

**INTERGOVERNMENTAL CONFERENCE
ON THE ACCESSION OF THE REPUBLIC OF BULGARIA TO
THE EUROPEAN UNION**

**NEGOTIATING POSITION
CHAPTER 8
FISHERIES**

OVERALL POSITION

The Republic of Bulgaria accepts and will fully implement the *acquis* with respect to Chapter 8 - Fisheries.

As a working hypothesis, the Bulgarian Government considers that Bulgaria will become a member of the EU on 01.01.2007.

The Republic of Bulgaria does not request any transitional periods or derogations with respect to Chapter 8 - Fisheries.

ADOPTION AND IMPLEMENTATION OF THE ACQUIS

The main legislative act on fisheries is the Fish Husbandry Act from 1982, including the pertaining secondary legislation to it. The Bulgarian legislation on fisheries contains a number of provisions, in considerable compliance with those applied in the EU Common Fisheries Policy (CFP).

To ensure complete harmonisation of the Bulgarian legislation with the *acquis* the Republic of Bulgaria will adopt and implement the following legislative acts and measures:

- A new Fisheries and Aquaculture Act (FAA), which was submitted by the Council of Ministers to the Parliament on 3.07.2000, and will enter into force from the beginning of 2001. The FAA provides the legal framework for implementation of all major aspects of the Common Fisheries Policy - conservation of resources (catch quotas, logbooks, technical measures); control and management of fishing activities (Fishing vessels register, licensing of fishing activities, satellite system for monitoring and control); international agreements; structural measures; collection and processing of fisheries statistics; market organisation and trade issues; producer groups and organisations (the draft FAA is in compliance with Regulations 3760/92, 2847/93, 894/97, 686/97, 1382/87 2930/86, 2090/98, 1382/91, 3759/92, 104/2000, 2636/95, 3690/93, Decision 619/93, etc);
- Secondary legislation under the FAA, which will fully transpose the EU *acquis* by the end of 2005;
- The Council of Ministers will adopt the first 3-year National Programme for Fisheries and Aquaculture within a year after the enforcement of the FAA. The

purpose of the Program will be to identify national priorities in the fisheries sector, and to contribute for the establishment of a balance between biological, social and economic aspects of fisheries.

All necessary institutional structures for the effective implementation of the EU legislation on Chapter 8 - Fisheries are in a process of reinforcement or establishment in the Republic of Bulgaria. In compliance with the *acquis* and on the basis of the new Fisheries and Aquaculture Act, the above mentioned National Programme will specify the step-by-step administrative reconstruction and improvement of the state administrative capacity for full implementation of the *acquis* by the time of accession. The National Agency for Fisheries and Aquaculture (NAFA) to the Minister of Agriculture and Forestry is the main administrative structure, responsible for the implementation of the fisheries legislation. It has 6 Regional Fisheries Inspectorates. NAFA performs activities concerning the conservation and reproduction of fish resources, control on the implementation of the fishing activities in the inland water basins, the Bulgarian coastal zone in the Black Sea and the Danube river (control on fishing activities, issuing of fishing licenses, maintenance of the fishing vessels register, collection and processing of fisheries statistics).

NAFA will implement on its own some of the requirements of the EU CFP, and the rest in cooperation with other administrative institutions as further specified in detail in the position paper. On the basis of existing or pending to be signed agreements with these institutions, NAFA will introduce additional measures to improve the control system and the coordination among the administrative structures concerned, with a view of the effective implementation of the CFP requirements.

The Republic of Bulgaria provides financial resources from the State budget for measures concerning the legislation approximation and reinforcement of the administrative structures in the fisheries sector. The number of the staff in NAFA will be significantly increased (at least doubled) as from 01.01.2001 and the equipment of the agency will be improved with a view of the effective implementation of the *acquis*.

The Republic of Bulgaria (NAFA) has applied for a 2-year Phare project (Financial memorandum 2001) which includes technical assistance (investment component), and institutional building assistance (under a Twinning project). This project will contribute to the faster improvement of the NAFA capacity to build up the control and information systems on fisheries in compliance with the *acquis*, as well as to the provision of equipment, harmonization of legislation and training of staff for operating the *acquis*.

1)Conservation of fish resources

In the area of conservation of fish resources, including technical measures and restrictions, regulating catches, licensing of fishing activities, fixing and control of catch quotas of certain species, keeping of logbooks on fishing activities, the Bulgarian legislation is characterized with a high degree of compliance with the *acquis*.

Licensing of fishing activities

All fishing activities in the Black Sea, the Danube river and inland waters, with the exception of fish farming, are subjected to licensing. The National Agency for

Fisheries and Aquaculture through its regional services– the Regional Fisheries Inspectorates (RFI), issues personal licenses to each person, performing fishing activities. The documents needed for licensing should be accompanied by copies of the documents for registration of the vessel, issued by the Executive Agency "Maritime administration" (EAMA) to the Minister of Transport and Communications, where all the technical data of the vessel is included.

The license contains data of the owner, data of the place, the fishing zone, the fishing gear and equipment, the type, registration number and the name of the vessel used.

The control functions with respect to the implementation of the licensing system are performed by NAFA through on-water checks, as well as through checks at the ports and the trading places. The National Agency for Fisheries and Aquaculture has started the establishment of coordination system with the Ministry of Transport and Communications (MTC), where the Fishing Vessels Register (FVR) is being established. In case of infringements, leading to deprivation of the fishing license, NAFA within 48 hours informs EAMA for notifies the restriction to the FVR.

Full compliance with the acquis, with respect to the licensing of fishing activities, will be achieved through the adoption of secondary legislation to the FAA by the end of 2002.

Satellite monitoring and control system on fishing vessels with length 24m and above

The Republic of Bulgaria has undertaken the necessary steps towards the establishment of a system for satellite monitoring of fishing vessels.

NAFA is applying for technical assistance from the EU under a Phare project (mentioned on page 2), with respect to the setting up of the satellite monitoring system on fishing vessels. The establishment of the on-land Monitoring Center will start in 2002, and will be finalized in 2003 when the technical assistance from the Phare project is expected to be received. A pilot project for the implementation of the monitoring system will start in 2004, and will involve several fishing vessels. In 2005, the satellite monitoring system will encompass all fishing vessels with length 24m or above which will be supplied with on-board equipment.

The Cooperation Agreement between the Executive Agency "Maritime Administration" and NAFA, signed on 28.09.2000, contains additional provisions for the establishment and maintenance of satellite monitoring on fishing vessels with length of 24 m and above.

According to the provisions of this agreement the Executive Agency "Maritime Administration" is responsible for the monitoring of fishing vessels with length 24 m or above, through a system for satellite monitoring and control, following the requirements of the EU CFP. EAMA will submit the required information from the satellite system to the relevant EU authorities.

A high degree of coordination exists between NAFA and EAMA with respect to the activities related to the future establishment and implementation of the satellite monitoring system on fishing vessels.

Catch quotas

The Black Sea is not included in the Common Fisheries Policy regulations, and the Black Sea is not inhabited by fish species for which EU Total Allowable Catch (TAC) is applied. The Republic of Bulgaria, however, has the experience and capacity for the

implementation of such a regime with a view to the fish resources conservation and their normal reproduction.

Annual catch quotas are applied for certain industrial fish species (turbot and sturgeon). These quotas are determined on the basis of recommendations received from scientific research on the stocks of these fish species.

Turbot

The total allowable catch is determined annually by the Minister of Agriculture and Forestry on the basis of the research carried out by the Fish Resources Institute (FRI) in the town of Varna, concerning the turbot resources situation, in relation to the reproduction potential of the population. A quota of 40 tons for turbot catch is introduced for the year 2000.

Sturgeon species

Based on the NAFA's statistical data on the catch of sturgeon species for the last years, reports prepared by the Ministry of Environment and Waters (MEW) are provided to the authorities of the Convention on the International Trade with Endangered Species of the Wild Flora and Fauna /CITES/. On the basis of the average annual sturgeon catch for the last years, which vary between 35 and 50 tons of all sturgeon species (great sturgeon, Black Sea sturgeon, Stor sturgeon and Sterlet), the CITES Convention authorities have fixed an export quota for black caviar of 2 500 kg, corresponding to a catch of 30 tons of productive sturgeons.

The control functions for the observation of the quota regime are performed mainly by NAFA through physical checks (on spot) of fishing logbooks and the main trade points. With respect to the control activities "on water" NAFA is supported by the control vessels of the MEW and the National Service "Border Police" to the Ministry of Interior (MI). Additional control is applied through the veterinary certificates issued by the National Veterinary Service for the quantities of fish caught. The export of turbot and black caviar is also subjected to control from the Agency "Customs" through the data included in the customs declarations.

The Republic of Bulgaria expects that upon accession the applied measures concerning catch quotas for the species listed above will be added to the acquis with respect to the fishery resources conservation in the Black Sea.

Control of fishing vessels activities

NAFA, in cooperation with the National Service "Border Police", MEW and FRI, controls "on water" the fishing vessels for observation of the catch regime. In view of improving the effectiveness of control measures NAFA is planning to buy new control vessels. Part of the new control vessels is expected to be provided through the forthcoming Phare project (noted on page 2).

Fishing logbooks

The existing legislation of the Republic of Bulgaria includes a requirement each fishing vessel to keep a fishing logbook where the following information should be noted every day: catch quantity, fish species caught, region where the catch is carried out, type of the fishing gear used.

The requirements related to the keeping of fishing logbooks are in compliance with Regulation 2847/93. Full compliance with the acquis will be achieved by the end of 2001.

Implementation of technical measures on catches

In accordance with the Fish Husbandry Act and the pertaining secondary legislation to it, the following technical measures, related to the catch regime, have been introduced (these measures are incorporated in the new FAA as well):

- regulation of the minimum allowable mesh size, since 1997 it has been increased in order to preserve the population of young fish;
- bans and restrictions on the use of particular fishing equipment, which brings about overcatch or damages the inhabited environment and resource reproduction;
- fixing of the minimum allowable size of fish and other aquatics, subjected to fishing;
- fixing of the terms and periods during the year, when the fishing of the respective species is forbidden;
- determination of specific measures, related to certain species and specified fishing zones.

NAFA is responsible for the control activities, in respect to the observation of the technical measures on catches. MEW and the National Service “Border Police” support NAFA for performing control activities.

The Republic of Bulgaria wishes to retain its right to apply more restrictive technical measures on fishing related to bottom trawling and dragging within the 12-mile territorial zone in the Black Sea, on the basis of Article 6 of Regulation 3760/92.

The technical measures applied are directed towards conservation of fish resources, and are in compliance with the specifics of the bio-equilibrium in the Black Sea. All risks and consequences arising from commercial exploitation of the 12-mile territorial zone in the Black Sea should be considered very carefully. Due to its isolation, space limitation and natural ecological burden this zone is quite vulnerable in terms of its natural capacity to preserve the existing bio-resources, and the antropogenuous impact (including the bottom trawling) could lead to irreversible damage.

The more restricted technical measures on catches are:

- based on the same principles as the ones of the acquis (with respect to the technical measures);
- determined in compliance with the recommendations received from scientific research;
- pointed to the conservation of the stocks of the main fish species;
- non-discriminative – in practical terms, they concern only Bulgarian fishermen. There are no historical fishing rights or rights providing access to the Bulgarian 12-mile fishing zones for fishing vessels of any of the neighboring countries (Romania and Turkey);

Therefore, the technical measures applied by Bulgaria could successfully complement the existing EU acquis as far as the Black Sea area is concerned..

Catch statistics

The catch statistics are collected and compiled by NAFA, in compliance to the existing national methodologies. The Eurostat methods are pending introduction (see point 4 – Structural measures).

2) International agreements and conventions

The Republic of Bulgaria has signed a number of conventions and international agreements in the area of fisheries. A full list of the international agreements and conventions is available in Annex 1.

Despite the absence of an operational long-distance fishing fleet at the present moment, the Republic of Bulgaria expects by the date of accession to have such a fleet, which will use the fishing rights resulting from the existing international agreements and conventions where Bulgaria is a part.

The Republic of Bulgaria declares that, in accordance with the principle of exclusive Community competence, its interests in all international agreements and conventions will be represented by the Community as from the date of accession.

The Republic of Bulgaria declares that its willingness to retain certain fishing rights will only be based on its effective contribution to the increasing of the Community share, and that such a demand will not be at the expense of the shares of the rest EU member states.

- **With respect to the Convention on future multinational co-operation in North-West Atlantic Fisheries (NAFO)**, the Republic of Bulgaria requests the retaining of the existing rights for fishing within the NAFO area. The Republic of Bulgaria wishes that its relative share as the EU Member State will be determined on the basis of the principle of relative stability (subject to the declaration in paragraph 4 of item 2).
- **With respect to the Convention on future multilateral co-operation in North-East Atlantic Fisheries (NEAFC)**, the Republic of Bulgaria will undertake the necessary steps for reintroducing its fishing rights (quotas) in the NEAFC area, in case they are temporarily lost. The Republic of Bulgaria intends to maintain its future rights to fish in the NEAFC area. The Republic of Bulgaria wishes that its relative share as the EU Member State will be determined on the basis of the principle of relative stability (subject to the declaration in paragraph 4 of item 2).
- **With respect to the Agreement between the governments of the People's Republic of Bulgaria and Canada concerning fisheries relations**, the Republic of Bulgaria requests to maintain its rights to fish in the Agreement area. The Republic of Bulgaria wishes that its relative share as the EU Member State will be determined on the basis of the common principles of the CFP, and with respect to the Memorandum for cooperation between the Community and Canada.
- **With respect to the Convention on the Conservation of Antarctic Marine Living Resources (CCAMRL)**, the Republic of Bulgaria expresses its interest to maintain its potential future rights to fish in the CCAMRL area.
- **With respect to the Draft Convention on Fishing and Conservation of Life Resources in the Black Sea**, the Republic of Bulgaria expresses its interest to maintain its potential future rights to fish in the Convention area.

3) Market organization

There are no financial funds envisaged for the implementation of intervention mechanisms in the market for fish and fishery products, before the accession of Bulgaria into the EU. At present Bulgaria does not intend to introduce the optional mechanisms under the CMO in the framework of the CFP.

The FAA provides the possibility for setting up producer groups and organizations,

complying with the EU requirements, which after accession will have the possibility to propose the introduction of any mechanisms or intervention measures within the framework of the Common market organization.

To provide for the collection and processing of reliable market information and the establishment of an adequate market infrastructure in the sector, representative markets for fish and fish products will be built in several ports at the Black sea and the Danube river, as well as in other some major cities in the country.

4) Structural policies

Pre-accession funds

With the objective to implement structural measures in the area of agriculture and fisheries a SAPARD Agency (to the State Fund “Agriculture”) was established with a Council of Ministers Decree from the 6th July 2000. The Agency will co-finance targeted projects, in conformity with the priorities identified in the National Agriculture and Rural Development Plan (2000-2006) among which improvement of production, processing and marketing of fish and fish products (incl. aquaculture), so that they comply with the EU standards. The plan includes the following measures eligible for support related to fisheries:

Measure 1.2 Improvement of processing and marketing of agricultural and fish products. According to this measure, processing establishments will be financed in order to improve the hygiene and quality of the fish products to meet the requirements of the EU.

Measure 2.1 Development and diversification of the economic activities. This measure aims at creating possibilities for diversified activities generating alternative income (for example from agri-tourism, sports fishing etc.)

Based on the experience gained from using the pre-accession funds under the SAPARD Programme, the Republic of Bulgaria will achieve capacity to apply the Financial Instrument for Fisheries Guidance (FIFG) to provide structural aid for the reconstruction and modernization of the fishing fleet (without increasing its fishing capacity after the accession of Bulgaria to the European Union), for the modernization of port facilities, development of aquaculture, processing and marketing of fish and fish products, socio-economic measures.

Fishing Vessels Register (FVR)

The Executive Agency "Maritime administration" to the Minister of Transport and Communications is keeping one register of small ships up 40 t of gross tonnage (GT), and one register of big ships over 40 GT according to the Bulgarian Merchant Shipping Code and pertaining secondary legislation. Each ship which has the right to fly the Bulgarian flag is subject to a registration in these registers. Bulgaria is also a part to the Convention on tonnage measurement (the London Convention) from 1969, and has fully introduced the relevant European provisions in this area.

On the basis of the existing registers for small and big ships, EAMA has established and maintains a database (using standard MS Excel software) for the fishing vessels. The data items collected are in compliance with the requirements of the acquis. The existing legislation related to the FVR is in conformity with Regulations: 2930/86, 2090/98, 3259/94 and Decision 84/95.

A Cooperation Agreement between the Executive Agency "Maritime administration" and NAFA was signed on the 28.09.2000. It contains additional provisions regarding the Fishing vessels register and the sharing of competencies between the two agencies concerning its maintenance.

The FVR is being established in the MTC in full compliance with the requirements of the acquis, and on the basis of the pending amendment of the Bulgarian Merchant Shipping Code, draft FAA, and pertaining secondary legislation.

EAMA will be responsible for submitting updated information in respect to the FVR to the relevant EU authorities, in compliance with the requirements of the acquis.

NAFA will submit to EAMA data concerning the fishing gear, fishing zones and licensing of fishing activities. In case of infringements, leading to deprivation of the fishing license, NAFA within 48 hours informs EAMA to introduce the restriction in the Fishing Vessels Register.

A high degree of coordination exists between NAFA and EAMA with respect to the activities related to the establishment and maintenance of the FVR.

On the basis of the existing data on fishing vessels, and the preparatory work of MTC, no remeasurement of the fishing vessels with length above 24m will be required. EAMA has data on the characteristics of the fishing vessels (old and new), in compliance with the acquis.

Remeasurement will be required for the vessels with length between 8-15 and 15-24 m. With that respect Bulgaria expects confirmation whether the Greek coefficient could be used (as there exists a similarity between the Greek and the Bulgarian vessels), or a new coefficient should be specified. The EAMA is planning to start the remeasurement of the above mentioned group of vessels by the end of 2000 with a view of completing the procedure by the end of 2001.

The necessary hardware equipment for operating the FVR is available and Bulgaria is currently studying the possibilities to obtain in 2001 the required software. Consultations with Greek and Swedish experts are carried out for the establishment of FVR and for the provision of the required FVR software. Two EU missions to this end: one from Greece in the framework of Twinning Phare projects No BG98/IB-AG-03 and one from Sweden, financed by TAIEX, will be held by the end of 2000. Bulgaria will be ready to perform a test transmission of data from the FVR to the competent EU authorities by the middle of 2001.

The Republic of Bulgaria does not foresee any difficulties with respect to the updating of the database of the FVR, and for the prompt submission of this information to the competent EU authorities.

The Fishing Vessels Register will be completed by the end of 2001.

Statistical information

According to the Memorandum of Understanding between the Ministry of Agriculture and Forestry (MAF) and the National Statistical Institute (NSI) signed on 26.04.1999, the responsibility to collect and process statistical data with respect to Chapter 8 - Fisheries, is ascribed to MAF.

Based on this memorandum and the Protocol for Cooperation between the Agrostistics Department in MAF and the National Agency of Fisheries and Aquaculture, signed on 04.10.2000, NAFA will organize and carry out statistical surveys according to the following modules of the Eurostat's Statistical Requirements Compendium: 691 (statistics on the fishing fleet), 692 (captures statistics), 693

(landing and supply balance sheets) and 694 (aquaculture statistics). The Agrostatistics Department will provide NAFA with methodological assistance for the processing of the collected statistical information.

NAFA will be responsible for submitting the processed statistical information to the competent authorities of the EU following the Statistical Requirements compendium. The statistical data collected by MAF (NAFA) will be also submitted to the NSI.

In 2001, an analysis will be completed concerning the establishment of a system for collecting and processing of statistical data on fisheries in full compliance with the Community acquis. The adoption of secondary legislation to the FAA in the area of statistics will start in 2002, and their practical implementation will begin in 2003. Full harmonization with the acquis in the area of fisheries statistics will be achieved by the end of 2003.

5)State aid

The Republic of Bulgaria declares that all measures for support contradicting the EU acquis will be ceased by the date of accession to the EU.

At present, there are several forms of state aid in the fisheries sector.

According to the Income Tax Act (for taxing the income of the natural persons and sole traders), in force since 1 January 1998, the taxable income of people employed in fish-farming is reduced by 60%. Producers of unprocessed freshwater fish are not levied with an income tax.

According to the Corporate Tax Act, in force since 1 January 1998, producers - legal entities involved in the production and sale of unprocessed fish and aquatics from the artificial lakes and dams, can retain their profit tax payments. The retained tax payments must be invested in freshwater fish farming activities.

Ordinance No 14 of 1998 stipulates the conditions and rules for providing funds from the state budget (and other sources) for support of activities related to the creation, conservation, breeding and diversifying the genetic variety of fish and aquaculture. The funds are used for:

- direct deliveries of genetic material (imported or from internal sources);
- breeding, reproduction and conservation of genetic resources;
- feeding stuffs, medicines and other direct and indirect production expenses connected with the survival, conservation and reproduction of the genetic fund.

The funds from the state budget could be granted as a subsidy or provided under the condition to be reimbursed.

A Central Commission in MAF decides on the allocation of funds and performs the control on the grants' use. If the funds have been used with an unauthorised purpose, the funds must be reimbursed in full with an interest.

At present, granting of state aid is controlled by the Commission for Protection of Competition (CPC).

The Ministry of Finance is another institution, which monitors the development of the sector. In 1996, an inventory list (register) was created which includes all the forms of state aid in the sector. The list has been updated in 1998 in compliance to the EU methodology. Since the beginning of 1999, the list has also been recording data for all indirect forms of state aid.

Convention on future multinational cooperation in North-West Atlantic Fisheries (NAFO)

Date of signing in Ottawa – 24.10.1978. Depositor – Canada. It came into force on 01.01.1979, for Bulgaria from 06.06.1979. Ratification with Government Decree No. 821/25.05.1979, published in the State Gazette No. 43/1979.

After ratifying NAFO, the Republic of Bulgaria actively participated in the work of its governing structures. Since the state enterprise “Ocean Fishing” entered liquidation procedures no Bulgarian representative has participated in the annual meetings of member-states.

The Republic of Bulgaria is still a member of the convention, but since 1993 the annual fees have not been paid to the organisation and no Bulgarian fishing vessels have been operating in the zone of the convention. Since 1998 the Bulgarian quota has been divided and assigned to the other member states.

The country used a catch quota in the convention operation zone of 300 tonnes of Redfish/Sebastes marinus and 500 tonnes of squid. The quota has been used entirely in the 80s and partially in the period 1989-1992.

The Republic of Bulgaria intends to undertake the necessary steps for paying off the accumulated obligations and to obtain the catch quotas for Redfish/Sebastes marinus and squid in response to the declared interest on behalf of the Bulgarian economic agents in the sector.

Convention on future multilateral co-operation in North-East Atlantic Fisheries (NEAFC).

The convention has been signed in London on 18.11.1980. Depositor – the United Kingdom. Bulgaria joined the Convention on 24.07.1984, ratifying it with a State Decree 1017/28.03.1984. The Decree was published in State Gazette No. 28/1984.

The Republic of Bulgaria is a member of the convention, and has the right to fish in its area.

After ratifying NEAFC, the Republic of Bulgaria actively participated in the work of its governing structures. Since 1990, Bulgarian fishing vessels have not been fishing in this zone and the country might lose its fishing rights upon expiring of the fixed period of non-usage of the fishing rights. There is an interest on behalf of private companies for fishing in the convention area and the Republic of Bulgaria will undertake the necessary steps to recover its fishing rights in case they are temporarily lost.

Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM)

Signed in Rome on 24.12.1949; amended in Rome on 03.09.1996. Depositor – FAO. In force since 20.02.1952; for Bulgaria from 03.07.1972.

Approved with a Decision of the Council of Ministers N 186 on 16.05.1972 with Article 13 derogated.

There are no fishing rights, arising from this Agreement. The agreement has been signed by the Republic of Bulgaria with reserve on article 13. The Republic of Bulgaria has withdrawn this reserve with the Act of Withdrawal of Reserves and Declarations on International Conventions with regard to the obligatory jurisdiction of

the International Court and the international arbitration, adopted by the National Assembly on the 12.01.1994, State Gazette N 8 of 1994. The country has participated in the work of the agreement authorities as an observer.

Agreement between the governments of the People's Republic of Bulgaria (PRB), The Socialist Republic of Romania (SRR) and the Union of the Soviet Socialist Republics (USSR) for fishing in the Black sea.

The Agreement was signed in Varna on 07.07.1959. Depositor – Bulgaria. In force since 21.03.1960.

Ratified with a Government Decree No. 546 on 12.12.1959 and published in State Gazette No.101/1959.

The text of the Agreement is published in the State Gazette No. 33/1960.

The Agreement concerns only fishing activities outside the territorial zones of the contracting parties. There are no specific fishing rights (quotas) pursuant to this agreement.

The last session of the Committee for implementation of the agreement took place in 1993. During the session, it was decided to establish a working group to prepare a proposal for a new Convention on fishing and conservation of live resources in the Black Sea. Work on the proposal for the new Convention started in 1995 and is still in process. On the last meeting of the working group of experts, in September 2000 in Istanbul, an agreement in principle was reached to adopt and apply the new Convention under the authority of the Organisation for Economic Cooperation in the Black Sea Area. The Convention will be open for joining by all countries that are members of the Organisation for Economic Cooperation in the Black Sea Area.

The draft Convention stipulates the introduction of a total allowable catch and national quotas for the catch of the most important fish species, especially for the migratory ones, which must be subject to international measures for conservation and control, as well as to a specific regime for resource exploitation.

The draft Convention provisions relate to the fishing activities in the territorial and inland waters of the contracting parties as well as to the open-sea fishing.

Agreement for Cooperation in the area of sea fishing

The agreement was signed in Warsaw on 28.07.1962 among Poland, USSR and the German Democratic Republic. Depositor – Poland. The Agreement came into force on 22.02.1963. Bulgaria acceded the agreement on 19.09.1964.

There are no rights and obligations or regulative measures related to fishing including catch quotas, pursuant to this agreement. The agreement does not apply after the collapse of the Socialist system and the dismantling of the Council for Mutual Economic Cooperation (COMECON).

Agreement between the governments of USSR and the People's Republic of Bulgaria for reciprocal fishing of anchovies and sprat in the territorial waters of the two countries in the Black Sea

Signed on 03.10.1978 in Moscow.

According to the agreement, fishing rights and obligations including quotas used to be determined every year. Ships of USSR and Bulgaria had the right of mutual access to their territorial waters for industrial fishing.

The agreement ceased to apply after the collapse of the former USSR, as the pursuant fishing rights referred to fishing regions under the jurisdiction of Russia, Ukraine and

Georgia.

There is an interest to restore the relations with the Russian Federation, concerning fisheries and to update the agreements that were in force between the Republic of Bulgaria and the former USSR (as has already been done between Ukraine and the Republic of Bulgaria).

Agreement between the governments of the Republic of Bulgaria and Ukraine for cooperation in the fisheries sector

The Agreement was signed in Sofia on 13.09.1993. It is in force since 20.04.1994.

This is a framework agreement for co-operation, there are no rights (catch quotas), pursuant to it.

Convention on the Conservation of Antarctic Marine Living Resources (CCAMRL)

The convention was signed in Canberra, Australia on 20.05.1989. Depositor – Australia.

Bulgaria joined the Convention with a decision of the Council of the Ministers No. 129 on 08.04.1992. It was ratified with a law, adopted by the 36-th National Assembly. The convention was published with a Decree N 146 from 23.06.1992 of the President of the Republic, State Gazette - 43/1992. In force for Bulgaria since 30.09.1992.

After the ratification of this convention Bulgaria has participated in the annual meetings of the Commission on Conservation of Antarctic Marine Living Resources and the Scientific Committee as an observer.

The Republic of Bulgaria intends to undertake steps in the near future to be assigned as a member of the Commission as long as Bulgarian firms are interested in fishing activities in the operating area of the convention.

Agreement between the governments of the People's Republic of Bulgaria and Canada concerning fisheries relations.

According to this agreement Bulgarian fishing ships have the right to fish within the 200 miles Canadian economic zone, outside the territorial sea waters and the zones fixed before 1977. Canada allocates quotas to Bulgarian ships, which constitute a surplus within the Total Allowable Catch that Canada cannot use. According to this agreement Bulgarian ships have to be licensed by the Canadian government authorities in order to be allowed to use the quotas.

Since 1993 Bulgarian ships have not been fishing in the area covered by this Agreement.

Agreement between the governments of the People's Republic of Bulgaria and the People's Republic of Mozambique for cooperation concerning fisheries.

According to the provisions of this agreement, the People's Republic of Mozambique, under certain conditions, grants rights to the Bulgarian fishing ships to catch fish in the area of its economic 200-mile zone. There are no specific catch quotas pursuant to this agreement.

Agreement between the government of the People's Republic of Bulgaria and the government of the Islamic Republic Mauritius for cooperation concerning sea fisheries

According to the provisions of this agreement, the Islamic Republic Mauritius grants rights to the Bulgarian fishing ships to catch fish in the area of its economic 200-mile zone. There are no quotas specified.

Agreement between the government of the People's Republic of Bulgaria and the United Republic of Tanzania for cooperation concerning tourism, forestry, hunting and fishing

This is a framework agreement for co-operation, and there are no fishing rights (catch quotas), pursuant to this agreement.

GENERAL OVERVIEW OF THE SECTOR

The fisheries sector is important for the economy of the Republic of Bulgaria, especially in some less developed areas and along the Black Sea and the Danube River coasts.

As to 30.06.2000 over 90 % of the fish farming establishments and 100 % of the Black Sea fishing industry establishments were privatized. There are over 70 private, state-owned and of mixed ownership companies, operating in the sector. The total number of employed in the fisheries and aquaculture sector is over 7000 (including licensed individual fishermen in the Danube river and the Black Sea; and those occupied with fish farming and industrial fishing in big state-owned and public-owned dams).

100 % of the trade in fish and fishery products, including import, export and re-export, is carried out by private companies and individuals.

The ocean (long distance) fishing fleet was disintegrated as a result of the liquidation of the state company "Ocean Fishing" in the town of Bourgas. There is only one registered long distance transportation-refrigerating ship in operation.

Over the last few years, the structure of the Black sea fishing fleet was changed. The old medium-sized vessels of and over 80 t of gross tonnage have been replaced by smaller-sized and more mobile vessels of 10 to 50 t of gross tonnage. It is therefore necessary to optimize the fishing effort and regulate the number of vessels under the fishing fleet in the next couple of years as this is done in the EU.

The fishing activities in the Danube river region are carried out by private fishermen with industrial fishing licenses. Fishing provides living to more than 1 100 households in the Danube riverside regions, and represents the major source of income for a number of riverside villages. According to the statistical data, the Danube fish catches amounted to 1200 tons on a year's average over the last 4-5 years.

Black Sea fishing is largely carried out by individual fishermen covered by the fishing licensing system (100% private ownership of open-deck boats and nets, and 95% private ownership of fishing ships).

Mainly private fishermen who will be covered by the licensing system in 2001 carry out industrial fishing in inland waters. The main purpose is to determine the conditions and parameters of their activity with regard to the protection, control and reproduction of fish resources (artificial fish stocking). These inland reservoirs can provide a solid basis for the production of highly protein food as well as for the organization of recreational fishing and rural tourism in the mountainous and semi-mountainous areas. They provide opportunity for the rural population to diversify their economic activities and earn additional income. There are over 21 big (over 500 Ha), 54 medium-sized (100-500 Ha) as well as 4 686 small-sized dams in Bulgaria.

Some species of industrial importance in the Black Sea and the Danube river (sturgeon species, turbot, belted bonito and others) are endangered. The same goes for the genetic fund of some industrial fresh water fish including some basic fish farming species as Balkan trout and Rainbow trout, Common carp, Silver carp/Bighead carp, Grass carp and others. In the period 1989-1998 the state did not fund fish and aquaculture reproduction in state water basins and reservoirs. The first restocking was

carried out in 1998, whereas in 1999 a new massive restocking of the Danube river and several state-owned dams was carried out.

Licenses issued by NAFA for industrial fishing in the Black sea and the Danube river in 1999

№	Licenses issued	Total
1.	Danube river - fishing boats	1 497
2.	Black sea - total	2 935
2.1	Fishing ships	43
2.2	Fishing boats	2 533
2.3	Railing fishing nets	43
2.4	Trap nets	98
2.5	Rapana (sea snail)	216
2.6	Mussels farms	2

Source: NAFA

Licenses issued by NAFA for industrial fishing in the Black sea and the Danube river till 31.07.2000

№	Licenses issued	Total
1.	Danube river - fishing boats	1 193
2.	Black sea - total	3 260
2.1	Fishing ships	40
2.2	Fishing boats	2 688
2.3	Railing fishing nets	54
2.4	Trap nets	100
2.5	Rapana (sea snail)	377
2.6	Mussels farms	1

Source: NAFA

Fishing vessels registered by the State Shipping Inspectorate (01.10.2000)

<i>Number of vessels</i>	<i>Gross Tonnage</i>	<i>Length (m)</i>
26	90-2468	24<L<54
36	20-40	8<L<24
3 872	>20	L<8

Source: EAMA

Catches in the Black sea for the period 1995-1999 (tons)

Year	Fish catches	Invertebrates	Total catch (tons)
1999	5 154,1	3 902,0	9 054, 1
1998	4 120,0	4 394,1	8 514,1
1997	4 453,0	4 969,3	9 422,3
1996	4 466,9	3 266,6	7 733,4
1995	3 942,1	3 567,9	7 510,0

Source: NAFA

Bulgaria's catch by species (in tons/MT)

Species	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
A. Freshwater species													
Freshwater breams /Abramis spp/	70	63	60	-	-	-	-	70	74	91	91	83	71
Barbel /Barbus barbus/									92	120	112	113	93
Common carp /Cyprinus carpio/	10027	9527	9200	6189	6200	6200			19	16	16	20	22
Grass carp /Ctenopharingodon idella/									3	8	8	17	20
Silver carp + Bighead carp /Hypophthalmichthys molitrix + Aristichthys nobilis/	959	960	960	960	1000	1000			415	488	471	553	488
Cyprinids nei /Cyprinidae/	116	91	120	-	-	-	-	250	14	19	25	33	38
Wels(=Som)catfish /Silurus glanis/	8	2	10	10	10	10	18	20	30	27	13	8	56
Pike-perch /Stizostedion lucioperca/	18	1	10	10	10	10	29	30	22	26	15	15	18
Pike /Esox lucius/									0	0	2	16	14
Trouts nei /Salmo spp/	1514	1554	1455	700	700	700							
Freshwater fishes nei /Osteichthyes/	1083	921	1200	1534	1500	1500	1576	1550	107	230	180	219	206
B. Anadromous species (Sturgeons and Herrings)													
Sturgeons nei /Acipenseridae/	21	1	28	13	10	10	10	10	29	33	50	56	51
Pontic shad /Alosa pontica/	23	34	84	77	77	80	56	45	143	233	165	171	73
C. Black sea species													

Gobies nei /Gobiidae/	23	10	23	14	14	15	10	11	580	477	424	381	437
Mullets nei /Mugilidae/	10	12	3	1	1	1	6	6	25	29	31	13	17
Bluefish /Pomatomus saltatrix/	4	1	-	6	6	6	8	8	12	10	12	10	8
Species	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Black Sea horse mackerel /Trachurus mediterraneus ponticus/	826	1677	1101	164	164	165	79	80	70	68	36	40	30
European sprat /Sprattus sprattus/	10979	6199	7403	2651	2651	2650	2174	2200	2874	3535	3646	3275	3595
European anchovy /Engraulis encrasicolus ponticus/	13	115	-	-	-	-	-	-	35	23	44	48	36
Black sea bonito /Sarda sarda/	13	-	3	17	17	20	8	-	25	33	16	51	20
Picked(=Spiny)dogfish /Squalus acanthias/	90	51	28	16	16	15	12	12	80	64	40	28	25
Turbot /Scophthalmus maeoticus/									60	62	59	64	54
Garfish /Belone belone/									-	2	2	4	4
Black sea Shrimps									1	1	3	2	2
Mediterranean (Black) mussels /Mytilus galloprovincialis/	150	100	-	-	-	-	-	-	265	5	67	92	100
Rapana sea snail									3120	3260	4900	4300	3800
Sand(White) mussel /Venus gallina/	-	-	-	-	-	-	-	-	182	-	-	-	-
D. Ocean species													
Turbot /Psetta maxima/	3	4	1	-	-	-	-	-	-	-	-	-	-
Brazilian codling /Urophycis brasiliensis/	-	19	5	-	-	-	-	-	-	-	-	-	-
Haddock /Melanogrammus aeglefinus/-	-	-	-	3	-	-	-	-	-	-	-	-	-
Blue whiting(=Poutassou) /Micromesistius poutassou/	632	1729	360	31	30	30	-	-	-	-	-	-	-
Southern blue whiting	7766	2223	8468	20256	20311	8937	3138	-	-	-	-	-	-

<i>/Micromesistius australis/</i>													
Silver hake <i>/Merluccius bilinearis/</i>	-	-	-	88	-	-	-	-	-	-	-	-	-
Argentine hake <i>/Merluccius hubbsi/</i>	430	132	112	15	59	-	-	-	-	-	-	-	-
Cape hakes <i>/Merluccius capensis/</i>	-	-	179	2015	2000	2000	-	-	-	-	-	-	-
Patagonian grenadier <i>/Macruronus magellanicus/</i>	9627	33595	9160	983	40	44	-	-	-	-	-	-	-
Grenadiers <i>/Macrourus spp/</i>	1378	1412	132	-	-	-	-	-	-	-	-	-	-
Species	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Croakers, drums nei <i>/Sciaenidae/</i>	-	10	-	-	-	-	-	-	-	-	-	-	-
Largeeye dentex <i>/Dentex macrophthalmus/</i>	-	-	95	44	45	45	-	-	-	-	-	-	-
Patagonian toothfish <i>/Dissostichus eleginoides/</i>	95	51	331	8	1	-	223	-	-	-	-	-	-
Grey rockcod <i>/Notothenia squamifrons/</i>	82	-	-	1307	-	-	-	-	-	-	-	-	-
<i>/Patagonotothen longipes ramsai/</i>	-	-	5698	-	-	-	-	-	-	-	-	-	-
Antarctic rockcods, noties nei <i>/Nototheniidae/</i>	15	-	-	-	-	-	-	-	-	-	-	-	-
Pink cusk-eel <i>/Genypterus blacodes/</i>	15	-	-	-	-	-	-	-	-	-	-	-	-
Ruffs, barrellfishes nei <i>/Centrolophidae/</i>	60	363	417	-	-	-	-	-	-	-	-	-	-
Beaked redfish <i>/Sebastes mentella/</i>	12270	8769	4546	2739	2740	2740	3163	3600	-	-	-	-	-
Atlantic horse mackerel <i>/Trachurus trachurus/</i>	-	8	-	44	45	45	226	260	-	-	-	-	-
Chilean jack mackerel <i>/Trachurus murphyi/</i>	-	-	-	1649	1600	1600	-	-	-	-	-	-	-
Cape horse mackerel <i>/Trachurus capensis/</i>	49391	43791	43428	6459	6400	6400	-	-	-	-	-	-	-
Jack and horse mackerels nei <i>/Trachurus spp/</i>	-	-	-	10	10	10	-	-	-	-	-	-	-

Amberjacks nei <i>/Seriola spp/</i>	51	53	-	-	-	-	-	-	-	-	-	-	-
Butterfishes, silver pomfrets <i>/Stromateidae/</i>	1	322	-	24	-	-	-	-	-	-	-	-	-
Atlantic herring <i>/Clupea harengus/</i>	-	-	-	561	-	-	-	-	-	-	-	-	-
Sardinellas nei <i>/Sardinella spp/</i>	-	-	7	333	333	330	-	-	-	-	-	-	-
Clupeoids nei <i>/Clupeoidei/</i>	19	-	-	-	-	-	-	-	-	-	-	-	-
Tunas nei <i>/Thunnini/</i>	-	6	-	-	-	-	-	-	-	-	-	-	-
Club mackerel <i>/Scomber japonicus/</i>	5	-	-	191	191	185	-	-	-	-	-	-	-
Atlantic mackerel <i>/Scomber scombrus/</i>	565	288	754	2404	1170	1170	1883	2140	-	-	-	-	-
Marine fishes nei <i>/Osteichthyes/</i>	25	49	4	13	13	15	7	8	-	-	-	-	-
Species	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Marine crustaceans nei <i>/Crustacea/</i>	2	-	-	-	-	-	-	-	-	-	-	-	-
Common squids <i>/Loligo spp/</i>	50	-	-	-	-	-	-	-	-	-	-	-	-
Shortfin (Northern)squid <i>/Illex illecebrosus/</i>	-	-	-	40	-	-	-	-	-	-	-	-	-
Argentineshortfin squid <i>/Illex argentinus/</i>	3223	3875	7581	5524	1478	-	1062	-	-	-	-	-	-
E. Fresh water fish from inland waters (fish farms and reservoirs/lake-dams)													
Carp species(Common carp, Chines carps- Grass,Silver, Bighead carp), Wels(=Som)catfish, Pike perch, Oth.									-	-	-	3600	7230
Trout species(Rainbow trout, Brawn Balcan trout, Salvelinus)									-	-	-	560	450

F. Recreational fishing, angling(in the fresh water basins)									-	-	-	1350	1590
TOTAL	111652	118018	102966	57103	48842	35933	13688	10300	8277	8860	10428	15122	18548