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Potential Monopoly Issues in the Grab–GOTO Merger Plan: An Analysis Under Indonesian Competition Law

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Original Article

Abstract

This study examines the potential monopolistic effects arising from the planned merger between Grab and Gojek, two dominant digital transportation platforms in Indonesia. As multi-sided markets characterized by strong network effects, ride-hailing platforms naturally tend toward high market concentration. The merger is projected to create a combined market share exceeding 90% and elevate the market's Herfindahl–Hirschman Index (HHI) far above conventional antitrust thresholds. Using a normative legal method supported by statutory analysis and the economic analysis of law, this research evaluates whether such a merger may violate Indonesia's Law No. 5 of 1999 concerning anti-monopoly and unfair business competition, particularly regarding monopoly formation, dominant position, and anti-competitive mergers. The results indicate that the merger carries a high risk of creating a monopoly structure, increasing entry barriers, reducing consumer welfare, weakening drivers' bargaining power, and enabling potential abuse of dominance. It is recommended that the Indonesian Competition Commission (KPPU) impose strong structural remedies or prohibit the merger entirely to preserve healthy competition in the digital platform industry.

Keywords: Merger, Monopoly, Digital Platform, Competition Law

Abstrak

Penelitian ini menganalisis potensi dampak monopolistik dari rencana merger antara Grab dan Gojek, dua platform transportasi digital terbesar di Indonesia. Sebagai pasar multi-sisi dengan efek jaringan yang kuat, industri ride-hailing memiliki kecenderungan alami menuju konsentrasi pasar. Penelitian ini mengkaji apakah merger tersebut berpotensi menciptakan struktur pasar monopoli, menimbulkan posisi dominan, atau memicu perilaku anti-persaingan sebagaimana dilarang dalam Undang-Undang Nomor 5 Tahun 1999. Dengan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan analisis ekonomi terhadap hukum untuk mengkaji apakah merger tersebut berpotensi melanggar ketentuan Undang-Undang Nomor 5 Tahun 1999, khususnya terkait larangan monopoli, posisi dominan, dan penggabungan usaha yang mengurangi persaingan. Hasil penelitian menunjukkan bahwa merger ini berpotensi menciptakan struktur monopoli, meningkatkan hambatan masuk, mengurangi kesejahteraan konsumen, memperlemah posisi tawar mitra pengemudi, serta menimbulkan risiko penyalahgunaan posisi dominan. Oleh karena itu, disarankan agar KPPU menerapkan pengawasan ketat, memberikan remediasi struktural, atau menolak merger untuk menjaga keberlangsungan persaingan usaha yang sehat di industri platform digital Indonesia.

Kata kunci: Merger, Monopoli, Platform Digital, Hukum Persaingan Usaha

1. INTRODUCTION

Structural shifts in the digital transportation sector over the past decade indicate that app-based services have evolved from a mere alternative mode of transportation into a new economic ecosystem embedded in the daily activities of Indonesians.¹ Within this development, Grab and Gojek have emerged as the primary actors shaping market trends, consumer behavior, and competitive dynamics. Their operations extend beyond transportation, encompassing food delivery, logistics, digital payments, and a wide range of other on-demand services. These conditions suggest that the digital transportation market is no longer fully open but is gradually consolidating around two dominant firms with substantial network advantages.

Such dominance is unsurprising, given that platform-based markets inherently promote concentration through network effects, data dominance, and economies of scale that are difficult for new entrants to replicate. Nonetheless, consolidation plans involving the two largest firms introduce issues far more intricate than mere business efficiency. The proposed Grab–Gojek merger represents not only a corporate economic decision but also a structural matter concerning the configuration of Indonesia’s competition landscape. At this juncture, a tension emerges between the pursuit of corporate efficiency and the state’s responsibility to maintain a competitive market structure and prevent the formation of a *de facto* monopoly.²

From a competition law standpoint, the potential merger of two firms that have maintained dominant positions for an extended period necessitates rigorous evaluation. Law No. 5 of 1999 explicitly prohibits monopolistic practices and the abuse of dominant positions, and it regulates mergers that may diminish competition. Experiences from other jurisdictions involving mergers of major digital platforms further demonstrate that traditional regulatory approaches are often insufficient, given the complex nature of platform-based business models that are not fully addressed by existing legal frameworks. This circumstance raises a critical question: are Indonesia’s competition law instruments sufficiently adaptive to assess merger-related risks in data-driven and network-dependent industries, where corporate value is defined not merely by physical assets but by the robustness of the broader ecosystem?

This issue becomes even more pertinent considering that Grab and Gojek have long operated in overlapping and substitutable markets. Should the two entities merge, the

¹ Ahmad Budi Setiawan, “Revolusi Bisnis Berbasis Platform Sebagai Penggerak Ekonomi Digital di Indonesia,” *Masyarakat Telematika dan Informasi Jurnal Penelitian Teknologi Informasi dan Komunikasi* 9, no. 1 (2018): 61–76, <https://doi.org/https://doi.org/10.17933/mti.v9i1.118>.

² Fakhira Kamila Ainurrafik et al., “Perspektif Undang-Undang Nomor 5 Tahun 1999 Tentang Persaingan Usaha Terhadap Dampak Merger Perusahaan Gojek dan Tokopedia,” *Adil Jurnal Hukum* 15, no. 2 (2024): 255–71, <https://doi.org/10.33476/ajl.v15i2.3591>.

existing duopolistic structure could shift substantially, resulting in a single dominant actor controlling most transactions, distribution channels, and platform access. Such a structural transformation would not only affect competitors but also consumers and driver-partners who have benefited for years from competitive pricing, service variety, and relatively stable incentive schemes.³

From an academic standpoint, this issue reveals a notable legal and scholarly gap. Existing studies on digital platform mergers largely concentrate on the Gojek–Tokopedia (GoTo) consolidation or on international cases such as the Douyu–Huya merger in China.⁴ In contrast, research on the proposed consolidation of Indonesia’s two major digital transportation providers remains limited, despite the sector’s distinct features as a multi-sided market involving simultaneous interactions among consumers, drivers, and service partners. Only a few studies have systematically examined how the market structure of digital transportation might shift should a Grab–Gojek merger take place and whether such changes would align with the standards of Indonesian competition law. Addressing this gap is essential to ensure that public policy is not formulated or implemented without a robust empirical and analytical foundation.

Based on this context, the study seeks to address two central questions: first, whether the proposed Grab–Gojek merger carries the potential to create a monopoly or a dominant position as defined under Law No. 5 of 1999; and second, how the structure of Indonesia’s digital transportation market can be hypothetically mapped before and after the merger. The findings from these inquiries are expected to offer a clearer understanding of potential anti-competitive risks and to provide a solid academic foundation for competition authorities in shaping merger oversight policies in Indonesia.

2. RESEARCH METHODOLOGY

This study adopts a normative juridical method, centering its analysis on the positive legal framework governing the prohibition of monopolistic practices and unfair business competition. The primary approach used is the statute approach, examining Law Number 5 of 1999 and its implementing regulations, including KPPU Guidelines and Regulations concerning the assessment of dominant positions and business mergers. This is supplemented by a conceptual approach to capture the characteristics of digital markets shaped by network effects, entry barriers, and market concentration. The legal materials

³ Husna Maulidah Ramadhani, Elisatris Gultom, dan Sudaryat, “Penggunaan Produk Goto Group dalam Rangkaian Operasi Marketplace Tokopedia Berdasarkan Undang-Undang Larangan Monopoli dan Persaingan Usaha Tidak Sehat,” *Jurnal Reformasi Hukum* 26, no. 2 (2022): 189–208, <https://doi.org/10.46257/jrh.v26i2.459>.

⁴ Nuresti Tristya Astarina, “Analisis Merger Perusahaan Digital Di Indonesia (Studi Kasus: Merger Goto dan Douyo/Huya),” *Syntax Literate: Jurnal Ilmiah Indonesia* 8, no. 1 (2023): 393–404, <https://doi.org/10.36418/syntax-literate.v8i1.11233>.

reviewed consist of primary sources, including statutes and KPPU decisions, as well as secondary materials such as academic writings and relevant research on competition in the digital economy. All materials are analyzed using qualitative descriptive techniques to evaluate the compatibility of the proposed Grab–Gojek merger with competition law requirements and to map the structural changes in the digital transportation market before and after the merger. This methodological design aligns with the study's objective of assessing the adequacy of legal norms in addressing the risks of monopoly and dominant positions in digital platform markets. Accordingly, the principles and provisions of competition law serve as the basis for evaluating the potential anti-competitive implications of the planned merger between Indonesia's two largest digital transportation companies.

3. RESULT AND DISCUSSION

3.1. Analysis of Potential Monopoly Issues in the Grab–Gojek Merger Plan Under Law Number 4 of 1999

Any discussion of potential monopoly concerns arising from the proposed Grab–Gojek merger must begin with a comprehensive understanding of the evolving dynamics of Indonesia's digital transportation market. Over the past decade, the sector has developed into a highly competitive environment shaped by data-driven operations and network technologies, making its competitive structure markedly different from traditional market models. Grab and Gojek have become the two dominant platforms, each supported by substantial user bases, extensive operational networks, and interconnected service ecosystems that place them significantly ahead of other competitors. Their rivalry has been characterized by promotional pricing strategies, feature innovation, and expansion into complementary services, creating intensive market interaction within a strong duopolistic framework.⁵ This foundational context is essential before evaluating whether the merger could give rise to monopolistic outcomes.

The dominance of these two firms is not an isolated phenomenon but is rooted in the characteristics of a multi-sided market shaped by strong network effects. As more users participate, the benefits for drivers and service partners increase proportionally, creating a self-reinforcing cycle that makes it increasingly challenging for smaller or new platforms to compete. Consequently, the proposed merger of these two leading entities raises fundamental concerns regarding the long-term viability of competition in the sector. Given their extensive user base and broad operational reach, the merger could result in a single entity with near-comprehensive market power. From a competition law standpoint, such

⁵ M. Andika Yuda Pratama, "Akuisisi dan Konsolidasi Startup di Indonesia: Telaah Literatur atas Dampaknya terhadap Persaingan Usaha dan Inovasi," *Hasina: Jurnal Akuntansi Dan Bisnis Syariah* 2, no. 2 (2025): 138–50, <https://doi.org/10.35897/hasina.v2i2.2024>.

conditions constitute a preliminary indication of market dominance that may hinder competitive dynamics.⁶

Law Number 5 of 1999 offers the normative basis for evaluating such conditions, particularly through Article 17, which governs monopolistic practices. Market dominance that enables a business actor to control the production or distribution of goods and services and exclude competitors constitutes a prohibited monopoly.⁷ In the context of Grab and Gojek, dominance is shaped not only by pricing strategies or fleet capacity but also by each platform's ability to manage user data flows, set booking algorithms, and continuously influence consumer behavior. Thus, platform-based dominance produces a market structure that is difficult for rivals to enter, thereby heightening the risk of monopolization should the two entities merge.⁸

Beyond Article 17, the issue of dominant position as regulated in Article 25 is also central to the analysis. A dominant position does not inherently constitute a violation, yet its abuse may lead to significant distortions in the market. Within a duopolistic structure where competition persists, the relationship between platforms and their users remains balanced.⁹ Consumers and driver-partners retain the ability to switch platforms, compelling each platform to consider market responses in shaping its policies. However, if a merger were to occur, this equilibrium would collapse, resulting in a single major actor capable of shaping market conditions without substantial competitive constraints. Under such circumstances, the merged entity would theoretically possess stronger incentives to unilaterally determine pricing, modify commission structures, and adjust other operational policies.

A key factor that heightens the risk of abusing a dominant position is the decline in service substitutability within the relevant market. In practice, consumers view digital transportation services as distinct from conventional transportation in terms of convenience, pricing, and overall usability. When users are left with only one option in this market, platform conduct becomes a primary determinant of market dynamics.¹⁰ The absence of viable substitutes allows the merged entity to set fare structures without competitive pressure. Likewise, driver-partners who previously shifted between platforms

⁶ Dea Nurseptianingsih et al., "Dampak Integrasi, Merger dan Konglomerasi Terhadap Risiko Persaingan dan Stabilitas Perekonomian," *Jurnal Akademik Ekonomi dan Manajemen* 1, no. 4 (2024): 152–61, <https://doi.org/10.61722/jaem.v1i4.3296>.

⁷ Nugraha Pranadita, Naufal Hamdan, dan Andre Kris Purwandani, "Pengaruh Undang-Undang Republik Indonesia Nomor Tahun 1999 tentang Larangan Praktek Monopoli dan Persaingan Usaha Tidak Sehat Terhadap Strategi Pertumbuhan Perusahaan Dalam Rangka Memenangkan Persaingan," *Jurnal Ilmiah Manajemen, Ekonomi, & Akuntansi* 5, no. 3 (2021): 1849–67, <https://doi.org/10.31955/mea.v5i3.1643>.

⁸ Iva Khoiril Mala, Andry Stephannie Titing, dan Ihsan Fajri, *Strategi Pemasaran Digital di Era Disrupsi Teknologi*, ed. oleh Nur Afifah (Padang: Takaza Innovatix Labs, 2025), hal. 191.

⁹ Rachmadi Usman, *Hukum persaingan usaha di Indonesia* (Jakarta: Sinar Grafika, 2022), hal. 170.

¹⁰ Helena Ras Ulina Sembiring dan Ima Rohimah, *Daya Saing Indonesia di Era Globalisasi* (Malang: Media Nusa Creative (MNC Publishing), 2021), hal. 89.

in search of more favorable commission arrangements would lose such alternatives, diminishing their bargaining power. Taken together, these conditions theoretically increase the likelihood of abuse of a dominant position.¹¹

Within the framework of Article 28 on business mergers, the evaluation of a proposed merger cannot rely solely on procedural considerations but must also account for its structural effects on the relevant market. A primary factor in this assessment is the substantial barriers to entry characteristic of the platform industry. These barriers extend beyond financial capital and encompass the need to build extensive user networks, establish public trust, and process large volumes of data. When such barriers are high and the merged entity already holds structural dominance, potential entrants have limited opportunities to penetrate the market and exert competitive pressure. For this reason, the merger of two major platforms is frequently regarded as a significant threat to the sustainability of competition.¹²

In addition to entry barriers, it is essential to recognize that digital markets tend to become locked into a single dominant platform. As users and drivers increasingly depend on one large-scale platform, the costs associated with switching providers rise, further entrenching that platform's dominance. Consequently, a merger between Grab and Gojek would not only eliminate existing competitive dynamics but also heighten the risk of long-term market lock-in. Such lock-in would produce a monopsony structure for drivers, who would face an absence of alternative work opportunities, and a monopoly structure for consumers, who would rely on a single service provider with an extensive operational network.

When the overall analysis is synthesized, it becomes evident that the monopoly potential in the proposed Grab–Gojek merger stems not only from the scale of the combined market share but also from the inherent characteristics of the platform industry. Network effects, entry barriers, data-driven leverage, and market lock-in operate collectively to reinforce the strength of the merged entity. Thus, the monopoly risk associated with this merger must be viewed as a structural issue that directly implicates the core mechanisms of competition in the digital economy. Competition authorities must recognize that platform dominance is not merely a function of size, but a systemic concentration of power that significantly shapes market equilibrium.

From the perspective of this study, all relevant indicators suggest the likelihood of substantial market power emerging from the merger. Such dominance would affect not

¹¹ Ega Juangga dan Dwi Astuti, "Evaluasi Strategi Aliansi Bisnis Gojek dan Tokopedia dari Perspektif Manajemen Strategik," *Journal of Business Economics and Management* 1, no. 4 (2025): 1038–42, <https://jurnal.globalscients.com/index.php/jbem/article/view/428>.

¹² Yordanius Trio Ate et al., "Aspek Hukum dan Regulasi dalam Penggabungan Usaha (Merger dan Akuisisi)," *JCS-Journal of Comprehensive Science* 4, no. 1 (2025): 385–92, <https://doi.org/10.59188/jcs.v4i1.2985>.

only inter-firm competition but also consumers, driver-partners, and the long-term viability of the digital ecosystem. Accordingly, the Grab–Gojek merger plan should be regarded as a pivotal moment in the enforcement of competition law, requiring meticulous evaluation to prevent the development of a closed and non-competitive market structure.

3.2. The Structure of Indonesia's Digital Transportation Market Before and After the Proposed Grab–Gojek Merger

An examination of the digital transportation market structure prior to the merger indicates that the relationship between Grab and Gojek extends beyond competition between two major firms and represents a configuration that has developed into its own ecosystem within Indonesia's digital economy. Each platform has established a broad user network, integrating transportation, delivery, and digital payment services into an interconnected system. In the pre-merger phase, the market structure exhibited a relative equilibrium between the two companies. Although there was a discernible trend toward market concentration, the coexistence of two dominant players maintained a competitive environment experienced by both consumers and driver-partners. This equilibrium was evident not only in pricing and promotional strategies but also in innovation trajectories and the capacity of each platform to expand services in order to retain users.¹³

The pre-merger market structure also showed that the presence of two dominant centers of power prevented either platform from exercising full control over the market. Although Grab held a slightly larger share in certain regions and Gojek was stronger in others, this balance created a relatively stable configuration. Consumers generally based their choices on fare preferences, app usability, and driver availability, while driver-partners adopted work strategies that capitalized on the coexistence of both platforms to optimize their earnings.¹⁴ Consumers generally based their choices on fare preferences, app usability, and driver availability, while driver-partners adopted work strategies that capitalized on the coexistence of both platforms to optimize their earnings. This dynamic did not constitute perfect competition but nevertheless allowed space for multiple market participants.

Significant structural changes would occur if these two centers of power were consolidated into a single entity. The duopolistic framework that previously sustained market competition would shift into a highly concentrated structure. Such dominance would theoretically diminish competitive intensity and alter the trajectory of market

¹³ Izzan Fathurrahman, "Melestarikan Pekerja Rentan di Balik Ekonomi Inovasi: Praktik Kerja Perusahaan Teknologi kepada Mitra Pengemudi Ojek Online di Indonesia," in *Menyoal Kerja Layak dan Adil Dalam Ekonomi GIG di Indonesia*, ed. oleh Yermias T. Keban, Ari Hernawan, dan Arif Novianto (Yogyakarta: IGPA Press, 2021), hal. 79-83.

¹⁴ Komala Febriani Situmorang, "Analisis Perbandingan Competitive Advantage, Kualitas Layanan dan Pemanfaatan Teknologi Pada Gojek dan Grab," *Jurnal Ilmiah Manajemen, Ekonomi, & Akuntansi* 8, no. 2 (2024): 1676–95, <https://doi.org/10.31955/mea.v8i2.4205>.

development.¹⁵ When one entity controls the majority of the driver network, user data, and digital transaction channels, its capacity to shape market outcomes expands substantially. Under these conditions, the market structure increasingly resembles a natural monopoly, with exceptionally high entry barriers and network advantages that are difficult for new competitors to replicate.

This structural shift must also be understood through an analysis of market substitution. Prior to the merger, consumers retained the ability to switch between platforms when differences in fares or service quality arose. Following the merger, this substitutability would decline substantially. In the absence of competing alternatives offering comparable services, pricing and service quality become entirely dependent on the policies of a single platform. Such conditions carry serious implications for market efficiency, as reduced competition is frequently associated with price increases and long-term declines in service quality.

Moreover, the post-merger market structure has significant consequences for driver-partners. Before the merger, they were still able to move between platforms to seek better earnings. After the merger, this flexibility would be nearly eliminated. With only one dominant entity remaining, driver-partners would be placed in a more vulnerable position in relation to any policy changes imposed by the platform. This scenario introduces the potential formation of a monopsony, in which a single purchaser of services holds disproportionate bargaining power, resulting in service providers losing control over the value of their labor. In this context, structural changes in the market exert increased pressure on smaller actors within the platform ecosystem.¹⁶ This scenario introduces the potential formation of a monopsony, in which a single purchaser of services holds disproportionate bargaining power, resulting in service providers losing control over the value of their labor. In this context, structural changes in the market exert increased pressure on smaller actors within the platform ecosystem.

An analysis of the post-merger market structure must also consider how this consolidation could influence the trajectory of innovation in the digital transportation sector. Within a duopolistic environment, innovation intensity is often driven by each platform's need to retain users and expand service offerings. When competitive pressure declines, platforms no longer face similarly strong incentives to innovate. This may affect service quality, which previously improved through feature upgrades, technological advancements, and increased service integration. Evidence from various jurisdictions

¹⁵ Wihana Kirana Jaya, *Ekonomi Industri* (Yogyakarta: UGM Press, 2023), hal. 76.

¹⁶ Gusti Ayu Aghivirwiati et al., *Ekonomi Digital dan Perubahan Struktur Pasar*, ed. oleh Windy Gustiawan (Batam: Yayasan Cendikia Mulia Mandiri, 2025), hal. 154.

shows that in highly concentrated markets, innovation tends to slow as dominant platforms prioritize strengthening market control over developing new features.¹⁷

These structural changes will also shape long-term market perceptions. Consolidation of this magnitude has the potential to create substantial dependence on a single platform, resulting in a market lock-in effect in which users and drivers become tied to one ecosystem that provides all essential services. Consequently, the bargaining power of both users and driver-partners becomes more limited as access to alternative services diminishes.¹⁸ In the context of the digital economy, such a structure places platforms in a pivotal position to influence market dynamics and the broader direction of industry development.

More broadly, shifts in market structure will influence the regulatory framework governing business competition. As the national competition authority, KPPU must evaluate whether the post-merger market configuration still allows adequate competitive space or, conversely, presents a heightened risk of market power abuse. This evaluation cannot rely solely on market share calculations; it must also account for factors such as data control, algorithmic governance, user network scale, and service integration. In the digital industry, market power no longer derives exclusively from economies of scale but also from a platform's capacity to systematically and continuously shape user interactions.

Taken together, these analyses demonstrate that the pre- and post-merger market structures differ fundamentally. Prior to the merger, the market was characterized by two competing forces that sustained competitive dynamics. After the merger, the system transitions to one dominated by a single entity controlling nearly all facets of digital transportation services. This transformation is not merely a numerical reduction in market players but a structural shift in how the market functions, carrying significant implications for consumers, driver-partners, and the future direction of competition policy in Indonesia.

4. CONCLUSION

The discussion surrounding the proposed Grab–Gojek merger demonstrates that the issues at stake extend beyond the consolidation of two major market actors and involve fundamental shifts in the structure of Indonesia's digital transportation sector. The analysis of the first research question shows that the post-merger market dominance exhibits characteristics consistent with the indicators of potential monopoly under Law No. 5 of 1999. The combination of substantial market share, strong network effects, and extensive data control positions the merged entity in a dominant role that is difficult to challenge. Under these conditions, threats to competition arise not only from the existence of

¹⁷ Benny Osta Nababan et al., *Manajemen Pelayanan Publik dan Bisnis*, ed. oleh Benny Osta Nababan (Yogyakarta: Selat Media Patners, 2023), hal. 189.

¹⁸ Zulkarnai Nasution, *Ekonomi Mikro di Era Disrupsi: Teori dan Aplikasinya dalam Ekonomi Digital* (Bandung: Grafindo Publisher, 2025), hal. 81.

dominance itself but also from the heightened risk of its abuse due to the absence of competitive constraints.

The second research question highlights significant structural changes that would follow the merger. The duopolistic configuration that previously preserved competitive space would shift toward a market dominated by a single major actor. In the context of digital markets, such a structure eliminates meaningful opportunities for new competitors to emerge, given the high barriers to entry and pronounced market lock-in. Consumers would lose platform choice, bargaining power would decline, and prospective business entrants would face limited avenues to compete. Accordingly, the proposed merger should be understood as a strategic challenge for competition law enforcement—one that requires comprehensive and detailed evaluation.

Based on these findings, several recommendations merit consideration. First, KPPU should undertake a rigorous assessment that moves beyond formalistic analysis and incorporates the specific characteristics of digital markets. This includes evaluating the post-merger market configuration, network interactions, substitution patterns, and entry barriers. Second, if the merger proceeds, supervisory mechanisms and remedial measures must be designed with strict safeguards to preserve competitive space and prevent abuse of dominant position. Third, the government should strengthen the broader regulatory framework for competition in the digital sector, given its rapid evolution and its divergence from traditional economic models.

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