

**Alexandr Svetlicinii**  
***Competition Law in Moldova***  
**Kluwer Law International, 2018, 182 p.**

The book *Competition Law in Moldova* represents the first in-depth analysis of competition law enforcement in Moldova. The volume was published in 2018 by Kluwer Law International in the context of the *International Encyclopedia of Laws* collection.

After its independence from the Soviet Union, Moldova adopted its first anti-monopoly law in 2000. The legislation was amended in 2012 – that is, the act that is in force at the moment. During the past twenty years, Moldova has progressively aligned its competition law with the EU standards, both in terms of primary legislation and soft law adopted by the Moldova Competition Council. The latter documents, in fact, closely resemble the guidelines adopted by the European Commission in different fields of application of EU competition rules. Two main differences between Moldova and EU competition law are highlighted in the volume: first of all, like most of the countries in Eastern Europe, Moldova has a strong tradition of presuming dominance on the basis of the undertaking's market share within the relevant market. While the presumption of dominance based on 35% market share included in the first anti-monopoly law has been deleted in the current version of the competition act, the Competition Council still places an important emphasis on market share in its competition law analysis. Such approach diverges from the case-by-case approach followed under EU competition law to determine dominance, where market share is one of the indicators taken in considerations to presume dominance in the market. In addition, Moldova competition law provides for criminal sanctions for individuals, mostly in the form of fines and disqualification from certain professions. Although criminal sanctions exist in the competition law of a number of EU Member States in relation to cartel violations, in Moldova, criminal sanctions are also applicable to a number of acts concerning unfair competition. These divergences, however, are minor: as mentioned above, Moldova has aligned its competition law with EU standards first in the context of the EU-Moldova Eastern Partnership, and later due to the EU-Moldova Association Agreement, which entered into force in 2016.

The book analyzes in detail the substantive provisions of Moldova competition law in relation to anti-competitive agreements, abuse of dominance and merger control, and it draws a comparison with the applicable EU *acquis*. In addition, the volume discusses the procedures followed by the Moldova Competition Council in

enforcing the competition act, as well as the role of national courts both in review of Competition Council decisions (that is, public enforcement) and in potential damage claims (that is, private enforcement). It is worth noticing, in particular, that besides the analysis of the applicable legislation and soft law, the book discusses the main decisions adopted by the Competition Council and court rulings during the past years. The book thus provides an exhaustive overview of how competition law has been enforced in Moldova in the past decade.

The author is a well-known competition law academic, born in Moldova. During the past years, Dr. Svetlicinii has published several academic articles on trends in competition law enforcement in Eastern Europe, in particular in Moldova. The present volume builds upon the extensive knowledge acquired by the author in this field during the past years.

To conclude, the book represents the first comprehensive analysis of Moldova competition law. The book is very informative: due to its focus on the decisions of the Competition council and court rulings, the book is suitable for practicing lawyers, and in general for those who are interested in the enforcement of competition law in Eastern Europe.

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