

Legal Protection and Legal Certainty in International Electronic Contract Dispute Resolution

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Abstract. This research analyses legal protection and legal certainty in the resolution of international electronic contract disputes through Online Dispute Resolution (ODR). The study aims to examine the legal position of electronic contracts in international trade, the implementation of ODR in cross-border dispute settlement, and the legal certainty provided to parties involved in digital transactions. This research employs normative legal research using statutory, conceptual, and comparative approaches. Primary legal materials include Law Number 11 of 2008 concerning Electronic Information and Transactions as amended by Law Number 19 of 2016, the UNCITRAL Model Law on Electronic Commerce 1996, and UNCITRAL Technical Notes on Online Dispute Resolution. Secondary legal materials were obtained from books, journals, and previous legal studies. The analysis was conducted qualitatively through the interpretation of legal norms, principles, and doctrines related to international electronic contracts and digital dispute resolution. The results indicate that ODR provides effectiveness, efficiency, and flexibility in resolving international electronic contract disputes. However, its implementation still faces challenges related to jurisdiction, recognition of electronic decisions, digital data security, and the lack of harmonized regulations. The novelty of this research lies in integrating legal protection, legal certainty, and the legitimacy of digital decisions within international electronic contract dispute resolution systems.

Keywords: *Online Dispute Resolution; Electronic Contract; Legal Protection; Legal Certainty; International Contract Law.*

A. INTRODUCTION

The development of information technology and the globalization of trade have driven a major transformation in the system of international contractual relations through the use of electronic contracts in various cross-border digital trade activities. International business transactions, previously conducted conventionally, have now shifted to internet-based electronic systems through e-commerce platforms, global marketplaces, and other digital services. This condition causes the legal relationship between the parties to no longer be restricted by specific jurisdictional territories, thereby giving rise to various new legal issues, particularly concerning legal certainty and the resolution of international electronic contract disputes. Cross-border digital trade requires legal harmonization as a form of state legal protection for parties involved in international electronic transactions (Barkatullah, 2016).

The development of international electronic contracts also increases the potential for digital disputes resulting from breach of contract, violations of contract clauses, data breaches, and discrepancies in cross-border electronic transactions. Dispute resolution through conventional litigation mechanisms often faces obstacles such as jurisdictional differences, high resolution costs, lengthy trial processes, and difficulties in enforcing cross-border judgments. In this context, Online Dispute Resolution (ODR) has developed as a technology-based alternative dispute resolution that is considered more effective, rapid, and efficient in resolving international electronic disputes. ODR represents the future of modern dispute resolution because of its capability to integrate digital technology into cross-border electronic mediation and arbitration processes (Mania, 2015).

In Indonesia, international electronic transactions have experienced a significant increase along with the growth of the digital economy and the use of international trade platforms. However, this growth has not been matched by comprehensive legal regulations regarding the resolution of international electronic contract disputes. Rizkiana (2021) indicates that legal certainty for dispute resolution through ODR in Indonesian e-commerce transactions remains weak, as national regulations have not explicitly governed the ODR mechanism as a dispute resolution system with strong legal legitimacy. Furthermore, international electronic transactions present complex jurisdictional issues because the parties may be subject to the laws of different countries within a digitally established electronic contract (Cahyadi, 2019).

Another issue arises when international electronic contracts involve parties from different countries with non-uniform legal systems. In practice, the resolution of international electronic contract disputes frequently encounters ambiguity regarding the choice of law, choice of forum, recognition of electronic judgments, and the protection of the parties' rights within the digital dispute resolution system. The validity of electronic contracts under national laws and the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Electronic Commerce 1996 reveals that regulatory conflicts regarding the validity of electronic contracts persist, which potentially creates legal uncertainty for parties in international transactions (Syahrin, 2020).

Several previous studies have discussed the implementation of ODR in electronic commerce disputes and digital transactions. ODR is of high urgency in e-commerce dispute resolution because it offers cost and time efficiency compared to conventional litigation mechanisms (B. Singh, 2023). ODR provides more flexible and responsive access to dispute resolution in the digital era, despite still facing challenges related to information security and international legal legitimacy (Pathak, 2025). Nevertheless, most prior studies have focused more on the effectiveness of ODR technology and the technical implementation of digital dispute resolution, while studies regarding the legal protection of parties in international electronic contract disputes remain relatively limited.

The research gap in this study lies in the suboptimal analysis specifically addressing the legal protection of parties in resolving international electronic contract disputes through ODR mechanisms, particularly from the perspectives of international contract law and Indonesian national law. Previous research has tended to discuss general aspects of electronic transactions, the effectiveness of ODR, and digital contract jurisdiction, whereas aspects of legal protection, certainty of digital judgment recognition, and international regulatory harmonization have not been comprehensively examined. This condition indicates a gap between the development of international digital trade practices and the readiness of legal regulations to provide effective protection for parties in international electronic contract disputes.

The novelty of this study compared to previous research lies in its analytical focus on the legal protection of parties in resolving international electronic contract disputes through ODR by linking aspects of legal certainty, the legitimacy of digital judgments, and the harmonization of international contract law. This study not only discusses the effectiveness of ODR as a dispute resolution technology but also analyses how national legal systems and the principles of international contract law can provide legal protection for parties in cross-border digital transactions. Legal loopholes in international electronic contract dispute resolution without deeply examining the aspects of legal protection for the parties within international ODR mechanisms (Salsabil et al., 2022).

Based on the aforementioned description, the identification of problems in this study is crucial because the development of international electronic contracts requires a dispute resolution system that is not only digitally efficient but also capable of providing legal certainty

and protection for parties in cross-border transactions. Therefore, this study aims to analyse legal protection in the resolution of international electronic contract disputes through Online Dispute Resolution mechanisms and to examine the regulatory challenges from the perspectives of international contract law and Indonesian national law.

B. METHOD

This study employs a normative legal research method, focusing on the examination of norms, tenets, and legal principles related to the resolution of international electronic contract disputes through Online Dispute Resolution mechanisms. The research approaches applied include the statute approach, the conceptual approach, and the comparative approach. The research specification is descriptive-analytical, analysing the development of international electronic contract regulations and the legal protection of parties in cross-border digital dispute resolution. According to Soekanto & Mamudji (2010) normative legal research is conducted by examining library materials or secondary data as a basis for systematically analysing legal issues. The legal materials used consist of primary, secondary, and tertiary legal materials. Primary legal materials include the Indonesian Civil Code, Law Number 11 of 2008 concerning Electronic Information and Transactions as amended by Law Number 19 of 2016, as well as international legal instruments such as the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Electronic Commerce 1996. Meanwhile, secondary legal materials are obtained from national and international journals, scholarly books, and relevant prior research regarding international contract law and ODR.

The data collection method is conducted through library research by identifying, inventorying, and reviewing various statutory regulations, scientific journals, international legal documents, and legal literature related to the object of research. Subsequently, the data is analysed using a qualitative analysis method by systematically interpreting the legal materials to draw conclusions regarding the legal protection of the parties in international electronic contract dispute resolution through ODR mechanisms. According to Marzuki (2017) the analysis of legal materials in normative research is performed by examining the relationship between legal rules, legal principles, and legal doctrines to answer the legal issues under investigation. Therefore, the analysis in this study is carried out by comprehensively connecting national legal provisions, principles of international contract law, and the development of cross-border digital dispute resolution practices.

C. RESULTS AND DISCUSSION

1. The Legal Standing of Electronic Contracts in International Trade

The development of international digital trade has driven the use of electronic contracts as the primary instrument in various cross-border business transactions. International electronic contracts possess distinct characteristics compared to conventional contracts because they are formed through electronic systems without any physical meeting between the parties. In global trade practices, electronic contracts are widely utilized in e-commerce transactions, digital services, fintech, and international platform-based commerce. The existence of international electronic contracts is recognized in various international legal instruments, one of which is through the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Electronic Commerce 1996, which provides a basis for the recognition of electronic documents and signatures in international trade transactions. According to Sulaiman et al. (2023) the development of international electronic contracts is a consequence of the increasing integration of information technology-based global trade, which demands a legal system that is adaptive to digital transactions.

In Indonesia, the recognition of electronic contracts is regulated under Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 19 of 2016. These provisions state that electronic contracts hold valid legal force as long as they fulfil the validity requirements of an agreement as governed by the Indonesian Civil Code. Accordingly, international electronic contracts have fundamentally obtained legal legitimacy both nationally and internationally. However, in practice, various legal issues persist regarding contract validity, electronic evidence, jurisdiction, and cross-border dispute resolution. Barkatullah (2016) explains that the regulation of electronic contracts in Indonesia still faces challenges in providing legal certainty for cross-border transactions due to differences in legal systems and the rapid advancement of digital technology.

The development of electronic contracts cannot be separated from the increasing information technology-based international trade activities. The digitalization of trade has altered the pattern of legal relationships between business actors and consumers, which were previously conducted face-to-face, into electronic system-based relationships. According to Kesuma (2018) electronic contracts represent a form of modernization in contract law born out of the development of communication and information technology within global trade activities. The presence of electronic contracts provides convenience for parties to conduct business transactions without being restricted by space and time, thereby enhancing the efficiency of international trade. Furthermore, electronic contract systems also enable transaction processes to be executed automatically through the use of digital technology and online platforms.

From a civil law perspective, electronic contracts remain subject to the general principles of contract law as regulated under Article 1320 of the Indonesian Civil Code concerning the validity requirements of an agreement, namely: mutual consent, capacity to contract, a specific subject matter, and a lawful cause. The difference lies in the medium of contract formation, which is carried out through electronic systems. Emilda Kuspraningrum (2011) explains that electronic contracts maintain the same binding legal force as conventional contracts, provided they fulfil the essential elements of a valid agreement and are executed in good faith by the parties. Consequently, the utilization of electronic media in contract formation does not diminish the legal efficacy of an agreement in international trade transactions.

The existence of international electronic contracts is also supported by the development of various international legal instruments aimed at creating legal harmonization in global digital trade. Through the Model Law on Electronic Commerce 1996, UNCITRAL provides recognition for the use of data messages, electronic documents, and electronic signatures in international trade activities. This instrument asserts that the validity of electronic information cannot be denied solely on the grounds of its digital form. In addition, UNCITRAL developed the United Nations Convention on the Use of Electronic Communications in International Contracts 2005, which establishes a legal framework for the use of electronic communications in international contracts. According to Putri & Iskandar (2023) the harmonization of international electronic contract law has become an essential necessity to ensure legal certainty in global digital commerce.

Despite gaining legal recognition, the implementation of international electronic contracts still encounters various practical challenges. One of the primary issues relates to electronic evidence in international contract disputes. Electronic evidence frequently sparks debates regarding the authenticity of documents, the validity of digital signatures, and the security of the electronic systems utilized in transactions. Alomran & Al-Qassaymeh (2023) explains that electronic evidence in digital contracts requires a robust information security system to guarantee the authenticity and integrity of electronic documents as legal evidence.

Therefore, the existence of regulations governing the validity and security of electronic documents is critical to supporting the effectiveness of international electronic contracts.

In addition to evidentiary issues, jurisdictional disputes pose a major challenge in international electronic contracts. In cross-border digital transactions, parties often originate from different nations with non-uniform legal systems. This condition leads to complications regarding the choice of law and the choice of forum. In practice, many international electronic contracts utilize standard clauses unilaterally determined by digital platform providers, which potentially creates an imbalance in the bargaining positions of the parties. Research by Antonius Dwickly Cahyadi (2019) indicates that jurisdictional disputes in international electronic contracts are becoming increasingly complex because transactions are conducted virtually without clear national territorial boundaries.

The advancement of digital technology has also led to the emergence of new forms of electronic contracts, such as click-wrap agreements, browse-wrap agreements, and blockchain-based smart contracts. A smart contract is a self-executing contract run through program code within a blockchain network without requiring third-party intervention. While this technology offers high efficiency in contract enforcement, it simultaneously introduces new legal issues concerning the liability of the parties, the validity of digital consent, and automated dispute resolution mechanisms. According to Raskin (2016) smart contracts have the potential to revolutionize modern contract law systems due to their ability to automate agreement execution rapidly and transparently. This concept is closely linked to Blockchain, which is developing rapidly within the global digital trade system.

In the context of legal protection, the state plays a vital role in creating regulations capable of providing legal certainty for the use of international electronic contracts. Such regulations concern not only the legal recognition of electronic contracts but also personal data protection, electronic system security, and cross-border digital dispute resolution mechanisms. In Indonesia, the Electronic Information and Transactions Law serves as an essential foundation for regulating electronic contracts; however, further comprehensive regulatory strengthening regarding international digital transactions remains necessary. Zhao (2023) explains that the expansion of international digital trade requires national regulatory reform to accommodate the dynamics of cross-border electronic transactions more effectively.

Based on the analysis, the legal standing of electronic contracts in international trade has fundamentally attained legal legitimacy both at national and international levels. Electronic contracts serve as vital instruments in supporting the efficacy of cross-border digital trade by offering efficiency, flexibility, and transactional convenience for the parties involved. Nevertheless, the evolution of international electronic contracts also brings forward various legal challenges concerning contract validity, electronic evidence, jurisdiction, data security, and cross-border dispute resolution. Therefore, the harmonization of national and international regulations constitutes a crucial step toward establishing legal certainty and protection for parties involved in international electronic contracts.

2. The Implementation of Online Dispute Resolution in International Electronic Contract Disputes

The increasing utilization of international electronic contracts has expanded the potential for digital disputes. These disputes can manifest as breaches of contract, violations of contractual clauses, transactional discrepancies, or the misuse of electronic data. Dispute resolution through conventional litigation is frequently deemed ineffective due to high costs, lengthy processes, and cross-border jurisdictional constraints. Consequently, ODR has emerged as a technology-based alternative dispute resolution mechanism that is considered more effective and efficient. According to K. B. G. Singh (2023) the development of ODR is a

logical consequence of the growth in global e-commerce activities, which demand a dispute resolution system that is rapid, flexible, and capable of addressing cross-border transactions digitally.

ODR is a dispute resolution mechanism conducted online through electronic media, utilizing internet technology within negotiation, mediation, and arbitration processes. This system offers convenience to the parties involved as the dispute resolution process can be executed without a physical presence and is not restricted by specific geographical boundaries. Mania (2015) explains that ODR has become an essential component in the evolution of modern dispute resolution systems because it accommodates the rapid and flexible needs of international electronic commerce. The implementation of ODR is also viewed as capable of reducing transaction costs and accelerating case resolution compared to conventional litigation mechanisms.

In international practice, ODR has been utilized by various global e-commerce platforms as a dispute resolution mechanism for consumers and cross-border digital transactions. Electronic commerce platforms such as eBay and PayPal employ ODR systems to resolve millions of consumer disputes online each year. The use of such systems demonstrates that ODR provides high efficiency in resolving international digital trade disputes. According to Rule (2020) the application of ODR on international digital platforms successfully enhances access to justice because parties can resolve disputes rapidly without having to attend hearings in person.

The expansion of ODR is not limited to consumer disputes in e-commerce; it is also being applied to more complex international business disputes. ODR is currently utilized in international arbitration processes, fintech dispute resolutions, digital asset transactions, and blockchain-based contract disputes. The presence of digital technology allows mediation and arbitration processes to be conducted via video conferencing, electronic document systems, and the use of digital signatures during online proceedings. According to Chauhan (2023) the integration of technology into international arbitration systems provides significant opportunities for creating a more modern and efficient dispute resolution framework compared to conventional mechanisms.

From an international law perspective, the implementation of ODR is closely linked to the harmonization of global digital trade law. The United Nations Commission on International Trade Law (UNCITRAL) has been one of the international organizations actively promoting the development of online dispute resolution systems through the *UNCITRAL Technical Notes on Online Dispute Resolution*. This document provides general guidelines regarding the application of ODR in cross-border electronic commerce disputes, particularly for low-value disputes. The existence of these guidelines indicates that ODR is beginning to gain recognition as part of the modern international dispute resolution mechanism.

Nevertheless, the implementation of ODR still encounters various legal and technical challenges in international practice. One of the primary issues relates to the legal legitimacy of decisions rendered through online systems. In several countries, decisions resulting from ODR do not yet possess clear executory force because they have not been specifically regulated under national legislation. K. B. G. Singh (2023) explains that the greatest challenge for ODR lies in the cross-border recognition and enforcement of electronic awards, which still face differences among national legal systems.

In addition to legal legitimacy issues, digital data security represents a critical challenge in ODR implementation. Online dispute resolution processes involve the exchange of electronic documents, personal data, and confidential business information over the internet. This condition poses risks of data breaches, cyberattacks, and the misuse of electronic information if not supported by an adequate digital security system. Bondarenko et al. (2022)

explains that personal data protection and information system security are essential elements in ensuring the effectiveness of and public trust in international ODR mechanisms.

In Indonesia, the implementation of ODR remains in a developmental stage and has not been specifically regulated within the national legal system. Existing regulations focus primarily on electronic transactions and conventional arbitration without providing specific provisions for international digital dispute resolution mechanisms. Nikam & Singh (2022) indicates that the absence of specific regulations concerning ODR causes legal uncertainty regarding the enforcement and recognition mechanisms of electronic dispute decisions in Indonesia. Consequently, the application of ODR in international electronic contract disputes still faces obstacles in terms of legal legitimacy and the certainty of decision enforcement.

Furthermore, technological infrastructure readiness and public digital literacy are crucial factors in ODR implementation. Online dispute resolution requires adequate internet access, a sound digital security system, and the proficiency of the parties in utilizing information technology. In practice, not all parties possess equal technological capabilities and access, which potentially creates imbalances in the dispute resolution process. Rayón Ballesteros & González Ávila (2024) explains that the effectiveness of ODR is heavily influenced by digital infrastructure readiness and the support of national regulations capable of guaranteeing the protection of the parties' rights during electronic dispute resolution processes.

Based on the analysis, the implementation of ODR in international electronic contract disputes holds substantial potential as a modern dispute resolution mechanism that is effective, efficient, and aligned with the evolution of global digital trade. ODR is capable of providing ease of access, cost efficiency, and expedited cross-border dispute resolution through the use of digital technology. However, the effectiveness of ODR application still faces various challenges concerning legal legitimacy, the recognition of electronic awards, digital data security, and international regulatory harmonization. Therefore, strengthening national and international regulations is imperative so that ODR implementation can offer optimal legal certainty and protection for parties involved in international electronic contract disputes.

3. Legal Protection of Parties in Dispute Resolution through Online Dispute Resolution

Legal protection for parties in the resolution of international electronic contract disputes constitutes a vital aspect of implementing Online Dispute Resolution (ODR). This legal protection encompasses the certainty of the parties' identities, the validity of electronic contracts, the security of electronic systems, data confidentiality, and the certainty of enforcing dispute resolution awards. Within the context of international contracts, legal protection also relates to the application of the principle of good faith, the balance of rights and obligations between the parties, and legal certainty for cross-border transactions. According to Bhushan (2023) legal protection in ODR must be capable of ensuring procedural transparency, equal access for the parties, and the security of the digital systems utilized in the electronic dispute resolution process.

The expansion of international digital trade has rendered the legal relationships between parties increasingly complex, as transactions are executed through electronic systems involving multiple state jurisdictions. This condition poses new challenges in providing legal protection for parties involved in international electronic contract disputes. In practice, parties frequently encounter issues regarding ambiguous digital identities, electronic data security, and differing national legal systems that affect the enforcement of dispute resolutions. Jiménez et al. (2022) explains that legal protection within an ODR system must be supported by digital identity verification mechanisms and robust data security to guarantee the parties' trust in the online dispute resolution process.

One critical aspect of legal protection in ODR is the validity of the electronic contract as the foundation of the parties' legal relationship. International electronic contracts must fulfil the validity requirements of an agreement as governed by the principles of international contract law and the respective national laws of each country. The validity of electronic contracts is paramount because the entire transaction and dispute resolution processes are conducted via digital media without any physical meeting between the parties. Syahrin (2020) explains that the recognition of electronic contracts must be accompanied by clear provisions regarding the evidentiary weight of electronic documents and digital signatures to provide legal certainty in international transactions.

In addition to contract validity, legal protection in ODR is closely tied to electronic system security and the protection of the parties' personal data. During the online dispute resolution process, parties exchange electronic documents, business data, and personal information over the internet network. This condition creates risks of data breaches, cyberattacks, and the misuse of electronic information if it is not supported by an adequate security system. According to Wu & Zheng (2020) the protection of electronic data is an essential component of the digital evidentiary system, as it relates directly to the integrity and authenticity of the electronic information used in legal proceedings.

In international practice, legal protection for parties in ODR also concerns the application of the principle of due process of law in digital dispute resolution. This principle emphasizes that each party must receive an equal opportunity to present arguments, submit evidence, and obtain a fair decision throughout the dispute resolution process. Alessa (2022) explains that an effective ODR system must be capable of maintaining a balance of the parties' rights, even though the dispute resolution process is automated and based on digital technology. Therefore, the application of the principle of procedural justice is a crucial element in providing legal legitimacy to the international ODR system.

The primary issue in international ODR legal protection lies in the absence of harmonized regulations that comprehensively govern digital dispute resolution mechanisms. While some countries have accommodated electronic-based dispute resolution systems, others still rely on conventional legal frameworks that do not fully recognize digital awards. Consequently, the enforcement of international ODR decisions frequently encounters legal hurdles in cross-border recognition and execution processes. Nolan-haley (2020) explains that differences among national legal systems act as the main barrier to the enforcement of international electronic dispute resolution awards.

Beyond regulatory harmonization, legal protection in ODR is also linked to the clarity of jurisdiction and choice of law in international electronic contract disputes. In digital trade practices, electronic contracts are often formed through global platforms involving parties from different nations. This situation gives rise to complications regarding which country's law applies and which dispute resolution forum holds jurisdiction. Dwicky Cahyadi (2019) indicates that jurisdictional disputes in international electronic transactions are becoming increasingly complex due to the borderless nature of digital transactions.

In Indonesia, framework provisions for ODR have not been specifically regulated within the national legal system. Existing regulations focus more on electronic transactions and conventional arbitration without offering specialized rules for international digital dispute resolution mechanisms. This condition leads to a vacuum of legal norms regarding the implementation procedures and binding legal force of international ODR awards. El Maknouzi et al. (2023) explains that the absence of specific regulations concerning ODR in Indonesia results in legal uncertainty regarding the enforcement of cross-border electronic dispute awards.

Furthermore, legal protection for parties in ODR is influenced by the readiness of technological infrastructure and the public's level of digital literacy. Conducting dispute resolution online requires adequate internet access, a sound digital security system, and the proficiency of the parties in using information technology. In practice, not all parties possess equal technological capabilities, which potentially creates disparities in access to digital justice. B. Singh (2023) explains that the effectiveness of legal protection in ODR is heavily contingent upon digital infrastructure readiness and regulatory support capable of safeguarding the parties' rights within the electronic dispute resolution system.

Based on the analysis, legal protection for parties in dispute resolution through ODR is an essential aspect of supporting the effectiveness of international digital dispute resolution systems. This legal protection encompasses electronic contract validity, digital data security, jurisdictional certainty, and the legitimacy of cross-border electronic award enforcement. However, the implementation of legal protection in ODR still faces various challenges due to the lack of international regulatory harmonization and the limitations of national legal frameworks. Therefore, strengthening national regulations, harmonizing international laws, and enhancing digital system security are imperative to enable ODR to provide optimal legal certainty and protection for parties involved in international electronic contract disputes.

4. Legal Certainty Analysis of Online Dispute Resolution in International Contract Law

Legal certainty constitutes an essential element in the resolution of international electronic contract disputes through Online Dispute Resolution (ODR). A digital dispute resolution system must be capable of providing guarantees regarding procedural validity, the protection of the parties' rights, and the certainty of enforcing the resulting decisions. Within the perspective of international contract law, legal certainty also relates to provisions regarding jurisdiction, choice of law, and the recognition of foreign awards in cross-border digital disputes. According to K. B. G. Singh (2023) legal certainty in ODR serves as a primary factor in determining the effectiveness of international digital dispute resolution systems because parties require assurance that the rendered decisions possess legal legitimacy and are enforceable across borders.

The expansion of global digital trade has led to the increasing utilization of international electronic contracts in various cross-border business activities. This condition creates a demand for a dispute resolution system capable of providing both efficiency and legal certainty in digital transactions. ODR emerges as a modern dispute resolution mechanism that harnesses internet technology within online negotiation, mediation, and arbitration processes. According to Ajam et al. (2021) ODR represents an evolution of the dispute resolution system that adapts to the development of the digital society and the fast-paced demands of international electronic commerce.

In practice, legal certainty in ODR is profoundly tied to the procedural validity of electronic dispute resolution. An ODR system must be able to ensure that all stages of dispute resolution are conducted transparently, fairly, and in accordance with the principles of international contract law. This process encompasses the clarity of the parties' identities, the validity of electronic documents, the security of digital communications, and the efficacy of consent given electronically. Jiménez et al. (2022) explains that legal certainty in ODR concerns not only the final decision but also the integrity of the electronic system utilized throughout the dispute resolution process.

Legal certainty in ODR is also influenced by provisions regarding the choice of law and choice of forum in international electronic contracts. In cross-border digital transactions, parties often originate from different legal jurisdictions, which potentially leads to conflicts of

law in dispute resolution. Therefore, the choice of law clause serves as a vital instrument in determining the governing law applicable to international electronic contract disputes. Obiri-Korang (2022) explains that legal certainty in international contracts is heavily influenced by the clarity of choice of law arrangements to avoid jurisdictional conflicts between states.

In addition to choice of law issues, the recognition and enforcement of international ODR decisions are crucial to achieving legal certainty. In international practice, digital dispute resolution awards frequently face legal recognition hurdles because not all countries possess regulations that accommodate electronic decisions. Some countries still mandate written forms of decisions and conventional procedures in the enforcement process of international arbitration awards or mediations. Chauhan (2023) explains that one of the greatest challenges of ODR is creating a digital award recognition system that is universally accepted within international law.

Within the context of international law, the United Nations Commission on International Trade Law (UNCITRAL) has endeavoured to promote the harmonization of ODR regulations through various international trade law instruments. The *UNCITRAL Technical Notes on Online Dispute Resolution* provide guidelines regarding the implementation of online dispute resolution in cross-border electronic commerce transactions, particularly for low-value disputes. The presence of these guidelines indicates that the international community has begun to recognize the importance of ODR as part of the modern dispute resolution system. However, these guidelines remain recommendatory in nature, meaning their implementation depends entirely on the legal policies of each respective country.

In Indonesia, legal certainty for ODR still encounters various obstacles due to the absence of specific regulations governing international digital dispute resolution mechanisms. The Electronic Information and Transactions Law only provides recognition for electronic documents and digital transactions without regulating ODR implementation procedures in detail. Meanwhile, the Law on Arbitration and Alternative Dispute Resolution remains oriented toward conventional dispute resolution mechanisms. Nikam & Singh (2022) indicates that the regulatory vacuum regarding ODR in Indonesia results in legal uncertainty concerning the binding force and enforcement of international electronic dispute awards.

Another issue affecting legal certainty in ODR is electronic system security and digital data protection. The entire dispute resolution process is conducted over internet networks that are vulnerable to cyberattacks, data manipulation, and electronic information breaches. Therefore, legal certainty in ODR must also be supported by a digital security system capable of guaranteeing the confidentiality and integrity of the parties' data. van de Hoven et al. (2021) explains that the protection of electronic data is a critical component in fostering public trust toward digital legal systems.

Furthermore, the effectiveness of legal certainty in ODR is influenced by the readiness of technological infrastructure and the capability of human resources to comprehend digital dispute resolution systems. Implementing ODR requires adequate information technology support, stable internet access, and the proficiency of both the parties and law enforcement officials in utilizing digital technology. Ameyaw & de Vries (2023) explains that the success of ODR implementation is highly contingent upon digital infrastructure readiness and national regulatory support that is adaptive to the development of information technology.

Based on the analysis, the application of ODR holds substantial potential to become an effective modern dispute resolution mechanism aligned with the evolution of global digital trade. ODR is capable of providing cost efficiency, an accelerated dispute resolution process, and ease of cross-border access through the utilization of digital technology. However, the effectiveness of this system depends heavily on the readiness of national and international legal regulations in governing the recognition of electronic awards, digital data protection, and the

legitimacy of online dispute resolution processes. Therefore, strengthening national regulations on ODR, harmonizing international contract law, and enhancing electronic system security constitute imperative steps toward establishing a digital dispute resolution system capable of providing legal certainty and protection for parties involved in international electronic contract disputes.

D. CONCLUSION

This study concludes that the resolution of international electronic contract disputes through Online Dispute Resolution (ODR) holds significant potential as a modern, rapid, and efficient dispute resolution mechanism in supporting the development of global digital trade. Although the legal standing of electronic contracts has attained legal legitimacy within both national laws and international legal instruments, the implementation of ODR still encounters various challenges. These include jurisdictional uncertainty, the cross-border recognition of electronic awards, digital data protection, and the suboptimal harmonization of international and national regulations, particularly in Indonesia. The novelty of this study lies in its analysis of the legal protection of parties within ODR, which goes beyond merely emphasizing the technological effectiveness of digital dispute resolution to integrate aspects of legal certainty, the legitimacy of electronic awards, and the harmonization of international contract law. Therefore, strengthening national regulations, harmonizing international laws, and enhancing digital system security constitute imperative steps toward establishing optimal legal protection and legal certainty for parties involved in international electronic contract disputes.

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