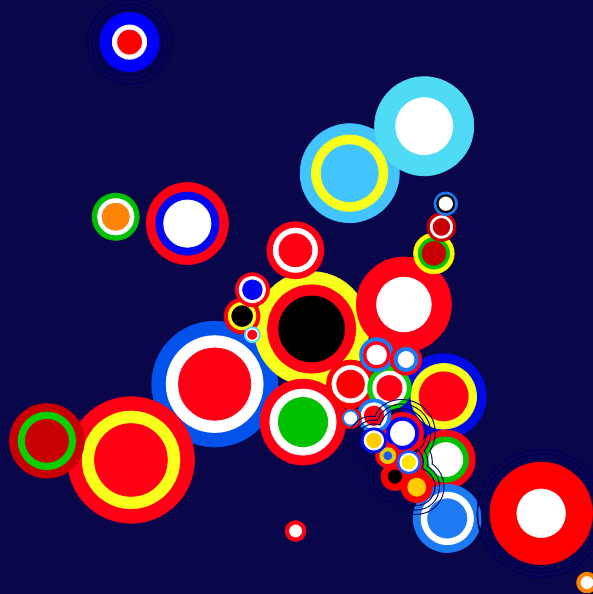




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

MONTENEGRO

Enhanced control and management of fisheries



Action summary

The objective of the Action is to align the electronic data collection in fisheries with the EU standards.

It is expected from this Action that the sub systems are established in order to improve the control and management of the fishery activities, (biological state of the fish stock, electronic reporting catch, etc...), a system for the automatic location and identification of vessels with an overall length of more than 10metre is established and functional and that fishermen and fisheries inspectors are trained and a manual for using electronic log book prepared.

The development of subsystems FIS will significantly improve fisheries statistics, safety of the navigation of fishing vessels and better control of catching.

Action Identification	
Action Programme Title	Annual Action programme for Montenegro (2014)
Action Title	Enhanced Control and Management of Fisheries
Action Reference	IPA/2014/ 037-812.16/ME/fisheries
Sector Information	
IPA II Sector(s)	Agriculture and Rural Development
DAC Sector	31310
Budget	
Total cost	EUR 0.55 million
EU contribution	EUR 0.55 million
Management and Implementation	
Method of implementation	Direct Management
<i>Direct management:</i> EU Delegation	EU Delegation to Montenegro
Implementation responsibilities	/
Location	
Zone benefiting from the action	Montenegro
Specific implementation area(s)	/
Timeline	
Deadline for conclusion of the Financing Agreement	At the latest by 31 December 2015
Contracting deadline	3 years following the date of conclusion of the Financing Agreement, with the exception of the cases listed under Article 189(2) Financial Regulation
End of operational implementation period	6 years following the date of conclusion of the Financing Agreement

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

The Ministry of Agriculture and Rural Development (MARD) is directly responsible for the administrative and technical issues related to fisheries. It proposes drafts and implements the laws, bylaws and short and long term fishery management plans.

In accordance to the *Law on Marine Fisheries and Mariculture (Official Gazette of Montenegro 56/09)*, management and utilisation of living marine resources shall be done in accordance with the sustainable economic, environmental and social development. In order to achieve the goals set by the laws, strategies and management plans it is of great importance to establish information systems in accordance with the EU legislation, which provide better insight into the state of resources and thereby allow the MARD to improve decision-making process. Besides the Ministry, the Directorate for Inspection Affairs is responsible for implementing the *Law on Inspection Supervision* and the *Law on Marine Fisheries and Mariculture*. Fishermen as resource users are required to act in accordance to the *Law on Marine Fisheries and Mariculture* and to respect the rules defined by the Ministry.

Montenegro needs to continue with the development of the information technology in the fishery sector, in order to achieve objectives of the policy of sustainable management. Therefore, in accordance to the *Common Fisheries Policy (CFP)*, the current system does not have all the components necessary for a detailed insight into the fishery statistics.

In order to make the Fishery Information System (FIS) fully functional Montenegro has to continue with development of the following sub-systems:

- Register of the fishermen;
- Register of buyers and sellers of fish and fish products;
- Electronic logbook; and
- Register of biological and sampling data.

Development and implementation of these subsystems will greatly improve resource and fleet management, strengthen the inspection, and provide easier access to statistical data. The beneficiaries of the action will be the fishermen, relevant scientific institutions in the field of fisheries, Fishery Inspection and the Ministry.

In addition to this, implementation of this Action will enable implementation of the legally prescribed requirements in the area of the marine fisheries. Montenegrin fishermen, science institutions and inspections will be in everyday communication, inspections will have a better insight into the fishing activities, scientific institutions will have all the information in one place and the Ministry will provide better statistics that are essential for making long-term plans in the resource and fleet management.

In the long term, this will be part of the fulfilment of the *CFP* requirements, the *Law on Marine Fisheries* and the recommendations of the *Screening Report Montenegro on Chapter 13 - Fisheries* (Chapter III a, and III b).

Furthermore, there is a need for establishing the System of Automatic Location and Identification of Fishing Vessels in order to significantly improve the safety of the navigation and the safety of the crew, which is in accordance with the requirements of *CFP* and the national *Law on Marine Fisheries and Mari-culture*.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

The *Indicative Strategy Paper for Montenegro (2014-2020)* (the Strategy Paper) identifies the fishery sub-sector within the sector Agriculture and Rural Development as a high-level priority. This Action will significantly contribute to achieving the goals of the Strategy paper such as:

- Alignment with and implementation of the legislation with the *acquis* and *EU Common Fisheries Policy*;

- Preparation of the strategic documents and fisheries management plans and building administrative capacities for management, control and surveillance of marine fisheries;
- Further development of the Fisheries Information System.

Additionally, the *National Fisheries Strategy (2006-2016)* implies that Montenegro needs to harmonise and improve its legislation, improve the monitoring system through the collection of data in compliance with international standards and strengthen the administrative capacities.

*The Council Regulation No. 1224/2009 establishing a Community Control System for Ensuring Compliance with the Rules of the Common Fisheries Policy*¹ is the key element in the implementation of the *Common Fisheries Policy*. This regulation amended and replaced a number of previously applicable instruments and took on board all the relevant provisions in the field of control. This way it ensured compliance with the rules of the *Common Fisheries Policy*.

In addition to further strengthening the obligations already contained in the previous instruments, the *Regulation No. 1224/2009* introduced the new elements of monitoring, surveillance and control. These elements primarily relate to electronic logbook and introduction of Automatic Identification System.

SECTOR APPROACH ASSESSMENT

Fishery area is recognised as a priority in the Agriculture and Rural Development sector. Therefore, the sector policy objectives are coherent with the national development objectives as defined in the *Montenegro Development Directions 2013-2016*.

In addition to this, the sector policy is linked to the *Action Plan on Implementation of the Recommendations from Montenegro 2013 Progress Report* and to the *Programme of Accession 2014-2018* which includes the objectives and plans in the part of harmonization of the legislation, strengthening institutional/administrative capacities, efficient implementation and raising the public awareness.

A Country Sector Policy/Strategy does not exist but there are many national strategies in various fields that support this sector, such as *Strategy for Development of Fisheries Sector of Montenegro (2006-2016)* which is relevant for this subsector.

The Ministry of Agriculture and Rural Development is the lead institution in the sector and coordinates the work of the Sector Working Group and will coordinate activities among partners and stakeholders and define the timeframe for the implementation of the activities.

The Fisheries Information System (FIS) was created on the basis of the *Law on Marine Fisheries and Mari-culture (Official Gazette of Montenegro 56/09)* and the EU regulations mentioned above which are related to the Resources and Fleet Management. The existing strategy does not recognize the FIS as a separate chapter, since the strategy was adopted before the FIS development. At the moment, Montenegro prepares a new strategy where FIS will be a part of the Resource and Fleet management.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

The Development of the FIS in Montenegro, until now has been supported through two projects:

- Through the CARDS project, the FIS was partially developed - two subsystems were developed: Vessel Register and Logbook with Landing Declarations;
- Through the IPA 2009 project the FIS was upgraded with three new subsystems: 1) Vessel Monitoring System (VMS), 2) Common alarm system and 3) Licence system. In addition,

¹In addition to this, the following regulations are relevant for Common Fishery Policy: Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006)

VMS transponders were purchased, and installed on the fishing vessels, as well as the equipment for establishing the Vessel Monitoring Centre. Also, portable computers were purchased for keeping electronic logbooks by fishermen.

The TAIEX expert mission “Checking the current compatibility of Montenegrin Fisheries information system with the regulations of the Common Fisheries Policy” that took place in the first quarter 2013, included small debugging of the FIS and its sub-systems.

Since the establishment of the first part of the FIS (2009), the annual agro-budget for maintenance and operation of the system was in total EUR10000.

In addition to this, both projects had a capacity development component, which enabled the MARD to train the staff, still working at the fishery unit.

Lessons learned from the previous projects shown the necessity to improve the commitment of all stakeholders, including the coordination and information flow between the interested parties. Therefore, these issues will be resolved through the direct involvement of the Ministry of Agriculture and Rural Development which will ensure the active participation of the relevant entities in implementation of the action.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	
To improve control and management of the marine fisheries	Progress made towards meeting the accession criteria	Progress towards achieving the results of the Action will be regularly monitored by the EU Delegation to Montenegro and the National IPA Coordinator. Action records and reports MARD Annual report to the Government	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS
To align electronic data collection in the fisheries with the EU requirements/standards	Level of functionality and operability of the System for control and management of the fisheries activities fully functional and operational	Action records and reports Steering committees minutes Final report EU Progress report	Regular reporting of the users of the system
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>R 1: Sub-systems established for an improved control and management of the fishery activities (<i>Electronic logbooks, Sales notes, Register of biological sampling data, Register of fishermen, Register of buyers and sellers</i>).</p> <p>R 2: Established and functional system for the automatic location and identification of the vessels with an overall length (LOA) of more than 10metres.</p> <p>R 3: Fishermen and the fisheries inspection trained. The manual for using the electronic log book prepared.</p>	<p>Sub-systems for control and management the fisheries activities are in place (sub-system for electronic log book, sub-system sale notes, sub-system register of fishermen, sub-system register of buyers and seller, register of biological and sampling data). Number of transponders for automatic location and identification of vessels delivered and installed on the fishing vessels with an overall length of more than 10 m. Fishing vessels can use the devices 27/7 without major breakdowns.</p> <p>Manual for using the electronic log book prepared and delivered to the fishermen and number of the Fisheries inspectors trained.</p>	<p>Action records and reports Steering committee minutes Final report EU Progress report</p>	Willingness of the fishermen to accept the installation of the equipment.
ACTIVITIES	MEANS	OVERALL COST	ASSUMPTIONS

<p>R1 - A1: Preparation of the software requirements and development for the following sub-systems:</p> <ol style="list-style-type: none"> 1. electronic log books, 2. sale notes, 3. register of the fishermen, 4. register of buyers and sellers, 5. register of the biological and sampling data; <p>R2 - A1: Preparation of the technical specifications for the implementation of Automatic location and identification system.</p> <p>R2 - A2: Procurement and installation of the equipment needed for establishing system for automatic location and identification of the vessels with the length more than 10m LOA.</p> <p>R2 - A3: On the spot training for fishermen</p> <p>R3 - A1: Assistance and training provided to the fishermen for using the electronic log book</p> <p>R3 - A2: Training the fishery inspections for using the IT in the fishery.</p>	<p>Service contract</p> <p>Supply contract</p>	<p>EUR 550 000</p>	<p>Target group participates successfully in the trainings</p> <p>Availability of the fishery inspectors to attend the trainings</p>
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ADDITIONAL DESCRIPTION

Through this action, Montenegro aims to fully harmonise electronic data collection in the fisheries. Namely, this action will further develop and unite the FIS sub-systems which were developed within the CARDS project and afterwards upgraded under the IPA 2009 project. In addition, System of Automatic Location and Identification of Vessels will be established in order to significantly improve the safety of the navigation and the safety of the crew.

The following results will be achieved: the MARD equipped with the fully functional FIS compliant with the EU requirements; improved monitoring and control of the fishing activities; simplified reporting regarding the catch and enhanced safety of the fishermen at the sea.

These results are in line with the Articles 52, 104, 105 and 109 of the *Law on Marine Fisheries and Mariculture*, which prescribes the obligation to implement Electronic Logbooks, System of Automatic Location and Identification of the fishing vessels, Register of the fishermen, Register of buyers and sellers and Register of sampling data and biological data. In addition to the Articles 116, 117, 118, 119 and 120 prescribe the police of penalties in failing to comply with the prescribed rules.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

The MARD is the main beneficiary and directly responsible for the implementation of this Action. Other beneficiaries of the action are the Fishery Inspection under the Directorate for Inspection Affairs and the fishermen.

The MARD is responsible for the implementation of the Action and thus it is obliged to form a Steering Committee to monitor the implementation of the Action, which will be composed of the representatives of the MARD, the Directorate for Inspection Affairs, Association of professional fishermen, NIPAC Office and EU Delegation.

IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

The Action will be implemented in the direct management mode. The activities will be achieved through procurement of one Service and one Supply contract, with total value of EUR 550 000.

It is planned that Action will be implemented via:

1. **One Service Contract**, enabling engagement of experts who will prepare software requirements, develop and integrate additional sub-systems of the FIS. The Contractor will be in charge for preparation of technical specifications, for the procurement and installation of the devices for Automatic Location and Identification of the fishing vessels, as well as for the provision of training for fishermen to use these devices. Furthermore, Contractor will prepare User Manuals which will be distributed to the fishermen and will organize trainings for using the electronic logbook. Trainings for fishery inspectors for using the IT in the fishery will also be provided;
2. **One Supply Contract** will be used for purchasing and installation of the equipment for establishing the system for automatic location and identification of the vessels with the length more than 10m and for delivery of on-the-spot trainings for the fishermen.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

Monitoring and evaluation of the implementation of this Action will be conducted in accordance to the rules of direct management and respecting the requirements and provisions of IPA II regulations and those that are laid down in the Framework Agreement and in the respective Financing Agreement.

Progress towards achieving the results of the Action will be regularly monitored by the EU Delegation to Montenegro and the National IPA Coordinator.

Implementation of this Action will be subject to the special attention of the Sectoral Monitoring Committee and IPA Monitoring Committee which shall measure the progress towards achieving the objectives of the action and their expected outputs, results and impact by means of indicators related to a baseline situation, as well as progress with regard to the financial execution. The Sectoral Monitoring Committee will report to the IPA Monitoring Committee and will make proposals on any corrective action to ensure the achievement of the objectives of the action and enhance its efficiency, effectiveness, impact and sustainability.

Moreover, in accordance to the Article 8 of the Commission Implementing Regulation (EU) No. 447/2014, NIPAC shall take measures to ensure that the objectives set out in the Action are appropriately addressed during the implementation of the EU assistance. Procedures for implementing monitoring activities will be set out in the revised Manuals of Procedures aligned with new IPA regulations. Best practices from the monitoring of implementation of previous actions and recommendations given by external monitoring in this sector will be also taken into consideration.

This action shall be subjected to evaluations, in accordance to the Article 30(4) of Regulation (EU, EURATOM) No. 966/2012 and to the Article 22 of the Commission Implementing Regulation (EU) No. 447/2014. The results of evaluations shall be taken into account by the IPA Monitoring Committee and the Sectoral Monitoring Committee.

INDICATOR MEASUREMENT

INDICATOR	DESCRIPTION	BASELINE (2010)	LAST (2013)	MILESTONE 2017	TARGET 2020	SOURCE OF INFORMATION
<p>ISP INDICATOR(S):</p> <p>Progress made towards meeting the accession criteria regarding the EU fisheries acquis</p>	<p>EU Progress Report assessment of the level of alignment of Montenegro in the area of fisheries (chapter 13).</p>	<p>The Montenegrin fishery sector is very small and the current capacity of the fisheries administration for dealing with management and inspection is particularly limited. Overall, Montenegro will have to make considerable and sustained efforts to align with the acquis and to implement it effectively in the medium term. In particular, there is a need to strengthen administrative capacity and to improve the collection of data as regards the fishing fleet, catches, landings and the biological state of the fish stocks.</p>	<p>Efforts are needed to strengthen administrative capacity, align legislation with the acquis and implement EU standards, in particular in the areas of resource and fleet management, inspection and control, market policy, structural policy and state aid policy. Overall, preparations in this area are at an early stage.</p>	<p>Montenegro has reached overall a good level of preparation in the area of fisheries.</p>	<p>Montenegro is well advanced in the area of fisheries.</p>	<p>Progress towards achieving the results of the Action will be regularly monitored by the EU Delegation to Montenegro and the National IPA Coordinator</p> <p>Action records and reports</p> <p>MARD Annual report to the Government</p>
<p>ACTION OUTCOME INDICATOR 1:</p> <p>Level of functionality and operability of the System for control and management of the fisheries activities fully functional and operational</p>	<p>Fisheries information system works 24/7 without major break.</p>	<p>2</p>	<p>2</p>	<p>2 + 5</p>	<p>7</p>	<p>Action records and reports</p> <p>Steering committees minutes</p> <p>Final report</p> <p>EU Progress report</p>
<p>ACTION OUTPUT INDICATOR 1:</p> <p>Sub-systems for control and management of the fisheries activities are in place (sub-system for electronic log book, sub-system sale notes, sub-system register of fishermen, sub-system register of buyers and seller, register of biological and sampling data)</p>	<p>After development and installation of sub-systems, Fisheries Information System works 24/7 without major break</p>	<p>2</p>	<p>2</p>	<p>2+5</p>	<p>7</p>	<p>Action records and reports</p> <p>Steering committee minutes</p> <p>Final report</p> <p>EU Progress report</p>
<p>ACTION OUTPUT INDICATOR 2:</p> <p>Number of transponders for automatic location and identification of vessels delivered and installed on the fishing vessels with an overall length of more than 10 m. Fishing vessels can use the devices 24/7</p>	<p>MARD will provide a list of vessels, which is necessary to install the transponders and with all users of the transponders will be signed contracts</p>	<p>0</p>	<p>0</p>	<p>25</p>	<p>25</p>	<p>Action records and reports</p> <p>Steering committee minutes</p> <p>Final report</p> <p>EU Progress report</p>

INDICATOR	DESCRIPTION	BASELINE (2010)	LAST (2013)	MILESTONE 2017	TARGET 2020	SOURCE OF INFORMATION
without major breakdowns	on the delivery					
ACTION OUTPUT INDICATOR 3: Manual for using the electronic log book prepared and delivered to the fishermen and number of the Fisheries inspectors trained	During installation of the electronic logbook on vessels, the Manual will be delivered to the fisherman's and they will have a short presentation of use. For the training of fisheries inspection will be organized couple of workshops	<i>No</i>	<i>No</i>	<i>Yes</i>	<i>Yes</i>	Action records and reports Steering committee minutes Final report EU Progress report

5. CROSS-CUTTING ISSUES

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

The sustainable management of fish resources is inextricably linked to environmental issues. Fishery management planning will take place within an eco-system based approach that not only takes into account the impact of other factors on the fish, but also the implications of fishing activity on other elements of the eco system.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

Through this Action the civil society sector will be involved in the series of training events / seminars in order to increase their abilities and knowledge on regulations and procedures in the fishery activities.

EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

Equal opportunity needs will be considered as an integral part of the Action with regular monitoring to ensure relevant issues are given due prominence. In particular the training events will concentrate on ensuring that equal opportunity issues are given fair treatment. Equal opportunity will be taken into account during training needs analysis.

In supporting legislative harmonisation, gender needs will be taken into consideration and provisions that enhance equal opportunities will be introduced. All activities will respect the principles of equal treatment and opportunities for both, man and woman. Institutions benefitting from the Action are equal opportunity employers.

MINORITIES AND VULNERABLE GROUPS

The Action will address minorities' issues as an integral part of its overall objectives and Action purpose. While implementing the Action all minority related topics will be respected in raising awareness and trainings. In addition to this Action will provide equal access and status to the members of the vulnerable groups.

6. SUSTAINABILITY

Through the establishment of a navigation system on the fishery fleet the safety aspects of the fishermen and the boats will be strengthened which on a longer run will have positive impacts on the economic development and growth by decreasing the casualties and fatalities caused due to those activities. The inspection service will be able to better monitor the catch and other fishery related activities that directly influences the natural resources and fleet management. By establishing the sub-system in fisheries the MARD will be able to collect more accurate data that shall reinforce the planning and development of the fishery sector, overall. The MARD will provide necessary financial resources for operation and maintenance of the FIS.

7. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions.

The use of *Communication and Visibility Manual for EU External Actions* is compulsory. The contractor shall use the appropriate stationery in letterheads or fax headers sheets and report presentation format, but should add the phrase "*This Action/programme is funded by the European Union*" as well as the EU flag when relevant. Elements of the communication strategy may include: press release, press conferences, leaflets and/or brochures, newsletters, web pages, vehicle panels, promotional items, reports, audio-visual productions. Any supplies or equipment delivered under an EU-funded Action must be clearly identified and must visibly carry the EU logo and the mention "*Provided by the support of the EU*" in the operational language of the EU programme and in the local language.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions. Visibility actions should also promote transparency and accountability on the use of funds.

It is the responsibility of the beneficiary to keep the EU Delegation fully informed regarding the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the IPA Monitoring Committee and the Sectoral Monitoring Committees.