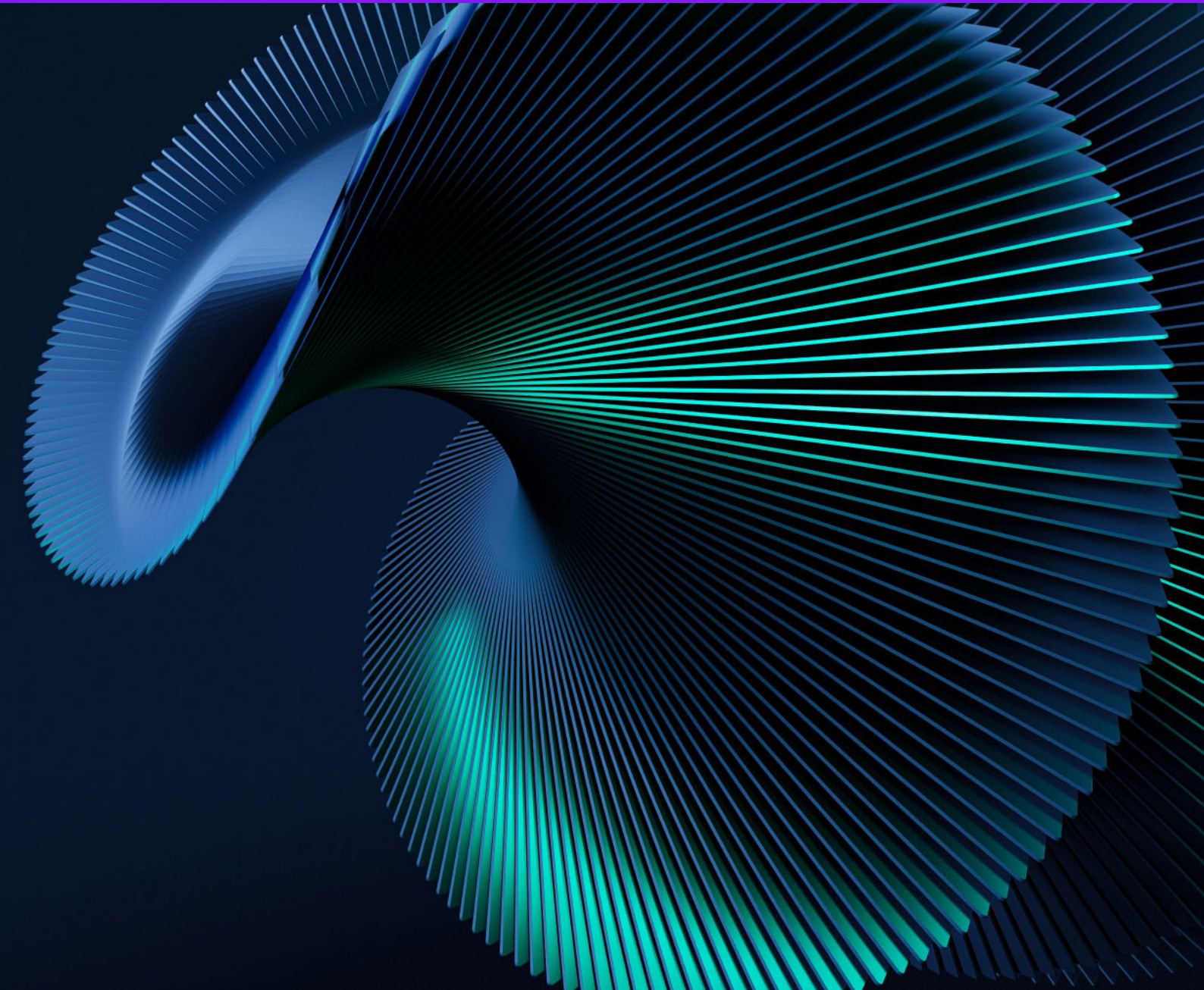


GENTEMIZER

Two-Minute Recap

Competition Law Matters in Türkiye

2026 March



A Good Old Friend: Cement Back on the TCB's Agenda

The Turkish Competition Board (“**TCB**”) has launched a comprehensive sector inquiry into the cement industry. The cement sector has been a priority for the Turkish Competition Authority (“**Authority**”) since its inception, consistently attracting scrutiny due to high market concentration and the largely homogeneous nature of its products—characteristics that make it particularly susceptible to anticompetitive conduct. The Authority now aims to address these structural concerns and promote sustainable competition in the sector.

The inquiry will draw on firm-level and customer-level data to conduct an in-depth assessment of the sector, identify industry-specific competition concerns, and evaluate the regional dynamics shaping cement markets.

A Dormant Tool Awakens: Personal Liability on the TCB's Radar

The TCB has published a noteworthy reasoned decision, bringing renewed attention to the personal liability of managers—an enforcement tool that has long remained dormant. The case involves a price-fixing arrangement among driving schools in which a consultancy firm, although not active in the relevant market, played a central role in organising and sustaining the infringement. The firm acted as the operational backbone of the arrangement, coordinating pricing protocols, monitoring compliance, and enforcing adherence through various mechanisms.

On this basis, the TCB classified the consultancy as a “cartel facilitator” and imposed a fine not only on the undertaking itself but also on its manager, having found that he played a decisive role in the infringement. This is one of the very few instances in which personal liability has been enforced under Turkish competition law.

When the fining regime was revised at the end of 2024, the rarely used personal liability mechanism was retained unchanged rather than being narrowed or modified, raising the question of whether the TCB would make more active use of it going forward. This case appears to answer that question in the affirmative, suggesting that individual accountability may assume a more prominent role in Turkish competition enforcement. Directors and senior management should take note. For a more detailed analysis, please see our full article [here](#).

Probe into Haribo's Alleged Abuse of Dominance in the Soft Candy Market

The TCB has launched a formal investigation into Haribo following a preliminary inquiry into its allegedly exclusionary practices in the soft candy market.

The investigation will examine whether Haribo restricted competition and excluded competitors through conduct leading to de facto exclusivity, as well as whether it interfered with the resale prices applied by retail outlets. The practices under review include pressuring retailers to remove rival products or displays, securing preferential shelf and display positioning, offering discounts, financial support, or free products in exchange for limiting

competing brands, expanding its presence in high-visibility areas such as checkout zones, and employing incentive schemes designed to ensure standalone sale of its products.

This investigation underscores the Authority's continued focus on competition concerns in the fast-moving consumer goods sector.

Commitments Accepted: TCB Closes Investigation into CMS Providers

The TCB has closed its investigation into the economic unit comprising Merzigo and Yek Teknoloji, both active in the provision of content management services ("**CMS**") on digital video platforms, by accepting commitments under the commitment procedure.

The case concerned the provision of CMS on digital video platforms, particularly YouTube, where Turkish productions increasingly reach global audiences. As digital distribution has become a key channel for content monetisation, the TCB examined whether the parties' contractual practices with content owners raised competition concerns. During the investigation, the TCB reviewed the parties' agreements with producers and other rights holders, as well as their market conduct.

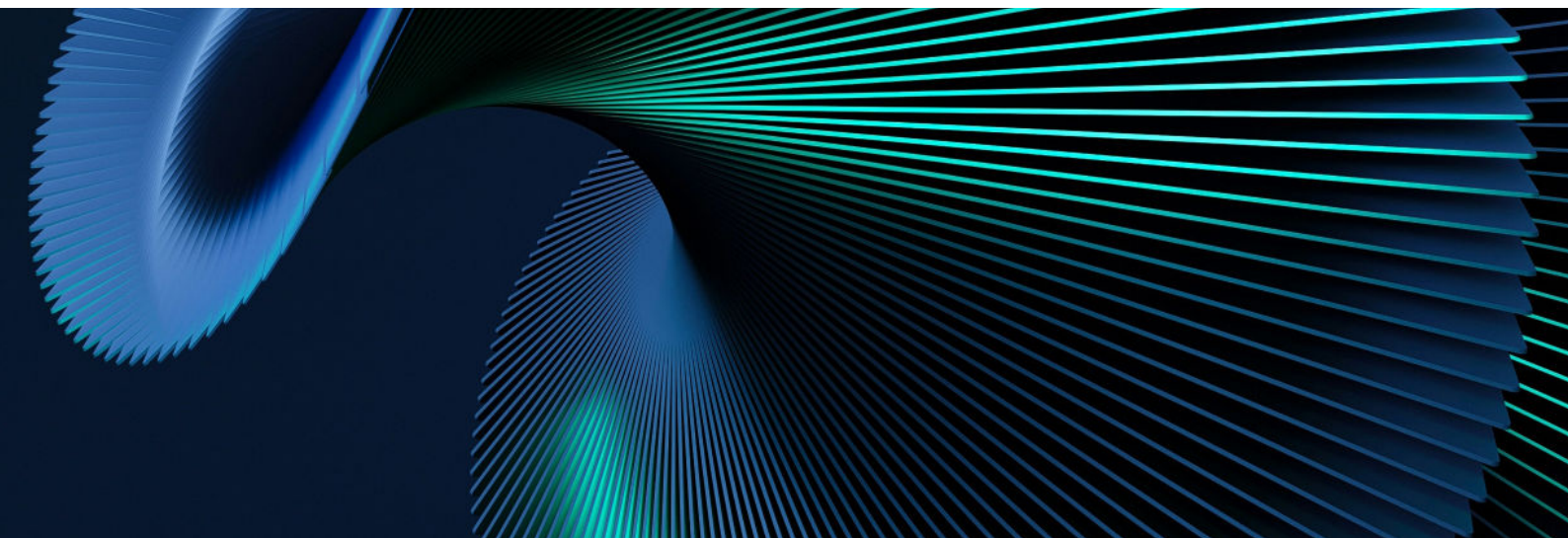
The proceedings were ultimately concluded through the commitment procedure, with the TCB finding the proposed remedies sufficient to address the identified concerns.

Under the accepted commitments, the parties agreed to: remove exclusivity clauses from CMS agreements; introduce a 40% cap on the volume of content under their management; limit contract duration to three years; and discontinue minimum guarantee and similar payment mechanisms.

Big Four Under the Spotlight

The TCB has launched a wide-ranging investigation into 65 undertakings and professional associations active in the audit and accounting sector, including Deloitte, EY, KPMG, and PwC.

The investigation examines whether the undertakings and associations concerned engaged in price fixing and customer allocation in output markets, as well as no-poach agreements and wage fixing in input (labour) markets. The TCB is also reviewing possible anticompetitive information exchanges and decisions by professional associations that may have restricted competition.



GenTemizer is a Turkish law firm based in Istanbul, Türkiye. We advise various businesses in relation to their investments, M&A, competition law/antitrust, project financing and construction projects as well as on operational and dispute resolution matters in the context of the Turkish regulatory framework. We have also advised investors in relation to government sponsored privatisation projects.

We are listed in *Legal 500*, *IFLR1000* and *Chambers and Partners* as one of the leading law firms in Türkiye. Each of our partners have also been recognised as one of the leading lawyers in Türkiye. We understand and can meet the demanding requirements and innovative, responsive thinking required for an investment transaction in Türkiye.

For more information, you can contact us.



Bulut Girgin

Partner

bgirgin@gentemizer.com



Mustafa Polat

Associate

mpolat@gentemizer.com



Semanur Avci

Associate

savci@gentemizer.com