

European Competition Law Review

2026 Volume 47 Issue 7

ISSN: 0144-3054

Table of Contents

Editorial

RUSSELL O'BRIEN

Editorial: Issue 7 255

Articles

PAUL K GORECKI

Closeness of Competition—A Necessary not Sufficient Condition for Substantial Lessening of Competition: Ireland's Q-Park/Tazbell Off-Street Parking Merger 256

Unilateral effects theories of harm in local markets often rely on geographic proximity (i.e. location) as a factor that differentiates competitors. The merger of close competitors is, however, a necessary but not sufficient condition for the merger to result in a price rise. This article investigates this issue with respect to a recent merger involving off-street car parks in the Galway market in Ireland. Although the target and acquirer are close competitors, the evidence suggests that it would not be profitable for the merged entity to raise prices substantially. However, Ireland's national competition agency assumed, albeit erroneously, that the merger of close competitors results in an incentive to raise prices. Such assumptions, if misplaced as is the case here, result in Type I errors.

MEHMET SALAN, CELAL DURUHAN
AYDINLI AND ÖMER F. ÇALIŞKAN

The Fine Line Between Coordination and Restriction: Increasing Prominence of APR Models 269

The Turkish Competition Authority has, in recent years, adopted an increasingly strict approach toward territorial restrictions embedded in vertical distribution agreements. Against this backdrop, the Area of Primary Responsibility model has emerged as a mainstream compliance strategy that enables suppliers to maintain a degree of territorial structure in their distribution networks without imposing the outright prohibitions on out-of-territory sales that trigger classification as a "hardcore" restriction. This article examines the TCA's enforcement record, traces the doctrinal contours of permissible territorial organization under Turkish competition law, and situates Turkish practice within the broader EU enforcement landscape. The assessment concludes that APR provides a structurally safer framework. By emphasizing performance obligations rather than territorial protection, it safeguards legitimate commercial aims while better aligning with the contemporary standards of both Turkish and EU competition law.

YO SOP CHOI

Self-Preferencing in Competition Law: Korea's Divergence from the EU Approach 281

Over the last decade, self-preferencing has emerged as an important theory of anti-competitive harm in digital markets, where ranking mechanisms play a decisive role in shaping market visibility and competitive dynamics. Recent Korean jurisprudence on self-preferencing demonstrates a trajectory that diverges from the approach in the European Google Shopping case. This article analyses the treatment of algorithmic discrimination in Naver Shopping and argues that it exemplifies a distinct Korean regulatory pathway.

EDURNE NAVARRO VARONA AND
ISABEL MARÍA FERNÁNDEZ PÉREZ

FSR Takes Shape: What is Changing and Why It Matters 294

This article considers the growing importance of the EU Foreign Subsidies Regulation and the practical significance of the Commission's Guidelines. After outlining the FSR's purpose and recent enforcement developments, it examines how the Guidelines clarify the assessment of distortions of foreign subsidies, the balancing test, and the Commission's call in powers in concentrations and public procurement procedures.

Comment

ATT. DR CIHAN DOĞAN AND ATT.
SANEM YETİŞ

Turkish Competition Board Refused to Initiate Investigation Against Trendyol for Alleged Discriminatory Practices 299

National Reports

Denmark

ANTI-COMPETITIVE PRACTICES

Judgment N-139