

ANNEX

Ministry of Agriculture and Rural Development

Operational Programme for Fisheries

Romania

2007-2013

Acronyms

AA Audit Authority

CAP Common Agricultural Policy

CFP Common Fisheries Policy

EAFRD European Agricultural Fund for Rural Development

EEZ Exclusive Economic Zone

EC European Community

EU European Union

EFF European Fisheries Fund

ERDF European Regional Development Fund

ESF European Social Fund

FEAP Fishing Effort Adjustment Plan

FLAG Fisheries Local Action Groups

FOP/OP Fisheries Operational Programme

GDF MAFOP General Directorate for Fishing - Managing Authority for FOP

GDP Gross Domestic Product

GVA Gross Value Added

ICT Information and Communication Technologies

LAG Local Action Group

MA Managing Authority

MADR Ministry of Agriculture and Rural Development

MCFOP Monitoring Committee of the Fisheries Operational Programme

NDP National Development Plan

NGO Non-Governmental Organisation

NRDP National Rural Development Programme

NSP National Strategic Plan for Fisheries

NUTS Nomenclature of Territorial Statistical Units

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Introduction

The Romanian Operational Programme for Fisheries was drafted by National Agency for Fishing and Aquaculture in accordance with Article 17 (3) of Council Regulation (EC) no. 1198/2006 of July 27 2006 on the European Fisheries Fund following a consultation process with the socio-economic stakeholders, national and local government authorities, trade unions, NGOs and professional organisations⁴. As a follow-up to the process initiated with the definition of the National Strategic Plan, several meetings have been held with these stakeholders, the European Commission and other partners in order to draft this Operational Programme, with the contribution of the thematic workgroups created for this purpose.

The NSP for the period 2007 – 2013 covers all the aspects of the Common Fisheries Policy in Romania and the vision of the Romanian government for the development of the sector. The EFF contributes in many aspects to the implementation of the CFP in Romania and a specific strategy has been developed as a continuation of the overall strategy adopted in the NSP.

1. OPERATIONAL PROGRAMME FOR FISHERIES, ROMANIA

2. GEOGRAPHICAL ELIGIBILITY

The whole territory of Romania is eligible under the “Convergence Objective”. In the Operational Programme for Fisheries, Romania intends to apply systematically the highest level of aid intensity.

3. ANALYSIS

Romania is a medium sized country, with a surface of 238,391 km² and a population of 21,623,849 (2005). The average population density is 90.7 inhabitants/km², with significant variations between rural (47 inhabitants/km²) and urban areas (383 inhabitants/km²).

The NUTS III level is represented in Romania by 41 counties (“Judets”). Economic and social disparities between and within regions are a growing problem that structural policies should help alleviate.

The transition from a centrally planned economy to a market economy began in Romania in 1990 and implied radical changes in the institutional and legal framework. The economy went through several phases of recession and recovery and has grown steadily since 2000: between 2000 and 2005, the average annual GDP growth rate exceeded 5% against a background of macroeconomic stability. The annual inflation rate was approximately 8.6% in 2005, higher than in the Euro area.

The employment rate dropped slightly between 2003 and 2005 and the unemployment rate grew from 7% to 7.2%. However, the unemployment rate is still low, as compared to other countries in the region (NMS-10 and EU-15).

⁴ *See in Annex 1 the list of the stakeholders and bodies consulted and a short summary of the results of the consultations*

Although important progress has been achieved over the past years, Romania is still lagging behind its European competitors in terms of economic development. The standard purchase power was only one third of the EU-25 average in 2005, whilst the average GDP/capita was only 50% of the average for the new member states.

These low figures show that structural changes are very much needed to start bridging the gap between Romania and the EU. The process of convergence between Romania and the rest of the Union must be strongly supported by structural reforms.

3.1. General description of the fishing sector in Romania

3.1.1. Analysis of national and/or local circumstances

Romania has a coastline along the Black Sea of around 250 Km and the exclusive economic zone covers 25,000 km². Inland waters represent about 843,710 ha or 3% of the total surface of the country. There are 400,000 ha natural lakes, ponds and man made reservoirs, including the Danube Delta; 84,500 ha fish farms; 15,000 ha fish nursery areas; 66,000 km rivers of which 18,200 km are mountainous and 1,075 km in the lower Danube.

Fisheries and fish have occupied and still occupy an important place among national interests. Although the contribution of the fisheries sector to the economy (both GDP and GVA) is relatively low (see table below), it is seen as an important sector, one that plays an important social role for the coastline population (the financial resources that are being generated support a relatively large population) while representing a source of food. It contributes to the protection of wetlands and biodiversity in the Romanian waters.

Table no 1. Weight of fishing and fish farming in total GVA and GDP (%)

INDICATORS	1998	1999	2000	2001	2002	2003	2004	2005
Fishing and fish farming / GVA	0.0058	0.0061	0.0043	0.0049	0.0047	0.0080	0.0063	0.0062
Agriculture, hunting and forestry /GVA	16.21	15.15	12.51	14.97	12.75	13.02	13.89	9.58
Fishing and fish farming / GDP	0.0051	0.0054	0.0038	0.0043	0.0042	0.0071	0.0056	0.0054
Agriculture, hunting and forestry /GDP	14.38	13.34	11.07	13.37	11.42	11.56	12.40	8.46

**recalculated for 2004 actual prices*

Source: calculations based on the Statistic Yearbook of Romania

The fisheries sector includes aquaculture, marine and inland fishing, processing and marketing. Romania's main fishery production component is aquaculture, followed by inland fisheries. Fishing activities along the coastline of the Black Sea remain limited when compared to the importance of inland fisheries.

During the period 1995-2005, Romania's total fishery production dropped from 18,675 tonnes in 1998 to 13,352 tonnes in 2005. The 2005 production levels were as follows: aquaculture 7,284 tonnes (54.55%), inland water fishing 4,042 tonnes (30.27%), Black Sea fishing 2,026 tonnes (15.17%). This dramatic production decline (both fresh and sea water fisheries) is a consequence of the transition to the market economy (low investments were made in this sector) and of the unclear institutional and legal framework, particularly as regards land ownership. It is to be noted that these data must be viewed with caution due to the poor level of organisation of the marketing chain.

The quantity of fish marketed in Romania was 92,696.90 tonnes in 2005, 18.89 % higher than in 2004. The share of domestic production to total national consumption has been decreasing constantly, from 24.31% in 2003 to 14.40% in 2005. The fish consumption per capita was over 8 kg per year in 1989, but it dropped to 2 kg in 1993 and raised again slowly to reach 4.5 kg in 2005.

In 2005 the total number of employees in the fisheries sector was about 6,811 of which 633 employees (9.29%) were involved in marine fishing, 2,531 (37.16%) in inland fishing, 2,781 (40.83%) in aquaculture and 866 (12.71%) in the processing industry.

3.1.1.1. Sea fishing

In Romania, sea fishing, conducted **along the Romanian coastline**, is limited to the marine areas up to 60-meter isobaths, as a consequence of the characteristics of the vessels and their limited autonomy.

- In 1986, Romania declared an Exclusive Economic Area (EEA) of about 25,000 km² in the Black Sea. However, Romania's fishing area in the Black Sea, as stipulated by the UN Convention on sea rights, is yet to be delineated. Romanian fleet operates up to 30–35 marine miles out in the Black Sea.

Trawl fishing has a seasonal pattern and is linked to the presence of the fish in the areas. In 2005, the species mostly caught in the Black Sea were small size species: sprat (73.39%), anchovies (7.60%), sturgeon (4.67%) and whiting (4.55%).

An important fishing area is the Danube Delta Biosphere Reserve, where fishing activities are forbidden to trawlers. In addition, the near-shore area of the Black Sea coast up to 20m isobaths is out of limits for fishing vessels that use towed gears. Fishing activities are limited to the utilisation of fixed rods and nets.

In 2005, 633 persons (97% men) were employed in marine fisheries. The breakdown by age was as follows: 37.44% age 40-60, 58.93% age 20-40 and 3.63% under 20.

The fleet

The Romanian fishing fleet capacity at the Black Sea, is 439 vessels (22 over 12 m long and 417 smaller than 12 m), with 2,604.86 tonnes (GT) and 8,691.79 kW, registered in the Fishing Vessels Register.

From the whole amount of 22 **vessels over 12 m long**, not all of them have been fully operating for the past few years. Most of these vessels are of the same type, with a total length of about 25m. These vessels were built in the 1980's. The average age of the fishing vessels is 20 years, most of them with steel hulls. They are currently in poor technical condition as they are ill maintained, while health, sanitary and safety conditions aboard them need to be improved; in particular, they lack cold storage facilities. Their design and engines only allow them to operate under favourable weather conditions.

- Most of the **13** vessels which have been inactive recently were also built in the 1980s. These vessels are part of the vessel register and part of the Romanian capacity and therefore might resume fishing at some point.
- Since the dismissal of the Romanian Fishing Company in 1993, the entire deep-sea fleet ceased its activity.

The **small-scale coastal fishing fleet** is composed of 417 boats (see table below) made of wood or fibre, 200 of these being equipped with low power engines. This type of boats does not use towed gears, but use static gears: long line, bottom line, gill nets and traps. The average age of this small-scale fishing fleet is about 15 years.

This fleet is in poor condition and needs improvements of safety on board, working conditions and facilities for landing. The fishing fleet activity is facing a low profitability due to fuel prices and low value of most of the Black Sea catches.

The main species targeted by this fleet are small pelagic (sprat, anchovies, whiting and turbot). The number of the fishers involved in this activity is around 500.

Table no. 2. Black Sea fleet

Type	Number	Total tonnage	Total power (kW)
Vessels longer than 12 m	22	2,056.26	5,884.69
Vessels smaller than 12 m	417	548.60	2,807.10
TOTAL	439	2,604.86	8,691.79

(Source: *Fishing Vessel Register, National Agency for Fishing and Aquaculture*)

Production

Romanian recorded Black Sea catches declined from 16,000 tonnes in the 1980s to about 2,000 tonnes in recent years. The situation has improved slightly since 2003, with an increase from 1,612 tonnes in that year to 2,026 tonnes recorded catches in 2005. Around 40 tonnes of turbot were landed in 2005.

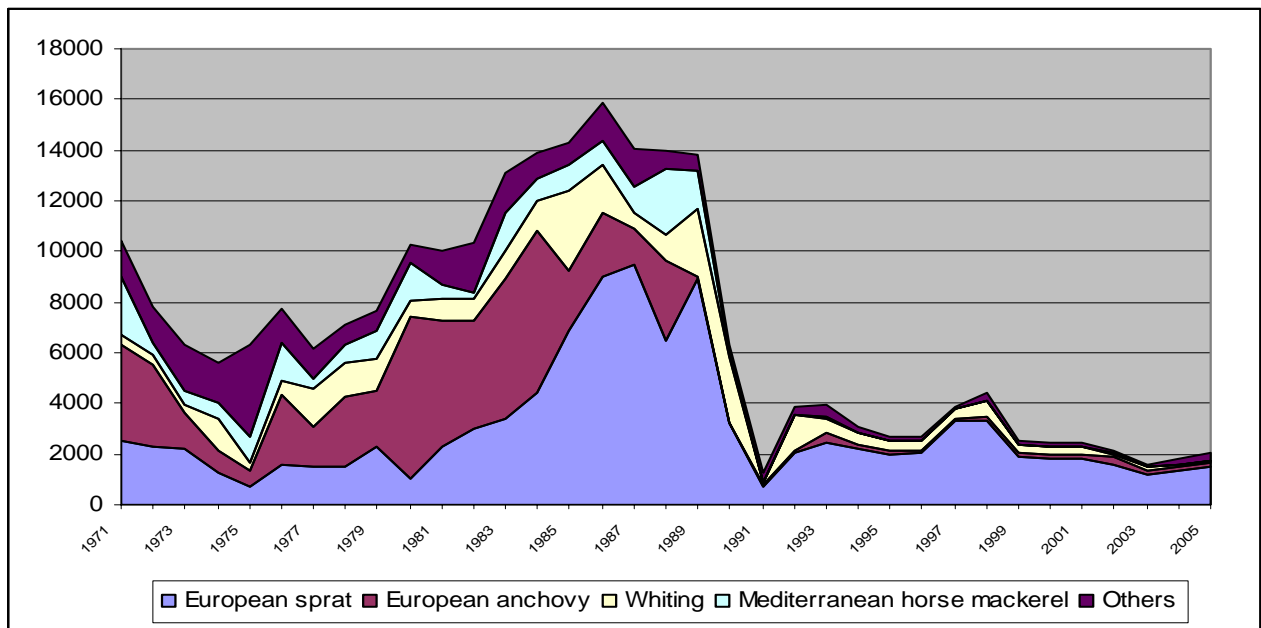
More than 70% of the catches are made by trawler vessels, the remaining by small-scale fisheries.

Romania's share in the overall Black Sea catches was only 0.4 % (source: FAO FishStat) in 2004. Around three quarters of the catch of the trawler vessels is sprat, which, due to lack of other storage facilities, lands salted. The dominant fish species are of low value and generates poor returns, which makes difficult to justify new investments.

Scientific studies done by the National Research and Marine Development Institute - "Grigore Antipa" - Constanta, carried out on the fish stocks assessment and conservation measures adoption, highlighting the following issues as:

- the irregular distribution of fishable agglomerations of the main species belonging to fish caught along the Romanian coast, both in the area of seines action at the 3 - 11 meters depths and also in the trawler vessels activity's zone, at 20 - 70 meters depths, add the offshore area with big exploiting fish stocks.
- the fish stock structure based on ages limits evaluation has changed much, sprout catches being under the maturity ages (maximum 3 years) which induces the necessity of a high percentage discarding of the undersized, non-marketable catches (meaning 56.5% of the 1 year old exemplars and 23% of 2.2 years old);
- the whole fishing effort concentration Constanta-Corbu and Zatoane-Sulina increases the pressures on resources.

Figure no.1. Black Sea Captures of Romania, 1971 - 2005



Data Source: FAO FishStat

Equipment: landing ports and fishing gears

There are no specialised fishing ports in Romania and marine fishing vessels have to use the commercial ports for landing. Fishing vessels in the Black Sea use the ports of Mangalia, Constanta and Sulina as **landing ports**. None of these ports has specific facilities for landing, storage and sale of fishery products. Facilities for vessel maintenance, water, fuel and ice supply are also lacking. The existing installations no longer provide the necessary safety on board and do not meet the requirements for consumption and food safety. Infrastructure such as quays, warehouses and locations for first sale is missing in Romania.

There are different types of **fishing gears** for active and passive fishing that are used in Romania. The fishing gears now being used in the Black Sea are obsolete. Fixed fishing gears include mainly equipment for catching fish that is migrating for spawning and feeding in shallow waters (long lines, bottom lines, gill nets). Active fishing is performed with seine and pelagic trawl.

No investment projects have been undertaken in the Black Sea fishing fleet after 1990 (upgrading vessels, quays etc.). Landing facilities, safety on board, working conditions, hygiene, product quality, energy efficiency and selectivity should be enhanced as a matter of priority.

In order to comply with the requirements of the MARPOL Directive (2005/33/EC), Romania intends to modernise its fishing fleet aiming to keep on board all kind of waste. The provisions of The International Convention for the Prevention of Pollution from Ships (MARPOL Convention 73/78), will be in this way respected. Romania will take into consideration for its fishing fleet four annexes of this Convention: Annex 1 – Prevention of pollution by oil, Annex 4 – Prevention of pollution by sewage from ships, Annex 5 – Prevention of pollution by garbage from ships, Annex 6 – Prevention of air pollution from ships.

SWOT analysis – Sea fishing

Main strengths and opportunities include:

- The availability of adequate fish resources
- An established tradition in fishing at sea
- Market demand for fish products

Weaknesses and threats are:

- The low level of equipment: fishing ports, wharfs, storage, maintenance, etc.
- The poor condition of the fishing fleet
- The products are not in line with market demand
- Poor organisation of producers
- Inappropriate control of resource usage

- Competition by other EU producers for specific products
- Environmental degradation

Conclusion

Romania should seek to adapt its fishing fleet with a view of creating a stable and sustainable balance between the fishing capacity and the available and accessible resources. The definitive or temporary cessation of the fishing activity should allow Romania to adjust the fishing effort of certain segments of the fleet in compliance with the Common Fishing Policy. However, Romania wishes to maintain a minimum level of its fishing fleet (“minimum vitalis”), which could be estimated at 12-13 modern and performing fishing vessels. The fishing fleet should be renewed and modernised, which could help to provide the market with the type of products expected, without increasing the pressure on the natural resources. Further actions should be taken to improve safety at sea, the maintenance of the fleet and a better distribution of fresh catches.

Regarding small scale fishing, there is a need for modernising boats with the view of improving navigation safety, and improving conditions for preserving fish products on board. Landing site facilities need to be established or modernised for safety and capture unloading.

3.1.1.2. Inland fishing

Commercial inland fishing produced 4,000 tonnes in 2005. This activity is being practiced in the Danube, the Danube Delta, the Razim-Sinoie lake complex, in artificial lakes etc. Inland fishing is carried out as a main, full-time occupation, often by traditional fishers. In some cases, it is a subsistence activity for people who have insufficient income from other sources. Focal points are the Danube River and its Delta.

Fishing is performed under a licensing system. More than **2,500 workers of the fisheries sector** (of which 98% are men) are operating in Romania’s inland waters, utilising 2,256 registered vessels. These vessels are recorded in the Fishing Vessel Register which is managed by the National Agency for Fishing and Aquaculture. Inland fishing is practiced with fixed or towed gears, by using small wooden boats. No mechanised fishing is used in inland waters.

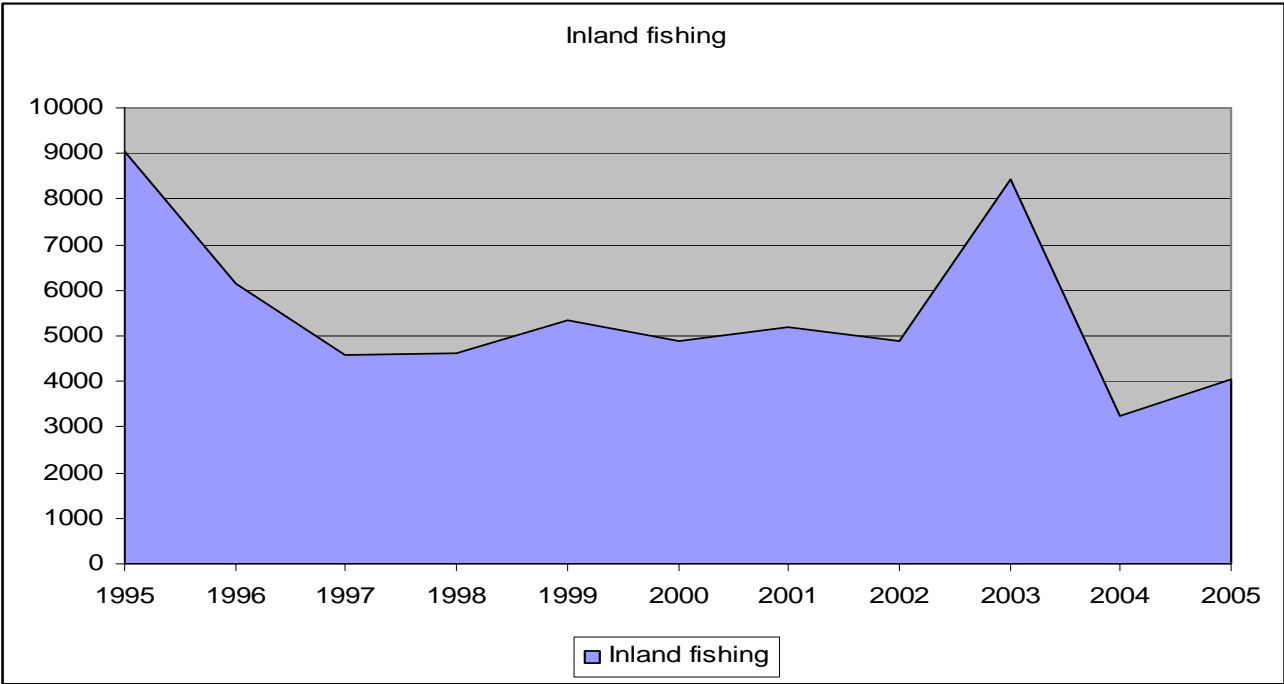
In 2005, the distribution of inland fishing employees by age groups was as follows: 523 persons (20.66%) between 40 and 60 years old, 1937 persons (76.53%) between 20 and 40 years old and 71 persons (2.81%) under 20.

Table no 3. Vessels in the Danube Delta and on the Danube

Area	Number	Total tonnage	Total engine power (kW)
Danube	1,333	1,715.76	2,144.46
Danube Delta	923	670.25	2,882.94
TOTAL	2,256	2,386.01	5,027.40

* *Data source: Fishing Vessel Register of National Agency for Fishing and Aquaculture*

Figure no.2. Evolution of inland fishing, 1995 - 2005



The recorded data show a yearly production of around 5,000 tonnes in average with peaks reaching 9000 tonnes in 1995 and 2003. Nevertheless, these figures should be considered with precaution in view of the poaching.

In 2005, the **main species** captured in inland waters were: crucian carp (47.44%), bream (14.37%), Danube herring (11.55%), common carp (5.05%), rudd (4.40%), European catfish (2.50%), sander (2.82) and pike (2.60%). The inland fishing production was 4,042 tonnes, i.e. only 44.67% of that recorded in 1995. However, production was up 24.18% from the previous year (2004).

- There is little doubt that a substantial amount of unreported fishing in Romanian inland waters exists. Sport fishing also adds some catches not registered in the official statistics.

Despite the fact that navigation can be very difficult, **landing sites** on the Danube and in the Danube Delta are scarce and not adequately equipped. The total number of landing sites is 83 places, 36 in the Danube Delta and 47 along the Danube River. Only 16 landing sites in the Danube Delta and 5 along the Danube River respect the veterinary standards. All the others 62 need to be modernized and equipped. Over the last years, new storage and processing facilities were built, however fishers lack the facilities required to transport their catches to these facilities; such added-value services are being provided by entities involved in the marketing of fishery products.

SWOT analysis – Inland fishing

Main strengths and opportunities include:

- The availability of exploitable fish resources
- An established tradition of fishing (vessels, skills, gears)
- The presence of significant water areas
- Market demand for the fish products
- The diversity of species available in inland waters

Weaknesses and threats are:

- The low level of safety (landing sites)
- Aging fleet
- Products not in line with market demand
- Poor organisation of producers
- Inappropriate control over resource exploitation
- Environmental degradation

Conclusion

The age of the equipment and the lack of preparation, conditioning and processing facilities make it difficult for inland fishery catches to reach non-local markets. There is a need to modernise the vessels in order to improve navigation safety and to improve the facilities for preserving fish products on board. Landing site facilities for safety and for capture unloading need to be established or modernised. Facilities for improving the quality of the products before their sale are also required, as well as the better distribution channels and the promotion of inland fishery products.

3.1.1.3. Aquaculture

The structure of the aquaculture production in Romania is dominated by the cyprinids representing about 85% of the total number of species, followed by trout, sander, pike, catfish and fresh water sturgeon (15%).

The Romanian traditional aquaculture system is extensive or semi-intensive, and based on cyprinid polyculture. Today, many of the pond sites are degraded, as they have been given little or no maintenance over the last 15 years. An important part of the existing aquaculture surfaces are unsuitable for aquaculture, particularly since they have not been adapted to the requirements of modern production processes.

- One reason for this is the slow pace of the privatisation process, where unclear ownership situations prevent investments. Recently however, ponds have been privatised or leased over a longer period in many places and positive developments are expected soon.

There are over 100,000 ha designated for aquaculture activities in Romania, structured as follows: 84,500 ha fish farms, 15,500 hatcheries, and 25 ha trout farms.

The **aquaculture enterprises** are recorded in the Fish Farms Register held by the National Agency for Fishing and Aquaculture which issues aquaculture licenses. 381 enterprises performing aquaculture activities were registered in 2005, of which 166 have their own hatcheries. In 2005, 2,781 persons were employed in the sector (90% are men), which represents over 40% of the total workforce in the Romanian fisheries sector.

- There are 601 people (21.61%) between 40 and 60 years old, 2,161 people (77.71%) between 20 and 40 years old and 19 people (0.68%) under 20.

At the end of 2005, the officially recorded **aquaculture production** amounted to 7,248 tonnes, which represented 54.55% of the total fish production. This marked a sharp drop from the peak of production, which was 50,000 tonnes at the end of the 1980s. Over the past years, aquaculture output has been decreasing, from 9,042 tonnes in 2003 to 8,056 tonnes in 2004 and further down to 7,284 tonnes in 2005.

Romania intends to support aquaculture development in order to supply domestic market demand and to increase the export in a more and more international competitive environment.

For this purpose the modernisation of the existing productive capacities is needed. Also specific infrastructure investments are envisaged (traditional aquaculture in extensive system) as well as the introduction of new species in aquaculture. Particular attention will be paid to the transfer and use of new technologies and know how

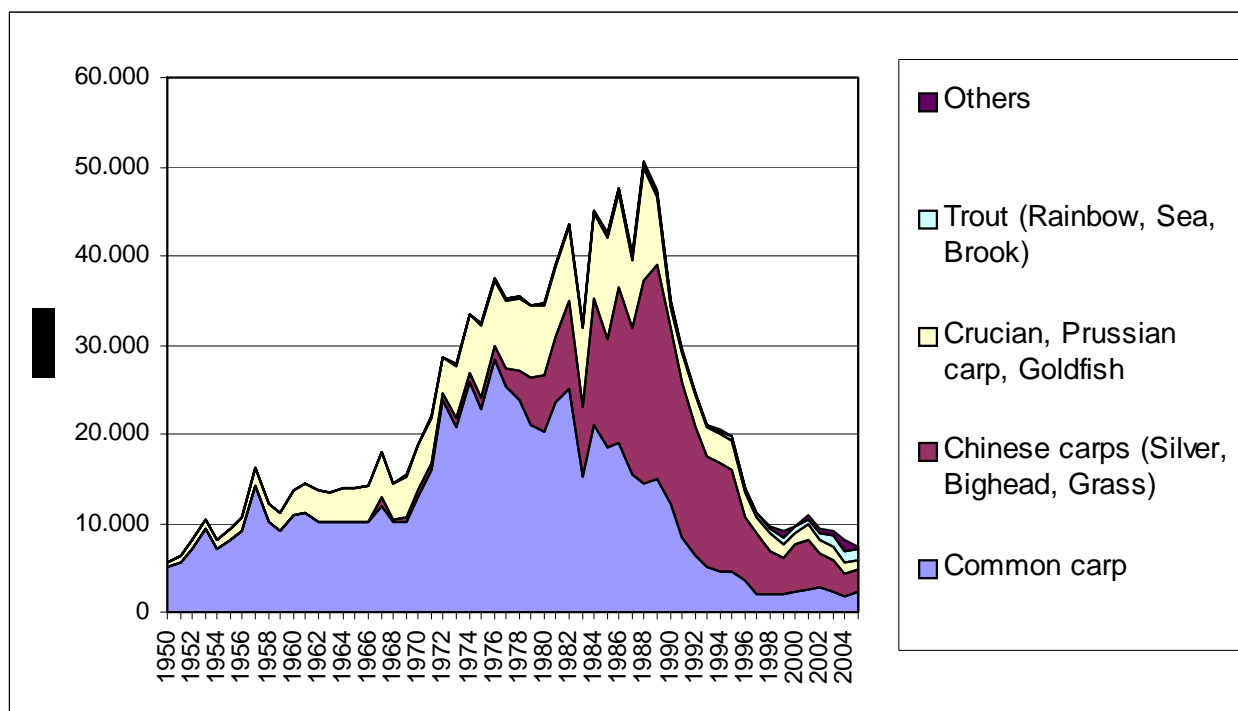
Relatively, the share of **trout** has increased; in 2005, it reached 14%, in quantitative terms, and 24% of the value of the overall aquaculture production. Also, the share of other species is increasing, such as that of sturgeon.

As regards the intensive aquaculture of **sturgeon** (a species with a high added market value), the development potential looks promising due to appropriate production and weather conditions and good market prospects. At the moment, 5 producers are active and the production is estimated at around 500 tonnes per year. The intensive aquaculture of sturgeon, trout, turbot and other local species has a potential to increase.

Currently, there is nearly no **marine aquaculture** in Romania, although some studies suggest that there is some scope for developing this field.

- In compliance with the Directive 79/923/EEC on shellfish water quality, four areas along the Romanian Black Sea coast were identified as suitable for mussel culture.

Figure no.3. Aquaculture Production of Romania, 1950 - 2005



Data

Source:

FAO

FishStat

SWOT analysis - Aquaculture

Main strengths and opportunities include:

- The existence of ponds and infrastructure
- Experienced staff
- Existence of local species with high value (sturgeon, turbot, perch)
- The population is familiar with the products
- There is good water availability in mountainous areas
- There is a growing domestic demand for fish and fish products
- Potential for the development of marine aquaculture
- Potential for rural tourism and ecotourism.
- The existence of protected natural areas that are appropriate for fish hatching and feeding

Weaknesses and threats include:

- Land privatisation process not completed
- Changes in consumer preferences
- Competition of imported products
- The sector's limited attractiveness to investors
- Insufficient technical equipments and obsolete installations
- Poor organisation of the producers
- Low diversity of the products and low added value
- Environmental degradation

Conclusion:

The production of high quality and high value fish such as sturgeon has good development opportunities and should be targeted beside increasing the production of the traditional species. Increased added value through processing and marketing appears promising, as it does the further diversification towards new species (sturgeon, turbot, mussels, ...), but also towards tourism and related activities, such as the adaptation of the fish ponds for angling.

The development of the traditional aquaculture in Romania should aim to reduce possible negative impact or enhance the positive effects on the environment and the target species with good market prospect.

For a more detailed assessment of the development options for aquaculture, it is planned to carry out an in-depth study of the sector and to draft a long-term master plan for the development of aquaculture, taking into account the objectives of the Strategy for the sustainable development of European aquaculture (COM 2002).

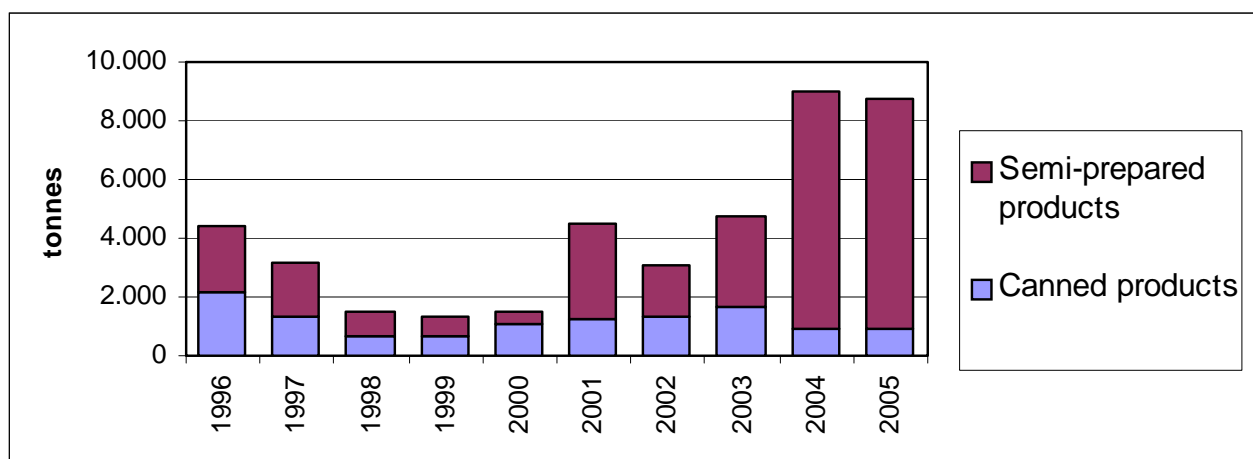
3.1.1.4. Processing

Until the end of the 1980s, Romania had an important fish processing industry. In the 1990s, industrial fish processing virtually ceased. This was, presumably, caused partly by a collapse of the production following the cessation of the activities of the high sea fishing fleet, and partly by the consumers' preferences shifting towards innovative imported products, which Romanian companies could not supply.

As a consequence, foreign producers gained a large share of the Romanian market for processed fish products. It is only during the last few years that a small number of Romanian companies started offering modern products, and that the domestic production, in particular of semi-preserved products, started increasing again. The majority of the raw material is imported, with mackerel and herring being the most common species.

Currently there are 56 enterprises in the fish processing industry. In 2005, 866 people (58% female) were employed in the fish processing sector.

Figure no. 4. Development of canned and semi-prepared products, 1996 - 2005



Data source: National Yearbook of Statistics Institute of Romania

The figures in the above chart show a decrease of **processed fish production** until 2000 and a sharp increase during the period of 2004 - 2005. This production boost was brought about mostly by the new units built after 2000 and the modernisation of some of the old units through the SAPARD Programme. Due to a relatively high absorption of fish processing and marketing funds under the SAPARD Programme in 2005 and 2006, it can be assumed that the production capacity has been extended and/or significantly modernised. Since EU hygiene standards became compulsory, a wave of modernisation took place all over the country.

However, not even half of the capacities for preserved and semi-preserved products are being used at the moment, due to lack of commercial viability.

The development of the processing capacity is not supporting of the development of the primary production sector in Romania, since the main processing inputs are **imported sea species**, especially mackerel and herring. Imports consist mostly of frozen fish (mackerel, herring, sprat, Alaska cod, whiting, sardines and anchovies). Local species processed are carp (90% of the local fish processed), trout, sander, pike, European catfish and perch.

SWOT analysis – Processing

Main strengths and opportunities include:

- Existence of a demand for processed products
- Trained technical staff
- Relatively cheap cost of labour

Weaknesses and threats are:

- Non-compliance with EU standards in some parts of the processing industry
- Difficult access to bank loans and cumbersome procedures in accessing funds
- Insufficient investments
- Dependence on the supply of imported raw material
- Poor organisation of the producers

Conclusion

New processing units were financed through the SAPARD Programme. Their production capacity remains far below market demand, which indicates that more investment is needed in the sector. The range of processed fish products is still narrow.

The main development opportunity is the production of “modern” fish products of high quality and with high appeal to the consumers, e. g. convenient fish products which are easy to prepare and to eat. It is this segment that created the growth in fish processing in recent years. This potential exists particularly in the field of semi-prepared products, not so much in canned products which are more or less stagnating in most parts of Europe. Possibly, also deep-frozen convenient fish products might have a good market, but this would have to be verified in special surveys.

For primary producers, in particular in small-scale coastal and inland fisheries and in aquaculture, the extension of the value chain by processing, (direct) marketing and possibly catering activities offers good opportunities.

Challenges for the sector are to continue the process of adapting the Romanian fish processing and marketing sector to EU standards, and to develop products that not only compete well with imports in the domestic market (where Romanian producers have the advantage that they can more easily design the products to meet local taste and preferences), but might also find buyers in other countries, since the cheap cost of labour in Romania makes the industry very competitive.

3.1.1.5. Marketing

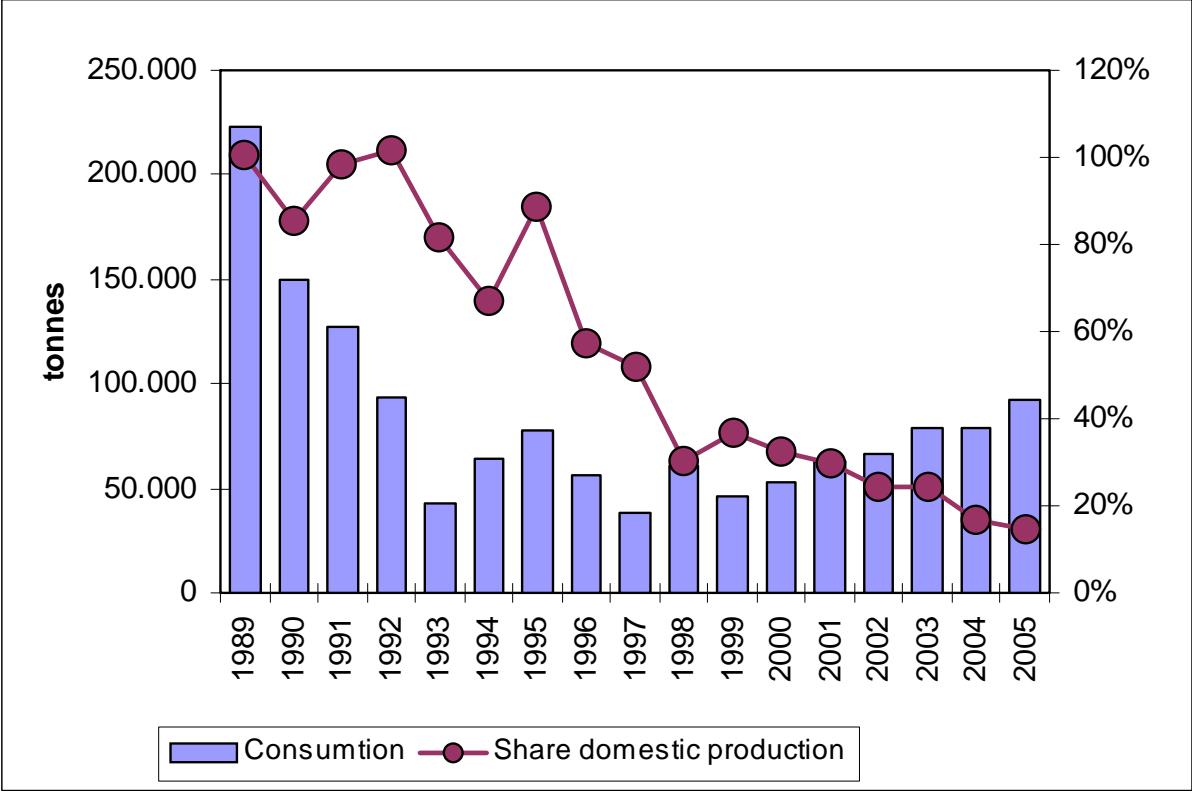
Recorded fish consumption dropped from more than 8 kg/person/year in 1989 to a minimum of about 2 kg/person/year between 1993 and 1999. Since then, it has been increasing again and reached 4.5 kg/person/year in 2005, which is still among the lowest averages in the EU. A wider range of products is available on the Romanian market, reflecting a change in consumers' preferences towards new species and new forms of presentation (fillets, headless, eviscerated).

In 1989, Romania fisheries production fed 96% of the domestic consumption. The country's fish production declined since then steadily. As a result, Romania moved from self-sufficiency in fish production to coverage of the domestic demand of only 14.4% in 2005 (see the figure below).

This gap is covered by imports. Exports of fish and fish products decreased continuously from 1989 and Romania suffers from a **negative balance of trade** every year. Between 2001 and 2005, the average volume of exports was only 693.37 tonnes per year, whilst 60,336.40 tonnes were imported every year.

- According to the data provided by MARD, imports increased by 22.19 %, from 65,604 tonnes in 2004, to 80,160.60 tonnes in 2005, while exports increased by 4.60%, from 779.80 tonnes in 2004, to 815.70 tonnes in 2005.

Figure no.5. Fish Consumption and Share of Domestic Production, 1989 - 2006



Data Source: FAO FishStat (1989-2004) / NSP (2005)

This gap in national production as compared to consumption can be interpreted as a potential for growth for Romania's fisheries sector.

Fish and fish product trade on the domestic market is mainly conducted by fish farms, processing plants, importers, wholesalers and retailers. **Promotion of fishery products** is carried out by processing enterprises through mass media and exhibitions together with agriculture products. There are no first sales points and the distribution channels are not developed. Fishery products are mainly delivered through producers and importers, and less through specialised intermediaries. Fishery products reach the final consumers through supermarkets and specialised shops.

SWOT analysis – Marketing

Main strengths and opportunities include:

- Existence of a demand for processed products
- Market potential for new species and innovative fish products

Weaknesses and threats are:

- Production is not in line with the expectations of the market
- Absence of a wholesale fish market
- Lack of first-sale centres with conditioning equipment
- Poor organisation of the producers
- Low diversity of the fishing products
- Insufficient promotion of fish products

Conclusion:

The Romanian market for fish and fish products is growing, but there is little connection between the market and the production of primary products in Romania. There is a need to increase the consumption of fish products. This should be done by reducing the dependence on imports and increasing the share of locally produced fishery products on the domestic market.

This requires the adaptation of the marketing of fishery products to the expectations of the market: new species, semi-prepared products, quality products supported by traceability, etc.

There is also a need for better monitoring of the market, in order to anticipate its trends and adapt production capacities accordingly.

3.1.1.6. Fisheries areas

Up until the middle of the last century, inland fishing was the main economic activity of the inhabitants of the areas around the large water surfaces such as the Danube River and the

Danube Delta. Other areas where fishing activities played an important role included the coastline of the Black Sea and some smaller areas in the mountainous parts of the country.

From 1950, this type of fisheries started to decline, with production and jobs decreasing dramatically. Important investment projects along the Danube River have transformed the wetlands into agricultural land and reduced the potential for fishing.

However, in the **Danube Delta** fishing remains the most important economic activity, followed by sheep and cattle breeding and traditional agriculture. Whilst no relevant official statistics is available, there are around 1,500 fishers among the 15,000 inhabitants of the Danube Delta. Since yet more people depend on fishing in upstream or downstream activities, the Danube Delta can be said to be one of the few areas in the whole EU that truly depend on fisheries.

The Danube Delta is located at the mouth of the Danube River before it reaches the Black Sea. It is one of the largest wetlands in the world and benefits from several international protection statuses. This means that economic activities are only allowed outside the core protected areas.

The number of people working in the fisheries sector **along the Danube**, outside the Delta, is according to official statistics higher than in other EU countries.

In the **coastal areas of the Black Sea**, a part of the population is traditionally undertaking fishing, but they lack specific infrastructure, the boats are old and small and the fishing gears are obsolete. The level of production from marine fishing has dropped dramatically, resulting in a drop of income for the fishers.

The density of villages and towns is low: fishers are located in Navodari , Corbu -Vadu, Ovidiu, Agigea, Lazu, Costinesti, Tuzla, Mamaia, 2 Mai- 23 August, Constanta, Mangalia, Eforie South, Eforie North and Limanu. The greater number of fishers is located in the Southern part of the coast.

The touristic potential of these areas is high because these places were the historical birthplace of Christianity in Romania (St. Andrew). Other historical sites include Adamclisi, the Monumental Tropaeum Traiani, the Fortresses of Capidava and Histria (near Lake Sinoe), the Fortresses of Tomis and Callatis. Promoted in a sustainable manner, tourism can attract an important number of tourists in these areas, which will contribute to the diversification of activities for the fishing communities.

One of the development opportunities opened to these areas is recreational fisheries. There are 200,000 members of recreational fishers' associations in Romania. They practice fishing as a leisure time activity or sport, and this number increases every year.

SWOT analysis – Fishing areas

Main strengths and opportunities include:

- Existence of local areas with a strong fishing tradition
- Exceptional natural resources
- Potential for tourism development

Weaknesses and threats are:

- Low diversification of economic activities in fishing areas
- Lack of tradition of cooperation between local partners
- Low added value of the fishery products
- Absence of local development programmes
- Local population migrating to areas more developed economically

Conclusion:

In Romania, there are several important communities depending on fishing. These areas have a development potential based on the implementation of an integrated local development strategy seeking the valorisation of local features. The exact location of these areas will be determined at a later stage, when the groups present integrated strategic plans.

The lack of former experience (partnership development, strategic planning) with local development procedures should be taken into account when preparing the implementation of the measure.

3.1.2. Analysis of Convergence and Non-convergence Regions

The entire surface of Romania is eligible as a Convergence region.

3.1.3. Main lessons learned from the previous programming period

Until the end of 2006, the SAPARD Programme included the fisheries sector among its priorities.

- 22 projects were supported until the end of 2006 under Measure 1.1. Processing, with €28 million;
- 51 projects were supported under Measure 3.4. Aquaculture, with a total of €1.5 million.

However, until the end of 2005, the funds earmarked for this sector remained mostly unused. Four main factors led to this situation:

- Bureaucratic administrative procedures, with many ministerial departments involved, which led to a heavy decision-making process;
- Lack of information and publicity for potential investors;
- The SAPARD Programme only took into account parts of the sector: aquaculture (measure 3.4) and processing (measure 1.1);
- Investors, especially in the field of aquaculture, could not secure the 50% private participation, because of the unclear status of the land: banks would not provide loans in the absence of real estate security.

The implementation of the National Strategic Plan in Romania, especially through the EFF, must take into account these weaknesses which must be addressed by the Romanian administration.

3.2. Driving forces and development tendencies: SWOT analysis

The driving forces and development tendencies are outlined in the sections above. They are summarised and developed in the following SWOT analysis.

Strengths	Weaknesses
<ul style="list-style-type: none"> • The existence of exploitable fish resources • An established tradition of sea fishing • An established tradition of fishing (vessels, skills, gears) • The presence of significant water areas, ponds and infrastructure for aquaculture • Experienced staff (fishers, workers in aquaculture and processing) • Good water availability in mountainous areas • Existence of a demand for processed products • Relatively cheap cost of labour • Existence of local areas with a strong fishing tradition 	<ul style="list-style-type: none"> • The low level of equipment: fishing ports, wharfs, storage, maintenance, etc. • The poor condition of the fishing fleet • Low level of safety (landing sites) • Insufficient technical equipment and obsolete installations for aquaculture • Unclear land ownership • Some areas of the processing industry still need to be modernised in order to comply with EU standards • Production is not in line with market expectations • Poor organisation of producers • Inappropriate control over resource usage • Low diversity of fish products and low added value • Absence of a wholesale fish market • Lack of first-sale centres with conditioning equipment • Insufficient promotion of fish products • Low diversification of economic activities in fishing areas
Opportunities	Threats
<ul style="list-style-type: none"> • There is a growing domestic demand for fish and fish products • Market potential for new species and innovative fish products 	<ul style="list-style-type: none"> • Competition from other EU producers for specific products • Environmental degradation • Changes in consumer preferences

<ul style="list-style-type: none"> • Exceptional natural resources • The diversity of species available in inland waters • The domestic consumers are familiar with the products • Potential for the development of sea aquaculture • Potential for rural tourism and ecotourism. • Existence of protected natural areas appropriate for fish hatching and feeding 	<ul style="list-style-type: none"> • Competition of imported products • The sector's limited attractiveness to investors • Difficult access to bank loans and cumbersome procedures in accessing funds • Dependence for the supply on imported raw materials • Lack of tradition of cooperation between local partners • Local population migrating to more economically developed areas
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3.3. Description:

3.3.1. Environmental situation

This section provides an overview of the environmental situation in Romania as far as the Fisheries areas are concerned. The key elements concerning the state of the environment in Romania that are relevant for this Operational Programme are presented in detail in the Environmental Report, produced in compliance with the SEA Regulation. This report also presents an assessment of the likely impact of the Romanian Fisheries Programme on the environment.

The implementation of the Fisheries Operational Programme will take into account the requirements of the Water Framework Directive (2000/60/EC).

State of the environment in Fisheries areas:

(1) Black Sea coast

Black Sea waters are formed by a mixture of fresh water from Europe's big rivers and salty waters from the Mediterranean Sea. Regarding nutrients and other pollutants, the Danube alone is bringing residues from ten different countries it crosses. The Black Sea coast is important for fisheries, but is as well an important spa and health zone, where several famous resorts have been developed.

Along the Romanian seaside, a process of coastal erosion is occurring, at intensity levels that differ with the regions. The erosion process is higher in the Danube Delta and lower in the central and south shore. The presence of hydro-technical work (dams) on the Danube reduces the flow of silt.

Up until the 1990's, around 20 species of fish were of commercial interest, but today Romania's commercial trawl fishing in the Black Sea is based on only 5-6 small-sized pelagic species: sprat (75% of the total capture), anchovy (7.60%), whiting (4.55%) and sporadically horse mackerel and blue fish.

(2) Rivers and lakes

In Romania there are around 3.500 lakes, many of them small, i.e. less than 1% of them larger than 1 km². The most important are the lakes generated by the former lagoons of the Black Sea (Razim 425 km², Sinoe 171 km²) and the lakes formed along the Danube River (Oltina 22 km², Brates 21 km²), to which must be added the reservoirs created by the Iron Gates Dams. There are several glacial lakes situated in the Carpathian Mountains. The water quality as surveyed in 2003 is satisfactory, although not in all places.

The total length of Romania's important rivers is 22,569 km. The 2004 survey on the state of the environment showed that the water quality was satisfactory, with a low percentage of degraded river corridor's length. As compared to the 1989 baseline, this survey showed a significant amelioration of the water quality.

(3) The Danube River

The Danube is the second largest river in Europe with a length of 2,850 km and hydrographical basin of 817,000 km². From the water chemistry point of view, the Danube water assessed in 2003 was within the quality class II (“good state”), showing an improvement on all indicators (oil products, organic-chlorinated pesticides, chemical oxygen demand). Since the 1950s, the policy of damming the river to prevent flooding and to release land for agriculture, has led to several negative results: the narrowing of the path of the Danube has increased the flooding risk, while the land made available for agriculture does not substantially improve farmers’ earnings and the capture of fish has dropped drastically. The damming has also reduced the level of sediments taken to the Black Sea, which changed the environment in the Danube Delta and increased the risk of erosion on the shore. It seems that this policy has come to an end and is now replaced by a policy of controlled flooding of certain areas.

Protected areas

The **responsibility for protected areas** belongs to the Ministry of Environment and Forestry and its Environmental Protection Agencies operating at a County level. The Commission of Natural Monuments of the Romanian Academy is the legal scientific authority for nature conservation and protected areas. In 1993 Romania ratified the Bern Convention on the conservation of wild life and natural habitats in Europe.

The protected area in Romania amounts to 2.02 million ha, i.e. 8.48% of the surface of the country. This includes the following types of protected areas (the status of these areas and their level of protection is variable):

- 55 Scientific reservations (111,277 ha)
- 12 National Parks (304,730 ha)
- 234 National Monuments (7,705 ha)
- 617 Natural Reservations (204,355 ha)
- 13 Natural Parks (728,272 ha)
- 3 Biosphere reservations (664,446 ha)

The designation of NATURA 2000 areas was transposed into Romanian legislation in 2000, and 28 Special Protection Areas for Birds and Fauna covering 21,052 ha were designated in 2004. They are sometimes overlapping with fishing areas, especially in the Danube Delta.

The **Danube Delta** is situated at the mouth of the Danube River before it reaches the Black Sea. It is one of the largest wetlands in the world and holds a triple international protection status: Danube Delta was designated as a “World Heritage Site” by UNESCO and in 1990 became a “Wetland of International Importance” (according to the Ramsar Convention). Due to its international importance, the Danube Delta was also listed in 1990 in the world’s network of biosphere reserves under the “Man and Biosphere Programme”.

Fishing is the main source of livelihood, followed by sheep and cattle breeding and traditional agriculture. Three categories of functional zones can be distinguished in the Danube Delta: the core areas (506.0 km²), the buffer areas (2,233 km²), the economic areas and their localities (3,061 km²). The biosphere reserve concept does not exclude human activity provided it integrates environment in such a way that economic actions are compatible with conservation and protection measures.

Other protected areas that are important for fishing include:

- The **Vama Veche - 2 Mai Marine Reserve** covers about 5,000 ha and runs 7 km along the coast between 2 Mai and the Bulgarian borders and it was proposed as a site in the NATURA 2000 network of protected areas.
- The Iron Gates Natural Park covers an area of 117,855 ha of which 9,250 ha are under water (dam and artificial lake).
- The Braila Small Island Natural Park covers an area of 17,523 ha of which 5,756 ha are under water. The Braila Small Island is also a RAMSAR site.

Main environmental issues relevant to the Fisheries Operational Programme

In summary, the key issues to be considered under this Operational Programme are the following:

- The quality of water in rivers and lakes is improving.
- The water quality of the Danube is at an acceptable level, except for some pollution accidents.
- The damming of the Danube in order to prevent floods and to recover land for agriculture has had a negative impact on the habitats and fish stocks. A new environmental strategy is being formulated in order to recreate wetlands and allow the flooding of certain areas; this will create new development opportunities for the areas concerned.
- The two Iron Gates dams which were built to produce inexpensive electricity brought about two unexpected environmental consequences: the up-stream migration of fishes, especially sturgeons, was obstructed; and sediments carried by the Danube River arrive at the Black Sea shores in reduced quantities.
- The Danube Delta is a sensitive area declared Biosphere Reserve and incorporates many NATURA 2000 sites; its waters are considered to be at an acceptable level of quality; its biodiversity is an important asset that should be defended / protected;
- The Black Sea is a closed sea with a delicate ecology; only 5-6 small-sized pelagic species are presently being captured by the Romanian fishing fleet in significant quantities. A small number of further species would be of interest, but these are out of reach for the Romanian fleet with its current vessels and gears.
- The Black Sea coast is subject to an erosion process in which the diminishing of the sediments carried by the Danube River plays an important role.

Romania is home to some wild species that have disappeared in Central and Western Europe. Moreover the Danube Delta is a biosphere reservation with an enormous richness of fauna (birds, fishes) and flora. The wildlife species of the Danube Delta are important assets of Romania and of the EU.

In this context most of the SEA report recommendations were taken in account in this OP. Nevertheless recommendations such as the creation of artificial reefs in the Black Sea (already foreseen in the EFF Regulation) were not taken into consideration.

Ministry of the Environment has been consulted and gave its agreement through an Official Letter on the OP, on 23 July 2007.

3.3.2. *Equality of chances between men and women*

Through the EFF the member states shall ensure the equality between men and women, and the principle of equal opportunities.

The national legislation and the Romanian Constitution consecrate the equality of chances between citizens.

The Community Strategy for the equality of chances between men and women has five objectives:

- (1) economic equality;
- (2) equal participation in decision making;
- (3) social equality;
- (4) civil equality;
- (5) change of the traditional roles and overcoming gender stereotypes.

The main tools to achieve these objectives are:

- the implementation of gender equality plans;
- mainstreaming in order to produce structural changes in society.

In the fisheries sector, the work force is about 6,811 persons of which 5,954 are men and 857 women. Fishing is very much a traditional male activity.

SECTOR	MEN	%	WOMEN	%	TOTAL
AQUACULTURE	2,495	89.72	286	10.28	2,781
MARINE FISHING	614	97.00	19	3.00	633
INLAND FISHING	2,480	97.98	51	2.02	2,531
PROCESSING	365	42.15	501	57.85	866
TOTAL SECTOR	5,954		857		6,811
%		87.42		12.58	100.00

Table no.4. Gender distribution of workers in the Fisheries sector in Romania in 2005

(National Agency for Fishing and Aquaculture)

The table above confirms that the biggest number of women work in the processing sector, where they represent nearly 58% of the workforce. They are much less represented in aquaculture, inland fishing sector and marine fishing.

The Operational Program for Fisheries will seek to promote equal opportunities between men and women.

In particular, the local partnerships to be implemented under Priority Axis 4 will seek to achieve a gender balance amongst its members. A fair representation of young people will also be achieved.

3.4. Outcomes of the analysis

Taking into account the current state of the fisheries sector, there is a need to upgrade and support financially its restructuring in order to ensure a sustainable fishing policy in Romania. This restructuring requires the implementation of a number of actions aiming at maintaining sustainable fishing whilst increasing the competitiveness of the sector.

The following key outcomes of the analysis support the elaboration of the strategy of the operational programme which is presented in the next section.

Sea fishing

Romania should seek to adapt its fishing fleet with a view of creating a stable and sustainable balance between the fishing capacity and the available and accessible resources, in compliance with the Common Fisheries Policy. The market demand should be taken better into account.

Inland fishing

There is a need for modernising vessels and infrastructures with the view of improving navigation safety, and conditions for preserving fish products on board fishing vessels. Facilities for improving the quality of the products before their sale are also required, as well as improved distribution channels and promotion of the products of inland fisheries.

Aquaculture

The production of high quality and high value fish, such as sturgeon, has good development opportunities and should be targeted besides increasing production of traditional species. An increase of value added through processing and marketing appears promising, as it does the further diversification towards new species (sturgeon, turbot, mussels,...) or towards tourism and related activities (such as the adaptation of fish ponds for angling).

Processing

The principal development opportunity will be the production of fish products of high quality and in high demand with the consumers. For primary producers, particularly in small-scale coastal and inland fisheries and in aquaculture, the extension of the value chain by processing, (direct) marketing and possibly catering activities offers good opportunities. A particular challenge for the sector will be to continue the process of adapting the Romanian fish processing and marketing sector to the EU standards.

Marketing

There is a need to increase the consumption of fish products. This should be achieved through reducing the dependence on imports and through increasing the share of locally produced fish products in the domestic market. There is also a need for improved monitoring of the market, in order to anticipate its evolutions and adapt production capacities accordingly.

Fishing areas

Fishing areas are defined as an area in which fisheries activities, not only fishing are undertaken.

In Romania, there are several areas where large local communities depend on fishing. These areas have an important development potential based on the implementation of integrated local development strategies by local public-private partnerships.

4. STRATEGY AT OPERATIONAL PROGRAMME LEVEL

The strategy proposed for the Romanian operational programme is rooted in three complementary and interlinked elements:

- It supports the achievement of the National Strategy Plan for Fisheries which was adopted by Romania in May 2007.
- It takes into account the SWOT analysis undertaken by the programming authorities.
- It supports the Objectives spelled out in Article 4 of the EFF Regulation.

The ex-ante evaluation presented in Chapter 5 has verified the coherence between the objectives established at the OP level with the NSP and the EFF Regulation.

4.1. Overall objectives of the operational programme: a strategic vision for the Fisheries sector in Romania

The National Strategic Plan for Fisheries spells out the following vision: “A competitive, modern and dynamic fisheries sector, based on sustainable fishing and aquaculture activities taking into account the aspects related to environmental protection, social development and economic welfare.”

In the light of the main conclusions drawn from the analysis, the promotion of the quality of life appears as another important element of the strategic vision.

The following **impact indicators** can measure the achievement of this strategic vision:

Increase in the competitiveness of the sector (increased added value, increased productivity).

- Jobs created or maintained in the three sub-sectors (Black Sea fishing fleet, Aquaculture and Inland Fisheries) as well as in the processing industry and in the fisheries areas.
- Adjustment of the fishing capacity.

The Operational Programme contributes to the achievement of this strategic vision. The Operational Programme is the main financial source, but it is not the only tool available to the Romanian authorities to pursue the achievement of this vision and to regulate the Fisheries sector. The achievement of the strategic vision will require further efforts going beyond the scope that can be achieved with the EFF:

- It is for example essential to finalise the land privatization process.
- The achievement of the strategy can also be pursued through use of other Community instruments. The “demarcation line” between the operational programme for Fisheries and these other instruments is presented in Chapter 6.

As it takes account of the specific situation of the Fisheries sector in Romania, the presentation of the strategy does not overlap strictly on the structure of the Priority Axes of the EFF. This structure, however, is observed in Chapter 6 which introduces the contents of the Measures.

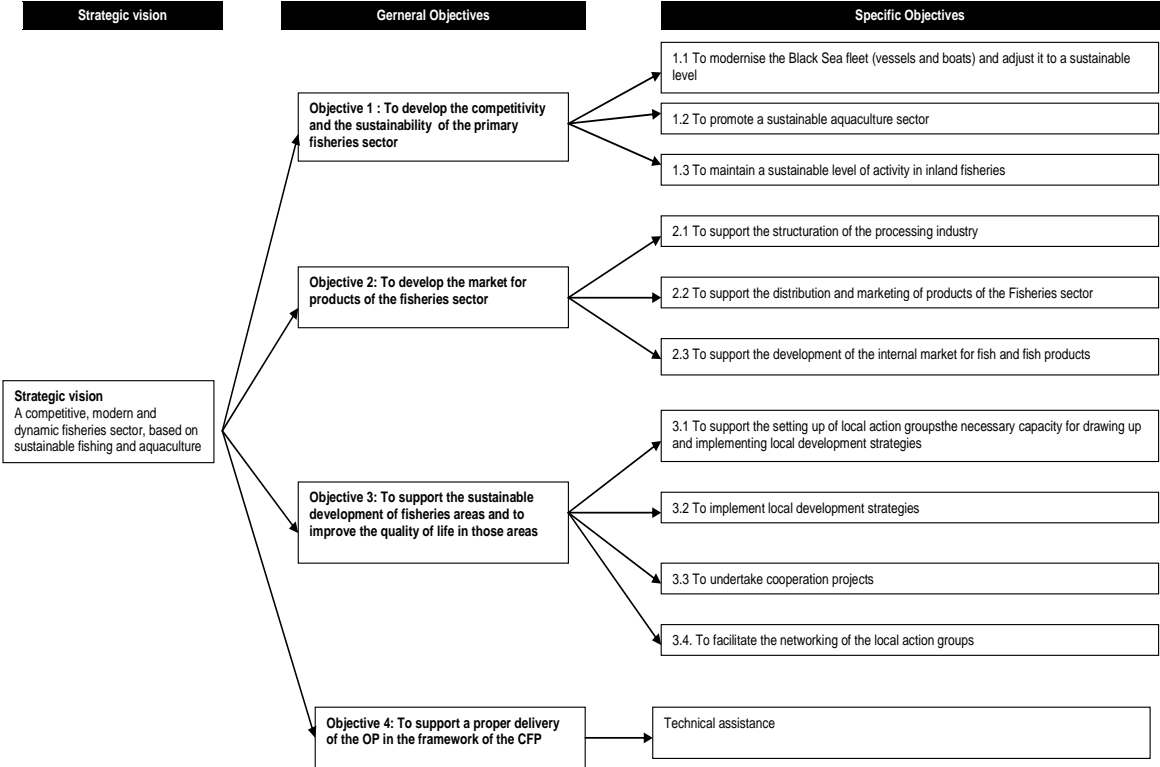
4.2. Specific objectives to be achieved in the context of the operational programme

The operational programme lays down **four general objectives**, which should all contribute to the achievement of the strategic vision expressed above:

- To develop the competitiveness and the sustainability of the primary fisheries sector.
- To develop the market for products of the fisheries sector.
- To support the sustainable development of fisheries areas and to improve the quality of life in those areas.
- To support adequate delivery of the OP in the framework of the CFP.

They are presented in this section, together with the specific objectives that support them and, in that context, the expected results which show more precisely what should be achieved. The achievement of these results should have the expected impacts in terms of competitiveness, job creation and sustainability of the sector.

Graph no. 1. Strategic vision, general objectives and specific objectives



Objective 1: To develop the competitiveness and the sustainability of the fisheries sector

The fisheries sector is understood here as the production of fish as a primary product, including in some cases a first stage of post-capture processing. Further processing is included under the support for marketing presented in the next section, as it is mainly aiming at improving the products in order to match market expectations.

Three specific objectives are set forth for this first objective:

1.1. To modernise the Black Sea fleet (vessels and boats) and to bring it up to a sustainable level. The expected results are the following:

Adjustment of the size and modernisation of the fishing fleet

Modernisation Modernization of the small fishing fleet

Improvement of hygiene, safety and working conditions

Improvement of fisher skills

Reduction of the operational cost of the fishing fleet

In the context of the economic situation occurred in the first half of 2008, following the drastic increase in fuel prices, there might be a need to take additional temporary measures according to Council Regulation 744/2008 aiming for a more rapid adaptation of the Romanian fishing fleet to this situation, addressing the need to ensure sustainable social and economic conditions for the sector concerned.

The following EFF Measures will contribute to the achievement of this specific objective:

- Measure 1.1 Permanent cessation of fishing activities
- Measure 1.2 Temporary cessation of fishing activities
- Measure 1.3 Investments on board fishing vessels and selectivity
- Measure 1.4 Small-scale coastal fishing
- Measure 1.5 Socio-economic compensation for the management of the fleet
- Measure 3.1 Collective actions
- Measure 3.3 Fishing ports. Landing sites and shelters
- Measure 3.5 Pilot operations

1.2. To promote a sustainable aquaculture sector

The aquaculture sector will be supported in order to modernise its activities and to adjust the products to the expectations of the market. The expected results are the following:

- Rehabilitation of fishing ponds when appropriate

- Development of new activities (organic farming, new species)
- Development of small-scale processing on the spot

The following Measures of the EFF will be utilised to contribute to this specific objective:

- Measure 2.1 Aquaculture
 - Action 1: Increase in production capacity due to construction of new farms
 - Action 2: Variation in production due to the extension or modernisation of existing farms
 - Action 3: Increase in number of hatchery-produced fry
 - Action 4: Aqua-environmental measures
 - Action 5: Public health measures
 - Action 6: Animal health measures
- Measure 2.2 Inland fishing
 - Action 1: Inland fishing-vessels
 - Action 2: Investments for the construction of inland fishing facilities
 - Action 3: Investments for extension, equipment and modernisation of inland fishing facilities
- Measure 2.3 Fish processing and marketing
 - Action 1: Increase in processing capacity (construction of new units and/or extension of existing units)
 - Action 2: Construction, extension, equipment and modernisation of processing units
 - Action 3: Construction of a new marketing establishment
 - Action 4: Modernisation of existing marketing establishments
- Measure 3.2 Protection and development of aquatic flora and fauna
- Measure 3.5 Pilot operations

1.3. Maintaining a sustainable level of activity in inland fishing

The inland fisheries sector will be modernised and its operation will become safer for the workers. The expected results are:

- Improvement of safety and working conditions for workers in the inland fisheries sector

- Modernisation of the boats and fishing gears

The following Measures from the EFF will be utilised in support of this objective:

- Measure 2.2 Inland fishing
- Measure 3.5 Pilot operations

Objective 2: To develop the market for products of the fisheries sector

Developing the market for Fisheries products requires interventions focused on the processing and marketing of the products. To regain a good market share for the products of the Romanian Fisheries sector, the quality of the products needs to be improved (distribution of primary products, processing), and promotion effort must be undertaken.

Three specific objectives are spelled out for this second objective.

2.1. To support the modernisation and structuring of the processing industry

The modernisation of the processing industry will be continued and support will be granted for a better and more efficient organisation of this sector. The expected results are the following:

- Modernisation and adaptation of the processing facilities
- Creation of representative organisations of producers through the restructuring or merging of the existing organisations

The following Measures from the EFF will be utilised for promoting this objective:

- Measure 2.3 Fish processing and marketing
- Measure 3.1 Collective actions

2.2. To support the distribution and marketing of products of the Fisheries sector

There is a need to create a better connection between the production of fisheries products in Romania and the demand of the market. This requires a better understanding of the evolutions of the market and the adaptation of the products accordingly. The expected results are the following:

- Creation of a wholesale market and/or electronic auction
- Improved quality and traceability of products
- Creation of an observatory of the Romanian market for fisheries products

The following Measures from the EFF will be utilised for promoting this objective:

- Measure 2.3 Fish processing and marketing
- Measure 3.4 Development of new markets and promotional campaigns

To support the development of the domestic market for fish and fish products

The analysis has shown that the average consumption of fisheries products is very low in Romania. There is a need to undertake promotional campaigns in order to stimulate the development of the market. The expected results are as follows:

- Growth in the consumption of fishery products
- A change in consumer preference towards eco-products and/or new species

The following Measure from the EFF will be utilised for promoting this objective:

- Measure 3.4 Development of new markets and promotional campaigns

Objective 3: To support the sustainable development of fisheries areas and to improve the quality of life in those areas

Fishing has been a declining activity in Romania over the last 15 years, and local communities in traditional fisheries areas need support to modernise and develop their local fishing infrastructure, to engage in a diversification of their economic activity and to improve the quality of life in those areas.

Four specific objectives are spelled out for achieving this objective.

3.1 To support the setting-up of Fisheries Local Action Groups

Local development is a new approach in Romania, and the local actors willing to engage in this type of projects will need support before being able to implement them. The expected results are the following:

- Local actors have the skills needed to create and manage Fisheries Local Action Groups
- Private-public partnerships are created to develop and implement local strategies
- Integrated local development strategies are elaborated in fisheries areas.

The following Measure from the EFF will be utilised for promoting this objective:

- Measure 5.1 – Technical assistance, Action 1 – Management and implementation of programmes

3.2. To implement integrated local development strategies in fisheries areas

Once established, the Fisheries Local Action Groups will be able to allocate funds for the implementation of their integrated local development strategies. The expected results are the following:

- To improve the life quality in small fisheries communities
- The local economy is more diversified and more added-value is created locally
- The local resources are better used and protected

- A new form of governance will be applied for sustainable local economic development

The following Measure from the EFF will be utilised for promoting this objective:

- Measure 4.1 Development of fisheries areas

3.3. To undertake cooperation projects

Some Fisheries Local Action Groups might need to join forces with other groups in order to undertake cooperation projects. The expected result is the following:

- National or transnational cooperation projects are undertaken when a better critical mass is created

The following Measure from the EFF will be utilised for promoting this objective:

- Measure 4.1 Development of fisheries areas

3.4 To facilitate the networking of Fisheries Local Action Groups

Networking is an important component of local development that will be provided as a service to the Fisheries Local Action Groups. The expected result is the following:

- Networking stimulates the exchange of ideas
- Innovative actions are identified, capitalised on and promoted

The Romanian fisheries network will be established using the technical assistance and will be integrated in the Community network for fisheries.

The following Measure from the EFF will be utilised for promoting this objective:

- Measure 5.1 Technical assistance
 - Action 1: Management and implementation of programmes

Objective 4: To support a proper delivery of the OP in the framework of the CFP

The implementation of the operational programme will require a strengthened administrative capacity for the public organisations involved in the delivery of the programme. Technical assistance will be available to support this process.

The expected results at this level are the following:

- Full documentation on all the procedures of all the bodies involved in the implementation of the programme is available
- The administration capacity has been enhanced as relates to CFP / EFF implementation aspects and the increase of the absorption capacity at the beneficiary level.

The following Measure from Axes 5 and Axes 2 of the EFF will be used for promoting this objective:

- Measure 5.1 Technical assistance
- Measure 2.4 Financial engineering scheme

4.3. Timetable and intermediary objectives

The following tables present the objectives established in each of the Priority Axes, including a breakdown between the objectives for 2010 and for 2013. The baseline presented is 2007, if possible, or the most recent set of data available.

Axis 1

Output indicators	Baseline 2007	Target 2010	Target 2013
Reduction fleet capacity by a permanent cessation of activities:	2,604.86 tones	20%	20%
Tonnage	8,691.79 kW	15%	15%
kW			
Degree of modernisation of the fishing fleet	0	50% of the fishing vessels 40% of the small-scale fishing fleet	80% of the fishing vessels 70% of the small-scale fishing fleet
Power of engines replaced and decrease of power related (account kW)	0 kW	2,800 (20% of total installed power)	8,400 kW (60% of total installed power)
N° of fishers trained	0	300	600

Axis 2

Output indicators	Baseline 2007	Target 2010	Target 2013
Tonnage produced in aquaculture	7,248 tonnes (2005)	+40%	+80%
Tonnage produced in processing	8,768 tonnes (2005)	+40%	+80%
Tonnage produced in inland fisheries	4,000 (2005)	5,000	6,000
% of projects with environmentally friendly production	0	10%	15%
Increase of turnover (thousands lei) (Gross result of the exercise)	Aquaculture and fisheries: 10.883 (2005) Processing: 3,411. (2007)	Aquaculture and fisheries: +25% Processing: +20%	Aquaculture and fisheries: +50% Processing: +50%

Gross added-value per worker in fishing or aquaculture(euro/year)	700(2005)	+10%	+20%
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Axis 3

Result indicators	Baseline 2007	Target 2010	Target 2013
N° of marine harbours modernised	0	1	3
N° of shelters at the Black Sea	0	3	5
N° of landing sites at the Black Sea	0	3	5
Group training for fishermen and farmers (no of preparing courses)	0	7	15
N° of producer associations or organisations reorganised or restructured	90	20	5
Increase of the average fish consumption	4.5 kg/person/year	6 kg/person/year	9 kg/person/year
Increase of the added value of fish processed and sold	4.757 MEUR (all the fisheries sector)	10%	20%

Axis 4

Result indicators	Baseline 2007	Target 2010	Target 2013
N° of Local action groups established	0	3	Max.15
Territory covered by the Fisheries Local Action Groups	0	4,000 km ²	21,000 km ²
Population in the territory covered by the Fisheries Local Action Groups	0	150,000	750,000
Jobs created or maintained in fisheries areas	0	300	3,000

5. SUMMARY OF THE EX-ANTE EVALUATION

Assessment of the Robustness of the Socio-economic Analysis

The analysis of the structure of the OP (Chapter 3) shows that it corresponds to the provisions of the EFF-Implementation Regulation No 498/2007 of 26 March 2007. The description of the sector is correct and adequate. The chapter elaborates important trends and driving forces and undertakes SWOT analyses of sub-sectors and of the sector as a whole. The analysis is consistent and coherent. The need to adjust the marine fishing effort is not completely clear, and so is the state of inland fisheries resources; Romania plans to investigate such issues in more detail in the course of programme implementation. All in all, the OP shows that there are severe weaknesses and threats, but also strengths and opportunities related to the Romanian fisheries sector. Needs are highlighted and options for intervention are developed.

Assessment of the Programme's Objectives and Strategies

Chapter 4 of the OP presents the strategy and objectives at OP level, as required by the EFF Implementation Regulation. The structure of the objectives does not completely follow the structure of the priority axes, but proposes rather a division into: Primary production / Processing and marketing / Fisheries areas / Fisheries administration. This structure is clear and comprehensible. For each objective it is stated which measures of the OP shall help to achieve it. In this way, there is a link between the objectives on the one hand and the PAs and measures on the other hand. Indicators and a timetable are presented. With this, Chapter 4 of the OP is in conformity with the provisions of the EFF Implementation Regulation and complete.

The set of objectives proposed is coherent, both internally and externally, with objectives of other relevant policies and programmes.

Increasing competitiveness is not stated specifically as an objective for fish processing and marketing, but the overall context and the strategic vision suggest that this is also aimed at. Nevertheless, the evaluation recommends to consider mentioning competitiveness also as part of the General Objective for processing and marketing.

For the Strategic Vision, three impact indicators are presented, which are generally adequate, but need some further precision and quantification.

Assessment of the Planned Budget Allocation, Outputs, Results and Impacts

The structure of Chapter 6 of the OP corresponds exactly to the provisions of Annex I of the EFF Implementation Regulation. If it is planned to make use of the possibility to achieve the power reduction in case of engine replacement by a group of vessels, an indication of the conditions for this would be required. Furthermore, a description of the criteria to establish the maximum eligible amount per inland vessel is lacking. Except for this, all required information is presented, and PAs and measures are described in sufficient clarity.

The overall budget allocation appears relatively high. From today's point of view, all Priorities Axes appear to have a sufficient budget, some a rather generous one. Nevertheless, as budget utilisation is very difficult to anticipate under the uncertainties of the Romanian situation, expenditures should be carefully monitored in the course of programme

implementation and budget adjustments should be decided in time, at the latest in the context of the interim evaluation.

It can be expected that the OP will achieve tangible outputs, outcomes and impacts, including at the level of the overall fisheries sector, and achieve a very significant contribution to its objectives as well as to higher-level objectives, such as those of the Common Fisheries Policy and of the Lisbon Strategy. A vague estimation concludes that the OP could create 4,600 new jobs, provided that the whole or at least a significant part of the budget will be spent.

Inputs are anticipated to be in reasonable proportion to outputs, outcomes and impacts, i.e. that the OP will achieve a satisfactory or good efficiency. The operations are planned in a way that the vast majority of the results and impacts will presumably be sustainable.

The evaluation points out that the Managing Authority will need substantial support to cope with its responsibilities in implementing the OP and in fisheries administration, including the implementation of the CFP. The agency's administrative capacities of the Managing Authority will be strengthened with the help of Technical Assistance (Priority Axis 5). Therefore, effective and efficient use should be made of this Priority Axis, and a concept for this should be drafted (with Technical Assistance, if required).

The evaluation also recommends to consider hiring temporary personnel—with contracts at maximum for the duration of the programme—specifically for the implementation of the FOP (not for general tasks of fisheries administration) and finance this under Priority Axis 5.

Assessment of the Proposed Implementation Procedures

As far as could be examined in the context of this evaluation, the implementing provisions presented in Chapter 8 of the OP fully comply with the requirement of the EFF-CR. All required issues are covered, only a more precise documentation on the consultation of partners would be desirable. Chapter 8 is still marked by a couple of slips and minor errors, which would require some final quality check and corrections.

The provisions for implementation of the OP as laid down in this chapter appear adequate. The real challenge will, however, be to set up all the structures described here and to run in the procedures. Even under optimal conditions, some “friction losses” have to be expected, in particular when considering from where Romania starts. To keep such losses low, sufficient staff will have to be provided to the Managing Authority and all other organisations involved.

Assessment of the Environmental Report

The Environmental Report was prepared by the same team that carried out this evaluation; principal responsibility rested with the expert on environment. The Environmental Report follows the requirements of the Directive 2001/42/EC and respective Romanian laws and regulations and was discussed with National Agency for Fisheries and Aquaculture as well as with representatives of other ministries and authorities, environmental organisations and the general public, in conformity with the provisions on SEA.

In the view of the evaluator, the resulting document corresponds to all requirements and reflects the situation in an adequate way.

In this context most of the ex-ante evaluation recommendations were taken in account in this OP. Nevertheless recommendations related to the choice of indicators and quantitative targets

were not fully followed because National Agency for Fisheries and Aquaculture wanted to remain close to the relevant working documents produced by the Commission.

Furthermore, the recommendation for the engine replacement of a group of vessels wasn't taking into account because of its non-relevance (Romania has only few vessels able to fish).

6. PRIORITY AXES OF THE PROGRAMME

6.1. Coherence and justification of the priority axes

(1) Towards relevant parts of the National Strategic Plan

The strategy presented in section 4 requires the utilisation of most of the Measures foreseen in the EFF regulation, in order to achieve the “strategic vision” that the Operational Programme has adopted in line with the National Strategic Plan.

(2) Towards the guiding principles of the operational programme (Article 19 of Regulation (EC) No 1198/2006)

The following principles are taken into account in the choice of the Priority Axes:

- (a) consistency with the principles of the Common Fisheries Policy and the National Strategic Plan in order to achieve, in particular, a stable and enduring balance between fishing capacity and fishing opportunities;
 - This is embedded in the first objective of the strategy proposed for the Operational Programme. All the Measures of the Priority Axis 1 will be implemented in such a way as to ensure compliance with this guiding principle.
- (b) enhancement of a harmonious, balanced and sustainable development of economic activities, jobs and human resources, as well as the protection and improvement of the environment;
 - This is precisely covered by the strategic vision which this Operational Programme aims to achieve
- (c) an appropriate allocation of the available financial resources between the priority axes and, particularly, where relevant, an appropriate level of financing for operations under Chapter I of Title IV (Priority Axis 1: measures for the adaptation of the Community fishing fleet);
 - The allocation of resources has been developed with this guiding principle in mind, but also with a wish to allocate the funds according to the requirements of each objective of the strategy. The indicative allocation of financial resources is as follows:
 - Priority Axis 1: 4.33% from total EFF aid is allocated for the adaptation of the Community fishing fleet. This is justified by the necessary vessel modernisation, particularly small-scale coastal fishing vessels. Axis 1 includes measures with specific objectives for fishers affected by the evolution of fishing activities, as result of scraping of vessels through permanent cessation or through moving to other activities, support to young fishery workers to acquire their first vessel, early retirement and training activities.
 - Priority Axis 2 receives a budget of 45.51% from the total EFF aid and includes support measures for: development of small and micro aquaculture farms, development of processing units, modernisation of inland fishing through setting

up or modernisation of shelters and vessels, improving the quality of products from inland fishing by equipping vessels with ice machines, and by creating specific conditions for first sale and developing other specific facilities which are currently lacking or not compliant with EU standards. Through the instrument of financial engineering, this measure also supports the increase in the beneficiaries' absorption capacity of EFF funds allocated for investment operations.

- Priority Axis 3 represents 13% from the total EFF aid. The measures under this axis will help to achieve the common policy objectives in the fisheries sector. This axis includes measures to support the modernisation of fishing harbours and landing sites.
 - Priority Axis 4: 32.51% is allocated to this Axis, since Romania wishes to give a high priority to integrated local development strategies which seem very adapted to the needs of fisheries areas.
 - Priority Axis 5: 4.65% will be necessary to achieve the objectives of enhancing administrative capacity including the CFP aspects related to the EFF implementation.
- (d) promotion of the operations contributing to the Lisbon strategy; operations aiming at promoting a sustainable level of employment in the fisheries sector in particular through enhancing the quality of jobs, providing access to the profession for young people and stimulating innovation throughout the sector shall be encouraged;
- The creation or the maintaining of jobs is a major impact expected from the implementation of the strategy.
 - The quality of jobs will be enhanced through several actions undertaken to improve work and safety conditions in the fisheries sector, including in the processing industry
 - The modernisation of the sector should make it more attractive for young people.
 - The improvement of the quality of life in fishing areas should encourage young people to stay in the fishery sector or in their area, where they will be able to find a job.
 - Innovation is a main concern for the programme, which seeks to modernise the fisheries sector, improve the marketing strategies, implement pilot projects and find new answers to local needs via the local action groups supported under Priority Axis 4.
- (e) promotion of the operations contributing to the Gothenburg strategy and particularly those enhancing the environmental dimension in the fisheries sector; operations aiming at reducing the environmental impact of activities in the fisheries sector and promoting environmentally friendly production methods shall be encouraged;

- The actions undertaken will seek to reduce the environmental impact of activities in the fisheries sector. The ex-ante evaluation has underlined the fact that this sector already has a fairly small ecological impact and that no negative impact should be expected from the implementation of this Operational Programme. Furthermore, several measures are clearly aiming at promoting more environmentally friendly methods in the sector (fishing, aquaculture, and processing, local development).
- (f) improvement of the situation of the human resources in the fisheries sector through operations aiming at upgrading and diversifying professional skills, developing lifelong learning and improving working conditions and safety;
- Several training programmes are foreseen in the appropriate Measures of this Operational Programme. They all aim at helping the sector's workforce to adjust to the new conditions in the context of the sector's modernisation promoted by this programme. The main areas where training gaps have been identified are: improvement of the fishers' skills (security, working conditions, safety, better understanding of the regulatory framework ...), better management, implementation of new technologies and know-how, eco-labelling etc.
- (g) encouragement of operations with high added value through the development of innovative capacities that provide for high quality standards and meet consumer needs for fisheries and aquaculture products; operations promoting transparency of environmentally friendly production methods to consumers shall be encouraged;
- The strategy has an objective which is precisely devoted to the adaptation of fishery products to consumer needs and expectations. This is a condition for the successful modernisation of the fisheries sector in Romania.
- (h) contribution to a better supply to, and to a sustainable development of, the community market of fisheries and aquaculture products;
- The adjustment of the production to meet market expectations is foreseen in several Measures.
- (i) promotion, during the various stages of the implementation of the operational programme, of gender balance in the fisheries sector through operations aiming, in particular, at reducing gender based segregation in the labour market;
- Women are mostly present in the processing industry, since fishing is traditionally an activity undertaken by men. The improvement of working conditions and safety in all segments of the industry should make it more attractive for women than before. The actions foreseen for the modernisation of the processing industry will directly benefit women as they form the majority of the workforce. Particular attention will be given to ensuring gender balance within the local partnerships to be supported under Priority Axis 4.
- (j) promotion of an integrated sustainable development of the fisheries areas by fostering their inherent potential and improving quality of life;

- This is precisely the objective stated for the setting-up of local action groups under Priority Axis 4.
- (k) where relevant, improvement of the institutional and administrative capacities aiming at a good governance of the common fisheries policy and an efficient implementation of the operational programme.
- This is the objective technical assistance actions to be undertaken under Priority Axis 5.
- (3) Outcomes of the *ex-ante* evaluation referred to in Article 48 of Regulation (EC) No 1198/2006.

This has been summarised in section 5.

6.2. Description of each priority axis

6.2.1. Priority Axis 1: Measures for the adaptation of the Community fishing fleet

6.2.1.1. Main objective under Priority Axis 1

In compliance with the EFF Regulation and in line with the strategy presented in Section 4, the main objectives of Priority Axis1 will be:

- to adapt the fishing fleet to the available and accessible resources of the Black Sea and to adjust the fishing effort in compliance with the Common Fisheries Policy for the species present in the Black Sea;
- to maintain the competitiveness of the Romanian fishing fleet by modernising and adapting fishing vessels and boats to current needs regarding safety at sea, fishing gear selectivity, improvement of working conditions and storage of catches;
- to support fishers affected by the evolution of fisheries: permanent cessation of fishing activities of fishing vessels through scrapping or reassignment of vessels by involving fishermen in retraining programmes in other domains than fishery;
- to maintain an activity of the small-scale fishing fleet in coastal areas;
- to increase efficiency of the Romanian fishing fleet.

In addition, Romania may elaborate Fleet Adaptation Schemes according to Council Regulation no 744/2008 aimed at restructuring the fishing fleets or fleet segments affected by the economic crisis.

6.2.1.2. Baseline and quantified targets

Output indicators	Baseline 2007	Target 2010	Target 2013
Reduction of fleet capacity through permanent cessation of activities:	2,604.86 tonnes	20%	20%
Tonnage kW	8,691.79 kW	15%	15%
Degree of modernization of the fishing fleet	0	50% of the fishing vessels 40% of the small-scale fishing fleet	80% of the fishing vessels 70% of the small-scale fishing fleet
Power of engines replaced and decrease of power related (account kW)	0 kW	2,800 (20% of total installed power)	8,400 kW (60% of total installed power)
N° of fishers trained	0	300	600

6.2.1.3. Justification of the public co-financing rate, target groups / sectors / areas and beneficiaries

- Further indications on rates applied to specific Measures will be presented in the summary on each Measure.
- The Black Sea coastline is the only area where Measures under Priority Axis 1 will be implemented.
- The Fisheries sector will be the sole beneficiary of this Priority. Beneficiaries will include:
 - commercial fishing vessel owners, registered in the Community Fishing Vessels Register of
 - organisations of vessels owners,
 - the fishermen which are working on board
 - fisher families involved in the economic life of the fisheries sector.

6.2.1.4. Description of the main Measures proposed under Priority Axis 1 resulting from the strategy proposed

The programme will retain the five measures proposed by the EFF.

- Measure 1.1 – Public aid for permanent cessation of fishing activities
- Measure 1.2 - Public aid for temporary cessation of fishing activities
- Measure 1.3 - On board investment and selectivity
- Measure 1.4 – Small-scale coastal fishing
- Measure 1.5 - Socio-economic compensation for the management of the Community fleet

Cessation of fishing activities

Romania is seeking to adapt its fishing fleet with a view of creating a stable and sustainable balance between the fishing capacity and available and accessible resources. Definitive or temporary cessation of fishing activities of fishing vessels will allow Romania to adjust the fishing effort in compliance with the Common Fisheries Policy.

There is an over-capacity in some segments, in particular trawlers targeting pelagic species in the Black Sea and the small-scale fleet. Romania intends to implement conservation measures and to elaborate and implement a Fishing Effort Adjustment Plan (FEAP). Therefore, the permanent cessation of fishing activities should be implemented in the framework of this FEAP focused on conservation. Romania will draft such conservation measures for the two targeted species existing in the Romanian waters, turbot and possibly sprat. For this purpose, Romania will use the best available scientific data.

The Fishing effort adjustment plan will be set-up and approved by National Agency for Fisheries and Aquaculture. The relevant stakeholders will be consulted accordingly.

However, Romania wishes to maintain a minimum level (“minimum vitalis”) of its fishing fleet operating in the Black Sea in order to maintain fishing activity in the sea as well as its related activities (shipyards, processing, production of gears, ...).

- This minimum level can be estimated at around 12 vessels over 12m, with a total tonnage of 985 tonnes and a total power of 4,557.55 kW.
- Romania intends to keep globally the current level of the small-scale fishing effort.

Modernisation of vessels and boats

The average age of the Romanian fishing fleet is largely above 20 years.

No investment has been made in the Black Sea fishing fleet after 1990. Vessels were built in the 1980s and were not properly maintained or modernised. Safety on board, working conditions, hygiene, product quality, energy efficiency and selectivity should be enhanced through their modernisation.

Romanian fishing vessels operating in the Black Sea have old equipments and installations that do not provide operating security and do not meet the required performance levels nor the reliability, maintenance, handling and environmental protection requirements. This equipment will therefore need to be replaced.

The technology of the gears used for fishing in the Black Sea is old (material utilised, construction, arming, selectivity of nets), as compared to the technology currently used in the Community. In Romania, there are no longer institutions to design and build modern trawls that are adapted to Romanian vessels, predominant catches and to actual fishing conditions on the Romanian coastline of the Black Sea.

Investments on board under a Fleet Adaptation Scheme may benefit of higher intensity aid.

Supporting small scale fisheries

A large number of smaller fishing boats are also operating along the coast of the Black Sea: 417 boats smaller than 12 meters are registered.

The aim is to have 290 boats modernised and well equipped. New engines and gears are necessary to catch other types of fishes as well as to:

- Improve safety by covering vessels with a deck, which would allow fishing farther from the coast
- Replace engines
- Adapt the size of the small-scale fleet

For this small scale fishing fleet, the objective is to maintain and modernise it in order to maintain fishing and the population of the fishers communities. The modernization will concern mainly the improvement of safety, working conditions, hygiene and product quality, the changing of engines and investments in selectivity.

For the purposes of Article 40 of Regulation 498/2007, these operations will be recorded under "Measure 1.3- On board investment and selectivity" of the nomenclature, together with the other "non-" Small Scale Coastal Fishing operations on investments on board fishing vessels of Article 25 of EFF Regulation.

Support for actions aiming at improving the control of the catches and monitoring access to certain fishing areas is necessary in order to protect the fish resource. Premiums for the organization of the production, processing and marketing chain of fisheries products will also be given to improve the distribution and marketing of products of the small scale coastal fisheries sector.

Early retirement from the fishing sector is also foreseen for small scale coastal fishers under the same conditions as for the rest of the fleet. Young small scale coastal fishers will also be eligible for the premiums for the acquisition of the first vessel under the same conditions as for the rest of the young fishers. For the purposes of Article 40 of Regulation 498/2007, these operations (i.e. early retirement and the premium for the acquisition of the first vessel) will be recorded under "Measure 1.5.- Socioeconomic compensation", together with the other "non-" Small Scale Coastal Fishing socio-economic compensations for the management of the fleet of Article 27 of the EFF Regulation.

The training of workers in the fisheries sector to adopt new and more sustainable fishing practices is also foreseen.

It must be stressed that the coast of the Black Sea will be designated as a target area for local action groups established with funding from **Priority Axis 4**. This will open many possibilities for fishing communities wishing to diversify their activities beyond fishing, including in tourist-related activities.

Implementing socio-economic compensations for fishers

Fishermen affected by the reduction of the fleet will receive a compensation for the loss of activity. All fishermen involved in commercial fishing activities in the Black Sea, including small-scale coastal fishing, shall be eligible for early retirement programme, under certain conditions (age, work experience, etc..).

Young fishermen involved in small-scale coastal fisheries measures may apply for purchasing of a fishing vessel for the first time, vessel with length less than 24 meters, while respecting Article 27 of (EC) Regulation 1198/2006, paragraph 2 and 3.

6.2.1.5. Demarcation with similar activities under other Community funding and measures taken to ensure complementarity

All Measures under Priority Axis 1 will be exclusively funded by the EFF, including the training schemes for workers from the fisheries sector. The authorities in charge of the ESF in Romania will be consulted when the assessment of the training needs of fisheries workers is undertaken.

6.3. Specific information required for each measures

Measure 1.1 Permanent cessation of fishing activities

(1) Description of the measure

A limited number of premiums will be offered for the permanent cessation of activities of fishing vessels, since Romania wants to preserve a reasonable scale to its fishing fleet.

Small scale vessels involved in turbot fishery partly or exclusively will also be subject to permanent cessation measures.

The following criteria shall be taken into account for the allocation of a premium:

- The vessel meets the criteria of a Fishing Effort Adjustment Plan.
- The vessel is part of a National Decommissioning Plan.
- The vessel should be at least 10 years old.
- It has been registered as an active fishing vessel for the last 2 years.
- It has not benefited from other financial support for modernisation in the last 5 years.

(2) Beneficiaries of the measure

Beneficiaries of this measure are fishing vessel owners, registered within the Community Fishing Vessels Register.

(3) Financial allocation

The financial support is 100% public, of which 85% is EFF co-financing and 15% national contribution, in accordance to Art. 53(8) of (EC) Regulation no.1198/2006.

Priority to recovery plans will be given by the setting aside of 30% of the total budget allocated to this measure for the financing of such recovery plans. After 2012, the reserve amount not used or committed in fishing effort adjustment plans will be reallocated to other measures.

(4) Quantitative objectives – Indicators

The permanent cessation of activity of 8 – 10 vessels above 12m is foreseen, as well as a number of small scale vessels. This number might be revised and detailed taking into account possible future conservation measures and when the adjustment plan becomes available.

Reduction of capacity: (tonnage and vessels) and power.

(5) Specific Information on this Measure:

Criteria used for establishing the level of premium

The level of public support will be established taking into account the best cost – efficacy ratio based on objective criteria such as the age and tonnage of the fishing vessel expressed in GT. The Monitoring Committee will approve a scale of assistance fixing the maximum premium granted based on the scales used in annex 4 of FIFG-R.

Measure 1.2 –Temporary cessation of fishing activities

(1) Description of the measure

The EFF will support public aid to vessels-owners and fishermen for temporary cessation of fishing activities, since this might prove a good way to contribute to the preservation of Romania's fishing fleet at a reasonable scale while adapting the fishing effort.

The criteria to be used shall take into account the basic salary of fisher employees in Romania and a scale to be adopted by the Monitoring Committee. The following criteria shall be used to decide on the allocation of a premium:

- The vessel is part of the urgent plans or measures provided on point (1) letter (i), (ii),(iii),(iv),(v),(vi),(vii) , Art 24 of the (CE) Regulation no. 1198/2006.
- The vessel should have been operational in the last 24 months.
- The fishing authorisation is valid during the application period of the urgent plans or measures.

(2) Beneficiaries of the measure

Beneficiaries of this measure are fishing vessel owners and fishers.

(3) Financial allocation

The financial support is 100% public, divided between EFF co-financing and national contribution in accordance with Article 53(7) of EFF Regulation 1198/2006.

(4) Quantitative objectives – Indicators

This Measure should contribute to the achievement of the objectives set within Priority Axis 1.

(5) Specific information on this Measure:

Criteria used for establishing the level of premium

The level of public support has been established taking into account the best cost – efficiency ratio based on objective criteria such as the age and tonnage of the fishing vessel expressed in GT. The Monitoring Committee will approve a scale used in Annex 4 of FIFG-R of assistance fixing the maximum premium to be granted.

This ceiling will take into account, for vessels less than 10 years old, the financial cost related to loans covering the period of the temporary cessation of activities, the fixed cost incurred by the vessel owner during periods when the vessel is moored, and part of the income loss incurred by the vessel owner.

For vessels 10 years old and over, this ceiling will take into account only the fixed cost incurred by the vessel owner when the vessel is moored, and part of the income loss incurred by the vessel owner.

As regards the fisher employees, the criteria which will be followed by the Monitoring Committee in establishing the premium payable to them will be a part of the current basic salary.

Measure 1.3: On board investment and selectivity

(1) Description of the measure

This Measure will offer support to improve the competitiveness of the Romanian fleet by adapting the characteristics of vessels and boats to modern requirements of navigation safety, improvement of working conditions and storage of catches.

For the purposes of Article 40 of Regulation 498/2007, on board investment and selectivity for owners of fishing vessels involved in small scale coastal fishing will also be recorded under this "Measure 1.3- On board investment and selectivity" of the nomenclature, together with the other "non-" Small Scale Coastal Fishing operations on investments on board fishing vessels of Article 25 of EFF Regulation.

Investments made for modernisation may comprise:

- new engines with reduced fuel consumption and a low impact on the environment;
- equipments that enable on-board maintenance and preservation of incidental catches;
- equipments that reduce the impact on habitats and non-marketed species;
- equipments that reduce the impact of fishing on ecosystems and on the sea bottom;
- investment in more selective fishing gears (support is granted until this becomes compulsory);
- equipments for improving working conditions and on-board security.

The following eligibility criteria will be taken in consideration:

- The fishing vessel must have at least minimum 5 years old;
- The vessel should have been operational in the last 24 months.
- The applicant holds a license and fishing permit

(2) Beneficiaries of the measure

Beneficiaries of this measure are fishing vessel owners.

(3) Financial allocation

The limits of public contributions granted to this measure could extend from 20% to 60%.

(4) Quantitative objectives – Indicators

Around 8,400 kW of the total engine power will be replaced, which represents:

- 60% of the total power.
- 80% of the fishing fleet (boats over 12m long) modernised
- 70% of the smaller scale fishing fleet modernised

(5) Specific information on this Measure:

Criteria used for establishing the level of intervention

Constanta Regional Centre for FOP branch will be responsible to verify the old engine characteristics against the new ones at the moment the replacement takes place.

In line with article 6 of Commission Regulation (EC) 498/2007 a maximum amount for each fishing vessel during the programming period is established for “investment on board fishing vessels and selectivity”. The maximum value for all eligible investments performed during 2007 – 2013 for each fishing vessel is established taking into account the vessel age and tonnage in GT. This will be half of the premium established for permanent cessation of activities for the fishing fleet. (The level of this premium will be established by the Monitoring Committee).

Measure 1.4 – Small-scale fisheries

(1) Description of the measure

This measure will contribute to the implementation of the policy foreseen for small-scale fisheries sector operating along the coast of the Black Sea.

Financial support will be given in particular for:

- Actions aiming to improve management and control of access conditions to certain fishing areas
- Actions aimed at promoting the organisation of the production, processing and marketing chain, of fisheries products Actions aimed to encourage voluntary steps to reduce fishing effort, in order to conserve aquatic resources
- Actions meant to encourage the use of technological innovations (more selective fishing techniques which go beyond existing regulatory obligations under Community law or innovations to protect the gear and catches from predators) that do not increase fishing effort.
- Training courses on new methods of fishing and sustainability organised for fishermen and owners of the small coastal fishing vessels (Article 26 (4) (e) of Regulation 1198/2006).

This Measure will finance 3 (three) actions:

Action 1 – Collective Projects:

The following eligibility criterion is taken in consideration:

- the beneficiary is a producers' organisation recognised by the competent authority of the Member State.

Action 2 – Support for early retirement

The following eligibility criteria are taken into consideration:

- The fishermen have 10 years or less than 10 years until permanent retirement.

- The fisherman has worked at least 12 months as a fisherman on a fishing vessel of the small size fishing fleet in the period between 1 January 2007 and the moment of submitting the application.
- The beneficiary must have been working at least 10 years as a fisherman on a coastal small scale fishing vessel.

Action 3 – Investments on-board fishing vessels

The following eligibility criteria are taken into consideration:

- The fishing vessel have a total length smaller than 12 m and are not using trawl fishing gears.
- The fishing vessels must be of minimum 5 years old.
- The vessel should have been operational in the last 24 months.
- The applicant holds a license and fishing permit.

(4) Beneficiaries of the measure

The beneficiaries of this Measure will be:

- for Action 1 – producer organisations
- for Action 2 – fishermen involved in small scale fishing
- for Action 3 – vessel owners involved in small scale fishing.

(5) Financial allocation

Training courses and control measures will be supported 100% by public funding in accordance with Article 53(7) of EFF Regulation 1198/2006.

(6) Quantitative objectives – Indicators

600 fishers should benefit from the training.

The number of experiments set up for testing the selectivity of fishing gear.

Measure 1.5 - Socio-economic compensation for the management of the Community fleet

(1) Description of the measure

Socio-economic compensations will be granted to Black Sea fishers, including those involved in small scale coastal fishing, for the following situations:

- 1.5.a - Nonrenewable compensations to fishers who have worked on board a vessel for at least 12 months as fishers (Article 27 (1) (e)).
- 1.5.b - Early departure from the fisheries sector, including early retirement (Article 27 (1) (d)).

- 1.5.c - Individual premiums to fishermen younger than 40 years who can demonstrate that they have worked at least 5 years as a fishers or have equivalent professional training and who acquire for the first time part or total ownership of a fishing vessel ,of less than 24 m in overall length which is equipped to go fishing at sea and is between 5 to 30 years old (Article 27 (2)).

(2) Beneficiaries of the measure are the following:

For 1.5.a - fishers who have worked on board a fishing vessel or coastal fishing boats at least 12 months as a fisherman, only if that vessel has been the object of permanent cessation of fishing activities within the meaning of measure 1.1.

For 1.5.b - fishers, including those involved in small-scale coastal fishing still having 10 years or less until the official age of retirement.

For 1.5.c - fishers, including those involved in small-scale coastal fishing, younger than 40 years and can demonstrate that they have worked at least 5 years as fishers or have equivalent professional training certificates.

(3) Financial allocation

For payment of non-reimbursable indemnities the financial support is 100% public.

The premium shall not exceed 15% of the cost of acquisition of ownership nor exceed the amount of EUR 50.000.

(4) Quantitative objectives – Indicators

Targets will be set in relation to the number of fishers made redundant by the scrapping of vessels.

(5) Specific information:

The premium paid as compensation for fishers affected by permanent cessation of a vessel represents 85% of average salary for a period of 12 months.

The compensation for early retirement will be 85% of average salary until the official age of retirement.

6.3.1. Priority Axis 2: Aquaculture, inland fishing, processing and marketing of fishery and aquaculture products

6.3.1.1. Main objectives under Priority Axis 2

In compliance with the EFF Regulation and with the strategy presented in Section 4 above, the main objectives of Priority Axis 2 are:

- To modernise the aquaculture sector in order to adapt i to market expectations
- To maintain a sustainable level of activity in inland fisheries
- To improve the quality of processed and marketed products in the Fisheries sector

In order to facilitate the implementation of this measure and of other measures meant to support investment in the fishery sector, the Romanian authorities intend to apply financial engineering measures, mainly guarantee, loans, reduced interest rate, etc. For this purpose, the intensity of the aid will be adapted accordingly, in order to respect the ceilings provided for by the Regulation.

6.3.1.2. Baseline and quantified targets

Output indicators	Baseline	Target 2010	Target 2013
Tonnage produced in aquaculture	7,248 tonnes (2005)	+40%	+80%
Tonnage produced in processing	8,768 tonnes (2005)	+40%	+80%
Tonnage produced in inland fisheries	4,000 (2005)	5,000	6,000
% of projects with eco or specific environmentally friendly production	0	10%	15%
Increase of turnover (thousands lei)	Aquaculture and fisheries: 10.883 (2005)	Aquaculture and fisheries: +25%	Aquaculture and fisheries: +50%
The gross result of the exercise	Processing: 3,411(2007)	Processing: +20%	Processing: +50%
Gross added-value - per worker in aquaculture and fishing (euro/year)	700 (2005)	+10%	+20%
Increase of the number of beneficiaries	0	0	+120
Increase of the absorption of EFF	0	0	+15%

6.3.1.3. Justification of the average rate of co-financing, target groups/ sectors/ areas and beneficiaries

- The intensity of the aid for the operations supported under Priority Axis 2 will be between 20% and 100% public funding, according to the nature of the Measure and the type of beneficiary. Further indications on rates applied to specific Measures are provided in the summary on each Measure
- The entire surface of Romania is eligible for Measures under Priority Axis 2.
- The beneficiaries are natural and legal persons. Further indications on the beneficiaries are provided in the summary of each measure.

6.3.1.4. Description of the main Measures proposed under Priority Axis 2 resulting from the strategy proposed

The programme will retain all six measures and sub-measures, proposed by the EFF under the Priority Axis 2.

- Measure 2.1 Aquaculture
 - Action 1: Increase in production capacity due to construction of new farms
 - Action 2: Variation in production due to the extension or modernisation of existing farms
 - Action 3: Increase in number of hatchery-produced fry
 - Action 4: Aqua-environmental measures
 - Action 5: Public health measures
 - Action 6: Animal health
- Measure 2.2 Inland fishing
 - Action 1: Inland fishing vessels
 - Action 2: Investments for the construction of inland fishing facilities
 - Action 3: Investments for extension, equipment and modernisation of inland fishing facilities
- Measure 2.3 Fish processing and marketing
 - Action 1: Increase in processing capacity (construction of new units and/or extension of existing units)
 - Action 2: Construction, extension, equipment and modernisation of processing units
 - Action 3: Construction of new marketing establishment

- Action 4: Modernisation of existing marketing establishments
- Measure 2.4 Financial engineering

Aquaculture:

The Romanian authorities wish to strike the right balance between traditional aquaculture and intensive or semi-intensive aquaculture production.

The production of high quality and high value fish has good market prospects and will therefore be targeted. Priority will be given to support for diversification towards new species (sturgeon, trout, turbot, sander, and North African catfish).

The high cost of modernisation of the degraded aquaculture infrastructure suggests that this modernisation should be focused on ponds that have a good market potential. Pond rehabilitation will concentrate on cases with an acceptable cost-benefit ratio and good conditions in terms of water supply, quality of the environment, etc.

The Managing Authority together with other administrations will assess all locations that can be used for aquaculture (land and water), while identifying the type of aquaculture and the breeding system that could be promoted. A **long-term master plan for sustainable development of aquaculture** in Romania will be drafted before March 2011. This plan will take into account other factors such as collective requests for sanitary measures, improvement of spawn quality, possibility of local preparation of fodder, improvement of energy consumption etc.

In order to fulfil the requirements of Article 28 paragraph 5 of the EFF Regulation, the Managing Authority after consulting the Monitoring Committee will launch a call of proposal in order to designate a specialised body to carry out the tasks assigned to it.

Aqua environmental measures

Aqua environmental measures will be implemented to develop aquaculture forms comprising protection and enhancement of the environment, natural resources, genetic diversity, and management of the landscape and traditional features of aquaculture zones (Danube Delta, mountain areas).

The aim is the promotion of environmentally-friendly production practices into the Romanian aquaculture sector. This measure intends to grant premiums to aquaculture farmers who commit themselves to the forms of aquaculture targeted in Article 30 of the EFF Regulation.

Animal health measures will be implemented to finance the control and eradication of diseases in aquaculture.

Public health measures may also be implemented if necessary.

Inland fishing

Modernisation and development of inland fishing is a priority in Romania, given the large surfaces of water, the number of workers, the level of catches, the diversity of resources and the experience of workers in this activity.

The aim will be to maintain or to slightly increase the current fishing production while keeping the same capacity. Employment levels will be stabilised whilst improving the working conditions (organisation of landing sites and modernisation of boats), the quality of fish products (ice machines, refrigerating warehouses) and the organisation of sales of primary production. The creation of central collection points for the marketing of catches can be envisaged in the Danube Delta and along the Danube River if relevant. The creation of landing sites will require the reinforcement of controls on the use of these sites by fishers: illegal fishing should be discouraged in this way.

Furthermore, it is expected that the Ministry of Environment will regularly monitor the water quality of the Danube River, in particular heavy metals content, in order to ensure that relevant requirements are fulfilled.

The development of inland fishing must take into account the need for a sustainable development of resources: maintenance of the wild genetic stock in natural ecosystems.

In order to reinforce the control of the landings the number of the landing points should be reduced and additional control measures established such as landing declarations, etc.

For the fishermen interested in reassignment to non-fishing activities (possible in Danube Delta) the calculation of premiums will take into account the tonnage and vessel age. The Monitoring Committee will decide the premium value.

For the premiums related to reassignment to non-fishing activities provided for by Art.33.3, the Managing Authority will use the same method as for the permanent cessation of fishing activities (paragraph 6.2.1.4).

Processing and marketing:

This Measure is an important instrument for the following objectives:

- Adding value to fisheries products
- Supporting the sustainability of the primary sector (aquaculture and fisheries)
- Supplying the internal market with domestic products
- Modernising and converting the existing processing sector

Processing is split into two major fields: processing by fish farmers or other primary producers (cleaning the fish, filleting, smoking, etc.) and industrial processing for the domestic market and for export.

The following objectives will be pursued in view of the modernization of the processing sector:

- Increased capacity of the processing industry by extending existing facilities or building new units,
- Improved competitiveness of the fish products processed and marketed through investments in new technologies and new equipment

- This measure will also seek to improve working conditions and to adapt processing and marketing units to environmental restrictions.

The marketing of fish products should be encouraged in order to supply the internal market with high quality food products and ensure food safety. The development of the internal market in Romania will put the Romanian fisheries sector in a better position to compete with imports and will make it easier for producers to sell their production.

A **market observatory** shall be set up to monitor closely the market prices.

6.3.1.5. Demarcation with similar activities under other Community funding and measures taken to ensure complementarity

Aquaculture:

Productive investments in aquaculture will only be supported by the EFF. Removal of silt from ponds which will not be reclaimed for aquaculture can be undertaken with the support of ERDF, if the pond belongs to a public authority.

Aqua-environmental Measures

The EFF will support any action related to implementing environmental measures in commercial aquaculture, regardless of the type of beneficiary. The surrounding agricultural land should be supported by the EARDF.

„NATURA 2000” measures should be preferably implemented via the EARDF if the beneficiary is a farmer.

Processing and marketing

EFF will support micro, small and medium sized enterprises and enterprises that are not covered by the definitions of micro, small and medium sized enterprises, but have less than 750 employees or a turnover less than 200 million Euros per year.

Training

EFF will support education and training of people employed in the aquaculture, inland fishing, processing and marketing sector of fishery and aquaculture products. Professional reconversion training is to be supported through the ESF.

6.4. Specific information required for each measure/sub-measure

Measure2.1. Aquaculture

(1) Description of the measure

Under this measure, the EFF will support investments for the construction, extension, equipment and modernisation of production installations in aquaculture.

More particularly, the supported actions concern:

- Action 1: Increase in production capacity due to construction of new farms
- Acton 2: Variation in production due to the extension or modernisation of existing farms

- Action 3: Increase in number of hatchery-produced fry
- Action 4: Aqua-environmental measures
- Action 5: Public health measures
- Action 6: Animal health measures

Priority is given to activities aiming at:

- (1) Improving the job market (creating jobs, creating and / or maintain employment for women and youth, improving working conditions and safety of workers, maintaining the existing jobs);
- (2) Promoting new technologies;
- (3) Diversifying towards new species and production of species with good market perspective.

(2) Beneficiaries of the measure

Beneficiaries of this measure can be micro, small and medium sized enterprises and enterprises that are not covered by the definition of micro, small and medium sized enterprises who have less than 750 employees or a turnover of less than Euro 200 million per year

(3) Financial allocation

The public financial support will be limited to 60% of total expenditure for micro, small and medium sized enterprises and 30% for enterprises that are not covered by the definition of micro, small and medium sized enterprises but have less than 750 employees or a turnover of less than Euro 200 million per year .

During the evaluation process of activities to be funded, Managing Authority shall give priority to micro and then to small enterprises. 50% of funding will be earmarked in each call for proposals for viable projects coming from this type of enterprise. This percentage may be revised by the Monitoring Committee in the light of the actual demands.

(4) Quantitative objectives – Indicators

The following results are targeted for the period of 2007 – 2013

- Increased tonnage produced in aquaculture by 80%;
- Increased turnover by 50%;
- Increased gross added-value at factor's cost price, up to 20%.

Measure 2. 2. Inland fishing

(1) Description of the measure

Investments in inland fishing will be a priority in the implementation of the OP, given the large surfaces of inland waters, the diversity of the species and the number of employees involved in Romanian inland fishing activities.

The development of inland fishing should ensure the sustainability of the inland fishing resources, wild genetic heritage, and environment.

More particularly, the supported actions concern:

- Investments in inland fishing fleet which aim to improve the safety on board, working conditions, hygiene and quality of the products and to modernise the vessels.
- Modernisation of inland fishing facilities through investments aiming to support the organisation of a number of landing sites, to improve working conditions for landing activities and to improve the equipment of existing or new landing sites - storage facilities, refrigerating warehouse and ice machines.
- Reassignment of vessels operating in inland fishing to non-fishing activities, especially in the Danube Delta.

(2) Beneficiaries of the measure

Beneficiaries shall be:

- For investments in inland fishing fleet: owners of vessels operating exclusively in inland waters, under the following conditions:
 - the fishing vessel must be minimum 5 years old;
 - it has undertaken fishing activities in inland waters in the last 2 years.
- For modernisation of fishing facilities in the inland waters: natural or legal persons who are holding the necessary permits for implementing the above activities.
- For the reassignment of vessels operating exclusively in inland waters, the owners of the vessels which have been fishing in inland waters in the past 2 years.

(3) Financial allocation

- Public contribution for investment in inland fishing fleet shall be limited to 60% of the total investment and the public contribution for engine replacement can be of 40% of its value, according to the conditions laid down by Art. 25 of (EC) Regulation 1198/2006.
- Public contribution for facilities modernization of inland fisheries will be limited to 60% of the total investment.
- The public contribution can be up to 100% for changing the destination of fishing vessels operating in inland waters to activities other than fishing.

(4) Quantitative objectives – Indicators

Tonnage of fish landed will increase from 4,000 to 6,000 tonnes/year.

(5) Specific information on this Measure

All boats to receive financial support under Article 33 of the EFF Regulation should be registered in the Fishing Vessels Register for inland fishing as operating in inland waters. They will continue to operate exclusively in inland waters, at least 5 more years from signing the contract, as they will receive license only for inland water fishing.

Fishing vessels operating in inland waters which receive public aid for reassignment to non-fishing activities (ex. tourism, especially in the Danube Delta) shall not return to the fishing activity for at least 5 years from signing the contract. Compliance with this condition is easily verifiable as all vessels are entered in the Fishing Vessels Register and need a Fishing License to be active.

Measure 2.3 Fish processing and marketing

(1) Description of the measure

The measure will support the following actions:

- Increase in processing capacity (construction of new units and/or extension of existing units)
- Construction, extension, equipment and modernisation of processing units
- Construction of new marketing establishment
- Modernisation of existing marketing establishments

Priority is given to activities aiming at :

- (1) improving the job market (creating jobs, creating and / or maintain employment for women and youth, improving working conditions and safety of workers, maintaining the existing jobs);
- (2) promoting new technologies;
- (3) promoting the species from local production.

(2) Beneficiaries of the measure

Beneficiaries of this measure can be micro, small and medium sized enterprises and enterprises that are not covered by the definition of micro, small and medium sized enterprises but have less than 750 employees or a turnover of less than Euro 200 million per year.

(3) Financial allocation

The public financial support will be limited to 60% of total expenditure for micro, small and medium sized enterprises. For the enterprises that are not covered by the definition of micro, small and medium sized enterprises but have less than 750 employees or a turnover of less than Euro 200 million per year the public financial support will be of max. 30%.

Priority will be given to micro and small enterprises in the selection process. 50% of funding will be earmarked in each call for proposals for viable projects coming from these types of

enterprises. This percentage may be revised by the Monitoring Committee in the light of the actual demands.

(4) Quantitative objectives – Indicators

- Increased turnover by 50%.
- Increased tonnage produced in processing by 80%.

Measure 2.4 Financial engineering scheme

(1) Description of the measure

This measure is based on the provisions of the Article 55, paragraph 8, of Regulation (EC). 1198/2006 and by Art. 34, and 35 of the Regulation (EC) no. 498/2007 and aims to create a guarantee scheme for, potential beneficiaries to access bank loans necessary for the implementation of projects funded under EFF.

(2) Beneficiaries of the measure

The beneficiaries of this measure will be the applicants who need loans from the banks in order to co-finance or pre-finance investments selected for EFF support especially under one of the following FOP measures :

- 1.3 - Investment in ships and selectivity;
- 1.4 – Small-scale coastal fishing;
- 1.5 – Socio – economic compensations for the management of the Community fleet
- 2.1 - Aquaculture;
- 2.2 - Inland fishing;
- 2.3 – Fish processing and marketing;
- 3.3 - Fishing ports, landing sites and shelters;

(3) Financial allocation

The amount allocated for the financial engineering measure is being financed through public funds, in a percentage of 75% from FOP and 25% from national contribution.

The manager responsible with implementing this financial engineering measure will be selected through an open public tender, in accordance with the national public procurement legislation.

The detailed methodology for the implementation of the financial engineering instruments and the relation between the guarantee fund manager and the FOP MA, as well as the terms and implementing conditions of the financial engineering measure will be regulated in a financing convention which will respect the provisions of Article 35 of the Regulation no. 498/2007.

(4) Quantitative objectives – Indicators

- - Increasing the numbers of beneficiaries with approximately 120
- - Increasing the absorption degree of the funds allocated through FOP with approximately 15%

6.4.1. *Priority Axis 3: Measures of common interest*

6.4.1.1. Main objective under Priority Axis 3

In compliance with the EFF Regulation and in line with the strategy presented in Section 4, the main objectives of Priority Axis 3 are:

- To reinforce the infrastructure in order to ensure a profitable and competitive fishing industry in the long term, whilst increasing safety for workers in the fisheries sector
- To enhance the organisation and the professional skills of the sector
- To support common actions for sustainable fisheries and aquaculture development

Support under Priority Axis 3 of the EFF covers measures of 'common interest' with a broader scope than measures normally undertaken by private enterprises and which help to meet the objectives of the common fisheries policy. Measures are "*of common interest*" when they are contributing to the interest of a group of beneficiaries or the general public. Any revenue generated under measures of common interest should be deducted from the public aid granted to the operation.

6.4.1.2. Baseline and quantified targets

Result indicators	Baseline year 2007	Target 2010	Target 2013
N° of marine harbours modernised	0	1	3
N° of shelters	0	3	5
N° of landing sites at the Black Sea	0	3	5
Training for group of fishermen and farmers (no of prepared courses)	0	7	15
N° of producer associations or organizations reorganised or restructured	0	20	5
Increase of the average fish consumption	4.5 kg/person/year	6 kg/person/year	9 kg/person/year
Increase of the added value of the fish processed and sold	4.757 MEUR (all the fisheries sector)	10%	20%

6.4.1.3. Justification of the average rate of co-financing, target groups/ sectors/ areas and beneficiaries

Co-financing rates may vary between 80% and 100% of public funds, by type of measure and type of beneficiaries. More detailed data on the rates applied for each Measure are available in the summary of each Measure.

The entire surface of Romania is eligible for funding under the Measures of Priority Axis 3.

The Fisheries sector will be the sole beneficiary of this Priority. Beneficiaries will include:

- (1) Structures recognised by the Romanian authorities as representatives of producers (such as organisations, groups or associations of producers),
- (2) Public or semi-public bodies whose effective involvement and representation in the fisheries sector and aquaculture will be verified,
- (3) Other organisations designated by the Member State in order for them to implement these operations.
- (4) Private companies with development projects of collective benefit to the fisheries sector

6.4.1.4. Description of the main Measures proposed under Priority Axis 3 resulting from the strategy proposed

The general approach taken for Priority Axis 3 is to support the implementation of Priority Axis 1 and 2 by the creation of common infrastructure for workers of the fisheries sector, helping the structuring of the sector via collective actions, actions targeting the development of the market, etc.

Under the Operational Programme of Fisheries the following Measures will be eligible:

- Measure 3.1 Collective actions
- Measure 3.2 Protection and development of aquatic fauna and flora
- Measure 3.3 Fishing ports, landing sites and shelters
- Measure 3.4 Development of new markets and promotion campaigns
- Measure 3.5 Pilot operations

Collective actions:

Under collective actions, support will be granted in particular for the restructuring and development of producer's associations

Currently there are 90 associations representing producers and the processing industry. This high number indicates that each one of them is only representative of a small part of the sector or of small geographical areas of the country. This loose structure of the sector, combined with the relatively young age of these organisations has led to a dysfunctional market for fish products and has hindered the implementation of CFP objectives in Romania.

The associations will be supported to streamline their activities and regroup into a smaller number of larger associations. In order to receive funding, these associations will be required to present a Business Plan outlining their activity programme and detailing the type of services that they will provide to their members.

This restructuring of producer associations will be supported by improved partnerships between these associations and research institutes or administrations. Training of these groups of producers will also be undertaken in order to improve the quality of management and of the human resources.

The beneficiaries of such collective actions would be legal entities recognized by National Agency for Fishing and Aquaculture as representatives of producers, through Ministerial Order 772/2007 of the Ministry of Agriculture and Rural Development. The above Ministerial Order also provides for the conditions and requirements for the implementation of Regulation 104/2000 in Romania.

Measure 3.1 "collective action". May include also other types of actions.

Aquatic fauna and flora

The restoring of spawning areas and similar actions might also prove necessary for the sustainable management of inland fishing.

The EFF may support under this measure some common infrastructure for facilitating actions like the rehabilitation of migration routes of sturgeon in the Danube River (especially the creation of fish passes) or habitat improvement and stocks enhancement for Danube salmon.

The study about the rehabilitation of migration routes of sturgeon in the Danube River will be achieved with the close cooperation with the Ministry of Transport.

Fishing ports, landing sites and shelters

At the present moment Romanian port infrastructure lacks specialised berths and refrigerating warehouses.

In order to ensure the long term competitiveness of the sector and to facilitate the development of fishing-related activities, the EFF may support the **modernisation of at least 3 existing marine fishing ports**, which are already used by the fishing vessels to land their catches, by developing all the infrastructure and services necessary for the fishing vessels and boats operating in the Black Sea. The exact locations of these fishing ports would be: Sulina, close to the Danube Delta, Midia, near Constanta, and Mangalia, close to the Bulgarian border. Although the small Romanian fleet would hardly justify the development of three fishing ports we must note that the distances travelled by the fishing vessels from the fishing areas to the fishing ports (the length of the Romanian coast is 265 km) justify the modernization of three fishing ports.

The improvement of services provided to workers in the fisheries sector in those ports will include facilities for:

- Supply of ice, fuel and water,
- Maintenance and repair of vessels, boats and fishing equipment,

- Landing facilities for fisheries products.

The development of 4-5 **landing sites** will also be supported in order to improve the operation of the small scale fishing fleet. These landing sites will be equipped with facilities for landing fisheries products and controls will be set in place to cover the activity on these collective infrastructures. These landing sites will also be used as tourist attractions for observing fishing activities and for recreational fishing. The exact locations of these facilities are still to be determined, based on cost-benefit analysis. If they are located within areas selected under Priority Axis 4, they could be a valuable asset to integrated local development strategies implemented by local action groups.

As weather conditions can be very difficult on the Black Sea and taking account of the extension of the coastline, the **construction of 4 - 5 new shelters** appears necessary in order to improve the safety of fishers at sea. The location of these shelters will aim to complement the facilities described above.

Development of new markets

The analysis showed that there is a need to promote the consumption of Romanian fish in order to regain market shares.

Promotional campaigns to stimulate fish consumption and to introduce new fishery products will be supported under this measure, including the possible creation of a “generic” brand respecting the limitation foreseen in the EFF Regulation under Art 40, Section 2. Organically produced fish will also be promoted.

To support the promotion of fish products, quality standard will be developed, together with procedures for traceability of the catches and aquaculture production.

The opening of the market in the EU accession context makes it easier for imported products to compete in the domestic market. The Romanian Fisheries sector will therefore emphasize the quality of its products instead of trying to compete with foreign producers on the price of the products.

Pilot operations

This measure should allow the fisheries and aquaculture sector to test the technical and economic viability of new technologies and management plans.

Pilot operations will give public and private bodies the possibility to:

- Execute experimental projects or operations conducted by private companies, public or semi-public bodies such as research institutes,
- Transfer the technical and/or economic knowledge necessary to modernise the sector,
- Adapt itself to the evolution of the legislative, technical and economic environment.

The following types of pilot projects will be given priority:

- New technologies for more selective fishing techniques and gears.
- Acquisition of know-how and technologies for aquaculture production and processing.

6.4.1.5. Demarcation with similar activities under other Community funding and measures taken to ensure complementarity

Measures for the protection and development of aquatic fauna and flora can in some cases be supported under the LIFE+ financial instrument, especially within areas designated as NATURA 2000. The two administrations concerned will exchange data in order to avoid the risk of double funding, since a same area could be eligible for both the EFF and LIFE+. The intervention of the EFF in “NATURA 2000” areas will be limited to actions linked with fishing activities.

The equipment of existing fishing ports is eligible under the EFF, provided that these are already used for fishing purposes. The construction of a new port should be supported by the ERDF.

The construction of smaller shelters is eligible under both the EFF and the ERDF. Romania has chosen to utilise the EFF for this purpose.

6.5. Specific information required for each measure

Measure 3.1. Collective actions

(1) Description of the measure

Eligible actions will be supported under Measure 3 will cover:

- **Research partnerships:** active participation to research programmes on subjects related to the fisheries sector (e.g. resource management, aquaculture techniques, control of products quality, energy saving, etc.) developed by research institutes, whose results will be of collective interest and made popular on a large scale.
- **Professional training:** improvement of professional abilities, development of new training methods and instruments (e.g. courses that help workers in the fisheries sector observe European, national or local regulations referring to minimum size, hygiene, quality control).
- **Restructuring of producer organisations** – promoting producer association, recognised by the competent authority of the Member State.
- Facilities for the establishment of a wholesale market and an electronic auction place.

(2) Beneficiaries of the measure

Beneficiaries will be:

- structures recognised by relevant Romanian authorities as representatives of producers (such as organisations, groups or associations),
- public or semi-public bodies
- other organisations designated by the Member State.

(3) Financial allocation

Public contribution may vary between 80% for semi-public bodies and of 100% of the total investment for public bodies and producer organisations.

(4) Quantitative objectives – Indicators

- 15 courses for professional training
- reduction of the number of producers associations from 90 to 5.

Measure3.2. Protection and development of aquatic fauna and flora

(1) Description of the measure

This measure will support actions for:

- Construction or installation of fixed or mobile facilities designated to protection and development of aquatic flora and fauna;
- Rehabilitation of inland waters, including reproduction areas and migration routes for migrating species;
- Environment protection and improvement within the “NATURA 2000” Programme, if linked to fishing activities.

Support under Article 38(2)(c) of the EFF (i.e. measures relating to the protection and enhancement of the environment in the framework of NATURA 2000 where its areas directly concern fishing activities) may also cover costs for the consultation of stakeholders during the discussion of management plans, studies for monitoring and surveying species and habitats including mapping and risk management (early warning systems, etc.) and the preparation of information and publicity material.

(2) Beneficiaries of the measure

Beneficiaries will be:

- Producer organisations recognised by the competent authority of the Member State;
- Public or semi-public organisations involved in the fishing sector.

(3) Financial allocation

Public contribution may vary between 80% for semi-public organisations and 100% of the total investment for public organisations and producer organisations.

Measure3.3. Fishing ports, landing sites and shelters

(1) Description of the measure

The main actions to be financed are the following:

Action 1: Investments in existing fishing ports

- modernization of **3 marine fishing ports**. This action will include:

- (1) Expansion and modernization of specific berths for fishing vessels and boats;
- (2) Construction of facilities for provision of fuel, ice and water supplies;
- (3) Construction of facilities for disembarking, processing and cold storage of fishing products;
- (4) Facilities and equipment to provide maintenance and repair services of fishing vessels and boats;
- (5) Construction of facilities for waste treatment and storage.

Action 2: investments in restructuring and improvement in landing sites

- Investment for the restructuring of **4 to 5 existing marine landing sites**:

- (1) Construction, modernisation and extension of facilities for landing, improvement of safety during landing operations;
- (2) Construction of facilities for provision of fuel, ice and water supply;
- (3) Construction of facilities for cold storage;
- (4) Construction of locations for storage and treatment of waste and losses.

Action 3: Safety related investments for the construction and modernisation of small fishing shelters

- Investment in the construction or modernisation of **4 to 5 marine shelters**. These shelters are aimed at improving the safety of workers in the fisheries sector and will not have any of the specific facilities foreseen for the landing sites.

These three types of facilities will also be used for tourist activities such as sailing or sport fishing.

(2) Beneficiaries of the measure

Beneficiaries will be:

- Producer organisations recognised by the competent authority of the Member State;
- private companies
- public or semi-public organisations

(3) Financial allocation

Public contribution may vary between 80% for private companies and semi-public bodies and of 100% of the total investment for public bodies and producer organisations.

(4) Quantitative objectives – Indicators

Along the coast of the Black Sea:

- 3 fishing ports modernised and equipped;
- 5 landing modernised or built;
- 5 shelters constructed.

Measure3.4. Development of new markets and promotional campaigns

(1) Description of the measure

The main actions to be financed are the following:

- Promotional campaigns for equipments and procedures contributing to improvement of product quality, safety and traceability;
- Regional, national or trans-national campaigns for promoting fishing products.
- Participation in and organisation of sea food and fishery products exhibitions

(2) Beneficiaries of the measure

Beneficiaries will be:

- Producer organisations recognised by the competent authority of the Member State.
- Private companies
- Public or semi-public organisations.

(3) Financial allocation

Public contribution may vary between 80% for private companies and semi-public bodies and 100% of the total investment for public bodies and producer organisations.

(4) Quantitative objectives – Indicators

- Increased average fish consumption from 4.5 kg/person/year to 9 kg.
- 20% increase in the added value of fish products processed and sold.

Measure3.5. Pilot operations

(1) Description of the measure

The EFF will support four new types of projects:

- **innovative technologies**, the technical or economic viability of which will be tested under conditions as close as possible to the reality of the sector, for the purpose of obtaining and disseminating technical or economic knowledge of the tested technology;
- tests made within **management plans** and plans for allotment of the fishing effort, including, if necessary, the establishment of areas where fishing is prohibited, for the

purpose of evaluating the biologic and financial consequences and experimental restoration;

- development and testing of methods for **improvement of tools selectivity**, reduced incidental catches, especially on the sea bottom;
- testing of alternative fishing management techniques.

Pilot projects supported by the EFF must be truly innovative. Small technical improvements of well-known technologies are not sufficient to qualify for support under Article 41 of the EFF. Pilot projects should also be of limited cost and duration.

(2) **Beneficiaries of the measure**

Beneficiaries will be:

- producer organisations recognised by the relevant authorities of the Member State.
- private companies
- public or semi-public organisation, whose effective involvement and representation in the fisheries sector and aquaculture will be verified.
- Other organisations designated by the Member State

(3) **Financial allocation**

Public aid may vary between 80% for private companies and semi-public bodies and 100% of the total investment for public bodies and producer organisations.

6.5.1. Priority Axis 4: Sustainable development of fishing areas:

6.5.1.1. Main objective under Priority Axis 4

Priority Axes 1, 2 and 3 are proposing sector Measures to support the necessary developments in the Fisheries sector. Priority Axis 4 proposes a territorial approach as a complement to these sets of Measures. Romania has decided to **allocate a substantial share of its resources** under the EFF appropriations to this priority axis. The main goal of Priority Axis 4 is to develop in a sustainable manner the fishing areas in order to minimise the decline of the fisheries sector and to support the re-conversion of the areas affected by changes in this sector.

The aim of Priority Axis 4 is to complement short-term measures related to the implementation of CFP, with measures aiming to alleviate economic, social and environmental concerns and to counter in this way the impact of depletion of fish stocks. The real goal is to help communities and fishery areas to develop alternative economic activities and find new and sustainable resources for improving quality of life. To succeed, the local communities need to develop tools to identify the needs and objectives of fisheries communities and to implement solutions adapted to real needs. In conclusion, success of Priority Axis 4 depends on correct identification of the real challenges and requirements of fisheries communities and providing them with the tools to develop appropriate local responses.

The objectives of the Measures supported under Priority Axis 4 shall be:

- To support the **implementation of local development strategies** by the Fisheries Local Action Groups
- To support the **cooperation** projects between Fisheries Local Action Groups

6.5.1.2. Baseline and quantified targets

Result indicators	Baseline	Target 2010	Target 2013
N° of Fisheries Local Action Groups established	0	3	Max 15
Territory covered by the Fisheries Local Action Groups	0	4,000 km ²	21,000 km ²
Population in the territory covered by the Local Groups	0	150,000	750,000
Jobs created or maintained in fisheries areas	0	300	3,000

6.5.1.3. Justification of the average rate of co-financing, target groups/ sectors/ areas and beneficiaries

Target areas:

Areas that can be selected will normally be smaller than NUTS III, located along rivers or the coastline, on lakes or in the Danube Delta, and will be coherent from a geographic, economic and social point of view. In Romania, fisheries areas throughout the entire country are eligible for the selection under Priority Axis 4, but priority is given to, **3 broad geographical regions because of their tradition in fisheries:**

- The Danube Delta is a traditional area for fishing with a great biological and landscape diversity where alternative economic activities could be developed in order to improve the income of the fisher population without increasing the pressure on the existing fisheries resources.
- Along the Danube River, where the population's main occupation is fishing or aquaculture. However, this area is facing important challenges because of depletion of fishing resources, but also because of the poor organisation of the fishermen, inappropriate control of the exploitation of living aquatic resources and the inexistence of adequate infrastructure like landing points, and first sale points).
- The coastal area of the Black Sea. In this area there is a strong tradition in marine fisheries. At the same time, there is a significant discrepancy between the limited offer and the high demand of fresh fisheries products and the infrastructure (landing sites, and first sale points) is poor.

Fisheries areas will be eligible if they meet the following minimum criteria:

- A fisheries area should be smaller than NUTS III, which is equivalent to county level in Romania.
- The area must be able to demonstrate that it is coherent from a geographical, economic and social point of view.
- In general, the total number of population of the area should be between 10,000 and 150,000 inhabitants.

Towns with a population of up to 100,000 inhabitants can be included in the proposed area. At the same time, well delimited areas of cities, with a populations over 100.000 inhabitants but with a high incidence of fishing activities can be also eligible.

At least two of the following three criteria must be fulfilled:

- The population density is less than 50 inhabitants/km²
- Fishing is an important economic activity but is in decline
- Small fisheries communities represent an important part of the population

Beneficiaries under Priority Axis 4 will be Fisheries Local Action Groups or FLAGs identified via a competitive procedure. To be eligible, the candidates will have to cover a specific area corresponding to the above criteria. They must also:

- Be formed as a public-private partnership in which the private component (private enterprises, economic and social partners, foundations or associations) is above 50%.
- Prepare and present an integrated strategy for the development of their area. This multi-sectorial strategy will include innovative actions proposed for the diversification of the local economy, the creation of jobs, the promotion of the quality of life and the protection of the environment.

The FLAGS will select the **final beneficiaries** for the funding, from the selected area. Eligible beneficiaries from the selected area will include fisheries communities, workers within the fisheries sector or those who through their work activities have a link with the sector, local communities, public or private organisations involved in local development (NGOs, foundations, associations, local councils, civil society, economic agents, traders, etc. from the selected area. The majority of projects should be led by the private sector.

6.5.1.4. Description of the main Measures proposed under Priority Axis 4 resulting from the strategy proposed

One measure is proposed under Priority Axis 4:

Measure 4.1 – Development of fisheries areas

- Action 1: Selection of Fisheries Local Action Groups and implementation of integrated strategies
- Action 2: Support for undertaking cooperation actions

Action 1: - Selection of the Fisheries Local Action Groups and implementation of the integrated strategies will be done in two stages:

I. Selection of the Fisheries Local Action Groups (FLAGS)

The selection of the Fisheries Local Action Groups will be done through a competitive process. The criteria for the selection of the groups will be the coherence of the area chosen and relevance for the fishery sector, the quality of the strategy proposed for this area and the capacity of the partnership proposed to implement the strategy.

II. The implementation of the strategy

The implementation of the local integrated strategy will be done by the FLAGS selected in the previous stage.

Action 2: Support for undertaking cooperation actions

The Fisheries Local Action Groups might wish to seek support for actions to be undertaken in cooperation by more fisheries groups (FLAGS) benefiting from funding under Priority Axis 4 of the EFF. These cooperation projects can be undertaken with one or several other Romanian fisheries group(s) or with one or several group(s) from another Member State.

Undertaking cooperation projects is not an obligation for the groups. This measure can be implemented during the first part of their activity and also after a certain time when the

strategy is already consolidated locally and when the need or benefits of cooperation have emerged.

6.5.1.5. Demarcation with similar activities under other Community funding and measures taken to ensure complementarity

It is possible that an area covered by a LAG (EAFRD) either totally or partially overlaps a FLAG area and a demarcation based on geographical criteria cannot be applied. The main element of demarcation is that in order to be selected, a fishery area has to fulfil the general and specific criteria presented in the OP.

Existing partnerships and organisations should preferably be used to implement Priority Axis 4. If an Priority Axis 4 group is based on an existing Leader Local Action Group (LAG), the same administrative support structure can be used to implement both EU funds. This would imply that the common operating costs will be shared (proportionally) between the EFF group and the LAG. In all cases, because geographical overlaps with Leader groups are possible a clear separation of instruments will be required:

- distinct strategies between groups and LAG;
- distinct partnerships – the composition of the partnership of the EFF group and that of the LAG will be different (even if some local actors are likely to be represented in both partnerships). In this respect the group should be composed in majority by actors coming from the fisheries sector.
- distinct project selection committees – the composition of the decision-making bodies of the partnerships will also need to be different.
- separate book keeping and distinct financial and control circuits,

It is expected that where a Fisheries Local Action Group is active, the local team supported by the Priority Axis 4 will facilitate the access of would-be beneficiaries to access (filling in the application forms, etc.) other funding sources than FLAG's budget. Such applications can be submitted for funding to other funds, also.

6.6. Specific information required for each measure

(1) Action 1. Selection of Fisheries Local Action Groups and implementation of the local strategies

The selection of the Fisheries Local Action Groups will be preceded by a preparatory activity to support for setting-up the public-private partnerships and drafting integrated local strategies. Beneficiaries of this activity will be selected through a call of proposals. Successful applicants will receive technical and financial support for developing their capacity to act as Fisheries Local Action Groups. As a result of this stage, these partnerships should acquire a legal status and finalise the integrated development strategy of the fishery area that would allow them to participate in the next stage. This activity will be supported under Priority Axis 5, measure 5.1 – Management and implementation of programmes, if it was carried out with the Managing Authority support before FLAG's selection.

This section includes two sub-sections that correspond to the two stages:

- A description of the procedure utilised for the selection of the Fisheries Local Action Groups.
- A description of the procedure for the implementation of the integrated strategies by Fisheries Local Action Groups.

I. Selection of the Fisheries Local Action Groups

The Managing Authority will make a **call for submission of integrated local development strategies proposals** by local partnership from fisheries areas. The announcement for this call for proposals will be made in a transparent manner (press, ministry website, information events), and will include the presentation of the selection criteria and procedure. Maximum 3 calls for proposals will be issued over the period, the last groups having to be in operation no later than four years from the date of the approval of the operational programme. The Managing Authority intends to launch the first call for proposals for projects selection in 2010 and the eventual other calls for submission of proposals to be launched and completed by the end of 2011.

In the call for proposals, the Managing Authority will introduce a reference to Article 54 of Council Regulation no 1198/2006 regarding the non-accumulation of Community financial aid. In particular, and the selection criteria will ensure a consistent demarcation with the RDP – Axis 4.

Further, the Managing Authority, by implementing Article 40 of Commission Regulation (EC) No 498/2007, will set up a data base of all the operations funded by the EFF in order to avoid possible overlapping and double financing.

Local strategies will be selected taking into account the selection criteria approved by the Programme Monitoring Committee. A **maximum of 15 Fisheries Local Action Groups** will be selected in Romania and supported under EFF.

The actions foreseen in the integrated strategy will be presented in a **Local Development Plan established for 5 years** (for Fisheries Local Action Groups selected in 2010) **and 4 years** (for Fisheries Local Action Groups selected in 2011), with annual expenditure allocations. The Local Development Plan will present the distribution of the funding amongst the following categories of actions/measures such as:

- (1) Actions for strengthening the competitiveness of the fisheries areas;
- (2) Investment in tourism infrastructure and services, in particular eco-tourism (targeting the fisheries areas,
- (3) Diversification of economic activities and creation of new employment opportunities for workers in the fisheries sector
- (4) Development of services, in the benefit of the fisheries communities;
- (5) Environment protection and conservation of natural resources.
- (6) Contribution to the running costs of Fisheries Local Action Groups, but not exceeding 10% of the funding allocated to the area.

The local strategy could include all eligible actions provided in Article 44 of the Regulation (EC) 1198/2006 regarding EFF, and also, if appropriate under Priority Axis 4, actions covered by the other axes, excluding the permanent and temporary cessation of the fishing activities.

II. Implementation of the integrated local development strategies

The FLAG will have full responsibility for the selection of the actions to be implemented. In this regard, FLAGs should demonstrate that they employ a transparent and impartial system for the selection, implementation and financing of the local projects. The selection of a FLAG, to be carried out by the Managing Authority, will be conditional on the existence of adequate capacity for the implementation of the local strategy. The evaluation of the system will be done by the Managing Authority.

To fulfil the activities proposed to reach the objectives of the strategy included in the Development Plan, every FLAG will establish common selection criteria applied to every type of project. These criteria will include, in addition to specific criteria for each measure, criteria regarding the capacity of potential beneficiaries for project management (human and financial resources, specific expertise and general project management, including financial resources).

1.2 Description of administrative and financial flows under Priority Axis 4

Stage I. Selection of the FLAGs

1.2.1 Description of administrative and financial flows of the Managing Authority

1 Call for proposals 2 Receipt of applications 3 Selection of the FLAGs 4 Notification of the selected FLAG's 5 Legal commitment

- (1) The launch of call for proposal by Managing Authority.
- (2) The Managing Authority will receive the applications from potential FLAGs.
- (3) The Managing Authority, Selection Commission will make the selection of the applications based on the criteria approved by the EFF OP Monitoring Committee, mentioned above (coherence and relevance (priority) of the area, quality of the strategy, capacity of the FLAG to implement the strategy).
- (4) The Managing Authority will notify the applicants if their application was accepted or not.
- (5) The Managing Authority concludes legal commitments with the selected FLAGs.

Stage II. Implementation of the integrated local development strategies

Description of the administrative and financial circuit for the FLAG]

1 Call for proposals 2 Receipt of applications 3 Eligibility check 4 Selection of projects 5 Notifying beneficiaries 6 7 8

- (1) The FLAG launches call for proposal.
- (2) The FLAG receives the applications.
- (3) The FLAG checks the applications.
- (4) The Selection commission, inside of FLAG, does the selection of applications, based on the criteria adopted according to the local development strategies prior to the launch of the call for proposals.
- (5) The FLAG notifies the applicants if their projects were selected or not.
- (6) The MA/FLAG and the beneficiary of a selected project sign the legal commitment.
- (7) The beneficiary starts the implementation of the project.
- (8) For the implementation of the project, the beneficiary requests pre-financing or reimbursement of the public financial support, based on the documents of the payment request, in accordance with the approved project. The payment body will make the payment. If the FLAG receives the accreditation for making payments, the payments can be done by the FLAG.

The following table describes the financial flow to be applied at the start of the programme. It is envisaged to transfer more responsibilities to the Fisheries Local Action Groups themselves in a second stage, provided that they have a proven ability to administer public funds.

Financial implementation	
Receipt of application for payment	ROFOP/FLAG
Project eligibility check	ROFOP/FLAG
Verification of services performed	MA/FLAG
Management verification (administrative and on the spot)	MA/FLAG
Verification report	ROFOP/FLAG
Estimation of the owed amounts of money	MA
Payment	PADRF /FLAG
Accounting record keeping	PADRF +MA/FLAG
Verification after final payment	MA/FLAG
Monitoring	MA
External Audit	AA

AA: Audit Authority

ROFOP: Regional Office of Fisheries Operational Programme

FLAG: Fisheries Local Action Group

MA: Managing Authority

(2) Beneficiaries of the measure

Fisheries Local Action Groups selected according to the transparent procedure presented above.

(3) Financial allocation

Financial allocation for this measure is of 100 mil euro.

The running costs of the Fisheries Local Action Group are financed 100% by public contribution, but no more than 10% of the total budget allocated for each Fisheries Local Action Group.

In compliance with the article 45 of EFF Regulation, the majority of the operations must be promoted by the private sector.

(4) Quantitative objectives – Indicators

- N° of Fisheries Local Action Groups established: max 15
- Territory covered by the groups: 21,000 km²
- Population in the territory covered by the groups: 750,000 inhabitants
- Jobs created or maintained: 3,000

(5) Specific information on this Measure:

The Monitoring Committee for the Fisheries Operational Program will approve the criteria for selection of the FLAGs. The following section presents a “minimum set” of criteria that might be complemented by the Monitoring Committee.

The areas where the Fisheries Local Action Groups are active must correspond to the criteria presented in section 6.5.1.3 above.

The selection of Fisheries Local Action Groups (FLAGs) will be made using the following criteria:

(a) Composition of the Fisheries Local Action Group:

The Fisheries Local Action Group should be a balanced and representative partnership for the fisheries area, made up of public partners, private partners and non-governmental bodies. The local partnership must be open to all those who are interested. Private partners must account for more than 50% in the decision-making mechanism foreseen. Women and young people

should have a fair representation in the decision-making bodies. When establishing the FLAG's structure and functioning mechanisms, it should be ensured that the risks of conflict of interests are eliminated, particularly by establishing decision making mechanisms which ensures transparency and impartiality of the selection process, especially that potential beneficiaries are not involved in and cannot influence the projects selection process.

Before submitting the application, the Fisheries Local Action Group will need to be already registered as a legal entity, under the provisions of Government Ordinance no. 26 of January 30, 2000, with subsequent amendments and additions, as Association or Foundation (including federation).

(b) Quality of the local strategy

The **description of the local strategy** must include the following elements:

- Description of the area where the Development Plan will be implemented.
- Mechanisms for consultation with local stakeholders about the development plan.
- Description of the Group: partnership, decision-making procedure, level of private participation.
- Evaluation of initial situation and analysis of the needs and potential in the area (baseline and SWOT analysis).
- Objectives established for the implementation of the Development Plan; strategy for achieving the objectives (list of measures); complementarity with other development programmes.
- The Measures should be presented in this Local Development Plan covering the overall period. For each measure this plan should specify: objectives, a brief description of the measures to be implemented, the expected results and the financial allocation by year.
- Methods of informing potential beneficiaries and the public at large.
- Administrative arrangements, detailed rules and audit trail procedures.
- Evaluation and monitoring arrangements.

The local strategy must have the following characteristics:

- Territorial approach: efficient use of local resources, integrated activities at local level and creation of a common vision for the development of the area.
- Bottom-up approach: active participation of representatives of the local population to planning, decision making and implementation of the strategy.
- Integrated and multi-sectorial approach: the strategy is based on interaction of partners from all sectors of the local economy.

The local development strategy proposed by the group in accordance with Article 45(2) of the Regulation shall:

- (a) be integrated and be based on interaction between actors, sectors and operations and go beyond a mere collection of operations or a juxtaposition of sectorial measures;
 - (b) be consistent with the needs of the fisheries area particularly in socio-economic terms;
 - (c) prove its sustainability;
 - (d) be complementary to other interventions made in the area concerned.
- (c) **Capacity to implement the strategy.**

The FLAG must demonstrate that it has sufficient capacity in terms of human, financial and administrative resources and that it has established a transparent, efficient and impartial working procedures, in order to deliver the strategy.

The implementation plan must show that the Fisheries Local Action Group will have the capacity to implement the strategy with a reasonable chance of success:

- Quality of the local team, including former experience with similar procedures or appropriate training
- Demonstrated administrative and financial capacity
- Capacity to mobilise the necessary co-funding

The Board of the Fisheries Local Action Group will establish transparent and impartial selection criteria and procedures for every type of project.

These selection criteria will be outlined in the calls for proposals that would be launched by Fisheries Local Action Groups for the projects submission by individual applicants.

Action2. Support for undertaking cooperation actions

(1) Description of the measure

Certain actions should be undertaken in partnership between several areas benefiting from funding from the Priority Axis 4 of the EFF. These actions will seek to create a **critical mass** for certain actions where a single group is not large enough. They should include the implementation of a joint project and not consist simply of an exchange of experiences.

Cooperation actions are eligible between groups benefiting from funding under Priority Axis 4, from Romania or from other Member States. Cooperation with LEADER groups is also eligible, although only the expenses of the EFF group will be supported under this measure.

Common actions could have as objectives even institutional building.

Under this measure could be covered:

- costs for drafting the cooperation projects;
- costs for investments for implementation of the common projects;

– costs for common training projects.

(2) Beneficiaries of the measure

This Measure is only accessible to the Fisheries Local Action Group selected under Measure 4.1.

(3) Financial allocation

This type of project will receive supplementary specific funding following a simple selection procedure. Only expenditures for the joint action, for running the common structure and for preparatory technical support are eligible for support.

(4) Quantitative objectives – Indicators

- N° of cooperation projects supported: min 15.

6.6.1. Priority Axis 5: Technical Assistance

6.6.1.1. Main objective under priority Axis 5

Technical assistance is a very important instrument for a new Member State, which helps overcome the lack of experience in implementing Community Financial Instruments. The experience of SAPARD and PHARE did not involve the same range of responsibilities as the full implementation of Structural Funds, while the amounts available under them are much more important.

The main objectives of the technical assistance under Priority Axis 5 are:

- To develop all preparatory documents for the preparation and implementation of the Fisheries Operational Programme.
- To enhance the administration capacity including the CFP aspects related to the EFF implementation.

The Managing Authority will be reinforced through additional human resources and adequate training, in order to increase its administrative capacity. In this respect, the Managing Authority shall receive technical assistance in order to develop and reinforce an adequate management and control system for the implementation of Operational Programme.

The Technical assistance will include all actions deemed necessary for the sound implementation of the Measures included in this OP:

- preparatory measures;
- administrative and technical support;
- monitoring and control of the realisation of the different Measures;
- information dissemination and communication;
- evaluations foreseen in the EFF Regulation;

- audit measures needed for a good accountability of the systems in place.

The following bodies can receive support from the operational programme:

- (1) The **Managing Authority**, responsible for the management and implementation of Fisheries Operational Programme 2007 – 2013.
- (2) The **Certifying Authority**, responsible for certification of expenditures included in declaration of expenditure and payment applications, before forwarding them to the European Commission.
- (3) The **Payments Agency**, responsible with transferring the financial assistance to the beneficiaries.
- (4) **Audit Authority**, responsible for verifying the effective functioning of the management and control system of Fisheries Operational Programme 2007 – 2013.
- (5) **Public Private Partnerships** selected through an open call for proposals in order to elaborate integrated local development strategies and to develop mechanisms to allow them to function as Fisheries Local Action Groups in the framework of Priority Axis 4.
- (6) **The National Agency for Fisheries and Aquaculture**, responsible with the implementation of the Common Fisheries Policy and development of key subsequent documents, requested in the framework of the EFF OP.

6.6.1.2. Baseline and quantified targets

The existence of an adequate administrative capacity is usually measured by the following factors:

- The organisational characteristics, including the relationships between central, regional and local levels and the dissemination of information and communication technologies (ICT).
- The quality of civil service (number of staff and adequate training).
- Intergovernmental relations (how the fisheries administration relates to other parts of the administration) and interactions between fisheries authorities and other bodies and stakeholders.

6.6.1.3. Justification of the average rate of co-financing, target groups/ sectors/ areas and beneficiaries

Actions under these Axes are funded up to maximum 100% by public aid (75% EFF, 25% Member State).

Financial allocation

The allocated public contribution is limited to 600.000 Euros, respectively up to maximum 30.000 Euros for each beneficiary.

6.6.1.4. Description of the main Measures proposed under Priority Axis 5 resulting from the strategy proposed

Priority Axis 5 will include the **Measure 5.1 - Technical assistance with the following actions:**

Action 1: Management and implementation of programmes

Operation for technical assistance for the implementation of the operational programme

- The setting-up and the running costs for a permanent **Observatory** for aquaculture production
- Salaries and bonuses for the staff involved in the management and control systems of FOP (Managing Authority, Paying Agency, Certifying Authority and Audit Authority). Bonuses, salary increases, and premiums will be eligible if based on recommendations following staff evaluations carried out periodically with regard to skills and performance on the job.
- Administrative and technical support for the Managing Authority.

Operations for improving the administrative capacity

- Professional development programmes for employees of the institutions involved in management and control systems of FOP: assessment of competence and professional performance, training needs, organising training seminars, counselling and mentoring.
- Support for setting-up the public-private partnerships and drafting integrated local strategies of the fisheries areas

Support for setting-up the public-private partnerships and drafting integrated local strategies aims at developing technical and administrative capacity for the potential Fisheries Local Action Groups (FLAGs) which will act as intermediate bodies under Priority Axis 4.

The public aid for this operation is restricted to 600,000 euro, representing a maximum of 30,000 euro for each public-private partnership which means maximum 90% of the eligible value of the application.

Funding will be accessible to local public-private partnerships for undertaking preparatory activities including the following:

- (a) Technical support for the establishment of representative public-private partnerships.
- (b) Financial support for the establishment of representative public-private partnerships.
- (c) Studies of the area concerned.
- (d) Measures to inform the stakeholders and the general public about the area and the local development strategy.

- (e) Technical support for drawing up local integrated development strategies, public awareness events and training of the members of public-private partnerships, involved in preparing and implementing local development strategy.
- (f) Study visits to successful LAG/ FLAG from another Member State.

The beneficiaries of these actions will be selected following open calls for proposals.

The beneficiaries may receive pre-financing for implementing this kind of projects. Also, the reimbursement of the eligible expenses is counted from the time of notification by the MA of the selected applicants.

The criteria for technical and financial evaluation will be approved by the Monitoring Committee, in correlation with the eligibility criteria for Fisheries Local Action Groups (FLAGs) under Priority Axis 4, regarding the zones to be covered by the FLAG and the composition of the partnership.

The beneficiary of this operation can be a public institution/private organisation/natural person, which have been designated by the other partners as representative for the coordination of the preparation of the integrated local development and the formal establishment of the FLAG. The other members of the Local Partnership will participate in these preparatory activities, as partners.

The partners can be:

- From the public sector: public administration, local, regional, public services.
- From the private sector: private companies, companies providing utilities.
- From the civil society: non-profit organisations, associations, organisations of entrepreneurs foundations, natural persons.

Quantitative objectives – Indicators

Max. n° of partnerships/integrated strategies whose drafting will be supported under this measure: 20

Operation on communication actions

These will be described in detail in a communication plan based on a communication strategy and will include:

- Communication towards the potential applicants and general public on the targets and results of the FOP and on the role played by the Community in the Operational Programme.

Operation on facilitating collaboration

The establishment and functioning of a national network of Fisheries Local Action Groups, as foreseen by the Regulation 1198/2006 (Art. 45, 5) will be funded under Priority Axis 5.

The **aims of this network** are to:

- Support the functioning of the Fisheries Local Action Groups once they were selected, via the provision of training, the setting-up of a data-base of experts and the organisation of information sessions on the opportunities offered by Priority Axis 4.
- Disseminate information on:
 - The activities of the FLAGs,
 - Important news related to the implementation of the EFF,
 - Other funding procedures that can be of interest to the Fisheries Local Action Groups.
 - Collect, analyse and disseminate information at national level on good practice which is transferable

Encourage the exchange of best practices through information, databases and exchange activities such as thematic seminars.

Operations for evaluation

- The Interim evaluation will be organised in time for the “Strategic Debate” on the implementation of the National Strategic Plans, foreseen to be organised by the Commission in 2011.
- The other studies identified so far have been presented above. Other studies might need to be undertaken during the lifetime of the programme.

Action 2: Studies

A number of preparing studies for training and implementation of various axes as those that have been described in those parts of the Operational Programme. A scientific study on the living resources of the Black Sea, an assessment of training needs of fisheries communities, a market research on potential consumption, a master plan for aquaculture and a communication strategy, etc.

Action 3: Publicity and information

Information of potential beneficiaries about the financing opportunities provided in the Operational Programme measures in accordance with the specifications of Article 51 of Regulation EFF.

6.6.1.5. Demarcation with similar activities under other Community funding and measures taken to ensure complementarity

The public private partnerships to be funded under Priority Axis 5 might overlap in terms of territory with similar partnerships funded under NRDP. The demarcation line is that presented under Priority Axis 4. If a local partnership is beneficiary of support under Priority Axis 5, it will not receive funding under Priority Axis 4 for the preparatory activities regarding the setup of the group and elaboration of the local strategy.

7. FINANCIAL PROVISIONS

Table no 5. Annual financing plan of the Operational Programme

Year	EFF (euro)
2007	15,127,527
2008	22,157,050
2009	30,156,234
2010	36,391,468
2011	39,257,052
2012	42,262,575
2013	45,362,301
Total EFF	230,714,207

Table no 6. Financial table of the Operational Programme by priority axes

Priority	Total Public (Euro)	EFF Contribution (Euro)	National Contribution (Euro)	EFF co-financing rate (%)
Axis 1	13,300,000	9,975,000	3,325,000	75%
Axis 2	140,000,000	105,000,000	35,000,000	75%
Axis 3	40,000,000	30,000,000	10,000,000	75%
Axis 4	100,000,000	75,000,000	25,000,000	75%
Axis 5	14,318,942.7	10,739,207	3,579,735.7	75%
Total	307,618,942.7	230,714,207	76,904,735.7	

8. IMPLEMENTING PROVISIONS

8.1. Management

8.1.1. General Coordination of the EFF Operational Programme

In compliance with the provisions of the Article 85, paragraph (1) of the Council Regulation (EC) no.1198/2006, Romania has designated three authorities in order to ensure the management and control of the EFF Operational Programme. These authorities perform their functions independently one from another.

The Managing Authority has been designated by the Government Ordinance no. 15/2009 regarding some measures for acceleration of the absorption process of the amounts allocated by European Agricultural Fund for Rural Development and European Fisheries Fund. The Managing Authority functions as a structure within the Ministry of Agriculture and Rural Development, respectively **General Directorate for Fisheries – The Management Authority for FOP**.

General Directorate Certifying and Payment Authority within the Ministry of Public Finance has been designated as **Certifying Authority** for POP 2007-2013 based on the Emergency Government Ordinance no. 74/2009. The Certifying Authority is responsible for certifying the expenditures included in the statement of expenditure and in applications for payment, before submitting them to the European Commission.

The Audit Authority, set up within the Romanian Court of Accounts, operates based on provisions of Law no. 94/1992 regarding the organisation and functioning of the Court of Accounts, republished, is responsible for verifying the effective functioning of the management and control system of Fisheries Operational Programme 2007 – 2013 in accordance with Art.61 of the EFF Regulation no. 1198/2006. The Audit Authority is functionally independent from the Court of Accounts, Managing authority, the Paying agency and the Certifying authority, in compliance with art.58 (1) c) of the EFF Regulation no. 1198/2006.

Having in view that the Managing Authority and the Certifying Authority are subordinated to two different ministries and the Audit Authority is established within the Romanian Court of Accounts, between these institutions involved in the management of the operational programme there are no subordinating relations.

In accordance with the provisions of the Article 58(2) from the Regulation (EC) no. 1198/2006, the Managing Authority has decided to delegate the implementation of the Priority Axis 4 "Sustainable development of the fishing areas" to the **Fisheries Local Action Groups**, to be selected through a competitive procedure. A number of maximum 15 FLAGs will be selected through open tender procedure, in compliance with the Community laws and national primary and secondary legislation for implementing the Community provisions on public procurements.

The General Directorate Budget Finance and European Funds within MADR was designated as Paying Agency responsible with payments related to FOP, following Government Ordinance no 15/2009 and the Government Decision no 25/2010 regarding the organisation and functioning of the Ministry of Agriculture and Rural Development.

8.1.2. Specification of functions performed by the authorities which ensure management and control of FOP

Managing Authority

The Managing Authority is responsible for the effectiveness and correctness of management and implementation of the Fisheries Operational Programme 2007-2013, in accordance with Article 59 from the Regulation (EC) no. 1198/2006 and fulfils the following attributions that are arising from the functions provided by the Article 59 of the Regulation (EC) no.1198/2006.

- (a) elaborates procedures for the management of the Fisheries Operational Programme in order to ensure that all its attributions are fulfilled;
- (b) ensures that the establishment and functioning of MCFOP, is in compliance with the provisions of the Articles 63 and 64 from the Regulation (CE) no.1198/2006;
- (c) elaborates the evaluation and selection criteria of the Fisheries Operational Program' projects and submits them to the approval of MCFOP
- (d) ensures monitoring of the Fisheries Operational Programme implementations and presents to MC FOP the progress that have been achieved in the fulfilment process of the specific objectives and targets established for each priority axis, in compliance with the provisions of Article 65 from the Regulation (CE) no.1198/2006.
- (e) elaborates the Annual Progress Report as well as the Final Implementation Report for the Fisheries Operational Programme, in compliance with the provisions of the Article 67 from the Regulation (EC) no. 1198/2006 and submits them for the approval of MC FOP and later on for consultation to the Certifying Authority
- (f) provides within the competence, all the information necessary to the Certifying Authority in order for it to fulfil all the responsibilities provided in Article 60. of the Regulation (EC) nr.1198/2006;
- (g) ensures, within its competence, the prevention of irregularities, the identification of irregularities, establish budgetary debts and ensure the recovery of the amounts that are the result of irregularities;
- (h) submits to the Certifying Authority reports regarding the identified irregularities and the undue amounts as well as reports regarding the recuperation of the undue amounts, of the unused amounts, and of those resulted from irregularities;
- (i) Ensures that the evaluation of the OP are carried according to the EC Regulation 1198/2006 and informs MC FOP about the results and about the modalities proposed in order to implement the recommendations;

- (j) ensures the fulfilment of all obligations regarding informing and publicity in compliance with the provisions of chapter V from the Regulation (EC) no. 498/2007;
- (k) ensures prompt registration and updating of the information on the specific IT system SIMPOP, being responsible for accuracy and integrity and the completion level of all data regarding the Fisheries Operational Program;
- (l) Signs financing contracts with the beneficiaries of the selected projects, in which they ensure compliance with the specific conditions regarding the implementation of the project, in compliance with the applicable Community laws and with the national legislation in force;
- (m) follows up the checks carried out in compliance with the provisions of the Article 59 from the Regulation (CE) no.1198/2006 and of Article 39 from the Regulation (CE) no.498/2007 that authorizes payments, elaborates and submits to the Certifying Authority the validated declarations of expenditure;
- (n) elaborates and submits to the Certifying Authority realistic forecasts regarding contracts and payments for Fisheries Operational Program in order for the Certifying Authority to comply with the provisions of art. 75 align. 3 from the Regulation EC no. 1198/2006;
- (o) initiates and promotes legislative proposal in order to improve the implementing conditions of the Fisheries Operational Programme 2007-2013;
- (p) concludes specific inter-institutional agreements with the Certifying Authority and with the Court of Accounts, in order to ensure and to submit all the necessary information regarding the procedures and verification done in relation with the expenditures;
- (q) ensures the functioning of a computerized system for recording and storing accounting records, necessary for financial management, monitoring, verification, auditing and evaluation of each operations/projects under FOP;
- (r) ensure that each beneficiary has a separate accounting system for all activities of the operation / project, under the relevant legislation;
- (s) ensures the availability of documents relating to expenditure and audit in accordance with Art. 87 of Regulation (EC) no.1198/2006.

Certifying Authority

According to Art.60 of Regulation (EC) no. 1198/2006 the Certifying Authority is responsible for drafting and submitting to the Commission for the declarations of and for payment applications certified. This consists of:

- (a) certifying that the statement of expenditure is accurate, results from reliable accounting systems and is based on verifiable supporting documents;
- (b) certifying that the expenditure declared complies with applicable Community and national rules and has been made for the operations selected for funding under the FOP criteria and national rules;
- (c) providing for certification purposes, that the information received regarding the procedures and verifications carried out in relation with the expenditures included in expenditure declarations represents an adequate basis for certification;
- (d) taking into account for certification purposes, the results of all audit missions and inspections conducted by the Audit Authority or under its responsibly;
- (e) maintaining computerized accounting records of expenditure declared to the Commission;
- (f) maintaining records with the amounts that needs to be recovered and with the amounts withdrawn as a result of cancellation of all or part of the contribution for an operation. The amounts recovered before the end of the operational programme are transferred to the general budget of the European Union as a result of the financial corrections done in accordance with Article 97, by deduction it from the next expenditure declaration.

Audit Authority

The Audit Authority has the responsibility to carry out system audits, audits of operations and to issue the closing statement at the end of the implementation period of the Operational Programme, in accordance with Community law and national auditing standards accepted internationally. The main tasks of the Audit Authority in carrying out functions under Article 61 of Council Regulation (EC) no.1198/2006, according to the Law no. 94/1992, republished, are:

- (a) conformity assessment of management and control systems with the provisions of Community legislation for each Operational Programme financed through Community funds;
- (b) verification, based on a representative sample of expenditure declared by the authorities responsible with the management and implementation of community funds;
- (c) annual reporting on the compatibility of management and control systems of the authorities responsible for management and implementation of Community funds and regarding their capacity to ensure operations compliance with Community rules;
- (d) issuance of the declaration of closure, together with audit reports for each Operational Programme financed through Community funds;

- (e) following up the mode in which the audited entities have implemented the recommendations that have resulted after the audit actions were carried out by the Audit Authority.

Paying Agency

The Paying Agency is responsible for opening and managing the account required by the European Commission in order to receive the pre-financing, interim and final payments related to the Operational Programme for Fisheries 2007-2013 and in order to transfer to the beneficiaries the financial grants from the European Union, the co-financing amounts allocated from state budget and of the amounts that cover the payment of value added tax related the eligible expenditure within FOP and to pay to the contractors the amounts related to technical assistance projects financing, as appropriate.

The main tasks of the Paying Agency are:

- (a) ensures the transfer of authorised payments to the beneficiaries of financing contracts/providers of public procurement contracts as well as the transfer of the recovered sums on sources of funding if debts are detected;
- (b) draws the synthetic and analytical bookkeeping in accordance with the legal provisions for FOP;
- (c) verifies that the operations are correctly classified, through distributing the commitment credits and budgetary credits approved under an appropriate budgetary classification;
- (d) ensures the extra balance-sheet accounting of budgetary and legal commitments and theirs reporting;
- (e) provides the accounting information needed to carry out analysis on related transactions of financial assistance grants;
- (f) ensures the function of financial accounting reporting in accordance with legal provisions in force and the requirements of sound financial management.

Functions formally delegated by the Managing Authority (functions, intermediate bodies and forms of delegation)

Fisheries Local Action Groups will be responsible for implementation of some measure under Priority Axis 4, in accordance with sound financial management principles and community regulations and national legislation in order:

- (a) to ensure that operations are evaluated and selected for funding in accordance with the criteria approved through FOP and the local strategy for each Fisheries Local Action Groups and are consistent with the applicable Community and national rules throughout the entire period of theirs implementation,

- (b) to verify if all co-financed products and services has been delivered and to verify if all expenditures declared by beneficiaries for operations has actually been incurred and are in accordance with Community and national rules: to conduct on spot checks of operations;
- (c) to ensure that there is a system dedicated to recording and archiving accounting data in electronic form for each operation under Priority Axis 4 and that the implementation data required for financial management, monitoring, verifications, audits, evaluations are collected.
- (d) ensuring that beneficiaries and other bodies involved in the implementation of operations, applies either a separate accounting system or an adequate accounting code for all transactions relating to the operation without prejudice the national accounting standards;
- (e) establishing procedures to ensure that all documents regarding expenditure and audits required to ensure an adequate audit trail are kept in accordance with Art. 87 of Regulation (EC) no. 1198/2006;
- (f) ensuring the compliance with all requirements concerning information and publicity, in compliance with Art. 51, that Art. 59 point j of Regulation (EC) no. 1198/2006.

The Fisheries Local Action Groups may receive further responsibilities to make payments to final beneficiaries, following their accreditation by the Managing Authority.

8.2. Management and financial control

Management verifications and payment authorisations

The Managing Authority has to verify the delivery of products, services and the co-financed works performed as well as supporting effective expenditures declared by beneficiaries in respect of Community and national standards as required by art. 59 (b) of Regulation (EC) no.1198/2006 and art. 39(2) of Regulation (EC) no. 498/2007 of the Commission.

Verifications will ensure that the expenditure declared is real, that the products and services have been delivered and that works were carried out in accordance with the contract / financing decision, that reimbursement requests/ payment submitted by the beneficiaries are correct, and that operations and expenditures comply with Community and national rules.

Management verification consists in:

- administrative verifications of payment requests and/or interim/final reimbursement claim, which are done by verifying the progress report, the expenditure records and supporting documents for all transactions relating to all operations within a project / operation;
- on the spot verification of payment request and/or interim/final reimbursement claim and financial and technical verification of interim / final reimbursement claim , which aims to assure legality, reality and compliance with European and national rules of the

expenditures realised by the beneficiaries and recorded in the application for refund/payment request and in the Expenditure Bookkeeping;

- authorization of payments and transmission to the Paying Agency of the reimbursement claim files/payment in order to realise the payment to the beneficiary.

The Managing Authority has the obligation to elaborate monthly Declarations of Expenditure and to submit them to the Certifying Authority in accordance with Art. 60 of Regulation (EC) no. 1198/2006, which must analyse, verify and certify them, before presenting them to the European Commission.

The elaboration phase of statements of expenditure has to include the following:

- verification of all necessary centralized supporting documents and information related to all projects' financial operations;
- ensuring conditions in order to have a complete documentation;
- ensuring continuity of the activity, inclusively in terms of staff fluctuations;
- monitoring prevention of risks caused by lack of justifying documents, their incomplete character and/or non- updating;
- tracking the flow of documents from the Managing Authority level.

Irregularities

In order to protect the financial interests of the European budget and those of the National Budget, the Managing Authority ensures that the legality and regularity is respected as well as the compliance in using funds from non-reimbursement financial assistance, given by the European Commission through EFF as well as through other co-financing funds.

The Managing Authority is responsible for the operational management with regard to prevention of irregularities, reviewing systems and procedures in connection with the development of budgetary irregularities, debts collection and recovery and return to the EU budget all funds improperly paid because of irregularities.

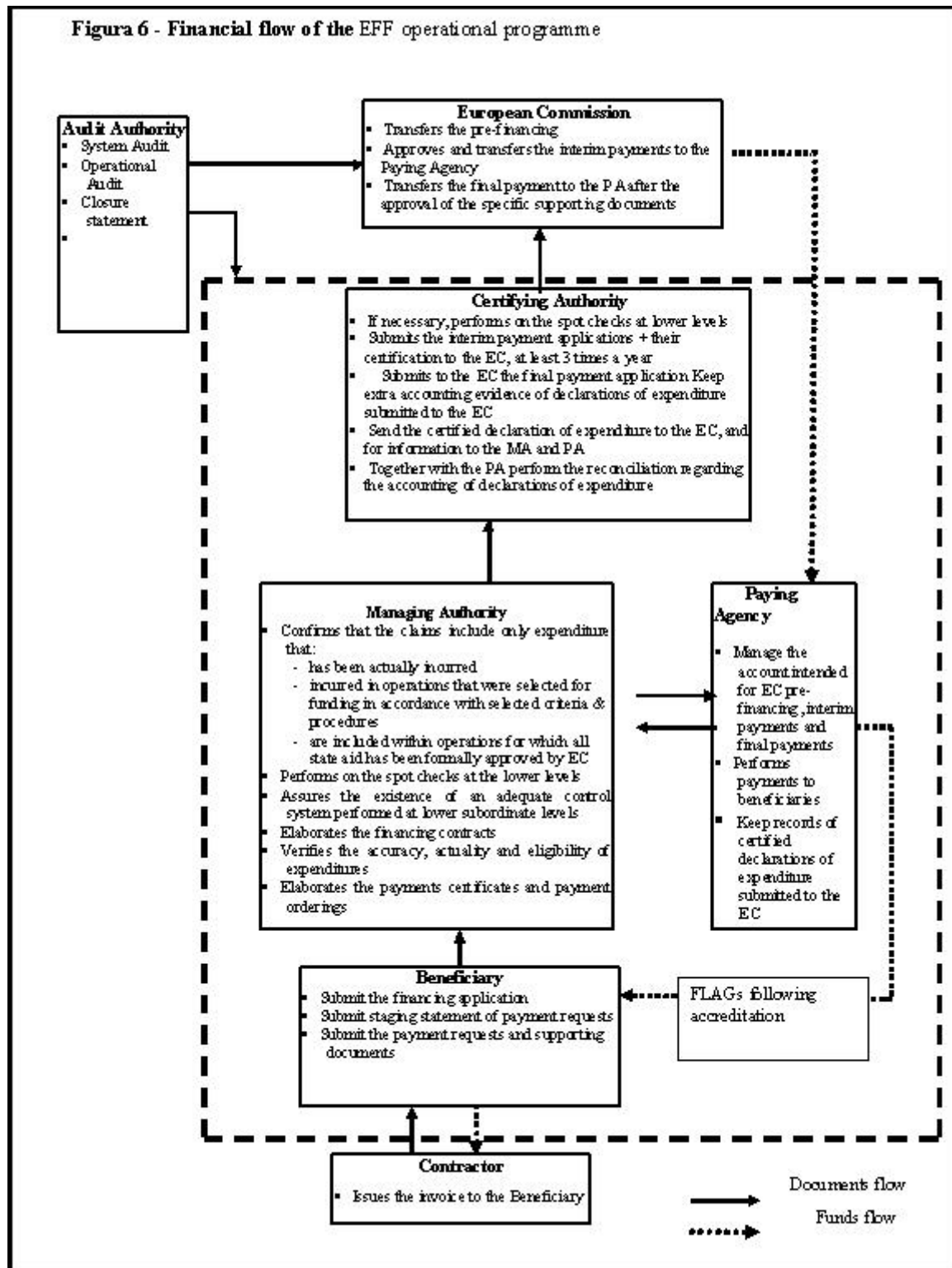
The Managing Authority ensures effective management of irregularities under EU and national legal framework in force. Also the MA ensures the management of human errors ,so that in the audit trail, this human errors could be traced and their occurrence reduced.

The Managing Authority will report to Certifying Authority all cases of financial irregularities, irrespective of their value and the Certification Authority will consider submission to the Department of Anti-Fraud those whose value is equal or larger than 10,000 Euro.

The Managing Authority will report to the Certifying Authority all cases of irregularities without financial implications.

The irregularity is reported by the Managing Authority in every trimester Report of Irregularities, until the amount affected by the irregularities is fully recovered.

The Financial flow of the FOP is presented in the fig. 6.



Conformity assessment of the management and control system

According to Article 71 of EFF Regulation no. 1198/2006, a conformity assessment of the management and control systems for FOP will be submitted to the EC before submitting the first application for interim payment or not later than twelve months after FOP's approval. This evaluation will be carried out by the Audit Authority which will undertake its activity independently by the Managing Authority and by the Certifying Authority.

8.3. Monitoring and evaluation

8.3.1. Monitoring

The role of the Monitoring Committee

The Monitoring Committee is the main co-ordinating and decision-making body for FOP. It is responsible with the quality and effectiveness of implementing the programme. The Monitoring Committee for FOP will be set up within three months of the Commission Decision approving the FOP and will draw up its own Rules of procedure.

The Monitoring Committee has the following roles and responsibilities:

- (a) it considers and approves the criteria for selecting the operations financed within six months of the approval of the FOP and approves any revision of those criteria in accordance with programme needs.
- (b) It periodically reviews progress made towards achieving the specific targets of FOP on the basis of documents submitted by the Managing Authority.
- (c) It examines the results of implementation, particularly achievement of the targets set for each priority axis and the evaluations of the FOP;
- (d) It examines and approves the annual and the final reports on FOP implementation.
- (e) is informed about the annual control report and about any relevant comments that the Commission might have after examining that report;
- (f) it may propose to the Managing Authority any revision or examination of the FOP, likely to make possible the attainment of EFF objectives, or to improve its management, including its financial management;
- (g) it considers and approves any proposal to amend of the content of the Commission Decision on the EFF

Composition of the Monitoring Committee

The Monitoring Committee is set up in accordance with the national legal and institutional provisions, within a partnership between national, regional and local authorities and economic and social partners and other competent bodies.

The Managing Authority will chair the Monitoring Committee and provide the secretariat.

The Monitoring Committee of the Fisheries Operational Programme will be composed by representatives of the Managing Authority, Certifying Authority, Payment Agency, Audit Authority (having the role of observer), European Commission (advisory role), representatives from National Agency for Fishing and Aquaculture, Ministry of Transport, Ministry of Public Financing, NGO's, Ministry of Labour, Family and Equal Opportunities, Ministry of Environment, Ministry of Regional Development, representatives from employers association, unions, research institutes in domain.

The nominal composition of the Monitoring Committee is approved by order of the Minister of Agriculture and Rural Development.

Transparency of information flows

Transparency is an essential principle for functioning of the Monitoring Committee.

Thus:

- in order to ensure that there is adequate information about its work, wherever possible the Committee should keep the media informed of the progress of the assistance for which it is responsible;
- contacts with the press should be under the responsibility of the President of the Monitoring Committee;
- appropriate arrangements shall also be made when important events are held in connection with the Monitoring Committee's meetings, such as high-level meetings or inaugural sessions; the Commission should be kept informed of these arrangements.:
- the decisions taken by the Monitoring Committee will be published on MAFOP web site.

Ensuring transparency of the activities of the Monitoring Committee is an important component of the Secretariat activity. Secretariat requires to all members to submit written information on procedures established for informing the groups that they represent regarding the current activity of the Monitoring Committee as well as follow up reports on the implementation of these procedures.

Rules of procedure

The Monitoring Committee draws up and approves its own rules of procedure at the first meeting based on the proposal of the Managing Authority.

The rules of procedures include the following: objectives and responsibilities of the Monitoring Committee, composition, chairmanship, secretariat, organisation of meetings, minutes, documents, decision-making, approves and amends its own Organizing and Functioning Regulation.

Decisions of the Monitoring Committees are taken by consensus and the President must take all necessary measures necessary to achieve consensus. The procedure rules of the Monitoring Committee must ensure that all the necessary decisions in order to implement FOP will be taken including decisions on reallocation of funds, as required.

8.3.2. Evaluation

The regulatory framework

Evaluation of the Operational Programme is an activity closely related to the overall management of the PO and the preparation of implementation, as an assessment instrument of relevance, efficiency, effectiveness of the undertaken financial assistance and the impact and sustainable results.

The requirement to conduct ongoing evaluation of the activities of the Operational Programme and the general rules for those activities are set out in Council Regulation (EC) Nr. 1198/2006 of 27 July 2006 on the European Fisheries Fund (Article 47-49-50).

In accordance with Article 47-49 of Council Regulation no. 1198/2006 three main types of evaluation will be carried out:

- An ex-ante evaluation.
- Interim evaluation (during the implementation period of the OP).
- An ex-post evaluation.

Ex-ante evaluation: For the programming period 2007-2013, the ex-ante evaluation for FOP, was done by an external evaluator (only one contractor). Ex-ante evaluation included the Strategic Environmental Assessment, conducted in accordance with the requirements of Directive 42 / 2001 regarding evaluations on the effects of certain plans and programs on the environment. The management of the ex-ante evaluation contract was ensured by National Agency for Fishing and Aquaculture through the Central Evaluation Unit, in close collaboration with the Managing Authority and other stakeholders.

The purpose of the interim evaluation is to improve the quality, efficiency and relevance of the assistance and of the strategy and implementation of the Operational Program. The interim evaluations will support the managing process for FOP by analysing the problems that appears during implementation and propose specific solution for improving the functionality of the system.

There will be only one interim evaluation of FOP, conducted accordingly to the provisions of the Regulation on implementation of EFF.

The interim evaluation will examine the progress until that date in relation with the implementation of the Fisheries Operational Programme, focusing specially on the management of the Fisheries Operational Programme,

Ad hoc evaluations will be done where the monitoring of the program indicates a clear deviation from the objectives initially set out or where revising OP proposals are done.

Ad-hoc evaluations can also address either implementation or management issues of an individual Priority Axis or Key Area of Intervention, or can be “thematic”.

Interim and ad-hoc evaluations will be done by external means, through some independent evaluators, based on the evaluation function of the Managing Authority.

The specific objectives, problems assessment, the responsibilities and the expected results of the interim, ad-hoc and „thematic” evaluations will be separately defined for each evaluation that will be conducted.

Ex-post evaluation will be undertaken by the Commission in close connection with the Member State and with the Managing Authority, accordingly with the Art.50 of the Council Regulation no.1198/2006.

The Commission can also undertake **strategic evaluations**, as well as evaluations in relation with the monitoring of the Fisheries Operational Programme.

Institutional framework for evaluation

The interim and ex-post evaluation will be undertaken in compliance with the terms and conditions laid down in Articles 49 and 50 of the Council Regulation (EC) no.1198/2006 and will examine the degree of resources utilization, efficiency and effectiveness of FOP, the socio-economic impact, as well as its impact on the community priorities.

After the interim evaluation, the Managing Authority for FOP will evaluate the necessity for some possible amendments of the Fisheries Operational Programme, regarding the improvement of the quality of the Programme and its implementation.

A special Steering Committee, comprising the members of different bodies and departments of organisations and institutions that may provide a significant contribution to the quality of the evaluation process, will be set up as a competent partner of the Managing Authority for FOP, in order to coordinate the evaluations of the Fisheries Operational Programme. The main tasks of the Steering Committee consist in analyzing and approving the Terms of Reference, the evaluators' activity reports, as well as the final evaluation report.

Evaluation plan

The department within Managing Authority which has responsibilities regarding the FOP evaluation will draft an Evaluation Plan which will comprise evaluation indicators of the activities that intends to carry out at the different stages of the programme implementation, human and financial resources assigned for each evaluation activity, actions regarding institutional building as well as deriving responsibilities. This planning will be done according with the Council Regulation (EC) No. 1198/2006 regarding EFF and the methodological working documents regarding the evaluation, issued by the European Commission.

Operating arrangements

The Fisheries Operational Programme will have a Steering Committee, which should convene for each evaluation exercise. The Steering Committee will fulfil, as a minimum, the following tasks: set the terms of reference for individual evaluations, facilitate the evaluator's access to the information needed to perform his/her work; support the evaluation work, particularly from the methodological standpoint; ensure that the terms of reference are observed; exercise quality control in relation to the evaluation performed.

Under the coordination of the Central Evaluation Unit, a mechanism to ensure the follow-up of evaluation recommendations will be set up and documented in the Evaluation Procedures Manual to be applied by the MA.

As concerns the publicity of the evaluation results, the executive summary of the evaluation reports will be made publicly available.

8.4. Electronic data exchange with the European Commission

Electronic data exchange with the European Commission will be done through the System for Fund Management in the European Community 2007-2013 (SFC2007).

An integrated IT system GDF –MAFOP intended for the registration, evaluation, selection and archiving of projects is developed and implemented within the Managing Authority and is compliant with the Payment Agency IT system and Certifying Authority IT system.

8.5. Partnerships

Creating partnerships for FOP is an innovative concept for programming in the fisheries sector in Romania. For the first time, an extensive consultative process was undertaken and included discussions between relevant national, regional, local authorities, other public authorities, economic and social partners and public.

The majority of the opinions that had been formulated were taken into account. As a consequence, the final version of FOP reflects the common point of view of all stakeholders involved.

8.6. Information and Publicity

European Commission Regulation (EC) No.498/2007 sets out the requirements for information and publicity measures for the Fisheries Operational Programme.

The MA will elaborate relevant information and publicity measures for potential and actual beneficiaries of the Funds and the general public.

The Regulation also specifies information and publicity measures to be taken by the Member State to inform the public and acknowledge EU funding.

For the promotion of the Operational Programme relevant information material will be produced and disseminated such as fliers, brochures, guides, guidance, posters, banners, radio and TV spots, website, thematic seminars, conferences organized at the national and regional level, participation in specialized shows and others.

Appendix 1

During the preparation of the National Strategic Plan and The Operational Programme, at least 6 opened meetings were organized by National Agency for Fishing and Aquaculture in Bucharest and in the regions giving the opportunities to the stakeholders and to other bodies including ONG to express their view on the drafts of the NSP and the OP. These consultations provided the opportunity for the participants to make specific proposals. In this respect for small scale and also for inland fisheries, participants made some proposals regarding the landing facilities required for their activities and the preparation of their products for the market. The farmers from aquaculture asked especially for support for setting up processing facilities in the aquaculture farms and for diversification of the cultivated species. The processors consider that is important to participate to the specialized exhibitions. The fishermen from Black Sea asked for support for permanent cessation.

The majority of the proposals were taken into account with the specification that the new species must be related with the market demand. The fishermen asked also for the fishing gears.

The partners consulted for the elaboration of the OP:

- 1. Ministry of Development, Public Works and Housing**
- 2. Ministry of Environment and Sustainable Development**
- 3. Ministry of Interior and Administrative Reform**
- 4. Ministry of Agriculture and Rural Development**
- 5. Authority for Coordination of Community Support Framework**
- 6. National Authority for Sanitary Veterinary and Animal Safety**
- 7. National Authority for Consumer Protection**
- 8. National Forest Romsilva**
- 9. Romanian Employers Association Rompescaria**
- 10. Institute of Marine Research and Development Grigore Antipa**
- 11. Institute for Research and Development for Aquatic Ecology, Fisheries and Aquaculture Galati**
- 12. National Research Development Danube Delta**
- 13. Institute of Bio resources Bucharest**
- 14. Fish Research Center Nucet**
- 15. Institute for Diagnosis and Animal Health**
- 16. University "Dunarea de Jos", Galati**
- 17. Institute of Biology of Romanian Academy**
- 18. Danube Delta Biosphere Reserve Administration**
- 19. MoldFish Association**
- 20. Fishing men Association from Transylvania**
- 21. RoPescador Association**
- 22. Fish processors association**
- 23. Delta fishermen Organisation**
- 24. Dunavat fishermen Organisation**
- 25. Sulina Producers' organisations**
- 26. Tulcea County Council**
- 27. Constanta County Council**
- 28. SC Blapis SA**
- 29. SC Kaviar House Ltd.**
- 30. SC Acvaris SA**
- 31. Oltfish Association**
- 32. National Company for Administration Fisheries Fund**
- 33. Small Pond of Braila Natural Park**
- 34. AJVPS Braila**
- 35. AJVPS Galati**
- 36. Danubius Fishing Association 2006**
- 37. Forestry Department Vrancea**
- 38. Parks Administration Prahova**
- 39. WWF - The Danube Green Corridor Programme**
- 40. Romanian Ornithological Society**