



**BLACK SEA ADVISORY COUNCIL /BISAC/  
CONSILIUL CONSULTATIV PENTRU MAREA  
NEAGRA**

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## MINUTES

### From a meeting of Focus Group 1 of the BISAC, 22 February 2023

#### Topic: "Small-scale and recreational fishing - challenges for small-scale fishermen in Bulgaria and Romania."

On 22 February 2023 in the city of Constanta, at the Continental Forum hotel and through the ZOOM online application, a meeting of Focus Group 1 of the BISAC was held on the topic: Small-scale and amateur fishing.

Mrs. Pinelopi Belekou from EC, Mr. Konstantin Petrov - regional coordinator of GFCM for the Black Sea, Mr. Alexandru Simionov from NAFA Constanta, Mr. Dinu Dobrin from NAFA Constanta, Mr. Tiberiu Cazacioc from the "RO-Pescador" Association, Mrs. Lucia Revenga.

The meeting was opened by the General Secretary of the BISAC, Mr. Yordan Gospodinov, who defined what small-scale fishing is in relation to Bulgarian legislation. As for recreational fishing, it covers another segment of fishermen who have the right to fish in inland water bodies and the Black Sea, but by law they do not have the right to trade the quantities caught. The law describes how many kg of a certain species can be caught for personal consumption. In this regard, a conflict arises between the interests of small-scale fishermen and recreational fishing, which is practiced in the Black Sea, when the autumn passages of bluefish, horse mackerel, etc. pass through the Bosphorus. Recreational fishing is not limited to the amounts specified in the law, but is caught unregulated, after which some of these catches reach the market where they are sold.

Mrs. Dimitrina Kostova from the "European Association of Black Sea Fishermen" gave a presentation on the topic: "Small-scale and recreational fishing - challenges for small-scale fishermen in Bulgaria." The main challenges for small-scale fishermen highlighted in the presentation are:

- Attracting more active youth and organizations to the activities of small-scale fishermen;
- Promotion of the activity of small-scale fishermen at all administrative levels;

- Attracting representatives of the tourism industry to include in the tourist packages services that represent the small fishermen, such as - preparing special foods, going on trips and catching fish, and teaching children.
- Increasing the confidence of small fishermen in government institutions. This is very important in collecting data for the analysis of the state of the sector and the pollution of the Black Sea and the fight against poaching (illegal, unreported and unregulated fishing).
- Attracting more women to participate in small-scale fisheries initiatives.

According to the European Association of Black Sea Fishermen, the ways to deal with these challenges are as follows:

- Taking small steps to increase the confidence of fishermen and actively propose management measures. For example: the filling in of informational annual statistical forms, which must be filled in by fishermen.
- Ensuring control over the misuse of EU funds in the construction of new fishing ports;
- Organizing activities, such as aquaculture training for women, which aim to empower women and equip them with new knowledge and skills to support their full and effective participation as leaders at all levels of decision-making in the aquaculture sector;
- Trawling zoning - based on scientific research on the stock of fish populations;
- Dealing with attractive sea jets that often threaten life or tear nets;
- Multi-sectoral policies – participation of all levels and sectors in supporting the development and survival of small-scale fishermen, etc.;
- To support projects involving at least 3 countries and to stimulate partnership with countries where the small-scale fishing sector needs support.

Following is a speech by Mr. Velislav Vangelov, chairman of the Producer Organization Black Sea Clam, who emphasized the challenges which small-scale fishermen in Bulgaria face. First of all, these are the difficulties they experience with filling in the primary documentation (the fishing logbook). They are caused by the lack of conditions for keeping documentation, because the requirement is to keep the documentation on board the boat. Fishermen also have difficulties with the storage of documentation (fishing logs, fishing certificates, permits, boat documentation, etc.). It is a legal requirement to carry original documents on board the boat, and often the boats are small and do not have dedicated dry rooms to store the documents. This leads very often to their getting wet, lost and damaged.

Another difficulty for small-scale fishers (SSF) is the reporting of fishing records. Declarations of origin are submitted to EAFA within 48 hours of unloading the catch, there is no feedback for a declaration not submitted or filled in incorrectly, the responsibility for non-submission and inaccuracies lies entirely with the fisherman, and he has no control. All this leads to not filling out declarations of origin, placing SSF in the gray sector of the economy, inaccurate statistics on the part of EAFA about the quantities of catches.

A very important problem that sits in front of the SSF is non-payment of taxes of individuals by traders buying fishery products from small-scale fishermen who are individuals.

The obligation to pay tax to natural persons is on the company that bought the production, and the fishermen who sold their goods do not have the option of traceability, and whether the company in question did it.

The proposals of the Producer Organization Black Sea Clam to solve these challenges is to make an electronic fishing logbook, a light version, through a mobile device application. In this way, fishermen will not have difficulty filling their documents in regard to bad weather conditions. Another proposal is to identify the fishermen during a field (sea) check by means of a national identification number, an individual number or code.

Mr. Laurentiu Mirea, Chairman of the "Federation of Black Sea Fishermen's Organizations": similar difficulties are experienced by Romanian fishermen and divers with filling in the fishing logs. He asks a question to his Bulgarian colleagues: in order to have the right to dive and carry out economic activity, what kind of document and by whom is it issued do the divers collecting mussels and clams in Bulgaria need?

Mr. Velislav Vangelov: the documentation that divers have to fill out is the same as that of small-scale fishermen, noting what their catch is - mussels, rapana or fish. There are separate certificates for harvesting fish, for harvesting bivalves - clams and shrimps, and a third type for harvesting rapana.

Mr. Laurentiu Mirea clarifies that his question was the diver himself, what kind of diver's document should he present - is it enough to have a professional certificate that he can dive and what are the requirements for divers?

Mr. Velislav Vangelov: in Bulgaria, in order to acquire the specialty of fisherman, a certificate is issued by EAFA, and it is the same for divers and fishermen - it can be done manually or by using nets and rods.

Mr. Yordan Gospodinov: the body that observes compliance with the requirements for work in Bulgaria is the "Labor Protection" Directorate of the Ministry of Labor and Social Policy. When divers operate a boat, a license is issued to the boat and a logbook must be filled out. Several divers can work on it.

Mr. Laurentiu Mirea knows and understands what the requirements are for keeping a fishing log, the question was another: what kind of permits for divers do the fishermen who dive for clams and rapana use. In Romania, a single institution issues the permits for divers for clams and rapana, and it is a military structure under the Ministry of Defense. From this structure, they said that diving activities, including the collection of clams and rapana, can only be carried out by divers trained by them, and this will be enshrined in the defense law in Romania. An enforcement order is currently being prepared, which is a big complication, and in this regard the Romanian fishermen and divers are seeking the assistance of the BISAC. Their request is the recognition of all diver permits issued not only by this military structure, because it does not recognize EU-issued diving licenses, and obliges divers in Romania to obtain additional training and certification, and the fees for issuing a military diving license are high. This is regulated in military decree No. 63/2021.

Another very important problem faced by fishermen in Romania is the lack of infrastructure. Along the Black Sea coast of Romania from Sulina to Vama Veche, small fishing boats under 12 m disembark in places that are not designated as fishing ports, without the right to use the land. For example, ten days ago in Constanta there was a case of one of the places for landing small boats, used for years, where the mayor of the city issued an order for everyone to leave.

Mr. Yordan Gospodinov: in Bulgaria, the requirements for issuing diving licenses are not that difficult. The BISAC can systematize these issues and make recommendations to the member states. Regulations have been issued by the EU according to which places for landing and unloading of catches must be designated. Unfortunately, despite the invitation sent by the BISAC to the Bulgarian authorities - the Ministry of Agriculture and EAFA, there are no representatives of them at the meeting who could take a position on the issues considered in the current working group.

Mr. Laurentiu Mirea suggests that the BISAC should hold a meeting to invite representatives of the GFCM, the EC and the local structures - EAFA and NAFA to discuss the problems of small-scale fishermen directly with the responsible institutions. which have been neglected for years in both Member States.

Mr. Konstantin Petrov - sub-regional coordinator of GFCM for the Black Sea: the topic of the focus group is very important and the information received from the bottom-up is valued, which means that it comes directly from the fishermen themselves. In the 2030 strategy of the EC, the specific priorities in the direction of sustainable SSF, sustainable livelihoods and the role of women in fishing are noted. At the last working meeting of the GFCM in Tunis, there were representatives of Bulgaria. Detailed information can be found on the GFCM website. The GFCM is organizing a meeting of the Working Group on Vulnerable Marine Ecosystems and Essential Fish Habitats (WGVME-EFH) from 8<sup>th</sup> to 10<sup>th</sup> March. The BlackSea4Fish project is also of great importance for the Black Sea, which is implemented in various directions - rapana, protection of sturgeon species, reduction of bycatch and many others. At the moment, the GFCM is focusing on future Black Sea surveys, data collection and management plans for the piked dogfish. Measures to protect cetacean mammals are also envisaged.

Mr. Yordan Gospodinov to Mr. Konstantin Petrov: can you take a position on the discussed topics and problems in the current focus group?

Mr. Konstantin Petrov: Sustainable livelihoods in fishing are embedded in the 2030 strategy - a topic related to SSF, which is important for the work of the GFCM. The commission aims to identify the needs of fishermen in every part of the Black Sea. For Bulgaria and Romania, the focus will be on the socio-economic aspect and shark fishing.

Mr. Daniel Buhai: Regarding the meeting of the GFCM on 9<sup>th</sup> and 10<sup>th</sup> March in Rome, is it possible to include in the agenda a recommendation that the BISAC will prepare regarding the challenges facing the SSF in Bulgaria and Romania. Can representatives of SSF from Romania attend in person?

Mr. Konstantin Petrov: It is good to have representatives from the sector from Bulgaria and Romania, because it is an opportunity for fishermen to present the challenges they face. The program of the meeting has been uploaded to the GFCM website, where there is also a link for registration. When the BISAC prepares the relevant recommendation, the GFCM will review and discuss it. The Commission has already planned rapana workshops in June 2023, which are a continuation of the previous year's work. Also, GFCM has a recommendation issued in 2021, which refers to the traceability of the turbot.

Mr. Ludmil Ikonov: he asks if there is a regulation that regulates the activity of sport fishing, because often the quantities caught by them are large and distributed to restaurants.

Mr. Yordan Gospodinov: People carrying out sport fishing do not catch large quantities of fish, they practice fishing as a sport, photograph the catches and return them to the sea. They have built federations and clubs with written rules. Recreational fishing is the fishing that significantly exceeds legal catches. Very often it even turns into commercial fishing.

Mr. Yordan Gospodinov presented data sent by EAFA regarding SSF in Bulgaria. The number of registered fishing vessels from SSF as of 31.12.2022, with a length of up to 9.99 m, are 1625. From 10 m to 11.99 m, their number is 63. As for recreational fishing, EAFA does not have a register. Fishing boats up to 9.99 m in length for 2022 have catches in the amount of 1,181,773.9 kg of fish, mussels and rapana, and those up to 11.99 m in length - 131,623.6 kg.

Following is a presentation by Mr. Catalin Balaban on "Small-scale coastal fishing on the Romanian Black Sea coast". The only definition of small-scale coastal fishing existing in European legislation is the following: Small-scale coastal fishing represents fishing activities carried out by fishing vessels in marine waters with a total length of vessels less than 12 meters, which does not use trawling gear, as well as fishermen carrying out stationary fishing, including crustacean and mollusc collectors. Although it is a concept promoted by the European Maritime, Fisheries and Aquaculture Fund, coastal small-scale fishing is not defined in Romanian legislation. A current definition of small-scale fishing excludes certain types of vessels as well as the use of traditional fishing gear. This exclusion reduces the visibility of small-scale coastal fishing and its presence in EU statistics. The Common Fisheries Policy does not adequately define the concept of non-industrial, small-scale or coastal fisheries. Only the length of the vessel is taken into account, while there are other more appropriate and up-to-date definitions for this type of fishing in international conventions. Small-scale fishing in the Danube Delta Biosphere Reserve involves 1,200 licensed fishermen who use small boats and practice fishing with traditional gear. Fishing is mainly done with fixed nets or gill nets submerged in the coastal zone. Only 10 fishermen out of the total number hold a license to fish for turbot (over 20 meters isobath). The rest are fishing to baselines in inland sea waters. The development of coastal small-scale fisheries was limited in Romania when many areas with potential became protected areas. In the new programming period, it is intended to develop fishing shelters and landing points that allow the transfer of the catch under appropriate conditions from a sanitary point of view, which also guarantees the traceability of the product. The need to support this fishing sub-sector is supported by the following arguments: - the small-scale fishing fleet is the fleet with the most limited financial resources

available; - income from fishing helps support a livelihood that is of immense cultural and historical value to many coastal communities; - small-scale coastal fishing respects the restrictions imposed by the reserve status of the delta and the associated coastal zone; - it is carried out with traditional gears and methods specific to a certain area.

Small-scale coastal fishing needs to take the following measures:

- purchasing engines that emit less CO<sub>2</sub> and are energy efficient, or converting engines powered by petrol;
- ensuring security of vessels - equipment of boats with safety materials;
- gear selectivity - European support for the provision of selective gear so that the transition is as quick and efficient as possible for fishermen;
- construction of landing places and installation of appropriate infrastructure to create conditions for storing, freezing and cooling of fish;
- the introduction of immediate, realistic and effective measures that allow increasing the profit margins of fishermen;
- the involvement of fishermen's associations in the implementation of the CFP in such a way as to promote and support small-scale fishing.

Mrs. Pinelopi Belekou: The EC has invested a lot of effort in protecting small-scale fishermen, because their fishing vessels are 92% of the total in the Mediterranean and Black Seas. SSF also plays a key role in the socio-economic aspect. On 21 February 2023, the EC adopted a package of measures to improve the sustainability and resilience of the EU fisheries and aquaculture sector. It contains four elements: 1- a communication on the energy transition in the fisheries and aquaculture sector; 2 - an action plan for the protection and restoration of marine ecosystems for sustainable and shock-resilient fisheries; 3 - communication on the common fisheries policy today and tomorrow; 4 - report on the general organization of the markets of fishery and aquaculture products. The main objectives of the measures are to promote the use of cleaner energy sources and to reduce dependence on fossil fuels, as well as to reduce the sector's impact on marine ecosystems. The proposed measures will be taken gradually to facilitate the adaptation of the sector. On March 9, during the meeting between the Advisory Councils, Mrs. Charlina Vicheva will present this package of measures. A key element of the GFCM regional action plan on SSF was raised in the last presentation – namely the right of fishermen to participate in decision-making. The European funds are open to small-scale fishermen and they can contact the management authorities for more information. As for the issue of licensing the divers - this depends on the legal framework in the respective country. It depends on the member state to determine application rules for certain procedures, when not covered by a EU regulation.

The EC has also proposed a review of the control regulation - full reporting of catches, all fishing vessels to have tracking systems. There is still a discussion between the European Parliament and the EC and there is no final decision, but Member States are making inquiries about derogations for vessels of 9 or 12 m. It is interesting to hear the recommendation of the BISAC for new easy-to-implement catch declaration technologies, which have come up in the discussions. As for the lack of ports and landing places - this again depends on the Member

States and how they spend the European funds to improve their infrastructure. The BISAC can make recommendations on this matter to the national authorities, informing the EC as well.

Regarding the definition of SSF touched on in the last presentation - the GFCM had a specific forum where this topic was discussed. Ms. Pinelopi Belekou asks Mr. Katalin Balaban whether the Fishermen's Association "Golovitsa" is registered in the European fleet register. If it is not, there is no possibility of financing from the EC. She also asked what kind of fish they catch and in which exact area of the Danube Delta.

Mr. Laurentiu Mirea: It is high time that the Romanian state does something about small-scale coastal fishing, because every year this type of fishermen is decreasing. Many funds and assistance programs already exist, but are not visible to SSF. The past recommendations sent to the state by the Romanian associations and by the BISAC have not been taken into account. He invites Ms. Pinelopi Belekou to visit Romania and learn on the spot about the needs and challenges facing local fishermen. It is proposed to organize a meeting between the representatives of GFCM, EAFA, NAFA and the fishing organizations, to create a working group to examine and consider the needs of SSF in the two member states.

Mr. Dinu Dobrin, Directorate of Marine Policies and Inspections of NAFA, Constanta: The agency is only an executive body, yet it has sent proposals for changes to the Law on fisheries and aquaculture in Romania. NAFA has an obligation to make proposals regarding the traditional fishing on which coastal communities depend. SSF in the Black Sea is carried out by fishing vessels up to 12 m in length, which do not use dredging means. They fish up to 6 miles in territorial waters and this limit is enforced by the country's navy. SSF in Romania use nets, traps, fishing hooks for fishing, and some of them also use a manual method (through divers) to collect mussels and clams. NAFA has taken some legislative initiatives to change and modernize the Law on Fisheries and Aquaculture, but the final decision is made by the Parliament of Romania.

Ms. Pinelopi Belekou: calls on the members of the BISAC to familiarize themselves with the new package of measures adopted by the EC on February 21, 2023. The package will also support the full implementation of the Common Fisheries Policy in coordination with Member States and stakeholders in the fisheries sector, including fishermen, producer organisations, regional advisory councils, civil society and scientists. Making the sector an attractive place to work for younger generations is also at the heart of the proposals. The Commission proposes to reduce dependence on fossil fuels and to aim for a climate-neutral fisheries and aquaculture sector. It proposes measures to support the sector in accelerating the energy transition by improving fuel efficiency and switching to renewable, low-carbon energy sources. Another aspect is conservation of marine ecosystems for sustainable fisheries. The Commission presents a Marine Action Plan to strengthen the contribution of the CFP to the achievement of the EU's environmental objectives. and to reduce the adverse impact of fishing activities on marine ecosystems, in particular through seabed disturbance, bycatch of vulnerable species and impacts on marine food webs. The Action Plan contributes to the implementation of the EU's 2030 Biodiversity Strategy and its commitment to legally and effectively protect 30% of the seas, of which a third must be strictly protected. Another goal of the plan is to reduce the impact of fishing on the seabed. The Commission therefore calls

on Member States to propose joint recommendations and take national measures to phase out mobile bottom fishing in all MPAs (marine protected areas) by 2030 at the latest and to ban it in newly created MPAs. In addition, the action plan proposes measures to increase the selectivity of fishing gear and practices and to reduce bycatch of threatened species, setting out a timetable to help Member States prioritize those species that require most protection. The BISAC together with the member states will have a commitment to prepare a general recommendation for the Marine porpoise (*Phocoena phocoena*) by the end of 2023.

Closure of the meeting.

Minutes of the meeting by: Mrs. Elena Peneva

Chairman of BISAC: Mr. Daniel Buhai