

Dragan Gajin, Tijana Kojovic *Competition Law in Serbia*, Kluwer Law International BV, Netherlands, 2017, 168 p.

In May 2017, Wolters Kluwer published the first monograph on Serbian competition law written in English. The monograph is co-authored by two attorneys from Belgrade – Mr. Dragan Gajin and Ms. Tijana Kojovic. The book is available either online or in a printed version.

The publication is part of the series titled International Encyclopaedia of Laws: Competition Law, edited by Francesco Denozza and Alberto Toffoletto. The series provides an in-depth description of the antitrust laws of more than 30 countries. Each monography includes a description of the substantial as well as the procedural rules of a particular jurisdiction and a description of the leading cases.

The Serbian monograph follows the structure of other publications in the series and is divided into three parts: (i) the structure of antitrust law and its enforcement; (ii) the application of the prohibitions, and (iii) the administrative procedure.

The first part focuses on the substantive rules in Serbian antitrust. Considering that Serbian competition law has been to a large extent imported from the EU, in the relevant part the Serbian rules are compared with the EU model. The ways in which the Serbian law departs from the corresponding EU rules are particularly highlighted.

The substantive law overview is comprehensive: it includes all three main pillars of competition law enforcement: restrictive agreements, abuse of dominance, and merger control. Within these three pillars all relevant issues are covered – types of restrictive agreements, forms of abuse of dominance. State aid is not covered as this is outside the scope of the series.

The second part, describing the practical application of the antitrust rules, is perhaps the most interesting part of the monograph. Serbia has had modern antitrust enforcement for a little more than a decade now. This is a relatively short period, but still sufficient to produce a substantial amount of case law – both in proceedings before the Serbian competition authority and before courts.

This part of the book provides a comprehensive overview of how restrictive agreements, abuse of dominance, and concentrations are dealt with in practice. The overview is helpful in identifying which areas of competition law have been in the competition authority's focus as well as which industries most often come under the authority's radar.

The final part deals with the administrative procedure applicable in competition cases, including the judicial review process. The procedural part gives an additional

context to the substantive rules and completes the picture of the Serbian competition law. Particularly catching the eye are administrative procedures which are different from those in place in the EU – for instance, individual exemption of restrictive agreements in Serbia still effected by notification to the competition authority.

The aim of the book was not to cover competition law theory, but to focus on the rules and how they are applied in practice. The theoretical underpinnings of Serbian competition law therefore remain for some upcoming project.

The monograph is up-to-date as of December 2016.

Dr. Dragan Gajin

Attorney at law, Belgrade (Serbia)
dragan@gajin.rs