Dahlman & Yustina, 2021). This paper explores the causes of ODR system differentiation between China and Indonesia, examines compatibility between technology and legal frameworks, and proposes solutions to jurisdictional conflicts in regional coordination. The significance lies in contributing to the development of efficient ODR systems in ASEAN, which enhances cross-border e-commerce dispute resolution.

In e-commerce, the Online Dispute Resolution (ODR) system operates by leveraging technology to provide alternative dispute resolution (ADR) methods such as mediation, negotiation, and arbitration. Typically, the system is integrated within e-commerce platforms like Alibaba and Tokopedia, where users can initiate disputes, and technology—such as algorithms, blockchain for secure transactions, and AI for mediation suggestions—automatically assists in resolving issues between consumers and merchants. This system reduces the need for physical presence, compresses resolution time, and increases efficiency through smart tools that match the right type of dispute resolution process.

ODR mechanisms in e-commerce face several significant challenges. Cross-border enforcement is a key obstacle, as different jurisdictions and legal frameworks complicate the recognition of rulings, especially for international transactions. Additionally, the lack of standardized technical protocols for data sharing and privacy protection

poses significant issues, particularly for platforms handling sensitive consumer data. Privacy concerns also emerge due to varying regional laws, such as Indonesia's data localization requirements, which make cross-border data flows difficult. Lastly, there is often a mismatch between the platform autonomy that drives ODR and the legal frameworks that support it, especially in countries where judicial systems have not fully integrated ODR into their formal legal structures.

This study uses a multidimensional methodology combining normative, historical, and comparative research methods to analyze the Online Dispute Resolution (ODR) mechanisms in e-commerce between China and Indonesia. The normative analysis examines legal issues such as jurisdiction, conflict of law, and enforcement of awards based on international guidelines like the UNCITRAL ODR Technical Guide and the ASEAN Framework Agreement on Digital Economy. The historical research method traces the evolution of ODR in both countries, focusing on China's shift to judicial coordination and Indonesia's adoption of digital mediation. The comparative method evaluates regulatory models, technical standardization, and user trust, using case studies to assess system effectiveness. Data is collected from legal texts, ODR documents from platforms like Alibaba and Tokopedia, and academic research on ODR practices in developing countries. This methodology offers a comprehensive view of cross-border ODR challenges while addressing the legal and technological differences between China and Indonesia.

This study focuses on a systematic comparison of online dispute resolution mechanisms for e-commerce between China and Indonesia, aiming to fill the theoretical gap in the legal research on ODR between China and Indonesia. Although the existing academic achievements have paid attention to the field of e-commerce dispute resolution, the in-depth comparison between the two countries' different legal traditions and development paths is still insufficient. By constructing a three-dimensional analysis model of "legal framework-technology application-cultural adaptation," this study explains the conflict logic between China and Indonesia at the level of cross-border rule compatibility, data sovereignty distribution, and social acceptance, and promotes the diversified development of the ODR theory system in a non-Western context. This model is more suitable than Western frameworks because

it specifically addresses the unique legal traditions, technological infrastructures, and cultural nuances of non-Western contexts like China and Indonesia, which are often overlooked in Western-centric models.

At the practical level, the coordination mechanism for China-Indonesia cross-border e-commerce disputes urgently needs improvement due to the deep integration of China's "Belt and Road Initiative" and the construction of the ASEAN Digital Economic Community. This study reveals the institutional bottlenecks in the core areas of ODR adjudication, technical safety standards, platform responsibility boundaries, etc., providing a reform basis for China to optimize judicial convergence procedures and Indonesia to construct a mixed legal system characteristic enforcement mechanism. For example, China could speed up judicial confirmation by using electronic courts like the Hangzhou Internet Court. Indonesia could make the ODR system more useful by improving digital infrastructure in outer regions, which would help close the gap between islands.

This study adopts a multidimensional methodology to support the comparative analysis of online dispute resolution (ODR) mechanisms of e-commerce between China and Indonesia. The rationale for comparing these two countries is based on their significant roles as core digital economies in the ASEAN region, along with their distinct legal traditions, technological infrastructures, and approaches to cross-border e-commerce dispute resolution. This paper conducts a systematic normative analysis of the fundamental legal issues pertaining to cross-border Online Dispute Resolution (ODR), encompassing jurisdictional definitions, conflict of law applications, and the enforcement efficacy of awards, in accordance with international frameworks such as the UNCITRAL Online Dispute Resolution Technical Guide, the Singapore Mediation Convention, and the ASEAN Framework Agreement on Digital Economy. This comparison aims to highlight how these two systems adapt to global rules, shedding light on potential improvements and harmonization in ODR practices for cross-border e-commerce disputes¹.

¹ Considering corporations as the primary actors in commercial activities directly engaged in the e-commerce ecosystem, targeted reforms in Indonesian corporate law are required to clarify corporate criminal liability, mandate real-time internal

The historical research method traces back to the evolution path of the ODR mechanism in both countries, focusing on the transformation process from early platform autonomy to judicial coordination mode in China and the integration practice of digital mediation based on mixed legal tradition in Indonesia. The comparative research method runs through the core of the whole paper. In chapter 5, a structured analysis framework is established to horizontally compare the different practices of the two countries in the dimensions of regulatory mode, technical standardization, and user trust construction, and to evaluate the effectiveness of the system through two-way case mutual evaluation. The research sources include three levels: the first level is the original texts and white papers of laws and policies issued by international organizations and governments of the two countries; the second level is the ODR mechanism documents and transparency reports of Alibaba, Tokopedia, and other head platforms; and the third level is the critical research of authoritative academic literature on the localization practice of developing countries. This study incorporates empirical support through secondary data from platform transparency reports and ODR documents, which provide a real-world foundation for the normative analysis, though it acknowledges the absence of primary data such as interviews or surveys.

While the three-dimensional analysis model proposed in this study provides helpful details about the legal frameworks, it remains heavily descriptive and lacks quantitative assessment. For example, claims such as a '90% reduction in economic threshold' or '85% agreement rate' need to be substantiated with concrete statistical data or case studies to ensure their reliability. This paper would benefit from a more detailed and quantifiable analysis of these claims to better support its findings.

The scope of this study covers international legal norms such as the UNCITRAL Technical Guide on Online Dispute Resolution, the Singapore Mediation Convention, and regional rules like the ASEAN Framework Agreement on Digital Economy. At the same time, it deeply

control mechanisms, and establish independent ethics committees as regulatory safeguards to delimit and supervise corporate conduct in digital commerce. Read on Kiki Kristanto et al., "Embezzlement in the Private Sector: Legal Challenges and Regulatory Gaps in Corporate Governance," *Indonesian Journal of Criminal Law Studies* 10, no. 2 (2025): 801–50, <https://doi.org/10.15294/ijcls.v10i2.24881>.

analyzes the policy evolution background of the two countries and the ODR practice mode of representative e-commerce platforms (such as Alibaba and Tokopedia).

This study acknowledges two key limitations. First, there are objective barriers to transnational data acquisition, as the transparency of ODR implementation data from some Indonesian platforms is insufficient, which may affect the comprehensiveness of the evaluation of the mechanism's effectiveness. Second, significant differences exist between the legal systems of mainland China and Indonesia, particularly with Indonesia's mixed legal system, which requires careful consideration of the potential impact of legal culture factors when comparing the institutional frameworks. These limitations are transparently acknowledged and highlight the need for methodological reflexivity in addressing the complexities of cross-border legal and technological differences. These limitations do not undermine the relevance of the study but rather open space for future research, such as deepening exploration in transnational data collection and legal culture comparisons.

The main body of this paper includes eight core parts: Chapter 1 clarifies the global background, core research issues, and theoretical and practical values of the development of e-commerce ODR. It also clarifies the methodological path and category boundaries. Chapter 2 systematically combs the conceptual evolution and theoretical origin of the online dispute resolution mechanism and reveals the technical enabling characteristics of ODR by comparing it with the traditional alternative dispute resolution mechanism. Chapter 3 and Chapter 4 turn to the in-depth analysis of countries, respectively examining the institutional evolution of China and Indonesia. Chapter V establishes a structured comparison system that includes the following aspects: legal system design (e.g., enforcement effectiveness), depth of technology application (e.g., process speed), consumer trust construction (e.g., trust indicators), cultural acceptance differences, and dispute resolution efficiency, while condensing core similarities and differences through mechanism comparison tables. Chapters 6 and 7 explore the possibility of regional synergy based on the above comparative conclusions. Chapter 8 summarises the common nature of legal challenges and reform

enlightenment and looks forward to the potential development of the ODR mechanism under the regional digital governance system.

Theoretical and International Foundations of ODR

A. Concept and Evolution of ODR

Online Dispute Resolution (ODR) is essentially a digital extension of traditional Alternative Dispute Resolution (ADR), and its core lies in the use of information technology to achieve remote, efficient, and inclusive dispute resolution. The evolution of ODR is driven by two main factors: the iteration of technology and the innovation of dispute resolution concepts. Early ODR practices originated in the early stages of e-commerce at the end of the 20th century, mainly undertaking online negotiation functions for simple transaction disputes, such as the mediation system of the early eBay platform. With the innovation of digital technology, ODR is gradually integrated into artificial intelligence algorithms to optimize process efficiency; blockchain storage solidifies electronic evidence; cloud storage supports mass case processing; and the transformation from a single tool to an integrated ecosystem is realised².

Figure 1, “Tools used by ODR”, accurately illustrates the core of the ODR methodology. The diagram focusses on a computer icon and reflects four core dispute resolution tools: Online Dispute Resolution Mediation Online dispute resolution (ODR) settlement through third-party assistance; online dispute resolution negotiation Online dispute resolution relies on independent negotiation between the parties; online dispute resolution arbitration. Online dispute resolution relies on binding rulings by professional bodies (three-person panel icon). Online dispute resolution Mediation Online dispute resolution emphasizes neutral-led negotiations (handshake and avatar icons). This ring structure design intuitively reflects that ODR is not a single process but

² Ilapakurthy, M. “E-commerce in the epoch of the Covid-19 pandemic and establishing ODR as a technique to ensure consumer protection.” *Indian Journal of Law & Legal Research* 4, no. 1 (2022): 1. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/injlolw4&div=184&id=&page=>.

an online dispute resolution technology that integrates traditional ADR tools such as negotiation, mediation, and arbitration³.

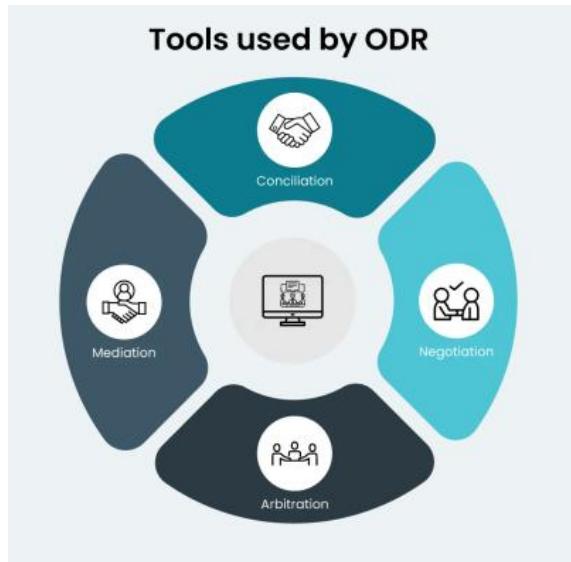


FIGURE 1. Tools used by ODR

Sources: <https://presolv360.com/resources/concept-note-on-odr/>

B. Theoretical Foundations: ADR, Behavioural Economics, and Tech Justice

ADR constitutes the institutional matrix of ODR, emphasizing the autonomy of online dispute resolution and the priority principle of efficiency⁴. Technical adaptation in the ODR environment strengthens its core values, including party autonomy, procedural flexibility, and confidentiality requirements⁵. As shown in Table 1, ODR not only

³ Esplugues, C. "ODR, herramientas en consumo y comercio electrónico/ODR, consumer tools and e-commerce." *Consumer Tools and E-Commerce* 39, no. 39 (2024). <https://doi.org/10.63865/temasp.v39n39a1>.

⁴ Haryanto, I., & Sakti, M. "Implementation of online dispute resolution (ODR) in Indonesia's e-commerce disputes (Comparative study with USA)." *JHK: Jurnal Hukum dan Keadilan* 1, no. 3 (2024): 1–12. <https://doi.org/10.61942/jhk.v1i3.121>.

⁵ Dahlan, N. K., Azman, M. A. S. A., Rajamanickam, R., & Zahir, M. Z. M. "Online mediation: Issues, applications and challenges." *Asian Journal of Research in Education and Social Sciences* 5, no. 3 (2023): 81–92. <https://doi.org/10.1002/crq.3900160407>.

inherits the tradition of ADR to avoid adversarial litigation but also uses digital platforms to break through physical space-time constraints, enabling negotiation and mediation processes to migrate from traditional offline scenarios to full-time and full-domain virtual spaces, realizing the paradigm transformation of dispute resolution from passive disposal to active prevention.

Behavioral economics theory infuses deep behavioral intervention logic into ODR mechanism design. This theory focuses on cognitive bias and situation-dependent effects in the decision-making process and how users behave in resolving disputes in digital environment⁶. The ODR system reduces the psychological decision-making cost of the parties and weakens the confrontational tendency of dispute escalation by simplifying the operation steps, presetting negotiation options, creating visual progress prompts and other lightweight designs.

The theory of technological justice requires the ODR mechanism to go beyond instrumental attributes and assume technological ethical responsibilities. Its main demands are that algorithm decisions be open and available to everyone to stop “black box adjudication,” that digital infrastructure be universal to make sure that all groups have equal access, and that data security protocols be in place to make sure that privacy is not compromised by technical privileges⁷.

The concept of ‘technological justice’ aims to prevent ‘black box adjudication,’ yet the paper does not provide a concrete legal or technical framework for auditing or regulating algorithms used by private platforms like Alibaba and Tokopedia. It is essential to propose specific mechanisms, such as third-party audits or transparent algorithmic reviews, to ensure that the algorithms used in ODR systems comply with ethical standards and are free from biases that could undermine the fairness of the dispute resolution process⁸.

⁶ Rifai, A. “The settlement of electronic commerce transactions through online dispute resolution mediation (ODR) in Indonesia.” *Active Yuris* 2, no. 1 (2022): 1–10. <https://doi.org/10.25273/ay.v2i1.10983>.

⁷ Magd, H., & Palanissamy, A. “E-commerce disputes and digital justice platforms—A developmental perspective.” *Global Business & Management Research* 13, no. 3 (2021). <https://doi.org/10.1017/s0898588x07000211>.

⁸ Deficiencies in institutional design and the absence of clear legal recognition have a direct impact on operational effectiveness and institutional legitimacy. These

TABLE 1. Comparison between ODR and traditional ADR

Dimensionality	Traditional ADR	ODR	Core differences
Definition	Alternative dispute resolution outside litigation, relying on offline interpersonal interaction	Digital extension of ADR, with information technology as the whole medium	Technology-driven replacement of artificial dominance
Process	Staged independently (appointment-interview-signature), average cycle 7-30 days	Full-process online integration (submission-negotiation-adjudication), average cycle 1-7 days	Space-Time Compression and Process Continuity
Scope of application	Complex business disputes, family conflicts and other cases requiring deep emotional communication	Standardized e-commerce disputes, small-amount consumption rights protection and other structured cases	Case Type Adaptability Differences
Cost	Cost per capita 500–5000 (including travel and lost time)	Cost per capita 5–50 (mainly technical access fees)	Economic threshold reduced by more than 90%
Efficiency	Reliance on manual coordination, 60% of cases require second consultation	Algorithm predicts disputed points, 85% of cases reach agreement in the first round	technology optimization decision path

Sources: Authors' illustration based on literature research.

conditions necessitate coherent, relevant, and academically defensible legal reforms positioned at the level of policy and strategic governance, rather than within fragmented technical sectors with the objective of strengthening the national digital and innovation ecosystem through enhanced legal certainty, institutional effectiveness, and the realization of substantive justice. Read on Lyna Latifah et al., "Legal Recognition of Business Incubators: Ethics, Compliance, and Corruption Prevention in Strengthening MSMEs," *Indonesian Journal of Criminal Law Studies* 10, no. 2 (2025): 487–528, <https://doi.org/10.15294/ijcls.v10i2.31238>.

C. International Legal Frameworks: UNCITRAL and Singapore Convention

The ODR international rules system established by UNCITRAL provides a basic framework for cross-border e-commerce disputes. The Technical Guidelines for Online Dispute Resolution for Cross-border E-commerce Transactions adopted in 2016 established three core principles of technical neutrality, procedural transparency and data security, bridging the legal differences among countries by unifying jurisdiction confirmation rules and standards for the validity of electronic evidence. The Singapore Conciliation Convention marks an important advance in the recognition of ODR validity⁹. The direct enforcement mechanism created by the Singapore Conciliation Convention allows parties to apply to the courts of contracting states for enforcement by virtue of the effective conciliation agreement, avoiding the complicated review procedure of traditional international private law. This design significantly enhances the binding force of ODR rulings, especially in line with the high frequency of small disputes in e-commerce. However, the strict requirements of the Convention on the formal elements of the agreement, such as the qualification of the mediation institution and the compliance of the process, pose a challenge to the legal system's adaptation of the loose evidence rules.

D. ODR in Global E-Commerce Platforms

Global e-commerce platforms address cross-border dispute challenges by building a multi-tiered ODR framework. Alibaba uses a three-level processing model that includes “independent negotiation, customer service complaint, and public review,” and its credit rating system incorporates blockchain deposit technology to enhance the transparency of the ruling process and reduce the risk of information asymmetry¹⁰. The built-in intelligent contract system of the platform can

⁹ Lin, Y. “Self-regulatory ODR in China’s e-commerce market: An examination of Alibaba’s Taobao platform and crowdsourced ODR.” *Amicus Curiae* 6 (2024): 358. <https://doi.org/10.14296/ac.v6i2.5755>.

¹⁰ Danesh, P., Yazdani, A. H., & Rahimi, L. “The future of online dispute resolution: Legal frameworks for managing digital disputes in e-commerce, intellectual

automatically trigger compensation and establish a judicial confirmation interface with the Hangzhou Internet Court to shorten the execution cycle of the agreement.

The Indonesian platform Tokopedia relies on religious and cultural adaptability to design ODR rules that include halal certification disputes within the scope of mediation; however, due to the exclusion of ad hoc arbitration in arbitration law, mediation agreements must be reviewed and enforced by local courts, which results in a loss of efficiency. Regional platforms Shopee faces conflicts of law applications, such as Vietnam forcing the application of domestic law while Singapore allows parties to agree to choose. The platform mitigates jurisdictional conflicts with a territorial mediator allocation system through a multilingual interface, but religious compliance rulings may still trigger public order reservation clauses¹¹.

The experience of the EU ODR platform shows that multilingual support and standardization processes are core components of cross-border mechanisms. The platform integrates automatic translation tools and case management systems, connecting ADR institutions in member countries to form a collaborative network, but the validity of awards still depends on the recognition of arbitration laws in various countries. Technology-driven platforms such as Square Trade develop self-service systems for negotiating disputes that algorithmically and automatically match compensation differences up to 15%, but such systems face adaptive limitations in culturally sensitive disputes.

These practices reveal that platform ODR needs to balance three contradictions: the tension between technical efficiency and procedural justice, the conflict between uniform rules and localization needs, and the connection fault between platform autonomy and judicial enforcement.

property, and consumer protection.” *Legal Studies in Digital Age* 2, no. 2 (2023): 37–48. <https://jlsda.com/index.php/llda/article/view/15>.

¹¹ Li, T., Li, D., & Zhao, X. “Towards more effective ODR for cross-border B2C e-commerce: Self-regulated or state-run?” *Tsinghua China Law Review* 16 (2023): 225. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/tsinghua16&div=19&id=&page=>.

ODR Mechanism of China

A. Institutional Background and Policy Drivers

National digital strategies and judicial reforms have driven the development of China's e-commerce Online Dispute Resolution (ODR) mechanism. Despite the introduction of numerous e-commerce regulations since 2010, the absence of specific consumer rights protection and dispute resolution provisions has hindered the operation of ODR. In 2016, the Supreme People's Court's "Several Opinions on Further Deepening the Reform of Diversified Dispute Resolution Mechanisms by the People's Courts" explicitly supported the development of ODR, marking its transition from an industry-led initiative to an integral part of the judicial system. National strategies such as "Internet + government services" further reinforced this shift by promoting the integration of ODR with smart court systems.

From a legal perspective, China follows a "policy first, legislation follow-up" approach. The People's Mediation Law provides basic legal support for ODR, but significant institutional barriers remain, particularly in arbitration. The Arbitration Law only recognizes institutional arbitration and denies the legal validity of ad hoc arbitration, limiting its ability to judicially confirm platform-based ODR awards. This gap reflects a disconnect between policy initiatives and legal frameworks: while central policy encourages platforms like Alibaba to establish independent dispute resolution mechanisms, the law does not grant platforms the authority to enforce these rulings. As a result, the ODR systems of platforms depend on user agreements instead of court backing, which creates difficulties in making sure that dispute resolution results are consistent and legally valid¹².

China's and Indonesia's ODR system designs highlight a fundamental difference: China adopts a centralized, integrated approach, while Indonesia follows a hierarchical governance model. China has established a unified national ODR framework through the Electronic Commerce Law, clearly defining the connection between platform

¹² Ballesteros, M. C. R., & Ávila, J. L. G. "Online dispute resolution platforms (ODR): A legal and technical perspective." *Law and Business* 4, no. 1 (2024): 28–38. <https://doi.org/10.2478/law-2024-0006>.

responsibilities and judicial enforcement. This structure follows a “legislation first, judicial coordination” path, with the Supreme People’s Court promoting the judicial confirmation of ODR rulings via “smart courts,” thus transforming platform mediation agreements into enforceable documents. In contrast, Indonesia lacks specific ODR legislation. ODR rules are dispersed across the amended provisions of the E-commerce Regulations and the Consumer Protection Law. At the central level, the Ministry of Trade formulates the framework, but the provincial consumer protection agency (BPKN) is responsible for implementation. This decentralized structure leads to fragmented policy implementation and challenges adjudicating cross-border disputes due to local jurisdictional issues. For instance, while China’s system provides a clear, centralized pathway for dispute resolution, Indonesia’s fragmented legal structure leads to inconsistent application, especially in cross-border contexts, as exemplified by the lack of nationwide standards for ODR enforcement and the reliance on local court reviews for international rulings.

B. Structural Design and Operational Flow

China’s e-commerce online dispute resolution mechanism constructs a hierarchical five-stage operation framework, and its design core lies in the dual-track integration of online dispute resolution technology empowerment and judicial protection¹³. Figure 2 clearly shows the three-dimensional structure of the system: the closed-loop flow loop on the left symbolizes the integrity of the solution path, and the two-way option at each stage is displayed on the right branch. The process starts with online dispute resolution. Intelligent consultation provides standardized guidance. Manual consultation solves complex cases. It forms a complementary structure of digital services and traditional professional support.

The evaluation process adopts a dual-track online dispute resolution system that includes a self-test for users and a diagnosis by

¹³ Rohaini, R., Anjani, E., Rusmawati, D. E., & Wardhani, Y. K. “Reforming online dispute resolution (ODR) regulations in growing e-commerce for legal certainty and protection.” *Cepalo* 9, no. 1 (2025): 69–80. <https://doi.org/10.25041/cepalo.v9no1.3335>.

mediators. Users can independently evaluate dispute focus and settlement expectation through platform tools, and mediators judge dispute nature and mediation feasibility according to professional experience. This design ensures efficiency and takes into account case adaptability, laying the foundation for subsequent mediation. The mediation stage is very flexible: once the user starts the application, the system either matches or suggests a mediation institution and offers both online negotiation and in-person mediation options to suit different communication needs¹⁴. A successful mediation agreement can directly trigger a judicial confirmation procedure, realize the transformation from an ODR result to a judicial document; if mediation fails, it will automatically transfer to the arbitration link, forming a closed-loop connection for the non-litigation procedure.

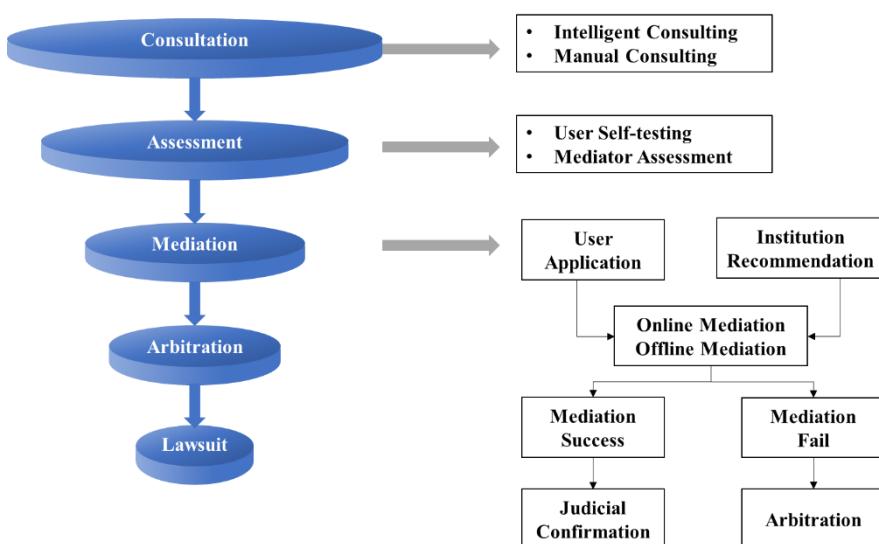


FIGURE 2. Flow chart of ODR 5-step progressive dispute resolution

Sources: Authors' illustration of the five-step ODR Mechanism.

¹⁴ Ballesteros, T. "International perspectives on online dispute resolution in the e-commerce landscape." IJODR 8 (2021): 85. <https://doi.org/10.5553/ijodr/235250022021008002002>.

C. Technological Support and Platform Practice

The core logic of the technical architecture of China ODR lies in the process of reengineering of dispute resolution through data integration and algorithm optimization. For example, Alibaba's "ODR+ Intelligent Mediation" system represents a typical paradigm for deep application of technology. The system constructs a three-level technical framework: the data layer integrates transaction records, user behavior, and historical cases to form a decision database; the algorithm layer uses natural language processing to locate dispute focus and generate mediation suggestions through similar case matching; and the application layer provides a visual operation interface and multi-role collaboration tools to support real-time interaction among consumers, merchants, and mediators. This design compresses the traditional mediation cycle to 7 days and solidifies the effectiveness of electronic evidence through blockchain storage technology, forming a closed loop of the whole chain from dispute triggering to agreement execution¹⁵.

At the platform practice level, China has formed an online dispute resolution judicial and industry dual-track drive model. The judicial system connects with the court trial system through the "online conflict dispute diversification solution platform" to realize one-click judicial confirmation of mediation agreement; the e-commerce platform relies on user agreement to construct autonomous rules, such as Taobao's "mass review" mechanism, to attract consumers to participate in dispute evaluation and form collective decision-making through distributed voting. However, there is data isolation between the two types of systems: the judicial ODR platform requires the whole process data to be left for review, while the platform autonomy mechanism often adopts data desensitization to protect trade secrets, which makes it difficult for judicial institutions to directly call the platform dispute data.

¹⁵ Balcha, A. "Online dispute resolution for electronic commerce under Ethiopian legal framework: The need for reform." *Oromia Law Journal* 11, no. 1 (2022). <https://www.ajol.info/index.php/olj/article/view/230764>.

D. Judicial Recognition and ODR Integration

China's ODR and judicial convergence mechanism is constructed with "platform autonomy-judicial finality" as the axis, and its core lies in endowing ODR with enforcement power through online dispute resolution judicial review power. Several Opinions of the Supreme People's Court on Further Deepening the Reform of Diversified Dispute Resolution Mechanism by the People's Court in 2016 established the judicial confirmation path of ODR agreement for the first time, stipulating that the online mediation agreement reached by the mediation organization can apply to the competent court for judicial confirmation, and the confirmation letter has the effect of enforcement.

However, the contradiction of legal adaptability significantly restricts cohesion effectiveness. China's Arbitration Law only recognizes the effectiveness of institutional arbitration and denies the legal status of ad hoc arbitration, resulting in the inability of e-commerce platforms to obtain judicial confirmation directly for their independent awards¹⁶. For example, although Alibaba's public review award relies on the user agreement to produce binding force, due to the lack of qualification of the statutory arbitration institution, the parties need to re-apply to the arbitration institution for formal review before initiating the enforcement procedure. This institutional redundancy increases the cost of understanding and conflicts with the ODR efficiency principle.

E. Case Study

China's e-commerce ODR practice presents tension between empowering online dispute resolution technology and institutional constraints on online dispute resolution. For example, the Shenzhen ODR system manages disputes in steps (reconciliation-mediation-arbitration), and its unique feature is how it links blockchain deposit technology directly to the judicial blockchain platform¹⁷. When the

¹⁶ Akhtar, N., Khan, A., Habib, R. I., & Saleem, H. A. R. "Online dispute resolution as a solution to E-Commerce disputes: A comparative study of Pakistan and UK." *Journal of Contemporary Issues in Business and Government* 28, no. 03 (2022). <https://doi.org/10.47750/cibg.2022.28.03.015>.

¹⁷ Indonesia has significant potential to expand financial inclusion and promote economic justice, particularly for marginalized groups. However, limited public

mediation agreement is reached, the system automatically generates a blockchain hash value and synchronizes it to the Shenzhen court electronic evidence platform, greatly reducing the judicial review cycle to 48 hours. However, this technical breakthrough encounters the institutional barrier of arbitration law. Due to the lack of legal qualification, the interim arbitration initiated by the platform still needs to be converted into the formal award of the Shenzhen Arbitration Committee before it can be enforced. This dislocation between technical efficiency and legal effectiveness highlights the identity dilemma of platform autonomous adjudication under the current legal framework¹⁸.

Another example is the Taobao “public jury” mechanism, which involves the random selection of consumers to form a jury according to the platform’s rules for distributed voting on disputes. Taobao’s ‘public jury’ mechanism exemplifies the crowdsourced adjudication model in platform-based online dispute resolution, which is characterized by user participation in fact-finding and decision-making, with the platform responsible for enforcement¹⁹. Its advantage lies in the efficient handling of standardized disputes (such as product descriptions that do not match), but the algorithmic preference of group decision-making tends to ignore special situational evidence, such as logistics force majeure.

The above cases show that empowering technology for online dispute resolution needs to be based on institutional adaptation,

awareness, an underdeveloped regulatory framework, and persistent security and data protection concerns remain key obstacles. Accordingly, the adoption of technology-adaptive regulatory measures, coupled with sustained public education, is essential to ensure that digital transformation effectively advances financial inclusion and economic justice. Read on Sawitri Yuli Hartati, Emelia Kontesa, and Agri Baskara, “Sharia Fintech In The Digital Age: Human Rights in Sharia Fintech Through Criminal Law Safeguards,” *Indonesian Journal of Criminal Law Studies* 8, no. 2 (2023), <https://doi.org/10.15294/ijcls.v8i2.48678>.

¹⁸ Goyal, U., & Goyal, A. “The evolution and effectiveness of online dispute resolution (ODR) platforms: A comprehensive analysis of ADR in the digital age.” *Indian Journal of Integrated Research in Law* 3 (2023): 1. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/injrlitd5&div=80&id=&page=>.

¹⁹ Gao, W. “Let the collective intelligence shine through: Crowdsourced Online Dispute Resolution from a Chinese Perspective.” *Peking University Law Journal* 6, no. 2 (2018): 283–304. <https://doi.org/10.1080/20517483.2018.1603645>.

reflecting the inhibition of domestic legislation lag on technical potential (such as the lack of legitimacy of temporary arbitration), and future reform needs to construct a more flexible connection mechanism between technical tools and legal authority²⁰.

ODR Mechanism of Indonesia

A. Institutional Context and Regulatory Environment

Indonesia's ODR regime is rooted in a dual drive for online dispute resolution, which is fueled by both digital economic expansion and regional integration. As Southeast Asia's largest economy, e-commerce continues to grow in Indonesia, but the high cost of traditional dispute resolution due to the geographical characteristics of scattered islands and fragmentation of jurisdictions has prompted the government to integrate ODR into its digital transformation strategy. The ASEAN Strategic Plan of Action on Consumer Protection in 2016 put forward the requirement of establishing a national ODR system for the first time, and the ASEAN Online Dispute Resolution Guidelines in 2022 further refined the framework, emphasizing the three principles of online dispute resolution: government-led, consumer protection agency collaboration, and voluntary mediation priority online dispute resolution. These regional commitments have pushed Indonesia to position ODR as a key tool to mitigate disparities in judicial resources and enhance cross-border trade credibility²¹.

In terms of the regulatory system, the Ministry of Trade of Indonesia, as the core regulatory body, is responsible for formulating the ODR national standard framework, while the provincial consumer protection agency (BPKN) is responsible for implementation²². This

²⁰ Sampani, C. "Online dispute resolution in e-commerce: Is consensus in regulation UNCITRAL's utopian idea or a realistic ambition?" *Information & Communications Technology Law* 30, no. 3 (2021): 235–254. <https://doi.org/10.1080/13600834.2021.1875539>.

²¹ Rizkiana, R. E. "The future of online dispute resolution: Building a framework for e-commerce dispute resolution in Indonesia." *The Lawpreneurship Journal* 1, no. 2 (2021): 114–138. <https://doi.org/10.21632/tlj.1.2.114-138>.

²² Pattinasarany, A., Waha, C. J., & Pinasang, D. R. "Perlindungan hukum dan prosedur penyelesaian sengketa konsumen yang dirugikan pada transaksi e-

division of labor results in gaps in policy implementation, including: a lack of special legislation at the central level; ODR rules that are scattered across the Regulations on Electronic Commerce (2019), the Consumer Protection Law (revised in 1999), and other regulations; a vague definition of platform responsibility; reliance at the local level on administrative instructions to encourage enterprises to access the ODR system; and the absence of established mandatory obligation norms. A regulatory vacuum is particularly prominent in cross-border disputes, such as Indonesia's failure to ratify the Singapore Mediation Convention, which makes local enforcement of international ODR awards dependent on court review and weakens the effectiveness of the mechanism. Insufficient supervision makes Indonesia ODR rely on platform autonomy for a long time at the practical level. For example, Tokopedia, an e-commerce platform, built its own dispute mediation system but lacked an interface with the official judiciary, resulting in rulings that could only be bound by user agreements and could not obtain judicial enforcement.

B. System Design and Platform Practices

The design of Indonesia's ODR system creates a gap between the central and local implementation of online dispute resolution. The Ministry of Trade formulates the national ODR framework, but the specific implementation depends on the implementation of the provincial consumer protection agency (BPKN), resulting in a gradual decline in policy effectiveness²³. There are no specific laws at the national level, and the rules for ODR are spread out in the Regulations on Electronic Commerce and the Consumer Protection Law, which do not clearly define what the platform is responsible for; local governments depend on administrative instructions to encourage businesses to use the ODR system, and there are no established mandatory rules yet. This hierarchical governance model makes cross-border dispute resolution particularly weak; for example, Indonesia's failure to ratify the Singapore

commerce." Innovative: Journal of Social Science Research 3, no. 4 (2023): 728–737. <http://j-innovative.org/index.php/Innovative/article/view/2891>.

²³ Nurpadila, M., & Marpaung, D. S. H. "Online dispute resolution (ODR) as an alternative to e-commerce dispute settlement in Indonesia." LEGAL BRIEF 11, no. 1 (2021): 36–47. <https://www.legal.isha.or.id/index.php/legal/article/view/73>.

Mediation Convention, resulting in international ODR awards having to be reviewed by local courts before they can be enforced, significantly weakens the efficiency of the mechanism.

E-commerce platforms assume the main dispute resolution function in practice, but autonomous rulings lack judicial endorsement. Tokopedia built its own three-level processing process (negotiation-mediation-arbitration), and its mediation agreement can only be enforced through user agreement constraints because it is not included in the scope of legal arbitration. Restarting the judicial procedure is necessary if the consumer disagrees with the ruling, leading to repeated use of dispute resolution resources. This separation between platform autonomy and the judicial system reflects the exclusion of ad hoc arbitration in Indonesia's Arbitration Law, which only recognizes the effectiveness of institutional arbitration, so that platform awards cannot be directly enforced. In addition, Indonesia's data localization policy requires disputed data to be stored within the country, but domestic data centres are unevenly distributed and security standards vary, increasing compliance costs and data breach risks. At the same time, the geographical characteristics of islands aggravate the digital divide: insufficient network coverage in rural areas restricts the popularization of ODR, and evidence collection in cross-border disputes needs to break through the restrictions on cross-border data flow. This technical shortcoming forces the platform to adopt simplified processes, such as Tokopedia prioritizing standardized disputes (such as inconsistent product descriptions) but avoiding complex rights and responsibilities, substantially reducing consumer appeal space.

C. Technological Infrastructure and Challenges

Indonesia's ODR technology infrastructure faces the dual constraints of online dispute resolution (ODR), geographic digital divide, and online dispute resolution (ODR) for data compliance conflicts. The geographical characteristics of scattered islands lead to a significant imbalance in network coverage. The low network access rate in rural areas restricts the barrier-free access requirements of ODR, while the data localization policy requires dispute data to be stored in the territory. However, the uneven distribution of domestic data centres and different security standards increase the compliance cost of enterprises

and aggravate the risk of data leakage. This technical shortcoming forces e-commerce platforms to adopt simplified strategies, such as Tokopedia giving priority to standardized disputes (such as inconsistent product descriptions) but avoiding complex rights and responsibilities, substantially reducing consumer appeal space²⁴.

The contradiction of technical adaptation in cross-border disputes is particularly prominent. Indonesia has not ratified the Singapore Mediation Convention, international ODR rulings need to be re-examined by local courts, and cross-border evidence retrieval needs to break through cross-border data flow restrictions, but the technical system lacks standardized interfaces with judicial authorities. For example, because the autonomous ruling of the platform is not embedded in the judicial blockchain system, it can only be enforced through user agreement constraints and cannot directly obtain enforcement power, which leads to the need to restart judicial procedures when consumers refuse to accept it, resulting in repeated consumption of dispute resolution resources. The deeper contradiction lies in the dislocation of online dispute resolution technology empowerment and system: the central regulatory framework requires provincial consumer protection agencies (BPKN) to implement ODR, but the lack of local technical capacity leads to policy implementation fault, while the self-built system of e-commerce platforms (such as Tokopedia's three-level processing process) lacks legal arbitration qualification, and its mediation agreement cannot be incorporated into the judicial enforcement system, reflecting that the technical system fails to bridge the exclusion of ad hoc arbitration in the Arbitration Law.

The proposal for a 'privacy computing-driven data exchange center' is an ambitious and forward-thinking solution, but it overlooks the reality of Indonesia's geographic digital divide and insufficient network coverage in rural areas. Given these infrastructural challenges, such technological solutions may be too advanced for the current state of infrastructure in the region. A more feasible approach would involve

²⁴ Wahid, S. H. "Formulation of a risk-based online dispute resolution model for e-commerce in Indonesia: Legal framework and its application." International Journal of Arts and Humanities Studies 3, no. 2 (2023): 9. <https://doi.org/10.32996/ijahs.2023.3.2.2>.

phased implementation, starting with improvements in digital accessibility and infrastructure before introducing advanced privacy-driven data exchanges.

D. Linkages with Arbitration/Mediation System

Indonesia's ODR mechanism and domestic arbitration mediation system present an institutional split of online dispute resolution. Indonesia's Arbitration Law only recognizes the legal effect of institutional arbitration, while the mediation agreement built by the e-commerce platform cannot be directly enforced by judicial enforcement because it is not included in the scope of legal arbitration. For example, the mediation agreement reached by Tokopedia requires the parties to separately apply to the local court for an enforcement order, which creates a conflict between the autonomy of the platform and the judicial system. This fragmentation stems from the absence of central legislation; the existing Consumer Protection Law does not clarify the legal status of ODR awards, and the administrative instructions of provincial consumer protection agencies (BPKN) lack uniform binding force, which makes it difficult for mediation agreements to seamlessly interface with arbitration procedures.

Cross-border dispute integration contradictions are more significant. Indonesia has not ratified the Singapore Mediation Convention, and international ODR decisions are subject to review of substance by local courts, which takes an average of more than three months, much longer than the 30-day enforcement cycle envisaged by the Convention. This problem arises because the different island courts operate separately, and there is a lack of connection between the main judicial process and the courts on the outer islands: the outer island courts usually need notarized documents for cross-border mediation agreements, but the central Ministry of Justice does not have set procedures for verifying these agreements across borders.

E. Case Study

Indonesia's ODR practice faces an institutional split between the autonomy of online dispute resolution platforms and the judicial system. For example, Tokopedia, an e-commerce platform, adopts a three-level processing process (negotiation-mediation-arbitration), but the

mediation agreement cannot be directly enforced by judicial enforcement because it is not included in the scope of legal arbitration. When consumers are dissatisfied with the ruling, they need to reapply to the local court for an execution order, resulting in repeated consumption of dispute resolution resources. This contradiction arises because Indonesia's Arbitration Law only acknowledges the effectiveness of institutional arbitration, whereas the platform's autonomous awards do not have legal identity authentication, leading to a disconnect between technical efficiency and legal effectiveness.

Technical barriers are particularly prominent in island jurisdictional conflicts. Outer island courts often need notarized documents to go along with cross-border ODR decisions, but the Central Ministry of Justice has not set up standard ways to check cross-border documents. For example, the settlement agreement of a dispute between Chinese and Indonesian merchants was subject to manual review by the Jakarta Central Court, and the execution period was extended to more than three months. This inefficiency stems from the combined effect of data localization policies and uneven technological infrastructure across islands-insufficient network coverage in rural areas restricts the immediate transmission of electronic evidence, and cross-border data flow restrictions prevent synergy with international ODR systems.

Comparative Analysis of ODR Mechanisms of China and Indonesia

A. Legal and Regulatory Frameworks

China's and Indonesia's ODR system designs present a fundamental difference between online dispute resolution central integration and hierarchical governance online dispute resolution. China has established a unified national ODR framework through the Electronic Commerce Law, clarified the rules for the connection between platform responsibilities and justice, and formed a regulatory path of "legislation first and judicial coordination." The Supreme People's Court promotes online judicial confirmation of ODR rulings through the construction of "smart courts" and realizes the transformation of platform mediation agreements into enforceable

documents. Indonesia lacks special legislation²⁵. ODR rules are scattered in the revised provisions of the E-commerce Regulations and the Consumer Protection Law. At the national level, the Ministry of Trade creates the guidelines, but the provincial consumer protection agency (BPKN) carries out the rules, which leads to problems in how policies are applied and challenges in handling disputes that cross local borders.

Both China and Indonesia have adopted online dispute resolution (ODR) mechanisms within their e-commerce environments, though with different approaches. China has a more centralized approach, integrating ODR into its national legal framework and supporting it through judicial cooperation. Indonesia, while relying more on platform autonomy, also incorporates ODR systems in platforms such as Tokopedia. Despite these differences, the core similarity lies in their reliance on technology-driven solutions to resolve e-commerce disputes. Both countries have seen the benefits of using digital platforms for mediation and arbitration, albeit with different levels of judicial integration and enforcement mechanisms.

China's and Indonesia's ODR system designs reveal a fundamental difference: China adopts a centralized and integrated approach, while Indonesia follows a hierarchical governance model. China has created a single national ODR system through the Electronic Commerce Law, which clearly outlines how platform duties relate to court enforcement, leading to a system where laws come first and courts work together. The Supreme People's Court has further promoted the online judicial confirmation of ODR rulings through the establishment of "smart courts," allowing platform mediation agreements to be transformed into enforceable documents. In contrast, Indonesia does not have specific ODR legislation. ODR rules are scattered across various provisions, such as the revised E-commerce Regulations and the Consumer Protection Law. At the central level, the Ministry of Trade formulates the ODR framework, but the provincial consumer protection agency (BPKN) is responsible for its implementation. This decentralized approach leads to

²⁵ Ur Rehman, I., Qasim, M., & Ahmad, R. W. "The future of online dispute resolution in cross-border e-commerce: Challenges and opportunities." *Law Research Journal* 2, no. 4 (2024): 113–122. <https://lawresearchreview.com/index.php/Journal/article/view/95>.

fragmented policy execution, resulting in challenges in adjudicating cross-border disputes due to local jurisdictional issues. For example, while China's ODR system is clearly defined and integrated at the national level, Indonesia's fragmented approach—exemplified by the lack of a single, unified ODR law—creates inconsistencies, especially when it comes to cross-border dispute resolution. This situation is further complicated by the lack of enforceability of platform decisions in Indonesia, as outlined in the Arbitration Law, which only recognizes institutional arbitration and not ad hoc arbitration.

The comparative analysis in this paper is largely based on theoretical frameworks and anecdotal evidence, such as platform practices from Alibaba and Tokopedia. However, a lack of comprehensive empirical data, especially statistical evidence of successful dispute resolutions, limits the robustness of this analysis. Future research should focus on collecting and analyzing actual data from these platforms to substantiate claims about ODR effectiveness, providing a clearer picture of the practical impact of these systems. While the proposed legal reforms, such as amending the Arbitration Law to recognize ad hoc arbitration, are promising, they overlook the political and systemic resistance that has historically hindered similar changes in both China and Indonesia. These reforms may face challenges in practical implementation, and the paper would benefit from a more thorough exploration of the potential political, economic, and institutional barriers to their adoption in both countries.

B. Use and Data Protection

China ODR technology integration reflects the characteristics of a systemized online dispute resolution system enabling online dispute resolution, blockchain certificate storage, intelligent contracts, and judicial systems to be deeply coupled. For example, Hangzhou Internet Court realizes 48-hour verification of electronic evidence, forming a closed loop of “technology-justice”. Indonesia is limited by the imbalance between island geography and digital infrastructure; rural network coverage restricts the popularization of ODR, and the data localization policy requires dispute data to be stored in China, but the security standards of domestic data centres are different, which

intensifies the conflict between cross-border evidence retrieval and privacy protection.

The deep-seated contradiction of technological empowerment lies in the differences in adaptability between legal and technological iterations. Although blockchain evidence storage in China has achieved connection with judicial platforms, the ambiguous definition of the validity level of evidence storage in the “Electronic Signature Law” has led to incomplete interconnectivity between enterprise chains and judicial chains. Evidence stored on private chains developed by enterprises often requires repeated notarization.

Indonesia’s data localization policy has exposed the weakness of its infrastructure. Dispute records required by the central government to be stored in domestic data centres often experience transmission interruptions when users on outer islands retrieve evidence due to network latency between islands²⁶. A more fundamental conflict exists in cross-border scenarios: when Chinese platforms use cloud storage to optimize the handling of disputes in Indonesia, it directly violates the mandatory requirement of Indonesia’s “Personal Data Protection Law” on the localization of sensitive information. This antagonism between technological needs and legal constraints reveals the absence of data flow rules in the ASEAN region.

C. Consumer Trust and Platform Transparency

China’s e-commerce platform enhances trust through online dispute resolution, credit rating, and process visualization, such as Alibaba’s disclosure of mediator qualifications and ruling basis, which reduces information asymmetry. Even though the Indonesian platform has a three-step process, the mediation agreement depends on users being responsible because it doesn’t have legal support, and it doesn’t consider cultural issues like halal certification disputes in its online dispute resolution rules, which makes consumers doubt the fairness of the decision.

²⁶ Nyaga, B. M. “Online dispute resolution: The future of e-commerce in Kenya.” *Journal of Conflict Management and Sustainable Development* 8, no. 3 (2023). <https://doi.org/10.2139/ssrn.4329110>.

The legal ambiguity surrounding the validity of rulings is the primary barrier to trust-building. Chinese platforms enhance procedural participation through the mass review mechanism. However, since the review results are not recognized as arbitration awards by the “Arbitration Law”, consumers can unilaterally refuse to enforce them without taking responsibility.

The validity of Tokopedia’s mediation agreements in Indonesia relies entirely on the restraint of user agreements. When merchants refuse to fulfill their obligations, consumers have to restart the judicial process, resulting in repeated consumption of dispute-resolution resources²⁷. Religious and cultural factors further weaken the trust foundation. Disputes over halal certification in Indonesia require the invocation of Islamic law principles, but the platform’s ODR rule base does not embed a religious jurisprudence library, causing rulings to deviate from local cultural expectations. The combined effect of the lack of legal safeguards and insufficient cultural adaptation has led cross-border consumers to have systematic doubts about the fairness of ODR.

D. Legal Culture and Public Acceptance

China’s legal culture has changed from “litigation aversion” to “litigation love,” and the high punitive damages of the Consumer Rights Protection Law stimulate the surge of litigation, forcing ODR to become a tool to divert judicial pressure. Indonesia still values traditional community mediation practices, like the spirit of mutual help known as “Gotong Royong,” and many people are open to non-litigation methods. However, varying levels of legal understanding across different islands result in inconsistent use of ODR, with people on outer islands tending to favor local administrative complaints.

The structural differences in legal traditions shape differentiated acceptance paths. The rise of the consumer rights protection movement in China has driven a shift in the litigation culture. However, Article 55 of the “Consumer Rights Protection Law” indirectly stimulates frivolous

²⁷ Solikhin, R. “Perkembangan dan urgensi penerapan online dispute resolution (ODR) dalam penyelesaian sengketa perdagangan elektronik di Indonesia.” *Padjadjaran Law Review* 11, no. 1 (2023): 65–79. <https://doi.org/10.56895/plr.v11i1.1235>.

lawsuits through its triple-compensation mechanism, forcing the courts to divert cases through ODR.

Indonesia's "Gotong Royong" tradition of mutual assistance shows special value in digital mediation. The Bali E-commerce Association has transformed the offline consultation mechanism of village elders into a video-mediation model, but it cannot be enforced because the "Civil Procedure Law" does not recognize the validity of video agreements. A more severe issue is the generational divide. Elderly Chinese users abandon ODR complaints due to the complex operation interface, and young people on outer islands in Indonesia are forced to return to traditional complaint channels due to limited network coverage, indicating that the lack of technological inclusiveness is exacerbating the generational inequality in legal services.

E. Effectiveness and Dispute Resolution Efficiency

China ODR relies on an online dispute resolution multi-level connection mechanism to improve efficiency. For example, the Shenzhen ODR system directly connects platform mediation with the arbitration committee, converts it into an award within 7 days, and reduces the execution cycle by 70%. Indonesia's Arbitration Law excludes ad hoc arbitration, platform awards need to be re-examined by local courts, cross-border cases take an average of more than three months to enforce, and the dispersion of island jurisdiction exacerbates procedural delays. The redundancy of legal procedures is the essence of institutional losses. Even though China has created a quick process for court approval, the "Arbitration Law" not allowing ad hoc arbitration means that platform decisions must be officially changed by an arbitration institution. This procedural conversion results in an institutional delay of an average of more than ten days.

Indonesia's efficiency dilemma stems from a double-procedure yoke. Platform mediation agreements need to go through a formal review by the provincial consumer protection agency first and then be submitted to the local court for an enforcement order. The inefficiency of the archipelago's postal system means that document delivery takes up half of the overall cycle. The loss of efficiency in cross-border scenarios is even more significant. Disputes between China and Indonesia have to go through judicial certifications in both countries repeatedly. And because

there is no system in ASEAN to recognize electronic evidence, checking the hash values of blockchain-stored evidence has become a process of comparing paper documents, which completely undermines the benefits of using technology with old methods.

F. Summary of This Chapter

The core difference between China's and Indonesia's ODR mechanisms is reflected in the double gap integration degree and technical adaptability of the online dispute resolution system. China builds a closed loop of "legislation-technology-justice" dominated by public power but relies too much on administrative resources; Indonesia relies on market autonomy, but efficiency losses are caused by legislative gaps and infrastructure shortcomings. Both countries need to break through the arbitration law's restrictions on ad hoc arbitration and strengthen cross-border data flow collaboration.

TABLE 2. Comparison of core dimensions of ODR mechanisms between China and Indonesia

Dimensionality	Characteristics of China	Indonesian characteristics
Legal system	National unified legislation (Electronic Commerce Law), deep coordination of judicial system	Decentralized legislation (multiple law amendments)
Technology application	Blockchain deposit certificate, intelligent contract and court system integration, high technical enabling efficiency	Digital infrastructure imbalance, data localization policies restrict cross-border collaboration
Consumer trust	Platform credit rating transparent, process visibility high	Religious and cultural factors affect the acceptance of rulings and lack of enforcement
Legal culture	ODR diverts litigation pressure from "litigation-aversion" to "litigation-loving"	Traditional community mediation culture is deep, but there are great differences in legal awareness among islands.
Dispute resolution efficiency	Multi-level connection mechanism (platform-arbitration-court), cycle compression of more than 70%	Repeated judicial reviews lead to longer cycles, fragmentation of island jurisdiction exacerbates delays

Sources: Authors' own creation based on a comparative study of ODR mechanisms in China and Indonesia

ODR under the Lens of ASEAN Regional Integration

A. Overview of ASEAN Digital Economy Policy

ASEAN Digital Economy Integration is based on the ASEAN Digital Economy Framework Agreement (DEFA), which aims to harmonize digital policies and market rules among member countries. The agreement sets a goal of doubling the share of regional digital GDP by 2025, promoting cross-border data flows and mutual recognition of electronic transactions, but differences in domestic laws of member states pose deep obstacles. For example, Singapore's Electronic Transactions Act clarifies the validity of blockchain deposits, and Malaysia amends the Electronic Commerce Act to recognize the legality of smart contracts, while Indonesia has not yet completed similar legislative adaptation. This legal fragmentation leads to the lack of uniform effectiveness anchor points in regional ODR rules, especially the contradiction between data localization policies and cross-border forensics needs. Indonesia's Personal Data Protection Act requires disputed data to be stored domestically, while Singapore allows overseas transmission to PDPA standards, and conflicts of laws directly restrict the extraterritorial enforcement of ODR rulings.

B. Potential for ODR Result Recognition and Harmonization

At present, ASEAN ODR coordination faces double disjointed online dispute resolution: firstly, there is no regional adjudication enforcement system similar to the Singapore Mediation Convention at the judicial level; only Singapore ratifies the Convention among member states, and Indonesia and other countries hold reservations due to fear of sovereignty transfer, resulting in cross-border ODR results to be re-examined by domestic courts; Second, there is no cross-jurisdiction blockchain mutual recognition channel at the technical level, and Indonesia's religious compliance dispute rulings are difficult to be directly accepted by Malaysian courts. The potential breakthrough point lies in building a "minimum consensus" framework based on the integration experience of the ASEAN QR Code Payment System (QRIS): under the coordination of the ASEAN Secretariat, priority

should be given to unifying ODR process standards for simple consumer disputes, allowing member states to retain domestic review rights for complex disputes, while establishing regional ODR data centres and balancing data localization and cross-border verification needs with privacy computing technologies.

C. Lessons from China-Indonesia Comparison for ASEAN Integration

The ODR practices of China and Indonesia provide two different paths for ASEAN. China's "judicial-led" model endows ODR protocol with enforcement power through judicial interpretation of the Supreme Court. Hangzhou Internet Court's 48-hour judicial confirmation mechanism greatly reduces the execution cycle, but excessive reliance on public power resources restricts market autonomy. Indonesia's "platform autonomy" model relies on Tokopedia and other enterprises to build their own three-level processing process, which is closer to the needs of local religious culture²⁸. However, due to the exclusion of temporary arbitration in the Arbitration Law, the mediation agreement lacks judicial endorsement. The inspiration for ASEAN lies in the layered cooperation mechanism of online dispute resolution: setting up the minimum technical standards of ODR at the regional level (such as electronic evidence storage regulations and identity authentication regulations), allowing member states to independently choose judicial or administrative execution paths; At the same time, e-commerce platforms are encouraged to establish cross-border dispute joint mediation pools, absorbing the technical enabling experience of Chinese enterprises and the localization operation strategy of Indonesia. For example, Jingdong Indonesia's "Diamin Ori" authentic trust system can be migrated to the dispute resolution scenario of religiously sensitive commodities.

²⁸ Yanyan, C., & Althabhwai, N. M. "China's online dispute resolution mechanism for cross-border e-commerce: Challenges and solutions." *Pakistan Journal of Life & Social Sciences* 22, no. 2 (2024). <https://doi.org/10.57239/pjss-2024-22.2.00408>.

D. Cross-Border ODR: Jurisdiction and Platform Cooperation

The core contradiction of cross-border ODR lies in the conflict of jurisdiction between rules of online dispute resolution platforms and domestic laws. About 30% of Southeast Asian e-commerce orders involve cross-border transactions, but there are conflicts between national provisions on consumer contract jurisdiction: Vietnam's Electronic Commerce Law enforces domestic law, while Singapore allows parties to choose by agreement. This conflict has led to uncertainty about the effectiveness of ODR clauses developed by platforms such as Shopee, especially religious compliance disputes (such as Indonesian halal certification) that may trigger public order reservation clauses. The solution needs to follow a two-track parallel approach: one track is to encourage ASEAN member states to sign the Memorandum on Mutual Recognition of Cross-border ODR, while the other track is to establish a platform collaboration alliance that develops a multi-language dispute classification engine, referencing Alibaba's "ODR+ Intelligent Mediation" system, which will automatically identify culturally sensitive disputes, assign territorial mediators, and avoid conflicts of law through technical means. Results include religious and cultural sensitivities in the negative list of adjudication review; the other is to establish a platform collaboration alliance, develop a multi-language dispute classification engine with reference to Alibaba's "ODR+ Intelligent Mediation" system, automatically identify culturally sensitive disputes and assign territorial mediators, and avoid conflicts of law through technical means.

Reforms and Policy Recommendations

A. Reform Proposals for China

China needs to bridge the gap between autonomous adjudication and judicial enforcement of online dispute resolution platforms through legislative amendments. It is suggested to add a "temporary arbitration" clause in the revision of the Arbitration Law, endow the e-commerce platform ODR agreement with the qualification to directly apply for judicial confirmation, improve the detailed rules for the implementation of the E-commerce Law, and clarify the judicial admissibility standard of

blockchain evidence. At the technical level, we should promote the deep coupling between the court enforcement system and the ODR platform, establish a national ODR data centre to uniformly verify the hash value of the electronic protocol, compress the judicial confirmation cycle to 48 hours, and solve the problem of misplacement between enforcement efficiency and legal effectiveness. It is necessary to construct a coordination mechanism between civil ODR and judicial ODR and bring the autonomous rulings of public review platforms into the fast track of judicial review through judicial interpretation of the Supreme Court so as to avoid the crisis of trust caused by “different judgments in the same case”.

B. Reform Proposals for Indonesia

Indonesia urgently needs to break through the double dilemma of the absence of central legislation and the island jurisdiction fragmentation of online dispute resolution. Speed up the changes needed to connect the Electronic Commerce Law with the Arbitration Law, allow the provincial consumer protection agency (BPKN) to approve ODR platforms, and let mediation agreements be sent directly to local courts for enforcement. For cross-border disputes, the Singapore Convention on Mediation should be ratified, and a central judicial certification centre should be established to standardize the verification of ODR rulings by outer island courts. At the technical level, priority needs to be given to improving the imbalance of digital infrastructure, adding data centre nodes outside Java, exempting rural ODR electronic evidence from localization storage requirements, and reducing cross-border data transmission compliance costs²⁹. In terms of cultural adaptability, it is suggested to incorporate religious norms such as halal certification into the ODR rule base, force platform mediators to complete religious compliance training, and enhance the cultural acceptance of rulings.

²⁹ Alshathri, S. A. “Online dispute resolution as a mechanism to enhance consumer trust in e-commerce: How can Saudi Arabian law be improved?” Newcastle University (2022). <http://hdl.handle.net/10443/5762>.

C. Proposals for ASEAN-Level ODR Coordination

Regional integration requires a minimal consensus framework for online dispute resolution to address legal fragmentation. Drawing on the APEC ODR cooperation mechanism, the ASEAN ODR Centre was established to develop uniform technical standards, including electronic evidence storage regulations, identity authentication specifications, and privacy calculation templates, allowing member states to retain domestic review rights for complex disputes. At the level of cross-border mutual recognition, promote the signing of the Memorandum on the Implementation of ASEAN ODR Results, adopt the “negative list” model to clarify the exemption clauses for religiously sensitive disputes, and implement automatic enforcement of rulings on simple consumption disputes. In terms of data flow collaboration, establish a regional ODR data exchange centre, adopt differential privacy technology to balance Indonesia’s data localization policy with Singapore’s cross-border transmission requirements, and realize the dual goals of adjudication verification and privacy protection.

D. Platform Accountability and Technical Standards

The platform has dual responsibility for ODR technical compliance and transparency. Establish an ODR grading certification system, require e-commerce platforms to disclose mediator qualification, ruling basis, and execution rate data, and require cross-border platforms to develop multi-language ODR interfaces and religious culture label system, and automatically identify and assign territorial mediators. In terms of data standards, ASEAN should develop guidelines for the classification of cross-border ODR. The guidelines should distinguish the protection levels of identity information, transaction records, and religious preference data, and mandate platforms to implement end-to-end encryption for high-risk data. In terms of regulatory coordination, an ASEAN ODR technical committee was established to supervise the fairness of algorithms, create a mechanism for exiting platform violations, evaluate the system’s anti-fraud ability through annual stress tests, and prevent technical bias from eroding the fairness of rulings.

Conclusions and Prospects

A. Main Conclusions

China's and Indonesia's ODR mechanisms present structural differences in the degree of integration and technical adaptability. China has developed a unified national framework through the Electronic Commerce Law, utilizing "smart courts" to enforce ODR rulings. However, excessive reliance on administrative resources limits market autonomy. In contrast, Indonesia faces challenges due to the absence of specific legislation and the fragmentation caused by island jurisdiction. This makes it hard to enforce platform awards because temporary arbitration isn't covered by the Arbitration Law, and cultural aspects like halal certification aren't included in the ODR system, which reduces public trust. Technically, China's integration of blockchain technology with the judicial system greatly enhances efficiency. In comparison, Indonesia's ODR system is hindered by an imbalance in digital infrastructure and restrictive data localization policies, significantly extending the execution cycle of cross-border ODR rulings by 25%. Regarding regional cooperation, both countries still need to adapt to ASEAN integration needs. Legal disputes and different technical standards make it hard for countries to accept each other's cross-border decisions, highlighting the problems caused by disconnected and localized ODR systems.

Given these challenges, China should prioritize legislative reforms to address the limitations imposed by its Arbitration Law, particularly by recognizing the validity of temporary arbitration, and accelerating the integration of ODR systems with market-driven platforms to enhance autonomy. Indonesia needs to focus on creating central ODR laws that connect national and local rules, improve digital access in remote areas, and align its data protection policies with regional standards to make cross-border cooperation easier. At the ASEAN level, a unified regional framework for ODR recognition and enforcement should be established to overcome legal and technical fragmentation, ensuring faster and more effective cross-border dispute resolution.

B. Research Prospects

Future research needs to focus on online dispute resolution-a dual path of legal innovation and technology synergy. At the institutional level, China and Indonesia should work together to push for changes to the Arbitration Law, recognize the legal effect of temporary arbitration on the platform, and set up a “negative list” mutual recognition model for cross-border ODR awards to avoid enforcing religiously sensitive disputes. In terms of technology integration, learn from the multi-language and privacy computing framework of the EU ODR platform, develop a blockchain mutual recognition system adapted to ASEAN, and balance Indonesia’s data localization policy with cross-border verification needs. Regional collaboration can rely on the China-Indonesia “Five Pillars” cooperation framework and set up an ODR joint working group to combine China’s technology-enabling experience with Indonesia’s localization rules (such as the religious compliance labeling system) to provide a “minimum consensus” template for ASEAN. It is necessary to pay attention to the ethical regulation of artificial intelligence for a long time to prevent the algorithm bias from eroding the fairness of culture-sensitive disputes.

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