



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

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MINUTES

From a meeting of BSAC Working Group 4

September 28, 2021

Topic: "Marine protected areas and interaction with fisheries"

On September 28, 2021 in the city of Constanta, Romania, in the hotel Continental Forum and through the ZOOM application was held a meeting of Working Group 4 of the BSAC on the topic - Marine protected areas and interaction with fisheries.

The meeting was attended online by Ms. Tsvetana Belomacheva from the Ministry of Agriculture, Food and Forestry / MAFF / Directorate General Fisheries Policy - GFP, and in the hall guests of the meeting were: Mr. Serstiuc Dorin from the National Agency for Fisheries and Aquaculture / NAFA / Constanta, Ms State Lacramioara - National Agency for Protected Areas, Romania.

The meeting was attended by members of BSAC online and present in the hall, as well as the secretariat of the Association.

The meeting was opened by Mr. Yordan Gospodinov, followed by greetings to the guests and members of BSAC.

Following is a presentation by Mr. Marian Payu on "How can marine protected areas be a bridge between fishing and biodiversity conservation?" Mr. Payu emphasized the fact that the Natura 2000 network is very diverse between EU Member States. The interaction between fishing and marine protected areas takes place in the following areas:

- Traditional fishing;
- Restrictions imposed by the management plan for the protected areas;
- Zoning of protected areas.

There is also an order N126 / 807/2017 in Romania approving the norms on the access to living water resources from the public domain for the purpose of practicing commercial fishing in the natural habitats of fish from the protected natural areas.

Following is a presentation by Mr. Todor Georgiev about the coastal protected areas in Bulgaria. Mr. Georgiev clarified that in Bulgaria the two directives for biodiversity conservation in Europe - the Directive on the Conservation of Wild Birds and the Directive on the Conservation of Habitats and Wild Flora and Fauna have been transposed into the Bulgarian Biodiversity Act, and the translation from English into Bulgarian is incorrect. He gave an example that in Article 2, paragraph 3 in English is written "Measures taken in implementation of this Directive shall comply with economic, social and cultural requirements, as well as regional and local characteristics.", While the Bulgarian translation is: "Measures taken in implementation of this Directive shall take into account economic, social and cultural requirements as well as regional and local specificities." This misinterpretation actually leads to the fact that the imposed prohibitions formulated as protection measures ignore man and his activities on the territory of protected areas. This helps radical green NGOs in Bulgaria to use huge public financial resources at the expense of property owners and activities that help feed the population. Another drastic difference between the two European directives on biodiversity and the Bulgarian Biodiversity Act is that when determining the conservation measures of protected areas, the directives indicate three ways: measures of legal, administrative and contractual nature, while in Bulgaria there are only administrative measures, there can be no talk of a contractual nature. Those legally harmed by the prohibitions imposed even have a ban on access to justice. The orders issued with prohibitions of the Minister of Environment and Water are unappealable.

The length of the Bulgarian Black Sea coast is 375 km. Marine protected areas have not yet been declared in the Bulgarian part of the Black Sea. Along the Bulgarian Black Sea coast there are 16 protected areas for protection of habitats and wild flora and fauna and 16 protected areas for protection of wild birds. These 32 protected areas include land and sea areas. It is forbidden in the sea areas:

1. Use of bottom trawling and dredging means, disposal of dredging masses and re-ballasting of ships in the sea spaces in the area.
2. Construction of permanent structures, artificial underwater reefs and islands on the habitats subject to protection in the sea areas in the area.

In the marine parts of the coastal protected areas for protection have been declared:

- Marine mammals - two species of cetaceans in the Black Sea - Afala and Motkur,
- Fish - Karagyoz, small Karagyoz and Rezovski Karagyoz,
- Invertebrates - the pearl mussel.

Another problem that Mr. Georgiev pointed out is that wild camping is allowed in Bulgaria, which pollutes the environment a lot. The Ministry of Environment and Water /MEW/ will soon adopt an extension of the protected areas and a change by order of the Minister to allow camping on the beach itself, which is unacceptable. Mr. Georgiev expressed the opinion that the best custodians of the resource at sea are those who use it and EU subsidies should reach them, and not be distributed to radical green organizations.

Discussions follow:

Mr. Yordan Gospodinov stressed that really the best guardians of the sea are fishermen and they should participate in the scientific expeditions of the institutes - a recommendation that BSAC has already made.

Ms Michaela Candea-Myra: Today's discussion on the interaction between fisheries and marine protected areas concerns the whole European community. In this regard, BSAC has already recommended that the fisheries sector be involved in discussions and plans for protected areas. The state administration must realize that fishing brings great benefits to certain communities and is their livelihood, such as small-scale fishing. The main recommendation to the countries is to prepare the management plans with all stakeholders and to include in them information about the coastal areas bordering the marine protected areas. For example, there was no discussion with fishermen when introducing marine protected areas in Romania.

Ms. Lacramioara State from the National Agency for Protected Areas in Romania clarified that not all protected areas have a management plan and the plans already in force cannot be changed.

Mr. Dorin Serstiuk asked who deals with the marking of protected areas? Years ago, the Grigor Antipa Institute marked the areas with signposts, but now there are none and a conflict situation could arise and a fisherman could enter such an area without wanting to. Moreover, this may be a foreign ship, for example a Bulgarian, which is not familiar with the coordinates of the zones.

Mrs. Lyubov Georgieva asks Mr. Serstiuk - what is the solution to this problem.

Mr Serstiuk replied that the solution was to follow specific trawling coordinates. Romanian law prohibits trawl fishing and a possible solution is any vessel entering Romania's exclusive economic zone to provide information on what species of fish are on board, what fishing gear it uses and what they want to catch.

Ms. Lyubov Georgieva asked in such a case whether there is an exchange of information between EAFSA and NAFA and whether it reaches the fishermen - what is allowed to be fished in a country and with what devices, because there is no access to this information.

Mr Serstiuk replied that there was a cooperation protocol between the two national agencies. Meetings were held between the directorates in Burgas and Bucharest, where the legal structures knowing the access to the exclusive economic zones of both countries are located.

Mr. Todor Georgiev expressed the opinion that, in his opinion, BSAC should liaise with the Black Sea Economic Cooperation Organization, which is based in Istanbul. It is also important for the Bulgarian and Romanian states to exchange fisheries legislation. If possible BSAC to apply for European funds for GPS marking of protected areas in the Black Sea. Also, BSAC should clearly explain to the EC that rapan is an introduced species and biological enemy of the Black Sea and destroys the bivalves, and without the mussels the sea will perish.

Following the discussions, some ideas for a recommendation from BSAC to the official authorities of the two Member States emerged:

- Cooperation with the Black Sea Commission (BSC) and the Black Sea Economic Cooperation Organization (BSEC)
- Establishment of a management body for protected areas in Bulgaria, following the example of Romania with the National Agency for Protected Areas.
- Solving the classification of rapana (*Rapana venosa*) towards the implementation of coordinated and subsidized measures for the collection of this invasive species from the Black Sea ecosystem.
- Participation of all stakeholders, especially fishermen, in the debate on marine protected area management plans. In this way, they can really be involved in the subsequent implementation of these management plans and in the process of protecting these areas.
- Fishing is a sector which benefits the community, as for some communities it is the only source of income. Traditional fishing with high selectivity equipment should be allowed in certain protected areas.
- The Maritime Spatial Planning Plan needs to integrate a lot of information, some of which does not currently exist. Consultations with the scientific community, the administration, the economic sector, the civil society, etc. in the implementation of these plans it is necessary to complete the list of activities and environmental factors that must be taken into account. In this sense, the zoning of marine protected areas and the regulation of access in protected areas can be realized..

Next: closing the meeting.

The minutes of the meeting were kept by: Mrs. Elena Peneva

Chairman of BSAC: Mr. Yordan Gospodinov