

BIBLIOGRAPHY

BOOKS

- Hidayah Rosana Kesuma, 2021, "Cirucmstancial Evidence Sebagai Alat Bukti Dalam Perkara Kartel, Praktik Dan Standar Pembuktian Di Masa Depan 1st ed.," vol. 2, Prenadamedia Group, Jakarta.
- Gellhorn, Ernest and William E. Kovacic, 1994, *Antitrust Law and Economics in a Nutshell*, West Publishing, Co., St Paul Minnesota.
- Ibrahim, Johnny, 2006, *Teori dan Metodologi Penelitian Hukum Normatif, Second Edition*, Bayu Media, Malang.
- Ibrahim, Johnny, 2007, "Hukum Persaingan Usaha," Bayumedia Publishing, Malang.
- Jones, Alison, and Brenda Sufrin, 2016, "EU competition law: text, cases, and materials," oxford university Press, London
- Kaysen, Carl and Donald F. Turner, 1971, "Antitrust Policy: an Economic and Legal Analysis," Harvard University Press, Cambridge.
- Korah, Valentine, 2000, "An Introductory Guide to EC Competition Law and Practice", Oxford, Portland, Oregon.
- Manudji, Sri, 2005, *Metode Penelitian dan Penulisan Hukum* Edition. 1, Badan Penerbit Fakultas Hukum Universitas Indonesia, Depok.
- Marzuki, Peter Mahmud 2010, *Penelitian Hukum, Jakarta: Kencana Prenada*, Jakarta.
- Nadapdap, Binoto, 2015, "Penerapan Pembuktian Tidak Langsung (Indirect Evidence) dalam Penanganan Perkara Kartel pada Komisi Pengawas Persaingan Usaha", Disertasi, Universitas Indonesia, Jakarta.
- Ali, H. Zainuddin, 2019, *Metode Penelitian Hukum*, Sinar Grafika, Jakarta.
- Sirait, Ningrum Natasya, 2003, *Asosiasi dan Persaingan Tidak Sehat*, Pustaka Bangsa Press, Medan.

- Siswanto, Arie, 2002, *Hukum Persaingan Usaha*, Ghali Indonesia, Jakarta.
- Soekanto, Soerjono & Sri Mamudji, 2003, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, RajaGrafindo Persada, Jakarta.
- Soekanto, Soerjono, 2014, *Pengantar Penelitian Hukum*, Universitas Indonesia Press, Jakarta.
- Sullivan, E. Thomas and Jeffrey L., 1994, *Understanding Antitrust and Its Economic Implications*, Matthew Bender dan Co., New York.
- Usman, Rachmadi, 2022, *Hukum persaingan usaha di Indonesia*. Sinar Grafika, Jakarta.
- Whish, Richard and David Bailey, 2015, "Competition Law", Oxford University Press, New York.
- William J, Baumol and Alan S Blinder, 1985, "Economics, Principles and Policy," Harcourt Brace Jovanovich Publisher Orlando, Florida.

Articles/Journals

- Adzka Aqshal, *Analisis Pembuktian Kartel dalam Perspektif Hukum Persaingan Usaha di Indonesia (Studi Keputusan KPPU Nomor 24/KPPU-I/2009 tentang Kartel Minyak Goreng)*, Tesis, Program Pascasarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 2023.
- Agum Reynaldo, *Proses Pembuktian Bukti Tidak Langsung (Indirect Evidence) dalam Praktek Monopoli Kartel Ban (Studi Kasus di Kantor Pimpinan Daerah (KPD) Komisi Pengawasan Persaingan Usaha (KPPU) Medan)*, Skripsi, Program Sarjana Fakultas Hukum Universitas Muhammadiyah Sumatera Utara, Medan, 2019.
- Antoni, Veri, "The Position of Indirect Evidence as Verification Tools in the Cartel Case," 2014.
- Anu Bradford, Adam S. Chilton, Chris Megaw & Nathaniel Sokol, "Competition law gone global: Introducing the comparative competition law and enforcement data sets," *Journal of Empirical Legal Studies*, 2019.
- Aswim, Danar, "Analisis Komparatif Sistem Pembuktian Kartel Indonesia dan Malaysia di Era Mea dalam Perspektif Hukum Persaingan Usaha," *Lex Librum: Jurnal Ilmu Hukum*, 2021.
- Baker, E. Wayne, and Faulkner Robert, "The social organization of conspiracy:

Illegal networks in the heavy electrical equipment industry,” American sociological review, 1993.

Bork, Robert H., “The Rule of Reason and the Per se Concept: Price Fixing and Market Division,” The Yale Law Journal No. 5 vol. 74, 1965.

Brenner, Steffen, "An empirical study of the European corporate leniency program," International Journal of Industrial Organization, 2009.

Clark, Donald S. "Price-Fixing Without Collusion: An Antitrust Analysis of Facilitating Practices After Ethyl Corp." Wis. L. Rev, 1983.

Dunne, Niamh, "Characterizing hard core cartels under Article 101 TFEU." The Antitrust Bulletin, 2020.

Edwin Steven Tulandi, “Analisis Hukum Terhadap Produsen Minyak Goreng di Sulawesi Utara (Studi Kasus Tentang Dugaan Pelanggaran Terhadap Pasal 4 dan Pasal 5 Undang-Undang No. 5 Tahun 1999),” Tesis, Program Pascasarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 2011.

Fox, Eleanor M, “US and EU competition law: A comparison”, Global competition policy, 1997.

Ghezzi, Federico Cesare Guido, and Mariateresa Maggolino, “EU Concerted Practices & US Concerted Actions,” Bocconi Legal Studies Research Paper, 2013.

Joshua, M. Julian and Sarah Jordan, “the Concept of Conspiracy in European Community Competition Law Symposium on European Law,” Northwester Journal of International Law & Business, Vol. 24, 2004.

Lintang Utami Nugraheni, “A Legal Analysis Towards the Usage of Indirect Evidence on the Fulfilment of Cartel Elements in Automatic Scooter's Price in Indonesia Pursuant to Law No. 5 of 1999 (Case Study: KPPU Decision No. 04/KPPU-I/2016),” Tesis, Program Pascasarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 2017.

Mohamad Soleh, *Analisis Pembuktian Kartel dalam Perspektif Hukum Persaingan Usaha di Indonesia (Studi Keputusan KPPU Nomor 24/KPPU-I/2009 tentang Kartel Minyak Goreng)*, Tesis, Program Pascasarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 2013.

Muhzen Muzadi, *Kekuatan Bukti Tidak Langsung (Indirect Evidence) Pada Kasus Kartel tentang Produksi Bibit Ayam Boiler (Studi Kasus Putusan Mahkamah Agung Nomor 444k/PDT.SUS-KPPU/2018)*, Skripsi, Program Sarjana Fakultas Syariah dan Hukum Universitas Islam Negeri Syarif

Hidayatullah Jakarta, 2018.

Petit, Nicolas, "The Future of the Court of Justice in EU Competition Law: New Role and Responsibilities," TMC Asser Press, 2013.

Ritter Lennart, W. David Braun, Francis Rawlinson, "EC Competition Law, A Practitioner's Guide," Kluwer Law International, 2nd ed, 2000.

Sarah Fitriyah, *Analisis Yuridis Penggunaan Indirect Evidence dalam Kasus Kartel Sepeda Motor di Indonesia Ditinjau dari Hukum Persaingan Usaha Indonesia*, Skripsi, Program Sarjana Fakultas Hukum Universitas Sebelas Maret, Surakarta, 2017.

Satrio Laskoro, *Indirect Evidence Di Dalam Pembuktian Perkara Persaingan Usaha di KPPU (Studi Kasus Putusan No. 24/KPPU-I/2009 da Putusan No. 03/KPPU/2010/PN.JKT.PST)*, Skripsi, Program Sarjana Ekstensi Fakultas Hukum Universitas Indonesia, Depok, 2011.

Scherer, F. M. Posner, "Antitrust law: An economic perspective." *The Kale Law Journal* 86, no. 5, 1977.

Scordamaglia Tosis, Andreas, "The Lisbon Treaty and Competition: much ado about nothing?." SSRN, 2009.

Setianingrum, Reni Budi, and Muhammad Hawin, "The Urgency of Leniency Program Against Cartels in Indonesia: Lesson Learned from Singapore Competition Law," *Jurnal Media Hukum*, 2021.

Silalahi Udin and Isabella Cynthia Edgina, "Evidentiary Proces of Cartel Cases in Indonesia Using Indirect Evidence", *Jurnal Yudisial*, Vol. 10 No. 3, 2017.

Tarigan, Azhari Akmal, *Peraktek Monopoli Dan Persaingan Usaha Tidak Sehat Dalam Perspektif Hukum Ekonomi Dan Hukum Islam*, *Jurnal Mercatoria*, 2016.

Van Gerven, Gerwin, and Eedurne Navarro Varona, "Wood Pulp Case and the Future of Concerted Practices," *The Common Market L. Rev.* 31, 1994.

Vidican, Roxana-Denisa, and Raul-Alexandru Hepes, "The Impact of Anti-Competitive Cartel Agreements on Consumers and the Economy in General," *AGORA Int'l J. Jurid. Sci.*, 2022.

Wahyudi Johan, "Dokumen Elektronik Sebagai Alat Bukti pada Pembuktian di Pengadilan," *Perspektif*, Vol. 17, No. 2, 2012.

Zago, Susan Drisko, "Secondary Sources: Top Ten," *Legal Information Alert*,

2005.

Statutes and Regulation

Indonesian Civil Code.

Indonesian Criminal Code.

Communication from the Commission — Guidelines on Vertical Restraints, OJ C 130/01, 19/05/2010.

Communication from the Commission — Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements, OJ C 11, 14/01/2011.

Commission Notice — Guidelines on the application of Article 81 of the EC Treaty to technology transfer agreements, OJ C 101/2, 27/04/2004

Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices.

KPPU Regulation No. 4 of 2010 concerning the Guidelines on Cartel.

KPPU Regulation No. 2 of 2023 concerning the Guidelines on the Handling Procedure for Cases of Monopoly Practices and Unfair Business Competition.

KPPU Regulation No. 4 of 2011 concerning the Guidelines on Price-Fixing.

Treaty on the Functioning of the European Union.

Case Decisions

European Commission Decision Case C-469/15 P FSL Holdings EU:C:2016:884.

European Commission Decision 94/579/EC of 27 July 1994, IV/34.857 - BT-MCI, OJ L 223, 27/8/1994.

European Commission Decision Case OJ [1974] L 160/1, [1974] 2 CMLR D50.

European Commission Decision Case OJ C 298/17, Dec. 8, 2006.

European Commission Decision Cases 48, 49, 51-7/69, ICI v. Commission (1972] ECR 619 [1972] CMIR 557.

European Commission Decision Case 114/73 Suiker Unie v Commission [1975]

ECR 1663.

European Commission Decision Case T-17/93 Matra Hachette EU:T:1994:89.

KPPU Case Decision No. 03/KPPU-I/2002.

KPPU Case Decision No. 02/KPPU-I/2003.

KPPU Case Decision No. 24/KPPU-I/2009.

KPPU Case Decision No. 04/KPPU-I/2016.

KPPU Case Decision No. 15/KPPU-I/2022.

Supreme Court Decision Number 217 K/ Pdt.Sus-KPPU/2019.

Supreme Court Decision Number 7 PK/Pdt.Sus-KPPU/2021.

Woodpulp Judgment of the Court of 31 March 1993, A. Ahlström Osakeyhtiö and others v Commission, joined cases C-89/85, C-104/85, C-114/85, C-116/85, C-117/85 and C-125/85 to C-129/85.

NEWS

Cfi Limburgse Vinyl Maatschappij NV and others v Commission

<https://ekonomi.bisnis.com/read/20190127/257/882862/industri-pulp-dan-kertas-indonesia-masuk-10-besar-dunia>, 2 November 2023.

<https://www.statista.com/statistics/1332474/global-distribution-of-wood-pulp-exports-by-country/>, 2 November 2023.

OFFICIAL WEBSITE

“Study of Cartel Case Laws in Select Jurisdictions-Learnings from the Competition Commission of India”, https://www.cci.gov.in/sites/default/files/cartel_report1_20080812115152. Accessed at 25 January 2024.

Komisi Pengawas Persaingan Usaha, 2021, ‘Overview’, <https://eng.kppu.go.id/competition-law/>, 3 January 2023.

PAPER

World Bank and Organisation for Economic Co-operation and Development. 1998. A Framework for the Design and Implementation of Competition Law and Policy. Washington, D.C.