

Regulating Unfair Competition in E-Commerce: The Role of Indonesian Business Competition Supervisory Commission

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History of Article

Submitted : September 9, 2025

Revised : October 02, 2025

Accepted : December 32, 2026

Published : June 01, 2026

DOI : <https://doi.org/10.37253/jjr.v28i1.11317>

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Abstract

The rapid growth of e-commerce in Indonesia has transformed market structures and intensified competition among business actors, giving rise to new forms of unfair business competition that are not fully accommodated by existing competition law regulations. This condition creates legal uncertainty and challenges the effective enforcement of Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition. This study aims to analyze the role of the Business Competition Supervisory Commission in regulating and preventing unfair competition in the e-commerce sector. Employing a comparative legal research methodology, this study examines KPPU's regulatory approach and legal policy advocacy in the digital economy, analyzed through the perspectives of utilitarianism theory and legal certainty theory. The findings show that KPPU plays an important role through legal policy advocacy directed at e-commerce platforms and the government to promote fair competition and legal certainty. Nevertheless, continuous regulatory adaptation remains necessary to address the dynamic nature of digital markets effectively. This study concludes that strengthening KPPU's role in legal policy advocacy is essential to ensure effective regulation and the prevention of unfair competition in Indonesia's e-commerce sector.

Keywords: Advocacy; E-Commerce; Traditional Business Actors; KPPU

Introduction

Globalization economy mature this has give birth to various incident new in development world economy, namely the emergence of the freemarket era International, interdependence system good in field political and economy, the birth of various institution economy international, grouping of countries in area regional economy, advanced rapid perpetrator economy *transnational corporations*, and the birth of the military industrial complex. This no can implemented with vacuum laws and regulations law is very necessary for arrange mechanism relationship so as not to become conflict interest in development economy something nation (Manan, 2014).

In context development of strategy or *value of* something company, no existence Again pure company compete without cooperate (corporate). So that because that no appropriate if commission supervisor the next business competition called KPPU to implement overall the articles per se illegal. Currently even company afraid for association, which in fact in theory, for reach further progress good no only needed competition, but also cooperation (competition) (Suraji, 2021). Development sector parallel industries with development technology this naturally can bring positive impact or negative on a country, one of them impact positive from improvement economy, as well as convenience in services and impacts from the negative that is can cause new problems that have not been Once completed in the previous period. More from that, in the industrial era this generation 4.0, size big company no become guarantee, however agility company become key success reach performance with fast (Andriariza, 2019).

Indonesia to achieve sustainable economic growth, including through industrialization. However, the rapid expansion of e-commerce has altered traditional market structures and introduced new competitive practices that challenge the effectiveness of existing competition law frameworks. Although Law No. 5 of 1999 provides a general prohibition against monopolistic practices and unfair business competition, it does not specifically address the unique characteristics of digital markets, such as platform dominance, algorithm-driven pricing, and data-based market power (Febrina, 2022).

Existing studies primarily focus on the economic benefits and increased adoption of e-commerce platforms, emphasizing efficiency, accessibility, and consumer convenience. Nevertheless, there remains a lack of scholarly consensus on how competition law should respond to unfair competition practices in the digital economy and on the extent to which regulatory authorities, particularly the Business Competition Supervisory Commission (KPPU), should exercise legal policy advocacy to fill these regulatory gaps. This unresolved legal uncertainty underscores the need for a more focused analysis of KPPU's role in regulating unfair competition within Indonesia's e-commerce sector. (Mohammad Thoyyibi Pratama, 2022). In Indonesia various circles public the more lots use e-commerce system even though simple but in a way no direct use online transactions, because many are aware will the benefits or the advantages of e-commerce. Besides that lots from various field business that has been enter into the world of e-commerce, for example in the field of flights, hotels, restaurants and so on. So that the companies brave for spend funds for create an attractive website that is competitive for give all information for consumers (Pratama, 2022).

Then need known that there is factors that influence e-commerce growth in Indonesia, namely (Munsarif, 2022): (1). Growth resident increase, growth amount high population in Indonesia become trigger highest use of e-commerce. In 2019, residents who were in class middle class in Indonesia reaches improvement amounting to 21% of the total number existing residents. Of course with this amount large population influence activity trend online shopping through the mushrooming marketplace. In 2018 to 2019, the number of transactions made on the marketplace rose to 23%; (2). Smartphone users are increasing, convenience for everyone in get access information make sale mobile phones in Indonesia are increasing with sharp, deep meaning almost everyone uses his cell phone for get need they. Manufacturers cellphones are also competing offer product sophisticated cell phone with speed outside normal for access the internet with increasingly high prices cheap. The data shows almost everyone can have it, in 2020 data shows that around 89% of the total population of Indonesia uses cell phone smart. With fact this also influenced by conditions

the pandemic that occurred in Indonesia even all over the world. Where it is necessary activity education and work office work done from house; (3). Increasing internet users, users increasing mobile phones sharp compared straight with amount internet users, data shows that 70% of internet users in Indonesia use smartphones for browsing the internet. Especially in carry out payment online shopping, smartphone users dominate at 75 %, compared to with online transactions made with using a laptop or personal computer (PC); (4). The number of social media users, the rise various online sales strategies via social media are also becoming factor main the reason people are more like purchase goods on e-commerce. That's why so the more lots social media users in Indonesia will be very influential big on growth e-commerce rate. According to data from m target, it is stated that users facebook in Indonesia has reached 122 million people and Indonesia was recorded as the fourth country with the largest Instagram user. With many user, then no can avoided again if will lots transaction trading that occurs on social media said. Plus there are with the phenomenon of influencers receiving endorsements from sellers for push sale; and (5). Technology company financial developing, one of the influence the increasing growth of e-commerce tall is in the field financial. Based on Bank Indonesia (BI) data from 2018, there are 66% of the community Not yet own bank accounts. But in 2020, the collected public funds reached Rp. 126.95 trillion, where the previous data shows Rp. 47.19 trillion (Munsarif, 2022).

With progress technology on sale buy online this is basically consumer can buy goods or service from si seller only via internet media without must face to face face, with the more development technology also has implications for change habit public in shopping (Suripteo, Tan, & Agustianto, 2023; Az-Zahra, Nurlaily & Agustianto, 2025; Weley & Romadona, 2026). The more increasing busyness daily experiences everyone makes transaction sell online shopping is increasingly grow and start replace transaction in a way conventional, with feature advantages possessed that is available for 24 hours and make it easier public for choose price and quality best only with access the internet from anywhere (Perbawa, 2021).

Basically agreement sell buy in e-commerce no need interaction face advance between the parties good seller and buyer (Elva, Disemadi, Nurlaily, Bajury, 2025). Transaction sell buy via the internet until moment this no can dismissed in fact, technology new introduced every day in the internet world, but protection and certainty the law given to internet users yet adequate, so that effort must done for guard balance in such a situation (Febrina, 2022). So that with the further expansion of the online market called e-commerce can stimulate creativity other market traders including traditional market traders in develop his efforts. Because of the existence of competition then the traders will compete for interesting attention consumers, things this is what happened then can stimulate trader for do something innovation in objective maintain the market.

If examined in a way general objective formation Constitution number 5 of 1999 concerning Prohibition Monopolistic Practices and Competition unhealthy business presented in Article 3, namely: 1) Guard interest general and improve efficiency economy national as one of the effort for increase people's welfare; 2) Realize climate conducive business through arrangement competition healthy business so that ensure existence certainty opportunity same effort for perpetrator business big perpetrator business middle, and actors business small; 3) Prevent practice monopoly and or competition business no health caused by the perpetrator business; and 4). The creation effectiveness and efficiency in activity business (Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktik Monopoli Dan Persaingan Usaha Tidak Sehat, 1999).

Then in a way juridical, the formation of Constitution number 5 of 1999 does not only aim protect competition business for the benefit of competition that alone, so that provisions in article 3 in Constitution this no only limited to the purpose main Constitution competition, namely system free and fair competition, where it exists certainty chance try for all perpetrator effort, but agreement or merger hindering efforts competition as well as abuse power economy no are in letters (b) and (c) in it, so cause all perpetrator business in do activity economy available room wide range of motion (Perbawa, 2021). The presence Constitution Number 5 of 1999 in fact already enough good in arrange

provision law competition business in Indonesia, will but regulation the tend Still dimension of trade just physique (Hayati, 2021).

Then what happened moment this, uncertainty law in matter protection to perpetrator business traditional specifically often happen in a way natural which is something problem potential cause loss for parties certain specifically perpetrator business traditional, for example the presence of e-commerce in the business world is increasing own impact to perpetrator business traditional and with that occurrence competition business no healthy between both of them. Diana Yoseva La Ode as the First Principal Investigator Head of Task Force The Directorate of Economics also stated that if speak regarding data, this is basically e-commerce in a way competition give impact to other market players, and the impact that occurs possible a number of perpetrator business especially traditional markets this rather a little disturbed from aspect market competition that gives rise to obstacle in competition business (Lutfi, n.d.-b). In Indonesia related market competition according to Deswin Nur as Head of Public Relations and Cooperation Bureau, saw that market competition, especially in progress technology this, the market is called with e-commerce or online markets tending to more easy get consumer Because activity sell buy it based on more data liked by most society, but from traditional market aspect or can categorized as an offline market forget consumer more low than the online market, so required constructive innovations for responding to and utilizing the era of this modernization (Lutfi, n.d.-a).

Several previous studies have examined competition law challenges in the digital economy, particularly in relation to e-commerce markets, yet they adopt different analytical focuses and leave important legal questions unresolved in(Lee, 2022). Analyzes the difficulties of enforcing competition law in algorithm-driven markets, emphasizing issues such as algorithmic pricing and digital market opacity, but does not address the role of regulatory institutions in shaping proactive legal policy responses (Setyawati, Ria, Stefan Koos, 2024). Evaluates the readiness of Indonesian competition law in responding to digital economic transformation and highlights the need for regulatory modernization; however, the study remains normative and does not explore how policy advocacy

may function as an adaptive regulatory instrument (Thorieq, 2023). Focuses on the authority of the Business Competition Supervisory Commission in supervising online businesses and identifies administrative and regulatory gaps, yet the analysis is limited to institutional competence rather than the effectiveness of policy advocacy mechanisms. Other studies concentrate primarily on enforcement and platform behavior (Abdul Manan & Et.al, 2025). Examine KPPU's enforcement actions against digital business actors, emphasizing case handling and legal interpretation, but do not assess preventive strategies such as legal policy advocacy. Similarly, Ratna Dewi analyzes unfair competition practices on e-commerce platforms, including predatory pricing and self-preferencing, and recommends regulatory reform; nevertheless, the study does not evaluate the role of competition authorities in influencing policy formulation beyond enforcement actions. Taken together, these studies demonstrate a strong focus on enforcement, authority, and market behavior, while offering limited discussion on policy advocacy as a tool to address legal uncertainty in digital markets (Ratna Dewi & Et.al, 2025).

In contrast to the existing literature, this study offers a distinct contribution by specifically examining KPPU's legal policy advocacy as a regulatory strategy to address unfair competition in the e-commerce sector. By employing a comparative legal approach and integrating utilitarianism theory and legal certainty theory, this research moves beyond enforcement-oriented analysis to assess how advocacy directed at both e-commerce platforms and government institutions can function as a preventive and adaptive mechanism. The significance of this study lies in its potential to inform competition law reform by demonstrating how policy advocacy may reduce legal uncertainty and promote fair competition in Indonesia's rapidly evolving digital economy. Nevertheless, this study is subject to certain limitations. First, the analysis is confined to the Indonesian legal and institutional context, which limits the generalizability of the findings to other jurisdictions. Second, the study relies primarily on normative and comparative legal analysis, without incorporating empirical data from business actors or consumers. Third, given the dynamic nature of digital markets, the findings reflect regulatory and market conditions at

the time of the study and may require continuous reassessment as technology and business models evolve. Despite these limitations, the study provides a clear conceptual and legal framework for understanding the role of policy advocacy in regulating unfair competition in the e-commerce sector.

Research Method

This study employs a normative juridical research method, selected because the central focus of the research is to analyze legal norms, regulatory frameworks, and policy advocacy mechanisms governing unfair business competition in the e-commerce sector. The legal issues examined in this study concern legal uncertainty and regulatory gaps within existing competition law, which are best addressed through doctrinal analysis rather than empirical investigation. Normative juridical research allows the study to evaluate law as a system of written norms enacted by authorized institutions, consistent with a legal positivist approach (Soemitro, 1988). To achieve the research objectives, this study utilizes several types of legal materials. Primary legal materials consist of statutory regulations relevant to business competition and e-commerce, including Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition, as well as related regulations and policy documents issued by the Business Competition Supervisory Commission. Secondary legal materials include legal doctrines, scholarly articles, books, and research reports discussing competition law, digital markets, and regulatory policy advocacy. Tertiary legal materials, such as legal dictionaries, encyclopedias, and indexing sources, are employed to support conceptual clarification and terminological consistency.

In addition, this study applies a comparative legal approach to examine different regulatory responses and policy practices in addressing unfair competition in digital markets. This approach is used to identify regulatory gaps and to assess how KPPU's legal policy advocacy contributes to fair competition and legal certainty. The analytical framework is further strengthened by incorporating Jeremy Bentham's utilitarianism theory, which is used to evaluate the social welfare implications of law enforcement and policy advocacy, and

Gustav Radbruch's theory of legal certainty, which serves to assess the extent to which existing and proposed regulatory measures provide predictability and protection, particularly for traditional business actors.

Results and Discussions

KPPU as Advocate for Healthy Business Competition

In Indonesia, Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition constitutes the principal legal basis for Indonesia's competition policy. The enactment of this law reflects the state's commitment to ensuring fair competition and preventing market practices that may harm economic efficiency and consumer welfare. To guarantee its effective implementation, Law No. 5 of 1999 mandates institutional supervision through the establishment of the Business Competition Supervisory Commission, which is authorized to oversee compliance, investigate violations, and enforce competition law provisions. The existence of KPPU underscores the importance of continuous supervision in maintaining a fair and competitive market structure in Indonesia (Hermansyah, 2009). In recent years, the Business Competition Supervisory Commission has actively engaged in international forums and cooperative efforts to strengthen competition law enforcement and policy in the digital economy. For example, KPPU representatives participated in the OECD-KPC Workshop on Antitrust Enforcement and Regulation in Digital Markets held in Seoul, Korea, where competition experts from multiple jurisdictions discussed contemporary challenges and regulatory responses in digital markets, highlighting the need for adaptive and collaborative regulatory approaches (KPPU, 2025b). Similarly, members of KPPU engaged in an international symposium on competition law in Asia, contributing to discussions on competitive neutrality and digital transformation alongside academics and practitioners from other Asian economies. These recent international engagements indicate KPPU's commitment to benchmarking its practices against global standards and to enhancing its capacity to address complex competition issues in the era of digital platforms (KPPU, 2025a).

The enforcement of business competition law in Indonesia is carried out through a multi-institutional framework involving administrative and judicial authorities. The Business Competition Supervisory Commission serves as the primary administrative body authorized to investigate, examine, and decide cases concerning monopolistic practices and unfair business competition under Law No. 5 of 1999. KPPU's decisions are administrative in nature and constitute the first level of law enforcement in competition cases.

Judicial oversight over KPPU's decisions is exercised by the District Courts which are authorized to examine objections filed by business actors against KPPU decisions. In addition, District Courts have jurisdiction over criminal proceedings arising from the failure to comply with KPPU decisions that have obtained final and binding legal force (*inkracht*), thereby ensuring the enforceability of competition law sanctions. Furthermore, the Supreme Court functions as the highest judicial authority in competition law cases by reviewing District Court judgments through the cassation mechanism. This clear division of authority between KPPU, the District Courts, and the Supreme Court reflects a system of checks and balances designed to ensure legal certainty, due process, and effective enforcement of competition law in Indonesia. (Toha, 2002).

In general, a court formed by the target country for finish official matters like action criminal and civil, but different with matter at the level First settlement dispute between perpetrator business no carried out by the court, but rather through Commission Supervisor Business Competition. This KPPU is institutions that are given authority by the state in handle case violation law competition regulated business in a way different with action criminal law in general, so that arranged in Law Number 5 of 1999 which has authority for dispute competition business is KPPU. This matter pushed with own a foundation that can presented that law competition need specialist people who have background back and understand right about ins and outs beluk business in frame guard market mechanisms (Nugroho, 2012). In the context institutional a country, the existence of KPPU is state institutions that are complementary that has multi- complex tasks in supervise every movement, steps, and also practice competition business no healthy activities carried out by the perpetrators effort.

So that can also means that Commission Supervisor Business Competition identical known as institutions that are independent, where in handle, decide or do investigation something things that are not can influenced by any party, either government and other parties who have *conflict of interest*, though in implementation good that in task and authority that is responsible answer to president.

As an independent administrative authority, the Business Competition Supervisory Commission is vested with extensive powers in enforcing competition law under Law No. 5 of 1999, which are exercised within a clearly regulated legal framework. These powers include conducting investigations, examinations, hearings, and issuing administrative decisions in cases of alleged monopolistic practices and unfair business competition, as further regulated under KPPU Regulation (Peraturan Komisi KPPU) No. 1 of 2019 on Case Handling Procedures. Despite exercising quasi-adjudicative functions, KPPU's authority remains administrative in nature and is subject to judicial control. Apart from that, it can also act as institution administrative bodies acting in the interests of general, so that the KPPU must prioritize interest general than interest individual or individual in handle suspicion violation law competition business (Riyanto, 2018). Recent legal developments further clarify this institutional arrangement. The Supreme Court Regulation (Peraturan Mahkamah Agung/Perma) No. 3 of 2021 concerning Procedures for Filing Objections to KPPU Decisions strengthens procedural certainty by regulating the scope and mechanism of judicial review by District Courts. Within this framework, KPPU acts as an administrative body representing the public interest and is therefore required to prioritize public welfare over individual or private interests in handling competition law violations. Substantively, KPPU determines whether a business actor has violated Law No. 5 of 1999 and issues administrative sanctions accordingly, while ensuring transparency through the public announcement of its decisions in line with principles of accountability and due process. So that in a way substantial in handle case, KPPU must set something decision, namely set whether something perpetrator business certain proven do violation to provision invite number 5 of 1999 or did not violation.

Then the KPPU announced results his decision in a way open so that the relevant parties and the community know results decision related (Winarto, 2007).

KPPU in his duties give protection access to perpetrator business specifically perpetrator business small categorized with objective formation following Constitution number 5 of 1999 which outlines that realization climate conducive business through arrangement competition healthy business so that ensure existence certainty chance make the same effort for perpetrator big business, the perpetrator business win as well as perpetrator business small. In the sense that this law want existence policy competition business that is systematic maintain chance make the same effort between perpetrator business large, medium and small. So that matter this become support that corner enforcement law become KPPU's duties and from corner this also becomes KPPU's duties as a regulator in matter government for realize justice for third perpetrator the business (Junaidi, 2019).

In the context of Indonesian competition law, the concept of *public interest* under Law No. 5 of 1999 refers to the protection of market fairness, consumer welfare, and sustainable economic development rather than merely the pursuit of economic efficiency. Contemporary doctrinal analyses emphasize that competition law serves a dual function: promoting efficient market outcomes while simultaneously ensuring distributive justice and preventing structural inequalities among business actors, particularly in markets characterized by asymmetrical power relations (OECD, 2020). Accordingly, Law No. 5 of 1999 adopts an integrated approach that combines economic considerations with legal principles of justice and fairness. The public interest element embedded in the law justifies regulatory intervention and institutional oversight to prevent practices that may distort competition and harm broader societal interests. This perspective underscores the importance of coordinated participation by both governmental institutions and the public in safeguarding competitive market conditions, thereby enhancing economic performance while maintaining legal certainty and social justice within Indonesia's competition law framework.

KPPU's Advocacy for the E-Commerce Market

Within the constitutional system of the Republic of Indonesia, the Business Competition Supervisory Commission is classified as a state auxiliary organ established by statute and vested with authority to enforce competition law under Law No. 5 of 1999. Beyond its traditional mandate of preventing monopolistic practices and unfair business competition in conventional markets, the KPPU's role has evolved in response to the structural transformation of digital markets. The rise of e-commerce platforms has introduced new forms of market power, including data-driven dominance, algorithmic pricing, and platform-based exclusionary practices, which are not explicitly regulated in the original framework of Law No. 5 of 1999. In this context, the KPPU has adapted its mandate through regulatory interpretation, policy advocacy, and sectoral guidance aimed at addressing digital market conduct, thereby seeking to maintain fair competition, protect public interest, and ensure legal certainty in Indonesia's rapidly expanding e-commerce ecosystem.

In recent years, people have increasingly utilized digital platforms to meet various needs. A platform itself can be defined as a platform used to run a system according to a pre-programmed plan, with digitalization as its primary foundation. When various systems are combined and run in an integrated manner, a digital platform is formed. This software can be accessed via computers or android-based devices, usually in the form of an application. Public enthusiasm, especially among adults, for digital platforms continues to grow, the rise in smartphone use has also driven the growth of online traffic. In line with the rapid development of digital technology, commercial activities such as buying and selling, online transactions, product promotions, and internet-based information dissemination can now be conducted through a system known as e-commerce (Andani, 2023).

The rapid expansion of e-commerce has not only transformed commercial transactions but has also reshaped market structures in ways that pose significant challenges for competition law enforcement. Empirical studies on digital markets indicate that e-commerce platforms tend to exhibit strong network effects, data concentration, and economies of scale, which may facilitate market dominance and exclusionary practices by large platforms. These characteristics differentiate

digital markets from conventional markets and complicate the application of traditional competition law doctrines that are primarily designed for offline trade. In the Indonesian context, the emergence of e-commerce has raised concerns regarding discriminatory pricing, self-preferencing, and unequal bargaining positions between platform operators, traditional business actors, and small merchants. Such conditions reveal a regulatory gap within the existing framework of Law No. 5 of 1999, which does not explicitly address platform-based market power and data-driven competition. Consequently, the role of the Business Competition Supervisory Commission (KPPU) becomes crucial in adapting competition law enforcement through interpretative measures and policy advocacy to ensure fair competition and legal certainty in the digital marketplace (Prasetio, 2021).

The presence style new in transact with e-commerce growth between buyers and sellers in a way no direct change all over existing standards. Starting from behavior choose goods and services by consumers, promotions, pricing strategies by producers, transactions price, payment process, until with shipping. Industrial industry new supporters from activity this become attention for pseudo parties. No exceptions for KPPU as independent institution supervise competition business, which then with the development of e-commerce become priority new. Through task providing advice and considerations to government, it is hoped principle competition Healthy can become reference in taking decisions and making regulations related to e-commerce. In addition effort research and monitoring carried out by KPPU is expected can become step appropriate for realize healthy e-commerce industry, so that industry that provides equal opportunity for every perpetrator business for enter, without existence abuse position dominant and practice monopoly (Komisi Pengawas Persaingan Usaha (KPPU), 2018).

In general, the emergence of e-commerce presents challenges that must be addressed in law enforcement, which the KPPU must address to more effectively carry out its duties. The KPPU's supervision and enforcement of e-commerce laws are crucial steps in addressing unfair business competition in Indonesia, particularly in the e-commerce market. Therefore, addressing these ongoing

challenges requires relevant regulations, allowing the KPPU to contribute significantly to the development of a fair and sustainable digital economy (Sengge, 2024). Therefore, a question arises whether business competition regulations, especially those from the KPPU, need to be changed and updated? the answer is not necessary because this is also in line with what was once conveyed by an expert (professor) that normatively, competition regulations basically do not need to be revised because the substantive provisions of competition law are comprehensive, open, and therefore flexible throughout the world (Sabirin, 2021).

Basically besides do supervision, KPPU also carries out effort in form preventive in prevent practice competition business no healthy things to do through several programs. The programs in question that is in the form of socialization as well as advocacy law competition business towards KPPU stakeholders, including that is government, perpetrators business, academics, and also society wide (KPPU, 2019). Then not yet existence regulations in a way comprehensive that regulates regarding the e-commerce market, KPPU assesses matter this is very urgent for can noticed by the government, because if seen from this e-commerce market structure own difference in all its aspects with conventional markets or traditional markets that have known to the public. Applicable regulations until moment this only limited to permission establishment business in various sector, so that if government no make regulations about matter this, the KPPU can also do this make regulations commission about provision as well as limitation from the e-commerce market as implementation from Law Number 5 of 1999 (Hasbullah, 2020).

The KPPU itself believe that the Indonesian state has very big potential in the digital market or e-commerce, based on data from the Central Statistics Agency (BPS), 99.64 % of players business from various provinces in Indonesia have utilise various various types of e-commerce platforms such as tool for develop his business. So in five years to front growth economy in this e-commerce market will increase drastic amounting to 90.25% of year previously, because That need anticipated by the government or KPPU with prepare umbrella clear

laws as well as advocacy for welcome development the economy (Hasbullah, 2020).

In Indonesia, the legal regulation of digital-based e-commerce activities is primarily grounded in Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE Law), which recognizes electronic transactions as legally binding acts. Article 1 point 2 of the ITE Law defines an electronic transaction as a legal act conducted through computers, computer networks, and/or other electronic media, thereby establishing the formal legal status of e-commerce transactions. However, the recognition of electronic transactions alone does not address competition-related risks arising from digital markets. These risks are substantively regulated under Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition. Article 5 paragraph (1) of Law No. 5 of 1999 prohibits business actors from entering into agreements with competitors to fix prices for goods and/or services within the same relevant market. When applied to e-commerce, this provision must be interpreted in light of digital market characteristics, including algorithmic pricing and platform-based coordination, which may facilitate indirect price fixing and undermine fair competition.

Therefore that's e-commerce in essence in a way regulations If there is something suspicion existence violation based on report good from fellow perpetrator business or from disadvantaged communities related Constitution number 5 of 1999, especially in article 5, then in Article 38 it is stated that: 1) Everyone who knows has happen or worthy allegedly has happen violation to Constitution this can report in a way written to commission, with clear description about has occurrence violation, with include identity reporter; 2) The injured party as consequence occurrence violation to Constitution this can report in a way written to commission with complete and clear information about has occurrence violation as well as losses incurred, with include identity reporter; 3) Identity reporter as intended in Article (1) is mandatory kept secret by the Commission; and 4) Procedures delivery report as intended in paragraph (1) and paragraph (2) are regulated more continued by the Commission.

KPPU As Advocate Legal Protection of Traditional Markets

The advocacy role of the Business Competition Supervisory Commission (KPPU) in protecting traditional markets can be analytically assessed through the framework of Jeremy Bentham's utilitarianism. Bentham's theory emphasizes the principle of the greatest happiness of the greatest number, which is particularly relevant in competition law when regulatory decisions affect broad segments of society rather than individual market actors. Unlike purely efficiency-based or formalistic legal approaches, utilitarianism allows competition policy to be evaluated based on its overall social consequences, including consumer welfare, market inclusivity, and economic sustainability.

In the context of Indonesia's digital economy, the rapid growth of e-commerce has created structural imbalances between digital platforms and traditional market actors. While e-commerce platforms generate efficiency and innovation, they may also produce negative externalities such as market displacement, unequal bargaining power, and exclusionary practices that disproportionately harm traditional traders. From a utilitarian perspective, KPPU's policy advocacy serves as a corrective mechanism aimed at maximizing overall social welfare by preventing market dominance from undermining economic participation and livelihood security for a large number of small-scale traders.

The relevance of Bentham's utilitarianism lies in its suitability for evaluating regulatory advocacy rather than judicial sanction alone. KPPU's recommendations to the government, issuance of sectoral guidelines, and engagement in regulatory reform are not limited to determining legal violations but are directed at shaping competition policy outcomes that balance efficiency with social welfare. Through this approach, KPPU's advocacy functions as a normative tool to align competition law enforcement with broader public interest objectives, ensuring that the development of e-commerce does not erode the economic role of traditional markets. Consequently, utilitarianism provides a coherent theoretical basis for assessing KPPU's advocacy in achieving fair competition and legal protection within Indonesia's dual market structure.

Traditional market can interpreted in a way operational as base place gather for buying and selling as center activity social economy democracy, with pattern connection productive economy intertwined interaction intimate social between traders and buyers, traders and traders, and traders and suppliers who are inheritance social representation need socializing between individual, in physique in interconnected spaces close together as well as the situation between individual, in physique in interconnected spaces close together as well as the situation no far from settlement. In the sense in a way macro be in place strategic easy achieved by all parties and have character friday so that capable build closeness and “family” relationship between traders and buyers (Aliyah, 2020).

Understanding from protection law in a way short interpreted as methods and processes of protection provided to subject law in form a set law good that which is preventive or those of a nature repressive (Amir, 2021). According to experts, one of them is Satjipto Raharjo gave understanding that protection law that is give something protection to Human Rights Human rights (HAM) that are harmed by other parties who then protection the can given to society so that it can enjoy all rights covered by law (Wulandari, 2019).

Implementation framework law competition business in Indonesia basically still become serious problem, no existence regulations that represent related to the e-commerce market in general comprehensive, with thus matter that no can functioning as guidelines that can give guidelines to taker decision as reference for component purposeful competition for remove possibility implementation by the manufacturer regulations economy (Hasbullah, 2020). As example namely in Constitution number 5 of 1985 concerning industry which stipulates principles base healthy competition, with prioritizing fair and just match, to prevent competition no healthy as well as avoid centralization mastery industry, which in general implementation no arranged more continued. The expansion of e-commerce has also generated competitive pressures that significantly affect traditional market actors. Addressing these challenges requires a competition law-oriented regulatory response grounded in Law No. 5 of 1999 as the primary legal framework governing market competition in Indonesia. Accordingly, regulatory adaptation may take the form of refining substantive

competition norms or strengthening implementing regulations and policy instruments issued by the Business Competition Supervisory Commission (KPPU). Such measures are essential to ensure substantive justice for traditional market actors and to maintain a level playing field between offline and online markets, without conflating competition regulation with sectoral industrial policies.

Although the KPPU's policy advocacy mandate is normatively aligned with the principles of social justice and fair competition, its effectiveness in addressing contemporary digital competition challenges remains mixed. In practice, KPPU's interventions have largely taken the form of policy recommendations, sectoral studies, and regulatory guidance aimed at mitigating competitive imbalances between e-commerce platforms and traditional market actors. While these efforts have contributed to greater regulatory awareness and inter-institutional coordination, their impact on market behavior has been limited due to the non-binding nature of policy advocacy and the absence of explicit digital market provisions within Law No. 5 of 1999. Moreover, KPPU faces structural constraints in addressing data-driven dominance and platform-based exclusionary practices, which often fall outside traditional competition law doctrines. These limitations highlight a regulatory gap that weakens the protective function of KPPU's advocacy for traditional markets, underscoring the need for stronger legal instruments and adaptive regulatory mechanisms to ensure effective competition governance in Indonesia's digital economy. Then presence various regulations related protection will traditional market until moment this is basically not yet capable give climate competition healthy and conducive business to the existence of traditional markets. Besides that seen from its function that the market is place meeting buyers and sellers, then the market becomes indicator increase or stable economy specifically for public medium down, then with level the stability of traditional markets also becomes reflection will level welfare society. Because of this that various policy government area emit regulation moreover special for protection law from traditional markets, which then If referring to to regulation related so Regulation President Number 112 of 2007 is reference to arrangement of traditional markets, centers shopping and

also modern shops, in which explained all good market shape there are traditional markets, modern markets and also shopping centers trading like a mall.

So that in context his philosophy the presence of KPPU as guards and supervisors justice social (the guardian of social justice) in build economy own a number of objective that is, first, to maintain interest general and improve people's welfare, secondly, for realize climate conducive business through arrangement competition healthy business so that ensure existence certainty chance make the same effort for perpetrator business big, perpetrator business middle, and also the perpetrators business small, third, for prevent practice monopoly and or competition business no health caused by the perpetrator business and creation effectiveness and efficiency in activity business (Risnain, 2018).

One of the things that became notes important related protection law to perpetrator deep effort matter this is a traditional market, carried out with uphold the law written in the Regulations President number 112 of 2007 and also regulated in the Regulation of the Minister of Trade Number 53/M-DAG/PER12/2008. However as far as this there is a number of obstacle in enforcement the law that is related sanctions imposed in second regulation the because level its effectiveness not yet make deterrent for the perpetrators business. Therefore that required firm attitude from government for publish regulations that provide directions related protection of traditional markets in the future come (Noor, 2013).

In a way normative, which becomes reject measuring will traditional market explained in Article 4 of the Regulation of the Minister of Home Affairs Number 20 of 2012 concerning Management and Empowerment of Traditional Markets, namely: a) Owned, built and/ or managed government area; b) All forms transaction done in a way bid bargain; c) Place his business built in a way uniform and unified in same location, and d) Most of the goods and services offered made from standard local (Peraturan Menteri, 2012).

The expansion of e-commerce driven by technological advancement has been shown to exert uneven competitive pressures on traditional markets, particularly across different regions in Indonesia. Empirical studies and

institutional reports indicate that while digital platforms enhance efficiency and consumer access, they also contribute to market displacement effects that disproportionately affect small-scale and traditional traders with limited digital capacity. Data from international and national institutions demonstrate that regions with higher e-commerce penetration tend to experience a decline in traditional retail transactions, especially among micro and small enterprises that rely on physical marketplaces. These trends suggest that the impact of e-commerce on traditional markets is structural rather than incidental, although its intensity varies across regions depending on infrastructure, digital literacy, and regulatory support (OECD, 2020), in a way potential can categorized can remove livelihood professional community as perpetrator business in traditional markets this, so that every perpetrator business need make various marketing strategies so that the goods sold sell well in the market (Kurbayanti, 2021). Next, a protection to development of traditional markets this own absolute nature for done, because with existence effort protection own benefit and to synergize strength a market, especially a traditional market, which has weakness. So one ways that can carried out by the government is with make breakthrough a number of substantial regulation arrange pattern connection between traditional markets with other markets (Noor, 2013).

So that If reviewed from the theory put forward by Jeremy Bentham, namely theory utilitarianism as defined as law is something that can put benefits as objective main law, with benefits that is what is meant that is happiness, and look at that good or the bad something policy or protection that then whether law that can give happiness in matter this to perpetrator business traditional to the presence of e-commerce, which is happiness that efforts are made to be able to enjoyed by as many as Possible individual in layer public.

Traditional market in competition between perpetrator other economies are classified as as perpetrator weak economy from aspect capital and also in management management so that will two things happened that is marginalized and displaced, second matter this happen will impact on the obstruction growth as well as development right economy public good in the area and national. Therefore if matter thus Keep going left alone ongoing so will causing the

perpetrators business or trader small hanging his life in traditional markets will lost eye his livelihood (Seran, 2014).

As form correlation between e-commerce and competition business this, Kurnia Toha provides affirmation that current digital technology this already lots influence business both in traditional markets and other forms other modern businesses, of course matter this because the market boundaries are very broad and not limited (borderless), therefore need equalization in matter perception of law competition efforts to face the increasingly e-commerce era day the more increase (KPPU, 2021).

Based on matter said, according to Diana Yoseva La Ode as the First Investigator KPPU's Economic Directorate explained that protection will a market indeed needed to create competition healthy business, especially in case in point competition between perpetrator business traditional and also the perpetrator business digital economy or e-commerce, various formulation in matter related policy Still need data collection and refinement, so need studied through emerging developments with understand existing competition, definition from e-commerce and also actors business traditional then realization guidelines in market competition (Lutfi, n.d.-b). Dendy R Sutrisno as head office representative the Surabaya KPPU area also explained that, one of form efforts that can be made taken to create healthy competition and stability prices in traditional markets, the players business can learn as well as practice modern era business without must leave characteristics from traditional markets that yourself, for example with make forecasts of demand and supply and time certain as well as make agreement related guarantee supply certainty quality and price, so that with existence matter those who are charged in form agreement so expected perpetrator business traditional own stability with existence consumers (KPPU, 2021).

Then at the time this with presence of the e-commerce market in Indonesia according to Deswin Nur as Head of Public Relations and Cooperation Bureau in respond to market competition, namely still is at at the market stage that has perpetrator many businesses, and KPPU to moment this currently do various improvement related matter said. Because of the impact from existence

development so need improvements moreover in case in point understanding the market alone so that become form guidelines in organize this e-commerce. In the future come can categorized that Indonesia tends to to e-commerce, which is the perpetrator other businesses will affected and a strategy is needed to be able to endure in market competition. Because everything form trading and business directed to online, especially in traditional markets that find it various obstacle from matter taxes, permits buildings and so etc(Lutfi, n.d.-a).

This is also in line with the policy that requires e-commerce sellers to sell their products at lower prices, which indirectly this policy is designed to ensure that platforms can offer the most competitive prices in the market which will have an impact on traditional markets, so that e-commerce markets are able to attract price-sensitive consumers and prevent them from switching to competitors with lower prices. In this way, e-commerce market platforms strive to maintain and expand their market share amidst increasingly intense competition (Alexander Kennedy, 2024).

Furthermore Liasari as Directorate Advocacy Competition and Partnership Supervisory Commission Competition Commission (KPPU) explains that about activity advocacy provided to the perpetrators business, KPPU in general general do it in a way gradually with the same composition (equal) so the actors deep effort matter this perpetrator e-commerce businesses and also actors business traditional must follow provisions that become milestone reference that is Constitution Number 5 of 1999. Therefore if one of them perpetrator business or both of them do competition business that does not healthy so will given sanctions and not given protection, especially when existence complaints and reports from public related competition business that does not healthy, then no will existence protection special related the matter (Lutfi, n.d.-c).

Due to that is, a good advocacy process that is with give input and suggestions to government related competition healthy business between perpetrator business with various provisions and regulations that are used as guidelines to Invite Invite Number 5 of 1999, however in design related regulations this in a way substantial must reach a number of mandatory goals achieved that is: a) Give need life (to provide subsistence); b) Give abundance

food (to provide abundance); c) Give security (to provide security); and d) Reach equality (to attain equality) (Grossman, 1971). According to Muhammad Agus Rachmadi, as Middle Policy Analyst from Commission Supervisor Business Competition explained that the advocacy process provided by KPPU in matter competition business, basically from aspect investigation and assessment between e-commerce markets and traditional markets this speak the regulations of course own differences. So, KPPU itself Still make an effort for give advice to government for make between both of them equal competition or healthy competition, namely with the existence of a market that has balance and equality especially in provision goods or services, based on matter KPPU also responded to this with do things that are initiative and innovative for respond to healthy market competition. Because with this is also the government and KPPU have task addition in make regulations related study between perpetrator e-commerce businesses and also actors business traditional for realize healthy competition between both of them (Lutfi, n.d.-d).

Fundamentally, law enforcement cannot be understood merely as an effort to implement normative provisions stipulated in the law, but also as an implementation process that must be adapted to social realities. From a sociological perspective, societal dynamics play a significant role in shaping, and even changing, the prevailing legal structure. This is evident in the context of competition law enforcement in the digital economy era. The global development of information technology and the internet demands that businesses continuously innovate. This innovation is a crucial instrument for maintaining business existence, both in terms of product sustainability and achieving expected profits (Utomo, 2024), and also KPPU actively advocates for more specific regulations for digital markets, as the current Competition Law is deemed insufficient to address the complexity of e-commerce platforms. The KPPU is also proactive in monitoring and taking action against anti-competitive practices such as predatory pricing, discrimination against UMKM sellers, and the mandatory use of detrimental affiliate services. Furthermore, the KPPU encourages fair partnerships between platforms and traditional businesses, advocates for transparency in the use of algorithms, and provides input to the

government to ensure digital trade policies align with the principles of fair competition. Thus, the KPPU plays a central role in maintaining market balance, ensuring legal certainty and justice for all business actors in the digital era, especially vulnerable UMKM.

Then Director Advocacy competition and partnership of KPPU, namely Muhammad Zulfirmsyah SE, MM, in respond to related competition business in the e-commerce market with perpetrator business traditional outline during not enough more than 3 years behind This KPPU has do study to industries that are currently grow like e-commerce to be precise, with study the competition that is carried out from aspect marketplace ecosystem or online application with see financing as well as distribution in order to prevent competition business that does not healthy. Therefore, KPPU responded with publish various advocacy to the e-commerce market in case in point friction or competition business with perpetrator business traditional in particular, and also KPPU until moment this try with maximum for create competition healthy business to bring certainty law for perpetrator business traditional (Lutfi, n.d.-e).

One example of a traditional market impacted by the presence of e-commerce is, as explained in the traditional market in the Tangerang area. Research reveals that the presence of e-commerce has a significant impact on the sustainability of traditional markets in Tangerang City. Some of the main impacts identified include a reduction in the number of customers, a decrease in sales volume, increased difficulty in price competition, and increased operational costs. Based on survey data, as many as 75% of traders reported a decrease in the number of daily customers, while 65% of them experienced a decrease in income due to reduced sales volume. In addition, around 60% of traders admitted to having difficulty competing with the low prices offered by e-commerce platforms, and 50% faced increased costs to maintain their business competitiveness. These impacts are not only limited to the economic aspect, but also have implications for the social and cultural dimensions of traditional markets, which have long functioned as centers of local economic activity and symbols of the community's cultural identity (Siahaan, 2024).

Overall, the KPPU's advocacy demonstrates that fair competition is not just about offering the lowest prices, but also about operating under the same rules. By creating legal certainty for all parties, both traditional and digital businesses, the government can encourage innovation without compromising the sustainability of small businesses. The KPPU's efforts are crucial to ensuring that Indonesia's digital economic transformation is inclusive and fair, providing equal opportunities for all businesses to thrive without having to worry about harmful practices. So that for can understand in a way fully aspect justice from various regulations and advocacy specifically from Commission Supervisor Competition Law (KPPU) and also the Law Number 5 of 1999 concerning Prohibition Monopolistic Practices and Unfair Business Competition in matter competition business no for e-commerce markets and players business traditional, then also needs to be reviewed how certainty law and benefit law based on theory utilitarianism from Jeremy Bentham and the theory Gustav Radbruch's law from various regulation specifically advocacy Commission Supervisor Competition Law (KPPU) and also the Law Number 5 of 1999 concerning Prohibition Monopolistic Practices and Unfair Business Competition, considering that certainty law, benefit and justice own relatedness with the second matter.

Conclusion

This study finds that the expansion of e-commerce in Indonesia has fundamentally altered market structures and intensified competitive asymmetries between digital platforms and traditional markets. These structural changes have exposed regulatory limitations within Law No. 5 of 1999, which was originally designed for conventional market conditions and does not explicitly address key digital market characteristics such as platform dominance, data-driven competition, and algorithmic pricing. The findings further demonstrate that the Business Competition Supervisory Commission (Komisi Pengawas Persaingan Usaha—KPPU) has responded to these challenges primarily through legal policy advocacy rather than direct regulatory intervention. As discussed in the preceding sections, KPPU's advocacy has taken the form of policy recommendations, sectoral studies, and institutional

coordination with the government, aimed at maintaining fair competition and mitigating the adverse effects of digital market expansion on traditional business actors. These efforts reflect KPPU's adaptive interpretation of its mandate in the absence of explicit digital competition provisions.

However, the analysis also reveals that KPPU's advocacy remains constrained by the non-binding nature of its policy instruments and the lack of comprehensive, e-commerce-specific competition regulations. As a result, the protection afforded to traditional market actors remains limited and largely indirect, creating legal uncertainty and uneven competitive conditions between online and offline markets. This gap underscores the need for clearer regulatory frameworks and stronger legal mechanisms that enable KPPU to more effectively address digital market conduct while upholding the principles of fairness, public interest, and legal certainty. In conclusion, aligning competition law enforcement with the realities of the digital economy requires not only adaptive advocacy by the KPPU but also regulatory reform that explicitly incorporates digital market dynamics. Strengthening the legal foundation of KPPU's advocacy is therefore essential to ensure balanced, fair, and sustainable competition between e-commerce platforms and traditional markets in Indonesia.

References

- Abdul Manan & Et.al. (2025). Law Enforcement Against Digital Businesses (E-Commerce) by The Business Competition Supervisory Commission (KPPU) in Competition Practices Unhealthy Business. *Sinergi International Journal of Law*, 3(2), 124–130. <https://doi.org/https://journal.sinergi.or.id/index.php/law/article/download/760/571/5536>
- Alexander Kennedy. (2024). Analisis Hukum Persaingan Usaha Platform Marketplace Online Pada Era Ekonomi Digital. *Ethics and Law Journal: Business and Notary*, 2(4), 4. <https://journals.ldpb.org/index.php/eljbn/article/view/243/200>
- Aliyah, I. (2020). *Pasar tradisional: keberagaman pasar dalam konstelasi kota*. Yayasan Kita Menulis.

- <https://doi.org/https://kitamenulis.id/2020/07/27/pasar-tradisional-kebertahanan-pasar-dalam-konstelasi-kota/>
- Amir, C. (2021). *Perlindungan hukum terhadap benda sitaan dalam sistem peradilan pidana*. CV Jekad Media Publishising. <https://doi.org/https://repository.unair.ac.id/87096/>
- Andani, D. K. & D. W. I. (2023). Pengawasan Hukum Platform E-Commerce Tiktok dan UMKM oleh KPPU Berdasarkan UU Nomor 5 Tahun 1999. *Al Manhaj: Jurnal Hukum Dan Pranata Islam*, 5(2), 5–6. <https://ejournal.insuriponorogo.ac.id/index.php/almanhaj/article/view/4003/2369>
- Andriariza, Y. & L. A. (2019). *Perkembangan Ekonomi Digital di Indonesia*. Pusat Penelitian dan Pengembangan Aplikasi Informatika dan Informasi dan Komunikasi Publik Badan Penelitian. <https://doi.org/https://repositori.kemendikdasmen.go.id/32697/1/Perkembangan%20Ekonomi%20di%20Era%20Digital.pdf>
- Az-Zahra, P. N., Nurlaily, N., & Agustianto, A. (2025). Regulating Dark Patterns in Indonesian E-Commerce: Comparative Lessons from South Korea and the EU. *Journal of Judicial Review*, 27(2), 421-452. <https://doi.org/10.37253/jjr.v27i2.11304>
- Elva, E., Disemadi, H.S., Nurlaily, N., Bajury, M. S. M.. (2025). Why Do the EU and Singapore Protect E-Commerce Consumers Better than Indonesia?. *Jurnal Kajian Pembaruan Hukum*, 5, 237. <https://doi.org/10.19184/jkph.v4i1.46691>
- Febrina, R. (2022). Persaingan usaha pada era digital menurut perspektif hukum persaingn usaha. *Karya Ilmiah Multidisiplin*, 2(1), 121. <https://doi.org/https://journal.unilak.ac.id/index.php/Jurkim/article/view/9309>
- Grossman, J. B. & M. H. G. (1971). *Law in change in Modern America*. Cal, Goodyear. <https://doi.org/https://www.nypl.org/research/research-catalog/bib/b10120616>
- Hasbullah, M. A. (2020). Penegakan hukum persaingan usaha dalam sektor ekonomi digital. *Ilmiah MEA*, 4(1), 594. <https://doi.org/https://journal.stiemb.ac.id/index.php/mea/article/view/>

1635

- Hayati, A. N. (2021). Analisis tantangan dan penegakan hukum persaingan usaha pada sektor e commerce di Indonesia. *Penelitian Hukum De Jure*, 21(1), 111. <https://doi.org/https://doaj.org/article/ee8f0bf8cfcf4225b76e522a14f353c2>
- Hermansyah. (2009). *Pokok-pokok hukum persaingan usaha di Indonesia*. Kencana. <https://doi.org/https://simpus.mkri.id/opac/detail-opac?id=6840>
- Junaidi, A. (2019). *KPPU Melindungi Akses Usaha Kecil Yang Mau Hilang Dimakan Waktu*. KPPU. <https://kppu.go.id/blog/2013/03/kppu-melindungi-akses-usaha-kecil/>
- Komisi Pengawas Persaingan Usaha (KPPU). (2018). Kompetisi Meraup Pasar E-Commerce. *KPPU*, 62, 2. <https://doi.org/https://lawpolicyjournal.id/index.php/dejure/article/view/1583>
- KPPU. (2019). *Upaya Advokasi Dini KPPU*. KPPU. <https://kppu.go.id/blog/2010/07/upaya-advokasi-dini-kppu/>
- KPPU. (2021). E-Book Komisi Pengawas Persaingan Usaha. In *KPPU* (p. 9). KPPU. <https://doi.org/https://kppu.go.id/wp-content/uploads/2025/01/E-Book-Persaingan-Usaha-melalui-Rangkaian-Kata.pdf>
- KPPU. (2025a). *KPPU Hadiri Simposium Internasional Bahas Penegakan Hukum Persaingan Usaha di Asia*. KPPU. <https://kppu.go.id/blog/2025/05/kppu-hadiri-simposium-internasional-bahas-penegakan-hukum-persaingan-usaha-di-asia/>
- KPPU. (2025b). *KPPU Turut Serta dalam Workshop OECD-KPC di Seoul*. KPPU. <https://kppu.go.id/blog/2025/09/kppu-turut-serta-dalam-workshop-oecd-kpc-di-seoul/>
- Kurbayanti, L. D. P. Y. (2021). *Transformasi Pasar Tradisional Menjadi Pasar Online*. Ospos Indonesia. <https://www.espos.id/transformasi-pasar-tradisional-menjadi-pasar-online-1102122>

- Lee, C. (2022). Competition Policy in the Age of Algorithms: Challenges for Indonesia. *Bulletin of Indonesian Economic Studies*, 58(3). <https://www.tandfonline.com/doi/full/10.1080/00074918.2022.2125488>
- Lutfi, M. F. R. (n.d.-a). *Interview Deswin Nur Head of the Public Relations and Cooperation Bureau Business Competition Supervisory Commission (KPPU)*. Personal Interview June 6, 2022, at 1:00 PM WIB.
- Lutfi, M. F. R. (n.d.-b). *Interview With Diana Yoseva La Ode as the First Principal Investigator Head of the Task Force of the Economic Directorate of the Business Competition Supervisory Commission (KPPU)*. Personal Interview June 6, 2022, at 1:30 PM WIB.
- Lutfi, M. F. R. (n.d.-c). *Interview With Liasari as Principal Investigator, Directorate of Competition Advocacy and Partnership Business Competition Supervisory Commission (KPPU)*. Personal Interview June 6, 2022, at 2:00 PM WIB.
- Lutfi, M. F. R. (n.d.-d). *Interview with Muhammad Agus Rachmadi as Middle Policy Analyst Staff of the Competition Policy Directorate Business Competition Supervisory Commission (KPPU)*. Personal Interview June 6, 2022, at 2:30 PM WIB.
- Lutfi, M. F. R. (n.d.-e). Interview with Muhammad Zulfirmansyah Director of Competition and Partnership Advocacy Business Competition Supervisory Commission (KPPU). In *KPPU*. Personal Interview June 6, 2022, at 3:00 PM WIB.
- Manan, A. (2014). *Peranan hukum dalam pembangunan ekonomi*. Prenadamedia Group. <https://doi.org/https://opac.ut.ac.id/detail-opac?id=33107>
- Mohammad Thoyyibi Pratama. (2022). Market mechanisms and supervision market to online business or e-commerce by the Kppu. *Hukum Islam*, 2(1), 7. https://doi.org/https://www.researchgate.net/publication/385572627_Mekanisme_pasar_dan_pengawasan_pasar_terhadap_bisnis_online_atau_pada_e-commerce_oleh_kppu_komisi_pengawasan_persaingan_usaha
- Munsarif, M. & E. a. (2022). *Pengantar E-Commerce* (1st ed.). Yayasan Kita Menulis. <https://doi.org/https://kitamenulis.id/2022/02/17/pengantar-e->

commerce/

- Noor, A. (2013). Perlindungan terhadap pasar tradisional di tengah ekspansi pasar ritel modern. *Conomica*, *IV*(2), 117. <https://doi.org/https://journal.walisongo.ac.id/index.php/economica/article/view/782/693>
- Nugroho, S. A. (2012). *Hukum Persaingan Usaha di Indonesia: Dalam teori dan praktik serta penerapan hukumnya*. Prenadamedia Group. <https://doi.org/https://prenadamedia.com/produk/hukum-persaingan-usaha-di-indonesia-dalam-teori-dan-praktik-serta-penerapan-hukumnya-edisi-pertama/>
- OECD. (2020). *Competition Policy in the Digital Age*. OECD. <https://www.oecd.org/competition/competition-policy-in-the-digital-age.htm>
- Peraturan Menteri, Pub. L. No. 20 Year 2012, 1 (2012). <https://peraturan.bpk.go.id/Details/111784/permendagri-no-20-tahun-2012>
- Perbawa, I. K. S. L. P. (2021). Tinjauan yuridis persaingan usaha tidak sehat antar online shop pada masa pandemic covid-19. *Penelitian Dan Pengembangan Sains Dan Humaniora*, *5*(1), 151. <https://doi.org/https://ejournal.undiksha.ac.id/index.php/JPPSH/article/view/36188>
- Prasetio, A. & E. (2021). *Konsep E-Commerce*. Yayasan Kita Menulis. <https://doi.org/https://kitamenulis.id/2021/03/06/konsep-dasar-e-commerce/>
- Pratama, M. T. (2022). Mekanisme pasar dan pengawasan pasar terhadap bisnis online atau pada e-commerce oleh Kppu. *Hukum Ekonomi Syariah*, *2*(¹), 7. https://doi.org/https://www.researchgate.net/publication/385572627_Mekanisme_pasar_dan_pengawasan_pasar_terhadap_bisnis_online_atau_pada_e-commerce_oleh_kppu_komisi_pengawasan_persaingan_usaha
- Ratna Dewi & Et.al. (2025). Analisis Praktik Persaingan Usaha Tidak Sehat di Platform Digital E-Commerce di Indonesia: Tinjauan Hukum Persaingan Usaha. *Jurnal Pustaka Cendikia Hukum Dan Ilmu Sosial*, *3*(3). https://pchukumsosial.org/index.php/pchs/article/view/163?utm_source

=chatgpt.com

- Risnain, M. (2018). Konsep penguatan kewenangan komisi pengawas persaingan usaha sebagai lembaga quasi-peradilan dalam membangun perekonomian nasional yang sehat dan adil. *IUS Kajian Hukum Dan Keadilan*, *VI*(2), 232. https://doi.org/https://jurnalius.ac.id/ojs/index.php/jurnalIUS/article/view/557/pdf_77
- Riyanto, A. (2018). *Hukum Bisnis Indonesia* (1st ed.). CV Batam Publisher. https://doi.org/https://books.google.co.id/books/about/Hukum_Bisnis_Indonesia.html?id=Bnl1DwAAQBAJ&redir_esc=y
- Sabirin, A. & R. H. H. (2021). Dampak Ekosistem Digital terhadap Hukum Persaingan Usaha di Indonesia serta Optimalisasi Peran Komisi Pengawas Persaingan Usaha (KPPU) di Era Ekonomi Digital. *Persaingan Usaha*, *2*(1). <https://doi.org/https://doi.org/10.55869/kppu.v2i.23>
- Sengge, A. & E. al. (2024). Pengawasan dan Penegakan Hukum E-Commerce Oleh KPPU dalam Mengatasi Persaingan Usaha Tidak Sehat. *Hukum Lex Generalis*, *5*(4), 10. <https://ojs.rewangrencang.com/index.php/JHLG/article/view/604/275>
- Seran, M. (2014). Perlindungan hukum bagi pasar tradisional di era globalisasi dan liberalisasi perdagangan. *MMH*, *4*(3), 389–390. <https://doi.org/https://doi.org/10.14710/mmh.43.3.2014.389-395>
- Setyawati, Ria, Stefan Koos, Z. A. F. J. (2024). Data Driven Dominance in Digital Markets: Assessing Indonesian Competition Law in the Digital Age. *Jurnal Ius Kajian Hukum*, *12*(2). <https://doi.org/https://doi.org/10.29303/ius.v12i2.1377>
- Siahaan, M. M. & R. bila. (2024). Analisis Pengaruh E-Commerce Terhadap Keberlanjutan Pasar Tradisional di Kota Tangerang. *ADI Pengabdian Kepada Masyarakat*, *5*(1), 46. <https://adi-journal.org/index.php/adimas/article/view/1121/772>
- Soemitro, R. H. (1988). *Metodologi Penelitian Hukum dan Jurimetri*. Ghalia Indonesia. <https://doi.org/https://balaiyanpus.jogjaprovo.go.id/opac/detail-opac?id=81474>

- Suraji, A. & E. a. (2021). *Dua Dekade Penegakkan Hukum Persaingan: Perdebatan dan Isu yang Belum terselesaikan*. KPPU. <https://doi.org/https://digilib.uns.ac.id/dokumen/download/123645/O DI4NzAx/Aspek-Hukum-Posisi-Dominan-Pelaku-Usaha-Berbasis-Platform-dalam-Era-Ekonomi-Digital-Daftar-Pustaka.pdf>
- Suripteo, T., Tan, D., & Agustianto, A. (2023). Exploring the Legal Dynamics: Analysis of the Relationship and Responsibilities of Parties in Online Purchases Using the COD Payment Method. *Bareleng Journal of Legal Studies*, 1(2). <https://doi.org/10.37253/barjoules.v1i2.8659>
- Thorieq, S. H. (2023). Kewenangan Kppu Dalam Melakukan Pengawasan Bisnis Online Di Indonesia. *Jurnal Ilmiah Wahana Pendidikan*, 9(16). <https://doi.org/https://doi.org/10.5281/zenodo.8264917>
- Toha, K. (2002). Implikasi Undang-Undang Nomor 5 Tahun 1999 Terhadap Hukum Acara Pidana. *Hukum Bisnis*, 19(1), 311. https://doi.org/https://library.unpar.ac.id/index.php?p=show_detail&id=103741
- Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktik Monopoli Dan Persaingan Usaha Tidak Sehat, 3 (1999). <https://doi.org/https://www.postel.go.id/content/ID/regulasi/telekomunikasi/uu/uu%20no.%205%20tahun%201999.pdf>
- Utomo, S. & E. al. (2024). Implikasi Pengawasan Persaingan Usaha Terhadap Perkembangan Ekonomi Digital. *Lex Jurnalicia*, 20(1), 24. <https://doi.org/https://ejurnal.esaunggul.ac.id/index.php/Lex/article/download/6086/3814>
- Weley, N. C., & Romadona, H. G. (2026). How Can Risk-Based Online Submission Systems Accelerate MSME Growth in Indonesia's Digital Economy?. *Bareleng Journal of Legal Studies*, 4(1), 1-20. <https://doi.org/10.37253/barjoules.v4i1.11841>
- Winarto, P. (2007). *Reach Your Maximum Potential*. PT Alex Media Komputindo. <https://doi.org/https://perpustakaanmts1bogor.online/index.php?p=cite&id=2282&keywords=>
- Wulandari, R. (2019). *Perlindungan hukum pegawai pemerintah dengan*

perjanjian kerja di rumah sakit umum daerah. Scopindo Media Pustaka.
<https://doi.org/https://digilib.uim-yogya.ac.id/detail/perlindungan-hukum-pegawai-pemerintah-dengan-perjanjian-kerja-di-rumah-sakit-umum-daerah/18225>

Acknowledgments

None.

Declaration of Generative AI Use

The author(s) declare that no generative AI or AI-assisted technologies were used in the preparation or writing of this manuscript. All content was produced entirely by the author(s) without any automated assistance.

Competing Interest

The author declares no competing interests.