Volume 8 Number 2 (2026)
July-December 2026
Page: 65-80

E-ISSN: 2686-4819
P-ISSN: 2686-1607
DOI: 10.37680/almanhaj.v8i2.9899

AL-MANHAJ
Jurnal Hukum dan Pranata Sosial Islam

Digital Consumer Protection: A Comparative Analysis of Exploitative Game Monetization in Indonesia and The Netherlands

Rifansyah Nugraha[1], Diani Sadiawati[2]

[1] National Development University "Veteran" Jakarta, Indonesia; 2210611344@mahasiswa.upnvj.ac.id
[2] National Development University "Veteran" Jakarta, Indonesia; dianisadiawati@upnvj.ac.id

Received: 05/06/2026 Revised: 26/06/2026 Accepted: 11/07/2026

Abstract

Rapid technological advancements have prompted online game companies to implement monetization in their games to generate revenue; games that employ monetization are typically found in the gacha genre. The implementation of monetization is a cause for concern because such monetization schemes may constitute unfair or exploitative practices that are not yet adequately regulated under Indonesian law. This study aims to examine a comparative analysis of legal protections for consumers against monetization in gacha games by gaming companies in Indonesia and the Netherlands, and to propose regulatory solutions that the government can implement to address the legal vacuum surrounding such monetization practices in Indonesia. This study employs a normative legal methodology using a legislative approach. The data utilized are sourced from primary, secondary, and tertiary legal materials. The results of the study indicate that Indonesia has not yet specifically regulated the characteristics of probability-based gacha monetization systems. This situation creates a regulatory gap in digital consumer protection. The effectiveness of consumer protection can be enhanced by integrating a modern, digital-risk-based framework, supported by a dedicated regulatory body to enforce it.

Keywords

Game Monetization; Analysis; Predatory Monetization; Gacha; Consumer Protection

Corresponding Author
Rifansyah Nugraha
National Development University "Veteran" Jakarta, Indonesia; 2210611344@mahasiswa.upnvj.ac.id

1. INTRODUCTION

Monetization is the process of turning anything into a valid means of payment (Suwandi, 2022). In other words, it is a process that produces a product for purchase and sale, thereby generating income for the creator. In this case, a video game is developed to generate revenue for the company. In the modern era, companies often implement in-game monetization systems commonly known as gacha or loot boxes. Gacha is a mechanism for providing randomly selected items, sometimes for free and sometimes for a fee (Yamakami, 2013).

The implementation of in-game monetization through the gacha system is often associated with gambling. This is because it involves elements of a game or competition, relies on luck, and involves betting, in this case, wagering virtual in-game currency to obtain an item at random. From a consumer protection perspective, this monetization scheme violates business operators' obligations under consumer protection law, which requires businesses to provide accurate information regarding purchased items. An aspect of consumer protection law is the consumer's right to adequate information. Since many game companies still conceal the odds of obtaining in-game items, this system does not comply with consumer protection standards (Miru & Yodo, 2008). Thus, the aspect of the gacha system that is detrimental to consumers is the lack of transparency regarding the probability of in-game items. This leads companies and game developers to use a microtransaction monetization system that strongly encourages people to spend money to acquire the items they want. This practice is often referred to as "*predatory monetization*."

The term "predatory monetization" can be understood through the concept of "entrapment," which is the belief that a person has invested too much money to stop (King & Delfabbro, 2018). In online games, players often spend increasingly large amounts of money, which leads to further in-game spending. Investing a non-refundable amount of money to pursue desired virtual items may be viewed by players as an investment insofar as it increases the likelihood of obtaining those items. In this case, spending more money to acquire virtual goods may involve the "Sunk Cost Effect," which helps justify the player's expenditures. This microtransaction trap can occur because the costs are less noticeable (King et al., 2016). This is because in-game transactions are represented as virtual credits or credit card debt. The sunk cost effect can also operate in various ways, through exposure to nearby online players who are stuck and make non-informative purchases (Gunia et al., 2009). The Predatory Monetization Trap operates in which a person is lured into spending money to obtain something they want, in this case, virtual in-game items (Pour, 2024).

The urgency in the Indonesian legal context lies in the need for this system to ensure that Indonesian consumers who are simply seeking entertainment do not fall into debt due to actions such as spending their money to acquire virtual items in games. In one such case, a young girl from China used her parents' savings without permission to play a game. She went all out, spending up to 64,000 U.S. dollars on the game. This case highlights the influence of mobile games featuring in-app transactions that allow players to use real money to purchase in-game items, which tempt children and, as a result, threaten their parents' livelihoods (Yefta Christopherus Asia Sanjaya, 2023). This case highlights the urgency for lawmakers to draft legislation that protects children from this form of exploitation. The issues raised by this case are not limited to China; they have become a global concern due to the game's widespread availability and have drawn discussion among lawmakers worldwide.

Based on this example. This manipulation can be classified as predatory because it targets young people to generate substantial profits. There are currently no effective regulations, either by game developers or by other parties in the gaming industry, governing monetization policies in games. In Indonesia, there is no specific law that protects consumers from these predatory practices. The legal vacuum stems from the lack of consumer protection regulations in the digital realm. Law No. 8 of 1999 on Consumer Protection does not address consumer manipulation; it merely mandates transparency regarding product information.

In contrast, consumer protection laws in the Netherlands are based on Dutch Civil Code Section 6.3.3A on "Unfair Commercial Practices," which prohibits the manipulation of consumers, anwhich dates the provision of clear information, and protects vulnerable consumers. In the context of gacha, game companies may be held accountable if they fail to disclose item probabilities. Therefore, the researcher aims to conduct a legal study comparing the forms of legal protection for consumers against predatory monetization practices in gacha games by gaming companies in the Netherlands with those in Indonesia, and provide regulatory solutions that the government can implement to address the legal vacuum on these practices from the perspective of consumer protection law.

2. METHODS

This study was conducted using a normative legal approach. Normative legal research focuses exclusively on written regulations and other legal materials (Suratman & Philips Dillah, 2020). Normative legal research is the process of identifying legal rules, principles, and doctrines to address legal issues that arise (Marzuki, 2017). Based on the definition above, the type of research conducted in this article is normative legal research because the researcher used secondary sources as primary data to analyze the case and did not conduct field research.

The case is conducted under a statutory framework. The statutory approach involves examining all laws and regulations relevant to the legal issue at hand. In this approach, the researcher examines the content and principles of the laws and regulations in accordance with the case under study and the relevant laws (Mukti Achmad, 2010). In this case, the term refers to the implementation of consumer protection law enforcement by regulatory agencies in Indonesia and the Netherlands, which are used for comparison; this enforcement relates to the monetization of gacha games.

Data sources come from three types of legal materials: primary, secondary, and tertiary. Primary legal materials are those obtained directly from the source. Primary legal materials are authoritative, meaning they possess authority or, in other words, they contain provisions issued directly by a legitimate body. Examples of primary legal sources include Law Number 8 of 1999 on Consumer Protection and other regulations. Secondary legal sources consist of textbooks written by influential legal experts, legal journals, and scholarly opinions. Tertiary legal materials, meanwhile, are legal resources that provide guidance or clarification regarding primary and secondary legal materials. In this study, tertiary legal materials include legal dictionaries and textbooks.

Data collection was conducted through a literature review. A literature review is a method for gathering information by reading literature and other written sources related to the research, such as books, previous studies, papers, journals, articles, reports, and magazines. Using this method, the researcher can examine the case by referring to previous studies that address the same issue.

Data analysis was conducted using qualitative methods. Qualitative research is a process that generates descriptive data in the form of written text from individuals and observations. Using this method, the researcher collected data on mobile game users' behavior, which served as the basis for the study's conclusions.

3. FINDINGS AND DISCUSSION

3.1. Dutch Model

Legal protection is a subjective condition that signifies the obligation of certain legal subjects to promptly obtain certain resources to ensure the continued existence of legal subjects guaranteed and protected by law, so that their power is organized in political and economic decision-making processes, particularly regarding the distribution of resources, whether at the individual or structural level (Hadjon, 1987). Consumer protection law aims to establish a consumer protection system that provides legal certainty, transparent information, and access to information. Predatory monetization practices employed by gaming companies can be examined through the lens of consumer protection law.

Based on a 2018 study conducted by the Netherlands Gaming Authority (NGA) on the legality of loot boxes in video games. It was determined that if the random content in a gacha cannot be transferred, it is considered a game and is therefore legal. If the content can be transferred, it is considered gambling and therefore illegal under Dutch law (NGA, 2018).

In consumer protection law, there is a term called "predatory practices." Predatory practices are defined as business practices that exploit consumers, particularly when such exploitation is widespread within an industry or when consumers are unable to seek less exploitative alternatives (Salinger, 2026). These reasons may include distance, lack of information, or product unsuitability. Regarding the legality of games with gacha systems, predatory practices are linked to companies' lack of transparency about the percentages and probabilities associated with virtual items. One country that has issued regulations regarding games with gacha systems is the Netherlands.

The Netherlands Authority for Consumers and Markets (ACM) is an independent regulatory agency operating under the Dutch Ministry of Economic Affairs, with the specific mandate to enforce consumer protection laws in the Netherlands. The legal basis for the ACM's regulatory role stems from the Dutch Unfair Commercial Practices Act, which implements the EU Unfair Commercial Practices Directive (UCPD) (Directive, 2005).

ACM published the "Guidelines on Online Consumer Protection." These guidelines represent the ACM's interpretation of Dutch consumer protection laws and were published to help companies understand their existing and ongoing obligations and comply with them. The guidelines establish key requirements regarding loot boxes and in-game purchases in general. Video game companies. It is important to note that non-compliance with these requirements does not necessarily constitute a legal violation, as the final determination on this matter rests with the courts, should a company decide to challenge the ACM's interpretation of the law as outlined in the Guidelines (Xiao, 2024).

One of the clauses in the Guidelines requires that the odds or probability of winning a rare prize from a loot box be disclosed alongside the sales offer, as this is a "key feature of the product." The Guidelines state that (Markt, 2020) "the business must clearly state the price of the loot box in real currency just before the purchase. The probability of winning various rare items is also an important feature of the product. This must therefore be stated in the offer of the loot box:" The guidelines require that the gaming company clearly present information regarding the probability, expressed as a percentage, of obtaining various rare in-game items. Therefore, omitting this information would once again be misleading. These guidelines explicitly require that the relevant probability percentages for every item that may be obtained from a Gacha be provided.

As a regulatory body enforcing Dutch consumer protection law, the ACM bases its guidelines on the Dutch Civil Code, linking a lack of transparency regarding probabilities to unfair commercial practices. This is outlined in Section 6.3.3A of the Dutch Civil Code on Unfair Commercial Practices; Article 6:193d on "Misleading Omission," which states that an act may be categorized as a misleading omission if it meets the following elements (Maurushat & Nguyen, 2022):

a. Omitting, concealing, or presenting crucial information
b. The omitted information consists of data that a rational consumer objectively needs to make a logical decision.
c. The manipulation of information directly causes, or has the potential to cause, consumers to engage in financial transactions they would not have undertaken otherwise, had the information been transparent.

The essence of material information lies in the probability rates. If game developers conceal the actual percentages for obtaining rare items, for example, by marketing rare items without providing information on the probability percentages, this constitutes the withholding of material information. The average consumer is unable to make an informed risk assessment, so users are driven to make repeated purchases without any guarantee of obtaining the items. In addition, gacha games use virtual currency that obscures the actual price of virtual items, leading consumers to feel misled by disproportionate pricing (Brewer, 2020). The ACM protects consumers from misleading practices by offering free advice and enforcing consumer rights through its ConsuWijzer service. If a company violates the law, the ACM can impose fines of up to €900,000 or 10% of the affected revenue per violation.

3.2. Indonesian Model and Theory

In Indonesia, consumer protection is enshrined in Law Number 8 of 1999 on Consumer Protection. According to the provisions outlined in Article 3d, the objectives of consumer protection are to establish a consumer protection system that ensures legal certainty, information transparency, and access to information. The obligation of businesses to provide product information to protect consumer rights stems from the fact that consumers are considered to be in a subordinate position to businesses. The fundamentals of consumer rights, including the right to information, are integral to consumer rights (Rosmawati, 2017). These rights are also explicitly regulated in Article 4 C of Law Number 8 of 1999 on Consumer Protection

The use of gacha in online games is now very common, especially in mobile games such as PlayerUnknown's Battlegrounds Mobile. In the game, several cosmetic items can only be obtained through loot boxes. In theory, the developer of PlayerUnknown's Battlegrounds Mobile and the game publisher, Krafton Inc., do not provide players with a way to exchange or transfer virtual items for real money by selling them, nor do they authorize players to sell them. However, players got around this by selling their accounts.

Although some countries, including the Netherlands and Indonesia, have already established regulations regarding gambling and online gambling that can be linked to the use of gacha systems in online games, in most countries, gacha generally cannot be regulated under gambling laws because such products typically do not meet the strict legal definition of gambling (Xiao et al., 2022). In Indonesia, regulations regarding gacha games that mislead consumers are also found in Law Number 1 of 2024, as stipulated in Article 28(1), which states: "Any person who intentionally and without authorization disseminates false and misleading information that results in consumer losses in electronic transactions." The purpose of this section is to protect the rights and interests of consumers (Sagala et al., 2021).

Consumers are also legally protected by online game companies through the inclusion of Terms of Service, as many do. Requests for users to agree to the Terms of Service may take the form of a statement that must be clicked or checked, or via a link on a website or within an app. Users must also agree to the standard clauses contained in the Terms of Service. The provisions on standard clauses in the Consumer Protection Law are intended to ensure that consumers are on an equal footing with businesses, in accordance with the principle of freedom of contract in agreements (Pemayun & Indrawati, 2022).

According to Philip M. Hadjon's theory of legal protection, there are two classifications: preventive and repressive. From a preventive legal protection perspective, the state has an obligation to establish regulations that prevent consumer harm before a business entity takes any action. The monetization model in gacha games contains manipulative and misleading aspects due to a lack of transparency regarding probabilities and random rewards (Cao et al., 2024). This correlates with consumers' right to receive accurate, clear, and truthful information, as in Article 4E of Law No. 8 of 1999 on Consumer Protection. However, consumer protection laws in Indonesia have not yet specifically regulated standards for transparency regarding probability. As a result, consumer protection for gacha games remains largely general and has not yet kept pace with the evolution of digital business models.

From the perspective of repressive legal protection, this emphasizes the importance of dispute-resolution mechanisms and the restoration of rights when consumers incur losses. In gacha monetization, consumers are at risk of economic loss due to recurring transaction mechanisms that are not fully transparent. Indonesian law already establishes the basis for holding businesses liable for actions that harm consumers under Article 19 of Law No. 8 of 1999 on Consumer Protection. However, its application to digital in-game item transactions still faces normative obstacles, primarily due to the absence of specific regulations regarding the legal status of loot boxes and gacha systems under Indonesian positive law. this highlight that the law must hold companies accountable for practices that mislead consumers. This can be achieved by establishing repressive legal protections through a revision of Law No. 8 of 1999 on Consumer Protection or by enacting specific legislation.

Legal certainty is also important for citizens because it helps to foster order in society (Sadiawati et al., 2023). The existence of gacha games poses a challenge to achieving legal certainty due to the absence of laws regulating companies' use of monetization systems that can mislead consumers, particularly underage users. Legal protection can be defined as safeguarding the human rights of those who have been concretely harmed by others, ensuring that aggrieved parties can still enjoy the rights granted to them by law even after suffering harm (Rahim, 2023).

In Gustav Radbruch's theory of legal certainty, the law has three objectives: utility, certainty, and justice. The law serves to safeguard human interests in society (Satjipto, 2000). The relationship between the theory of legal certainty and the implementation of gacha-style monetization in online games can be divided into these objectives

a. From the perspective of legal certainty, the absence of explicit regulations creates ambiguity in the application of relevant laws, including provisions on consumer protection, gambling, and electronic transactions. This contradicts the principle of *rechtssicherheit*, which requires clear regulations that are not open to multiple interpretations.
b. From the perspective of justice, the gacha system has the potential to create an imbalance between businesses and consumers, primarily due to information asymmetry regarding odds and the potential for psychological exploitation, particularly among children and adolescents.
c. From a benefits perspective, the monetization of gacha systems makes a significant economic contribution to the growth of the digital gaming industry. However, without proportionate regulation, these benefits could potentially lead to social harm because the growth of the digital gaming industry is not accompanied by safeguards to prevent companies from exploiting consumers, for example, the lack of restrictions on access for minors and laws strictly mandating transparency of information within gacha games. Without such restrictions and regulations, this could potentially trigger problems such as excessive consumer behavior and the risk of addiction, particularly among vulnerable groups such as children. However, it must be remembered that a total ban could affect the competitiveness of the national gaming industry compared with other countries. Therefore, legislation should aim to minimize the resulting impacts rather than resorting to blocking or a total ban on games that use such mechanisms (Putri et al., 2023).

In Radbruch’s theoretical framework, when a conflict arises among these three objectives of law, legal certainty must fundamentally be upheld, but not at the expense of justice to an extreme degree (Firdaus, 2025).

3.3 Regulatif Solution

Regulatory solutions are legal measures used to govern social life, maintain order, and ensure justice. In this context, regulatory solutions can take the form of mechanisms to assess whether a company has complied with government regulations. Compliance with transparency requirements varies significantly between countries that mandate disclosure of loot box probabilities through legislation and those that rely solely on industry self-regulation (Leahy, 2022). In countries with large video game markets, enforcement actions against paid loot boxes have failed because major game publishers have sought to settle claims and allegations through financial means, or have been delayed while draft legislation is pending approval (Nong, 2025).

In the Netherlands, law enforcement regarding the disclosure and transparency of information about gacha games is also relatively weak (Xiao, 2024). This is because the issues encompass a range of tactics, from manipulative marketing strategies and deceptive pricing models to non-transparent telemetry data collection and other shady practices in game design aimed at maximizing engagement and encouraging excessive spending. Monetization regulations have so far been largely based on existing gambling laws, resulting in a narrow focus on gambling-like monetization strategies while neglecting core issues in game design and consumer protection.

Monetization practices will continue to evolve as game publishers strive to adapt to changing player preferences and regulatory developments (Mai & Hu, 2023). Therefore, a comprehensive approach to regulating game monetization must begin by establishing standards that promote transparent game design and ensure information is easily accessible. For example, a game that employs gacha-style monetization must include the probability percentages of in-game items so that users can make informed decisions based on the disclosed information, in accordance with consumers' right to obtain information about goods as stipulated in Article 4 of Law Number 8 of 1999 on Consumer Protection. Therefore, the appropriate first step is to include accurate, specific labels and descriptions for monetized products and features.

Indonesia has now established a similar game rating system called the Indonesia Game Rating System (IGRS). The IGRS is an age-based classification system for online games in Indonesia. This classification system enables the regulation of gacha games (Utomo, 2021). Disclosing the probabilities of random items helps improve transparency. However, because this depends on individual gaming companies' policies, many factors can affect the accessibility and clarity of this information, such as its placement or the lack of an equivalent value in real currency (Xiao et al., 2024).

Differences in the definitions and regulations of gacha practices across countries create regulatory loopholes that businesses can exploit to circumvent stricter protection standards (Xiao, 2024). Regulatory harmonization at the regional and international levels is a more effective step toward ensuring consistent transparency, accountability, and consumer protection. A transnational approach can also provide legal certainty for businesses, reduce regulatory fragmentation, and strengthen mechanisms for enforcing consumer rights in cross-border online gaming transactions. Thus, international regulatory standardization is a crucial instrument for balancing the interests of the digital gaming industry with sustainable consumer protection.

Legal liability is a person's obligation to bear all the consequences of actions they have committed, whether planned or unplanned, that violate the law (Wibawa et al., 2019). The legal liability of gacha game companies is based on Article 19 of the Consumer Protection Law. Alongside general consumer and digital laws, Government Regulation No. 17 of 2025 specifically protects users under 18 by banning deceptive digital designs that endanger children's mental health and safety. While this regulation implicitly addresses predatory "gacha" systems, it fails to explicitly name "gacha," "loot boxes," or "microtransactions." Furthermore, because its scope is strictly limited to child protection rather than general consumer protection

Thus, the regulatory solution aimed at providing concrete legal certainty lies in enacting legislation that specifically governs gacha games and establishing a dedicated agency or authority to address consumer protection issues related to the use of gacha in online games (Kusuma, 2025). As in the Netherlands, consumer protection ensures that gaming companies that implement gacha systems in their online games are held accountable, with penalties imposed if they fail to provide full transparency about their products.

The regulatory solutions that the Indonesian government can implement to address the legal vacuum regarding predatory monetization practices in gacha games are to adopt the following policies and mechanisms:

a. Enactment of laws governing the use of gacha systems

Given that existing Indonesian laws still cannot hold gaming companies accountable for implementing gacha systems, there must be specific legislation to address the uncertainty surrounding the implementation of gacha in online games, as well as specific laws that restrict and hold accountable companies that implement gacha games without providing information on product monetization and that implement features that manipulate or mislead consumers. From a consumer protection law perspective, the gacha mechanism is essentially a probability-based digital transaction that involves an element of uncertainty regarding the outcome. Therefore, it is necessary to establish specific regulations governing the characteristics of digital monetization in the online gaming industry (Luqatma, 2024). Such regulations can be integrated through a revision of Law No. 8 of 1999 on Consumer Protection

Given that gaming companies have an obligation to disclose information about their products, such as information regarding probabilities in gacha games from the perspective of consumer protection law, the principle of information transparency is recognized in Articles 4C and 7B of the Consumer Protection Act, which require businesses to provide accurate information regarding the conditions of goods and services. Therefore, a possible solution is to draft specific regulations for gacha games that require gaming companies to provide information about the products and services in their games, so consumers do not feel misled.

Predatory monetization practices are not limited to transaction mechanisms but also extend to game system designs that intentionally create psychological pressure on consumers. Such designs include dark patterns, visual manipulation, limited-time rewards, and the obfuscation of virtual currency values, all of which encourage impulsive spending (Goodstein, 2021). From the perspective of consumer protection law, such practices can be classified as unfair commercial practices because they exploit consumers' psychological vulnerabilities to gain disproportionate economic advantage. Thus, Indonesia can apply the doctrine of unfair commercial practices by expanding Articles 8, 9, and 10 of the Consumer Protection Law, which prohibit the dissemination of misleading, manipulative, and dishonest information in commercial activities.

b. Strengthening the Protection of Children in the Digital Space

Currently, the government has issued regulations on child protection in the digital space, namely Government Regulation No. 17 of 2025 on the Governance of Electronic Systems for Child Protection, which is implemented by the Ministry of Communication and Digital Affairs through Ministerial Regulation No. 9 of 2026. The implementation of this regulation as a form of child protection in the digital space is still in its early stages. However, based on the provisions in Article 5, children are already positioned as consumers protected from exploitation by companies that offer features such as those found in gacha games. Given that Komdigi is the regulatory body for this policy, it should actively investigate and hold electronic service providers that currently implement features, such as those found in gacha games, that mislead children as consumers accountable.

c. The establishment of a regulatory body to oversee and impose sanctions on companies

It is necessary to establish a specialized, independent supervisory authority, such as the ACM in the Netherlands, or to strengthen the powers of existing institutions, such as expanding the authority of Komdigi (Ministry of Communication and Digital Affairs) to oversee digital transactions based on loot boxes and gacha (Susilo & Muthia, 2025). This authority should include auditing the transparency of probabilities, monitoring digital monetization designs, imposing administrative sanctions, blocking electronic systems that violate consumer protection provisions, and supervising child consumer protection in online games. It is worth noting that, while specialized bodies that regulate consumer protection already exist, such as the National Consumer Protection Agency (BPKN) and the Competition Commission (KPPU), strengthening Komdigi's authority does not replace the functions of these institutions. Oversight of gacha game monetization can be implemented through a clear inter-agency coordination mechanism, in which Komdigi acts as the digital sector regulator and supervisor, BPKN provides policy recommendations on consumer protection, and KPPU handles competition aspects, including any abuse of dominant position or business practices detrimental to consumers.

4. CONCLUSION

Based on the discussion, it can be concluded that predatory monetization practices through the gacha system are closely linked to consumer protection law, particularly regarding information transparency, balance between parties, and the prevention of misleading trade practices. The Netherlands demonstrates a more progressive regulatory approach by integrating consumer protection law and gambling regulations, specifically by mandating probability disclosure in digital products under the oversight of the Netherlands Gaming Authority and the Authority for Consumers and Markets.

Regulation in Indonesia remains fragmented across Law Number 8 of 1999 on Consumer Protection and Law Number 1 of 2024, which does not yet specifically regulate the characteristics of probability-based gacha systems. This condition creates a regulatory gap in digital consumer protection. Therefore, more specific regulatory strengthening is needed to ensure legal certainty, consumer protection, and accountability among business actors within the digital gaming ecosystem.

Based on the analysis, it can be concluded that the legal vacuum in Indonesia is primarily due to the absence of regulations explicitly governing probability-based monetization mechanisms in online games. Current legal instruments, such as consumer protection and electronic transaction laws, remain general in nature, making them unable to provide effective legal certainty against manipulative practices, a lack of transparency in probabilities, and the vulnerability of children as digital consumers.

Consequently, a comprehensive regulatory approach is required, including the formulation of specialized laws governing loot boxes and gacha, the strengthening of child protection under the current Government Regulation on Child Protection in the Digital Realm, and the establishment of an independent, specialized supervisory authority in the digital sector.

A comparison with practices in the Netherlands shows that the effectiveness of consumer protection can be enhanced by integrating a modern, risk-based digital consumer protection framework, supported by specialized supervisory bodies such as the ACM. Accordingly, the regulatory framework for gacha in Indonesia should not be confined solely to gambling. However, it should instead be developed within an adaptive, transnational digital consumer protection framework oriented toward transparency and business accountability to achieve legal certainty and fairness for online game consumers.

REFERENCES

Brewer, A. (2020). The Hunt for Loot: Proposed Solutions to More Effectively Regulate Addictive Gambling Mechanics in Video Games—*Journal of Law and Policy*, *29*(1), 158.

Cao, R., Zhang, W., & Sun, F. (2024). Price discrimination in mobile gacha games: A Comprehensive Study of the Scarcity–Pricing, Gachaing–User Profiling, and Recharging–Profiting Models. *Managerial and Decision Economics*, *45*(6), 3716–3733. https://doi.org/10.1002/mde.4192

Directive 2005/29/EC of the European Parliament and of the Council of May 11 2005 Concerning Unfair Business-to-Consumer Commercial Practices in the Internal Market and Amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (Text with EEA Relevance), Consil, EP, 149 OJ L (2005). http://data.europa.eu/eli/dir/2005/29/oj

Firdaus, M. B. (2025). Dialektika Keadilan, Kepastian, Kemanfaatan Hukum dalam Perspektif Gustav Radbruch pada Hukum Indonesia. *Jurnal Kajian Hukum dan Kebijakan Publik| E-ISSN: 3031-8882*, *3*(1), 357–367.

Goodstein, S. (2021). When the Cat is Away: Techlash, Loot Boxes, and Regulating" Dark Patterns" in the Video Game Industry's Monetization Strategies. *University of Colorado Law Review*, *92*(1), 285–335.

Gunia, B. C., Sivanathan, N., & Galinsky, A. D. (2009). Vicarious Entrapment: Your Sunk Costs, My Escalation of Commitment. *Journal of Experimental Social Psychology*, *45*(6), 1238–1244.

Hadjon, P. M. (1987). *Perlindungan Hukum bagi Rakyat di Indonesia: Sebuah Studi tentang Prinsip-Prinsipnya, Penanganannya oleh Pengadilan dalam Lingkungan Peradilan Umum dan Pembentukan Peradilan Administrasi Negara*. Bina Ilmu. https://books.google.co.id/books?id=zzjagwaacaaj

King, D. L., & Delfabbro, P. H. (2018). Predatory Monetization Schemes in Video Games (e.g., 'Loot boxes') and Internet Gaming Disorder. *Addiction*, *113*(11), 1967–1969. https://doi.org/https://doi.org/10.1111/add.14286

King, D. L., Russell, A., Gainsbury, S. M., Delfabbro, P. H., & Hing, N. (2016). *The Cost of Virtual Wins: An Examination of Gambling-Related Risks in Youth Who Spend Money on Social Casino Games*. Akadémiai Kiadó. https://hdl.handle.net/2123/22033

Kusuma, R. (2025). *Konsep Perjudian pada Sistem Gacha di Game Online (menurut Pasal 303 Kuhp dan Fatwa Mui Jatim No 1 Tahun 2022) Skripsi* [Bachelor Thesis, UIN Syarif Hidayatullah Jakarta]. https://repository.uinjkt.ac.id/dspace/handle/123456789/83894

Leahy, D. (2022). Rocking the Boat: Loot Boxes in Online Digital Games, the Regulatory Challenge, and the EU's Unfair Commercial Practices Directive. *Journal of Consumer Policy*, *45*(3), 561–592.

Luqatma, J. (2024). *Perlindungan Hukum Terhadap Pemain Atas Pemberlakuan Sistem Gacha Pada Game Online Ditinjau Dari Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen*. Universitas Sultan Ageng Tirtayasa.

Mai, Y., & Hu, B. (2023). Optimizing Free-to-Play Multiplayer Games with a Premium Subscription. *Management Science*, *69*(6), 3437–3456.

Markt, A. C. (2020, February 11). *Guidelines on the Protection of the Online Consumer | ACM* [Regulations]. https://www.acm.nl/en/publications/guidelines-protection-online-consumer

Marzuki, P. D. M. (2017). *Penelitian Hukum: Edisi Revisi*. Prenada Media. https://books.google.co.id/books?id=ckzadwaaqbaj

Maurushat, A., & Nguyen, K. (2022). The Legal Obligation to Provide Timely Security Patching and Automatic Updates. *International Cybersecurity Law Review*, *3*(2), 437–465.

Miru, A., & Yodo, S. (2008). *Hukum Perlindungan Konsumen*. Raja Grafindo Persada

Mukti Fajar, N. D., & Achmad, Y. (2010). *Dualisme penelitian hukum: Normatif & empiris*. Pustaka pelajar.

NGA. (2018). *Study into loot boxes: A treasure or a burden?* https://kansspelautoriteit.nl/sites/default

Nong, M. N. (2025). Predatory Game Monetization: Going Beyond Loot Boxes and Gambling. *Preprint]. PsyArXiv. Recuperado de https://miaworld. neocities. org/files/predatory_game_monetization. pdf*.

Pemayun, A., & Indrawati, A. A. S. (2022). Perlindungan Hukum terhadap Konsumen atas Pemberlakuan Gacha pada Game Online. *Journal*, *11*(5), 10.

Pour, S. (2024). Experience of Legal Regulation of Lootboxes in Different Countries: A Comparative Analysis. *Journal of Digital Technologies and Law*, *2*(2), 345–371. https://doi.org/10.21202/jdtl.2024.18

Putri, M., Rahmawati, A., A., H., I., & AR, Z. (2023). Critical Review of the Legal Regulation of Microtransaction 'Gacha': A Comparative Study of Islamic Criminal Law and National Criminal Law. *Al-Risalah Jurnal Ilmu Syariah dan Hukum*, 183–198. https://doi.org/10.24252/al-risalah.vi.39934

Rahim, A. (2023). Perlindungan Hukum Terhadap Ahli dalam Proses Peradilan. *The Prosecutor Law Review*, *1*(2), 36–66. https://doi.org/10.64843/prolev.v1i2.12

Rosmawati, S. H. M. H. (2017). *Pokok-Pokok Hukum Perlindungan Konsumen*. Prenadamedia Group. https://books.google.co.id/books?id=3bvndwaaqbaj

Sadiawati, D., Dirkareshza, R., & Fauzan, M. (2023). Rekonstruksi Perlindungan Hukum Terhadap Korban Investasi Bodong: Studi Komparasi Indonesia dan Amerika. *Halu Oleo Law Review*, *7*(2), 149–166. https://doi.org/10.33561/holrev.v7i2.25

Sagala, M. J. P., Muttaqin, M., Chamidah, D., Simarmata, J., Karim, A., Samosir, K., Ardiana, D. P. Y., Antares, J., & Jamaludin, J. (2021). *Hukum dan Cybercrime*. Yayasan Kita Menulis.

Salinger, L. (2026). *Encyclopedia of White-Collar and Corporate Crime* (2 ed., Vols. 1–2). SAGE Publications, Inc. https://doi.org/10.4135/9781452276175

Satjipto, R. (2000). Ilmu Hukum. *Bandung: PT. Citra Aditya Bakti*, 19.

Suratman, & Philips Dillah. (2020). *Metode Penelitian Hukum: Dilengkapi Tata Cara & Contoh Penulisan Karya Ilmiah Bidang Hukum*. Alfabeta Bandung.

Susilo, S. A., & Muthia, S. (2025). The Legal Perspective Tug-of-War in Determining The Status of Loot Boxes and Gacha as Gambling. *Jurnal Hukum Sehasen*, *11*(1), 39-44-39–44.

Suwandi, D. (2022). *Praktik Monetisasi pada Aplikasi Tiktok Tinjauan Fatwa Dsn-Mui Nomor 62/Dsn-Mui/Xii/2007 Tentang Akad Ju'alah dan Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik (Studi di akun TikTok Tips Skincare @rikhalaila)*.

Utomo, A. P. (2021). *Loot Box System in Online Video Games as Gambling Based on Indonesian Criminal Law*. Universitas Gadjah Mada.

Wibawa, I., Sukranatha, A., & Priyanto, I. (2019). Perlindungan Konsumen Terhadap Kecurangan Pengisian Bahan Bakar Minyak pada Stasiun Pengisian Bahan Bakar Umum di Bali. *Kertha Semaya : Journal Ilmu Hukum*, *7*, 1. https://doi.org/10.24843/KM.2019.v07.i02.p14

Xiao, L. Y. (2024). *Failing to Protect the Online Consumer: Poor Compliance with Dutch Loot Box and Video Game Consumer Protection Guidelines*. Open Science Framework. https://doi.org/10.31219/osf.io/tmg34

Xiao, L. Y. (2024). Loot box state of play 2023: Law, Regulation, Policy, and Enforcement around the World. *Gaming Law Review*, *28*(10), 450–483. https://doi.org/10.1089/glr2.2024.0006

Xiao, L. Y., Henderson, L. L., Nielsen, R. K. L., & Newall, P. W. S. (2022). Regulating Gambling-Like Video Game Loot Boxes: A Public Health Framework Comparing Industry Self-Regulation, Existing National Legal Approaches, and Other Potential Approaches. *Current Addiction Reports*, *9*(3), 163–178. https://doi.org/10.1007/s40429-022-00424-9

Xiao, L. Y., Henderson, L. L., Yang, Y., & Newall, P. W. S. (2024). Gaming the System: Suboptimal Compliance with Loot Box Probability Disclosure Regulations in China. *Behavioral Public Policy*, *8*(3), 590–616. https://doi.org/10.1017/bpp.2021.23

Yamakami, T. (2013). *Historical View of Mobile Social Game Evolution in Japan: Retrospective Analysis of Success Factors* (hlm. 739).

Yefta Christopherus Asia Sanjaya. (2023, Juni 8). *Kecanduan Game, Anak 13 Tahun Habiskan Rp 950 Juta Tabungan Orangtua, Hanya Tersisa Rp 1.000*. Kompas.com. https://www.kompas.com/tren/read/2023/06/09/063000965/kecanduan-game-anak-13-tahun-habiskan-rp-950-juta-tabungan-orangtua-hanya