

## LEGAL PROTECTION FOR CUSTOMERS OF "EMOK DARK BANK" DUE TO FRAUDULENT ACTIONS OF CREDITORS IN FINANCIAL LOANS IN A JUST LEGAL PERSPECTIVE

Cucu Risti Rahayu<sup>1</sup>; Deny Haspada<sup>2</sup>; Juli Asril<sup>3</sup>

Master of Laws at Langlangbuana University<sup>1,2,3</sup>

Email : Cucuristirahayu25@gmail.com

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### ABSTRACT

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The rise of the "Emok Dark Bank" in society has resulted in society increasingly falling into chaotic and uncertain economic problems. This research aims to examine the lending practices of 'Emok Dark Bank' and their implications for legal protection for customers. Through a normative juridical approach, this research identifies gaps in regulations that allow illegal lending operations to take place and explores the impact on customers, both from a financial and psychological perspective. Analysis of real cases and relevant legal decisions is the basis for understanding the dynamics of illegal lending practices and existing legal responses. The research results show that the lack of public awareness and financial literacy, together with weaknesses in supervision and law enforcement, worsen the situation for customers who become victims. This research proposes a series of policy recommendations and practical actions that can be taken by governments, financial institutions and society to improve legal protection for customers. These recommendations include increased regulation and supervision, stronger inter-institutional cooperation, financial literacy education, the establishment of an effective complaints mechanism, and the provision of tough sanctions for perpetrators of illegal loans.

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### INTRODUCTION

In the era of rapidly growing financial digitalization, the emergence of illegal lending practices by an entity often referred to as 'Emok Dark Bank' has become a serious issue that threatens economic stability and customer financial security. This practice not only ignores the principles of consumer protection which should be the foundation of every financial transaction, but also has a significant negative impact on customers, ranging from uncontrolled debt burdens to psychological threats due to aggressive collection. Furthermore, the crime of skimming, which is one of the fraudulent methods in the practice of 'Emok Dark Bank', is adding to the long list of losses experienced by bank customers, exposing security gaps that must be addressed immediately. Research related to financial literacy shows that adequate financial education can play an important role in preventing individuals from falling into the trap of illegal loans, by providing them with the knowledge to make wiser financial decisions. However, these efforts must be supported by a strong and fair legal framework to provide effective protection for customers, emphasizing that economic justice is not just an aspiration but must become a reality in financial practice.

In this context, the importance of socialization and education about the dangers of illegal online loans is very crucial as a first step in building public awareness. Legal education aimed at educating the public about the dangers of Emok Bank and illegal online loan products is a concrete example of preventive efforts that can be taken. Through this approach, it is hoped that society can be more careful and informed before engaging in potentially detrimental financial transactions, while strengthening the foundations of economic justice at every level of society.

The legal problems arising from the fraudulent actions of creditors in the context of 'Emok Dark Bank' loans are a complex and multifaceted phenomenon. At the heart of this problem lies the

fraudulent practices carried out by illegal creditors who not only ignore the principles of consumer protection, but also actively create conditions that are detrimental to customers. This practice includes providing loans at very high interest rates, lack of clarity in loan terms and conditions, and the use of aggressive collection methods and often violates the limits of fairness and customer privacy.

Furthermore, this problem is exacerbated by the lack of financial literacy among the public, which makes customers less able to identify risks and differentiate between legal and illegal loans. This condition is often exploited by illegal creditors to trap customers in a debt cycle that is difficult to break. Meanwhile, the existence of 'Emok Dark Bank' operating outside legal oversight makes it difficult for the government and official financial institutions to take effective legal action, considering they often hide behind internet anonymity or use fake identities to evade law enforcement.

From a legal perspective, the main challenge lies in creating and enforcing regulations that can cover these illegal lending practices. Even though there are regulations designed to protect consumers, such as the Consumer Protection Law, there are still loopholes that illegal creditors exploit to continue their exploitative practices. In addition, the lack of cooperation between institutions and the lack of resources for law enforcement are obstacles in effectively eradicating the existence of 'Emok Illegal Bank'.

Thus, the specific identification of legal problems arising from creditors' fraudulent actions in the context of 'Emok Dark Bank' loans demands a comprehensive response from various parties, including the government, financial institutions and society. The need for a multidisciplinary approach in responding to this problem is crucial to creating a safe and fair financial environment for all parties.

The main objective of this research is to examine in depth the dynamics and impacts caused by 'Emok Dark Bank' lending practices on customers, with a focus on aspects of legal protection. This research aims to identify gaps in current regulations and practices, which allow abuse by illegal creditors against customers. From this identification, the research seeks to articulate concrete and applicable recommendations for the existing legal protection system, so that it can increase security and fairness for customers in accessing financial services.

Furthermore, this research aims to provide insight to policy makers, financial institutions and the general public about the importance of financial literacy as a form of self-protection from illegal lending practices. Through comprehensive analysis, this research hopes to facilitate dialogue between various relevant parties to develop more effective customer protection strategies and mechanisms, including increased regulations, stricter supervision, as well as education and outreach to the public. The ultimate goal of this research is to create a more transparent, fair and safe financial environment for all customers, minimizing the risk of fraud and financial losses that may arise from illegal loans.

## RESEARCH METHODS

### Research Approach

In this research, we adopt a normative juridical approach that focuses on analysis of laws and regulations, doctrine and jurisprudence relevant to 'Emok Dark Bank' lending practices and legal protection for customers. This approach allows us to understand and evaluate the existing legal framework, as well as determine whether there are loopholes or shortcomings that illegal creditors can exploit to harm customers. Through this method, the research aims to present constructive recommendations regarding increasing legal protection for customers, on the basis of systematic and structured analysis.

### Data source

This research adopts a comprehensive approach in collecting and analyzing secondary data to gain an in-depth understanding of illegal lending practices as well as legal protection for customers. Secondary data sources used include a review of related literature, applicable laws and regulations, and existing case documentation. The selection of data sources was carried out with the

aim of building a strong research foundation and ensuring that each recommendation submitted was based on in-depth and comprehensive legal analysis.

a. Consumer Protection Law (Law No. 8 of 1999)

The Consumer Protection Law is the main basis for this research because it provides a legal framework to protect the rights of consumers, including loan customers. This law establishes the basic principles of consumer protection, such as the right to obtain correct and clear information about goods and services, the right to obtain comfort, security and safety in consuming goods and services, as well as the right to receive advocacy, protection and dispute resolution. fairly. Analysis of this law is important to assess the extent to which 'Emok Dark Bank' lending practices violate consumer rights and how regulations can be strengthened to prevent such violations.

b. Law on Financial Services Authority (Law No. 21 of 2011)

The Law on the Financial Services Authority regulates the establishment of the OJK as an institution that has the authority to regulate, supervise, examine and investigate financial institutions. This law is important in the research context because it gives the OJK the authority to take action against illegal financial institutions and protect consumers in the financial services sector. Analysis of this law allows research to evaluate the effectiveness of OJK supervision and suggest policy improvements to increase customer protection.

c. Academic Literature and Case Documentation

This research also examines academic literature that discusses illegal lending practices and legal protection for customers, such as works by Fathonah et al. (2022) and Juita, Astanti, & Septiandani (2023). This literature review is complemented by analysis of real case documentation involving 'Emok Dark Bank', providing insight into how perpetrators break the law and the impact on customers.

In addition, a review of the literature on financial literacy (Firdausi, 2018) and supervision of financial institutions (Aprita, 2021) provides additional perspectives on the importance of public education and effective supervision as part of a comprehensive solution to the problem of illegal loans.

Through a comprehensive analysis of these sources, the research seeks to map the existing legal landscape, identify weaknesses in consumer protection, and formulate policy recommendations that can strengthen legal protection for customers against illegal lending practices.

## RESULTS AND DISCUSSION

### Definition and Characteristics of 'Emok Dark Bank'

In the discourse regarding the phenomenon of illegal loans, the term 'Illegal Bank Emok' refers to entities or individuals who offer financial loan services without following the regulations and permits set by official financial authorities. The main characteristic of 'Emok Dark Bank' is that its operations are outside of legal supervision, often offering a fast application process and minimal requirements, but accompanied by very high interest rates and non-transparent terms. This practice is not only detrimental from an economic perspective because it burdens customers with unreasonable fees, but also has the potential to violate individual human rights through aggressive and intimidating collection techniques.

'Emok Dark Bank' operations are often carried out through digital platforms, taking advantage of easy internet access to reach its target customers. By hiding behind the anonymity offered by cyberspace, these entities are able to evade detection and enforcement by authorities. Ironically, technological advances that should bring convenience to society, in this context are instead exploited by the perpetrators of 'Illegal Bank Emok' for their own illegal profits.

Furthermore, the losses caused by 'Emok Dark Bank' are not only financial, but also psychological. Customers ensnared in illegal loans often experience severe mental stress due to intimidating collection tactics, including physical threats or public humiliation. This situation is further exacerbated by a lack of legal awareness and financial literacy among the public, making them vulnerable to fraud and exploitative practices.

Given the complexity of the problems posed by 'Bank Illegal Emok', it is important for the authorities to take concrete steps in law enforcement as well as for educational institutions and mass media in increasing public awareness and financial literacy. This will not only help individuals identify and avoid the pitfalls of illegal lending, but also strengthen the foundations of economic justice in society, in line with the cherished aspirations of social justice.

### **Analysis of Relevant Legislation**

In order to overcome the problems posed by the practices of 'Bank Illegal Emok', it is important to analyze the relevant laws and regulations, in particular the Consumer Protection Law and related banking and financial regulations. Law no. 8 of 1999 concerning Consumer Protection establishes the basic principles of protecting consumer rights, including the right to obtain correct, clear and honest information about the condition and guarantee of goods or services. This is especially relevant in the context of 'Emok Dark Bank', where customers are often faced with misleading information or non-transparent terms regarding loans.

Furthermore, Law no. 21 of 2011 concerning the Financial Services Authority (OJK) gives the OJK the authority to regulate, supervise, examine and investigate financial institutions, with the aim of ensuring financial system stability and protecting consumers. This regulation is important in monitoring and cracking down on illegal financial institutions that are not registered or do not have operational permits from the OJK, including entities that operate such as 'Emok Dark Bank'.

Although these regulations have been established, the main challenge lies in effective implementation and enforcement of the laws. Research shows that there are still loopholes in the legal system that allow 'Emok Dark Bank' to operate undetected or without adequate sanctions. Therefore, further analysis is needed to identify areas where regulations can be strengthened or modified, as well as to evaluate the effectiveness of monitoring and enforcement mechanisms currently in place.

Through analysis of relevant laws and regulations, the research seeks to provide concrete recommendations in order to improve legal protection for customers. One crucial aspect is increasing synergy between the OJK and other law enforcement agencies, as well as between the government and the banking sector, to ensure that illegal practices can be prevented and prosecuted more efficiently. Additionally, increasing public awareness and education about consumer rights and how to identify illegal financial institutions is also an important part of the overall solution. Thus, it is hoped that this analysis of relevant laws and regulations can be an important first step in efforts to build a fairer and safer financial system for the entire community.

### **The Impact of Fraudulent Acts on Customers**

The fraudulent acts committed by 'Emok Dark Bank' against customers had a broad and damaging impact, not only financially but also psychologically. Customers who become victims of this illegal lending practice often experience significant economic losses due to high interest rates and hidden fees that are not clearly disclosed when the loan agreement is made. This condition is exacerbated by aggressive collection methods, including physical or psychological threats, which not only violate the law but also cause trauma and severe stress for customers.

Moreover, fraudulent acts by 'Emok Dark Bank' also affect the credibility of the financial system as a whole. When customers lose trust in financial institutions due to bad experiences with illegal lending institutions, this can reduce community participation in the formal financial system and encourage a broader underground economy. The long-term impact of this situation is hampering financial inclusion and sustainable economic development.

In addition, illegal lending practices often exploit the most vulnerable groups in society, namely those who do not have access to formal financial services due to limited knowledge or economic conditions. This creates a cycle of poverty and social injustice that is difficult to break, considering that customers trapped in illegal loans have little or no adequate legal recourse to overcome their problems.

In this context, the importance of financial literacy as a means of preventing fraud and illegal practices becomes very crucial. Adequate education can help customers make wiser financial decisions and protect themselves from the risks of illegal loans. Furthermore, increased cooperation between regulators, law enforcement agencies, and civil society is needed to

effectively address this problem, including through stricter law enforcement against illegal lending institutions and increasing access to formal financial services for all levels of society.

Therefore, the impact of fraudulent acts on customers requires a comprehensive response from all relevant parties, starting with a deep understanding of the losses caused and followed by concrete steps to protect consumers and build a more inclusive and fair financial system.

### **Case Investigation and Legal Decisions**

Investigation of the real case involving 'Emok Dark Bank' and analysis of relevant legal decisions reveal various important aspects in dealing with this illegal lending practice. Through case studies, it can be seen how customers are often trapped in a complicated network of loans with unreasonable interest rates, which is not only detrimental from a financial perspective but also causes psychological stress due to unethical collection methods. In some cases, customers even experience physical threats or insults in public spaces, which clearly violates the law and human rights.

In responding to this situation, a legal decision against the perpetrators of 'Emok Dark Bank' is important as a means of upholding justice and preventing similar incidents in the future. However, challenges in law enforcement often arise from difficulties in tracking perpetrators who use internet anonymity to operate, as well as obstacles in legal processes that require strong evidence and witnesses to corroborate cases.

In addition, analysis of legal decisions shows that cooperation between law enforcement agencies and official financial institutions, including the Financial Services Authority (OJK), is very crucial. This coordination is important to ensure that there is a common understanding regarding applicable laws and regulations and how they can be implemented to protect customers and effectively crack down on illegal loan perpetrators.

The court has given several decisions in favor of customers, including refunds and compensation for losses experienced. However, there is still a need to strengthen the legal framework and increase public awareness of their rights as consumers. This involves not only stricter law enforcement against 'Illegal Bank Emok', but also educational efforts to increase financial literacy among the public, so that they can identify and avoid questionable loan offers (Firdausi, 2018).

Through the investigation of real cases and analysis of relevant legal decisions, this research seeks to present a comprehensive picture of the dynamics of illegal lending and how the legal system can adapt to protect customers. This is not only about fighting for justice for victims who have already been trapped, but also about preventing similar practices in the future, by creating a safer and more transparent financial environment for all.

### **Gaps in Legal Protection and Implications**

In reviewing the lending practices of 'Emok Dark Bank', several gaps in the existing legal protection system were identified, which have significant implications for customers. First, although the Consumer Protection Law has provided a framework to protect consumers, including loan customers, the reality is that its implementation often does not reach the customers who most need protection. This is largely due to a lack of awareness and understanding of their rights as consumers as well as mechanisms for seeking legal assistance when these rights are violated.

Furthermore, existing banking and financial regulations are often not specific enough in dealing with cases of illegal loans, especially those operated via digital platforms. Even though the Financial Services Authority (OJK) has made efforts to increase supervision of financial institutions, there are still difficulties in identifying and taking action against illegal lending institutions that operate clandestinely in the digital space. This created a loophole that allowed

'Emok Dark Bank' to continue operating by avoiding detection.

The implication for customers is uncertainty and insecurity in carrying out financial transactions. Customers who are victims of illegal loans often feel they have no clear legal path to fight for their rights or to obtain compensation for the losses they have suffered. In addition, the aggressive and intimidating collection practices of 'Emok Dark Bank' add to the psychological burden on customers, who may already be in difficult financial conditions.

In this context, gaps in legal protection not only reflect the need for revision and improvement of existing regulations, but also for increased cooperation between law enforcement agencies, as well as between the public and private sectors in protecting customers. These efforts must be accompanied by increasing financial literacy among the public, to build awareness about the risks of illegal lending and how to protect themselves from this practice.

Therefore, identifying and closing gaps in the existing legal protection system is crucial in building a more inclusive, fair and transparent financial system. These steps will not only provide better protection for customers, but also strengthen public trust in the formal financial system, which in turn can support more sustainable economic growth.

### **Recommendations for Improving Legal Protection**

To increase legal protection for customers in the face of 'Emok Dark Bank' lending practices, several practical recommendations and policies can be proposed. First, there needs to be increased cooperation between law enforcement agencies and the Financial Services Authority (OJK) in monitoring and taking action against illegal financial institutions. The effectiveness of this supervision can be increased through the use of information technology to detect illegal lending activities on digital platforms.

Second, revisions and updates to the Consumer Protection Law and related banking regulations are needed to address new challenges arising from developments in financial technology. This includes clearer regulations regarding online loans, including provisions on maximum interest rates and transparency of other costs, which must be communicated to customers clearly and openly.

Third, education and outreach to the public regarding financial literacy and consumer rights must be strengthened. This education is important to improve people's ability to identify and avoid illegal loan offers. This educational program can be carried out through collaboration between the government, financial institutions and mass media, and is included in the formal and non-formal education curriculum (Firdausi, 2018).

Fourth, the establishment of a more effective and accessible complaint mechanism for customers who feel disadvantaged by illegal lending practices. This includes ease of filing complaints, a fast and transparent process, as well as guaranteed protection for customers who report cases of fraud.

Fifth, providing heavier sanctions for perpetrators of illegal loans as a prevention and deterrence effort. This increase in sanctions must be supported by firm and consistent law enforcement, to send a clear message that illegal lending practices will not be tolerated.

Through the implementation of these recommendations, it is hoped that the legal protection system for customers can be strengthened, so that they can make transactions in the financial sector more safely and securely. These efforts will not only protect customers from financial and psychological harm, but also support inclusive and sustainable economic development by increasing trust in the formal financial system.

## **CONCLUSION**

### **Summary of Findings**

This research has revealed the complexity and significant impact of 'Emok Dark Bank' lending practices on customers and the wider financial system. From the analysis of relevant laws and regulations, gaps in legal protection have been identified that provide space for illegal lending institutions to operate and exploit customers. Key factors exacerbating this situation include a lack of financial awareness and literacy among the public, as well as challenges in effective law enforcement against such illegal practices.

The impact of these illegal lending practices is not only limited to financial losses for customers, but also causes significant psychological stress due to aggressive and unethical collection methods. Further implications of this situation include a decline in public trust in the formal financial system and potential obstacles to financial inclusion and economic growth.

Case investigations and relevant legal decisions show that although there have been several efforts to crack down on illegal lending institutions, more comprehensive strategies and better

coordination between various relevant parties, including regulators, law enforcement agencies and the public, are still needed to overcome this problem. effectively.

Based on research findings, the proposed recommendations include increasing inter-institutional cooperation, revising and updating regulations, strengthening education and socializing financial literacy, as well as establishing an effective complaint mechanism for customers. It is hoped that these steps will close gaps in legal protection and provide better protection for customers, as well as support the development of a fairer, more transparent and inclusive financial system.

Overall, this research emphasizes the importance of a holistic approach in overcoming the problem of 'Emok Dark Bank' loans, which does not only focus on law enforcement against perpetrators, but also on prevention through education and improving the legal protection system for customers. This is an important step to ensure fairness and security in the financial system, which will ultimately support societal prosperity and sustainable economic growth.

### Suggestion

Based on the in-depth analysis that has been carried out, several policy suggestions and strategic actions can be summarized to be taken by various stakeholders in order to overcome the 'Emok Dark Bank' loan problem and increase legal protection for customers:

1. **Increased Regulation and Supervision** : The government and the Financial Services Authority (OJK) must work together to revise and update existing regulations, with a focus on increasing transparency and fairness in lending practices. New regulations should include specific provisions governing online lending operations, including interest rate limits and clear provisions regarding debt collection, to prevent aggressive and unethical collection practices.
2. **Inter-agency Cooperation** : Closer coordination is needed between law enforcement agencies, the OJK, and formal financial institutions to facilitate the identification, supervision, and prosecution of illegal lending institutions. The use of information technology can increase the effectiveness of supervision and early detection of illegal lending practices.
3. **Financial Literacy Education and Socialization** : Increasing people's financial awareness and literacy is the key to preventing them from getting trapped in illegal loans. Educational programs should include information on how to identify credible financial institutions, understand the risks of illegal loans, and know their rights as consumers. This program can be carried out through collaboration between the government, educational institutions, mass media and civil society organizations.
4. **Effective Complaints Mechanism** : It is necessary to build a complaints system that is easily accessible and responsive for customers who feel disadvantaged by illegal lending practices. This system should enable customers to report questionable lending practices and obtain the legal assistance necessary to resolve their problems.
5. **Imposing Heavy Sanctions** : To provide a deterrent effect, the sanctions given to perpetrators of illegal loans must be tougher. This not only includes financial fines but also criminal sanctions for perpetrators who are proven to have committed fraud or exploitative lending practices.

By implementing these suggestions, it is hoped that a safer and fairer financial environment will be created for customers, as well as supporting the government's efforts to create financial inclusion and sustainable economic growth. Collective awareness and real action from all stakeholders is the key to overcoming the challenges posed by 'Emok Dark Bank' lending practices.

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