

The Turkish Competition Authority's Annual Activities Report for 2023 Published

The Turkish Competition Authority ("**Authority**") published its annual report covering the activities of 2023 on its official website on August 13, 2024. The report contains detailed information about the Authority's activities, decisions, economic analyses, and regulatory activities carried out throughout 2023.

You can access the full report in Turkish [here](#).

1. Competition Violations and Investigations

The Competition Authority stated in its report that it concluded a total of 370 cases in 2023. It mentioned that 145 of these cases were related to competition violations, 8 to exemption/negative clearance applications, and 217 to mergers, acquisitions, joint ventures, and privatization transactions. The Authority emphasized that the number of competition violation cases significantly increased compared to 2022. Additionally, the report explained that 117 of the 145 decisions related to competition law violations were taken at the end of the investigation process, while the remaining were taken at the end of the preliminary investigation process. According to the report, 121 of these cases concerned restrictive agreements, and 18 were related to the abuse of dominant position.

2. Merger and Acquisition Transactions

The Competition Authority revealed in its report that a total of 217 merger, acquisition, and privatization transactions were notified to it in 2023. It was noted that in 94 of these transactions, the target company was established under the laws of the Republic of Turkey. The report also stated that the transaction value of the notified transactions amounted to approximately 162.6 billion TL. The top three sectors where merger and acquisition decisions were concentrated were listed as information technologies and platform services, chemicals and mining, and healthcare services.

3. Economic Analysis and Research

The Competition Authority mentioned in its report that it conducted extensive economic analyses within the scope of investigations, and merger and acquisition reviews carried

out in various sectors. The report highlighted that these analyses, conducted in sectors such as healthcare, consumer electronics, e-commerce, and food, made significant contributions to detecting competition violations and legislative studies.

4. Regulatory Activities

The Competition Authority stated in its report that it updated the Regulation on Active Cooperation for the Detection of Cartels in 2023. It also mentioned that work on the Draft Directive on the Procedures and Principles for On-Site Inspections was ongoing.

5. Advocacy for Competition

In its report, the Competition Authority noted that it organized various events to promote competition law and the Authority's functions and supported in-service training programs of public institutions. It also stated that impact assessment reports measured the effects of competition law practices on consumer welfare.

6. Education and Information Activities

The Competition Authority reported in its report that it organized various seminars, conferences, and training programs in 2023 to raise awareness of competition law. These events aimed to inform large audiences about the Authority's work, the importance of competition law, and its applications. It was particularly aimed to increase awareness of competition law through collaborations with universities, professional organizations, and various non-governmental organizations. The Authority stated that these activities aimed to contribute not only to the business world but also to the general public's awareness of competition.

7. International Collaborations

The Competition Authority stated in its report that it also conducted active work internationally and shared information and experiences with competition authorities of other countries. According to the report, the Authority played an active role in international platforms such as OECD, ICN (International Competition Network), and UNCTAD in 2023. The Authority emphasized that these collaborations contributed to the development of global competition law standards and increased Turkey's effectiveness in this field. The Authority also stated that bilateral cooperation agreements were signed

with various countries, ensuring the sharing of best practices in competition law applications.

8. Technological Investments and Digitalization

The Competition Authority emphasized in its report that it focused on digitalization and technological investments. Throughout 2023, significant steps were taken to digitalize internal processes and enhance data analysis capacities. The report mentioned that artificial intelligence-supported review methods were developed, making the detection and analysis of competition violations faster and more effective. Additionally, it was noted that the Authority's digital archiving and document management systems were updated, increasing operational efficiency.

9. Administrative Fines

The Competition Authority provided a detailed comparative annual summary of administrative fines imposed on enterprises in 2023 in its report. It was explained that there was an increase in the amount of substantive fines in 2023 compared to 2022. When examining the administrative fines imposed in the completed investigations in 2023, it was stated that the highest total fine amounting to 792.8 million TL was imposed on the food sector. The machinery industry ranked second with 715.2 million TL, followed by the healthcare services sector with 499.4 million TL. The total amount of administrative fines imposed for restrictive agreements, concerted practices, and decisions was approximately 1.8 billion TL, while the total amount of fines imposed for abuse of dominant position was 101 million TL. Furthermore, the amount of fines imposed for providing incorrect or misleading information within the scope of information requests and/or on-site inspections was 3.4 million TL. An administrative fine of 267 million TL was imposed for obstructing or complicating on-site inspections. In total, the Board imposed 492 million TL in relative administrative fines on enterprises.

Conclusion

In its report, the Competition Authority described 2023 as an intense and productive year. The Authority stated that it continued to perform all its functions regarding the enforcement of competition law rules without interruption and carried out its advocacy activities for competition without any disruptions. It also expressed its intention to continue closely monitoring developments in national and international markets, relevant literature, and the practices of other countries. The Authority indicated its commitment to

being as active in the coming years as it was in 2023, closely following the global developments and trends in competition law in Turkey. Based on the data and explanations in the report, it can be said that the Authority will continue its activities in line with the global developments in competition law in the coming years, as it did in 2023 and previous years.

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