

KEPASTIAN HUKUM DALAM PENGELOLAAN DAN PENGAWASAN DONASI UNTUK KEPENTINGAN KEMANUSIAAN DI INDONESIA

ABSTRAK
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Pesatnya perkembangan teknologi informasi telah menciptakan peluang baru bagi penghimpunan dana publik secara daring melalui donation-based crowdfunding yang memanfaatkan media sosial dan platform digital. Meskipun menawarkan aksesibilitas dan kemudahan partisipasi masyarakat dalam kegiatan sosial, praktik ini masih menghadapi ketidakpastian hukum karena belum adanya regulasi khusus yang secara eksplisit mengatur mekanisme, pengawasan, dan pertanggungjawaban donasi daring di Indonesia. Penelitian ini bertujuan untuk menganalisis mekanisme operasional donation-based crowdfunding, mengidentifikasi kekosongan regulasi yang ada, serta merekomendasikan solusi hukum yang dapat memastikan perlindungan bagi donatur, pengelola platform, dan penerima manfaat. Penelitian ini menggunakan metode kualitatif deskriptif dengan studi kepustakaan terhadap peraturan perundang-undangan yang berlaku dan kasus-kasus penyalahgunaan donasi di Indonesia. Hasil penelitian menunjukkan bahwa regulasi yang ada, seperti UU No. 9 Tahun 1961, PP No. 29 Tahun 1980, dan Permensos No. 8 Tahun 2021, belum sepenuhnya menjawab tantangan perkembangan donasi digital, sehingga memunculkan risiko transparansi, potensi penipuan, dan lemahnya akuntabilitas. Kesimpulannya, diperlukan pembaruan regulasi, penguatan mekanisme pengawasan, serta sosialisasi literasi hukum agar praktik donation-based crowdfunding dapat berjalan optimal, akuntabel, dan dipercaya oleh masyarakat.

Kata kunci: *Crowdfunding*, donasi daring, regulasi, media sosial, perlindungan hukum

LEGAL CERTAINTY IN THE MANAGEMENT AND SUPERVISION OF DONATIONS FOR HUMANITARIAN PURPOSES IN INDONESIA

ABSTRACT

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The rapid advancement of information technology has significantly facilitated public fundraising through donation-based crowdfunding platforms that utilize social media and digital channels. While this innovation broadens public access and encourages community participation in social initiatives, it still operates amid legal uncertainty due to the absence of specific regulations that directly address the mechanisms, oversight, and accountability of online donation activities in Indonesia. This research aims to analyze the operational mechanisms of donation-based crowdfunding in Indonesia, identify existing regulatory gaps, and offer legal solutions to ensure better protection for donors, platform operators, and beneficiaries. Employing a qualitative normative research method with statutory and conceptual approaches, this study examines both prevailing laws and several cases of alleged donation fund misuse. Findings indicate that current regulations, such as Law No. 9 of 1961, Government Regulation No. 29 of 1980, and the Minister of Social Affairs Regulation No. 8 of 2021, do not sufficiently accommodate the realities and risks of today's digital donation ecosystem, resulting in transparency issues, potential for fraud, and weak legal accountability. This thesis concludes that regulatory reform, strengthened supervision mechanisms, and comprehensive legal literacy outreach are urgently needed to ensure that donation-based crowdfunding can operate in a trustworthy, accountable, and sustainable manner within Indonesian society.

Keywords: Crowdfunding, online donation, regulation, social media, legal protection