

Implementation Protection Consumer Passenger Jabodebek LRT Transportation at Halim Station According to Constitution**Novita Roy Lubis¹, Darwati², Luky Ferdiles³**

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novitaroy123@gmail¹, darwati@borobudur.ac.id², lucky_ferdiles@borobudur.ac.id³**Keywords**Consumer protection,
transportation services,
LRT**Abstract**

One of the advances in transportation technology in Indonesia is Light Rail Transit (LRT), which is one of the most popular means of land transportation. The aim of this research is to implement consumer protection for Jabodebek Halim LRT transportation passengers according to the law. This research uses a sociological juridical method which is included in the descriptive analytical research category with non-random purposive sampling techniques, and the results are evaluated through qualitative analysis. The results of this research discuss consumer protection implemented in LRT transportation services, the responsibility of the Jabodebek LRT for consumer losses and responsibility for the consequences of LRT technical problems which cause delays in departure schedules, material losses or in-material losses based on the provisions of the Law in Number 8 of 1999 concerning Consumer Protection and Law Number 23 of 2007 concerning Railways. Apart from legal products, railway operational operators are responsible for providing minimum service standard operational procedures to consumers at stations and while the LRT is running. This standard covers the safety of a person's life, feeling safe while using LRT transportation, feeling comfortable at the station and during the trip, easy access to ticket purchases, and equal rights as citizens, as well as handling complaints and inconveniences from passengers regarding the services provided.

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**INTRODUCTION**

Transportation is very important for growth economy in Indonesia. It grows Public awareness of importance service transportation the remember how importance transportation in life We. In his service We need something system that can produces a feeling of security, comfort, right time, and easy costs reachable by various layer public. Transportation Alone have meaning as one of the method the Indonesian people support sustainable growth. Service transportation required For provides a sense of security, comfort, accuracy time, and affordability to individual from various background behind. Transportation sector considered important as means through which Indonesia encourages development sustainable (Fatimah et al. 2020). Value of goods and services improved through his abilities For transported in a way efficient, as highlighted by HMN Purwosutjipto (1995) who emphasized importance source goods and services from the request area. Transportation train fire is very efficient For journey one time, offer more alternatives fast For mode transportation based land other. PT. Indonesian Railways (Persero), a company state -owned, mandated by Indonesian law to manage service train country fire. Blessed authority by the government Republic of Indonesia, company ensure operation system train reliable and safe fire. PT. Indonesian Railways (Persero) is committed For transport passengers and goods with safe to objective them, accordingly with reciprocal agreement about transport train fire (Bakir and Muntaha 2023). User service required For cover cost transportation. Operation company bound by standards services that include reliability,

comfort, safety, and security. One of objective main PT. Indonesian Railways (Persero) is For give service safe, efficient, driven transportation digitally, and growing fast to his customers (Ratnawati 2019).

Official Ministry Relations said PT Kereta Api Indonesia Persero would become financier main development Light Rail Transit (LRT) construction in the Jakarta, Bogor, Depok, Bekasi areas is normal called Jabodebek. " In accordance Presidential Decree Number : 49 of 2017, PT KAI remains as an investor included organizer LRT operations, maintenance and upkeep infrastructure at a time provide capital for the development discussed with the Minister of Economy Maritime Affairs, Minister of Finance, and Minister of State-Owned Enterprises (Salim and Negara 2018). Minister of Transportation said PT KAI could join with PT Adhi Karya For manage Jabodebek LRT facilities with form partner business or cooperation partnership (Anguelov 2023).

Railway operations aim is For support progress nation and facilitate transportation people and goods in maximum volume with take into account security, accuracy in accordance schedule, and guaranteed from damage. But in January 2024 it has happen disturbance technical so that There is lateness departure LRT train at Halim station (Batarliené 2020). Consumers are very disadvantaged considering the LRT schedule is very busy in accordance with timetable consumer leave Work. Therefore necessity There is Constitution protection consumer in handle problem For Can give support to public that train fire is much needed transportation in Jabodebek (Jakarta Bogor Depok Bekasi). All system, incl system government, system society, and systems life and living, depend on transportation. There is transportation give convenience work from facet time, like exists train fast and price affordable. This matter caused because the LRT at Halim station is nearby with train Quick Whoosh connect Jakarta to Bandung and surrounding areas. Transportation in general besides transport humans, tools transportation other for example carriage, ship transport by sea, boat in rivers, and airplanes (Rodrigue 2020).

Transportation train fire started with agreement between carrier and sender goods and passengers. In agreement transportation, one party agreed For with safe bring people or goods from One place to place another party, and the other party agrees For pay cost transportation. Generated from agreement between interested parties, rights and obligations that must be fulfilled during the implementation process transportation. Something engagement formed by agreement transportation that occurs between carrier and passengers. User service defined in Article 1 Paragraph 12 of the Law Republic of Indonesia Number 23 of 2007 concerning Railways as every individual or the legal entity that uses it service transport train fire, fine transportation of people or goods. User service including in category consumer according to Constitution Number 8 of 1999 Concerning Protection Consumers (UUPK). In Article 1 paragraph 2 UUPK states that consumer is everyone who uses it goods and/ or services available in society, fine For interest self yourself, family, other people, or creature life other, and no For traded. In terms of this, research This determine whether PT. KAI is suitable with helpful legislation finish problem consumers on the railway and provide protection consumer (Fitriana 2016). Because of the train fire considered very efficient For journey outside city with affordable cost for everyone, be important For see train fire as method transportation main for public. Study This own objective implement For describe symptoms, events, and happenings moment This. This study needed For give description systematic, factual and accurate about implementation Constitution Protection Consumer To Passengers of Jabodebek Halim LRT Transportation Services.

RESEARCH METHODS

Study juridical sociological about methodology used. Problem This approached with checking norms or applicable law as provision affirmative and theoretical relevant with proof empirical in the field. Study This use primary and secondary data sources. Primary data is collected through interview with head travel and consumers service LRT transportation at Halim Station, while secondary data obtained from study library that includes source primary, secondary and tertiary law.

Determination Method : Researchers use technique taking sample non- random goals in study This Because difference between criteria sample specific and determined by the researchers. Election technique taking sample objective based on considerations and requirements specifically necessary fulfilled by the samples involved in research at Halim LRT. Next, the data is collected undergo analysis through method qualitative, which avoids analysis numeric to produce descriptive data based on responses given by participants Good in a way oral nor written, as well behavior those who can observed. Analysis techniques qualitative produce descriptive data that summarizes information submitted by respondents in a way oral and written, together with behavior they really are. Approach This aim For give outlook comprehensive about material medium lesson investigated.

RESULTS AND DISCUSSION

Transportation law railway

Transportation law, from perspective civil, includes set comprehensive regulations good inside or outside codification Burgerlijk Wetboek (BW); Wetboek van Koophandel (WvK) which aims arrange connection law in a way effective in context transport goods and individuals from One location to another location for fulfil agreement certain. According to researchers, law transportation is whole provision supervising law service transportation (Baco and Nokoe 2023). Therefore that's the law transportation train considered fire show framework law complete set up service transportation train fire (Debnath et al. 2014).

Not quite enough answer law, as defined by Black's Law Dictionary, relating with “ recognized and enforced obligations court to the plaintiff.” The researchers argue that accountability law involve obligation For compensate all loss or costs incurred (Merryman and Pérez-Perdomo 2018). Entity transportation, which works as provider service transportation to public, responsible answer on damage suffered by passengers cargo and/ or sender, accordingly with principles enforced law in Common and Continental Legal Systems.

Principle law transportation railway

Governing principles law train fire revolves around concepts not quite enough answer absolute (also known as obligation strict). Idea this, often called “ responsibility answer absolute ” or “ obligation tight,” is element base in transportation train fire. Scholars such as Krier, Kolasa, Meye, Van den Berg, and Lummert confirm that not quite enough strict answer appears at the moment action without debate error defendant. Therefore that's the principle strict accountability appear after do action without research error defendant. Not quite enough answer absolute rooted in concept action violate laws that lead to losses for party others, which require demonstration of guilt. Specification possible losses recovered and amount maximum possible replaced depending on the circumstances and appropriate evidence with obligation binding contractual transportation individuals and goods to specified goals, with passenger or owner goods committed For cover cost transportation (Rick et al. 2023).

Analysis Jabodebek LRT Responsibilities Related Return Loss Passenger

Analysis not quite enough answer Jabodebek LRT regarding restitution loss passenger consequence disturbance technical on the purchasing platform the ticket that caused delays and cancellations regulated by the Railway Law. Constitution This set that carrier must responsible answer on losses incurred by Jabodebek LRT passengers. Not quite enough answer the No demand proof error and mandate compensation on losses experienced by passengers Jabodebek LRT transportation, while still responsible answer For fulfil obligation contract, incl obedience to specified schedule. In context This is poor performance refers to failure For fulfil hope, encouraged train operators fire For overcome lateness journey when plan journey train exceeded the time limit permitted operations. Regulation PM 47 of 2014 from the Minister of Transportation Republic of Indonesia about Standard Minimum Service for Transportation Train Passengers, in Article 5 stipulates guidelines For situation above, Paragraph (1) states that (Kusumastito, Mashdurohatun, and Sulistiyono, n.d.):

- a Every passengers who will go using the LRT from route local delayed timetable the route get compensation at the station train fire departure. In terms of Here, passenger accept information delay schedule on the Internet is accepted go through telephone solular each passenger from LRT operational as organizer means with a tempo of three tens minute until an hour before timetable valid ;
- b Passengers who cancel journey in time one hour more than that timetable will obtain his rights will get your ticket money back by 100%.

Replacement disadvantages : If the Jabodebek LRT transport delayed, which causes loss as mentioned above, the organizer infrastructure railway will responsible answer on lateness such and will give return ticket by 100%.

Restrictions damages by law means that the Jabodebek LRT will requested accountability based on principle not quite enough strict answer on all damage caused by delays arrival. In addition, Regulations Government on Railway Traffic and Freight set that in case lateness train passenger between city exceed 6 hours, compensation must given by the organizer train fire For ongoing delays three hours or more. However, there is a delay train fire can happen Because damage equipment train fire or problem technical operational as outlined in Article 92 (1) of the Regulations Government on Railway Traffic and Freight, leading to compensation for passenger Jabodebek LRT goods. Therefore that's a delay departure is form underperformance well that resulted loss for passenger, with not quite enough answer determined by principles not quite enough strict answer. Cancellation departure is reason main loss, as stated in Article 94 (2) of the Regulations Government on Railway Traffic and Freight.

If the Jabodebek LRT cancel departure ongoing passengers more from 6 hours, train replacement or transportation with same quality must provided by the operator, accordingly with Regulation Government on Railway Traffic and Freight. However so, deep cases where departure train fire canceled Because lack goods from problem operational, delayed departure can arranged by the organizer transport train fire. However, appropriate with Article 134 (1) of the Railway Law, loss replaced based on cost ticket, in line with principle accountability strict on lateness departure.

Not quite enough answer law Jabodebek LRT for compensate loss for passenger Jabodebek LRT goods Because incident widespread until arrival late, cancellation departures, and delays, as outlined in Article 157 (1) of the Railway Law. With Thus, Jabodebek LRT, acted as organizer train fire or carrier goods, must give compensation to passenger on loss actually happened. Additionally, steps For speed up arrival and ticket refund full If happen cancellation is also required. After cancellation departure, the Jabodebek Jakarta LRT is obliged for replace loss to passenger goods Jabodebek LRT equivalent with cost incurred (Nafila 2018). Loss this, which originates from lateness departure, require compensation by LRT Jabodebek, organizer Jabodebek LRT delivery.

According to Constitution Number 23 of 2007 concerning Security, Jabodebek LRT Freight is subject to principles accountability different laws on losses incurred, as arranged in Regulation Government Number 72 of 2009 concerning Railway Traffic and Transportation and regulations railway related other. Principle accountability law in transportation train fire, incl For Jabodebek LRT transportation, includes loss consequence accidents, delays and cancellations departure, so apply principle not quite enough answer absolute on loss from lateness arrival, delay or cancellation departure.

Therefore that 's appropriate with the conditions listed in Law no. 23 of 2007 concerning Railways, Regulations Government Number 72 of 2009 concerning Railway Traffic and Transportation, as well framework legislative related other related things with operation train fire, Jabodebek LRT covered not quite enough answer law on all damage caused by passengers who use it Jabodebek LRT transportation division services. Losses incurred in a way special related with originating losses from inefficiency operational (Aloqab, Alobaidi, and Raweh 2018). Jabodebek LRT mandate for supervise operation transportation in accordance with the rules outlined in Constitution Number 23 of 2007

concerning Railways and Regulations Government Number 72 of 2009 concerning Railway Traffic and Freight.

Protection Legal Products Used Consumers in Train Services

Train intended For possible transportation mass individuals and goods with a safe, convenient, fast, smooth, accurate, organized, and efficient way, while also contributing to equity, expansion, stability, and progress nation. In operation train api, provider service train fire obliged For obey criteria minimal service. Criteria This enforced by the Organizer Railway Infrastructure (managing station train fire For service customers) and Organizers Railway Facilities (carry out activity transportation train fire). As it develops Constitution protection consumer, goal mainly is For ensure security passenger (Dal Pozzo 2014). Protection law related with rights, with protection law consumer signify protection rights consumer. Guard rights consumer possible consumer For look for road law in cases violation right, so become disputed subject. Section 4 of the Act Number 8 of 1999 concerning Protection Consumer arrange rights consumers, which include :

- 1) Rights to comfort, sense of security, and safety until objective moment use goods and services ;
- 2) The right will correct, clear, as well as information Honest about conditions and guarantees goods and services ;
- 3) Rights to opinion and existence his complaint about goods and services used ;
- 4) The right to obtain on help, get protection, as well effort solution dispute ;
- 5) Protection to consumer given in a way fair ;
- 6) Rights to justice and honesty as well as No exists treatment discriminatory ;
- 7) The right to receive compensation money, replacement loss, or replacement goods if different with condition moment purchase ;
- 8) The right to receive compensation money, replacement loss, or replacement goods received different with existing agreement agreed ; And
- 9) Getting right in accordance in regulation other.

Article 19 paragraph (1) of the Law Number 8 of 1999 concerning Protection Consumer set obligation company For give compensation to consumer on losses resulting from damage, pollution, and/ or losses incurred from utilization products and/ or service. Provision This will explained and discussed in Constitution Number 23 of 2007 concerning Railways.

Jabodebek LRT Responsibilities to Passengers Who Experienced Loss

Jabodebek LRT is perpetrator responsible business answer incident disturbance technical in January 2024 at Halim Station, therefore must pay damage or negligence occurred moment sell goods and services created. A number of existing principles explained previously the goal is give help law to passenger. Jabodebek LRT apply principle not quite enough answer absolute as form the compensation (Marpaung 2022). Accountability in a way professional happen if party LRT operational as perpetrator Business train fire in a way professional Not yet give service maximum to passenger as client consequence default or negligence perpetrator business that causes action contradictory with law. In addition, Law Number 23 of 2007 concerning Railways set mode Jabodebek LRT transportation will give comparable compensation with losses experienced by passengers (Pariantho 2015).

LRT organizers have not quite enough answer to passenger about security and order before happen loss consumer. According to Article 136 UUKA 2007, LRT operations are responsible answer on things following :

- 1) During mode transportation transport people, LRT operations have authority For :
 - a Check ticket ;
 - b Following up LRT passengers who don't order ticket online or offline ;
 - c Secure LRT passengers or the society that makes it anxiety passenger or damage infrastructure during journey train fire, and
 - d Carrying out monitoring and socialization to the surrounding community route LRT trip so No There is potency destruction LRT travel facilities.

2) Under circumstances certain, Jabodebek Halim LRT operations have the right For cancel journey train fire if There is something events, such as :

Order passengers feel safe and comfortable moment use train fire, railway must fulfil not quite enough he answered as provider service (Faith 2014). Endeavor answer started with count loss passengers and then give change make a loss in form of cash. According to Article 19 paragraph (1) of the Law Number 8 of 1999 concerning Protection Consumers, companies responsible answer For pay loss to consumer Because damage, pollution, and/ or loss caused by use goods and/ or services created.

Article 87 Law no. 23 of 2007 concerning Railways stipulates accountability of infrastructure operators train fire in circumstances certain. Operators can considered responsible answer to party third on damage caused by errors related operations with infrastructure train fire. Besides, they can responsible answer on damage property, injury, or death caused by surgery infrastructure train fire. Not quite enough answer This set through agreement collaborative between the parties involved in operation train fire. In addition, the Railway Infrastructure Operator is responsible answer on deceased personnel or wounded Because activity train fire. Calculation stated obligations in paragraph (1) is based on losses actual. Jabodebek LRT, as a train operator, must enter coverage insurance For reduce associated risks with compensation and fulfill his obligations. Amount minimum compensation must be The same with compensation provided to suffering passengers loss Because operation train fire.

Passenger Efforts If their rights As Consumers Not Fulfilled

In a situation where there is disagreement between the two parties causing it One party feel that his rights violated, dispute Possible arise. Consumer often involved in dispute with company, fine public or private, above products, goods, or service certain. In the scenario this, consumer, who is passenger train fire, protected by Law no. 8 of 1999 concerning Protection Consumer. For streamline processes, entities train fire offer service customer throughout time. Therefore That's it, sure passengers his rights has violated can contact service Jabodebek LRT customers. As outlined In Articles 47 and 48 UUPK, there are two ways solution dispute consumers, namely :

- 1) Completion non- court matters : problems resolved internally by passengers and the LRT only. If problem resolved through court : according to Article 48 UUPK, protection law at the time the judge based on provisions applicable judiciary, with refers to the articles contained in the UUPK, which stipulates that consumers are harmed own right For sue businessman;
- 2) Completion problem LRT passengers can done Good in office court or non- judicial, selected in a way agreement by the parties involved.
- 3) Completion dispute through external solution court, as outlined in verse 2, no freeing individual from not quite enough answer criminal they as determined by law. In cases where attempts solution outside dispute court by consumers proven No succeed based on agreement together between parties to the conflict, consumers Possible No in a way automatic use litigation in Court District. According to Article 46 UUPK, several entity consumer own right For submit action law in the District Court provided condition certain fulfilled : (1) Consumers who have suffer loss or his heir ; (2) Collective consumers who have interest together ; and (3) entity protection consumer a fulfilling public necessary criteria, such as become a legal entity or foundation with objective main guard rights consumer as showed in principles basically ; (4) In addition, the involvement of government agencies and institutions related other guaranteed in cases where utilization goods and services cause loss financial or damage physique.;

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CONCLUSION

Based on Constitution about Trains and directions government regarding Railway Traffic and Cargo, Jabodebek LRT shoulder not quite enough answer law For give compensation to experienced passengers loss. Doctrine accountability strict or accountability without error used For damage that arises from damage technical, incl problematic platform ticket that causes lateness arrival or departure. Provision This applies For passenger Jabodebek LRT cargo experienced loss consequence malfunctions caused by accidents based on Railway Act. Therefore Therefore, Jabodebek LRT is obliged For replace losses incurred by passengers Jabodebek LRT cargo in accordance with regulation train fire.

Constitution about guard interest consumer, which illustrates right consumers, yes accessed in accordance with yardstick measuring specified services. Constitution This Then changed become Railway Act for protect rights consumer during utilization service transportation train fire. Operating entity facilities and infrastructure train fire mandated For ensure welfare and safety user service train fire with enforce Standard Service Minimum Passengers for journey stations and ships covering safety, security, reliability, comfort, convenience, and equity, while also addressing complaint passengers and inconvenience related with services provided. Jabodebek LRT is on duty give compensation to passenger, change cost ticket, arrange diversion train fire or mode transportation alternatives, and improve performance staff If happen problem or accident in accordance prevailing circumstances. Consumer given Lots road For look for road law If right they No respected by the provider service. Initially, they were can choose outside channel law, where the provider services and consumers collaborate For finish dispute. Although so, if external mechanism law proven No effective, consumer still own option For submit case through system Justice For finish dispute in a way law.

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