BACK-TO-OFFICE REPORT

	Date submitted: 8th October, 2026 **Activity date(s):** 28th –30th September 2026

Activity details *(name, participants, venue)* **Türkiye-Africa Competition Authorities Istanbul Meeting** *Mr. David K. Kemei, the Director General* *Ms. Catherine Katam* **Venue:** Presidential Dolmabahçe Working Office and Shangri-La Bosphorus, Istanbul, Türkiye **Organiser:** Turkish Competition Authority (TCA), in collaboration with the Turkish Cooperation and Coordination Agency (TİKA)	**Department/Division:** • *DG's Office* • *Buyer Power Department*

Brief descriptions of the activity *(overview of the activity)*

The Türkiye-Africa Competition Authorities Istanbul Meeting was held from 29 to 30 September 2026 in Istanbul, Türkiye, hosted by the Turkish Competition Authority (TCA). The meeting was convened against the backdrop of the growing strategic partnership between Türkiye and Africa and the increasing importance of both regions in the global economy.

The meeting formed part of the TCA's efforts to develop and strengthen long-term institutional cooperation with African competition authorities, with the objective of promoting competition

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culture, strengthening institutional capacity and supporting open, fair and competitive markets.

The engagement sought to enhance the contribution of competition policies to economic growth, investment, consumer welfare and sustainable development, while providing a platform for African and Turkish competition authorities to exchange knowledge, experiences and institutional practices.

The meeting brought together Presidents and senior representatives of competition authorities from 24 African countries, namely Angola, Botswana, Algeria, Eswatini, Morocco, Côte d'Ivoire, The Gambia, South Africa, Kenya, Democratic Republic of the Congo, Libya, Madagascar, Malawi, Mauritius, Egypt, Mozambique, Namibia, Nigeria, Seychelles, Tanzania, Tunisia, Cape Verde, Zambia and Zimbabwe.

The meeting also brought together senior representatives of regional and international organisations operating in the field of competition law and policy in Africa, including the COMESA Competition and Consumer Protection Commission (CCCC), East African Community Competition Authority (EACCA) and the Economic Community of West African States (ECOWAS).

The Competition Authority of Kenya (CAK) participated in the meeting alongside the TCA, African regional competition organisations and national competition authorities from across the continent.

Purpose/objective of the activity

The main objective of the meeting was to establish and strengthen long-term institutional cooperation between the Turkish Competition Authority and African competition authorities, with a view to promoting competition culture, enhancing institutional capacity and supporting open, fair and competitive markets.

Specifically, the meeting sought to:

1. Facilitate the exchange of knowledge, experience and information on competition policy, legislation and enforcement practices;

2. Strengthen institutional and professional networks between the TCA and African competition authorities;
3. Promote the development and dissemination of competition culture across participating jurisdictions;
4. Identify opportunities for joint projects, meetings, events and other collaborative initiatives;
5. Promote capacity-building activities, including study visits, training programmes and technical exchanges;
6. Facilitate the sharing of important competition enforcement case experiences and practices; and
7. Establish a framework for sustained cooperation between Türkiye and African competition authorities.

Highlights of the activity *(Summary of topics covered, key presentations and discussions)*

The meeting provided a platform for dialogue, experience-sharing and the establishment of mechanisms for sustained cooperation. The key areas included:

i. Exchange of Competition Legislation and Practices

A key area of collaboration was the periodic exchange of experiences and information concerning competition legislation, policies and practices across participating jurisdictions.

Such exchanges provide competition authorities with opportunities to benchmark their legislative and institutional approaches against developments in other jurisdictions and to enhance understanding of emerging competition policy trends.

ii. Sharing of Competition Enforcement Experiences and Case Examples

The meeting initiated a process of increased information sharing, including the sharing of significant competition case examples.

The exchange of case experiences can support peer learning and enable competition authorities to gain insights into approaches adopted in different jurisdictions when addressing competition concerns.

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iii. Joint Projects, Meetings and Events

The participating authorities agreed on the importance of implementing joint projects and organising meetings and events to facilitate continuous engagement and cooperation across the various competition agencies.

Such initiatives can provide practical platforms for technical discussions, experience-sharing and development of common approaches to competition-related challenges.

iv. Capacity Building and Technical Cooperation

Capacity building was identified as an important area for continued cooperation among competition authorities.

Potential activities include study visits, training programmes, technical exchanges and expert engagements. Such initiatives can contribute to strengthening institutional and technical capacity and facilitate the transfer of knowledge and expertise between participating authorities.

v. Regional and International Cooperation

The participation of CCCC, EACCA and ECOWAS demonstrated the importance of regional competition organisations in facilitating cooperation and coordination among national competition authorities.

The meeting provided an opportunity to strengthen linkages between national, regional and international competition institutions and to promote greater coordination in addressing competition matters of mutual interest.

vi. Emerging Competition Issues and Artificial Intelligence

The increasingly digital and interconnected nature of markets highlights the importance of cooperation on emerging competition issues, including those arising from Artificial Intelligence (AI), digital platforms, algorithms and data-driven business models.

AI technologies and digital markets increasingly operate across jurisdictions, creating competition concerns that may have regional and global implications. These developments reinforce the importance of international cooperation, information sharing and technical capacity building among competition authorities.

Although AI was not identified as a standalone outcome of the Joint Declaration, the broader cooperation framework established through the meeting provides an appropriate platform for participating authorities to exchange knowledge and experiences on emerging technological developments and their implications for competition policy and enforcement.

For CAK, continued engagement with regional and international counterparts on AI and digital competition will be important in strengthening institutional preparedness and ensuring that emerging competition concerns are appropriately identified and addressed.

vii. Bilateral Institutional Cooperation

The bilateral engagements held during the meeting demonstrated the value of direct institutional relationships between competition authorities.

The cooperation protocol between the TCA and the Gambia Competition and Consumer Protection Commission provides a practical example of how bilateral arrangements can facilitate information exchange, study visits, expert training and other forms of technical cooperation.

CAK may similarly explore appropriate opportunities for structured bilateral cooperation with relevant competition authorities where such arrangements would support its mandate and strategic priorities.

Insights/lessons learned (*brief description of how the lessons learned can be applied at the Authority)*

The meeting provided several lessons relevant to CAK as follows:-

i. Importance of Sustained International Cooperation

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The meeting demonstrated that sustained institutional cooperation is important in strengthening competition policy and enforcement capacity. Regular engagement allows competition authorities to exchange experiences, benchmark practices and develop professional networks.

ii. Value of Case Experience Sharing

The decision to enhance the sharing of important competition case examples provides an effective mechanism for peer learning. Exposure to enforcement experiences from other jurisdictions can help authorities identify emerging trends and consider approaches that may be adapted to their respective legal frameworks.

iii. Capacity Building as a Foundation for Effective Enforcement

The emphasis on study visits, training and technical exchanges underscores the importance of continuous professional development and institutional capacity building in maintaining effective competition regimes.

iv. Importance of Regional and International Networks

The participation of national competition authorities alongside regional organisations such as CCCC, EACCA and ECOWAS demonstrated the value of maintaining strong linkages between national and regional competition institutions.

v. Need for Cooperation on Emerging Competition Issues

The increasing integration of markets and rapid development of digital technologies reinforce the need for competition authorities to collaborate on emerging competition issues. AI and digital markets, in particular, present challenges that can extend beyond individual jurisdictions and therefore benefit from international knowledge-sharing and technical cooperation.

vi. Value of Bilateral Cooperation Frameworks

The bilateral cooperation protocol signed between the TCA and the Gambia Competition and Consumer Protection Commission demonstrated how structured institutional arrangements

can provide a practical framework for sustained cooperation, including information exchange, study visits and expert training.
Recommendations/Action points *(What actions is the Authority required to take, by when, by whom)* Based on the engagements and outcomes of the Türkiye-Africa Competition Authorities Istanbul Meeting, the following recommendations are proposed: 1. Strengthen bilateral and multilateral cooperation with competition authorities and regional competition organisations through appropriate cooperation frameworks. 2. Explore technical cooperation with the Turkish Competition Authority, including training, study visits, expert exchanges, competition advocacy and sharing of competition enforcement experiences. 3. Establish structured mechanisms for case experience sharing with selected regional and international competition authorities to support peer learning and benchmarking. 4. Explore joint capacity-building initiatives, including training programmes, study visits, technical workshops and staff exchanges. 5. Strengthen cooperation on AI and digital competition, including the sharing of technical knowledge, research, policy developments and emerging enforcement approaches. 6. Enhance participation in international and regional competition forums to facilitate continuous learning, professional networking and identification of emerging competition trends. 7. Institutionalise internal knowledge sharing by ensuring that lessons and relevant practices arising from international engagements are disseminated to the appropriate technical departments. 8. Explore appropriate bilateral cooperation arrangements with competition authorities where such arrangements would contribute to CAK's strategic priorities and enhance its competition law and policy mandate.

Appendix

a. *Case study by TCA*
b. *Meeting* Flyer
c. *Photos taken during the meeting*

Prepared by:

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Reviewed and Approved by:

David Kemei - Director General

Signed:



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Appendix A: ***Case study by TCA***

Case Study: Abuse of Dominance in the Industrial Enzymes Market – NOVONESIS

1. Background and Company Profile

The case involved NOVONESIS, a global biotechnology company specialising in enzymes and microbial technologies. NOVONESIS forms part of the broader Novo Group, which operates under the Novo Nordisk Foundation (Novo Fonden) structure. Within this structure, Novo Holdings A/S is a global investment and holding company wholly owned by the Novo Nordisk Foundation and manages the Foundation's commercial investment activities across various sectors, particularly life sciences. Novo Nordisk A/S, on the other hand, is a global healthcare company specialising in the treatment of diabetes and obesity, as well as rare diseases and other serious chronic conditions, including haemophilia, growth disorders and hormone replacement therapy.

NOVONESIS specialises in enzymes and microbial technologies, with applications across food and beverages, agriculture, household care, bioenergy and other industrial biotechnology sectors.The investigation conducted by the Turkish Competition Authority (TCA) concerned NOVONESIS's activities in the industrial enzymes market in Türkiye, and not the healthcare activities of Novo Nordisk.

Conduct: *The TCA investigated whether NOVONESIS had abused its dominant position through its commercial practices and discount systems in the industrial enzymes sector, in violation of Article 6 of Türkiye's Law No. 4054 on the Protection of Competition. The investigation focused on whether the undertaking's conduct had the effect or potential effect of restricting competitors' access to customers and thereby weakening competition in the relevant markets.*

2. Industrial Enzymes and Market Characteristics

Enzymes are proteins that act as biological catalysts, accelerating biochemical reactions. Industrial enzymes are used as essential inputs across a wide range of sectors, including food and beverages, health and biotechnology, detergents and homecare, bioenergy, agriculture, textiles, leather and paper.

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The TCA considered industrial enzymes to be high-technology and knowledge-intensive products, requiring significant biotechnology expertise, research and development investment and specialised human resources, including expertise in microbiology, genetic engineering and biochemistry. The development of a new enzyme may take several years and require substantial financial investment, creating significant technological, commercial and regulatory barriers to entry.

A further important characteristic of enzymes is their high degree of specificity. Enzymes interact with particular substrates through highly specific mechanisms, often described using a "lock-and-key" analogy. As a result, different enzymes may perform different functions and may complement rather than substitute for one another. In certain industrial processes, a particular enzyme may therefore constitute an essential input with limited or no effective substitutes.

These characteristics were central to the TCA's assessment of market definition, dominance and the potential foreclosure effects of NOVONESIS's commercial practices.

3. Relevant Product and Geographic Markets

Although industrial enzymes constitute a broad sector, the TCA considered that individual enzymes could constitute separate relevant product markets because of their different functions and limited substitutability.

The investigation considered, among others:

- *Fungal alpha-amylase;*
- *Glucoamylase;*
- *Asparaginase; and*
- *Phytase.*

The relevant geographic market was defined as Türkiye, taking into account the competitive conditions, regulatory framework, customer relationships and supply conditions prevailing in the country.

4. Regulatory and Entry Barriers

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The industrial enzyme sector is also characterised by regulatory requirements and other barriers to entry. For enzymes used in the food and animal-feed sectors, approval from the Turkish Ministry of Agriculture and Forestry may be required. Food enzymes are regulated under Türkiye's food legislation, which establishes requirements relating to their use and labelling.

Where genetically modified organisms are used in enzyme production, additional authorisation requirements may arise under Biosafety Law No. 5977. Enzymes used in other sectors, such as detergents, textiles, leather and paper, generally face fewer regulatory requirements.

Beyond regulation, the TCA identified significant R&D costs, patent protection, specialised expertise, lengthy product-development periods and the difficulty of establishing an effective commercial presence as factors capable of creating substantial barriers to entry and expansion.

5. Fungal Alpha-Amylase Market

A significant part of the investigation concerned the fungal alpha-amylase market, particularly its application in the flour and bakery industry.

Fungal alpha-amylase facilitates the breakdown of starch into simpler sugars, supporting fermentation and contributing to dough and bread quality. The enzyme is therefore an important input in optimising the bread-production process.

Given the specific function of fungal alpha-amylase and the absence of an alternative enzyme with exactly the same mechanism of action and functionality, the TCA considered the availability of this enzyme and access to its suppliers to be important competitive factors.

6. Discount and Rebate System

The central competition concern arose from NOVONESIS's discount and rebate practices.

The TCA found that the discount system did not operate under one standard scheme for all customers. Instead, key conditions were individually determined for different buyers, including the purchase volume required to qualify, the discount rate, the products covered and the duration of the arrangement.

The rebates consequently had several characteristics capable of enhancing customer loyalty:

- ***Personalised rebates:*** *Discount thresholds and conditions were tailored to individual customers based on their purchasing characteristics.*
- ***Progressive rebates:*** *Different purchasing targets attracted different discount rates, with discounts increasing as customers reached higher volume thresholds.*
- ***Retroactive rebates:*** *Once a customer exceeded a specified purchasing target, the discount could apply retrospectively to purchases made before the target was reached as well as to subsequent purchases.*
- ***Portfolio-based discounts:*** *The discount arrangements could cover multiple enzyme products, rather than being limited to one particular product.*
- ***Exclusivity arrangements****: In certain circumstances, discounts were linked to customers sourcing all or a substantial proportion of their requirements from NOVONESIS.*

The combination of these features was significant because it could increase the economic cost of switching to competing suppliers and create incentives for customers to concentrate their purchases with NOVONESIS.

7. Assessment of Loyalty-Enhancing Effects

The TCA considered that the rebates went beyond ordinary price competition and were capable of strengthening customer loyalty and restricting competitors' access to customers.

Of particular concern was the retroactive nature of some rebates. A customer seeking to purchase a portion of its requirements from a competitor could risk losing discounts applicable to a much larger volume of purchases. This could make switching economically unattractive even where a competitor offered a competitive price.

The portfolio nature of the rebates was also relevant because NOVONESIS could use its broader range of enzyme products to strengthen its position in individual enzyme markets.

In the glucoamylase market, the TCA further found that exclusivity arrangements, combined with loyalty-enhancing discounts, restricted competitors' access to customers and impaired competition.

8. Evidence and On-Site Inspections (Dawn Raid)

The investigation involved on-site inspections (dawn raids) as well as requests for information from NOVONESIS, customers, competitors and relevant public authorities.

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The TCA examined communications and documents involving senior personnel responsible for the Middle East, India, Africa and Türkiye, including executives and managers responsible for planetary health biosolutions, food and beverage biosolutions, baking technical services and technical sales.

The documents obtained during the inspections were considered relevant to the assessment of the purpose and potential effects of the discount arrangements. The investigation also involved a further on-site inspection in July 2024 and information requests to the undertaking, the Turkish Ministry of Agriculture and Forestry, customers and competing undertakings.

9. Interim Measures

During the investigation, the TCA considered that the continued application of certain discount practices could cause irreparable or difficult-to-reverse harm to competition before the final decision was reached.

The Authority therefore adopted interim measures restricting the application of loyalty-enhancing discounts relating to fungal alpha-amylase in new sales agreements. It also restricted certain discounts, promotions, free-product arrangements and similar campaigns where other enzyme products were sold together with fungal alpha-amylase.

The use of interim measures demonstrates the importance of timely intervention where potentially exclusionary conduct could alter market conditions before an investigation is concluded.

10. Final Decision

On 23 October 2025, the Turkish Competition Board concluded that NOVONESIS held a dominant position in the:

1. Asparaginase enzyme market;

2. Fungal alpha-amylase enzyme market; and

3. Glucoamylase enzyme market.

The Board found infringements of Article 6 of Law No. 4054 arising from different forms of conduct:

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Asparaginase: best-price-guarantee conditions and a loyalty-enhancing discount system;

Fungal alpha-amylase: loyalty-enhancing discount system; and

Glucoamylase: exclusivity arrangements and a loyalty-enhancing discount system.

The Board imposed an administrative fine of TRY 284,509,319.04, approximately TRY 285 million.

The TCA described the matter as its first investigation in the enzymes sector, making the case particularly significant for enforcement in technology-intensive and strategically important input markets.

KEY COMPETITION-LAW LESSONS FROM THE NOVONESIS CASE

The meeting provided practical insights into the assessment of abuse of dominance in specialised and technology-intensive markets. The discussion highlighted the importance of defining relevant markets based on product functionality, technological characteristics and the degree of substitutability, noting that products within the same broad sector may constitute distinct relevant markets where they perform different functions and have limited substitutes.

Participants also discussed the assessment of discount and rebate schemes by dominant undertakings. It was noted that discounts are not inherently anti-competitive; however, their structure, duration, targets, retroactive application, personalisation, portfolio coverage and exclusivity conditions should be examined to determine whether they may create customer lock-in or foreclose competitors.

The discussion further underscored the importance of customer-level and documentary evidence, including contracts, purchasing patterns, discount thresholds and internal communications, in assessing the actual or potential effects of such practices. Particular attention was drawn to retroactive rebates, which may create significant switching disincentives where customers risk losing discounts on previous purchases when sourcing from competing suppliers.

The case also demonstrated how a dominant undertaking's wider product portfolio may be used to reinforce its position in individual product markets. Overall, the experience highlighted the need for a holistic assessment combining legal, economic and technical analysis, supported by robust evidence gathering, early intervention where necessary, and continued cooperation and exchange of enforcement experiences among competition authorities.

Appendix B: ***Meeting*** Flyer



Appendix C: *Photos taken during the meeting*







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