

Chapter 13: Fisheries

The *acquis* on fisheries consists of regulations, which do not require transposition into national legislation. However, it requires the introduction of measures to prepare the administration and the operators for participation in the Common Fisheries Policy (CFP). The scope, the objectives and the principles of the CFP are laid down in a framework regulation (Council Regulation (EC) N° 2371/2002). The CFP provides rules for the conservation of living aquatic resources, the limitation of the environmental impact of fisheries, conditions of access to waters and resources, structural policy and the management of the fleet capacity, control and enforcement, aquaculture, common organisation of the market and international relations. The CFP is based on sound scientific advice and provides a framework for data collection.

With regard to **resource and fleet management**, the *acquis* contains precise rules for the adjustment of fishing capacity to ensure a balance between fleets and stocks as well as for the measurement of tonnage. It provides that Member States shall collect data for the EU fishing fleet register and establish a satellite based vessel monitoring system. Specific technical measures for the conservation of fisheries resources apply in the Mediterranean.

Inspection and control are mainly the responsibility of Member States. The *acquis* establishes detailed rules for the registration and reporting of catches. A Member State must have the administrative capacity for the effective control, inspection and enforcement of the CFP.

Two framework legislative acts govern the financial instruments of the EU for implementing the CFP. The first, Regulation No 861/2006, concerns for instance control, stakeholder participation, international agreements, data collection and scientific advice. The second, Regulation No 1198/2006 and its implementing Regulation No 498/2007, define the financial scope, areas of intervention and management of the European Fisheries Fund (EFF). In order to access the EFF, EU Member States are required to prepare a National Strategic Plan (NSP) and an Operational Programme (OP) and to 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 is based on the application of common marketing standards, producer organisations, market intervention mechanisms, information to consumers and trade arrangements regime with third countries.

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 fisheries, 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.

I. GENERAL

A. Fisheries legislation

1. Please describe the main elements of your national legislation concerning fisheries.

National legislation concerning aquaculture and fisheries falls under the responsibility of the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning.

The basic regulation covering aquaculture, i.e. the farming of fish, juvenile fish and fertilized spawn and other aquatic organisms in facilities and cages is the Law on Animal Husbandry (Official Gazette of RS No 41/09).

The Law on Animal Husbandry lays down:

- objectives, operators and their organisational forms, breeding goals and implementation of breeding programmes, productivity control, conservation of characteristics and farming in the field of aquaculture;
- organisations with specific powers, broodfish, juvenile fish and fertilized spawn farms;
- requirements for production of fish, fertilized spawn and juvenile fish, and powers and duties of agricultural inspectors responsible for aquaculture.

The basic regulation covering management of fish stock in fishing waters, including protection and sustainable exploitation of fish stock as natural and common resources, is the Law on Protection and Sustainable Use of Fish Stock (Official Gazette of RS No 36/09).

The Law on Protection and Sustainable Use of Fish Stock lays down:

- establishment and proclamation of fishing areas;
- conservation and protection of fish stock;
- requirements concerning commercial, recreational and sport fishing and fish trade; and
- Supervision over law enforcement.

There are also rulebooks governing additionally this field, as follows:

- The Rulebook on Technical Requirements for Fish Ponds (Official Gazette of RS No 27/81) specifying what a fish pond is and the related technical requirements;
- Rulebook on content and form of demand for entering to register of breeders organizations and breeders associations and Organisations with Specific Powers, Including Contents and Method of Keeping the Register (Official Gazette of RS No 67/09), laying down the rules on keeping the register of breeders organisations and organisations with specific powers including broodfish, juvenile fish and fertilized spawn farms;
- The Rulebook on Facilities and Equipment Requirements to be Met by Breeders Organisations and Organisation with Specific Powers and Professional Personnel Requirements to be Met by Organisations with Specific Powers (Official Gazette of RS No 103/09), laying

down the rules on keeping the register of breeders organisations and organisations with specific powers including broodfish, juvenile fish and fertilized spawn farms.

The basic regulation covering veterinary issues related to the fisheries field is the Law on Veterinary Matters (Official Gazette of RS No 91/2005 and 30/2010) governing:

- protection and improvement of animal health and welfare;
- Contagious animal diseases and measures for prevention of outbreak, detection, prevention of spreading, control and eradication of contagious animal diseases and animal diseases passable to humans;
- veterinary-sanitary inspection and requirements for production and trade of animals, products and food of animal origin, feed; and
- requirements for the performance of veterinary activity.

Procedure of registration into and deletion from the register of fish farming facilities and their registration into the central database of the Veterinary Directorate, approval and registration of facilities for treatment, processing, storage and trade of fish and fishery products, as well as establishment of the requirements in these facilities are laid down by Articles 72 through 78 of the Law on Veterinary Matters and the Rulebook on Requirements for Facilities for Animal Slaughtering and Treatment, Processing and Storage of Products of Animal Origin (Official Gazette of SFRY No 53/1989).

Implementation of fish health protection measures is more closely regulated by the Programme of Fish Health Protection Measures adopted on annual basis.

The procedure for carrying out veterinary-sanitary inspections in production and trade (domestic and international trade) is also laid down by the Law on Veterinary Matters and specified in Articles 133 through 153 of Chapter VIII of the Rulebook on Method of Carrying out Veterinary-Sanitary Inspections and Control of Animals Prior to Slaughtering and Products of Animal Origin (Off. Gazette of FRY No 68/89).

The Rulebook on the Method of Loading, Reloading and Unloading of Animals and Products, Raw Materials and Debris of Animal Origin, the Requirements for Transport Means and Hygienic-Technical Requirements for Shipments and Forms of Certificates on Health Condition Thereof (Off. Gazette of SFRY No 69/90) lays down trade requirements and the procedure for determining these requirements.

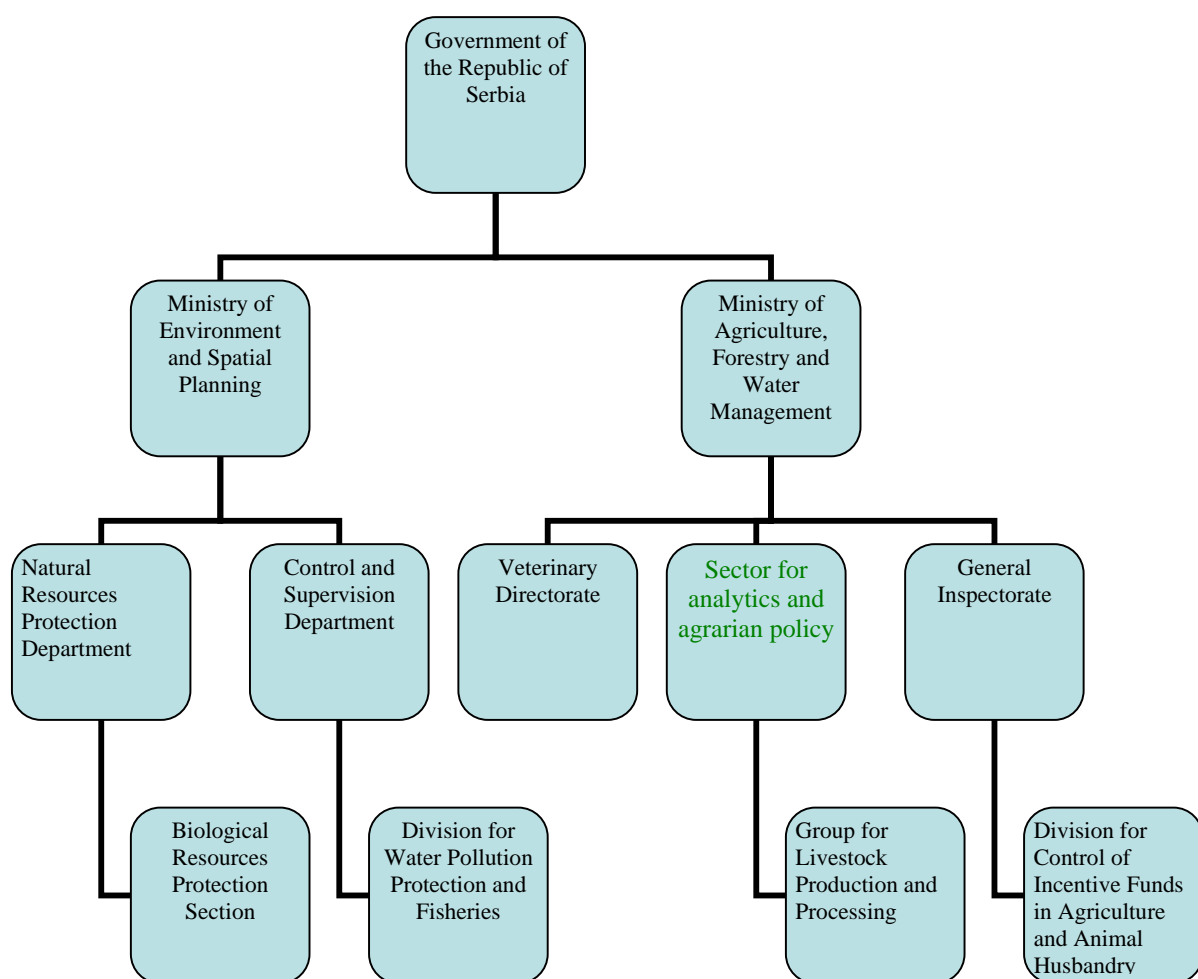
The Rulebook on Quality and Other Requirements for Fish, Crustaceans, Shellfish, Sea Urchins, Sea Cucumbers, Frogs, Turtles, Snails and Products Thereof (Off. Gazette of FRY No 6/2003) laying down the quality of fish and fishing products to be met in production and trade and other provisions relating to labelling, microbiological safety, presence of residues, etc.

The regulations in the field of veterinary and food safety are provided in Chapter 12 of this Questionnaire.

B. Administrative structure

2. Provide an organisation chart describing the organisation of the fisheries administration and the fisheries inspection. Describe the relations between these bodies and the hierarchy in the system.

Chart 1: Organisation chart of the fisheries administration



Organisation chart of the Veterinary Directorate is given under point 3 of Chapter 12 of this Questionnaire.

In the Republic of Serbia, the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning are responsible for the fisheries sector. Competences and powers of the ministries arise from the Law on Ministries (Official Gazette of

RS No 65/08) specifying the fields under the responsibility of particular ministries and administrative authorities within the ministries.

Activities in the field of aquaculture and fisheries are performed by the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning.

The Ministry of Agriculture, Forestry and Water Management is responsible for production of fish and other aquatic organisms in aquaculture facilities while the Ministry of Environment and Spatial Planning is responsible for fisheries, i.e. commercial and sport fishing. In case when the organisms of foreign origin are to be introduced into an aquaculture facility, the permission of the minister responsible for environmental protection is required.

Within the Ministry of Agriculture, Forestry and Water Management, aquaculture falls under the responsibility of the Analytics and Agricultural Policy Department, the Veterinary Directorate and the General Inspectorate.

Sector for analytics and agrarian policy:

- proposes, draws up and enforces the law and bylaws in the field of aquaculture;
- prepares economic analysis in the field of aquaculture; and
- issues decisions on registration into the register of breeders organisations and organisations with specific powers.

Sector for analytics and agrarian policy, which includes the Group for Livestock Production and Processing, is managed by the assistant minister.

Within the Group, the mentioned tasks are assigned to one job position. During the process of legislation preparation and improvement, the Group makes consultations with other Departments, coordinates also other responsible/competent authorities and relevant scientific institutions and fish stock users. The Ministry of Agriculture, Forestry and Water Management has legal advisors to solve aquaculture related issues.

Inspections in the field of aquaculture are carried out by the General Inspectorate - the Division for Control of Incentive Funds in Agriculture and Animal Husbandry involving 29 inspectors and 1 head of division.

The Veterinary Directorate, as an authority within the Ministry of Agriculture, Forestry and Water Management, performs the tasks of public administration and professional tasks in the field of aquaculture concerning:

- animal health protection and welfare;
- veterinary-sanitary control and safety and quality control in the process of production, storage and trade of animals and products, raw materials and food of animal origin, feed and by-products of animal origin and control of organisms and objects liable to transmit a contagious disease;
- approval and registration of facilities for breeding, production, storage and trade of animals, raw materials and food of animal origin, feed and by-products of animal origin (fish ponds, etc); and
- other tasks as provided by the law.

In accordance with Article 11 of the Law on Food Safety (Official Gazette of RS No 41/09), the central responsible authority in the field of food safety is the Ministry of Agriculture, Forestry

and Water Management, and official control is carried out by veterinary inspection within its powers provided for in Article 12 of this Law.

When carrying out official controls, to perform monitoring of sampling and inspection relating to identification of incompatibilities, the competent inspection offices use the services of accredited National Reference Laboratory and laboratories authorized to perform these tasks.

The Ministry of Environment and Spatial Planning is responsible for:

- management of fish stock in fishing waters, which includes protection and sustainable exploitation, catch, use and trade of fish;
- sustainable exploitation of fish stock, which contributes to conservation of ichthiofaunistic diversity and ecologic integrity of aquatic ecosystems;
- establishing the requirements for carrying out activities of commercial, recreational and sport fishing and fishing for scientific and research purposes, and electro fishing;
- establishing the requirements for carrying out fish translocation activities;
- Effective supervision, including inspectors' rights, duties and powers.

3. Are there plans to introduce other bodies or otherwise change the organisational structure in the short or medium term?

In the Ministry of Agriculture, Forestry and Water Management there are no plans to introduce new bodies.

In the Ministry of Environment and Spatial Planning there are no plans for changes in organisational structure.

4. Describe the decision-making process and how competencies are delegated.

Decision-making process is delegated based on the organisational chart and competencies are delegated in accordance with the positions described.

Within the Ministry of Agriculture, Forestry and Water Management, the delegation of the cases related to aquaculture sector is as follows:

- The Minister delegates these cases to the assistant minister responsible for the Sector for analytics and agrarian policy.
- The Assistant Minister delegates these cases to the Head of Group for Livestock Production and Processing and, within the group, to the advisor for aquaculture.
- When legal opinions are necessary for handling the cases received, the Group submits request to the Department of Legal, General and Normative Affairs.

- The Ministry submits requests for a scientific opinion and opinion of the institutions directly responsible for certain issues to the institutes and faculties and/or to the ministries, administrations, laboratories and other aquaculture related institutions.
- After completion of the procedure, the advisor proposes to his head solution for the case, and the final decision is made by the minister.

For drawing up a law, the Minister sets up a commission consisting of representatives of other competent public administration authorities, the competent scientific institutions, associations and breeders in the field of aquaculture. The advisor for aquaculture coordinates work of the commission and handling of all comments and suggestions submitted by the relevant entities, and also prepares final version of a law being then the subject of the Government and parliamentary procedure.

Bylaws adopted based on powers provided by the law governing the field of aquaculture are adopted by the Government at the proposal of the Ministry of Agriculture, Forestry and Water Management.

The role of inspection in aquaculture control is in accordance with the Law on Animal Husbandry . The inspectors verify compliance with the requirements for breeders organisations and organisations with specific powers and carry out control of the work of breeders organisations and organisations with specific powers - broodfish, juvenile fish and fertilized spawn farms.

In accordance with the Law on Animal Husbandry, breeders organisations must obtain the Minister's decision on fulfilment of the prescribed requirements by submitting application for verification of the prescribed requirements to the General Inspectorate - the Division for Control of Incentive Funds in Agriculture and Animal Husbandry. The Minister issues decisions on compliance with the prescribed requirements based on the inspector's records. Also, in accordance with Article 13 of the Law on Animal Husbandry ,breeders organisations are obliged, for the purposes of registration into the Register of Breeders Organisations and Organisations with Special Powers, to submit to the Ministry of Agriculture, Forestry and Water Management, along with the decision, application using a prescribed form.

Within the Ministry of Environment and Spatial Planning there are two classified job positions of advisor for fishing resources protection. Professional issues relating to restocking, introduction of new species in aquaculture and proclamation of fishing areas are assigned to an authorized professional organisation - the Institute for Nature Conservation of Serbia.

The Minister refers the cases related to protection and sustainable use of fish stock to the advisors for protection of fishing resources. If a scientific or professional opinion is required for handling certain cases, the Ministry of Environment and Spatial Planning refers the case to the Institute for Nature Conservation of Serbia requiring their opinion.

Allocation of responsibility between the Ministry of Agriculture, Forestry and Water Management and the Ministry of Health as regards food safety is very precisely defined in Article 12 of the Law on Food Safety (Official Gazette of RS No 41/09) in order to avoid any misunderstandings and overlapping of competences. There is no delegation of competences to other offices and supervision is carried out in accordance with Chapter XV (Articles 72 through 77) of this Law specifying tasks by inspection offices (veterinary, phyto-sanitary, agricultural and sanitary). Annex 2 contains the translated Law on Food Safety.

Cooperation between the competent Ministries and authorities within the Ministries is carried out by means of direct contacts, written communication, by phone and e-mail and through organisation of joint field work.

The management structure of the Veterinary Directorate is of a pyramidal type and it is organized as follows:

- Local veterinary inspectors are directly responsible for their work to district heads who are responsible to the head of Veterinary Inspection Division (central level) who is responsible to the director of the Veterinary Directorate;
- Information and orders are transmitted directly from the director of the Veterinary Administration to the head of the Veterinary Inspection Division who distributes them to the district heads (25 districts) and these to the inspectors at local levels.
- Inspectors submit reports on their work to the district head.
- District heads prepare collective reports for the districts and submit them to the head for consolidation in a collective report on inspection work (weekly, semi-monthly, monthly, semi-annual, annual) to be presented to the director.
- The authorized laboratories are required to submit the analysis results for field samples taken by the inspectors to the central competent authority, particularly in case of noncompliance with the current regulations. Based on the report and analysis results the situation in the field is considered and working plans for the forthcoming period are prepared.

5. Describe the information flow between authorities. Are there cases where the information flow is not working properly? What is being done to counteract these deficiencies?

The information flow is prescribed in accordance with the Law on Public Administration (Official Gazette of RS No 79/05 and 101/07), the Law on General Administrative Procedure (Official Gazette of FRY No 33/97 and 31/01) and the Rulebook on Internal Organisation and Classification of Job Positions in the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning.

The Ministry of Agriculture, Forestry and Water Management closely cooperates with other relevant authorities, institutions and associations in the field of aquaculture.

The information flow between the authorized bodies is at a satisfactory level and the deficiencies are removed through a direct communication.

In case where the information flow between the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning is not working properly, the current issues are resolved and the related decisions are made at the meetings of the ministers and heads of administrations and inspection offices.

6. Describe the administration in place for market policy (notably as regards control of the implementation of common marketing standards, in ports and on wholesale markets, and of consumer information; control of quantities that are withdrawn from the market; collection of market information in the NUTS regions; collection and transmission of data concerning the price reference regime; application of the recognition conditions for producer organisations).

The regions have not yet been established and there is no collection of market information in the NUTS regions.

The Republic of Serbia has no sea, seaports or wholesale markets of fish and fishery products which results in its orientation to import of sea fish and fishery products from maritime countries, fish farming in fish ponds, individual catch in rivers and processing of either sea fish or river fish from own resources.

For importation of fish into the Republic of Serbia, the Veterinary Directorate issues decision on verification of veterinary and sanitary requirements for import pursuant to Article 124 of the Law on Veterinary Matters (Annex 3 - Translation of the Law on Veterinary Matters).

Standard implementation and marketing control in fish farming facilities, production facilities and facilities for storage and trade of fish and fishing products is carried out as follows:

A party submits to the Veterinary Directorate application for:

1. registration into the register of fish ponds, subject to previously obtained approval of the competent authorities of the Republic of Serbia in the field of water management and ecology;
2. Registration and approval, i.e. verification of veterinary and sanitary requirements for production and storage of fish and fishery products.

If the prescribed requirements are fulfilled, the facility referred to in point 1 receives decision on registration into the register of the Veterinary Directorate and based on that authorizing him to produce and place on market live fish.

As regards the facilities referred to in point 2, a commission is formed to carry out on-the-spot checks concerning fulfilment of the prescribed veterinary and sanitary requirements, in accordance with Articles 73 and 78 of the Law on Veterinary Matters. These facilities are registered into the Register of facilities for internal trade, assigned veterinary control number and export control number and obtain the decision authorizing him to produce and place on market fish and fishery products and, in case of an export facility, to export them to third countries. Control on fish ponds assumes also control of health condition of fish carried out in accordance with the Programme of Health Protection Measures for a current year and other measures provided by the Law on Veterinary Matters and the Law on Food Safety, also carried out by veterinary inspectors.

Harmonization of International Veterinary Certificate accompanying shipment in export, import and transit is carried out by the Veterinary Directorate in cooperation with the relevant offices in other countries. After harmonization of certificates and receiving instructions for issue,

veterinary inspectors carrying out control in the abovementioned facilities may issue certificate for export of fish and fishery products. Each shipment in import and transit must be accompanied by harmonized International Veterinary Certificate issued by the competent veterinary inspector from the country of shipment origin. Such shipments are subject to control at border point of entry carried out by border veterinary inspection.

Control in trade of fish and fishery products is carried out by veterinary inspectors. As regards incompatibilities identified, the veterinary inspectors implement the measures as provided by the law and submit reports on withdrawal of goods from the market on monthly and annual basis. Information from these reports are collected within the Veterinary Directorate and made public.

Pricing and market flows as well as enforcement of regulations in this field are monitored and performed by Market Inspection.

As a consumer organisation, there is the Group for Fisheries within the Serbian Chamber of Commerce which enlists 70 fish ponds. It is not in the form recognized by the EU Common Fisheries Policy.

7. Is there any structural policy specifically for fisheries? If yes, information on the competent authority and a short description of the procedures should be provided.

Aquaculture, as a branch, belongs to the agricultural sector. Currently, there is no structural policy specifically for aquaculture. Also, there is no structural policy specifically for small scale commercial fisheries.

8. How would your administration administer structural aid to the fisheries sector?

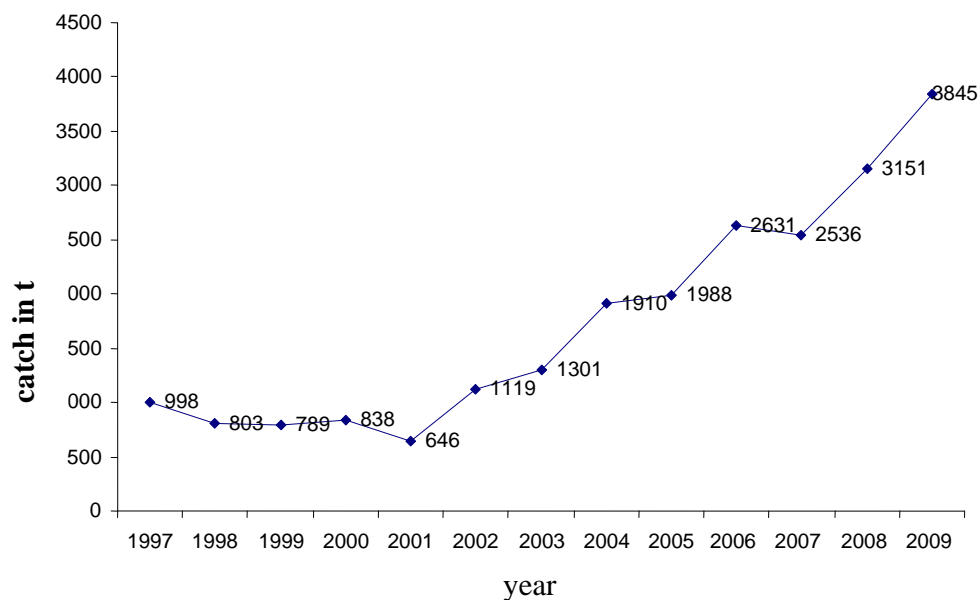
As a basis for use of funds, the Republic of Serbia will develop an Operational Fisheries Programme oriented to increase of production in fish ponds in the Republic of Serbia and to producer organisations with a view of increasing production in aquaculture and catches per unit of fishing effort of commercial fishermen.

C. Economic data

9. Describe the evolution in catch quantity, first sale value and export value in the fisheries sector (catching, processing, marketing and support services), including aquaculture, over the last years.

Catch quantity in fishing waters has changed over recent years and it records a growth rate. The following chart presents catches on annual basis.

Chart: The trend of total catch in Serbian waters during the period 1997 - 2009



Since 2003 a mild growth of catch has been generally recorded for all fish species of ecosystem of inland waters that are target catch of recreational and commercial fishing, while the increase in catch recorded for carp, catfish, pikeperch and somewhat pike has been markedly high due to the increase in demand of these species on Serbian market.

Table: First sale value per fish species

Product	Measuring unit	2005	2006	2007	2008	2009
Carp	kg	154,24	155,51	165,45	208,45	218,30
Trout	kg	197,47	199,21	199,68	215,12	222,45
Other freshwater fish	kg	113,45	122,43	107,21	108,49	129,45

Since 2005 a mild increase in export in the field of fisheries has been recorded and import has been increased by approximately 40%. The import significantly surpasses the export, both in terms of quantity and value.

Table: Value of export and import of fish and fish products

Year	Import		Export	
	Import in kg	Import in €	Export in kg	Export in €
2005	28.217.751	44.105.649	909.679	2.476.116
2006	29.147.304	46.330.072	1.196.539	2.655.238
2007	35.664.603	62.928.288	1.291.669	3.009.513
2008	35.876.895	71.571.430	1.329.194	5.403.392
2009	39.308.706	75.346.769	1.311.131	4.808.163

Over the last years, fish landing has been recording a continuous growth. In addition to increase in fish ponds landing, there is also increase in areas under fish ponds.

Table: Value of fish production from trout and carp fish ponds

	Measuring unit	2005	2006	2007	2008	2009
Carp	t	3.806	4.474	6.030	6.605	6.560
Trout	t	544	539	579	929	880
Total	t	4.350	5.013	6.609	7.534	7.440

Table: Area of trout and carp fishponds

	Measuring unit	2005	2006	2007	2008	2009
Area of carp fishponds	ha	4.375	7.550	8.748	8.021	8.524
Area of trout fishponds	ha	38	70	66	74	36
Total fishpond area	ha	4.413	7.620	8.814	8.095	8.560

Requirements for fish marketing are described in answer to the question 19.

10. Describe the evolution in overall employment in the fisheries sector, including aquaculture, over the last years.

Employees in fisheries have been grouped to those working in fish ponds, in water management and to commercial fishermen. The number of employees either stagnates or decreases depending on the activity they are engaged in. The following table shows trend in employment in the fisheries sector.

Table: Number of employees in the fisheries sector

	Year			
	2006	2007	2008	2009
Number of employees on fish ponds	814	890	920	878
Number of water bailiff	591	561	346	360
Number of employees in water management	3173	3177	3247	3107
Number of professional fishermen	1051	611	520	667

Source: Republic Statistical Office Employment in the commercial fishing sector may be expressed by the number of commercial fishing licences issued.

Table: Number of commercial fishing licenses sold in the Republic of Serbia in the period 2006-2009

	Year			
	2006	2007	2008	2009
Number of commercial fishing licenses issued	648*	896	941	905

* figures for 2006 are not complete and cover only the licences issued in public enterprises Vojvodina Forests and Serbian Forests

By adoption of the Law on Protection and Sustainable Use of Fish Stock in 2009, commercial fishing may be performed by an entrepreneur registered into the register of commercial fishermen or a business company provided it employs two persons with bachelor degree (or master degree) in the fields of biology, ecology or animal husbandry. All employed persons have to pass professional exam for commercial fishermen and be registered into the register of commercial fishermen, so the trend in employment can be monitored in the next period.

II. RESOURCE AND FLEET MANAGEMENT

A. Fishing fleet

11. What are the principal fisheries in your country and what is their geographical distribution?

Commercial fishing is carried out on the Danube, the Sava and the Tisa rivers. Although these are the largest rivers flowing through Serbia, their geographic contribution in relation to the entire territory is reduced to one third of the country's territory. In accordance with the Regional Strategy for Conservation and Sustainable Management of Sturgeon Population of the North-West Black Sea and Lower Danube River in accordance with CITES, November 26 2003, Tulcea, Romania, the fishing on the Danube River from 863 km to 860 km (Hydroelectric Power Plant "Djerdap II") is prohibited.

12. Where are fishing vessels located and what are their areas of operation? What type of gear do they use?

Fishing vessels are small size vessels (less than 6 m in length) and are located on the Danube, the Sava and the Tisa rivers. Gear includes various types of gillnets and seines as well as longlines that may have up to 100 hooks and traps.

B. Fleet register

13. Does your country have a fleet register? If yes, describe the administrative structure for the fleet register and specify its status.

The Republic of Serbia does not have a fleet register.

C. Fishing licenses

14. How is the issuing of fishing licenses organised?

Commercial fishing licenses are issued by the user of fishing area where this type of fishing is allowed. Number of licenses is established by the Programme on Fishing Area Management which is subject to approval by the Minister of Environment and Spatial Planning. The Republic of Serbia is divided into six fishery areas. The basic condition for obtaining fishing license is the presentation of the excerpt from the register of commercial fishermen. A commercial fisherman may obtain an evidence of registration into the register of commercial fishermen provided he passed professional exam for commercial fishermen.

Recreational fishing licenses are printed by the Ministry of Environment and Spatial Planning and issued and distributed by the fishing area user.

15. What is the mechanism to withdraw licenses when the conditions for these are not met?

A commercial fishing license may be withdrawn in case the license holder has ceased to meet the conditions provided by the Law on Protection and Sustainable Use of Fish Stock. Licences are withdrawn based on inspections and the holder is deleted from the register of commercial fishermen.

If a license holder commits an offence, his license may be temporarily withdrawn pending completion of judicial proceedings and only the court is empowered to permanently withdraw a fishing license.

D. Catches and landings

16. Provide statistics for catches and landings per type of fishery.

Statistics for catches and landings are kept within the Ministry of Environment and Spatial Planning and the Environmental Protection Agency since 2010 and it includes fish catches per species and locations. A commercial fisherman keeps catch records and provides monthly and annual catch reports for the fishing area user. In the previous period, statistical data were monitored by the Republic Statistical Office based on survey of all stakeholders.

Table: Landing of commercial fishermen per fish species (kg)

Year	2006	2007	2008	2009
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Fish species				
Sterlet	29.511	27.440	41.497	30.154
Carp	132.166	120.269	199.639	208.317
Catfish (Wels)	128.809	126.957	178.688	182.660
Pike-perch	99.071	84.771	129.005	130.957
Pike	41.055	26.615	50.561	64.721
Grass Carp	22.973	13.355	8.271	7.313
Bighead and Silver Carp	192.768	104.415	171.875	222.833
Bream	258.671	271.591	214.942	278.715
Tench	533	55.420	469	0
Perch	1.050	22.710	563	50.100
Barbel	70.383	43.327	112.369	57.843
Silver Prussian carp	488.401	366.574	373.662	406.509
Rudd	101.596	29.108	118.133	28.390
Asp	45.580	68.569	32.155	36.541
Chub	1.100	450	1.925	800
Common Nase	28.280	55.290	9.500	9.135
Other species	52.977	30.542	39.669	415.331
Total	1.694.924	1.447.403	1.682.923	2.130.319

Source: Republic Statistical Office

E. Other

17. Are there any producer organisations?

There are no producer organisations in the form recognized by the EU Common Fisheries Policy. There is the Group for Fisheries within Serbian Chamber of Commerce involving 70 fish ponds.

Activities and tasks of the Group for Fisheries are:

- improvement of operations and harmonization of the Group's activities
- consideration and proposal of views on issues of the Group's concern and interest
- consideration and giving of opinions on drafts and proposals for the relevant laws in order to improve the work and operations
- consideration of other issues of significance to the Group's work.

The Group's members account for about 50% of market share.

18. Are there any specific provisions on consumer information?

There are the Law on Consumer Protection (Official Gazette of RS No 73/10) and organisations for consumer protection. This law lays down the basic consumer rights, the way of their exercising, protection of consumer rights and implementation of ethic principles through protection of consumer lives, health and safety in the field of services, information and education of consumers, indemnity, national programme for consumer protection and entities for consumer protection, supervision over enforcement of provisions of the law and sanctions.

The principle of consumer protection established by the Law on Food Safety requires from food business operators to provide consumers with information to ensure selection of products in a manner that is not misleading to consumers as to their ingredients, characteristics and intended use.

19. Are there any marketing standards?

Marketing standards are laid down by the Rulebook on the Quality and Other Requirements for Fish, Crustaceans, Shellfish, Sea Urchins, Sea Cucumbers, Frogs, Turtles, Snails and Products Thereof (Off. Gazette of Serbia of FRY No 6/2003, 56/03, 05/04, 04/04, 12/04, 48/04) as follows:

- fish is placed on the market by origin, species and count (count means number of fishes per kg, or fish mass in kg)
- by origin, fish is placed on the market as sea and freshwater fish
- sea fish is placed on the market by species
- packaging unit of small pelagic fish may contain up to 5% of a mix of other small pelagic fish species.

1. Small pelagic fish is placed on the market by species:

Fish species	Category I, pcs/kg	Category II, pcs/kg	Category III, pcs/kg
Anchovy (<i>Engraulis encrasicolus</i>)	up to 45	from 46 to 60	above 60
Garfish (<i>Belone belone</i>)	up to 10	above 10	-
European sprat (<i>Sprattus sprattus</i>)	up to 80	from 81 to 100	above 100
Chub mackerel (<i>Scomber japonicus</i>)	up to 12	from 13 to 22	above 22
Mackerel (<i>Scomber scomber</i>)	up to 12	from 13 to 22	above 22
European pilchard (<i>Sardina pilchardus</i>)	up to 36	from 37 to 45	above 45
Horse mackerel (<i>Trachurus</i> spp.)	up to 12	from 13 to 22	above 22

2. Big pelagic fish is placed on the market by species, as follows:

Fish species	Category I, pcs in kg	Category II, pcs in kg
Greater amberjack (<i>Seriola dumerilli</i>)	regardless of mass	-
Swordfish (<i>Xiphias gladius</i>)	above 10	up to 10
Common dolphin fish (<i>Coryphaena hippurus</i>)	above 0,20	up to 0,20
Leerfish (<i>Lichia amia</i>)	above 1	up to 1
Little funny (<i>Euthynnus alletteratus</i>)	regardless of mass	-
Atlantic bonito (<i>Sarda sarda</i>)	above 1,5	up to 1,5
Bullet tuna (<i>Auxis rochei</i>)	regardless of mass	-
Bluefin tuna (<i>Thunnus</i> spp.)	up to 30	above 30

3. Demersal fish is placed on the market by species and count, as follows:

Fish species	Category I, pcs in kg	Category II, pcs in kg	Category III, pcs in kg
Common pandora (<i>Pagellus erythrinus</i>)	above 0,25 kg	from 0,15 to 0,25 kg	from 0,08 to 0,15 kg
Bogue (<i>Boops boops</i>)	up to 12 pcs/kg	from 13 to 22 pcs/kg	above 22 pcs/kg
Sand smelt (<i>Atherinidae</i>)	up to 100 pcs/kg	above 100 pcs/kg	–

Picarel (<i>Spicara smaris</i>)	up to 40 pcs/kg	above 40 pcs/kg	–
Blotched picarel (<i>Spicara flexuosa</i>)	up to 40 pcs/kg	above 40 pcs/kg	-
Goby (<i>Gobiidae</i>)	above 0,15 kg	up to 0,15 kg	-
Brown meagre (<i>Sciaena umbra</i>)	-	regardless of mass	-
Black sea bream (<i>Spondylusoma cantharus</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Comber (<i>Serranus cabrilla</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Grouper (<i>Epinephelus</i> spp.)	above 0,50 kg	up to 0,50 kg	-
St. Pierre (<i>Zeus faber</i>)	above 0,40 kg	from 0,10 to 0,40 kg	-
Shi drum (<i>Umbrina cirrosa</i>)	above 5 kg	from 1 to 5 kg	up to 1 kg
Searobins (<i>Triglidae</i>)	above 0,50 kg	from 0,15 to 0,50 kg	up to 0,15 kg
Sole (<i>Soleidae</i>)	above 0,20 kg	from 0,10 to 0,2 kg	up to 0,10 kg
Gilthead bream (<i>Sparus auratus</i>)	above 0,25 kg	from 0,15 to 0,25 kg	up to 0,15 kg
European seabass (<i>Dicentrarchus labrax</i>)	above 0,25 kg	from 0,15 to 0,25 kg	up to 0,15 kg
Blotched picarel (<i>Spicara maena</i>)	-	regardless of mass	-
Moray eel (<i>Muraena</i> spp.)	-	regardless of mass	-
Turbots (<i>Scophthalmidae</i>)	above 1 kg	up to 1 kg	-
Hake (<i>Merlucciidae</i>)	above 0,25 kg	from 0,15 to 0,25 kg	up to 0,15 kg
Striped seabream (<i>Lithognathus mormyrus</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Red porgy (<i>Pagrus pagrus</i>)	above 0,25 kg	from 0,15 to 0,25 kg	up to 0,15 kg
Citharidae and Bothidae	-	regardless of mass	-
Weever (<i>Trachinidae</i>)	above 0,20 kg	up to 0,20 kg	-
Sharpsnout sea bream (<i>Diplodus puntazzo</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Painted comber (<i>Serranus scriba</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg

Salema (<i>Sarpa salpa</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
White seabream (<i>Diplopodus sargus</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Common two banded seabream (<i>Diplopodus vulgaris</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
(<i>Scorpaena</i> spp i <i>Sebastes</i> spp spp)	above 0,25 kg	up to 0,25 kg	-
Forkbeard (<i>Phycis phycis</i>)	above 0,10 kg	up to 0,10 kg	-
<i>Phucis phucis</i>	-	regardless of mass	-
Striped red mullet (<i>Mullus surmuletus</i>)	above 0,20 kg	from 0,10 to 0,20 kg	up to 0,10 kg
Red mullet (<i>Mullus barbatus</i>)	above 0,10 kg	from 0.04 to 0,10 kg	-
Conger (<i>Conger conger</i>)	above 1 kg	from 0.50 to 1 kg	-
Cods and haddocks (<i>Gadidae</i>)	above 0,8 kg	up to 0,08 kg	-
Labridae	above 0,25 kg	up to 0,25 kg	-
Saddled seabream (<i>Oblata melanura</i>)	above 0,25 kg	from 0.10 to 0,25 kg	up to 0,10 kg
Common dentex (<i>Dentex</i> spp.)	above 0,25 kg	from 0,15 to 0,25 kg	up to 0,15 kg
Mullet (<i>Mugilidae</i>)	above 0,10 kg	from 0.10 to 0,25 kg	from 0.06 to 0,19 kg
Angler (<i>Lophiidae</i>)	-	regardless of mass	-

4. Sharks and rays are marketed per species and count, as follows:

Fish species	Category I, pcs in kg	Category II, pcs in kg	Category III, pcs in kg
Marbled electric ray (<i>Torpedinidae</i>)	-	regardless of mass	-
Eagle ray (<i>Myliobatidae</i>)	above 1 kg	up to 1 kg	-
Piked dogfish (<i>Squalidae</i>)	above 2 kg	from 0.50 to 2 kg	up to 0,50 kg
Catshark (<i>Scyliorhinidae</i>)	above 2 kg	from 0.50 to 2 kg	up to 0,50 kg
Smooth dogfish (<i>Triakidae</i>)	above 2 kg	from 0.50 to 2 kg	up to 0,50 kg
Skates (<i>Rajidae</i>)	above 1 kg	up to 1 kg	-

Angleshark (<i>Squatina squatina</i>)	above 3 kg	up to 3 kg	-
Stingrays (<i>Dasyatidae</i>)	above 2 kg	up to 2 kg	-

5. Gastropods are placed on the market per species and count, as follows:

Gastropod species	Category I, pcs in kg	Category II, pcs in kg
Octopus (<i>Octopus vulgaris</i>)	up to 2 kg	above 2 kg
Squid (<i>Loligo</i> spp.)	from 0.10 to 0,20 kg	above 0,20 kg
Pencil squids (<i>Loliginidae</i>)	up to 0,10 kg	-
Musky octopus (<i>Eledone moschata</i>)	-	regardless of mass
Common cuttlefish (<i>Sepia officinalis</i>)	above 0,10 kg	-
Bobtail squids (<i>Sepiidae</i> , <i>Sepiolidae</i>)	up to 0,10 kg	-
Flying squid (<i>Ommastrephidae</i>)	-	regardless of mass

Sea fish may be placed on the market as mixed sea fish (fish stew 'brodet'). Mixed sea fish means mixed small pelagic fish, demersal fish, sharks and rays, gastropods and crustaceans. Small pelagic fish and mixed fish are placed on the market ungutted. Big pelagic fish is placed on market gutted. Exceptionally, dolphin fish, bullet tuna, Atlantic bonito and European flounder up to 4 kg per piece may be placed on the market ungutted, as well as other big pelagic fish deeply frozen immediately after catch, regardless of their mass. Demersal fish is placed on the market gutted, and spiderfish is placed on the market with the first dorsal fin trimmed away. Sharks and rays are placed on the market gutted, and eagle ray, ray, skate and stingray gutted and tailless. Exceptionally, pelagic fish may be placed on the market headless and gutted only if it has been cleaned by the operator engaged in fish treatment and processing.

Gastropods that are placed on the market must meet the following requirements: have an odour characteristic of fresh gastropods; have the skin without the slime, moist, of characteristic natural colour and pigmentation; have sinew and hard meat and have gut not showing signs of decay.

By origin, freshwater fish is placed on the market as freshwater fish from fish ponds and freshwater fish from open waters.

Demersal fish from fish ponds is placed on the market regardless of mass unless otherwise specified by another regulation.

Freshwater fish from fish ponds is placed on the market by species, as follows: rainbow trout (*Salmo gairdneri irideus*); European carp (*Cyprinus carpio*); grass carp (*Ctenopharyngodon idella*); silver carp (*Hypophthalmichthys molitrix*); bighead carp (*Arystichthys nobilis*); catfish (*Silurus glanis*); pikeperch (*Stizostedion lucioperca*); pike (*Esox lucius*); Crucian carp (*Carassius Carassius*); brown bullhead (*Ictalurus nebulosus*) and other white fish.

Freshwater fish from open waters is placed on the market by species, unless otherwise specified by another regulation, as follows: trout-salminidae (*Salmo*); beluga (*Huso huso*); sturgeon (*Acipenser sturio*); sterlet (*Acipenser ruthenus*); eel (*Anguilla anguilla*); pikeperch (*Stizostedion lucioperca* et *Stizostedion volgensis*); catfish (*Silurus glanis*); European carp (*Cyprinus carpio*); pike (*Esox lucius*); burbot (*Lota lota*); grass carp (*Ctenopharyngodon idella*); silver carp (*Hypophthalmichthys molitrix*); bighead carp (*Aristichthys nobilis*); mixed white freshwater fish (carp bream, barbel, crucian carp, brown bullhead and tench); other mixed freshwater fish and common bleak (*Alburnus alburnus*).

During the spawning period (from March to June) marketing of barbel with spawn is prohibited.

Trout, sturgeon, catfish, pikeperch, carp, grass carp, silver carp and bighead carp may be placed on the market in parts, as unpackaged cut fish, unless otherwise specified by another regulation, as follows: gutted and scaled fish (cleaned and exenterated fish); raw fish steaks and fish heads.

This Rulebook also lays down other standards for crustaceans, shellfish, sea urchins and sea cucumbers, etc.

III. INSPECTION AND CONTROL

A. Financial means

20. What budgetary means have been allocated for fisheries control (in Euro)? Are these means increasing or decreasing?

Within the agricultural inspection, there are no means that are specifically allocated for fisheries control.

The means used for fisheries control (protection and sustainable exploitation, fishing and marketing of fish stock) are planned within the budget of the Ministry of Environment and Spatial Planning. These means are higher than in 2006 because the number of inspectors and the equipment they use in their work have increased. Since 2006 the means have been increasing. They are not presented separately in the budget.

21. How have these means been allocated?

Considering the means within the Ministry of Agriculture, Forestry and Water Management are not allocated we cannot describe how they are allocated.

The means are included in the budget of the Ministry of Environment and Spatial Planning and they are not presented separately.

B. Human resources

22. How many personnel are involved in fisheries control? What is the distribution of personnel among the relevant authorities? Are resources increasing or decreasing?

Within the Ministry of Agriculture, Forestry and Water Management, all available inspectors and head of division, in total 30 persons, are involved in fisheries control.

Depending on the number of facilities, requests of food business operators, volume of production, dynamics of loading and unloading of shipments in internal trade and from export as well as in accordance with the plan of control of the Veterinary Directorate, currently 25 veterinary inspectors are in charge of fish and fishery products control. However, the control may be carried out by any veterinary inspector, depending on the actual job needs. These inspectors carry out controls in the registered and approved facilities being under their supervision. The number of inspectors varies.

Within the Ministry of Environment and Spatial Planning eight inspectors are allocated to the territory of the Central Serbia and four inspectors to the territory of AP Vojvodina.

23. What is the working schedule of fisheries inspectors (full time/part time, hours etc.)? How many personnel are involved in fisheries control? How many are administrators? If officials have different tasks, what proportion of their time is spent on fisheries control?

Working time of agricultural, veterinary and environmental inspectors is eight hours. In case of field work, inspection activities continue until the task is finished. Involvement of agricultural and veterinary inspectors in the control depends on task requirements.

Within the agricultural inspection there are 2 administrators for other inspectors while the time spent on the fisheries control tasks accounts for 5-10% of the total working time. Within the veterinary inspection there are 25 heads of the veterinary inspection section for administrative district that coordinate work of inspectors, and working time for the fisheries control tasks depends on task requirements.

Duration of inspections carried out by the veterinary inspectors depends on production capacity, quantity of imported or unloaded shipment of fish and products, and concerning inspections of the facilities it depends on facts in the production plant, refrigeration plant or in retail.

Environmental inspectors work on full time basis and they are available 24 hours a day. There are 12 inspectors at the Republic and the Province levels, 2 administrators and 3 lawyers at the Department level.

Table: Job tasks in accordance with the job classification and the list of working goals of fisheries inspectors within the Ministry of Environment and Spatial Planning

Job tasks of a republican inspector responsible for fisheries	Time spent on each task in % and number of working days
1. Prepares and carries out inspections relating to protection and exploitation of fishing waters and fishing waters in protected natural resources, restocking of fishing waters, production of fish and juvenile fish, fishing method, fishing gear and duration of close season;	60 % 134
2. Carries out inspection relating to water pollution;	14% 32
3. Issues decisions, prepares information concerning dispossession of fishing area, submits request for offence proceedings, submits requests for economic offence proceedings and files criminal charges;	10% 22
4. Prepares work reports;	5% 12
5. Handles complaints of citizens and provides information;	5% 12
6. Performs other tasks by order of the Division head	5% 12

24. What is the educational background of the control personnel? Is training provided, and what does it consist of?

Agricultural inspectors responsible for control of incentive funds in agriculture and for Animal Husbandry must have university degree in the scientific area of biotechnical science Animal Husbandry department or general department or agro economic department, at second degree studies (graduate academic studies - master, specialized academic studies, specialized professional studies) and/or at basic studies in the duration of minimum 4 years, working experience in profession of minimum 3 years, state professional exam passed, knowledge of computer work. So far, no training has been provided but it is required.

Educational background of all veterinary inspectors and heads of particular organisational units within the Veterinary Directorate is university degree (Faculty of Veterinary Medicine). Subject to the job position they are assigned, employees in Veterinary Directorate must have minimum 3 year of working experience before employment on the same or similar jobs as regards veterinary inspector job, and 5-7 years as regards management job positions. All employees work as public officials.

Training of veterinary inspectors, veterinaries, laboratory personnel and food business operators is performed continuously organized by: the Ministry of Agriculture, Forestry and Water Management - the Veterinary Directorate, scientific and professional institutions, the Chamber of Commerce, through embassies and Ministries of France, Germany, Slovenia, Croatia, Belgium, Italy, USA etc., by implementation of foreign projects organized by various institutions (TWINING, TAIEX, OIE, WHO, DREPR, ATD, FAO, etc.).

Environmental inspectors must have university degree of education. As regards the training, they have passed exam for motor boat driving, and education is performed at all levels.

C. Powers of control

25. Where is inspection powers defined?

Powers of agricultural inspectors are defined under Article 83 of the Law on Animal Husbandry.

Veterinary inspectors exercise their powers of official control in accordance with the Law on Veterinary Matters and the Law on Food Safety.

Powers of environmental inspectors are defined under the Law on Environmental Protection and the Law on Protection and Sustainable Use of Fish Stock.

26. Describe the powers of control available for each type of control personnel.

Agricultural inspectors have the powers to:

- verify minimum technical requirements;
- control the work of breeders organisations and organisations with specific powers;
- monitor the breeding programme implementation;
- check whether organisations with specific powers perform production control;
- check whether organisations with specific powers perform broodfish reproduction in the prescribed manner;
- check whether breeding is performed in compliance with the prescribed requirements;
- check whether the level of professional qualifications of the breeders is as prescribed;
- check whether aquaculture is performed in accordance with Article 65 of the Law on Animal Husbandry;
- check whether introduction of fish and other aquatic organisms of foreign origin in the facility is carried out based on licence (Article 66).

Veterinary inspectors have the powers to:

- carry out official control of health condition of fish and fishery products;
- take part in commissions for establishing veterinary-sanitary requirements for registration and approval of facilities;
- supervise health, quality and hygienic safety of fish and fish products in the facilities registered in the register of facilities operated by the Veterinary Directorate for Breeding, Production, Storage, Wholesale and Retail;
- carry out export control (issue certificates);
- carry out unloading control;
- carry out control and certification in import, transit and export of fish and fish products;
- order other measures and take other actions in accordance with the Law on Veterinary Matters and the Law on Food Safety.

Environmental inspectors have the powers to:

- file complaints for economic offence;
- file offence charges;
- file criminal charges to the competent judicial authorities and temporarily, pending completion of judicial proceedings, confiscate means, gears and catch the offender had with himself at the time of inspection.

Based on Article 53 of the Law on Protection and Sustainable Use of Fish Stock, the environmental inspectors have the powers to:

- order implementation of measures for the purpose of implementation of fishing area management programme;
- order to the user to carry out marking of fishing area under Article 9 of this Law;
- order to the user to harmonize fishing area management programme with other programmes and acts laid down under this Law and other laws;
- prohibit enclosure and partition of a fishing water section and order their removal if carried out without obtaining the Minister's permission;
- order removal of floating cages and other fish farming facilities from fishing water;
- prohibit carrying out of actions contrary to Article 20 of this Law in fishing area and another fishing water;
- order to the user of fishing area where hatcheries are located to implement the measures laid down in accordance with this Law;
- prohibit restocking of fishing water if it is not in compliance with this Law;
- prohibit construction or reconstruction of a water management facility or a plant on fishing water preventing undisturbed fish spawning and migration without approval of the Minister and order measures for conservation and protection of fish stock;

- prohibit work to the users of inlet, turbine and other canals that are not equipped with devices which prevent fish from entering into those canals and to the users of dams who have not provided adequate fish passes (fish ways) or have not minimized adverse effects of barriers that hamper or prevent fish stock migration;
- prohibit fishing in flooded area and order the measures to be taken for fish rescue;
- prohibit release of harmful and dangerous substances or agents into fishing water that deteriorate its physical, chemical and biological features;
- prohibit water intake or release that can lead to change of hydrological regime of fishing water and that are harmful to fish stock;
- prohibit waste disposal on fishing water coasts and in fishing water;
- prohibit introduction of allochthonous fish species in fishing water;
- order to the user to take measures for conservation of fish stock referred to in Article 29 of this Law;
- prohibit commercial, recreational and sport fishing and fishing for scientific and research purposes, fish translocation, electro fishing and remedial fishing if they are not carried out in compliance with the provisions of this Law and the related programmes;
- prohibit fishing by use of unauthorized gear and means;
- prohibit to the user to issue a license to a person that does not keep records on fish catch referred to in Articles 37 and 43 of this Law;
- prohibit trade performed contrary to Article 48 of this Law;
- require fulfilment of the requirements referred to in Articles 48 and 49 of this Law;
- protect trade of fish from fishing waters that is not in compliance with Article 49 of this Law;
- examine books, documents and records of companies, entrepreneurs and physical persons relating to implementation of the provisions of this Law and the related regulations;
- require implementation of measures on conservation and protection of fish pursuant to this Law;
- order fulfilment of other obligations within the determined period.

Based on Article 111 of the Law on Environmental Protection, inspectors have the powers to:

- prohibit introduction and farming of flora and fauna of foreign origin for the purpose of their free settlement in natural environment, that might imperil autochthonous species and their spreading;
- prohibit destruction or damage of wild flora and fauna and their habitats;
- require carrying out of monitoring in the prescribed manner;
- require implementation of measures on environmental protection in accordance with this Law;
- require fulfilment of other prescribed obligations within the determined period.

Inspectors' rights and duties are laid down by the Law on Environmental Protection.

When carrying out inspections, an inspector has the right and duty to determine:

- whether management, i.e. sustainable exploitation and protection of natural resources and wealth is performed in accordance with strategic documents, and requirements and measures laid down pursuant to this Law;
- whether collection or marketing of wild flora and fauna, their development forms and parts is performed in accordance with the prescribed requirements;
- whether the requirements concerning environmental quality and emissions are met;
- whether domestic or imported technologies or processes are applied, and production and marketing of products, semi products or raw materials is performed in accordance with the prescribed environmental standards;
- whether the prescribed prohibitions on production and trade of certain products and on performance of certain activities are applied;
- whether National Programme, action and remedial plans are implemented;
- whether the monitoring of environmental condition is carried out;
- whether the obligations arising from ratified international agreements in the field of environmental protection are being fulfilled;
- whether other prescribed measures and environmental protection requirements are implemented.

Rights and duties of inspectors are laid down by the Law on Protection and Sustainable Use of Fish Stock.

When carrying out inspections, an inspector has the right and duty to determine:

- whether the relinquished fishing area is used in accordance with fishing area management programme and in accordance with this Law;
- whether the user has marked fishing area in accordance with this Law;
- whether the user has harmonized fishing area programme with other programmes and acts laid down by this Law and other laws;
- whether the user submits reports on fishing area utilisation in accordance with the Law;
- whether the prescribed fishing prohibitions and other actions are implemented in fishing area and other fishing waters in accordance with this Law;
- whether the user of fishing area where hatchery is located implements the prescribed measures in accordance with this Law;
- whether restocking of fishing water is performed in the prescribed manner;
- whether the prescribed prohibitions and restrictions on exploitation and conservation of ecosystem of fishing waters, and measures and activities for rescue of fish and fish juveniles from flooded area are being implemented;

- whether prohibition on introduction of new fish species without obtaining the Minister's approval is observed;
- whether the measures for fish stock conservation are implemented;
- whether commercial and recreational fishing, fish translocation, remedial fishing, fishing for scientific and research purposes and electro fishing are performed in compliance with the prescribed requirements;
- whether the requirements for fish marketing are met;
- whether other prescribed measures and requirements are implemented in accordance with this Law.

27. Do inspectors have a clear notion of the extent and the limits of their powers?

Agricultural inspectors have a clear notion of the extent and limits of their powers pursuant to the Law on Animal Husbandry.

Veterinary inspectors exactly know what their powers are and in which manner they carry out inspection, because they perform control in the whole chain, from primary production, transport through treatment, processing, packaging, labelling and traceability, quality control in production, storage and transport requirements, issue of documents accompanying shipment in internal and international trade, control of import, transit and export.

Environmental inspectors are fully informed about their powers.

Inspectors' powers are laid down by the Law on General Administrative Procedure and the Law on Government Officials. Inspectors have to pass professional exam for work in public administration authorities. Inspectors have received training for implementation of ethical standards and code of conduct and also for public appearance in media.

During 2008 and 2009, Control and Supervision Department organized a number of trainings for inspectors in the Ministry of Environment and Spatial Planning:

- TAIEX workshops;
- trainings of inspectors, judges, misdemeanour judges and public prosecutors supported by OSCE;
- training for motor boat driving for inspectors in the field of fisheries.

Also, a number of brochures and instructions have been published:

- Instructions for preparation of claim for institution of minor offence proceedings;
- Instructions for administrators, fishing area users and relevant inspectors, for implementation of the law in protected natural resources.

There are also checklists:

- checklist for control of fish trade in fish shops
- checklist for control of business operations of fishing area user, etc.

D. Control equipment

28. What control equipment is available for control activities? How is the equipment distributed among the different authorities?

Agricultural inspectors dispose of official cars and mobile phones. Within the division there are 3 digital cameras. Inspectors do not dispose of special equipment that is also necessary (pH meters, oxygen measurement devices and thermometers).

The equipment used by the inspectors to carry out control is satisfactory and properly distributed among districts.

Control equipment available to environmental inspectors includes boat and car.

The authorities performing control do not have common equipment.

29. What is the state of the control equipment? How old is it? Are there plans for renewal of the equipment?

The cars available to agricultural inspection are 3-8 years old while mobile phones and cameras are new ones. There are plans for purchase of special equipment.

As regards cars, veterinary inspection is satisfactorily equipped. Computers are 5-10 years old and periodically replaced. Supervisory equipment is pretty old but due to the financial situation in the Republic of Serbia and in the Veterinary Directorate, for the time being there are no plans for its replacement.

The equipment used by environmental inspectors needs to be renewed and improved.

30. Is the equipment adequate for the tasks to be carried out? Describe the needs.

Agricultural inspectors do not dispose of special equipment. It is necessary to provide minimum 26 sets of the mentioned equipment (pH meters, oxygen measurement devices and thermometers) - 1 set for each district.

Veterinary inspectors need to have hand refrigerators, thermometers, possibly devices for fast diagnostics and risk assessment of radio nuclides, pollutants, microorganisms, contaminants, etc.

The equipment used by environmental inspectors is adequate for the tasks to be carried out but it needs to be renewed.

31. What is the level of computerisation?

Agricultural inspectors dispose of computers and they are trained to use them.

The amount of computer equipment in the central competent authority of the Veterinary Directorate and in district offices is sufficient. Veterinary inspectors do not dispose of computers so they have to communicate by mobile phones.

Environmental inspectors dispose of computers that need to be renewed in order for each inspector to have a notebook computer with a built-in printer.

E. Collection of data

32. How is the collection of fishing data organised?

The Ministry of Agriculture, Forestry and Water Management does not have legislation to bind breeders in the field of aquaculture to provide data. Data are collected by the Faculty of Agriculture, Serbian Chamber of Commerce and Republic Statistical Office. Collection of aquaculture related information by the Faculty of Agriculture in Belgrade is organized through questionnaires for producers. Chamber of Commerce has own centre for data collection and processing. Statistical Office collects data using reporting method.

Following any control performed, an inspector at local level is obliged to submit reports to his superior - district head. Based on individual field reports, district head prepares periodical reports and submits them to the central level, i.e. to the chief of veterinary inspection division who prepares collective report on inspection work to be presented to the director of Veterinary Directorate.

Holders of commercial fishing licenses keep records on fish catch and submit them to the fishing area user monthly and at the end of a calendar year. The records make an integral part of annual report on fishing area exploitation presented by the user to the Ministry of Environment and Spatial Planning.

33. What scientific data is collected and who utilises it? Is scientific data used for stock management?

Scientific data in the field of aquaculture are the following:

- data on production per fish species (The Faculty of Agriculture)
- data on quantity and types of fish food used on fish ponds (The Faculty of Agriculture)
- data on implementation of breeding programmes on fish ponds
- data on breeding technologies applied

- data on number of employees and structure per professional qualifications (The Faculty of Agriculture)
- data on diseases (Serbian Scientific Veterinary Institute).

Data are used for monitoring of fish stock and control of Fishing Area Management Programme.

Scientific data are used by businessmen (producers, importers, traders, etc.), Serbian Chamber of Commerce, the ministries, FAO (periodically), the Embassy of United States of America (periodically).

Scientific data are not used for stock management.

Scientific data concerning outbreak, movement and control of communicable diseases in animals are collected by scientific institutions and are used when making decisions regarding risk assessment and risk analysis. Effect of adverse conditions in storage of fish stocks is particularly important since it may affect their sustainability.

34. Does your country have quotas and if yes, what data are collected for quota management and verification (logbooks, landing declarations, sales notes, auction data, transport data, buyers information)? How is this data used for control purposes?

The Republic of Serbia does not have catch quotas.

35. Are there any instruments or procedures for cross-checking of data?

In the work of agricultural inspection there are procedures for inspection work in control, i.e. one of the inspection tasks is to check data the Ministry receives from organisations.

At border crossings, veterinary inspectors carry out import control through the shipment identification, check of accompanying documents (international veterinary certificates, quality certificates and customs documents) and through the procedure of monitoring sampling in accordance with import arrangement.

The Minister of Environment and Spatial Planning provides the fishing areas monitoring programme in the intervals of three years.

F. Inspection activities

36. Provide statistics for inspections carried out.

So far, under the Law on Animal Husbandry, the requirements for the main breeders organisation, 13 organisations with specific powers and 11 fish ponds (upon request), have been laid down.

Annex 4 gives work report for veterinary inspection as regards fish and fish products.

Table: Statistics for inspections carried out by environmental inspectors

Year	Number of cases	Number of inspections	Number of decisions	Number of minor offence charges	Number of economic offence complaints	Number of criminal charges
2007	1971	2080	62	546	5	11
2008	2164	2121	74	529	8	3
2009	1916	2056	109	574	5	10

37. What officials are responsible for carrying out inspections?

Agricultural, veterinary and environmental inspectors are responsible for carrying out inspections.

Agricultural inspectors responsible for aquaculture inspections are allocated to administrative districts of Serbia: Subotica, Zrenjanin, Kikinda, Novi Sad, Indjija, Sabac, Valjevo, Smederevo, Pozarevac, Kragujevac, Despotovac, Knjaževac, Nova Varos, Kraljevo, Raska, Kruševac, Aleksinac, Nis, Prokuplje, Dimitrovgrad, Leskovac, Vladicin Han, Kosovska Mitrovica, Strpce and Beograd.

Veterinary inspectors carrying out inspection in accordance with the Law on Veterinary Matters and the Law on Food Safety are allocated in the same way.

Environmental inspectors are allocated across the territory of the Central Serbia and AP Vojvodina.

38. Is there a strategy in place for inspection activities? How are the targets set?

There is strategy for inspection activities of agricultural inspectors and it is closely related to verification of compliance with the prescribed requirements and establishment of the Register of Organisations with Specific Powers - broodfish, juvenile fish and fertilized spawn farms. The target is the regulation in the field of production of fish and other aquatic organisms in aquaculture facilities and it is set subject to requirements on site.

Method of carrying out veterinary inspections is laid down by the Law on Veterinary Matters and the Law on Food Safety as well as by a range of bylaws specifying procedure of carrying out inspections. Volume of inspection activities in facilities is planned on monthly and annual basis and it varies subject to risk appearance. The target of carrying out these inspections is to prevent

introduction of communicable diseases in the country and protection of population from food that is not safe for human and animal use.

Environmental inspectors are independent in their work within rights and duties provided by the Law on Protection and Sustainable Use of Fish Stock and they perform their activities in accordance with the Law and the current legislation. The targets are set by order of the competent fisheries authorities and based on dynamics of complaints of legal and physical persons.

39. Are there guidelines issued for how inspections are to be carried out?

There are procedures for inspection to verify compliance with the prescribed requirements and there are no other manuals for agricultural inspection activities

There are specific instructions, guides and orders specifying in more details work procedure and method for veterinary inspectors, uniform application of regulations, application of international standards and regulations and procedure of control and completion of certificate forms issued by veterinary inspectors as well as enforcement of orders on import ban.

As for environmental inspection, there are working and reporting procedures.

40. What does an inspection consist of? What is the methodology and the strategy as regards inspections?

Inspection carried out by agricultural inspectors includes verification of compliance with the prescribed requirements and control of breeding programme implementation. When carrying out inspection, the inspector makes record containing all relevant information based on which decision will be made and the party concerned receives a copy of the record.

When carrying out official inspection, a veterinary inspector makes record containing all relevant information based on which a decision will be made, if necessary. One copy of the record is handed to the food business operator (FBOs) as a documented evidence of inspection carried out and the findings. The procedure of carrying out inspection depends on the condition established in the facility concerned.

Environmental inspectors are obliged to carry out minimum 15 inspections per month and prepare monthly reports. At the end of the year, they submit a directive indicating the number of inspections performed, complaints filed, complaints resolved, decisions issued including information on how many of them have been enforced and on time spent on regular inspections, extraordinary inspections and accidents.

41. Are inspections documented and, if so, how?

Inspections carried out by agricultural inspectors are documented by inspection records. They are presented in the reports on inspectors' work.

When inspecting a facility, the veterinary inspector makes record and completes checklist including all relevant information based on which a decision will be made. One copy of the record is handed to the food business operator (FBOs) as a documented evidence of inspection carried out and the findings. The procedure of carrying out inspection depends on the condition established in the facility concerned. If deficiencies are identified, the inspector may suspend operation of the facility, require removal of deficiencies and determine the time limit for the removal. If the deficiencies are not removed within the determined time limit, the inspector imposes a ban on facility operation and informs central level of Veterinary Directorate accordingly. Based on decision imposing a ban on operation, the facility concerned is deleted from the Register of Facilities pursuant to Article 75 of the Law on Veterinary Matters.

Following an inspection, the veterinary inspector on local level prepares report and presents it to his superior - district head. Based on individual field reports, district head prepares periodical reports and submits them to the central level, i.e. to the chief of veterinary inspection division who prepares collective report on inspection work for the director of the Veterinary Directorate.

Environmental inspectors prepare records on inspections carried out and these records are presented in the report on inspectors' work.

42. What is the level of practical inspection capability and skills? What is lacking?

The level of practical inspection capability and skills of agricultural inspectors for carrying out inspections is satisfactory in relation to the current laws and bylaws.

All veterinary inspectors have passed state exam and during their work they are trained to carry out activities laid down by law. See question 24 of this Questionnaire.

Environmental inspectors have university degree and are specialized to carry out activities provided by the law; they dispose of equipment in compliance with the provisions of the Rulebook on Type of Equipment and Contents and Design of Environmental Inspectors' Marking (Official Gazette of RS No 35/2005, 23/2006, 7/2007, 64/2007 and 94/2008).

G. Legal Procedures for sanctioning infringements

43. What is the legal framework for sanctioning infringements?

Legal framework for sanctioning infringements is based on the Law on General Administrative Procedure (Official Gazette of FRY No 33/97 and 31/2001), the Law on Animal Husbandry, the Law on Veterinary Matters, the Law on Food Safety, the Law on Protection and Sustainable Use of Fish Stock and the Criminal Law.

Within his powers, the inspector may file a complaint with the competent authority for criminal deed or economic offence committed and submit request for institution of offence proceedings. The inspector files the motion to institute economic offence proceedings or criminal charges with the competent prosecutor's office that, provided the conditions for institution of proceedings i.e. criminal prosecution are met, conducts the further proceedings. In the economic offence proceedings or in criminal proceedings, the public prosecutor may reject the complaint if, based on the complaint itself, the reported deed cannot be considered as an economic offence, i.e. a criminal deed, if it has come under the statute of limitations or there are other legal grounds ruling out prosecution, may bring charges or make decision to reject economic offence complaint or criminal charges. In economic offence proceedings or in criminal proceedings, an inspector may have only the role of a witness.

Unlike a criminal proceedings and economic offence proceedings, in offence proceedings an inspector is the authorized applicant; besides being the party initiating offence proceedings he is also a party to proceedings. Request for initiation of offence proceedings may also be raised by victim. When the competent authority of first instance receives request for initiation of offence proceedings it will investigate whether the conditions to initiate offence proceedings are met and make decision on the further course of proceedings. If a judge does not reject request he will make decision to institute proceedings. When offence authority of first instance finds there no grounds to institute proceedings, the request will be rejected by decision. After that, the complaints are handled by the competent court which makes further decisions and pronounces verdict.

44. Is sanctioning based on criminal or administrative procedure? What authorities have the powers to impose sanctions?

Administrative procedures start with inspection, and in case the irregularities in the work have been identified the decision is issued requiring from the offender to remove the irregularities. This is a first instance proceedings conducted by an inspector. Person responsible for identified irregularity acts upon inspector's order or appeals against the decision and first instance proceedings ends here. In case of appeal, second instance proceedings being under the responsibility of the Ministry of Agriculture, Forestry and Water Management or the Ministry of Environment and Spatial Planning proceeds. Second instance proceedings ends here and appeal against decision may not be lodged but a party that is not satisfied with the decision in second instance proceedings may initiate administrative lawsuit before Administrative Court in Belgrade.

Offence proceedings are conducted by an authorized official for the conduct of offence proceedings - misdemeanour judge, while criminal offences are solved by basic prosecutor in the basic court by filing criminal charges through an official of the Ministry of Internal Affairs.

45. What administrative sanctions are available?

Under the Law on Animal Husbandry, an agricultural inspector may:

- order to legal person, entrepreneur or physical person to bring its activity into line with the prescribed requirements, i.e. to remove the irregularities within the determined period;
- determine a period for fisheries operators to fulfil requirements provided by this Law;
- prohibit work to fisheries operators pending the fulfilment of requirements provided by this Law;
- file request for initiation of offence proceedings, economic offence and criminal charges for infringement of provisions of the Law on Animal Husbandry and the related regulations;
- order other measures and take other actions pursuant to the law.

Inspector lays down these measures by decision.

Legal person or entrepreneur or physical person notifies the implementation of the measures to the agricultural inspector.

Criminal charges, economic offence charges and offence charges are provided under the Law on Veterinary Matters and the Law on Food Safety.

The Law on Protection and Sustainable Use of Fish Stock provides for fines, prison sentence and confiscation of gear and fish catch, suspension of activity and publication of verdict.

46. What are the levels of fines to be applied? What are the actual sanction levels?

Subject to legal status of the offender and type of offence the Law on Animal Husbandry provides for the following sanctions:

- for economic offences, legal persons are subject to fines from RSD 300.000 to 3.000.000;
- for offences, legal persons are subject to fines from RSD 200.000 to 1.000.000;
- responsible persons of legal persons are subject to fines from RSD 10.000 to 50.000;
- for offences, entrepreneurs are subject to fines from RSD 250.000 to 500.000;
- for offences, physical persons are subject to fines from RSD 30.000 to 50.000.

The fine level is determined by the court based on severity of offence identified, evidence on offence committed and hearing of the parties.

The levels of fines are indicated in the Law on Veterinary Matters and the Law on Food Safety and they are in the range of: RSD 200.000 - 3.000.000 for economic offences of companies or other legal persons, RSD 50.000 - 1.000.000 for offences and RSD 5.000 - 50.000 for physical persons.

Under the Law on Food Safety, fines for economic offences committed by legal persons are from 300.000 to 3.000.000 RSD, for offences by legal persons fines are from 150.000 to 1.000.000 RSD, for offences by entrepreneurs and physical persons fines are from 250.000 to 500.000 RSD and from 5.000 to 50.000 RSD respectively.

Articles from 117 through 120 of The Law on Environmental Protection provide for the following offence fines:

- for legal persons: fines from 500.000 to 1.000.000 RSD; a fine in proportion to the level of the damage suffered or the obligation nonperformed, value of goods or other staff subject to offence and maximum twenty times these values
- for responsible person of legal person: fines from 25.000 to 50.000 RSD; protection measure of suspension of the activity for up to three years may be imposed and to responsible person suspension of certain activities for the maximum period of one year;
- for entrepreneurs: fines from 250.000 to 500.000 RSD may be imposed as well as protective measure of ban on conduct of the activity for the maximum period of three years;
- for physical persons: fines from 5.000 to 50.000 RSD or imprisonment up to 30 days; an offence is provided for a parent, a guardian or responsible person of the guardianship authority: a fine of 5.000 RSD is imposed if the offence committed by the juvenile is due to his failure of due supervision over juvenile.

Article 56 of the Law on Protection and Sustainable Use of Fish Stock provides for the following offence fines:

- for companies, associations of citizens or public enterprises - fines from 500.000 to 1.000.000 RSD;
- for responsible person of a company, association of citizens or public enterprise - fines from 25.000 to 50.000 RSD;
- for entrepreneurs - fines from 250.000 to 500.000 RSD; in addition to fines, a protection measure of confiscation of the objects used or intended to be used for an offence commission or resulting thereof may be imposed, and also a protection measure of ban on performance of the activity may be imposed on legal persons and entrepreneurs for the maximum period of three years;
- for physical persons - fines from 25.000 to 50.000 RSD; in addition to fines, a protection measure of confiscation of the objects used or intended to be used for an offence commission or resulting thereof may be imposed, and also a protection measure of ban on fishing may be imposed;
- for the competent authority fines from 25.000 to 50.000 RSD are prescribed.

It has been observed that after the training for inspectors, judges, offence judges and prosecutors, the amounts of fines imposed have increased, handling procedure has been speeded up, the number of charges that have come under statute of limitations has decreased, inspectors' charges quality has improved, i.e. the number of accepted requests for initiation of proceedings has increased.

The most common sanctions are fines, and in most cases inspector's proposal for implementation of protection measures by confiscation of objects is accepted.

47. What are the possibilities to seize catches and gear? To what extent are catch and gear confiscated?

There are legal possibilities to confiscate gear and catch. In 70% of cases the court permanently confiscates means, gear and catch.

When the act carried out is prohibited under the Law on Protection and Sustainable Use of Fish Stock and the Criminal Law, inspector permanently confiscates catch and temporarily confiscates the objects used to carry out prohibited act and files complaint against offender with a proposal for implementation of protection measure of "permanent confiscation" of the objects. The procedure of further handling the objects confiscated is specified by court verdict issue and by legal validity of the court proceedings. Confiscated objects may be returned to the offender or permanently confiscated (the procedure for an object tendering is defined by verdict and funds received are paid on the account of the Budget of the Republic of Serbia).

Under the Law on Protection and Sustainable Use of Fish Stock, an inspector has the power to:

- temporarily confiscate means, tools and equipment as well as other objects found on fishing water or in the vicinity if there is a reasonable suspicion that they were used or were intended to be used to carry out acts prohibited under this Law and deliver them to the user;
- permanently confiscate fish catch and unmarked gear for commercial fishing found on fishing water and deliver them to the user;
- withdraw the license for commercial or recreational fishing and the license for fishing for scientific and research purposes, electro fishing and remedial fishing.

48. What means of appeal exist?

A period for appeal against inspector's decision is eight days of the date of the decision. The minister decides on the appeal by decision within one month of the date of appeal lodgement.

The appeal may not postpone execution of the decision.

The Minister's decision is final and administrative lawsuit may be initiated.

Appeal may be lodged on any court's decision and it is handled by second instance court. A sanction may be executed only when it comes in effect.

49. What are the requirements as regards evidence? Is it necessary to prove intent?

Records on fact established and possible ordered administrative measures are presented as evidence.

In case nonconformities have been identified, either concerning the goods that are not accompanied by required documentation, that originate from the unregistered or unapproved facility or in case of suspicion as regards health safety, a veterinary inspector must prepare a report on fact established. If a party to the proceedings does not agree with the inspector's findings, the party will make a written statement included into report or official samples for

laboratory testing (analysis and super analysis sample) are taken as evidence in accordance with regulations of the Republic of Serbia, and upon the party's request, a third sample also. Report on sampling is prepared describing sampling method and method of carrying out the procedure. After receiving results of the analysis the party to the proceedings will express its position as to the conduct of super analysis. After the results of the analysis are delivered, decision on handling the blocked foodstuffs is issued and a complaint is lodged with the court subject to the nature of the offence committed. Evidence is: documentation, inspector's records, laboratory analysis, inspector's decision and other evidence confirming inspector's findings.

For a person committed an offence the following information must be provided: name and surname, parent's name, date and place of birth, personal identification number, place and address of residence, time, place and other circumstances required for the offence to be precisely identified, regulation to be applied and proposal on evidence to be produced including personal names and addresses of witnesses, files to be read and objects serving as evidence.

50. Provide statistics on sanctions imposed for fisheries infringements.

Enforcement of the Law on Animal Husbandry has just started so that there is no statistics on sanctions imposed.

Veterinary inspection reports do not contain infringements per fish species but per type of infringements committed (criminal charges, economic offences and offences). The number of decisions issued and quantities of goods invalidated may be determined only based on tables showing cancelled, conditionally usable or safe food.

The statistics for Control and Supervision Department are kept by environmental inspection.

Table: Statistics for the Control and Supervision Department:

Year	Supervision area		Economic offence complaints	Requests for initiation of offence proceedings	Criminal charges
2007	Proceedings initiated / Solved		41	83	16
	Out of which	refused/rejected/admonition/released	2	11	5
	Fines imposed - for legal persons (range)		10.000-190.000	1.000-110.000	10.000-80.000
2008	Proceedings initiated / Solved		98	224	19
	Out of which	refused/rejected/admonition/released	20	42	6
		unsolved /under proceedings	22	168	11

		Fines imposed - for legal persons (range)	20.000-1.000.000	1.000-400.000	suspended sentence of 6 months
2009	Proceedings initiated / Solved		72	578	5
	Out of which refused/rejected/admonition/released		8	140	2
	Fines imposed - for legal persons (range)		10.000-1.000.000	500-800.000	suspended sentence of 6 months up to 400.000

IV. STRUCTURAL ACTIONS

51. What is the administrative and legal capacity to prepare and manage a structural policy for the fisheries sector?

The Ministry of Agriculture, Forestry and Water Management, the Sector for analytics and agrarian policy in the field of aquaculture employs one person.

Aquaculture has no independent legal framework but it is incorporated into the Law on Animal Husbandry. The Law lays down goals, operators and their organisational forms, breeding targets and implementation of breeding programmes, productivity control, conservation of features and farming in aquaculture. Legal capacities are in accordance with sustainable economic, ecological and social development of sustainable aquaculture.

Implementation of support programmes in the field of agriculture, including aquaculture, is monitored by the Administration for Agricultural Payments. The role of this Administration is specified in Chapter 11, answer to question 1.

52. How will the fisheries administration prepare for establishing the programming documents and the management and control system required in the EFF Regulation?

Considering that there is no fisheries administration in the Republic of Serbia, the basic document to be established regarding aquaculture is the strategic plan making a platform for further reforms and basis for a future policy to provide favourable investment surroundings for sustainable aquaculture and help the government in defining the administrative system and implementation of the EFF regulations.

Operational programme in the field of aquaculture will set goals and priorities towards increase in production on fish ponds in the Republic of Serbia, define organisations of farmers and

increase efficiency of commercial aquaculture. It is necessary to adapt administrative and legal capacities with a view of system management, monitoring and control.

V. MARKET POLICY

53. Please provide information on market policy and operational structure in place regarding the sustainable management of fish resources, marketing standards (freshness, size, packaging, presentation and labelling), consumer information, producer organisations, trade with third countries, inter-branch organisations and intervention. How will further administrative arrangements be established for implementing the market policy, in particular regarding interventions and producer organisations (POs) and arrangements for the electronic transmission of relevant market data to the Commission?

In the Republic of Serbia there is no independent legal framework governing market policy in fisheries. Organisations for interventions in the fisheries market as recognized by CFP do not exist.

Import protection is applied as a market measure. It is regulated as MFN customs and specific customs.

MFN customs for fish and fish products ranges from 1% to 30%.

The level of specific customs used is 20 dinars per measuring unit and applies only to 0301930000 tariff line.

Annex customs for fish and fish products in table for tariff head 03, tariff groups 1504, 1603, 1604 and 1605 and tariff line 1902201000 of customs tariff is given in CHAPTER 29 - CUSTOMS UNION.

Sustainable management of fish resources falls under responsibility of the Ministry for Environmental Protection and Spatial Planning and it is performed in accordance with the Law on protection and Sustainable Use of Fish Stock.

Marketing standards are described in answer to question 19 of this Questionnaire.

Information to costumer is described in answer to question 18 of this Questionnaire.

Consumer organisations as recognized by CFP do not exist and situation in this field is described in answer to question 17 of this Questionnaire.

There are no interdepartmental organisations or market intervention system in the field of fisheries.

Aquaculture sector is under the process of development and harmonization of laws and acts relating to structural policy. We need to draw up new guidelines for consideration of state aid for fisheries and aquaculture. The purpose of these guidelines is the establishment of rules regulating state aid in this field in accordance with the EU values in order to provide a new framework for structural aid in aquaculture sector. Our aim is to develop structural policy to ensure sustainable aquaculture, economic and social peace in the region and to protect resources and environment.

Preparation of the fisheries market policy is planned for the next period. For that reason, the Ministry of Agriculture, Forestry and Water Management has required from the European Commission support in training for establishment of supporting system to the fisheries producers through TAIEX programme.

The reform needs to establish market policy including administrative measures that are to be fundamentals for price stability, appropriate supply-demand balance and production in the Republic of Serbia without affecting increasing demands of processing industry, through the following instruments:

- compliance with the current marketing standards
- establishment of producers' organisations
- introduction of support to the system based on intervention mechanisms.

Provision of relevant market information will be made by the bodies designated by the Government of the Republic of Serbia to perform these tasks.

VI. STATE AID

54. Please provide information on state aid given to the fisheries sector over the last three years.

Over the last three years there was no state aid in the fisheries sector.

VII. INTERNATIONAL AGREEMENTS

55. Is your country a contracting party to any international, multilateral or bilateral fisheries agreements? If yes, please indicate the number of vessels and the volume of fish concerned by these agreements.

The Republic of Serbia is a party to the following agreements:

- Agreement on fisheries in the Danube River waters between the Government of the Federative People's Republic of Yugoslavia, People's Republic of Bulgaria, the People's Republic of Romania and the Union of Soviet Socialist Republics, Bucharest 1958. This Agreement stipulates obligations of the parties aimed at conservation of fish stock, conditions for construction of hydro technical structures on Danube and conditions for improvement of natural reproduction conditions, and the fish stock farming and increase. This Agreement also defines prohibition of fishing during a certain period of a year as well as prohibition on fishing certain fish species.
- Agreement on fisheries in border waters (Timisoara, 1961), signed between the Government of the Federative People's Republic of Yugoslavia and the People's Republic of Romania governing fishing and fisheries in boundary waters. It also lays down periods of fishing

prohibition and minimum fish and other aquatic animal sizes in fishing. It also specifies fishing methods and gear that are not allowed.

- Agreement on boundary waters fishing (Belgrade, 1961), signed between the Government of the Federative People's Republic of Yugoslavia and the People's Republic of Bulgaria, governing fishing and fisheries in boundary waters. It also lays down periods of fishing prohibition and minimum fish and other aquatic animal sizes in fishing. It also specifies fishing methods and gear that are not allowed.
- Regional Strategy for Conservation and Sustainable Management of Sturgeon Population of the North-West Black Sea and Lower Danube River in accordance with CITES, November 26 2003, Tulcea, Romania.

Serbia is not a party to any international fisheries agreement as regards number of vessels or scope of fishing.