

Implementation of personal data protection based on dignity justice

Japansen Sinaga*, Rolib Sitorus^{ORCID}, Joy Zaman Felix Saragih

Program Studi Hukum, Universitas Pelita Harapan, Klp. Dua, Kecamatan Kelapa Dua, Kabupaten Tangerang, Banten 15810, Indonesia
*e-mail: japansen.sinaga@lecturer.uph.edu

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ABSTRACT

This study analyzes the implementation of personal data protection in Indonesia, focusing on the concept of dignified justice. This is motivated by the rampant incidents of personal data breaches that cause material and immaterial losses and question the extent to which the existing legal framework can guarantee individual rights fairly and with dignity. The main objective of this study is to evaluate the effectiveness of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) in realizing dignified justice and to identify challenges and opportunities in its implementation. This study uses a normative legal research method with a statutory and conceptual approach to analyze regulations, legal doctrines, and related case studies. The main findings indicate that although the PDP Law has been a significant step forward, there are still gaps in its implementation, especially regarding mechanisms for restoring victims' rights, the transparency of data processing, and the accountability of data controllers, which have not fully reflected the principle of dignified justice. The implementation of personal data protection is often hampered by the public's low digital literacy and the suboptimal capacity of law enforcement. Ultimately, to achieve personal data protection based on dignified justice, compliance with regulations and strengthening human rights values in every aspect of data handling, from collection to dispute resolution, by prioritizing individual dignity, are required.

Keywords: data breach; digital literacy; dignified; personal; protection

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1. INTRODUCTION

Personal data protection is becoming an increasingly crucial issue in the digital era, along with society's increasing dependence on information technology. Every daily activity of the community, from communication and financial transactions to the use of health services and education, involves the exchange of personal data online. In the midst of this convenience, there is a risk of misuse of personal information that can threaten the basic rights of citizens (Abdullah et al., 2025; Palit & Purba, 2025).

In Indonesia, the rapid growth of Internet users has not been matched by adequate data protection awareness and infrastructure. Many individuals voluntarily share their personal data without understanding that it can be used for commercial, manipulative, or even criminal purposes. Consequently, society is the most vulnerable to digital exploitation (Hidayat, 2025; Pratiwi & Miarsa, 2025).

The phenomenon of personal data leakage has become a serious problem in Indonesia. Several major incidents, such as the alleged data leak of 279 million residents from BPJS Kesehatan in 2021 and the hacking of KPU voter data, show the weakness of the cybersecurity system in government institutions. Worse, the leaked data include sensitive information such as population identification numbers (NIK), addresses, and medical records. In addition to public agencies, the private sector is also not spared from this problem. Many online applications, such as e-commerce, online loan services, and social media platforms, collect and store large amounts of users' personal data but do not have a strong protection system. Privacy-ignorant business practices place users as vulnerable objects for abuse (Aura et al., 2025; Mangunsong et al., 2025; Anindya & Subiyanto, 2025).

Personal data are not just a series of numbers or information but are part of human identity and dignity. Neglecting data protection also means ignoring an individual's right to a sense of security, privacy, and recognition of dignity in digital life. Therefore, data protection must be seen as an instrument for fulfilling dignified justice. The concept of dignified justice places every individual as a legal subject entitled to humane treatment in all aspects, including the digital realm. When a person's data are accessed and used without their knowledge, a violation of dignity occurs. The impact can take the form of economic losses, defamation, and psychological distress (Rahmadani et al., 2025; Palit & Purba, 2025).

In the context of national law, the protection of personal data has a strong foundation in Article 28G, paragraph (1) of the 1945 Constitution, which guarantees the right to a sense of security and protection of personal information. Unfortunately, before the birth of Law No. 27 of 2022 concerning Personal Data Protection (PDP Law), Indonesia only relied on scattered sectoral rules and did not have firm enforcement power. The PDP Law is an important milestone in the protection of privacy in Indonesia. This law regulates the rights of data subjects and the obligations of data controllers and processors, and establishes administrative and criminal sanctions for violations. However, its effectiveness depends heavily on the establishment of an independent supervisory authority and the active participation of the community (Simanjuntak, 2025; Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 5 Tahun 2025).

The digital literacy of the Indonesian population remains low. Many people do not understand the importance of protecting personal data, including how to protect it in cyberspace. This is an obstacle to the implementation of the PDP Law because public awareness is the main prerequisite for the success of legal protection. The digital culture in Indonesia, which tends to be permissive towards the provision of personal information, coupled with a low understanding of digital risks, makes many citizens easily deceived by cybercrime modes such as phishing and social engineering. Personal data breaches are often unrealized and cause significant losses (Pratiwi & Miarsa, 2025; Firdaus & Wardhani, 2025).

From the perspective of social justice, the protection of personal data must also pay attention to vulnerable groups. Children, the elderly, and the digitally poor do not have sufficient access to understand their digital rights. The state has a responsibility to provide extra protection to ensure that they do not become victims of data exploitation (Palit & Purba, 2025; Salsabila & Wiraguna, 2025).

At the international level, data protection has become a strategic concern. Countries such as those in the European Union have implemented strict regulations, such as the General Data Protection Regulation (GDPR). As part of the global community, Indonesia needs to adjust so as not to be left

behind, both in terms of law and the implementation of technology that respects privacy. This overall description shows that the protection of personal data is not only a technical issue but also concerns ethical, legal, social, and human dignity dimensions. The state, business actors, and society must work together to create a fair, safe, and dignified digital ecosystem for all citizens (Simanjuntak, 2025; Ongkowitz & Marsal, 2025).

The protection of personal data has become a critical issue in the rapidly evolving digital era. Individuals are increasingly engaged in activities involving the collection, processing, and storage of personal information through digital platforms. In this context, the implementation of personal data protection must not merely rely on formal legal compliance but also be grounded in the principle of dignity justice, which emphasizes respect for human values and fundamental rights. The concept of dignity justice places human beings at the center as subjects with inherent worth and inalienable rights. In the realm of personal data protection, this principle requires that all data-processing activities respect individual privacy, autonomy, and the right to control personal information. Thus, data protection is not only a regulatory obligation but also a reflection of respect for the human dignity. Furthermore, business entities and electronic system providers bear substantial responsibility for protecting user data. They are required not only to implement technical security measures but also to internalize the values of dignity and justice in every aspect of data management. This includes ensuring transparency, obtaining valid consent, and maintaining accountability in the event of data breaches (Abdullah et al., 2025; Varany & Sumanto, 2025).

This study is grounded in the problem of inadequate implementation of personal data protection frameworks that often prioritize formal compliance over the substantive protection of human dignity. Accordingly, the objective of this research is to analyze and develop a model for implementing personal data protection based on the principle of dignity justice, ensuring that legal, ethical, and human rights dimensions are fully integrated into the model. This study employs a normative juridical method, supported by conceptual and statutory approaches, to examine existing legal frameworks and their alignment with the principles of dignity-based justice. The novelty of this research lies in its integrative approach, which positions dignity justice not merely as a philosophical foundation but as an operational framework for personal data protection, offering a more human-centered and value-oriented model than conventional regulatory approaches (Palit & Purba, 2025; Rahmadani et al., 2025).

2. METHODOLOGY

This study uses a normative legal research method *that* focuses on the study of legal norms written in laws and regulations, legal doctrines, legal principles, and relevant court decisions. This study aims to analyze how positive laws in Indonesia—especially Law Number 27 of 2022 concerning Personal Data Protection (PDP Law)—regulate the protection of individual rights in the digital space, and relate it to the concept of dignity justice as a basic value in humanistic and fair law enforcement. This type of research is prescriptive and evaluative, aiming to provide normative arguments about how the law should regulate and guarantee the protection of personal data for the realization of dignified justice. This research not only explains the existing legal structure but also examines the relevance and suitability of positive norms and justice values that favor human dignity (Syaukani, 2025; Wiraguna, 2025).

The approach in this study uses several approaches through the concept of a statute *approach*, namely through provisions in laws and regulations that regulate personal data, especially Law Number 27 of 2022, the Electronic Information and Transaction Law (ITE Law), and the 1945 Constitution Article 28G paragraph (1), which provides a constitutional basis for the protection of privacy and a sense of security for citizens. The conceptual *approach is used to understand and explore the concept of dignified justice* as developed, which is a value framework in assessing the substance and direction of legal protection of personal data in Indonesia. This approach is important to connect legal norms with ethical and moral values of law that uphold human dignity (Peraturan Pemerintah Republik Indonesia Nomor 17 Tahun 2025; Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 6 Tahun 2025).

3. RESULT AND DISCUSSION

3.1. Implementation of Personal Data Protection in Indonesia in the Context of Dignity Justice

The implementation of personal data protection in Indonesia is becoming increasingly important, along with the increase in people's digital activities in various aspects of life. In this era of digital transformation, personal data have become valuable commodities, both economically and politically. However, the value of the data lies not only in commercial interests but also in its existence as an extension of human identity and dignity itself (Varany & Sumanto, 2025; Simanjuntak, 2025).

Prior to the advent of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law), personal data protection in Indonesia was sectoral and non-integrated, spread across various regulations such as the ITE Law, Population Law, and financial or health sector regulations. As a result, many violations of personal data cannot be acted upon comprehensively and completely due to the absence of a main legal umbrella that regulates them specifically. The PDP Law was an important milestone in the protection of citizens' digital rights. This law recognizes the rights of data subjects to obtain information, consent to data processing, withdraw consent, access and correct data, and demand the deletion of personal data. This reflects that the state recognizes individuals as legal subjects with sovereignty over their data (Simanjuntak, 2025; Ongkowitz & Marsal, 2025).

However, the PDP Law's implementation still faces various challenges. One of these is the lack of an independent supervisory institution, as mandated in Article 58 of the PDP Law. The absence of this institution weakens supervision and law enforcement mechanisms and makes it difficult for the public to complain about the violations they experience. However, the low digital literacy of the Indonesian people is also a major obstacle. Many citizens do not understand the importance of personal data protection and are even inclined to voluntarily hand over their sensitive information to unaccountable apps or sites. This unawareness makes people more vulnerable to becoming victims of data breaches and digital exploitation (Rinjani & Firmansyah, 2025; Salsabila & Wiraguna, 2025).

In the context of dignified justice, the implementation of personal data protection must not stop at administrative compliance with the law but must be oriented towards respect and restoration of violated human dignity. Dignity justice places the law as a means to protect human beings as moral creatures, with feelings and intrinsic value. Effective personal data protection is part of substantive justice. When a person becomes a victim of a data leak or misuse of personal information, the state must not only impose administrative sanctions against the perpetrator but also restore the victim's rights and recognize that their dignity has been degraded. This approach distinguishes dignified justice from procedural justice (Palit & Purba, 2025; Rahmadani et al., 2025).

The implementation of personal data protection must also pay attention to the principles of non-discrimination and inclusivity. In practice, vulnerable groups, such as children, the elderly, and people with limited access to technology, tend to be at a higher risk of data breaches. Dignified justice demands affirmative policies to provide more protection for this group. The role of the state in realizing dignified personal data protection lies not only in legislation but also in educating and strengthening public capacity. The government needs to build a healthy digital ecosystem through public education, data protection certification for business actors, and the provision of easy and accountable complaint facilities for victims of data breaches (Peraturan Pemerintah Republik Indonesia Nomor 17 Tahun 2025; Salsabila & Wiraguna, 2025).

Business actors and electronic system operators must also internalize the values of dignity and justice in their operations. Compliance with the PDP Law should not be viewed simply as a legal obligation but as a form of ethical responsibility to users. The protection of personal data should be part of a corporate culture that respects privacy and individual rights (Hidayat, 2025; Fitri et al., 2025).

In the long term, the implementation of personal data protection based on dignified justice will strengthen public trust in the law and the digital system. Trust is essential for building an inclusive, equitable, and sustainable digital economy. A country that can protect the dignity of its citizens in the digital space deserves to be called a civilized country of law. Thus, the relationship between the implementation of personal data protection and dignified justice is not purely instrumental but

fundamental and ideological. Both are based on the recognition that every human being is a subject of law whose dignity must be protected in all spaces, including the digital space.

Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) is an important legal breakthrough in answering the need to protect citizens' digital rights. One of its advantages is the explicit recognition of the rights of data subjects, such as the right to consent, access, correction, and deletion of personal data. This shows that states are beginning to recognize the sovereignty of individuals over their personal data, which is in line with the basic principles of dignified justice, namely, respect for human dignity and autonomy as subjects of law (Simanjuntak, 2025; Abdullah et al., 2025).

The PDP Law introduces an obligation for data controllers and processors to apply the principles of accountability, transparency, and restriction of data processing. This regulation provides more systematic and in-depth protection than previous sectoral approaches. Thus, the PDP Law has great potential as a legal instrument that supports the realization of a fair and humane digital society order in which individuals are not solely the objects of data exploitation. The PDP Law still has a number of shortcomings that have the potential to hinder the achievement of full dignified justice. One of the main weaknesses is the lack of an independent supervisory authority, which is key to supervisory and law enforcement functions. Without this institution, the implementation of legal norms tends to be declarative and less effective in providing real guarantees for the restoration of the rights and dignity of victims of data breaches (Ongkowiguno & Marsal, 2025; Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 5 Tahun 2025).

However, the PDP Law is still weak in terms of affirmative justice for vulnerable groups, such as children, people with disabilities, and people with limited digital literacy. These regulations have not fully accommodated social justice-based protections that consider gaps in access to technology and legal understanding. In fact, dignified justice demands not only formal equality but also substantive justice that guarantees that all individuals, including the vulnerable, are proportionately protected (Palit & Purba, 2025; Peraturan Pemerintah Republik Indonesia Nomor 17 Tahun 2025).

3.2. Challenges and Opportunities in Implementing Personal Data Protection Based on Dignity Justice

The implementation of personal data protection in Indonesia based on dignified justice is a necessity amidst massive digitalization. In the paradigm of dignity justice, the law is not only positioned as a formal rule but also as a tool to glorify human dignity. Therefore, the success of the implementation of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) must be measured not only in terms of its legal effectiveness but also in terms of the extent to which it can guarantee the rights and dignity of individuals in the digital world (Varany & Sumanto, 2025; Rinjani & Firmansyah, 2025).

One of the main challenges in implementing personal data protection is the low awareness and digital literacy of the public. Many Internet users in Indonesia do not understand the importance of protecting personal data, including their rights as data subjects. This ignorance makes individuals more likely to carelessly hand over sensitive information, which has the potential to be misused by irresponsible parties. In the context of dignified justice, this condition hinders the realization of equal and substantial protection for all groups in society (Pratiwi & Miarsa, 2025; Firdaus & Wardhani, 2025).

The second challenge is the lack of an independent supervisory authority, as mandated by the PDP Law. This institution plays a crucial role in supervising, examining, and prosecuting data breaches. Without an independent authority, the complaint mechanism and legal protection for victims of data leaks become suboptimal. This creates a vacuum in the restoration of victims' dignity, which should be a priority within the framework of dignified justice (Rinjani & Firmansyah, 2025; Salsabila & Wiraguna, 2025).

The readiness of technology and cybersecurity infrastructure is also a serious challenge. Many public and private institutions do not have robust data security systems in place that meet international standards. This weakness leads to a high risk of leakage or theft of personal information. In such a situation, the state must take a proactive role, not only regulating but also encouraging the strengthening of institutional capacity and human resources in the field of data protection. Another challenge in terms of regulation is the synchronization between the PDP Law and other sectoral laws, such as the ITE Law, Consumer Law,

and Population Administration Law. Disharmony in regulations can lead to overlapping authorities or legal loopholes that can be used to avoid responsibility. In fact, from the perspective of dignified justice, an effective legal system must be holistic, harmonious, and not confuse the public in demanding the protection of their rights ([Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 6 Tahun 2025](#); [Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 7 Tahun 2025](#)).

Despite the many challenges, there is also presents a great opportunity to encourage dignified digital justice. The first is the increasing global awareness of the importance of privacy and digital rights. This trend can be a momentum for Indonesia to strengthen its legal position in the eyes of the international community and simultaneously protect its citizens more comprehensively in the borderless digital space. Another opportunity lies in the PDP Law's ability to encourage legal culture reform in Indonesia, especially in the business world. With clear administrative and criminal sanctions, business actors are required to manage user data ethically and transparently. This is in line with the value of dignity justice, which demands that business entities have moral responsibility for the rights and dignity of consumers ([Ongkowitz & Marsal, 2025](#); [Abdullah et al., 2025](#)).

The PDP Law can also serve as an educational and advocacy platform for civil society. With the support of community institutions, academics, and the media, the implementation of data protection can be strengthened through counseling, training, and the formation of public opinion that is critical of data misuse practices. Public participation like this creates a vibrant and dynamic justice ecosystem that is not dependent on the state. Another important opportunity is to strengthen the principle of affirmative justice in data protection. Governments and relevant agencies can design policies that specifically protect vulnerable groups, such as children, people with disabilities, and the digitally poor. With this approach, data protection applies not only evenly but also fairly according to the needs and vulnerabilities of each group ([Pratiwi & Miarsa, 2025](#); [Hartanto et al., 2025](#)).

The implementation of personal data protection based on dignified justice requires a combination of legal awareness, institutional strength and ethical values. The challenges that exist are not reasons for pessimism but rather the driving force for the birth of a more humane legal system. When digital laws are enforced by prioritizing dignity, Indonesia will be able to bring true justice in the era of technological transformation ([Varany & Sumanto, 2025](#); [Palit & Purba, 2025](#)).

To realize the implementation of truly dignified personal data protection, the first step that needs to be taken is to accelerate the establishment of an independent supervisory authority as mandated in Law Number 27 of 2022 concerning Personal Data Protection (PDP Law). This authority must be autonomous, free from political interference or commercial interests, and have full authority to receive complaints, conduct investigations and impose sanctions for data breaches. Without this institution, legal protection for individuals would be declarative and difficult to realize in real terms ([Rinjani & Firmansyah, 2025](#); [Salsabila & Wiraguna, 2025](#)).

The second recommendation is to increase digital literacy and public awareness of the importance of personal data as a part of human rights and dignity. The government and industry players must actively educate the public through digital literacy campaigns that reach various age groups and regions, especially vulnerable communities. Public awareness is an important prerequisite for building a participatory and equitable digital ecosystem, where individuals are aware of their rights and can take proactive steps to protect their data ([Pratiwi & Miarsa, 2025](#); [Firdaus & Wardhani, 2025](#)).

Furthermore, sectoral regulations should be strengthened and laws harmonized to avoid fragmentation of personal data protection. The government must align the PDP Law with other related laws, such as the ITE Law, Health Law, and Population Law, to avoid overlapping norms and legal loopholes. In the spirit of dignified justice, this harmonization is important so that the law does not become a confusing tool or make it difficult for victims of data breaches to get justice ([Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 5 Tahun 2025](#); [Peraturan Menteri Komunikasi dan Digital Republik Indonesia Nomor 6 Tahun 2025](#)).

The last recommendation is to instill the principles of digital ethics and social responsibility in the business and public services. Business actors must not only comply with the PDP Law as a legal obligation but also internalize the values of justice and respect for the dignity of users. True justice glorifies humans

rather than merely enforcing rules. Thus, the protection of personal data will truly be the embodiment of a living and dignified law (Fitri et al., 2025; Hidayat, 2025).

4. CONCLUSION

The implementation of personal data protection in Indonesia in the context of dignified justice is a strategic and fundamental step to ensure respect for human rights in the digital era, where every individual has the right to control, protect, and restore the dignity of their personal information. Although there is a legal umbrella in the form of Law Number 27 of 2022, institutional challenges, public literacy, and technology access gaps are still serious obstacles; therefore, a strong commitment is needed from the state, business actors, and civil society to implement data protection in a comprehensive, inclusive, and based on substantive justice values that honor human beings as whole and dignified legal subjects (Palit & Purba, 2025; Simanjuntak, 2025; Rinjani & Firmansyah, 2025).

The challenges and opportunities in implementing personal data protection based on dignified justice reflect the dynamics of Indonesia's legal transition towards a more humane digital system, where challenges such as low digital literacy, the lack of independent supervisory authorities, and weak cybersecurity infrastructure must be seriously addressed. However, behind these challenges, there is a great opportunity to strengthen public trust, instill digital ethics, encourage a culture of privacy protection, and build a legal system that is not only oriented towards legal certainty, but also upholds human dignity as the basic value of justice in the digital society (Abdullah et al., 2025; Varany & Sumanto, 2025; Salsabila & Wiraguna, 2025).

Ethical Approval

Not Applicable

Informed Consent Statement

Not Applicable

Authors' Contributions

JS contributed to the conceptualization of the study, formulation of the legal issues, analysis of the statutory and conceptual approaches, and drafting of the manuscript. RS contributed to the literature review, examination of the legal framework and related case studies, interpretation of the findings, and revision of the manuscript. JZFS contributed to the development of the research methodology, analysis of the principle of dignified justice in personal data protection, editing of the manuscript, and final refinement of the article. All authors contributed substantially to the article and approved the final version of the manuscript.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

Data Availability Statement

The data presented in this study are available on request from the corresponding author due to privacy reasons.

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Notes on Contributors

Japansen Sinaga

Japansen Sinaga is affiliated with Program Studi Hukum, Universitas Pelita Harapan Banten.

Rolib Sitorus

<https://orcid.org/0009-0009-7000-9311>

Rolib Sitorus is affiliated with Program Studi Hukum, Universitas Pelita Harapan Banten.

Joy Zaman Felix Saragih

Joy Zaman Felix Saragih is affiliated with Program Studi Hukum, Universitas Pelita Harapan Banten.

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