

CHAPTER V

CONCLUSION, LIMITATIONS, AND RECOMMENDATIONS

A. Conclusion

After the elaboration and in-depth discussion in the previous chapters, there are some conclusions that could be concluded on this research with the title of “Legal Protection to Bank Customers against Malware Trojan in Indonesia” follows:

1. Mainly the token synchronization case were not the customers and the banks fault, but because there is cybercrime motive which done by a foreigner and use some couriers from Indonesia. Indonesia have some existing laws that could be imposed to against Malware Trojan or synchronization cases, but all of the laws have been outdated and not effective enough to solve the cases as what the legal protection theory and progressive law theory told so;
2. The bank did not apply some existing laws and regulations to protect their customers and did not apply *caveat venditor* law principle. Therefore, the bank should give compensation to the customers according to existing laws in Indonesia; and

3. Bank's customers did not do the *caveat emptor* principle or did not aware of the unusual transactions on internet banking which caused the token synchronization case happened.

B. Limitations

This research is still being far from perfect which the limitations are as follows:

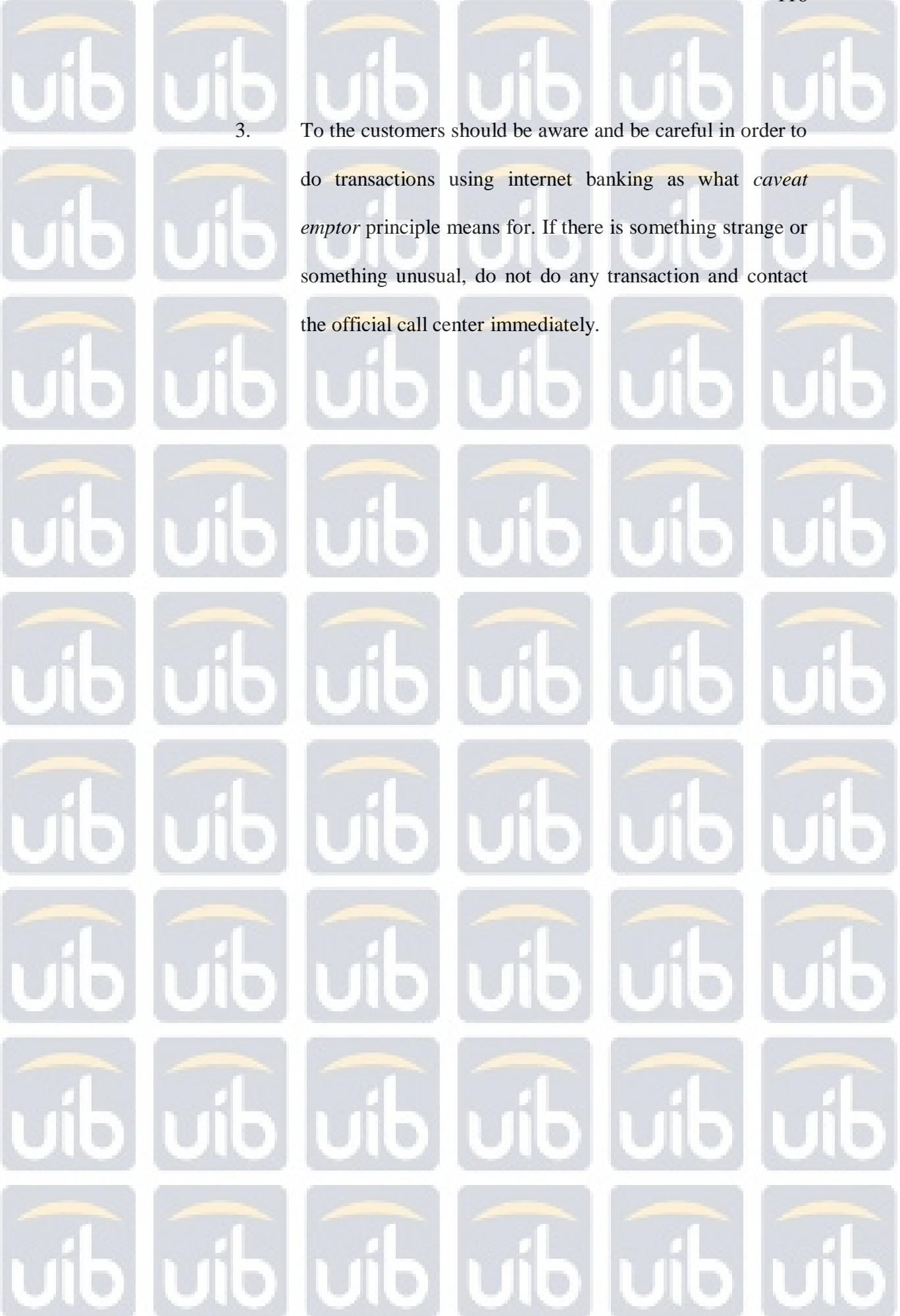
1. The researcher does not have any contact number to interview an IT Expert to know more about Malware Trojan attacks on internet banking system;
2. The researcher did not manage to get some data related to the token synchronization case in the bank which is the case reports and documents due to the bank's and its customer's privacy;
3. The researcher did not manage to interview the victim to get more information of token synchronization process because could not get his phone number due to bank's and customer's privacy;
4. The researcher did not manage to interview police officers who handling cybercrime cases due to the limit of time and does not have any contact number either; and
5. The researcher did not able to do survey whole location in Indonesia due to the limited time and funds.

According the limitations above, there still more could be search for this undergraduate final project, therefore hopefully this project could be the next research in the future.

C. Recommendations

Based on the results of the research which conducted by the researcher, the researcher gave some recommendations regarding to the title and topic of this research, as follows:

1. To the government, Indonesia should have a more specific and updated cyber police which regulate about legal protection towards the banks and the customers could be imposed to solve the token synchronization case more effectively. Indonesia's Government could make a bilateral or multilateral agreement, international agreement, etc. and ratificate it into Indonesian Law. Other than that, the government should done criminal law enforcement more effectively, including recruit and train qualified law enforcers so the laws could be functioned more effective;
2. To the banks should educate the customers of the procedures and the risks of internet banking usage and always do *caveat venditor* principle to reduce more similar cases in the future, such as increasing internet banking system's security and implementing Know Your Customer (KYC); and

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3. To the customers should be aware and be careful in order to do transactions using internet banking as what *caveat emptor* principle means for. If there is something strange or something unusual, do not do any transaction and contact the official call center immediately.