
Navigating Influencer Liability on Social Media: Balancing Profits and Legal Risks

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ABSTRACT This study aims to investigate the legal responsibilities of influencers in social media, focusing on the role of the Indonesian Electronic Information and Transaction Law (UU ITE) in regulating online activities. This research uses qualitative research methods with a case study approach. The study explores how influencers can navigate their legal responsibilities in social media, ensuring that the information they share is accurate and non-misleading. The findings highlight the importance of understanding the legal framework governing online activities, including the UU ITE, and the need for influencers to be aware of their legal obligations. The study contributes to the development of more effective legal frameworks for regulating online activities and ensuring that social media platforms are used responsibly. The results suggest that influencers must be educated about their legal responsibilities and must ensure that the information they share is accurate and non-misleading. The study recommends that influencers develop clear policies and guidelines for their online activities and that they collaborate with brands that share similar values.

Keyword: Electronic Transactions, Influence, Responsibility



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INTRODUCTION

In the increasingly complex digital era, social media has become a very important platform in sharing information and interacting with the public. Influencers, with great influence in swaying consumer decisions, have also become an integral part of effective marketing strategies. However, with the freedom afforded by social media, some influencers have used these platforms to share inaccurate and misleading information, as well as commit crimes such as defamation and extortion. (Ummah, 2023)

In recent years, the Electronic Information and Transaction Law (UU ITE) has become a major concern in regulating online behavior and preventing crimes committed over the internet. Article 27 paragraph (3) of the ITE Law, for example, regulates defamation which is punishable by a maximum imprisonment of 4 years and/or a maximum fine of Rp750,000,000.00. Article 27 paragraph (4) of the ITE Law also regulates extortion and threatening, which can be punished with a maximum imprisonment of 6 years and/or a maximum fine of Rp1,000,000,000.00. (Dwipayana et al., 2020)

Fake news is also prohibited in Article 28 paragraph (1) of the ITE Law, which reads that every person intentionally and without the right to spread false and misleading news that results in consumer losses in electronic transactions. For the perpetrators of spreading false news, they can be punished with a maximum imprisonment of 6 years and/or a maximum fine of Rp1,000,000,000.00. (Koto, 2021)

The number of defamation cases handled by the Indonesian National Police (Polri) continues to rise. One notable case in early 2022 involved a social media celebrity identified by the initials AT. AT was reported for alleged defamation against Nicholas Sean, the son of former Jakarta Governor Basuki Tjahaja Purnama. The investigation took place at the North Jakarta Metro Police.

The summons for AT was issued on January 17, 2022, with an expected appearance on January 20, 2022, to complete the investigation files that will be forwarded to the public prosecutor (JPU). "Appear on Thursday (January 20, 2022)," said AKBP Dwi Prasetyo, the head of the Criminal Investigation Unit of the North Jakarta Metro Police, as quoted from jpnn.com on Wednesday, January 19, 2022.

AKBP Dwi Prasetyo explained that the investigators had obtained two pieces of evidence sufficient to charge the suspect. The case began when AT reported Nicholas Sean to the police for alleged assault. However, Sean denied the allegations and instead reported AT for alleged defamation.

Since the beginning of 2022, Polri has handled 162 defamation cases, including those conducted through electronic media. This data was obtained from Robinopsnal Bareskrim Polri for the period from January 1 to January 19, 2022. This number indicates a significant increase compared to the same period last year. From January 1 to January 19, 2021, Polri handled 118 defamation cases, resulting in an approximate 37 percent increase this year.

Not only have the number of cases increased, but the number of regional police departments (Polda) handling defamation cases has also grown. In 2021, there were 23 Polda handling such cases, while in 2022, the number has increased to 27 Polda.

This increase in defamation cases underscores the need for more serious attention to this issue. Pusiknas, as the criminal information center under Bareskrim Polri, plays a crucial role in managing data and providing quick, accurate, modern, and integrated online criminal information services.

The mandate of Pusiknas is regulated by Law Number 2 of 2002 concerning the Indonesian National Police, designating it as the National Criminal Data Custodian.

This phenomenon indicates that the public must exercise greater caution in their social media communications to avoid legal conflicts that could harm all parties involved. Polri continues to enforce the law strictly, considering the negative impact of defamation that can damage individuals' reputations and trigger larger conflicts in society.

The role of influencers in social media becomes very important. They must understand their responsibilities in sharing information and ensure that the information they share is accurate and not misleading. However, some influencers still commit crimes committed over the internet, such as sharing fake news and committing defamation. (Anandati & Sitorus, 2024)

The purpose of this research is to examine how influencers can carry out their responsibilities on social media with the law in mind. In this research, we will study how the ITE Law can be used as a tool to prevent crimes committed over the internet and how influencers can ensure that the information they share is accurate and not misleading. As well as to find out how the presence of ITE Law can help prevent crimes committed over the internet and how influencers can ensure that the information they share is accurate and not misleading. Therefore, this research is expected to contribute to the development of laws that are more effective in preventing crimes committed over the internet and ensuring that information shared on social media is accurate and not misleading

In this digital era, social media has become a platform that is not only used to socialize, but also to build brands and generate profits. Influencers, with their large followings and significant influence, have become the main actors in this social media landscape. The presence of influencers brings positive impacts, such as helping MSMEs in marketing their products, raising awareness of social issues, and driving positive change in society. However, behind these benefits, there is also the potential for influencers to misuse social media platforms, which can lead to legal and ethical consequences. (Arvia et al., 2024)

The growth of the influencer industry in Indonesia has experienced a rapid surge in recent years. This is driven by the increasing internet penetration and social media users in Indonesia. According to data from Katadata Insight Center, by 2022, there will be 191 million active social media users in Indonesia, with 86.4 million of them being Instagram users. Influencers in Indonesia generate significant revenue from various sources, such as endorsements, advertisements, and brand partnerships. In 2021, the value of the influencer industry in Indonesia is estimated to reach IDR 22.4 trillion. (Tapaningsih et al., 2022)

However, behind these huge financial benefits, there is also the potential for influencers to misuse social media platforms. Some examples of this abuse include: marketing illegal or unsafe products or services, disseminating false or misleading information, engaging in cyberbullying or harassment, and promoting inappropriate or harmful content. Influencers' misuse of social media platforms can have legal and ethical consequences. Influencers may be subject to legal sanctions,

such as fines or imprisonment, for their actions. In addition, they may also face ethical consequences, such as losing their credibility and reputation. (Ifadhila et al., 2024)

This text offers several novelty values, including: providing a comprehensive perspective on influencer liability on social media, combining legal and ethical analysis in its discussion, discussing the roles of various parties in supervising and enforcing influencer liability, and presenting ethical principles that can be applied by influencers. This work relates to several previous studies on influencer liability on social media, most of which have discussed the types of misuse of social media platforms by influencers and their legal and ethical consequences. However, this work is different as it offers a broader and deeper perspective, and integrates legal and ethical analysis. In addition, the roles of various parties in the supervision and enforcement of influencers' responsibilities are also clearly outlined, along with the exposure of relevant ethical principles.

It is hoped that the results of this work can make a significant contribution to understanding influencer liability in social media. The resulting findings can be used to: raise awareness of the potential misuse of social media platforms by influencers, help influencers understand their responsibilities, develop the necessary policies and regulations to ensure responsible use of social media, as well as encourage the application of ethical principles in the activities of influencers

This work is based on several relevant theories, such as media ethics theory, media law theory, and mass communication theory. The main objectives are to: identify the types of misuse of social media platforms by influencers, analyze the legal and ethical consequences of such misuse, and discuss the roles of various parties in the supervision and enforcement of influencers' responsibilities.

Using these theories, this research will explore how influencers can navigate their responsibilities in social media with the law in mind. In this research, we will study how the ITE Law can be used as a tool to prevent crimes committed over the internet and how influencers can ensure that the information they share is accurate and not misleading. This research also aims to find out how the presence of ITE Law can help prevent crimes committed over the internet and how influencers can ensure that the information they share is accurate and not misleading. Thus, this research is expected to contribute to the development of laws that are more effective in preventing crimes committed through the internet and ensuring that information shared in social media is accurate and not misleading. It is also hoped that we can find more effective solutions in dealing with crimes committed over the internet and ensure that influencers can navigate their responsibilities in social media by considering the applicable laws. (Kuncoro et al., 2023)

The use of social media has brought many benefits, but it also poses great challenges regarding the misuse of information. Influencers, with their widespread influence, are in a strategic position to help steer a more responsible use of social media. Therefore, a deep understanding of their legal and ethical responsibilities is essential. This research seeks to provide comprehensive insights to assist influencers, policymakers and the general public in understanding and navigating the legal and ethical landscape in this digital age.

Therefore, it is not only relevant for influencers but also for all stakeholders involved in the social media ecosystem. This includes policymakers who are responsible for developing effective regulations, companies that work with influencers, and social media users who are the primary audience. With a better understanding of the responsibilities and risks involved, we can hopefully create a safer, fairer and more ethical digital environment.

The relevant research on Cuan vs Legal Snares: Navigating Influencer Responsibility in Social Media, namely from research by Sabila Rusydina et al (2023) Legal Responsibility of Social Media Influencers for Illegal Skincare Advertising, research by Sergio Solaiman et al (2021) Influencer Liability in Creating Advertising Content Through Social Media Containing False Information (Case Example: Kar Tika Putri and Dr. Richard Lee), and research by Rika Fitriani et al (2022) Influencer Responsibility in Marketing Business Products Through Instagram.

The similarity of these studies is that all three articles discuss the responsibility of influencers on social media. The difference between the three studies is that the first study focuses more on the legal responsibility of influencers for illegal skincare advertisements, then the second study leads to the responsibility of influencers in the creation of advertising content containing false information, the last study discusses the responsibility of influencers in marketing business products through Instagram.

Therefore, this article formulates several problems as follows; How the ITE Law can be used as a tool to prevent crimes committed through the internet, and how influencers can navigate their responsibilities in social media by considering the applicable law?

METHOD

This research uses a qualitative method with a case study approach to explore in detail and thoroughly the responsibilities of influencers on social media in a specific context. An exploratory design was chosen to understand a new and under-researched phenomenon. Data collection was conducted through two main sources: primary data was obtained through social media analysis that included observation and recording of influencers' activities on various platforms, while secondary data was collected from relevant literature, regulations and cases. Data processing was done manually and with the help of qualitative analysis software such as NVivo or Atlas.ti, which helped in organizing the data to make it ready for further analysis. Thematic analysis techniques were used to identify and interpret patterns and themes that emerged from the data collected, allowing the researcher to find in-depth meanings and relationships between different aspects of influencers' responsibilities on social media. Ethical principles such as informed consent, confidentiality, and objectivity were followed to ensure the integrity and validity of the research results. Although this study has limitations such as its qualitative nature as well as limited time and resources, this method is expected to provide valid and useful findings for understanding influencer responsibility on social media.

RESULT AND DISCUSSION

The Effectiveness of Utilizing the Law on Electronic Information and Transactions (UU ITE) in Preventing Crimes Committed Through the Internet

In this digital era, the internet has become an integral part of everyday life. The internet provides various conveniences, such as fast access to information, unlimited communication, and extensive business opportunities. However, along with these benefits, the internet also brings various problems and challenges, especially in the form of crimes committed through cyberspace. Cybercrime includes various forms, such as cyberbullying, phishing, hacking, spreading hoaxes, and identity theft. To address these challenges, the Indonesian government has adopted the Electronic Information and Transaction Law (UU ITE) as an effective legal instrument in dealing with cybercrime. (Nur et al., 2024)

First, the ITE Law provides a clear definition of cyber crime. Article 27 of the ITE Law states that "any person who intentionally and without right performs acts prohibited by laws and regulations" can be punished. This article covers various forms of crime on the internet, such as the dissemination of unlawful content, insults, defamation, and pornography. With this clear definition, the ITE Law provides a solid legal foundation for law enforcement officials to effectively identify, investigate, and punish cyber criminals. This is particularly important given that cyber crimes are often complex and cross-border in nature, requiring strict and detailed rules. (Hidayat et al., 2023)

Second, ITE Law provides strict sanctions against cyber criminals. Article 27 of the ITE Law states that cyber criminals can be punished with imprisonment for a minimum of 4 years and a maximum of 12 years and a fine of at least Rp 500 million and a maximum of Rp 10 billion. This strict sanction aims to provide a deterrent effect to cyber criminals and prevent others from committing similar crimes. The imposition of severe sanctions also reflects the government's seriousness in dealing with cybercrime, considering that the impact of such crimes can be very detrimental to individuals, communities, and even countries. (Sa'diyah et al., 2022)

Third, the ITE Law provides protection to victims of cyber crime. Article 28 of the ITE Law states that victims of cybercrime are entitled to compensation and protection from the government. This is important considering that victims of cybercrime often experience losses that are not only material but also psychological. This protection includes recovery efforts for victims, legal assistance, and security guarantees from further threats. With this protection, it is hoped that victims of cybercrime can be more courageous to report the crimes they experience and get the justice they deserve. (Malunsenge et al., 2022)

Fourth, the ITE Law encourages cooperation between the government and the community in dealing with cybercrime. Article 29 of the ITE Law states that the government and the community have the right to cooperate in dealing with cybercrime. This cooperation can take the form of various activities, such as crime reporting by the community, awareness campaigns about the dangers of cybercrime, and the development of technology and infrastructure that support cyber

security. Good cooperation between the government and the community is essential to create a safe and conducive digital ecosystem for all parties.(Rohmy et al., 2021)

Fifth, the ITE Law emphasizes the importance of training and education to the public about cybercrime. Article 30 of the ITE Law states that the government has the right to provide training and education to the public about cybercrime. This education aims to improve the digital literacy of the community, so that they can better understand the risks that exist in cyberspace and how to deal with them. This training is also important to develop people's ability to use the internet wisely and responsibly, and reduce their vulnerability to cybercrime.(ANDIHAR, 2024)

However, while the ITE Law has great potential in preventing crime on the internet, there are several challenges that need to be overcome to ensure its effectiveness. One of the main challenges is the speed of technological development, which is often faster than regulations. Information technology is developing so rapidly that ITE Law is sometimes left behind and unable to cover all new types of crimes on the internet. For this reason, continuous efforts are needed to revise and update the ITE Law to keep it relevant to the times.(Putra, 2024)

The limited resources of law enforcement are also a challenge in implementing the ITE Law. Law enforcers often lack resources, both in terms of trained manpower and the technology required to investigate and follow up on cybercrime cases. Therefore, it is important to increase the capacity of law enforcement through training, provision of advanced technology, and cooperation with various parties, including international institutions that have expertise in dealing with cybercrime.

Difficulty in proof is also an obstacle in the application of the ITE Law. Proving crimes on the internet is often difficult because the evidence is electronic and easily deleted or altered. In addition, digital traces can be very complex and spread across multiple jurisdictions. Overcoming this problem requires the development of more sophisticated digital forensic technology and increased cooperation between countries in terms of law enforcement in cyberspace. Lack of public awareness about the dangers of cybercrime and how to protect themselves is also a major challenge. Low digital literacy makes people vulnerable to becoming victims of cybercrime. Therefore, education and awareness campaigns must be carried out in a massive and sustainable manner, involving various parties such as the government, educational institutions, and community organizations.(RAHAYU, n.d.)

Another challenge that is no less important is the potential misuse of the ITE Law. Sometimes, ITE Law is misused to silence criticism and dissenting opinions, especially in a political context. This can undermine public trust in the law and reduce the effectiveness of actual law enforcement. To address these issues, strict oversight and clear accountability mechanisms are needed to ensure ITE Law is used in accordance with its original purpose, which is to protect the public from cybercrime.

To increase the effectiveness of ITE Law in preventing internet crimes, several strategies can be implemented. Improving digital education and literacy is an important first step. Digital education and literacy programs must be carried out in a massive and sustainable manner, involving various parties such as the government, educational institutions, and community organizations. In

addition, strengthening the capacity of law enforcement through training and providing adequate resources is crucial. (Suci et al., 2023)

Technology development for cybercrime countermeasures should also not be overlooked. Technologies such as artificial intelligence and big data analysis can be used to monitor online activities and detect suspicious patterns. Increased cooperation between relevant institutions, both domestically and internationally, is also important to combat cross-border cybercrime. Harmonization of the ITE Law with other regulations and adjustments to technological developments also need to be carried out regularly to maintain its relevance and effectiveness.

In conclusion, the ITE Law can be used as an effective tool in preventing crimes committed through the internet. With clear definitions, strict sanctions, protection for victims, cooperation between the government and the community, as well as training and education for the community, the ITE Law provides a strong legal foundation to deal with cyber crimes. Therefore, ITE Law must be implemented seriously to prevent cyber crimes and protect the public from various kinds of crimes committed through the internet. Thus, ITE Law can be an effective tool in preventing cyber crimes and protecting the public from various kinds of crimes committed through the internet.

In this digital era, the internet has become an integral part of human life. However, the internet also opens up space for various crimes, such as data theft, spreading false information, online fraud, pornography, defamation, cyberbullying, hate speech, and online terrorism. The Electronic Information and Transaction Law (ITE Law) is the main legal instrument in Indonesia to deal with crimes in the digital realm. This research aims to analyze how the ITE Law can be used as a tool to prevent crimes on the internet. (Oksidelfa Yanto, 2021)

ITE Law regulates various types of crimes committed through the internet. Some types of crimes that can be handled by ITE Law include theft of personal data, spreading false information or hoaxes, online fraud, pornography, defamation, cyberbullying, hate speech, and online terrorism. Article 31 paragraph (2) and Article 32 paragraph (1) of the ITE Law prohibit unauthorized access, interception, and manipulation of electronic data belonging to others. Article 28 paragraph (2) prohibits the intentional dissemination of false information to deceive the public. Article 28 paragraph (1) prohibits fraud through manipulation of electronic information. Article 27 paragraph (1) prohibits the dissemination of pornographic content, while Article 27 paragraph (3) prohibits defamation and cyberbullying through electronic information. Article 28 paragraph (2) prohibits the dissemination of hate speech that causes hostility, and Article 27 paragraph (4) prohibits the dissemination of information that aims to commit terrorism. (Pardede et al., 2024)

To prevent crimes on the internet, the ITE Law contains several provisions that can be used. Article 27 paragraph (1) prohibits the dissemination of unlawful information. Article 28 paragraph (1) prohibits the manipulation of electronic information. Article 29 prohibits unauthorized access and interception of electronic information. Article 31(1) prohibits interference, obstruction, damage and seizure of electronic systems. Article 32(1) prohibits the manipulation and theft of electronic data. These provisions are designed to provide a strong legal foundation for cracking down on various forms of digital crime and preventing the harm they cause. (Zulkifli, 2022)

However, there are several challenges and obstacles in implementing the ITE Law to prevent crimes on the internet. One of the biggest challenges is the speed of technological development, where ITE Law is often left behind and unable to reach all new types of crimes on the internet. In addition, the limited resources of law enforcement are another obstacle, where law enforcement lacks the resources to investigate and follow up on cybercrime cases. Difficulty in proof is also a problem, as evidence of crimes on the internet is often electronic and easily erased. Lack of public awareness about the dangers of cybercrime and how to protect themselves is also an obstacle, as is the misuse of the ITE Law which is sometimes used to silence criticism and dissenting opinions. (Mokobombang et al., 2023)

To increase the effectiveness of the ITE Law in preventing crimes on the internet, several strategies can be implemented. Increasing education and digital literacy is an important first step to increase public awareness about cybercrime and how to protect themselves. Strengthening the capacity of law enforcement through training and increasing resources is also needed to deal with cybercrime more effectively. Technology development for cybercrime countermeasures is the next step, where advanced technology can be used to detect and prevent digital crimes. Increased cooperation between related institutions is also important to combat cybercrime together. Finally, harmonization of the ITE Law with other regulations and adjustments to technological developments must be made to ensure that the ITE Law remains relevant and effective in facing the growing challenges of digital crime. (Najwa & Husna, 2024)

Overall, the ITE Law is an important tool to prevent crimes on the internet. However, the implementation of the ITE Law requires support from various parties, including law enforcement, communities, and related institutions, as well as adjustments to technological developments and the latest situation in the digital world.

Influencers' Strategies in Navigating Social Media Liability by Considering Applicable Legal Aspects

Influencers, with their wide range of followers, have great power in shaping public opinion and influencing consumer behavior. However, this power can also be misused in various ways. One common form of abuse is the dissemination of false or misleading information. For example, influencers may promote products or services with unsubstantiated or exaggerated claims, which may mislead consumers. Other abuses include copyright infringement, where influencers use content belonging to others without proper authorization. In addition, platform abuse can also occur through acts of cyberbullying or online harassment, where influencers use their platform to attack or intimidate other individuals. (Aulia & Lexianingrum, 2024)

The misuse of social media platforms by influencers has not only ethical but also legal implications. Ethically, actions such as spreading false or misleading information undermine public trust and may result in harm to consumers. Privacy and copyright violations also demonstrate a lack of integrity and moral responsibility on the part of influencers. Legally, these abuses may be sanctioned under various regulations and laws. For example, in Indonesia, copyright infringement may be subject to criminal sanctions and fines pursuant to Law No. 28 of 2014 on Copyright. In

addition, the dissemination of false or misleading information may be sanctioned under Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law). (Darmalaksana, 2022)

Supervision and enforcement of influencer responsibilities cannot be done effectively without the involvement of various parties. The government has an important role in formulating policies and regulations governing the activities of influencers on social media. In addition, social media platforms also have the responsibility to monitor and control the content posted by their users, including influencers. These platforms can implement effective algorithms and reporting systems to detect and remove content that violates the rules. Furthermore, professional associations or organizations that house influencers can play a role in providing ethical guidelines and supervising their members. Consumers also have a role to play by reporting violations and spreading awareness about the importance of responsible social media use. (Gea & Ariqah, 2024)

To ensure responsible use of social media by influencers, comprehensive policies and regulations are required. One step that can be taken is to develop laws that specifically regulate the activities of influencers. These laws may cover various aspects such as the obligation to disclose commercial relationships, prohibition of disseminating false or misleading information, and copyright protection. In addition, an effective enforcement mechanism is needed to ensure that violations can be followed up quickly and appropriately. Social media platforms also need to strengthen their internal policies and enhance cooperation with the government and relevant agencies to oversee influencer activities. These policies should also include education and digital literacy programs for influencers, to ensure that they understand their responsibilities and the legal implications of their actions on social media. (Hapsari et al., 2024)

Influencers must adhere to strict ethical principles to maintain integrity and public trust. First, transparency is key. Influencers should always be honest about their commercial relationships with brands and should never hide the fact that they are paid to promote a product or service. Secondly, accuracy of information is crucial. Influencers must ensure that all claims they make about a product or service are based on facts and are not misleading. Thirdly, respecting followers' privacy is mandatory. Influencers should keep their followers' personal information confidential and not share it without clear permission. Fourth, respecting copyright is also an ethical principle that must be adhered to. Influencers should ensure that they have the necessary permissions to use others' content and give appropriate credit where required. Fifth, maintaining a professional and ethical demeanor in interactions with followers and others on social media is also essential to building and maintaining a good reputation. (Septiana et al., 2024)

By adhering to these principles and understanding their responsibilities, influencers can use their platforms for positive purposes and build good relationships with their followers. However, effective oversight and enforcement remain necessary to ensure that all influencers adhere to these standards. Governments, social media platforms, and the public at large must work together to create a safe, fair, and responsible social media environment. In today's digital age, the use of social media has become an integral part of everyday life. The convenience provided by social media facilitates communication, information sharing, and marketing, but it also brings with it various problems and responsibilities, especially with regard to legal aspects. Influencer marketing has

emerged as an effective strategy in reaching the target audience. However, influencers must understand and navigate their legal responsibilities to avoid infringement. (Ardiansyah, 2024)

An influencer marketing strategy means using the services of influencers to promote products or services. Influencer marketing is a hybrid of old and new marketing tools. It combines the idea of celebrity endorsement with modern content-based marketing campaigns. The key differentiator in influencer marketing is that the outcome of the campaign is a collaboration between the brand and the influencer, where the influencer uses their reputation and influence to authentically promote the brand.

An influencer marketing strategy has several significant benefits. Firstly, it can increase brand awareness. Influencers may have far more followers than your business account, allowing them to promote your brand to a wider audience. Brand awareness is crucial as it introduces the product and the company's core values to more consumers, ultimately increasing the likelihood of purchase and acquiring new customers. (Lengkawati & Saputra, 2021)

Secondly, this strategy can increase public trust. Consumers are often more trusting of recommendations from friends or relatives, and influencer marketing can have the same effect as followers often trust the influencers they follow. When a trusted influencer recommends a product, their followers are more likely to buy the product due to the belief that it has been tested and approved by someone they trust.

To create an effective influencer marketing strategy, a few steps can be followed. First, determine the goal of your campaign. Knowing what you want to achieve, such as increased sales, improved brand awareness, or additional social media followers, is crucial to designing the right campaign. Second, identify your target audience. Understanding who you want to reach helps in choosing influencers that fit the demographics of that audience. Third, determine the budget that will be used for the campaign. Setting a clear budget helps in selecting influencers that fit within that budget and ensures that the campaign runs efficiently. Fourth, choose the social media platform to use. Each platform has different audience characteristics, so choosing the right platform is crucial. Fifth, choose the right type of content for your campaign. Interesting and relevant content will more easily attract the attention of the audience. Finally, determine the influencers that suit your business. Doing extensive research on the influencers you want to work with ensures that they have a good reputation and a relevant following. (Erwin et al., 2023)

In an influencer marketing strategy, applicable legal aspects should be seriously considered. One example of a relevant legal aspect is the Electronic Information and Transaction Law (ITE Law). ITE Law regulates various crimes and offenses in the digital world, such as defamation, dissemination of false information, and online fraud. Article 27 of the ITE Law states that "any person who intentionally and without right commits an act prohibited by laws and regulations" is punishable. This provides a clear legal foundation to deal with various offenses that may occur in influencer marketing practices. (Ginting et al., 2021)

In addition to the ITE Law, influencers must also comply with other applicable regulations and guidelines, such as those regarding truthful and non-misleading advertisements and promotions.

For example, influencers should always disclose when they are paid to promote products or services, to ensure transparency to their audience. Failure to disclose these commercial relationships may be considered fraud and subject to legal sanctions. (Fuskhahti & Widayastuti, 2024)

Some of the challenges faced in navigating these legal responsibilities include the speed at which technology and social media develop, which is often faster than the development of legal regulations. Law enforcement can also be challenging, especially when evidence of a crime is electronic and easily erased. In addition, a lack of legal awareness among influencers and the general public can result in unintentional violations.

To overcome these challenges, several strategies can be implemented. Increased education and digital literacy is an important first step. Influencers should be provided with adequate knowledge of applicable laws and regulations, as well as ethics in promotion. Strengthening the capacity of law enforcement is also important, including providing training and increasing resources to deal with cyber crimes more effectively. Technology development for digital crime countermeasures is also necessary, where advanced technology can be used to detect and prevent violations of the law. Increased cooperation between related institutions is also important to combat cyber crime together. Finally, harmonization of the ITE Law with other regulations as well as adjustments to technological developments must be made to ensure the ITE Law remains relevant and effective in facing the growing challenges of digital crime. (Setiawan, 2024)

Influencer marketing strategies can be used as an effective tool in navigating responsibility on social media with legal aspects in mind. With a clear definition, significant benefits, and effective tips, influencer marketing can help increase brand awareness, gain public trust, and promote products or services. Therefore, influencer marketing strategies should be taken seriously to prevent cyber crimes and protect the public from various kinds of crimes committed through the internet. Influencers need to be aware of their legal responsibilities and strive to comply with applicable regulations to maintain their integrity and public trust.

In this digital age, influencers have become a major force on social media. With millions of loyal followers, influencers have a huge influence in shaping public opinion, promoting products, services or ideas. However, with this great influence comes great responsibility. Influencers need to understand and comply with applicable laws when using social media. They have a responsibility to provide accurate and reliable information. Their followers rely on the information provided, and mistakes or misuse of information can damage the influencer's trust and reputation. Transparency is key in maintaining relationships with followers. Influencers should be honest about their relationship with the brands they promote. This openness is not only important to maintain followers' trust, but is also a legal obligation in many countries. In Indonesia, for example, regulations requiring disclosure of commercial relationships between influencers and brands are in place to prevent fraud and manipulation of the public.

In addition, influencers should respect the privacy of their followers. Followers' personal information should be strictly guarded and should not be shared without clear permission. This breach of privacy can not only damage relationships with followers, but also lead to serious legal

issues. Respect for privacy is an important part of ethical social media use. Misleading or harmful content should be avoided by influencers. Misleading content can cause harm to followers and lead to legal issues. In addition, harmful or offensive content can damage an influencer's reputation and lead to loss of followers. Influencers should always consider the impact of the content they share and ensure that the content will not harm followers or the general public.

An understanding of applicable laws is essential for influencers. They should have a basic knowledge of the regulations and laws that govern their activities on social media. This knowledge can help them avoid unintentional violations and stay within the bounds of the law. For example, in Indonesia, some of the laws governing influencers' responsibilities on social media include Law Number 11 of 2008 on Electronic Information and Transactions (UU ITE), Law Number 29 of 2004 on Consumer Protection, Law Number 25 of 2002 on Copyright, and Law Number 36 of 2014 on Post and Informatics.(Hia & Hulu, 2024)

In addition to legal understanding, influencers should create a clear and transparent social media policy. This policy should explain what kind of content they will post and how they will interact with followers. A clear policy can help influencers maintain consistency and avoid issues that may arise from inappropriate or unsuitable content. Influencers should also choose to work with brands that share their values and that respect their followers. Collaboration with reputable brands can help influencers maintain their own reputation and build trust with their followers. Transparency and honesty in these relationships are essential to maintain integrity and follower trust.

Monitoring the content they share is a good practice for influencers. They should always evaluate the content to ensure that it complies with applicable laws and social media policies. This also includes removing or correcting content that may violate rules or policies. Influencers should always respond well to complaints. When followers or other parties make complaints about an influencer's content or actions, influencers should respond with professionalism and endeavor to resolve the issue in a way that satisfies all parties involved. A good response to complaints can help maintain the influencer's reputation and show that they care about their followers.(Husna & Mala, 2024; Najwa & Husna, 2024)

Legal aspects that influencers need to consider include advertising law, defamation, privacy and copyright. Advertising laws regulate how products and services can be promoted online. Influencers must ensure that they comply with these regulations to avoid fines or other sanctions. Influencers should also be careful in what they say about others to avoid defamation. This is important to maintain good relations with other parties and avoid serious legal issues. Privacy laws should be respected by not sharing followers' personal information without their permission. Privacy violations can damage an influencer's reputation and lead to legal issues. Copyright law is also relevant in social media activities. Influencers should ensure that they do not infringe on the copyright of others when using their content. This includes ensuring that they have permission to use the music, images or videos they share.(Surya et al., 2021)

Overall, influencers have a huge responsibility to use social media responsibly. By understanding the applicable laws and following the right strategies, influencers can navigate their responsibilities and use their platforms to make a positive impact. A good strategy and adherence to the law will

help influencers build and maintain the trust of their followers, as well as safeguard their reputation in the long run. Influencers should always consult a lawyer if they have any questions about applicable laws to ensure that they stay on the right track and avoid any future legal issues.

CONCLUSION

Influencer's understanding of their legal responsibilities in sharing information on social media. The ITE Law is a vital instrument in regulating online activities, including prohibiting the spread of fake news, defamation and exploitation. The ITE Law provides a clear legal basis for identifying, investigating and following up on criminal acts on the internet, with strict sanctions aimed at deterring violations of the law. In addition, monitoring and reporting of criminal offenses on the internet is very important. Pusiknas, as the national criminal information center, plays a role in managing data and providing fast, accurate, modern and integrated criminal information services. Influencers' education and understanding of their legal responsibilities is key to ensuring the information they share is accurate and not misleading. With adequate education on the ITE Law, the risk of criminal acts on the internet can be minimized. Cooperation between the government and the public in addressing internet crimes is essential. A better understanding of the risks of internet crimes and how to deal with them should be improved.

To address these issues, several suggestions are proposed. First, influencers need to develop clear policies and guidelines for their online activities and work with brands that share the same values. The government should also provide training and education to the public on internet crime and how to protect themselves from such risks. International cooperation needs to be enhanced to deal with internet crimes, including the development of more sophisticated digital forensic technology. The ITE Law should always be updated to remain relevant to the rapid development of technology. In addition, monitoring and reporting of internet crimes should be improved by providing adequate resources to law enforcement officials. By following these conclusions and suggestions, it is hoped that a safer, fairer and more ethical digital environment will be created, where influencers and other social media users can conduct their activities responsibly and with adequate legal understanding.

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