



General Fisheries Commission for the Mediterranean
Commission Générale des Pêches pour la Méditerranée



LaMed-1 Project

Albania

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Overview of the fisheries legal framework

Main Legal acts related to fisheries in Albania

Law 7908 of 5.4.1995 "On Fisheries and Aquaculture", amended by

Law 8870 of 21.3.2002 "On FMO and co-management concepts"

Law No. 9093 of 03.7.2003 "On the ratification of the agreement for the establishment of the "General Fisheries Commission for the Mediterranean (GFCM)";

Law No. 9401 of 19.5.2005 "On the adhesion of the Republic of Albania to the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas";

Law No. 9822 of 29.10.2007 "On the adhesion of the Republic of Albania to the International Convention for the Conservation of Atlantic Tuna (ICCAT)";

A new law which will repeal the **Law no.7908** has been drafted and is in the final stages of approval

Overview of the fisheries legal framework (cont...)

Sub-legal acts related to the management of the fisheries sector

(Decision of Council of Ministers – DCM)

DCM No. 1062, of 16.7.2008 "On defining the competencies of the Fisheries Inspectorate and the establishment of a control system for the application of management policies in fisheries" ;

Rec. 2847/1993

DCM No. 954 of 30.09.2009 "On the organization, structure, function of Inter-institutional Operational Marine Center (IOMC) and on the interaction with government institution involved in maritime affairs"

Ministerial Regulations

Regulation No. 1, of 29.3.2005 "On implementing legislation in fisheries and aquaculture";

Rec. GFCEM 2005/1

Regulation No. 4, of 24.10.2008 "On devices allowed to be attached to trawls, Danish and boat seines and similar nets" ; Reg. 3440/1984 (EEC)

Regulation No. 5 of 24.10.2008 "On determination of detailed rules for the measurement of mesh size and the assessment of twine thickness in fishing nets"; Reg. 517/2008 (EEC)

Regulation No. 6 of 13.2.2009 "On laying down detailed rules for recording information on catches of fish" Reg. 2807/1983 (EEC)

Regulation No. 8 of 11.11.2009 "On management measures for the sustainable exploitation of sea fishery resources", Reg. 1967/2006 (EEC)

Regulation No. 9 of 25.01.2010 "Establishing a system to prevent, deter and eliminate illegal, unreported and unregulated fishing" Reg. 1005/2008 (EEC)

Access regimes to fisheries resources

The legal regime governing access to marine resources occurring within the national waters by both national and foreign fishing vessels is regulating by licensing system.

Issuing of permits (**fishing licenses**) is governed as in the following legislation:

- Law no. 10081, of 23.2.2009 "On Licenses, Authorizations and Permits in the Republic of Albania" Official Gazette, no. 31, date 25.3.2009, p. 1763.
- Law no.10137, of 11.5.2009 "On some amendments of legislation entered into power on licenses, authorizations and the permits in the Republic of Albania" Official Gazette, no. 86, dated 12.6.2009, p. 3775.
- Law no. ____ "On fisheries" Art. 41 **Reg. 1224/2009, 404/2011 (EEC)**
- Decision of Council of Ministers no. 538, of 26.05.2009 "On licenses and permits issued by and through the National Center Licensing (NCL) and other sub – legal common regulations" Official Gazette, no. 80, and p.3510.



Conservation and management measures

Res. GFCM/33/2009/2 On a minimum Mesh Size in the cod end of demersal trawls nets. ALB Regulation No. 8 of 11.11.2009

Rec. GFCM/33/2009/6 Concerning the establishment of a GFCM record of vessels over 15 meters authorized to operate in the GFCM area and

Rec. GFCM/33/2009/5 On the establishment of the GFCM Regional Fleet Register (RFR)

Thanks to the cooperation with MedFisis, **Albania has already in place** a vessel register that includes vessel of >12 m LOA and a small vessel register for vessels <12m LOA;

Rec. GFCM/33/2009/7 Concerning minimum standards for the establishment of a Vessel Monitoring System (VMS) in the GFCM area
The new law regulates the functioning of the VMS system. A Fishery Monitoring Center has already been established and VMS equipment installed.



Conservation and management measures (cont...)

It is forbidden trawling in more than 1000 m depth, in the Posidonia meadows, and over corraligenous habitats (**Regulation no.1 and Regulation no.8**); **Rec. GFCM/2005/1**

It is forbidden trawling in less than 3 nautical miles from the coast or inside the 50 m isobath when this distance is reached in a smaller distance from the shore (**Regulation no.8**); **Reg.1967/2006 (EC)**

Minimal allowed dimensions are determined for several species (**Regulation no.1**) **Rec. GFCM/2005/1** **Reg.1967/2006 (EC)**

In Albania there are no quota system (TAC) in place.

A closed season for the year 2012 during June- July and in Gulf of Vlora for trawling vessels is foreseen.



Monitoring, control and surveillance measures

Art. 86-87 of the Law: The Responsible Authority for monitoring fishing activities and fishing effort are Fishery Inspectors, monitoring sector in FD and IMOC. (Inter institutional Maritime Operational Centre)

Art. 90-93 of the Law: At IMOC is installed VMS (Vessel Monitoring System) and a radar/satellite system for AIS(Automatic Identification System)of the marine vessel activity. A link of VMS is installed to the Directorate of Fisheries.

Rec. GFCM 33/2009/7 and Reg. 1224/2009 (EC)

Chapter X, Art. 94-108 of the Law: "Control of Fishing activity", (Fishing vessel logbook)

Rec. GFCM 34/2010/1, Reg. 1224/2009 and Reg.199/2008 (EC)

Art.146-147 of the Law : IUU fishing **Rec. GFCM 32/2008/1 and Reg. 1005/2008 (EC)**

Articles 150 -155 of the Law:

The Fishery Inspectorate Sector in the Directorate of Environmental Control is responsible for the implementation of legislation and policies in the area of fisheries and aquaculture through Monitoring, Controlling and Surveillance



Enforcement procedures and sanctions

Articles 157-161

Article 158: Civil responsibility

Article 159: Administrative Penalties are 38 paragraphs with penalties starting from €50 to €300 000

(paragraph "D" Criminal Penalties

Article 160: Additional penalties

Article 161: Point system for serious infringements, In line with **Reg. 1005/2008 and 404/2011 (EC)**