

Screening report

Serbia

Chapter 13 – Fisheries

Date of screening meetings:

Explanatory meeting: 30 September 2014

Bilateral meeting: 14 November 2014

I. Chapter content

The *acquis* in this chapter consists of regulations, which do not require transposition into national legislation, and requires the introduction of measures to prepare the administration and the operators for the implementation of the Common Fisheries Policy (CFP) rules. The scope, the objectives and the principles of the CFP are laid down in the framework regulation on the Common Fisheries Policy (Council Regulation (EU) No 1380/2013).

The CFP provides rules for the conservation of living aquatic resources, the limitation of the environmental impact of fisheries and the conditions of access to waters and resources. It also comprises a structural policy and specific rules for the management of the fleet capacity, the control of fishing activity and enforcement of its rules. The CFP is based on sound scientific advice and provides a framework for the collection, management and use of fisheries data. Specific management measures for the sustainable exploitation of fisheries in the Mediterranean Sea are laid down in Regulation (EC) No 1967/2006 (Mediterranean Regulation). Specific rules also apply for the management of some stocks, such as the European eel (Regulation 1100/2007).

With regard to **resource and fleet management**, the *acquis* contains specific rules for the adjustment of fishing capacity in order to seek a balance between fleets and stocks as well as for the measurement of tonnage. Member States are requested to collect and update data related to the fishing capacity in a specific fishing fleet register. **Inspection and control** are mainly the responsibility of Member States who need to ensure the administrative capacity for effective implementation, while the legal framework has been established at EU level. The *acquis* establishes i.a. detailed rules for the registration and reporting of catches and the operation of a satellite-based vessel monitoring system.

Regulation (EU) No 508/2014 lays down provisions for the European Maritime Fisheries Fund (EMFF) and defines financial measures for the implementation of the Common Fisheries Policy, relevant measures relating to the Law of the Sea, the sustainable development of fisheries and aquaculture areas and inland fishing as well as the Integrated Maritime Policy. In order to benefit from the EMFF, EU Member States are required to adopt a strategic document and an Operational programme (OP). Member States should also have the necessary administrative management and control capacity in place in order to ensure a sound and efficient implementation of the OP.

The **market policy** *acquis* is defined by Regulation (EU) No 1379/2013 of the European Parliament and of the Council and is based on professional organisations, common marketing standards, consumer information, competition rules and market intelligence.

In addition to general **state aid** rules, the *acquis* contains specific state aid rules applicable to the fisheries and aquaculture sector.

Given its exclusive competence in the field of conservation of marine biological resources, the EU is party to a number of **international agreements** and organisations. In some cases, existing fisheries agreements and conventions with third countries or international organisations need to be adapted or denounced prior to accession.

II. Country alignment and implementation capacity

This part summarises the information provided by Serbia and the discussion at the screening meeting.

Serbia indicates that it will be ready to accept the *acquis* for chapter 13, with all rights and obligations that it entails.

Serbia is a land-locked country and has neither any marine fisheries activities nor any fishing vessels operating at sea under Serbian flag.

Aquaculture and fresh water fisheries provide employment for 1 780 persons and contribute 0.1% to the national gross value added. As regards aquaculture, the most important types of fish are carp and trout, amounting to a total production in 2013 of 5 936 tonnes. Fish caught in rivers, lakes and canals amounts to 5 040 tonnes – 2 235 tonnes by professional fishermen and 2 805 tonnes by recreational fishermen (2013). In 2013, the number of professional fishermen was 511, while 77 589 permits were issued for recreational fishing. Very simply equipped boats with an average length of four metres are used.

Serbia has a continuous deficit in its trade in fish and fishery products. In 2013, for instance, exports were EUR 4 404 000 and imports EUR 63 986 000. Of the exports 88% goes to Central European Free Trade Agreement (CEFTA) countries while 11% goes to the EU.

The Ministry of Agriculture and Environmental Protection (MAEP) is responsible for fisheries. The work with fisheries is integrated into the various specialised departments of the ministry. There is no department in the ministry dedicated specifically to fisheries.

The main legal instrument regulating fisheries is the Law on Protection and Sustainable Use of the Fish Stocks. Important are also the Law on Animal Husbandry, the Law on Veterinary Matters, the Law on Food Safety and the Law on Subsidies in Agriculture and Rural Development. Organic production in aquaculture is covered by the Law on Organic Production and the Rulebook on the control and certification in organic production and organic production methods.

A number of strategies are relevant for the fisheries sector:

- National strategy for the sustainable use of natural resources and goods,
- National sustainable development strategy,
- Biodiversity Strategy of the Republic of Serbia, 2011-2018,
- Strategy of agriculture and rural development, 2014-2024 (which also lays out a strategic framework for aquaculture).

Data collection in the field of fisheries is based on the Law of Official Statistics and the programme of Official Statistics 2011-2015. Data on species and the number of fishermen are collected for commercial and recreational fishing based on survey units in 31 fishing districts. Data on fishing gear and equipment are collected only for commercial fishing. The Statistical Office of the Republic of Serbia conducts surveys on aquaculture production on a yearly

basis. The collected data include the capacity of the fishponds, the number of employees, equipment, production of fish for consumption as well as the production of hatcheries and nurseries. A revision of the methodology for data collection is under preparation in order to align with Regulation 762/2008 on Statistics on Aquaculture.

II.a. Resource and fleet management

As mentioned above, Serbia is a land-locked country and has neither any marine fisheries activities nor any fishing vessels operating at sea under Serbian flag. Serbia noted that small, sporadic catches of eel are reported.

II.b. Inspection and control

Serbia has no particular measures to prevent import or sale of fish or fish products from illegal, unreported and unregulated fishing. Serbia only imports fish or fishery products from EU approved establishments.

II.c. Structural actions

Structural actions in relation to aquaculture and fish processing are being addressed on the basis of the Law on Agriculture and Rural Development and the Law on Subsidies in Agriculture and Rural Development. This is the responsibility of the MAEP. In aquaculture, subsidies are granted for investments in new equipment for fish farms. Subsidies are also granted for investments in fish processing. Preparations have started to set up the structures that will be necessary for participating in the European Maritime and Fisheries Fund (EMFF).

II.d. Market policy

Currently Serbia does not have a law regulating the market for fishery and aquaculture products.

Marketing standards are laid down in the Rulebook on the quality and other requirements for fish, crustaceans, molluscs, sea urchins, sea cucumbers, frogs, turtles, snails and their products. It defines the quality and other requirements for fish in production and trade. Fish are marketed by origin and type.

Labelling of fish is covered by the Regulation on labelling, marking and advertising foodstuffs. The production method and the date for minimum durability must be indicated.

Serbia does not have producers' organisations in the fisheries or aquaculture fields.

II.e. State aid

Specific rules for aid to fisheries are provided for in the Law on Subsidies in Agriculture and Rural Development. Support is also granted at regional or local level. As examples of

measures that may receive support were mentioned quality breeding of carp and trout, production of fish for consumption, credit support for fish fry for breeding, breeding programmes in aquaculture, insurance premia and other rural development measures.

II.f. International agreements

Serbia has no bilateral fisheries agreements with third countries. Serbia is not party to any international fisheries agreement regulating the number of vessels or the scope of fishing.

Serbia is member of the Regional Strategy for conservation and sustainable management of sturgeon population in the North West Black Sea and Lower Danube River in accordance with CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora).

Serbia is a party to the United Nations Convention on the Law of the Sea since 2001. Part XI of the Agreement was ratified in 1995. Serbia declared its intention, before its accession to the EU, to ratify and be a party of the United Nations Fish Stocks Agreement, the 1993 Food and Agriculture Organization (FAO) compliance agreement and the 2009 FAO Port State Agreement.

III. Assessment of the degree of alignment and implementing capacity

The *acquis* in this chapter consists of regulations, which do not require transposition into national legislation. National legislation will however have to be adapted in some cases in order to ensure correct implementation.

As Serbia does not have access to the sea and does not have any maritime fisheries activities, substantial parts of the *acquis* within chapter 13 "Fisheries" will not require particular implementation efforts. Certain measures will however need to be implemented to ensure the correct application of the *acquis*. The necessary administrative capacity needs to be in place upon accession.

III.a. Resource and fleet management

As Serbia's fisheries are restricted to freshwater fisheries and aquaculture, no particular measures are required for implementation of the *acquis* for resources and fleet management.

Serbia will need to prepare an eel management plan or demonstrate that there are no significant eel habitats in its territory so as to be exempt from the relevant obligation of Regulation 1100/2007 establishing measures for the recovery of European eel.

III.b. Inspection and control

Before accession, Serbia will need to implement measures to prevent import or sale of fish or fish products from illegal, unreported and unregulated fishing.

III.c Structural actions

The existing structural measures will form a basis for Serbia's participation in the EMFF. The plan to set up the future management and control structures within relevant departments of the MAEP appears to be appropriate. A prerequisite for participation will be the preparation of a strategic document and an operational programme as well as the appointment of authorities for managing, certifying and auditing. As regards aquaculture, participation in the EMFF requires multiannual national strategic plans on the basis of Union strategic guidelines.

Measures not covered by the EU's structural policy will need to be notified as state aid to the European Commission upon accession (see point III.e).

III.d. Market policy

Existing rules for marketing and labelling of fish and fishery products are only partially aligned with EU requirements. Substantial amendments will be necessary before accession to ensure full alignment.

Serbia may consider before accession to establish producers' organisations in relation to aquaculture, although this is not an EU requirement.

III.e. State aid

Serbia will need to notify any state aids in freshwater fisheries and aquaculture to the Commission upon accession. A system for state aid controls in these sectors needs to be set up.

III.f. International agreements

Serbia will need to ratify, upon accession, the UN Convention relating to the conservation and management of straddling stocks and migratory fish stocks. No action is required with regard to agreements such as the FAO Port State Measures Agreement and the FAO Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas.