



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



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Croatia

MAFRD

Expert Meeting on Fisheries Legislation in
the Mediterranean and the Black Sea

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Overview of the fisheries legal framework

- The umbrella law is the Marine Fisheries Act (OJ 56/10, 127/10 and 55/11)
 - definitions and basic principles, including co-operation and decision making process
 - management of the resources
 - technical measures in fisheries (including licensing)
 - management of the fleet
 - recording requirements
 - marine aquaculture – licencing, data, operation, criteria – key issue is spatial planning (does ICZM really work?)
 - inspection and control
 - sanctions



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Overview of the fisheries legal framework

- Ordinances, regulations and orders, governing different issues
- General framework provides for management and conservation measures and foresees management plans which shall contain specific targets
- The Act and its subordinate legislation apply to vessels flying Croatian flag irrespective of their location
- Other important legal instruments include:
 - Nature Protection Act
 - Maritime Law
 - Environmental Protection Act



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Overview of the fisheries legal framework

- Directorate of Fisheries within the Ministry of Agriculture, Fishery and Rural Development is the sole responsible body in charge for management measures – management measures are centralized!
- The Directorate comprises 3 sectors – Fleet and resources, Structures and markets and Inspection and control
- Inspection and control is shared with other bodies – Maritime police, Coast Guard, Port Authorities (complex system)
- Aquaculture – Ministry of Environmental Protection and Physical Planning, Ministry of Sea Affairs, Local governments



Overview of the fisheries legal framework

- Scientific support is provided through Institute of Oceanography and Fisheries
- Sector is organized through chambers (economy and crafts), cooperatives and NGOs – difficulties in communication?
- National Fisheries Council has been established in order to streamline the communication
- International mechanisms – GFCM, ICCAT, UN Straddling Stock, accession to the EU



Access regimes to fisheries resources

- Licensing regime for vessels flying Croatian flag
- In order to obtain the license, the vessel must be registered in Croatian Fishing Fleet Register
- Two main instruments:
 - Ordinance on Fishing Fleet Register of Republic of Croatia (OJ 148/10)
 - Ordinance on Licenses for commercial fisheries at sea and the Register of licenses issued (OJ 144/10)
- Sport and recreational fisheries need to be licensed as well
- BFT fishery holds additional restrictions (additional authorization for fishing)



Conservation and management measures

- Fishing capacity governed by Ordinance on Fishing Fleet Register of Republic of Croatia (OJ 148/10) and Ordinance on Licenses for commercial fisheries at sea and the Register of licenses issued (OJ 144/10)
- Instruments provide for elements of capacity management, set up the rules for entry into the fleet and the rules for exit from the fleet
- Buy-off of licenses and corresponding capacity has been set up since 2006.
- BFT capacity has been greatly reduced (Ordinance on catch, farming and marketing of bluefin tuna, Mediterranean swordfish and spearfish (OJ 26/11, 31/11 and 52/11))



Conservation and management measures

- Fishing effort issues are governed by a complex set of spatial and temporal restrictions, resulting in effort management measures (Ordinance on commercial fisheries at sea (OJ 63/10, 141/10, 148/10 and 52/11))
- Croatia operates a rather elaborative scheme of closures of areas and fisheries, thus governing the number of days at sea and effort exercised
- TAC for BFT



Conservation and management measures

- Minimum landing sizes
- Specially protected areas as well as gear restrictions in terms of technical characteristics
- Specific provisions on by-catch (specific national framework whereby gears are categorized as per target species)
- Sport and recreational fisheries are governed by specific set of rules
- Bluefin tuna fisheries is specifically regulated in order to take on board all the ICCAT recommendations



Monitoring, control and surveillance measures

- General framework for MCS measures is provided in the Marine Fisheries Act
- MCS measures implemented via other legal instruments (Act on Coast Guard, Maritime Law) and in cooperation with other entities (Port Authorities, Maritime police)
- VMS introduced in 2007 (Ordinance on vessel monitoring system and the fisheries monitoring center (OJ 63/10))
- electronic logbook, AIS system



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Monitoring, control and surveillance measures

- Logbook obligations in 2001.
- Ordinance on form, content and manner of keeping and submission of logbooks, landing declarations and catch reports in commercial fisheries at sea (OJ 144/10)
- General reporting obligations
- Sales notes introduced in 2009, and their submission is governed by Ordinance on placing on the market of fish and other marine organisms (OJ 154/08)
- This ordinance sets the framework for landing of fish in Croatian ports by vessels flying other flags



Enforcement procedures and sanctions

- Main elements governing enforcement procedures and sanctions are contained in the Marine Fisheries Act
- Law on Administrative Procedures governs elements of process and procedure
- MFA stipulates different levels of sanctions:
 - fines
 - seizures
 - misdemeanour (minor) offences
 - major offences
 - criminal procedures
- General legal framework requires proofs of infringements, and allows for complains (to first instance decisions)
- Training and SOP



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**THANK YOU FOR YOUR
ATTENTION**