Antitrust/Competition

The Turkish Competition Board Intervenes in META's AI Assistant

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On August 20, 2026, the Turkish Competition Authority ("**Authority**") published the Turkish Competition Board's ("**Board**") reasoned decision concerning the interim measure imposed on Meta Platforms, Inc., Meta Platforms Ireland Limited, WhatsApp LLC and Meta Platforms İstanbul Bilişim Hizmetleri Limited Şirketi (together, "**META**") in relation to third-party general-purpose generative AI chatbots/assistants' access to WhatsApp (the "**Decision**" dated May 14, 2026, and numbered 26-18/536-193). The Decision addresses potential exclusionary effects arising from the integration of META AI into WhatsApp while third-party general-purpose generative AI providers are prevented from offering their AI services through the same platform.

The Board's concerns stem from META's update on its "WhatsApp Business Solution Terms" on October 15, 2025, which prohibited third-party AI providers from reaching out to consumer through WhatsApp if their AI was offered as a primary service, while META AI remained available on the platforms. The Board noted that the relevant update was applied to all AI providers except for META's own general-purpose generative AI chatbot/assistant. The Board concluded that after integrating its own AI service (**META AI**) into WhatsApp in 2025 to increase user engagement and expand its reach, META prevented competing third-party general-purpose generative AI chatbots/assistants from accessing users through WhatsApp.

Within the scope of its assessment, the Board defined the relevant product market for WhatsApp as the "consumer communication services" market. As regards META AI, the Board conducted its assessment within the framework of the "general-purpose generative AI chatbots/assistants" market without conclusively defining a separate relevant product market. The Board found META to be dominant in the consumer communication services market through WhatsApp, considering its large user base, strong network effects and data advantage.

In its assessment of the potential effects, the Board focused on distribution channels as a key competitive parameter for reaching consumers and market presence. The Board noted that WhatsApp is an important distribution channel even for AI providers having their own distribution channels, whereas it may be indispensable for providers largely relying on third-party platforms. As a result, the Board concluded that considering the dynamic and developing nature of the AI market, WhatsApp's strategic position in terms of user reach and META's data advantage, there is a strong suspicion that prevention of third-party AI providers operating in WhatsApp could create a lock-in effect in favor of META AI and lead to exclusionary effects in the market for general-purpose generative AI chatbots/assistants.

Ultimately, the Board found a strong suspicion of an infringement of Article 6 of Law No. 4054 and concluded that the exclusion of competing AI providers pending the final decision could cause serious and irreparable harm by impairing their user access, investment and growth opportunities. Accordingly, the Board unanimously ordered META to establish conditions enabling third-party general-purpose generative AI chatbots/assistants to offer AI as their primary service through WhatsApp without making such provision *de facto* or economically difficult. META was granted one month following service of the reasoned Decision to comply with the interim measure.

Practice Area News

Fine for Price Fixing and Market Allocation in Glass Sector. The **Turkish Competition Board** found that Şişecam Çevre Sistemleri A.Ş. ("**Şişecam**") and Karacalar Nak. Oto. Geri Dönüşüm San. ve Tic. Ltd. Şti. ("**Karacalar**") violated Article 4 of Law No. 4054 by fixing cullet prices and allocating regions/customers (**October 16, 2025; 25-39/928-543**). While Şişecam received no additional fine under the *ne bis in idem* principle due to a periodic fine imposed in a related investigation, Karacalar was fined TRY 1,947,469.47.

No Investigation into Information Exchange in Automotive Sector. The **Turkish Competition Board** ("**Board**") found no evidence that six automotive companies exchanged future price increases or other competitively sensitive information (**February 26, 2026; 26-07/220-79**). **The Board** found that occasional parallelism in price changes may be a structural consequence of operating in a sector with high cost pass-through and that persistent price differentiation within the segments indicates competition. As a result, the Board decided not to launch a full-fledged investigation.

No Infringement Despite Parallel Pricing in Grocery Retail. The **Turkish Competition Board** ("**Board**") found that A101 and Carrefoursa did not infringe Article 4 of Law No. 4054 through concerted practices involving parallel pricing (**April 2, 2026; 26-11/336-128**). Despite closely aligned prices, **the Board** found no direct or indirect communication or exchange of competitively sensitive information, while simultaneous price increases largely reflected increased purchase costs and no common and systematic increase in profitability was identified.

No Investigation into TEMU's Pricing Practices. The **Turkish Competition Board** ("**Board**") found that TEMU's pricing practices did not constitute resale price maintenance, while noting that its price recommendations and traffic mechanisms could produce effects similar to wide MFN clauses (**February 26, 2026; 26-07/197-71**). Despite their potentially restrictive effects, **the Board** decided not to launch an investigation, considering TEMU's low market share and the availability of strong alternative platforms.

In the Firm

ELIG Gürkaynak represents corporations, business associations, investment banks, partnerships and individuals in a wide variety of competition law matters. We also collaborate with international law firms on Turkish competition law matters.

In addition to our strong Turkish competition law practice, our international experience provides us with a high capability in multinational competition law issues.

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