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Assessing the impact of competition authorities' activities – Contribution from Türkiye

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Türkiye

1. Scope and Objectives of Impact Assessment[1]

1. The Turkish Competition Authority (TCA) carries out periodic impact assessment studies to quantify the economic effects generated by its enforcement activities. The first such study was finalized in July 2017 and focused on selected Competition Board decisions adopted during the 2014–2016 period. In the following years, the assessment framework was applied to successive two-year periods, covering 2017–2018, 2019–2020 and 2021–2022. The most recent assessment for the 2023–2024 period estimated the measurable economic benefits generated for consumers by the Competition Board's interventions during the relevant period. Although the preparation and publication of these assessments are not mandated by legislation, the TCA has regularly made the results publicly available.

2. The impact assessments primarily seek to estimate the economic benefits that consumers are expected to derive from the TCA's enforcement interventions. Beyond that, the studies serve several complementary purposes, including enhancing institutional transparency and accountability, providing an opportunity to evaluate the effectiveness and appropriateness of enforcement decisions, and supporting internal quality assurance and continuous improvement in the TCA's activities.

3. The scope of the TCA's established impact assessment methodology encompasses interventions concerning cartels, resale price maintenance (RPM), abuses of dominance, and mergers and acquisitions that are either prohibited or approved subject to conditions or remedies. By contrast, other forms of anticompetitive agreements that do not fall within the categories of cartels or RPM, competition advocacy activities carried out through market studies, and infringement proceedings concluded through the commitment mechanism are not incorporated into the periodic estimates of consumer benefits.

4. The assessment covering the 2023–2024 period included 111 Competition Board decisions. Of these, 93 related to cartels, similar anticompetitive agreements and RPM practices, while 6 concerned abuses of dominance and 12 involved mergers and acquisitions cleared subject to conditions or remedies. Decisions concluded through the settlement procedure were also incorporated into the calculations. In contrast, decisions involving anticompetitive conduct in labour markets and infringement proceedings concluded through commitments were outside the scope of the assessment.

5. For 2025, the TCA continued its impact assessment approach by examining the effects on consumer welfare of decisions concerning cartels, resale price maintenance and abuses of dominance, as well as merger and acquisition transactions approved subject to the fulfilment of specified conditions or obligations. The findings of the assessment for 2025 are presented below. The results indicate that, when the TCA's activities in 2025 are compared with its annual average budget expenditure for the relevant period, the estimated annual benefit calculated under the conservative scenario amounted to TRY 99.42 billion, corresponding to approximately 59.11 times the TCA's annual average budget expenditure. When the estimated annual average consumer benefit calculated according to the OECD methodology is considered, the estimated benefit rises to TRY 300.45 billion, equivalent to approximately 178.63 times the TCA's budget expenditure.

[1] https://www.rekabet.gov.tr/Dosya/etki-analizi-raporu-2023-2024_web.pdf (in Turkish).

2. Methodologies

6. In assessing the economic impact of its enforcement activities, the TCA estimates the consumer harm that is presumed to have been avoided as a result of its interventions. Under this approach, the consumer benefit generated by an intervention is conceptualized as the economic harm that consumers would have incurred in a counterfactual scenario in which the TCA had not intervened. The estimation is based on three principal parameters: the turnover affected by the relevant decision, the assumed price increase prevented by the intervention, and the period over which such a price effect is assumed to have persisted in the absence of intervention. Importantly, the duration incorporated into the calculation represents the assumed persistence of the counterfactual price effect rather than the actual duration of the infringement preceding the TCA's intervention.

7. Accordingly, the periodic impact assessments do not seek to measure the actual changes in market prices following each individual intervention. Rather, they provide an ex-ante estimate of the consumer harm that is assumed to have been prevented by the TCA's enforcement activities. The monetary value of the estimated consumer benefit is therefore derived from the affected turnover, the assumed magnitude of the price effect, and the assumed duration of that effect. This approach enables the TCA to develop a consistent framework for quantifying the economic significance of its enforcement activities across different categories of cases.

8. The TCA's enforcement practice also provides examples of economic assessments employing both ex-ante and ex-post perspectives.[2] An ex-ante assessment may, for instance, examine the prospective effects of a transaction on prices and other relevant market outcomes before the Competition Board adopts its decision. By contrast, an ex-post impact assessment evaluates developments that materialize following an intervention and, where applicable, the implementation of remedies.

9. Such an assessment may consider changes in market structure, prices and other relevant competitive parameters by drawing on surveys, interviews with market participants and economic analysis. The two approaches therefore serve distinct analytical purposes: ex-ante assessment focuses on estimating the likely effects of an intervention or transaction before the relevant decision is adopted, whereas ex post assessment seeks to identify and evaluate market developments occurring after the intervention.

10. For the 2023–2024 and 2025 impact assessments, the TCA estimated consumer benefits under two alternative sets of assumptions. The first adopts a conservative set of parameters, while the second applies the assumptions recommended in the OECD guidance, thereby facilitating comparability with the impact assessments conducted by other competition authorities. For cartels and resale price maintenance (RPM), both approaches assume a 10% price increase, with the assumed duration set at one year under the conservative scenario and three years under the OECD-based scenario which is recommended by OECD. For abuses of dominance, the corresponding assumptions are a 1% price increase lasting one year under the conservative approach and a 5% price increase lasting three years under the OECD-based approach. For mergers and acquisitions, the assumed price effect is 1% for one year under the conservative scenario and 3% for two years under the OECD-based scenario. Consequently, the two approaches apply different assumptions to the same categories of interventions, with the conservative scenario intended to provide a more cautious estimate and the OECD-based scenario providing a basis for greater international comparability.

[2]Board's decision dated 17.11.2011 and numbered 11-57/1473-539; Mars/AFM

11. For a one-year period, the estimated consumer benefit is calculated by multiplying the turnover affected by the intervention by the assumed percentage increase in prices. Where the assumed price effect extends over multiple years, the benefits attributable to subsequent years are discounted to their present value using a social discount rate of 10%. In the 2023–2024 impact assessment, the monetary estimates were additionally adjusted for inflation on the basis of Consumer Price Index data published by the Turkish Statistical Institute and expressed in December 2024 prices.

12. The TCA has conducted and made use of ex-post economic analyses and empirical assessments in evaluating the effects of competition law enforcement. These include analyses of market developments following interventions, as well as examinations of price developments in markets affected by anticompetitive conduct. In addition, the TCA's impact assessment methodology has been informed by empirical evidence concerning the magnitude of price effects associated with cartels.

2.1. Methodology

13. In determining the price-effect assumption used in its periodic impact assessments, the TCA has taken into consideration both the findings of the economic literature and evidence observed in previous Competition Board decisions. For example, Connor (2014)[3] provides empirical evidence on cartel overcharges and reports substantial price effects associated with cartelisation.

14. Indeed, a study[4] analysing 114 TCA Board decisions from 2014 to 2020 shows that, among 22 infringement decisions concerning horizontal agreements, the infringement duration was less than one year in eight cases, between one and five years in 13 cases, and more than five years in one case. Hence, this finding closely aligns with the three-year assumption for the likely duration of price increases in cartel cases.

15. In addition, analyses undertaken in the context of certain previous Competition Board decisions involving price-fixing agreements examined price developments before and after the infringement. In the cases where such comparisons were available, the arithmetic mean of the price increases observed across different periods was calculated at **44.09**%, while the corresponding geometric mean was **28.80**%. These observations indicate that the price effects associated with cartel conduct may, in certain circumstances, be considerably higher than the parameters currently used in the TCA's impact assessment methodology.

16. Against this background, the TCA currently applies a 10% price-increase assumption when estimating the consumer benefits generated by interventions against horizontal agreements, under both the conservative and OECD-based scenarios, with the difference between the scenarios arising primarily from the assumed duration of the price effect. The selection of the 10% parameter is therefore considered in light of both the available empirical literature and the evidence observed in previous enforcement decisions. In particular, the relatively high overcharge estimates reported in Connor (2014), together

[3] CONNOR J. M. (2014), *Price Fixing Overcharges*, 3rd Edition, Hardcover, https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2400780_code256849.pdf?abstractid=2400780&mirid=1, Erişim Tarihi:04.03.2021.

[4] ŞAHİN, İ. (2022). "Rekabet hukukunda tüketici refahı yaklaşımı ve hesaplama yöntemleri" (Consumer welfare approaches and calculation methods in competition law), Expertise Thesis. Turkish Competition Authority. https://www.rekabet.gov.tr/Dosya/ibrahim-sahin-20230111100006131.pdf (in Turkish)

with price increases exceeding 20% observed in certain Competition Board cases, provide empirical reference points against which the current 10% assumption can be assessed.

17. The TCA's approach is consequently not based on the assumption that 10% represents the actual or typical price increase resulting from every cartel. Rather, it constitutes a standardized and comparatively conservative parameter for estimating consumer benefits across a heterogeneous set of enforcement cases. The empirical evidence provides a basis for periodically reviewing whether this parameter remains appropriate. In this regard, future impact assessments may consider whether the 10% assumption should be revised in light of accumulated case evidence and empirical research, including the possibility of considering a range comparable to the 10–15% benchmark used by the European Commission.

18. Thus, while the TCA's periodic impact assessments are primarily designed as standardized counterfactual estimates rather than case-specific ex-post causal evaluations, the methodology incorporates empirical evidence from previous enforcement practice and the economic literature. This provides an evidence-based basis for calibrating the assumptions used to quantify the consumer benefits of competition law enforcement and for considering their potential revision over time.

19. The methodology should accordingly be understood as an estimation framework based on standardized assumptions rather than as a direct measurement of realized consumer savings. The resulting figures depend on the affected turnover, the assumed magnitude and duration of the price effect, the applicable discount rate and other methodological choices. The underlying assumptions, calculation procedures and relevant data limitations are presented in the TCA's publicly available impact assessment reports.

3. 3. Quantifying Different Types of Impact

20. The TCA's periodic impact assessment reports primarily estimate the static consumer benefits associated with price increases that are presumed to have been prevented through competition law interventions. The reported figures should not be interpreted as the aggregate amount of price reductions actually observed in relevant markets following the adoption of the Competition Board's decisions. Rather, they represent counterfactual estimates of the monetary value of consumer harm that is presumed to have been avoided as a consequence of the intervention. The estimates are consequently derived from specified assumptions concerning the magnitude and duration of the price effect that would have prevailed in the absence of enforcement.

21. For the 2023–2024 period, the total estimated consumer benefit amounted to TRY 77.42 billion under the conservative scenario and TRY 212.23 billion under the assumptions aligned with the OECD methodology. On an annualised basis, the corresponding estimated consumer benefits were TRY 38.71 billion and TRY 106.11 billion, respectively. These numbers should therefore be understood as estimates of the monetary value of counterfactual consumer harm avoided under the assumptions incorporated into the methodology, rather than as directly observed or realised consumer savings.

22. For 2025, the TCA applied the same general impact assessment framework to decisions concerning cartels, resale price maintenance, abuses of dominance, and mergers and acquisitions approved subject to conditions or obligations. Under the conservative scenario, the estimated annual consumer benefit amounted to TRY 99.42 billion. This numbers corresponds to approximately 59.11 times the TCA's annual average budget expenditure during the relevant period. Under the OECD-based assumptions, the estimated

annual average consumer benefit reached TRY 300.45 billion, corresponding to approximately 178.63 times the relevant annual average budget expenditure. These figures provide an indication of the scale of the estimated economic benefits relative to the resources allocated to the TCA, while remaining subject to the assumptions and methodological limitations underlying the impact assessment framework.

23. The current periodic impact assessment methodology does not separately quantify changes in output or sales volumes as an additional component of consumer benefits. Accordingly, where an intervention is expected to generate an increase in output by reducing prices or otherwise improving competitive conditions, the associated quantity effect is not independently monetised within the framework. Similarly, deadweight loss—the welfare loss arising from transactions that do not occur as a consequence of an anticompetitive restriction—is not separately incorporated into the estimates. The exclusion of these components reflects the TCA's preference for a relatively parsimonious and consistently applicable methodology centred primarily on the direct price effects associated with enforcement interventions.

24. The methodology likewise does not assign a monetary value to non-price dimensions of competition. Potential effects relating to product or service quality, innovation, productivity, variety and consumer choice are therefore outside the scope of the periodic quantitative estimates as we see in other competition authority assessment report. Competitive interventions may generate benefits in these dimensions; for example, stronger competitive constraints may stimulate innovation, improve product quality or expand the range of products and services available to consumers. Nevertheless, translating such effects into monetary terms in a manner that is sufficiently robust, reliable and comparable across different cases presents substantially greater methodological challenges than estimating direct price effects. Consequently, these potential benefits are not included in the reported consumer-benefit figures.

25. A further limitation concerns the deterrence effects of competition law enforcement. An intervention may generate benefits extending beyond the specific market and conduct addressed by the relevant decision by discouraging other undertakings from engaging in similar anticompetitive practices. Such indirect or general deterrence effects may constitute an important component of the broader economic impact of competition enforcement, but they are not monetised within the TCA's periodic impact assessment framework.

26. The estimates published by the TCA should therefore be regarded as a partial measure of the economic impact of competition enforcement. They capture the component of potential consumer benefits that can be quantified using a standardized methodology based primarily on prevented price effects. The reported figures do not purport to represent the full welfare effects of the TCA's activities, since quantity effects, deadweight loss, non-price dimensions of competition and deterrence effects are not separately valued. This distinction is particularly relevant when interpreting the 2023–2024 and 2025 estimates and when comparing the estimated consumer benefits with the broader economic contribution of competition policy.

4. Assessment of Competition Advocacy Market Studies and Regulatory Reforms

27. The TCA's periodic impact assessment methodology does not currently quantify the consumer benefits generated by market studies and other competition advocacy activities. These activities are therefore excluded from the monetary estimates of consumer benefits.

28. The TCA recognizes that establishing a direct causal relationship between an advocacy intervention and subsequent regulatory or market developments can be challenging, particularly where several factors may influence the outcome. Accordingly, TCA does not automatically attribute subsequent changes to its intervention. Where appropriate, ex-post assessments examine developments before and after the intervention and consider other factors that may have affected the observed outcome. Interviews with market participants, web-based surveys and economic analysis may be used to support this assessment.

5. Institutional Framework and Resources

29. The TCA conducts impact assessment studies on a regular basis, with assessments undertaken biennially. Following the initial assessment covering 2014–2016, subsequent assessments have been conducted for the 2017–2018, 2019–2020, 2021–2022 and 2023–2024 periods[5]. The assessment for 2025 was subsequently prepared within the same framework. Impact assessment is therefore conducted as a regular institutional practice rather than on an ad hoc basis.

30. Is impact assessment conducted by a dedicated unit or case teams?

31. The analyses for preparing the impact assessment reports are conducted by the Economic Analysis and Research Department. The relevant data and case-specific information are initially provided by the departments responsible for the respective investigations and decisions. These inputs are subsequently consolidated and assessed within the impact assessment process by experts with relevant economic and analytical expertise. This approach enables the assessment to draw directly on the information generated during the enforcement process while ensuring that the data are brought together and evaluated under a common methodology.

32. The principal constraints relate to data availability and the methodological challenges involved in estimating counterfactual outcomes. Case-specific information is obtained from the relevant departments; however, the availability, scope and degree of detail of the information may vary depending on the characteristics of cases. The data therefore need to be consolidated and standardised before being incorporated into the impact assessment.

33. A further challenge concerns the estimation of the price effect and its duration in the absence of intervention. Where case-specific evidence is insufficient to directly identify these parameters, standardized assumptions are required to ensure consistency and comparability across cases. Additional methodological challenges arise in quantifying effects beyond direct price effects, including changes in output, quality, innovation, consumer choice and deterrence. The current framework consequently focuses on effects that can be quantified in a consistent and transparent manner.

[5] Impact Analysis Report 2023-2024, March 2025. https://www.rekabet.gov.tr/Dosya/etki-analiziraporu-2023-2024_web.pdf (in Turkish).; Impact Analysis Report 2021-2022, January 2023. https://www.rekabet.gov.tr/Dosya/2021-2022etki-analizi-raporu.pdf (in Turkish).

6. Use of Impact Assessment Results

34. The results of the TCA's impact assessments serve several complementary institutional purposes. First, they provide a systematic basis for monitoring the economic effects of TCA enforcement activities and for assessing institutional performance over time. By expressing the estimated consumer benefits arising from Competition Board decisions in monetary terms, impact assessments make an otherwise multidimensional aspect of enforcement outcomes more measurable and facilitate comparisons across successive assessment periods. In this respect, impact assessment constitutes an important instrument for evaluating the effects of past interventions and supporting institutional learning.

35. Impact assessment also contributes to the evaluation and prioritisation of enforcement activities. From an ex-post perspective, the results provide evidence on the economic significance of interventions undertaken in previous periods and can inform the assessment of which types of cases and markets have generated substantial consumer benefits. This information can, in turn, contribute to the identification of areas where enforcement resources may have a greater potential impact. From an ex-ante perspective, the experience and evidence accumulated through previous impact assessments can inform the prioritisation of prospective cases by providing insights into the likely economic significance of interventions, including the relevance of affected turnover, potential consumer harm and market characteristics. Impact assessment therefore provides a feedback mechanism linking the evaluation of past interventions with the prioritisation of future enforcement activities.

36. The results of the impact assessments, which are conducted on a biennial basis, are also disseminated externally through publicly available reports. By quantifying estimated consumer benefits in monetary terms, the reports provide a transparent means of communicating the economic contribution of the TCA's activities to the public, policymakers and other relevant stakeholders. The publication of successive assessments also enables changes in the estimated economic impact of enforcement activities to be monitored over time and facilitates comparisons across assessment periods.

37. Finally, impact assessment serves an important competition advocacy function. By providing quantitative evidence of the economic benefits associated with competition enforcement, the reports demonstrate the broader economic role of the TCA and communicate the value generated by its activities to stakeholders beyond the immediate enforcement process. In this respect, the publication of impact assessment results strengthens transparency and accountability while also supporting the wider understanding of the contribution of competition policy to consumer welfare.

38. Taken all together, these functions mean that impact assessment is not limited to the ex-post quantification of consumer benefits. It forms part of a broader institutional feedback mechanism: ex- post evidence is used to evaluate previous interventions and generate institutional learning, while the knowledge accumulated through these assessments can inform ex-ante analysis, enforcement priorities and the allocation of resources to prospective cases.

7. Key Challenges

39. Impact assessment involves a number of methodological limitations that should be taken into account when interpreting the results. First, the estimated consumer benefits associated with Competition Board decisions are not, in all cases, calculated on the basis

of case-specific empirical estimates of the price effect. Instead, where sufficiently reliable case-specific evidence is unavailable, the calculations rely on standardized assumptions applicable to the relevant category of intervention. This approach is partly attributable to the fact that case-specific evidence concerning the magnitude of prevented price increases is not available for every decision. While a case-specific approach could potentially provide more tailored estimates, applying a common methodology is considered necessary to ensure consistency and comparability across a large and heterogeneous set of decisions.

40. A further methodological challenge arises from the absence of a universally established methodology for quantifying the economic impact of competition authorities activities. Competition authorities may adopt different assumptions concerning both the magnitude of the price effect and the period over which such an effect is expected to persist. Differences are particularly pronounced with respect to the assumed duration of the counterfactual price effect. To address this issue, the TCA reports estimates based on both a conservative set of assumptions and the parameters recommended in the OECD methodology. Presenting results under alternative assumptions provides a range of estimates and makes the sensitivity of the results to key methodological parameters more transparent.

41. The scope of the impact assessment constitutes another important limitation. The current methodology primarily captures static consumer benefits arising from price increases that are estimated to have been prevented by enforcement interventions. It does not attempt to monetise the potentially broader dynamic effects of competition enforcement, including improvements in innovation, product or service quality, productivity and consumer choice. Accordingly, the estimated consumer benefit should be understood as a partial measure of the overall economic impact of TCA activities rather than as a comprehensive measure of total welfare effects.

42. The TCA's methodological approach seeks to balance analytical accuracy with practicability, consistency and transparency. For this reason, the methodology applied in previous assessment periods has largely been maintained, while standardized assumptions are employed where case-specific information is insufficient. At the same time, the presentation of estimates under both conservative and OECD-based assumptions allows the results to reflect the sensitivity of the estimates to alternative methodological choices. This approach facilitates the practical implementation of the assessment framework while avoiding reliance on a single set of parameters that could unduly determine the resulting estimates.

43. The trade-off between comparability and case-specific analysis is particularly relevant in this context. A fully case-specific methodology could incorporate the characteristics and empirical evidence associated with each individual intervention in greater detail, but would make comparisons across cases and assessment periods more difficult and could introduce greater variation in the underlying estimation approach. By maintaining a common methodological framework and applying standardized assumptions where case-specific evidence is unavailable, the TCA preserves a degree of consistency across successive assessment periods. This facilitates the interpretation of changes in estimated consumer benefits over time and allows the results to be used as a recurring institutional performance indicator.

44. More generally, competition authorities establishing an impact assessment framework may benefit from developing a methodology that is sufficiently clear, transparent and stable to permit application over successive periods. Maintaining methodological continuity can strengthen comparability, while standardized assumptions can ensure that the framework remains operational where case-specific evidence is incomplete. At the same time, presenting alternative estimates based on different

assumptions can provide greater transparency regarding methodological uncertainty. Drawing on OECD recommendations and the experience of other competition authorities can further support the development and periodic refinement of the framework.

45. In addition, the credibility and usefulness of an impact assessment framework depend not only on the methodology itself but also on the transparency with which its assumptions, data sources and limitations are communicated. Regular publication of the results, explicit disclosure of the assumptions underlying the estimates, and clear identification of the components that fall outside the scope of the calculations can facilitate external scrutiny and improve the interpretability of the findings. Such transparency also enhances the potential use of impact assessment as an instrument for institutional learning, performance assessment and competition advocacy.

46. In conclusion, the TCA has closely followed the existing OECD guidance in its impact assessment studies to date and has made extensive reference to the principles and assumptions set out it. In this respect, the guide is considered to be highly useful at its present extent, including reasonable assumptions recommended regarding price increases and durations by infringement types, and suggested practices to be followed when conducting impact assessments studies. However, it is considered that its guiding role for competition authorities aiming to demonstrate the impacts of their enforcement activities on consumer welfare can be further enhanced by expanding the guidance in several aspects, such as covering other types of competition infringements (e.g. RPM), recommending methodologies that take into account high-inflation environments, and suggestions that can enhance transparency and accountability promoting role of impact assessments.