



Questionnaire

Part II

**Information provided by the Government of the Republic of Moldova
to the Questionnaire of the European Commission**

CHAPTER 13: FISHERIES

The *acquis* in this chapter consists of a number of Regulations, which do not need transposition into national legislation, but which require the introduction of measures to allow the administration and the operators to correctly implement the Common Fisheries Policy (CFP) rules. The scope, the objectives and the principles of the CFP are laid down in the Basic Regulation on the Common Fisheries Policy (Regulation of the European Parliament and of the Council (EU) No 1380/2013). The CFP provides rules for the conservation of marine biological resources, the limitation of the environmental impact of fisheries and the conditions of access to waters and resources. It also comprises the common market organisation for fishery and aquaculture products, a structural policy with a dedicated fund (European Maritime and Fisheries Fund), specific rules for the management of the fleet capacity, the control of fishing activity and on enforcement. The CFP promotes measures based on sound scientific advice and provides a framework for the collection, management and use of fisheries data, further developed in Regulation (EU) 2017/1004 (the data collection framework – DCF). Specific management measures for the sustainable exploitation of fisheries in the Mediterranean Sea are laid down in Regulation (EC) No 1967/2006 (Mediterranean Regulation), while specific measures are laid down for the stock and fisheries under the purview of the relevant Regional Fisheries Management Organisation, notably GFCM¹, ICCAT² and NAFO³. Specific rules also apply for the management of some stocks, such as the European eel (Regulation 1100/2007). With regard to **resource and fleet management**, the *acquis* contains specific rules for the adjustment of fishing capacity in order to seek a balance between fleets and stocks as well as for the measurement of engine power and vessel tonnage. Member States are requested to collect and update data related to the fishing capacity in a specific fishing fleet register according to Regulation (EU) 2017/218 of 6 February 2017. Implementation of **inspection and control** is mainly the responsibility of Member States who need to ensure the administrative capacity for effective implementation, in line with the EU legal framework established by Council Regulation (EC) 1224/2009 which establishes *inter alia* detailed rules for the registration and reporting of catches and the operation of a satellite-based vessel monitoring system. In addition, the Council Regulation (EC) No 1005/2008 establishes a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing which includes a catch certification scheme for the importation and exportation of fishery products. This means that only marine fishery products accompanied by catch certificates validated by the competent flag state authorities can be imported into the EU. EMFAF Regulation (EU) No 2021/1139 lays down provisions for the European Maritime Fisheries and Aquaculture Fund (EMFAF 2021-2027) on financial support for the implementation of the Common

Fisheries Policy, relevant measures relating to the Law of the Sea, the sustainable development of fisheries and aquaculture areas and inland fishing as well as for measures under the Integrated Maritime Policy. In order to benefit from the EMFAF, EU Member States are required to adopt a strategic document and Programmes. Member States should also have the necessary administrative management and control capacity in place in order to ensure a sound and efficient implementation of the Programmes. The **market policy** *acquis* is defined by

¹ Regulation (EU) 2015/2102 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU) 1343/2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (OJ L 308, 25.11.2015, p. 1).

² Regulation (EU) 2016/1627 of the European Parliament and of the Council of 14 September 2016 on a multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean, and repealing Council Regulation (EC) 302/2009.

³ Regulation (EU) 2019/833 of the European Parliament and of the Council of 20 May 2019 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation, amending Regulation (EU) 2016/1627 and repealing Council Regulations (EC) No 2115/2005 and (EC) No 1386/2007 (OJ L 141, 28.5.2019, p.1)

Regulation (EU) 1379/2013 of the European Parliament and of the Council and provides rules on professional organisations, common marketing standards, consumer information, competition rules and market intelligence. In addition to general **state aid** rules, the *acquis* contains specific state aid rules applicable to the fisheries and aquaculture sector. Given its exclusive competence in the field of conservation of marine biological resources, the EU is party to a number of **international agreements** and organisations. Existing bilateral fisheries agreements and conventions with third countries or international organisations need to be adapted or denounced prior to accession.

I. GENERAL

A. Fisheries legislation

1. Please describe the main elements of the legislation of Moldova concerning fisheries and aquaculture.

The Republic of Moldova is an inland country and has no fisheries fleet, and the sea and ocean fishery. The fishery could be realized only in internal fresh waters and is regulated by *the Law on Fish Fund, Fishery and Fish Breeding No. 149/2006*⁴, which regulates the industrial, amateur, and scientific fishery.

This law regulates the manner and conditions of creation and protection of the fish stock, reproduction, growth, and acquisition of hydro-bionts, improvement of aquatic fish objectives, and development of fish farming, establishes the principles of activity of public authorities empowered with the management of aquatic biological resources.

To ensure its implementation and control a set of regulations have been adopted by the Government and the Ministry of Environment during the last years, as follows:

- *Government Decision No. 51/2007* on some measures to improve the activity of the fisheries sector and to regulate the use of ponds⁵. This decision was approved to improve the system of pond management and rational use of fish genetic resources with the foundation of the State Enterprise for Research and Production of Aquatic Biological Resources "Acvacultura-Moldova" through the merger of the state enterprises "Polyodon Scientific Research Station for Fish Farming", "Telenești Fish Farm", "Cubolta Fish Farm" and "Taraclia Fish Nursery".
- *Government Decision No. 977/2016* on the approval of the Standard Regulation on the operation of reservoirs/ponds.⁶ This Decision regulates how to draw up regulations for reservoirs/ponds and lays down general criteria for the operation of reservoirs/ponds, irrespective of the form of ownership, built following the requirements of the regulations and legislation in force, for their correct and sustainable operation, and applies to any natural or legal person who owns and manages reservoirs/ponds.
- *Government Decision No. 103/2011* for the approval of the Sanitary and Veterinary Norm on the requirements for the import and placing on the market of certain aquaculture products⁷. This Decision lays down requirements for the import and placing on the market of the following

⁴ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro#

⁵ https://www.legis.md/cautare/getResults?doc_id=62207&lang=ro#

⁶ https://www.legis.md/cautare/getResults?doc_id=110609&lang=ro#

⁷ https://www.legis.md/cautare/getResults?doc_id=13386&lang=ro

aquaculture products subject to sanitary and veterinary control and surveillance:

- marine fish, including: plaice (*Pleuronectes platessa*), albacore tuna (*Thunnus alalunga*), bluefin tuna (*Thunnus thynnus*), bigeye tuna (*Thunnus* or *Parathunnus obesus*), herring (*Clupea harengus* spp.), Atlantic cod (*Gadus morhua*), Moroccan sardine (*Sardina pilchardus*), haddock (*Melanogrammus aeglefinus*), saithe (*Pollachius virens*), pollack (*Pollachius pollachius*), mackerel (*Scomber scombrus* spp.), chub mackerel (*Scomber japonicus* spp.), horse mackerel (*Trachurus* spp.), shark (*Squalus acanthias* and *Scyliorhinus* spp.), redfish (*Sebastes* spp.), merling (*Merlangius merlangus*), blue whiting (*Micromesistius poutassou* or *Gadus poutassou*), ling (*Molva* spp.), anchovy (*Engraulis* spp.), hake (*Merluccius merluccius*), megrim (*Lepidorhombus* spp.), bream (*Brama* spp.), anglerfish (*Lophius* spp.), dab (*Limanda limanda*), lemon sole (*Microstomus kitt*), *Trisopterus luscus* and Mediterranean cod (*Trisopterus minutus*), bogue (*Boops boops*), *Maena smaris*, conger (*Conger conger*), gurnard (*Trigla* spp.), mullet (*Mugil* spp.), skate (*Raja* spp.), flounder (*Platichthys flesus*), common sole (*Solea* spp.), scabbardfish (*Lepidopus Caudatus* and *Aphanopus carbo*), mullet or surmullet (*Mullus barbatus*, *Mullus surmuletus*), black seabream (*Spondylusoma cantharus*), sprat (*Sprattus sprattus*), falling within CN code 0302;
 - live crustaceans, fresh or chilled or cooked by steaming or boiling in water, of the grey shrimp species (*Crangon crangon*) and *Pandalus borealis*, common crab (*Cancer pagurus*) and Norway lobster (*Nephrops norvegicus*), falling within CN code 0306;
 - cephalopods, in particular cuttlefish (*Sepia officinalis* and *Rossia macrosoma*), falling within CN code 0307;
 - Common scallop and other aquatic invertebrates, in particular the great scallop (*Pecten maximus*) and common whelk (*Buccinum undatum*) falling within CN code 0307.
- *Government Decision No. 239/2009* on the approval of the sanitary-veterinary norm on health conditions of aquaculture animals and products and measures for the prevention and control of certain diseases in aquatic animals⁸. It establishes:
- animal health requirements for the placing on the market, import, and transit of aquaculture animals and products thereof.
 - minimum preventive measures to increase the awareness and preparedness of competent authorities, aquaculture holdings, and economic agents for diseases of aquaculture animals;

⁸ https://www.legis.md/cautare/getResults?doc_id=96390&lang=ro#

- minimum control measures applied in the case of a suspected or confirmed outbreak of an aquaculture animal disease.
- *Government Decision No. 1113/2010* for the approval of the sanitary-veterinary norm establishing veterinary certification requirements for the import and placing on the market of live aquaculture animals and their products⁹. It establishes:
 - animal health conditions for the placing on the market of:
 - a) ornamental aquatic animals originating from or intended for closed ornamental facilities;
 - b) aquaculture animals intended for farming, relaying areas, restocking farms, opening ornamental facilities, and restocking as well as dispatch centers, purification centers, and similar establishments before human consumption in countries and parts thereof where national measures are in place to limit the impact of certain diseases in aquaculture animals and wild aquatic animals;
 - sanitary and veterinary certification requirements for the placing on the market of:
 - a) aquaculture animals intended for farming, including relaying areas, organized restocking farms and open ornamental units, and restocking;
 - b) aquaculture animals and products thereof intended for human consumption;
 - animal health conditions and sanitary-veterinary certification requirements for the import and transit, including storage in transit, of:
 - a) aquaculture animals intended for farming, including relaying areas, organized restocking farms, and open ornamental units;
 - b) aquaculture animals and products thereof intended for human consumption;
 - c) ornamental aquatic animals intended for closed ornamental facilities;
 - the list of vector species of aquaculture animals and the conditions under which these species are considered as vectors following Annex 10 to this sanitary veterinary norm.

⁹ https://www.legis.md/cautare/getResults?doc_id=125574&lang=ro

B. Administrative structure

2. Have you established an institutional, legal, technical foundation or framework for fisheries management that includes, at a minimum:

a) Governmental agency or state authority/body with a clear mandate and accountability for the results of fisheries management policy;

Yes, in the Republic of Moldova the authorities that are created in the field of the fishery have a clear mandate. So, the Ministry of Environment has the following mandate according to the art.7 of Law No.149/2006¹⁰:

“a) elaborates the state policy in the field of creation and protection of the fish fund;

b) establishes, with the help of the Academy of Sciences of Moldova, the procedure and the way of studying the aquatic biological resources;

c) elaborates the calculation methodology of the damage caused to the aquatic biological resources;

d) ensures the monitoring in the field of fishing and of the conservation of the aquatic biological resources in the natural fish aquatic objectives;

e) exercises, through the Inspectorate for Environmental Protection, the state supervision over the observance of the present law, of other normative acts in the natural aquatic fishing objectives;

f) approves, at the proposal of the Ichthyological Council, the introduction into culture and acclimatization of new fish species and prohibits, for a period of up to 5 years, the fishing of endangered, vulnerable, or rare species in natural aquatic objectives.”

The public authority for agriculture is responsible for the following:

a) to elaborate and ensure the implementation of the fish farming development strategy in the fish farms, regardless of the type of property and the legal form of organization;

b) to coordinate the application of biological technologies for fish reproduction and breeding;

c) to perform the attestation and inspection of the artificial reproduction and selection activities, and keeps their records;

¹⁰ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro#

d) to coordinate the measures of introduction in culture and acclimatization of some valuable fish species in the artificial fish ponds.

So, the fish resources of natural water bodies conservation and the rules of their exploitation are under the supervision of the Ministry of Environment and its agencies. The internal aquaculture rules implementation is regulated by the Ministry of Agriculture – it is related to fish rearing predominantly in ponds.

b) An agency or authority to issue legislation and ensure control and enforcement;

As mentioned above in Question 2 there are several central authorities with responsibilities for ensuring policy development and law-making in fishing. So, from the aspect of biodiversity and water use as natural resources, the responsibilities are under the Ministry of Environmental. However, the Ministry of Agriculture and Food Industry is responsible for the policy documents on aquaculture from ponds and fish production. Also, the Ministry of Agriculture and Food Industry is responsible on ensure the regulation on activities of fishery breeding activities. According to Governmental Decision on the establishment, organization, and functioning of the Environmental Agency No. 549/2018, the Environmental Agency that is subordinated to the Ministry of Environment is responsible for the regulation of the fish resources¹¹ (points 8, 4);9,4,f), i)j)). The main tasks in the fishery sector are monitoring the water quality, issuing the permits, regulating of commercial, sport, amateur, and recreational activities, and allocation of commercial quotas.

The Environmental Protection Inspectorate¹² is another authority that is responsible for protecting the fish resources in the natural water bodies. Inspectorate also is fighting against the poaching and respects the legislation on amateur and scientific fishery (points 10,4), i),l);10)l);24;25;). Another state institution that has responsibilities in fishing is the National Food Safety Agency¹³. Agency has tasks to ensure food safety and food quality, the maintenance of a system of public measures designed to ensure animal health and plant protection, the safety of food and raw materials, and the protection of consumers in the field of food, including fishery and aquaculture, products placed on the market.

c) Internal organization for department coordination, in particular coordination between fisheries authorities and vessel registry authorities;

Considering that the Republic of Moldova does not have a sea/ocean fishery and the industrial fishery has been under prohibition starting from 2016, there is no coordination between the fishery and vessel authorities. At the same time, the amateur fishers should register their boats at the Naval Agency of the Republic of

¹¹ https://www.legis.md/cautare/getResults?doc_id=127927&lang=ro

¹² https://www.legis.md/cautare/getResults?doc_id=127671&lang=ro

¹³ https://www.legis.md/cautare/getResults?doc_id=127663&lang=ro

Moldova subordinated to the Ministry of Infrastructure and Regional Development.

d) Infrastructure for scientific advice

There are two scientific bodies associated with fish resources in the Republic of Moldova: The Institute of Zoology subordinated to the Ministry of Education and Research, and the Scientific Research Center “AcvaGenResurs”, subordinate to the Ministry of Agriculture and Food Industry. Both institutions are involved in the study of fish from natural water bodies and ponds. According to Law No.149/1995¹⁴ the consultative body in the field of the fishery – is the Ichthyological Council, composed to the representatives of state agencies, academics, and profile non-governmental environmental and anglers organizations activates under the subordination of the Ministry of Environment. The activities of the Council are in the process of evaluation and the new legislation is under development. The Ministry of Environment announced to the interested public the possibility to access and consult the draft Government Decision on the Ichthyological Council (unique No. 159 / MM / 2022)¹⁵. It is expected that in May the Government Decision will be adopted.

C. Economic data

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

From 2000 until 2020 in the Republic of Moldova, the volume of fish in ponds showed a sustainable growth dynamic. During this period, the quantity of domestic fish production has increased sevenfold. It represents more than 12,000 tonnes or 25% of the fish and fish products consumed, inclusive: carp – 3164,0 tonnes, crucian carp – 500,0 tonnes, grass carp – 780,0 tonnes, silver carp – 4321,0 tonnes, bighead carp – 2379,0 tonnes, European catfish – 1,1 tonnes, zander – 21,0 tonnes, which has allowed for an increase in per capita consumption of domestic fish from 0.5 (the year 2000) to 4.6 kg (the year 2020) per year.

¹⁴ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro#

¹⁵ <https://particip.gov.md/ro/document/stages/ministerul-mediului-anunta-publicul-interesat-despre-possibilitatea-accesarii-si-consultarii-proiectului-hotararii-de-guvern-cu-privire-la-consiliul-ichtiologic-nr-unic-159mm2022-si-documentelor-insotitoare/8967>

Production dynamics										
Fish production and consumption	Years									
	2000	2008	2011	2013	2015	2016	2017	2018	2019	2020
Domestic fish production, tonnes	1745	7836	10135	10329	11202	12011	12083	12500	12680	12900
Import, tonnes	126,12	341,15	310,12	286,98	226,63	251,90	264,36	328,99	263,2	338,2
Consumption, domestic production, kg/person/year	0,5	2,2	2,8	2,9	3,2	3,4	3,4	3,8	4,2	4,6

About 2/3 of the fish consumption in the Republic of Moldova is imported, primarily from marine resources. Since 2010 imports and trade in fish and fish products have registered a decline: from 22.513 tonnes (2010) to 18.863 tonnes (2015), and then by 2020, this amount increased to 23.185 tonnes. Currently, the industrial aquaculture is developed in the Transnistrian region through intensive farming in recirculating water systems, including sturgeon species and hybrids. The following species are produced: Russian sturgeon (*Acipenser gueldenstaedtii*), beluga sturgeon (*Huso huso*), sterlet sturgeon (*Acipenser ruthenus*), the starry sturgeon (*Acipenser Stellatus*), and the better (obtained by crossing the sterlet with the beluga sturgeon), which are cultivated for the production of food caviar, and the African sharptooth catfish (*Clarias gariepinus*) which has been introduced to the Republic of Moldova for industrial cultivation in recirculating aquatic systems.

Fish processing activities are under development and, in most cases, they are applied to imported fish in the form of smoking, salting, and drying. Local fish undergo primary processing, i.e., beheading, gutting, filleting, mincing, freezing, or marked as live or chilled fish.

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

The statistical data presented by the National Bureau of Statistics showed that out of the total population of 2 597.5 million people, only 867.8 thousand people are active in the labor force. Of these, 167.4 thousand people are employed in the agricultural sector, and only 5.6 thousand people are employed in the fisheries sector. If in 2017 there were 3200 men and 800 women employee, then in 2021, there were 4000 men and 1600 women employee. Out of the total number, 620 are occasionally employed during the fish catching season, with a slight increase in the number of people willing to work in this sector.

II. RESOURCE AND FLEET MANAGEMENT

D. Fishing fleet

5. What are the principal fisheries in Moldova and what is their geographical distribution?

The Republic of Moldova does not have a fish fleet. Fishing activities are possible in the natural basins of the Nistru and Prut rivers, Dubasari and Stâncă Costești reservoirs, and Manta, Beleu, and Cahul natural lakes. Previously, until 2016, commercial fishing quotas were approved in some sectors of these water bodies for these geographical fishing areas. The geographical distribution is only within the borders of the Republic of Moldova.

6. Where are fishing vessels located and what are their areas of operation? What type of gear do they use? How many fishing vessels compose the fishing fleet?

In the Republic of Moldova, there are no normative acts regulating the registration of economic agents carrying out sea fishing activities.

Fishing vessels, previously used (until 2016) for industrial (commercial) fishing, have small parameters that can fall into the category of boats, small-sized boats up to 6 meters, often used by mechanical or motor propulsion.

The areas of operation were the natural basins of the middle and lower Nistru River, the Dubăsari reservoir, the Prut River, Stâncă-Costești lake, Cahul lake, etc., where the concentration of aquatic biological resources previously allowed the approval of commercial fishing quotas. In the absence of fishing quotas in the Black Sea, compared to neighbouring Ukraine and Romania, sea fishing is not practiced. Under the flag of the Republic of Moldova, similar fishing vessels are not registered.

At the same time, as the Republic of Moldova has not acceded to several international conventions in the field of fisheries (e.g. STCW-F etc.), no fishing vessels are accepted for registration in the State Register of Vessels.

A. Fleet register

7. Does Moldova have a fleet register? If yes, describe the administrative structure for the fleet register and specify its status.

According to the provisions of Article 61 of the Law No. 599/1999 approving the Code of Commercial Maritime Navigation of the Republic of Moldova¹⁶, and the provisions of Government Decision No. 706/2018 on the creation of the Naval Agency of the Republic of Moldova¹⁷, the Naval Agency of the Republic of Moldova performs the registration of ships in the State Register of Vessels of the Republic of Moldova.

8. What is the composition of the fishing fleet according to the following vessel length categories: 0-6 / 6-12 / 12-15 / 15-24 mt, etc.?

Fishing vessels are not accepted for registration in the State Register of Vessels.

9. If there is a fleet register, which of the following characteristics are recorded for each vessel?

- a) information on ownership;
- b) tonnage, power of the main engine;
- c) length overall of the boat (LOA);
- d) fishing gears used/authorised;
- e) other (please specify).

Not applicable. Fishing vessels are not accepted for registration in the State Register of Vessels.

B. Fishing licenses

10. How is the issuing of fishing licenses organised?

The permissions for industrial fishing could be procured based on a tender. At the same time, within the scope to preserve the fish resources, industrial fishing is not authorized in the Republic of Moldova since 2016.

¹⁶ https://www.legis.md/cautare/getResults?doc_id=129114&lang=ro#

¹⁷ https://www.legis.md/cautare/getResults?doc_id=125207&lang=ro#

In the Republic of Moldova, there are no normative acts regulating the registration of economic agents carrying out sea fishing activities. The Naval Agency of the Republic of Moldova does not issue such licenses.

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

The Environment Agency issuing the fishing permits has the right to withdraw them in case of non-compliance with the legislation. The procedure of withdrawal is provided by the national legislation. It does not constitute a separate procedure, it is the same one applied for all permit acts.

12. Does Moldova apply specific rules for recreational/leisure fisheries?

Yes. These rules are part of the basic Law No. 149/2006¹⁸.

The law provides general rules for issuing the permits, criteria/conditions to conduct recreational/leisure fisheries, access to information, tasks and duties of authorities, beneficiaries of water ponds, etc.

C. Fishing authorization

13. Does your flag State have in place a regime for authorizing fishing and fishing related activities (e.g. licencing), which ensure that no vessels is allowed to operate unless so authorized in a manner consistent with the international law and with the sustainability of the relevant stocks?

In the Republic of Moldova, the system of authorization in the field of use of aquatic biological resources (fishing) operates under the provisions of the Law No. 149 of 08.06.2006 on the fish fund, fishery, and fish farming¹⁹ and the Government Decision No. 1279 of 26.12.2018 on the authorization of fishing in natural aquatic fisheries²⁰. According to these normative acts, the Environment Agency is the authority that regulates commercial, sport, amateur, and recreational fishing activities and issues 3 types of permits:

- the commercial fishing quota/quotas allocation certificate, including the commercial fishing permit;
- sport, amateur and recreational fishing permit;

¹⁸ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro#

¹⁹ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro

²⁰ https://www.legis.md/cautare/getResults?doc_id=113434&lang=ro

- scientific, control or breeding fishing permits.

Based on the Order of the Ministry of Environment No. 113/2015, a moratorium on commercial fishing has been established and is still in force since 2016. Therefore, the Environment Agency has not issued commercial fishing quota/quotas allocation certificates, including commercial fishing permits in natural water basins, since this activity is not practiced in the Republic of Moldova at the moment.

Concerning sport, amateur, and recreational fishing, the Environment Agency implements an electronic authorization system <https://e-pescuit.mediu.gov.md/>, through which sport, amateur, and recreational fishing permits are requested and issued based on the identity card and the paid payment slip. The Environment Agency keeps records of sport, amateur, and recreational fishing permits issued to individuals.²¹

The scientific, control or breeding fishing permits are issued to scientific institutions of the Ministry of Culture and Research for activities included in scientific research programmes/plans.

During the fish breeding period at the request of scientific institutions and the Environmental Protection Inspectorate, the Environment Agency establishes annually, by Order, fishing prohibition periods of 60 days.

The Police, especially the Border police (for the natural border rivers) and Environmental Protection Inspectorate ensure the control of fishing activities and compliance with environmental normative acts in the process of fishing activities

D. Catches and landings

14. Please provide statistics for catches and landings per type of fishery.

For the conservation of fish resources, industrial (commercial) fishing has not been allowed in the Republic of Moldova since 2016 with the scope of resource restoration in natural waters. Statistics on catches of fish for personal consumption, recreation, sport, and tourism based on a permit issued by the issuing authority (Environment Agency) are not available. The number of recreational, sport and tourist fishing permits issued for the period 2019-2022 is as follows: in 2022 – 10.226 permits; in 2011 – 30.744 permits; in 2020 – 31.832 permits, in 2019 – 23.707 permits. The cost of such permits is about 15 euros per year and 1.5 euros per day.

²¹

https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv%20-%20anul%202019-2022%20%2801.01.2022-31.03.2022%29_0.pdf

The source of information is shown below:

- Statistical report on the sport, amateur, and recreational fishing permits issued by the Environment Agency during 2022²²;
- Statistical report of sport, amateur, and recreational fishing permits issued by the Environment Agency during 2019-2022²³;

The number of hooks for an amateur fisherman must not exceed 5 units on all fishing gear used and the catch of fish must not exceed 5 kg per day (except when the weight of a fish exceeds the established norm). When fishing onshore, a person may occupy a shoreline of not more than 10 meters, and on ice or in boats, within a maximum radius of 10 meters.

Based on these data on the number of permits, the maximum daily quantity allowed, and the occupancy of the fishing sectors along the length of the banks of all the rivers and natural water basins in the country, depending on their relief and the total surface area of the water mirror of these bodies of water, theoretical calculations can be deduced with a low index of exact probability, which justifies the impossibility of obtaining a record of fish catches for personal consumption.

E.g.: Calculating 5 kg per day on 30.744 issued permits would theoretically deduce a maximum catch volume for one day of about 153.72 tonnes – variables that are difficult to determine in the absence of control, monitoring, and recording mechanism for occasional catches in recreational, sport and tourist fishing. Between 2019-2020 (12 months) the total value of amateur fishing in the Republic of Moldova, including Transnistrian region on Lower Dniester (between Dubăsari Hydropower Plant till the Nistru estuary) is evaluated to be about 179 tonnes.²⁴

Until 2016, fish catches were made based on the commercial quota allocation certificate and the commercial fishing permit. Fish catches are the quantity of fish or other aquatic organisms caught in an aquatic objective, expressed in kilograms or numbers of fish, established by quotas for each species or group of species, which are granted annually to natural and legal persons engaged in entrepreneurial activity and holders of a commercial fishing certificate. Fishing quotas represented the volume of the catch up to 1000 kg, of which the quantity of fish or other aquatic organisms is expressed in kilograms or number of fish. Payment for a commercial fishing quota is 9000 lei, equivalent to 470 USD.

The approval of industrial fishing quotas was the responsibility of the Ministry of the Environment. Currently, it is the competence of the Environment Agency

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<https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv-2022%20%284%29.pdf>

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https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv%20-%20anul%202019-2022%20%2801.01.2022-31.03.2022%29_0.pdf

²⁴ https://www.eco-tiras.org/docs/201006_2246_A4_MatConfDnestr_compressed.pdf, pp. 289-296.

⁴ https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv%20-%20anul%202019-2022%20%2801.01.2022-31.03.2022%29_0.pdf

which regulates this activity by implementing specific fisheries legislation and authorizing fisheries-related activities.

Therefore, the available statistics for fish catches in the natural basins of the Republic of Moldova are as follows:

- Order No. 53/2008 on the approval of quotas for industrial/commercial fishing in 2009²⁵, provided for the approval of quotas for a total quantity of 100 tonnes in the sectors of the Nistru River lower sector, Dubăsari Reservoir, Nistru River middle sector, Prut River, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 4/2009 on the approval of quotas for industrial/commercial fishing in 2010²⁶, provided for the approval of quotas for a total quantity of 85 tonnes, on the sectors of the Dniester River lower sector, Dubăsari Reservoir, Dniester River middle sector, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 103/2010 on the approval of quotas for industrial/commercial fishing in 2011²⁷, provided for the approval of quotas for a total quantity of 85 tonnes on the sectors of the Dniester River lower sector, Dubăsari Reservoir, Dniester River middle sector, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 109/2011 on the approval of quotas for industrial/commercial fishing in 2012²⁸, provided for the approval of quotas for a total quantity of 85 tonnes on the sectors of the Nistru River lower sector, Dubăsari Reservoir, Nistru River middle sector, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 98/2012 on the approval of quotas for industrial/commercial fishing in 2013²⁹, provided for the approval of quotas for a total quantity of 85 tonnes on the sectors of the Nistru River lower sector, Dubăsari Reservoir, Nistru River middle sector, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 93/2013 on the approval of quotas for industrial/commercial fishing in 2014³⁰, provided for the approval of quotas for a total quantity of 75 tonnes on the sectors of the Nistru River lower sector, Dubăsari Reservoir, Nistru River middle sector, Costești-Stînca Reservoir, Cahul Lake.
- Order No. 84/2014 on the approval of quotas for industrial/commercial fishing in 2015³¹, provided for the approval of quotas for a total quantity

²⁵ https://www.legis.md/cautare/getResults?doc_id=43859&lang=ro

²⁶ https://www.legis.md/cautare/getResults?doc_id=43167&lang=ro

²⁷ https://www.legis.md/cautare/getResults?doc_id=13418&lang=ro

²⁸ https://www.legis.md/cautare/getResults?doc_id=13378&lang=ro

²⁹ https://www.legis.md/cautare/getResults?doc_id=39627&lang=ro

³⁰ https://www.legis.md/cautare/getResults?doc_id=12094&lang=ro

³¹ https://www.legis.md/cautare/getResults?doc_id=43860&lang=ro

of 60 tonnes, on the sectors of the Nistru River lower sector (33 tonnes), Costești-Stîncă reservoir (22 tonnes), Cahul Lake (5 tonnes).

E. Management of resources

15. Are there any management measures in place concerning the exploitation of marine fisheries resources in domestic and in international waters, including measures to reduce the impact on sensitive habitats?

Measures on sensitive habitats, in particular marine fish resources, especially diadromous species present in the lower perimeter of the country's main natural water basins (Nistru and Prut), such as the Pontic shad (*Alosa immaculata*), Danube shad (*Alosa tanaica*), or Black Sea shad (*Alosa maeotica*), some sturgeon species, etc. is covered by the basic legislation on the protection of fishery resources, and compliance with the prohibition period and the permitted fishing period for these species, the quantities, equipment and instruments used are part of the set of measures to ensure sustainable management in the exploitation of these marine aquatic biological resources.

III. INSPECTION AND CONTROL

16. Have you implemented a control regime over vessels flying under your flag?

No fishing vessels are boarding under the Moldovan flag. According to Art. 10 paragraph (1) of the Law No. 176/2013 on domestic shipping of the Republic of Moldova³², the vessel is a movable asset, being legally protected by state registration in the State Register of Vessels of the Republic of Moldova (hereinafter – State Register of Vessels) or, as the case may be, in the State Catalogue of Vessels of the Republic of Moldova (hereinafter – Catalogue of Vessels). The Catalogue includes all the vessels that are not subject to registration in the State Register of Vessels. The rules for the registration of shipping vessels in the Republic of Moldova are approved by Government Decision No. 855/2007³³. Vessels have names and may be classified by categories and types of vessels.

The vessels have names and can be classified by category and type of vessel. According to available data (from the Naval Agency of the Republic of Moldova – holder of the State Register of Vessels), there are no fishing vessels, which board under the flag of the Republic of Moldova.

E. Financial means

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

For 2021 the Environmental Protection Inspectorate received the following budget divided into the following budget items.

Nr.	Year	personnel expenses (payroll)	Expenses for the maintenance of the premises (security, communal services)	car and ship maintenance expenses	fuel supplies for car and ship transport	TOTAL, MDL	TOTAL , EUR
1	2019	1808659,0	395191,0	134200,0	244536,0	2582586,0	13043,4
2	2020	2152282,0	320924,5	153400,0	238015,0	2864621,5	14467,8
3	2021	2665432,0	361843,0	152993,0	266263,0	3446531,0	17406,7

³² https://www.legis.md/cautare/getResults?doc_id=106278&lang=ro#

³³ https://www.legis.md/cautare/getResults?doc_id=113735&lang=ro#

Financial means allocated from the state budget are increasing compared to previous years.

18. How have these means been allocated?

The resources are allocated through budget planning and distributions , following the annual approval of the Budget Law stating the allocation for the Environmental Protection Inspectorate, which diversifies budget allocations according to the estimated needs in the medium-term budget planning process (i.e., for the next 3 (three) years – Medium Term Budget Framework).

F. Human resources

19. How many personnel is involved in fisheries control (at sea landing, market and sales)? What is the distribution of personnel among the relevant authorities? Are resources increasing or decreasing?

According to its competencies, the Environmental Protection Inspectorate carries out only the control of sport/amateur and recreational fishing, fishing for scientific purposes, and commercial fishing in natural rivers and reservoirs in their course.

41 people from 35 territorial subdivisions and the central administration of the Environmental Protection Inspectorate are involved in fisheries control. Human resources are decreasing.

Since 2016, based on the Order of the Minister of Environment No.113/2015 on industrial/commercial fishing for 2016³⁴, a moratorium for commercial fishing has been established and is still in force.

20. What is the working schedule of officials in charge of fisheries inspection (full time/part time, hours etc.)? How many are directly involved in actual fisheries control (inspections)?

The working hours of inspection officials are 40 hours per week. The Police and Border police are working permanently.

21. Is training provided, and what does it consist of?

³⁴ https://www.legis.md/cautare/getResults?doc_id=89598&lang=ro

Until the reorganization of the central public administration (2017), the State Fish Service benefited from an annual set of training by specialist experts from the Institute of Zoology. Currently, training courses for the Environment Protection Inspectorate or the National Food Safety Agency have not been held.

G. Powers of control

22. Where is inspection powers defined? Do they allow inspecting vessels, fishery products and premises, as necessary, at sea, at landing, during transport, on the market?

Inspection competences are defined in the following legal provisions:

- Law No. 176/2013 on domestic shipping of the Republic of Moldova³⁵ Article 37. Supervision and control of environmental safety assurance (1) Control of environmental safety assurance in the operation of vessels shall be carried out by the environmental authority.
- Law No. 149/2006 on fish fund, fishery and fish breeding³⁶ Article 21. Obligations of natural and legal persons engaging in commercial fishing in natural aquatic fisheries

Natural and legal persons engaged in commercial fishing in natural aquatic fisheries are obliged: (f) to ensure free access of employees of the Environmental Protection Inspectorate to fishing grounds, means of transport, warehouses, fish farms, and aquatic biological resources processing enterprises for the control of gear, fishing methods and catch;

- Article 29. Disease prevention, treatment and transport of fish. (6) To prevent fish mortality, the detention of vehicles transporting live fish for more than 15 minutes by authorized persons shall not be permitted, except in cases provided for by the legislation in force.
- Article 33. Obligations and rights of the Environmental Protection Inspectorate. (2) The Environmental Protection Inspectorate has the right: (e) to seize, in the manner prescribed by law, illegally fished hydrobionts, as well as gear, means of land and water transport, other objects used in illegal fishing;

Article 38. Prohibitions. The following actions and activities are prohibited for the protection of fish stocks: (e) stationing of water transport means in areas prohibited for fishing, except for places intended for the installation of buoys and stationing in extreme cases (fog, storm, damage);

³⁵ https://www.legis.md/cautare/getResults?doc_id=106278&lang=ro

³⁶ https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro#

- Annex 1 Fishing requirements. Item 18. Fishing gear, means of land and water transport, other objects used in the commission of violations of the provisions of this law, as well as fish and other aquatic organisms caught illegally, shall be confiscated.
- Item 19. Fishing gear, land and water transport means, and other seized objects are kept at the Environmental Protection Inspectorate's warehouse and, depending on the court decision, are confiscated or returned to the owner. Prohibited fishing gear shall be sold to fish farms or destroyed.

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According to the competences of the Environmental Protection Inspectorate, the inspection of fishery products and enclosures during transport to the market is not allowed. These competences being empowered to the National Agency for Food Safety by Law No. 185/2017 for amending and supplementing some legislative acts³⁷, Art. LXVIII, item 44, amending the Contravention Code No. 218/2008.

Thus, according to the Law No. 412/1999 on animal husbandry³⁸, Art.34 paragraph (2) State control in animal husbandry is exercised by the National Agency for Food Safety and its territorial subdivisions within the limits and under the duties established by law.

At the same time, according to item 9, the veterinary and zootechnical field is under the responsibility of the National Agency for Food Safety according to the Regulation on the organization and functioning of the National Agency for Food Safety, approved by Government Decision No. 600/2018³⁹.

According to the Contravention Code of the Republic of Moldova No. 218/2008⁴⁰, Article 114 para. (3) Transportation, marketing of fishery products and other aquatic organisms without the necessary documents established by the legislation is punishable by a fine of 60 to 90 conventional units imposed on an individual, a fine of 240 to 300 conventional units imposed on a legal entity with deprivation, in both cases, of the right to carry out a certain activity for a period of 3 months to one year.

23. If there are different authorities involved in fisheries control, describe the powers of each of them and their respective roles. How do they ensure cooperation and exchange of information?

The police is also involved in fisheries control. If a contravention is found, the material is sent to the Environmental Protection Inspectorate for examination, and

³⁷ https://www.legis.md/cautare/getResults?doc_id=101154&lang=ro

³⁸ https://www.legis.md/cautare/getResults?doc_id=108551&lang=ro

³⁹ https://www.legis.md/cautare/getResults?doc_id=127663&lang=ro#

⁴⁰ https://www.legis.md/cautare/getResults?doc_id=131058&lang=ro#

if the act shows signs of a criminal offense, the case is examined by the police prosecution service.

Cooperation and exchange of information is ensured by means of demarches, official letters, information letters sent by post.

H. Control equipment

24. What control equipment is available for control activities (e.g vessels, vehicles)?

To ensure state control of fisheries, the Environmental Protection Inspectorate is equipped with three boats, five motorboats, one rowing boat, and 24 cars.

The needs of the Environmental Protection Inspectorate for ensuring the control activities for the current year are:

- bulletproof jackets,
- high-performance thermal vision
- monitoring cameras with motion sensors;
- high-performance sonar; motorboats (boat) with the trailer for transport;
- drones with video cameras, including night view.

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

The current equipment is quite limited to ensure the best quality of control in the fishing area, Thus, the modernization of equipment would facilitate the work of inspectors to ensure appropriate control.

26. Is there a Fishing Monitoring Centre in place?

There is no fishing monitoring center in the Republic of Moldova.

I. Collection of data

27. Are biological and socio economic data collected on fisheries and aquaculture, and at what frequency (please specify which variables)? If yes which of the following data are collected and at what frequency (please specify further)?

In the Republic of Moldova there is no system for collecting both biological and socio-economic data from aquaculture.

Biological data on the conduct of scientific fisheries in the catchment areas of the Nistru River (middle and lower sectors), including the small rivers Răut, Bâc, and Dubăsari reservoir; the Prut river (lower sector including the Răcovăț, Ciuhur small rivers), the Costești-Stânca reservoir, the Manta ponds, and the Beleu lake, are submitted by the Institute of Zoology in its annual report to the Environment Agency, which is the issuer of the fishing permit for the above-mentioned purpose and also responsible for monitoring biological resources, including aquatic resources. Biological data on sport, recreational, and tourist fisheries, as well as industrial fisheries, is not collected.

The biological data on aquaculture development were collected until 2020 when there were still breeding certified fish farms, which had the obligation to provide information on livestock records to the public authorities responsible for agriculture.

Socio-economic data are obtained in sporadic, occasional surveys, and the veracity of the data depends on the estimates of the economic agents who practice such kinds of activities.

28. Are there scientific research surveys at sea organised to collect data independently from fisheries (please specify further)?

There are no scientific research surveys at sea organized to collect independent fishing data. The Republic Moldova has no maritime surface (area) near the Black Sea. Such research is carried out annually in natural water basins. More details can be found in the answers to question 27 in the questionnaire.

29. What diadromous species are present in Moldova? Are any data collected on these species (please specify further)?

Yes. There are Pontic shad *Alosa immatriculata*, Danube shad *Alosa tanaica*, several species of Sturionidae, the European eel *Anguilla anguilla*, etc. But with exception of both shad species, other species are very rare and protected by the law.

There are evaluations of stocks realized by the scientific bodies, but usually the financing of these activities is not sufficient.

30. Are the collected data used for stock management?

There is no stock management in the Republic of Moldova.

31. Are there aquaculture farms (marine, freshwater, land-based)? What species are reared?

In the Republic of Moldova fish and stocking material is produced in:

- more than 1000 fish farms producing fish stocking material and consumption fish;
- 4 fish nurseries – for natural breeding and rearing of fish stocking material;
- 7 breeding complexes with incubators – for artificial breeding.

Main commercial species: Bream (*Abramis brama*), Common carp (*Cyprinus carpio*), Pike-perch (*Sander lucioperca*), Asp (*Aspius aspius*), Silver carp (*Hypophthalmichthys molitrix*), Bighead carp (*Hypophthalmichthys nobilis*), Grass carp (*Ctenopharyngodon idella*), northern pike (*Esox lucius*), European catfish (*Silurus glanis*), Rutilus roach (*Rutilus rutilus*), Prussian carp (*Carassius gibelio*), and perch (*Perca fluviatilis*). Herbivorous Chinese carps are usually produced in pond polyculture with the Common carp.

A large sturgeon farm operates in Tiraspol (Transnistrian region), producing about 5 tonnes of black caviar per year of Beluga (*Huso huso*), Sterlet (*Acipenser ruthenus*), Russian Sturgeon (*Acipenser gueldenstedti*) and their hybrids. There are also two trout farms in the Republic of Moldova.

J. Inspection activities (at sea, at landing, during transport, on the market)

32. Provide statistics for the number of inspections carried out in 2021 (at sea, landing, market and sale).

No, such inspections were carried out by the Environmental Protection Inspectorate, as these duties are assigned to the National Agency for Food Safety.

33. Is there a strategy in place for inspection activities? Are any targets set?

Annual plans of fisheries inspection measures/actions are established for the country in the Control Register elaborated by the Environment Protection Inspectorate. Also, joint inspection actions are established with the control authorities of Ukraine and Romania on transboundary natural basins (Nistru and Prut) in the transboundary context under the intergovernmental cooperation agreements on the transboundary river basin management.

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

The inspections are carried out based on legislation on state control and collaboration protocols approved at the level of technical commissions of intergovernmental collaboration agreements on transboundary river basin management.

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

The inspections are documented by the on-site visit Order of the Head of the Environmental Protection Inspectorate for the inspection of vulnerable sectors. In case of detection of unlawful actions, protocols are issued to the responsible individuals. In the case of illegal fishing gear detected, inspection reports are drawn up and the gear is seized and stored.

36. What is the follow-up of inspections?

Preventing, sanctioning and reducing fish poaching, saving natural aquatic ecosystems favourable to vulnerable or endangered fish species.

As a consequence of the completion of a control or inspection, during which illicit acts are found, by the Environmental Protection Inspectorate, including if environmental damage is caused, these actions are documented by protocols with the express indication of the violation provided by the Contravention Code, if applicable the Penal Code. The value of the conventional units is applied depending on the offense found and the subject of the offense (natural or legal person).

Following the payment of the contravention, such as for the case of violation of the excess of the daily fishing quota (more than 5 kg), measures for the recovery of the damage caused to the aquatic biological resources fished in excess or unauthorized are also applied, according to Annex No. 2 of Law No. 149/2006 on fish stocks, fisheries and fish farming on compensation for damage caused by

unlawful fishing, marketing, possession, and export or destruction of aquatic biological resources in aquatic fisheries, which were recently amended (lifted) by Law No 101/2022⁴¹ and will enter into force on 29 May 2022.

For cases of pollution or other anthropogenic activities causing damage to aquatic ecosystems, and therefore to fishery resources, after the application of contraventions or criminal measures, the determination of damage takes a more complex form with the involvement of scientific institutions and the application of calculation formulas established by normative acts (Instruction on the assessment of the damage caused to fishery resources in the water basins of the Republic of Moldova, approved by Ministerial Order No 206/2003⁴²).

The financial resources obtained from the payment of fines and calculated damages are accrued to the state budget. Also from the state budget, budgetary allocations are planned annually for the Environment Agency, which carries out restocking actions with juvenile fish in natural ponds. Or similar measures for restocking vulnerable species, or those included in the Red Book of the Republic of Moldova, are implemented through national programmes in cooperation with research institutions (Zoological Institute).

Similarly, as part of the country's share, the Republic of Moldova contributes with funding, as appropriate, to regional or sub-regional programmes for the stocking of certain fish species in the Black Sea basin of which the Dniester and Prut rivers are part. (E.g., the Bern Convention's Pan-European Action Plan for the Restocking of the Russian sturgeon species⁴³ (*Acipenser gueldenstaedtii*).

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

The Republic of Moldova has a low technical capacity to combat fish poaching. There is a need for cars, modern boats, sighting devices, including at night, etc.

K. Control of fishery products at import

38. Does Moldova have an official control system in place to prevent importation from other countries of fishery products stemming from illegal, unreported and unregulated (IUU) fishing?

The sanitary-veterinary norms for importing in the Republic of Moldova and placing some aquaculture products on the market are established in Government

⁴¹ https://www.legis.md/cautare/getResults?doc_id=131073&lang=ro

⁴² https://www.legis.md/cautare/getResults?doc_id=79938&lang=ro

⁴³ https://wwfint.awsassets.panda.org/downloads/paneuropean_action_plan_for_sturgeons_jan19.pdf

Decision No. 103/2011⁴⁴, which transposed Regulation (EC) No. Council Regulation (EC) No. 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products.

The National Agency for Food Safety (NAFS) is the institution responsible for the official control regarding the certification, placing on the market, and marketing fishery products on the territory of the Republic of Moldova.

The sanitary-veterinary certification of the frozen fish batches from import is carried out only based on the test reports issued by the IP "Republican Center for Veterinary Diagnosis" on parasitological indices and, if necessary, safety and quality indices.

In certifying batches of fish for processing/marketing, inspectors from the territorial subdivisions for food safety of NAFS, verify the traceability of batches of fishery products, thus issuing the veterinary certificate for the finished product. Fresh or chilled fish for human consumption from import origin will be admitted for marketing based on the veterinary certificate, which is issued only if the following conditions:

- the NAFS inspector examines the accompanying documents (from part of the exporting country and the sanitary-veterinary and phytosanitary control point at the border) and will carry out the batch's veterinary expertise.
- samples will be taken, and the organoleptic examination will be performed. The samples are analyzed at the Republican Center for Veterinary Diagnosis.

The state control is verifying the conditions for placing on the market and marketing of fish and fishery products to the final consumer. The labeling and consumer information are special requirements established by law. Thus, aquaculture products are allowed for sale on the market, including imported only in packages that clearly and legibly indicate:

- a) the country of origin, written in Latin characters at least 20 mm high;
- b) the scientific name of the product, as well as the commercial one;
- c) presentation;
- d) the categories of freshness and size;
- e) the net weight of the product in the package, expressed in kilograms;
- f) date of classification and date of dispatch;
- g) the name and address of the sender.

⁴⁴ https://www.legis.md/cautare/getResults?doc_id=13386&lang=ro

For importing frozen fish, NAFS inspectors at the Border Inspection Posts shall take samples of frozen fish following General Procedure PG-09/01, "Sampling for the importation of foodstuffs at the Border Inspection Posts."

The samples are analyzed by Public Institution laboratory "Republican Veterinary Diagnostic Center" (designated as the accredited laboratory for the respective tests) registered in SIA LIMS.

Inspectors at the border inspection posts shall carry out the following checks:

- Documentary control
- Identity control
- Physical control.

The import into the Republic of Moldova of fishery products is allowed based on the sanitary-veterinary certificates issued by the competent authorities of the exporting country and the quality certificate issued by the producer.

At the same time, it is worth mentioning that in the Republic of Moldova, fishery products are imported by operators with the right to export to the European Union or by operators inspected by the National Agency for Food Safety.

L. Legal Procedures for sanctioning infringements

39. What is the legal framework for sanctioning infringements?

The Law on Fish Fund, Fishery and Fish Farming No. 149/2006 establishes the size of fines for one specimen of illegally caught fish by species. The Administrative and Criminal Codes establish the penalties for illegal actions.

Legal framework for sanctioning violations: Law No.149/2006, Government Decision No. 1279/2018 on the authorization of fishing in natural fishery objectives, Articles 114, 139, 140 of the Contravention Code of the Republic of Moldova⁴⁵ and Article 234 of the Criminal Code of the Republic of Moldova⁴⁶.

⁴⁵ https://www.legis.md/cautare/getResults?doc_id=131058&lang=ro

⁴⁶ https://www.legis.md/cautare/getResults?doc_id=130983&lang=ro

40. Please indicate the type of sanctions applied in the fisheries sector (administrative and/or criminal). What sanctions are available (e.g. fines, withdrawal of fishing licence, confiscation of the catches or what is marketed)?

The sanctions which could be applied are administrative and criminal, depending on the value of damage. Also, fines, withdrawal of the fishing permit, confiscation of the catches or of what is marketed or transported are applicable.

The following sanctions are applicable in the fisheries sector: imprisonment of up to one year, unpaid community work, administrative and criminal fines, confiscation of the catch or what is marketed, deprivation of the right to carry out a certain activity, obligation of the guilty persons to recover the damage caused to aquatic biological resources.

41. Which authorities are competent for the detection and follow-up of fisheries infringements and which authorities are responsible for sanctioning?

The detection and follow-up of infringements on natural waters is a duty of the Environmental Protection Inspectorate, and infringements on markets and transport are the duty of the National Agency for Food Safety. In both cases, the police could also be involved.

The Environmental Protection Inspectorate and the Police are responsible for detecting and prosecuting fisheries infringements.

The Environmental Protection Inspectorate or the court is empowered to apply the sanction in contravention cases, whereas in criminal cases only the court.

42. What is the maximum fine? What are the actual sanction levels?

The maximum fine for a specimen of a rare species of fish in the Red Book per the new legislative amendment is 15.000 lei, which is equivalent to about 750 EUR.

The maximum fine for administrative cases is 90 contravention units – 4500 lei applied to the natural person, which is equivalent to about 225 EUR and 300 contravention units– 15.000 lei applied to the legal person, which is equivalent to about 755 EUR . In criminal cases it is 1050 contravention units – 52.500 lei applied to the natural person, which is equivalent to about 2650 EUR and 4000 contravention units – 200.000 applied to the legal person, which is equivalent to about 10100 EUR.

43. What means of appeal exist?

Any case can be appealed in court.

The following legal means are in place: The investigating Court, the Court of Appeal, and the Supreme Court of Justice (applicable for criminal cases).

44. Please provide statistics on detected infringements and on the sanctions imposed for the last 3 years.

Table: Infringements and sanctions imposed for the last 4 years

No	Name of measures	Unit of measurement	Indices per year		
			2019	2020	2021
1.	Controls carried out	Units	610	700	761
2.	Protocols concluded	Units	740	854	1107
3.	Fines imposed	Lei	369167	447150	565700
4.	Fines collected	Lei	169080	202300	271275
5.	Damage caused	Lei	438129	194936	267996
6.	Damage recovered	Lei	134101	124464	200715

IV. STRUCTURAL ACTIONS

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

In general, the fishery sector is under the responsibility of the Ministry of Agriculture and Food Industry. Most of ponds are situated on public property lands of local municipalities and land is given to fishery farmers in rent paying annually for land use. The smallest part of ponds, which before privatization were state fishery enterprises, do not pay for the land rent. But anyway, the only dams are the property of fish farms, when the rest of land covered by water belongs to public property. Now, the Agency of Public Property (APP) is in process of endorsing the Draft Law on modification of the Law No. 29/2018 on the delimitation of public property⁴⁷. Through the initiated modifications is expected that all identified conflicts dealing with water use, property, and tax policies will be solved. Another initiative of the Ministry of Environment to modify the Water Law No. 272/2011⁴⁸ will solve the conflicts between different stakeholders like fish farmers, agricultural farmers and local authorities also related to water use and ponds use. The aspects of the climate change with its water deficit, which changes the hydrological regime and produce frequent droughts and the way to manage the water ponds will be regulated in the draft on Water Law No. 272/2011.

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

The Ministry of Environment is responsible for regulating social and legal relations in the field of fish stocks and fisheries, including the development and promotion of policies related to this specific field.

The Ministry of Agriculture and Food Industry is responsible for regulating social and legal relations in the aquaculture (fish farming) sector, which is a subfield of animal husbandry, including the development and promotion of policies related to this specific field.

The National Agency for Food Safety is directly or indirectly involved in the elaboration and promotion of national policy documents and draft laws, government decisions related to food safety and veterinary and sanitary control in the above-mentioned areas.

⁴⁷ https://www.legis.md/cautare/getResults?doc_id=129376&lang=ro

⁴⁸ https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro

V. MARKET POLICY

47. Please provide information on market policy and operational structure in place regarding:

- a) Producer organisations, inter-branch organisations or any other structure provided for in the law to bring together operators from the production stage or from different stages of the supply chain (e.g. production, processing, marketing),**
- b) The existence of marketing standards (e.g. freshness, size, packaging, presentation and labelling) that must be respected in order to place products on the market,**
- c) Consumer information (mandatory/voluntary)**
- d) Specific provisions for the application of competition rules to the fishery and aquaculture sector,**
- e) Collection of market data regarding fishery and aquaculture products,**
- f) Existence of commercial designations list for the seafood products marketed**

In the aquaculture sector, the National Association of Fish Farmers of the Republic of Moldova is a union of legal entities with about 30 members from the production sector and 1 member from the fish processing sector. This association usually represents the interests of fish farmers in relations with the state structures. On the territory of the Republic of Moldova, there are about 20 establishments authorized for the marketing of fish and fish products.

In 2019, the Ministry of Agriculture, Regional Development, and Environment, (which in August 2021 was reorganized in 3 Ministries) launched the initiative to develop the national program on consolidation and development of the aquaculture sector in the Republic of Moldova, which was developed but not finally approved by the government⁴⁹. The Program is under development and will be approved after the National strategy for agricultural and rural development 2022-2027 will be approved by the Government, by the end of 2022 .

Currently, there are no quality standards for marketing fish and fish products. Marketing is carried out on the basis of safety requirements regulated by:

- *Law No. 221/2007* on veterinary sanitary activity⁵⁰. This law lays down the main veterinary health rules and requirements in the Republic of Moldova, the rights and obligations of the state, natural and legal persons in the production, processing, storage, transport and marketing of live animals and animal products.
- *Law No. 306/2018* on food safety⁵¹;
- *Law No. 279/2017* on consumer information on food products⁵². This law establishes mandatory food product information to ensure a high level of

⁴⁹ <https://particip.gov.md/ru/document/stages/anunt-privind-initierea-elaborarii-proiectului-hotaririi-guvernului-cu-privire-la-aprobarea-programului-national-de-consolidare-si-dezvoltare-a-sectorului-de-acvacultura-in-republica-moldova-pentru-anii-2020-2026/6669>

⁵⁰ https://www.legis.md/cautare/getResults?doc_id=125191&lang=ro#

⁵¹ https://www.legis.md/cautare/getResults?doc_id=122838&lang=ro

⁵² https://www.legis.md/cautare/getResults?doc_id=122833&lang=ro#

consumer protection, taking into account the differences in consumer perception and need for information, while ensuring the proper functioning of the Moldovan market. The law transposes: Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC, and Regulation (EC) No 608/2004, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015; Directive 2011/91/EU of the European Parliament and of the Council of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs, published in the Official Journal of the European Union L 334 of 16 December 2011.

- *Government Decision No 435/2010*⁵³ on the approval of the specific hygiene rules for food of animal origin that establish for food business operators' specific hygiene rules for processed or unprocessed food of animal origin. These Specific Hygiene Rules for products of animal origin - specific rules supplement the General Food Hygiene Rules. They transpose Regulation (EC) No. 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin, published in the Official Journal of the European Union L 139 of 30 April 2004, Annexes II to IV and VI of Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products covered by Regulation (EC) No 853/2004 of the European Parliament and of the Council and the organization of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 .
- *Government Decision No. 1113/2010*⁵⁴ for the approval of the Sanitary-Veterinary Norm establishing requirements for sanitary-veterinary certification for the import and placing on the market of live aquaculture animals and their products thereof. This Sanitary Veterinary Norm lay down animal health conditions for the placing on the market of ornamental aquatic animals, aquaculture animals for farming, including relaying areas, farms with organized restocking, animal health conditions, and sanitary veterinary certification requirements for the import and transit, including storage during transit, of aquaculture animals for farming and products thereof intended for human consumption. This Regulation

⁵³ https://www.legis.md/cautare/getResults?doc_id=125564&lang=ro

⁵⁴ https://www.legis.md/cautare/getResults?doc_id=125574&lang=ro#

transposes Regulation (EC) No. 1251/2008 of 12 December 2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species, as amended by European Commission Regulation No 719/2009 of 6 August 2009, European Commission Regulation No 346/2010 of 15 April 2010.

At the same time, the Ministry is going to submit the draft Government Decision on the approval of the Quality Requirements for Fish and Fish Products, which establishes quality requirements for fish and fish products, packaging, labeling and transport rules for fish and fish products from both domestic and imported production it is planned for 2023 to be approved.

VI. STATE AID

48. Please provide information on state aid given to the fisheries and aquaculture sector over the last three years. State resources include all resources of the public sector, including resources of decentralised, federated, regional or other public bodies and, under certain circumstances, resources of private bodies.

The State stimulates the development of agricultural businesses through the National Fund for the Development of Agriculture and Rural Environment, with the subsidization of activities corresponding to the specific measures and sub-measures of the Regulation approved by Government Decision No. 455/2017. However, in previous years the aquaculture sector was not supported by the State through measures regulated by Government Decision No. 455/2017. Moreover, the country's VAT level in agriculture represents 8%, and in aquaculture - 20%.

Amendments⁵⁵ to Government Decision No. 455/2017 have recently been approved, Annex No. 1 of the Regulation on the conditions, order and procedure for granting funds from the National Fund for the Development of Agriculture and the Rural Environment has been supplemented with the potential subsidy sector "Aquaculture".

Annex No. 6 has been completed with zootechnical machinery and equipment for fish farms (aquaculture) "sub-item (5) Zootechnical machinery and equipment for fish farms (aquaculture)":

- seine fishing, fishing nets, and materials for making seine fishing and fishing nets;
- reed mowers installed on boats;
- specialized tanker transport for transporting live fish.

⁵⁵ https://www.legis.md/cautare/getResults?doc_id=130735&lang=ro

VII. INTERNATIONAL AGREEMENTS

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

The General Fisheries Commission for the Mediterranean (GFCM) Secretariat referred to the declaration issued by the Republic of Moldova on the occasion of the “High-Level Conference towards an enhanced cooperation on Black Sea fisheries and aquaculture” (October 2016, Romania). The Deputy Minister for Environment stated the readiness of the country to become a Cooperating non-Contracting Party to the GFCM. Although, the Republic of Moldova is a landlocked country, it has a great interest in the sustainable development of aquaculture consistent with GFCM standards at the regional level.

Furthermore, the Republic of Moldova enjoys the rights vested on landlocked countries by the United Nations Convention on the Law of the Sea (UNCLOS), to which it is a Contracting Party, and had agreed to cooperate with the European Union on maritime policy issues using relevant provisions in the Association Agreement between the Republic of Moldova and European Union, (Chapter 13, Articles 71 to 75). With the intentions to live up to relevant obligations enshrined therein, the Republic of Moldova submitted an official request to the GFCM Secretariat for granting the status of Cooperating non-Contracting Party following the conference in Romania. In 2017, the Republic of Moldova submitted a request for cooperation as a non-contracting party to the General Fisheries Commission for the Mediterranean.

At the forty-first session of the General Fisheries Commission for the Mediterranean in Budva, Montenegro, 16 – 20 October 2017, the Commission granted cooperating non-contracting party status to the Republic of Moldova⁵⁶. As a cooperating non-member party, our country can benefit from technical assistance in fishery regulation and aquaculture development without paying any membership fees.

- Government Decision No. 1161/2003 approving the Agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation in the protection of fishery resources and the regulation of fisheries in the Prut River and the Stînca-Costești reservoir signed at Stînca-Costești on 1 August 2003⁵⁷;
- Government Decision No. 42/2013 approving the Agreement between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine on cooperation in the field of protection and sustainable

⁵⁶ <https://www.fao.org/family-farming/detail/zh/c/1142400/>

⁵⁷ https://www.legis.md/cautare/getResults?doc_id=27381&lang=ro

development of the Nistru River Basin, signed in Rome on 29 November 2012⁵⁸.

50. Are there formal partnership agreements or fishing in other countries' waters on the basis of private agreements?

There are no formal partnerships or fishing agreements in the waters of other countries with public administration authorities. As for the private domain, such information is not available.

⁵⁸ https://www.legis.md/cautare/getResults?doc_id=114400&lang=ro