



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



**LaMed-1 Project**

# Montenegro

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

Beirut, Lebanon, 26-28<sup>th</sup> October 2011



## Overview of the fisheries legal framework

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The basic regulations that include biological resource management, i.e., fishing, farming and protection of fish and other organisms in the sea on the principles of sustainable development, is the Law on Marine Fishery and Mariculture.

The Law on Marine Fishery and Mariculture provides a basic legal framework, which is partly harmonized with the secondary legal sources of the EU and Regulations of GFCM.

- Secondary legislation have being prepared, by the end of 2012
- Amendments on the Law are planned in 2012, in order to timely implement the regulations of GFCM
- Engaged a legal expert from the EU, through the IPA 2009



- Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ( OJ L 358, 31.12.2002, p.59-80);
- Commission Regulation (EC) No 356/2005 of 1 March 2005 laying down detailed rules for the marking and identification of passive fishing gear and beam trawls (OJ L 56, 2.3.2005, p.8-11);
- Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy (OJ L 128, 21.5.2005, p.1-14);
- Council Regulation (EC) No 27/2005 of 22 December 2004 fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required;
- Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p.55-205);
- Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register (OJ L 5, 9.1.2004, p. 25-35) ;
- Commission Regulation (EC) No 2244/2003 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring System (OJ L 333, 20.12.2003, p.17-27);
- Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea (OJ L 160, 14.6.2006, p.1-11);
- Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund (OJ L 223, 15.8.2006, p. 1-44);
- Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11-85);
- Council Regulation (EC) No 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing (OJ L 409,30.12.2006, p.110);
- Council Regulation (EC) No 2369/2002 of 20 December 2002 amending Regulation (EC) No 2792/1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector (OJ L 358, 31.12.2002, p.49-56) ;
- Council Regulation (EC) No 1936/2001 of 27 September 2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish (OJ L 263, 3.10.2001, p. 1-8);
- Commission Regulation (EC) No 1639/2001 of 25 July 2001 establishing the minimum and extended Community programmes for the collection of data in the fisheries sector and laying down detailed rules for the application of Council Regulation (EC) No 1543/2000 (OJ L 222, 17.8.2001, p. 53-115) ;
- Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22-52 ) ;
- Council Regulation (EC) No 1447/1999 of 24 June 1999 establishing a list of types of behaviour which seriously infringe the rules of the common fisheries policy (OJ L 167, 2.7.1999, p. 5-6).



The Law on Marine  
Nations Convention  
International Code  
Compliance Agreement  
Mediterranean (Barcelona)  
coastal area of Member States  
Provisions of the Convention  
Conservation and Management of  
Stocks Agreement  
Convention on Straddling Fish  
UN/ECE Convention  
Justice in Environmental  
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## Access regimes to fisheries resources

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The Law on Marine Fishery and Mariculture also regulates the issues related to determination of conditions for fishing activities, which may be:

- commercial,
- sports-recreational and
- fishing for scientific-research purposes.

Based on the fishing capacity and the significance of the commercial fishing (the species and commercial value of fish and other marine organisms), the commercial fishing is classified into the following:

- large-scale commercial fishing, and
- small-scale commercial fishing

**and may be carried out only with a fishing permit.**



## Conservation and management measures

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The Law on Marine Fishery and Mariculture also regulates the issues related to Management of the living marine resources through the :

- The principles for sustainable management of the living marine resources and marine environment
- Protection of the marine environment and living marine resources
- Measures on the protection of biodiversity and environmental conditions
- Montenegro Fisheries Development Strategy
- Management Plan
- Intervention management measures
- Protected fishing areas
- Protected species of fish and other marine organisms
- Protection of juveniles and other marine organisms and minimum size limits



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# Monitoring, control and surveillance measures

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In accordance with the Law Monitoring, control and surveillance are implemented by :

- Fishery unit – Ministry of Agriculture and rural Development
- Institute of marine Biology
- Fishery Inspectors
- Border Police

Development of the Fisheries Information System continued through the IPA 2009 project “Sustainable management of marine fisheries.

Also, it is planned that by mid 2012 through the project, establish a VMS, eelectronic logbook for vessels over 12 LOA, buying scientific research vessel for Instutute of Marine Biology in order to provide better supervision and control of fish stocks and fishing activities.

### **The key regulations included in the Fishery Information system are as follows:**

Commission Regulation(EC) No 26/2004 of 30 December 2003.  
Commission Regulation(EC) No 1438/2003 of 12 August 2003.  
Council Regulation(EC) No 3259/94 of 22 December 1994.  
Commission Regulation(EC) No 1381/87 of 20 May 1987.  
Council Regulation(EC) No 2930/86 of 22 September 1986.  
Commission Regulation(EC) No 129/2003 of 24 January 2003.  
Council Regulation(EC) No 2847/93 of 12 October 1993.  
Commission Regulation(EC) No 2807/83 of 22 September 1983.  
Council Regulation(EC) No 2057/82 of 29 June 1982.



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THANK YOU FOR YOUR ATTENTION