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Legal Protection of the Interests of Fair Competition in the Business Sector: Analysis of Anti-Trust and Cartel Violations

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Abstract

Antitrust and cartel violations in the business sector reveal various fundamental problems that need to be addressed to realize healthier business competition, with a focus on low legal awareness among business actors, obstacles in law enforcement, challenges in regulatory oversight, and lack of regulatory effectiveness. This research aims to identify factors that hinder the effective implementation of antitrust and cartel laws in the business sector in Indonesia. This research uses a qualitative approach by conducting in-depth interviews with various related parties, including business actors, regulators, and legal experts. Data analysis was carried out using thematic techniques to identify patterns and main themes that emerged from the interviews. The research results show that low legal awareness among business actors is one of the main factors that exacerbate the problem of antitrust violations and cartels. In addition, law enforcement is hampered by limited human and financial resources, as well as regulatory oversight that is not yet effective in the regions, also making it difficult to achieve the goal of optimal legal protection. The implications of this research suggest the need to increase legal education, reform law enforcement, adapt more flexible regulations, and strengthen the supervisory system as strategic steps to increase compliance with business competition law to increase healthy business competition in Indonesia.

Keywords

Cartels, Anti-Trust Violations, Fair Business Competition, Legal Protection in Business Competition.

1. Introduction

Healthy business competition is one of the fundamental pillars of a dynamic and efficient market economy. In the global context, various countries have adopted legal frameworks to protect and encourage healthy business competition to increase economic efficiency, innovation, and consumer welfare. Legal protection against business competition not only prevents detrimental business practices, such as monopolies and cartels but also creates a fair and competitive business environment. Effective competition regulation tends to have higher levels of innovation and lower prices for consumers. For example, the European Union with strict competition regulations has succeeded in maintaining a more open and competitive market compared to other regions where competition regulations are less strict (Nopianti et al., 2023). Based on a report from the Organization for Economic Co-operation and Development (OECD), cartels detected in various countries have resulted in economic losses reaching billions of dollars every year. In 2021, the European Commission issued a fine of €875 million to five large companies in the automotive sector that were proven to have carried out cartel practices to fix car component prices (Pelaez & Gutierrez, 2023). In the United States, the Federal Trade Commission (FTC) continues to increase oversight and crack down on companies engaging in anticompetitive practices, with fines imposed in 2020 reaching more than \$7 billion (Binit Agrawal, 2023). These enforcement actions highlight the ongoing challenges posed by cartels and the importance of strong regulations to prevent such practices to protect market competition with fines imposed on cartels on a rolling basis to increase market competition over time. This underscores the effectiveness of penalties in deterring cartel behavior and promoting fair market practices (Puente & Sanchez, 2022; Danilovskaya & Tenishev, 2019).

In Indonesia, legal protection for healthy business competition is regulated by Law Number 5 of 1999 concerning the Prohibition of Monopoly Practices and Unfair Business Competition (Yuniarti & Berlian, 2023). In 2021, the KPPU imposed fines of IDR 119 billion on companies proven to be involved in cement cartel practices (Tantri et al., 2023). Apart from that, KPPU is also active in advocating and educating business actors regarding the importance of healthy business competition, as well as promoting cooperation with international institutions to strengthen law enforcement capacity (Asphianto, 2021). Even though this regulation has been in place for a long time, challenges in its implementation and enforcement still frequently occur. Cases of antitrust violations and cartels in the business sector frequently emerge, reflecting the need for strengthening regulations and more effective law enforcement. Data from the Business Competition Supervisory Commission (*Komisi Pengawas Persaingan Usaha/KPPU*) shows that during the 2015-2020 period, there was a significant increase in the number of cartel cases handled. This indicates that even though legal protection efforts exist, practices that disrupt healthy competition still often occur.

Analysis of antitrust and cartel violations in the business sector in Indonesia reveals various fundamental problems that need to be addressed to create healthier business competition. For example, the low level of business actor compliance shows that many business actors do not fully comply with regulations related to business competition. Cartel cases and antitrust violations still occur frequently, especially in strategic sectors (Vidaro et al., 2023). Data from the Business Competition Supervisory Commission (*Komisi Pengawas Persaingan Usaha/KPPU*) shows that during the 2015-2020 period, there was an increase in the number of cartel cases handled. This indicates that there is a compliance problem among business actors (Anisah & Hadi, 2023). The low effectiveness of law enforcement shows that law enforcement related to business competition violations still faces various obstacles. One of the main obstacles is the lack of coordination between law enforcement

agencies and the low resources available to conduct thorough investigations. In addition, the law enforcement process is often slow and does not provide a significant deterrent effect for perpetrators of violations (Azalia, 2023). Even though the existing regulations are quite comprehensive, there is still a gap between written policies and their implementation in the field. Several studies show that regulations are often not implemented consistently, and there are legal loopholes that business actors exploit to avoid sanctions. The lack of awareness and education about healthy business competition shows that awareness of the importance of healthy business competition among business people and the general public is still low (Bayuaji, 2023). Many business actors do not fully understand the negative impact of anti-competitive practices such as cartels and monopolies. Lack of education and socialization regarding business competition regulations is one of the factors causing this problem.

Research related to legal protection of business competition has been widely carried out Vidaro et al. (2023); Anisah & Putri (2023); Nugroho (2021) especially legal protection of business competition in the context of antitrust violations and cartels have also been widely carried out (Anisah & Hadi, 2023; Aprildo, 2023; Sevilla & Hasanah, 2023). However, this research does not discuss what factors hinder the implementation of antitrust and cartel laws in the business sector in Indonesia, so this research seeks to identify factors that hinder the implementation of antitrust and cartel laws in the business sector in Indonesia by focusing on the low level of legal awareness in Indonesia. among business actors, obstacles in law enforcement, challenges in regulatory oversight, and lack of regulatory effectiveness. So, it is hoped that by understanding the factors that hinder the implementation of antitrust and cartel laws, we can provide concrete strategic recommendations to increase business actor compliance and the effectiveness of law enforcement. In addition, this research provides concrete implementation strategies to overcome obstacles in law enforcement and increase the effectiveness of business competition regulations and emphasizes the importance of increasing awareness and education about healthy business competition among business actors and the general public. This research aims to provide strategic recommendations for policymakers, legal practitioners, and business actors to increase legal protection for fair business competition in Indonesia this research seeks to provide comprehensive analysis and practical solutions to overcome various obstacles in enforcing business competition law and to promote a fairer and more competitive business environment in Indonesia. This is important because healthy business competition is the main pillar of a dynamic and efficient market economy.

2. Literature Review

A cartel is an agreement between business actors to control prices, limit production, or divide markets to reduce or eliminate competition. Cartels harm consumers because they lead to higher prices and lower product or service quality. Cartels can be identified in the industry through uniform or controlled prices, market or customer division, production or capacity restrictions, and controlled tenders or offers (Harrington, 2023). Prices of products or services in the market that tend to be uniform and do not show normal fluctuations can be an indicator of the existence of a cartel, as can agreements to limit production quantities to keep prices high (Moreau & Panon, 2022). Additionally, firms in a cartel may divide the market among themselves, both geographically and by customer type. Agreements to regulate who will win certain contracts or tenders, as well as secret meetings between business actors aimed at making agreements regarding prices, production, or market division, are also important indicators in identifying the existence of cartels (Fontgalland & Lima, 2022). The presence of written evidence such as emails, memos, or contracts indicating cartel agreements, as well as unusual price stability

without significant changes in demand or supply, may indicate price manipulation by the cartel. In addition, coordination in response to market changes, such as raising or lowering prices simultaneously, also often indicates cartel practices (Pereira et al., 2021).

Anti-trust violations cover a wide range of actions that violate competition law, such as monopolies, monopsony practices, and mergers that reduce competition in the market. This violation aims to prevent companies from taking actions that could hinder competition and harm consumers (Steinbaum & Stucke, 2020). Anti-trust violations include the concentration of market power by one or several business actors which inhibits competition in other businesses, agreements between several business actors that regulate the price, quality, or quantity of products to inhibit competition in other businesses, actions that inhibit or regulate other business activities, such as restructuring unfair markets, unfair business actions, such as fraud, market manipulation, or other actions that inhibit other business competition, agreements between several business actors that regulate parts of the market to inhibit other business competition, and the existence of agreements between several business actors that are binding other business actors to inhibit competition from other businesses (Ampofo, 2023).

Fair business competition refers to a situation where business actors compete fairly without using fraudulent or anti-competitive practices. This means that no business actor will abuse its dominant position to hinder competition or collude with other competitors to fix prices or divide the market. Healthy business competition includes market openness, transparency, absence of monopolistic practices, fairness in access, competition based on merit, effective regulation, as well as innovation and efficiency (Burinskienė & Daškevič, 2023; Darwis et al., 2023). Market openness ensures that all business actors have the same opportunity to participate without significant obstacles. Transparency in price information, product quality, and market conditions allows consumers and business actors to make the right decisions. The absence of monopolistic practices and abuse of dominant positions can maintain market balance, while fairness in access ensures that every business actor can access resources and markets equally. Merit-based competition encourages companies to excel in innovation, quality, price, and service, while effective regulation ensures competition runs according to established rules. Innovation and efficiency in production and distribution are also the main drivers of healthy business competition, providing greater economic benefits for consumers, such as more competitive prices, more diverse product choices, and improved service quality.

Legal protection in business competition is an effort and mechanism implemented by the state through regulations and policies to ensure that competition in the market takes place fairly and openly. This legal protection aims to prevent and take action against practices that inhibit, reduce, or manipulate competition, such as monopolies, cartels, price fixing, and abuse of dominant positions (Aurellia & Roisah, 2023; Yuniarti & Berlian, 2023). Anti-monopoly regulations aim to prevent and overcome monopolistic practices and abuse of dominant positions by certain companies or groups of companies. Supervision and enforcement are carried out by institutions or supervisory bodies such as the Business Competition Supervisory Commission (*Komisi Pengawas Persaingan Usaha/KPPU*) in Indonesia, which ensures compliance with competition law (Ramadhan et al., 2023). In addition, cartel-related regulations prohibit agreements between companies to control prices, limit production, or divide markets, thereby keeping price competition and innovation going. Mergers and acquisitions policies regulate the merger of companies to ensure that the process does not significantly reduce competition. Not only that, consumer protection is also an important part of ensuring consumer rights are protected from unfair business practices so that a competitive business environment can be created (Ningsih et al., 2024).

3. Method

The research method used in this research is a qualitative method with a case study approach to understand in depth the legal protection of fair business competition in Indonesia, especially related to anti-monopoly and cartel violations. This research design was chosen because it allows a comprehensive analysis of regulations, implementation and concrete cases that have been handled by the Business Competition Supervisory Commission (*Komisi Pengawas Persaingan Usaha/KPPU*). The research was conducted in Jakarta as the administrative and legal center in Indonesia, as well as several other areas selected based on cases of significant business competition violations. To ensure the validity and reliability of the data, this research applies triangulation of data sources. The data used in this research are primary and secondary data. Primary data consists of data obtained through in-depth interviews with key sources including KPPU members, business competition law experts, and business actors who have been involved in business competition cases. Secondary data consists of data collected from official documents such as KPPU annual reports, court decisions related to antitrust and cartel cases, as well as other reliable sources relevant to the research topic. The data collection techniques used in this research are In-Depth Interviews (interviews conducted directly and online with open-ended questionnaire guidance to explore the sources' points of view regarding the effectiveness of legal protection and challenges in enforcing business competition regulations in Indonesia), Document Studies (Analysis of documents official reports, annual reports and court decisions are carried out to obtain a complete picture of the implementation of regulations and cases that occur). This research aims to provide a significant contribution in understanding and overcoming various problems related to the legal protection of fair business competition interests in Indonesia. Data Transcription: Interview recordings were transcribed orally to facilitate analysis. Coding: The transcribed data was coded to identify the main themes that emerged. Categorization: The identified themes were categorized into groups relevant to the research questions. Interpretation: Data that has been categorized is interpreted to find patterns and relationships between themes. Data Validation: Triangulation is carried out by comparing data from various sources to ensure the validity and reliability of research findings.

4. Result

The results of the interviews show that many business actors in Indonesia still have a low understanding of the applicable antitrust regulations. This low legal awareness is one of the main factors causing the rise in antitrust and cartel violations in the business sector. The interviewee revealed that many business actors do not understand the applicable antitrust regulations and that socialization and education regarding business competition law from the authorities are still lacking, thus contributing to the worsening of this condition. One source stated that law enforcement is often hampered by limited human and financial resources. These obstacles include a shortage of experts who have a deep understanding of antitrust regulations, as well as a minimal budget allocated for law enforcement and investigating cases of violations. These limitations cause the case-handling process to be slow and less effective so violations continue without adequate handling. Apart from that, supervision of business competition regulations in the field, especially in the regions, still faces many challenges. One of the main challenges identified was the lack of effectiveness of supervision. One source said that regulatory supervision in the regions was still less effective. Limited regulations and implementation in the field, as well as a lack of resources to carry out comprehensive supervision, have resulted in many cases of violations going undetected or not being followed up

properly. This shows the need to increase supervisory capacity in regions so that regulations can be implemented more effectively.

Another source also stated that regulations need to be improved to be more responsive to new developments in the business sector. The effectiveness of regulations still needs to be improved through policy adjustments and improvements based on the latest developments. Regulations that are more adaptive and responsive to changes in market dynamics and technology will help create a healthier and fairer business competition environment. Low legal awareness among business actors and the existence of obstacles in law enforcement are closely related. Low legal awareness makes business actors more likely to violate the rules, while obstacles in law enforcement reduce the effectiveness of taking action against violations that occur. This indicates an urgent need for more intensive legal education as well as reforms in law enforcement to increase compliance with business competition regulations.

The results in Table 1, it can be seen that legal awareness among business actors is still low. This indicates an urgent need for education and increasing legal understanding for business actors so that they can comply with applicable regulations. In addition, law enforcement is often hampered by limited human and financial resources. These limitations hinder the effectiveness of antitrust law enforcement and require special attention to better resource allocation and adequate expert training. Regulatory supervision in the regions is also still less effective, requiring a more decentralized approach and increased supervisory capacity in the regions. The effectiveness of regulations also needs to be improved through policy adjustments and improvements based on the latest developments. Existing regulations need to be more responsive and adaptive to evolving business dynamics to ensure effective protection against healthy business competition. These results provide insight into the effectiveness of regulations and law enforcement, the level of compliance of business actors, the obstacles faced, as well as awareness and education regarding healthy business competition in Indonesia.

Table 1. Thematic Analysis

Step	Interview Data	Code	Theme Description	Category	Interpretation of Findings
Data Transcription	We have seen an increase in cases of antitrust violations in the last 5 years, especially in the trade sector.				
Coding	Many business actors do not understand the applicable antitrust regulations.	K1	Lack of legal awareness among business actors	Legal Awareness	Legal awareness among business actors is still low
Coding	Law enforcement is often hampered by limited human and financial resources.	K2	Barriers to law enforcement, including lack of resources	Law Enforcement	Law enforcement experiences various obstacles, including a lack of resources and experts
Coding	Regulatory supervision in the regions is still less effective.	K3	Challenges in regulatory supervision in the field	Supervision Challenges	Supervision challenges include regulatory and implementation limitations in the field, especially in regional areas
Coding	Regulation needs to be improved to be more responsive to new developments in the business sector.	K4	There is a need to increase the effectiveness of regulations by adjusting policies	Regulatory Effectiveness	The effectiveness of regulations still needs to be improved through policy adjustments and improvements based on the latest developments
Categorization	Many business actors do not understand the applicable antitrust regulations.	K1, K2	Grouping data related to legal awareness and obstacles to law enforcement	Legal Awareness, Law Enforcement	Low legal awareness and barriers to law enforcement are often closely related, indicating a need for education and reform in law enforcement
Interpretation	Regulatory supervision in the regions is still less effective.	K3, K4	Thematic analysis of supervisory challenges and regulatory effectiveness	Supervision Challenges, Regulatory Effectiveness	The challenges of regional supervision and the lack of effective regulations indicate the need for a decentralized approach and more responsive regulatory adaptations
Data validation	Triangulation with KPPU reports, court decisions, and academic literature		Triangulation with KPPU reports, court decisions, and academic literature	All Categories	Consistency of findings regarding barriers to law enforcement and monitoring challenges were found through various sources

Legal protection of the interests of fair business competition in the business sector aims to ensure that markets function efficiently and fairly, by preventing practices that are detrimental to competition (Marsela et al., 2024). In this context, antitrust and cartel policies become the main instruments to overcome various forms of violations that can hinder competition. Antitrust violations, such as monopolies and

abuse of dominant positions, can create conditions in which one or a few companies dominate a market, reduce consumer choice, and stifle innovation. Likewise, cartels, which involve collusion between companies to regulate prices or divide the market, can undermine free market mechanisms by raising prices and reducing the quality of products or services offered. Through this research, it can be seen that business actors in Indonesia's understanding of antitrust regulations are still low. This has an impact on the rise of antitrust violations and cartels in the business sector. Factors such as lack of socialization and education on business competition law, limited resources in law enforcement, and lack of effective supervision in the regions are the main causes of this condition. Interview results show that many business actors do not understand the applicable antitrust regulations. This shows that socialization and education from the authorities regarding business competition law are still lacking. As a result, many business actors are not aware of the consequences of their actions that violate the rules, so antitrust violations and cartels are rampant.

Legal awareness emphasizes the importance of people's understanding and appreciation of applicable laws. According to Abakumova & Matveeva (2023), legal awareness consists of three main components, namely normative awareness, substantive awareness, and procedural awareness. In the context of this research, the low level of legal awareness among business actors indicates the weakness of these three components. Many business actors do not understand antitrust regulations, which reflects low normative awareness. Additionally, they may not understand the importance of such laws for the creation of fair competition, indicating a weakness in substantive awareness. Finally, a lack of knowledge about antitrust law enforcement processes reflects low procedural awareness. In addition, the effectiveness of law enforcement is greatly influenced by the available resources and the law enforcement organization itself (Munawar, 2023). This research found that enforcement of business competition law in Indonesia is often hampered by limited human and financial resources. A shortage of experts and a lack of budget causes case handling to be slow and less effective. Without adequate resource support, law enforcement efforts will not achieve optimal results. Therefore, increasing resources and training for law enforcement personnel is very necessary to increase the effectiveness of antitrust law enforcement in Indonesia (Arifani et al., 2022).

Economic regulation theory proposes that regulations are often influenced by market forces and the interests of certain groups (Thomas, 2022). According to Lewis et al (2022), effective regulations must be able to balance the interests of various stakeholders and respond to changing market dynamics. This research shows that business competition regulations in Indonesia are not yet fully responsive to the latest developments in the business sector. The lack of adaptation of regulations to changes in technology and market dynamics means that these regulations are ineffective in creating healthy business competition. Implementing a more flexible and adaptive regulatory approach will help overcome this problem. In addition, supervision and compliance emphasize the importance of designing and implementing an effective supervision system that includes the detection of violations, consistent enforcement of sanctions, and incentives for compliance (Karpushenko, 2023; Wibisana, 2023). The results of this research show that regulatory supervision in Indonesia still faces many challenges, especially in the regions. The lack of resources to conduct comprehensive supervision and the inability to effectively detect violations indicate weaknesses in the design and implementation of the supervision system. To overcome this problem, it is necessary to increase supervisory capacity, both through increasing the number and quality of supervisory personnel and through the use of more sophisticated information technology. Based on these findings, several policy implications can be proposed. First, increasing legal education for business actors through comprehensive outreach and training programs. Second, strengthen law enforcement resources by

providing special training and adequate budget allocation. Third, adopt a regulatory approach that is more flexible and responsive to changes in market dynamics and strengthen the supervisory system through increasing capacity and using information technology to detect and handle violations more effectively. By adopting these policies, it is hoped that a fairer and more competitive business environment can be created in Indonesia, which will ultimately encourage sustainable economic growth. Additionally, effective law enforcement against antitrust violations and cartels not only protects consumers from unfair prices and limited choice but also encourages innovation and efficiency within the marketplace.

5. Conclusion

Legal protection of the interests of fair business competition in the business sector against anti-trust violations and cartels faces various challenges, especially related to low legal awareness among business actors, obstacles in law enforcement, challenges in regulatory supervision, and lack of regulatory effectiveness. The analysis results show that efforts to create a fair and competitive business environment require comprehensive strategic steps. Low legal awareness among business actors is a crucial starting point to improve, so this requires education regarding antitrust regulations and business competition law which must be strengthened to increase understanding and compliance with regulations. Apart from that, there is a need for reform in law enforcement by strengthening human and financial resources and increasing the technical capacity of law enforcement officers. This is expected to speed up the process of handling cases of antitrust and cartel violations so that the effectiveness of law enforcement can be significantly improved. Challenges in regulatory supervision, especially in the regions, indicate the need for a more integrated and effective approach to implementing supervision. The adoption of information technology and strengthening the capacity of authorities in the field can help improve early detection and response to regulatory violations. In addition, economic regulations that are more responsive to changes in market dynamics and technology are key in maintaining a balance between protecting consumers and encouraging innovation in the market.

References

- Abakumova I.V., Matveeva O.A. Formation of Students' Legal Consciousness and Civic Position in Higher Education Institutions. *Legal Order and Legal Values*. 2023;1(2):16-23.
- Ampofo, S. (2023). *Competition and Misconduct*. Journal of Finance, 78(4):2277-2327.
- Anisah, S., & Hadi, S. (2023). The Human Right to a Fair Trial in Competition Law Enforcement Procedures: A Rising Issue in Indonesian Experiences. *Laws*. 12(3):55.
- Anisah, S., & Putri, A. A. (2023). Legal Implications of Post-Merger Notification Policy on Digital Companies in Indonesian Competition Law. *Journal of Law and Legal Reform*, 4(2), 285-302.
- Aprindo, A.P. (2023). Form of Legal Protection of Small Business in the Context of Business Competition in Indonesia: Bentuk Perlindungan Hukum Terhadap Usaha Kecil Dalam Konteks Persaingan Usaha di Indonesia. *Sosioedukasi: Jurnal Ilmiah Ilmu Pendidikan Dan Sosial*, 12(1), 64-70.
- Arifani, D., Sa'atun, S., & Armunanto, A. (2022). The Facts Still There is Legal Discrimination in Indonesia. *International Journal of Law Society Services*, 2(2).
- Asphianto, A. (2021). Efforts To Prevent the Criminal Action of Corruption Through the Establishment of a Work Unit for the Procurement of Goods and Services in Accordance with the Regulation of the LKPP Institution. *Russian Law Journal*, 11(3).
- Aurellia, N., & Roisah, K. (2023). Legal Protection against Unregistered Marks and Unfair Competition Practices Comparative Study of Indonesia and the United States. *Internasional Journal of Social Science and Human Resources*, 6(6).

- Azalia, R. (2023). Government's Attempt to Prevent Unfair Business Competition Practices in Indonesia: Comparison on Regulation of the Commission for the Supervision of Business Competition. *Awang Long Law Review*, 5(2), 631-637.
- Bayuaji, R. (2023). The Urgency of Establishing a Business Competition Court in Indonesia. *Paris Van Java International Seminar on Health, Economics, Social Science and Humanities, KnE Social Sciences*, pages 651-656.
- Binit Agrawal, "Whither Criminal Cartel Enforcement in the EU?", *Erasmus Law Review*, 1, (2023):46-60.
- Burinskienė, A., & Daškevič, D. (2023). Contemporary Concept of Business Competitiveness. *Vadyba Journal of Management*, 39(1).
- Danilovskaya, A.V., & Tenishev, A.P. (2019). Criminal Responsibility for Collusions at Auctions. *Actual Problems of Russian Law*, (1):119-131.
- Darwis, D., Patroni, R., Dihamri, D., & Ismiati. (2023). Creating A Healthy People's Market Model and Testing the Model. *Asian Journal of Healthy and Science*, 2(1).
- Fontgalland, I. L., & Lima, L. V. A. (2022). Modelo de Cartel a partir de uma indústria típica: um recorte da economia dos anos 70. *E-Acadêmica*, 3(1), e2731126.
- Harrington Jr, J.E. (2023). "Chapter 1: The practical requirements of a successful cartel". In *Research Handbook on Cartels*. Cheltenham, UK: Edward Elgar Publishing.
- Karpushenko, M., & Karpushenko, O. (2023). Theoretical and Methodological Aspects of Forming a Compliance Control System. *Innovative Technologies and Scientific Solutions for Industries*, (1 (23)), 132-142.
- Lewis, C., Vitale, C., Bitetti, R., & Yudhianto, A.A., Terrero-Davila, J. (2022), Product market regulation in Indonesia: An international comparison, *OECD Economics Department Working Papers*, Paris: OECD Publishing.
- Marsela, D., Yudhistira, Y., & Fawaid, B. (2024). Legal Protection of Consumers in Online Business: A Criminal Law Perspective in Handling Fraud and Identity Theft. *Research Horizon*, 4(3), 99-106.
- Moreau, F., & Panon, L. (2022). Macroeconomic Effects of Market Structure Distortions: Evidence from French Cartels. *IMF Working Papers*, 104:1-1.
- Munawar, S. (2023). Review of Law Enforcement in Indonesia. *Ahkam*, 2(1), 136-147.
- Ningsih, F. D., Dewi, E. A., Mawahib, M., Prabowo, M. S., & Kustanto, A. (2024). Analysis of Differences in Legal Protection Towards Consumers in Business Transactions Based on Different Types of Contracts. *Research Horizon*, 4(3), 91-98.
- Nopianti, W., Guntara, D., & Abas, M. (2023). The Effectiveness of the Business Competition Supervisory Commission in Handling Cases of Alleged Unfair Business Competition Conducted by PT Aero Citra Cargo. *Jurnal Hukum Replik*, 11(1).
- Nugroho, A. (2021). Urgensi Pengaturan Private Enforcement Dalam Konteks Persaingan Usaha di Indonesia. *"Dharmasisya" Jurnal Program Magister Hukum FHUI*, 1(3), 5.
- Pelaez, S., & Gutiérrez, J. D. (2023). *The Gradual Impact of Sanctioning Cartels on Market Competition: Evidence from the Colombian Manufacturing Sector*. Available at: <https://doi.org/10.21203/rs.3.rs-2928151/v1>.
- Pereira, J.R., Terra, R., Zoghbi, A.C., & Gomes, R.M. (2021). Danos de cartel em contratos com a Petrobras. *Revista Direito GV*, 17(2).
- Puente, A.C.F., & Sánchez-Sánchez, N. (2022). *Collusive behaviour in the automobile sector in Spain. Quantifying consumer damages*. available at: <https://doi.org/10.21203/rs.3.rs-1998162/v1>.
- Ramadhan, H. R., Paulus, D. H., & Marcello, G. (2023). Prohibition of Monopolistic Practices in Business Trials in Indonesia: Reforming on Business Competition Supervisory Commission. *Journal of Law and Legal Reform*, 4(2), 163-182.
- Sevilla, J., & Hasanah, G. N. (2023). Strategi Percepatan Pemberantasan Praktik Kartel di Indonesia Melalui Reformulasi Kebijakan Leniency Program. *Journal of Studia Legalia*, 4(01), 21-30.
- Steinbaum, M., & Stucke, M. E. (2020). The effective competition standard. *The University of Chicago Law Review*, 87(2), 595-623.
- Tantri, S. F., Ekasari, K., & Wahyuni, H. (2023). Are Cement Sector Companies Listed on Indonesia Stock Exchange (IDX) Compliant in Sustainability Reports Disclosure? English. *Journal of Applied Business, Taxation and Economics Research*, 2(4), 358-369.
- Thomas, D.W., Thomas, M.D. (2022). George stigler's theory of economic regulation at 50 - introduction to a special issue. *Public Choice* 193, 1-5.

- Vidaro, A.R., Gultom, E., & Suparto, S. (2023). Legal Aspects of Business Competition in Relation to the Mechanism of Preventing Banking Industry Tender Consultations in Indonesia. *Journal of Advance Research in Business, Management and Accounting*, 9(6), 23-27.
- Wibisana, A.W. (2023). The Urgency of Preventive Supervision to Prevent Corruption in Indonesian State-Owned Enterprises. *Beijing Law Review*, 14, 28-60.



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