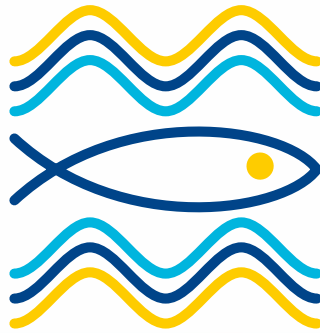




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CIHEAM
IAM BARI



PESCAMED

PROJECT

DEVELOPMENT OF COOPERATION IN THE MEDITERRANEAN FISHERY SECTOR:
WORLD OF LABOUR, PRODUCERS' ORGANIZATIONS,
CONSUMERS' ASSOCIATIONS AND TRAINING

COUNTRY REPORTS
THE LABOUR CONTEXT AND THE PRODUCERS' ASSOCIATIONS



2011

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COOPERATION DEVELOPMENT IN THE MEDITERRANEAN FISHERY SECTOR: THE LABOUR CONTEXT AND THE PRODUCERS ASSOCIATIONS

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Algeria, Ministère de la Pêche et des Ressources Halieutiques

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FOREWORD

The project “Development of Cooperation in the Mediterranean fishery sector: the world of labour, producers’ organizations, consumers associations and training (PESCAMED)” was aimed at making an analysis of the activities related to maritime fishery and fishery organizations and associations, accompanied with activities of advanced education and training in support of Institutions from Mediterranean Countries, of dissemination of results, meetings and workshops addressed to the representatives of the Countries who participated in the project (Croatia, Montenegro, Albania, Turkey, Syria, Lebanon, Egypt, Tunisia, Algeria, Morocco and Italy).

PESCAMED project was funded by the Italian Ministry of Agriculture, Food and Forest Policies–Directorate-General for Maritime Fisheries and Aquaculture, and implemented by the Mediterranean Agronomic Institute of CIHEAM-IAMBari.

Through involving IAMBari with a view to international cooperation, dialogue was established between southern and eastern Mediterranean countries to make fishermen the leading players of their growth and development in fisheries. Over the last years, IAMBari has started various actions, which have actively involved coastal Mediterranean communities, like: “A sea of Dialogues” (with the contribution of MIPAAF) to seek innovatory tools for sustainable management of marine resources, enhancement of coastal Mediterranean communities and valorisation of typical products; “CANA”, (with the contribution of the Italian Ministry of Foreign Affairs) through which a motorship – the only one all over the Middle East - was donated to the Lebanese National Centre for Scientific Research to be used by the NCSR for bathymetric surveys, monitoring of hydrological, hydro-biological and biological parameters, monitoring of pollution and migration areas of cetaceans along the Lebanese coasts; “Coste dell’Azzurro” (with the contribution of Regione Puglia) to support fishery activities of young Albanian fishermen.

Moreover, in agreement with the FAO General Fisheries Commission for the Mediterranean, CIHEAM, of which IAMBari is an affiliation, intends to stimulate processes to assist Mediterranean Countries in implementing actions to support sustainable fishing; to develop policies that generate economic and social prosperity for coastal fishermen communities; to preserve and increase employment in coastal areas; to enhance fishery and aquaculture products; to promote the quality of coastal environment, as well as to foster national and transnational cooperation between fishing zones.

Cosimo Lacirignola

Director CIHEAM/IAMBari

AVANT-PROPOS

Le projet intitulé «Développement de la coopération dans le secteur de la pêche en Méditerranée: le monde du travail, les organisations des producteurs, les associations des consommateurs et la formation (PESCAMED)» avait pour objet de faire l'analyse des activités liées à la pêche maritime et aux organisations et aux associations de pêche, assorties d'activités de haute formation à l'appui des Institutions des Pays de la Méditerranée, de divulgation des résultats, de rencontres et d'ateliers adressés aux représentants des Pays qui ont participé au projet (Croatie, Monténégro, Albanie, Turquie, Syrie, Liban, Egypte, Tunisie, Algérie, Maroc et Italie).

PESCAMED a été financé par le Ministère Italien des Politiques Agricoles, Alimentaires et Forestières – Direction Générale de la Pêche Maritime et de l'Aquaculture et réalisé par l'Institut Agronomique Méditerranéen du CIHEAM-IAMBarì.

A travers la participation de l'IAMBarì dans l'optique de la coopération internationale, il a été possible d'entamer un dialogue entre les Pays des rives sud et est de la Méditerranée visant à rendre les pêcheurs les protagonistes de leur développement.

Au cours de ces dernières années, l'IAMBarì a amorcé plusieurs actions qui ont vu la participation des communautés côtières méditerranéennes, à savoir: "Une mer de Dialogues" (avec la contribution du MiPAAF) visant à la recherche d'outils innovants pour la gestion durable des ressources marines et la valorisation des communautés côtières méditerranéennes et des produits typiques; "CANA", (avec la contribution du Ministère des Affaires Etrangères Italien) par lequel un bateau de pêche à moteur – le seul dans tout le Moyen Orient - a été donné au Conseil National pour la Recherche Scientifique Libanais et utilisé par celui-ci pour des prospections bathymétriques, pour le suivi des paramètres hydrologiques, hydro-biologiques et biologiques, le suivi de la pollution et des aires de migration des cétacés le long des côtes du Liban; "Coste dell'Azzurro" (avec la contribution de la Regione Puglia) à l'appui des activités de pêche de jeunes pêcheurs albanais.

En outre, le CIHEAM, dont l'IAMBarì est l'un des Instituts, en accord avec la Commission Générale des Pêches pour la Méditerranée de la FAO, veut promouvoir les processus d'assistance aux Institutions des Pays de la Méditerranée pour réaliser des actions d'appui à la pêche durable; développer des politiques génératrices de prospérité économique et sociale pour les communautés côtières des pêcheurs; préserver et accroître l'emploi dans les zones côtières; valoriser les produits de la pêche et de l'aquaculture; promouvoir la qualité de l'environnement côtier ainsi que la coopération nationale et transnationale entre les zones de pêche.

Cosimo Lacirignola
Directeur du CIHEAM/IAMBarì

INTRODUCTION

The Mediterranean region is a crossroads of cultures that have shared or competed for spaces and resources for millennia.

Fishery is one of the most ancient maritime activities. The evolution of such a production sector has been closely related to the capacity of man to conquer the maritime spaces and, accordingly, fishery and navigation have always been closely related to each other.

In view of the current unlimited capacity to sail the seas, in the absence of adequate international policies and of common rules, conflicts may arise in the sea but inevitably involve diplomatic scenarios and the good relations between countries.

In this sense, fishery policy gains an increasingly greater international significance and the role of cooperation and exchange of information becomes crucial to define sustainable policies and long-lasting pacific relations.

Therefore, the decision of the Directorate General for Fishery and Aquaculture of the Italian Ministry of Agriculture, Food and Forest Policies to entrust the Mediterranean Agronomic Institute of Bari - the Italian establishment of the Centre International de Hautes Etudes Agronomiques Méditerranéennes-CIHEAM – with the project called “*Development of cooperation in the fishery sector in the Mediterranean: the world of labour, producers’ organizations, consumers’ associations and training (Pescamed)*” was absolutely adequate, precisely to create an opportunity for meeting and exchanging experiences in fishery within the Mediterranean countries.

This initiative was aimed at developing international cooperation to build a common vision on sustainability of Mediterranean fishery between competent institutions of the countries bordering the Mediterranean Sea (Maghreb, Mashrek and the Balkans), on the basis of a better knowledge on fisheries and trade union organizations.

Representatives of the Ministries of Agriculture and/or Fishery, professional associations and the world of labour of different countries - Croatia, Montenegro, Albania, Turkey, Syria, Lebanon, Egypt, Tunisia, Algeria and Morocco - participated in the project activities.

The current common framework for fishery sustainability in the Mediterranean is rather complex and even fragmentary in some ways, with critical factors that are aggravated by the state of some stocks and the recurrent environmental emergencies, so that starting a process of harmonization of the technical measures and management between countries is becoming increasingly urgent. The need for a common vision is even more pressing owing to the presence of heterogeneous policies in the northern and southern bank Mediterranean countries.

For this purpose, the project tried to involve directly the world of labour and associations, by establishing a dialogue between operators and institutional representatives, stressing the importance of shared responsible and sustainable management approaches.

The first part of the working programme was focused on the world of labour involved in the maritime fishery activity, through carrying out country-based surveys on social rights and contractual conditions of salaried personnel in the light of national rules and regulations.

Starting from the contents of ILO convention, documentation and information useful to define a reference framework on fishery labour conditions and the existing differences in social and contractual rights of salaried personnel were collected in the various participating countries.

In parallel, a survey on Associations in the world of fishery was carried out. It was aimed at knowing the regional potentialities, taking into account the efforts already started and the experiences made.

The training programme addressed to the delegates of Institutions and representatives of the associations of the involved countries was a really important component of the project. It was aimed at thoroughly investigating the

themes on development and sustainable management of fishery resources in the Mediterranean.

The Italian Union of fishery workers (UILA) and professional Associations like Federpesca, Federcoopesca, Legapesca, AGCI/AGRITAL and UNICOOP greatly contributed to the project through attending and animating multilateral meetings and drawing up the project technical documents.

This publication gathers the reports on the world of labour and fishery associations in the surveyed countries.

The work was carried out jointly by the team of Italian experts and the representatives of each Country. It provided interesting information on contractual aspects, which is a matter scarcely known so far.

The team work allowed creating a network of collaborations and exchange of knowledge between the institutional and professional Mediterranean fishery players. The acquired relational heritage will allow developing further dialogue to develop common sensitivity to sustainable management of fishery resources without neglecting the social and economic aspects of this sector.

Prof. Stefano Cataudella

Project scientific coordinator

INTRODUCTION

La région méditerranéenne est le carrefour de plusieurs cultures qui ont partagé ou qui se sont disputé des espaces et des ressources pendant des millénaires.

La pêche est parmi les activités maritimes les plus anciennes. L'évolution de ce secteur productif a été étroitement liée à la capacité humaine de conquérir les espaces marins et, donc, la pêche et la navigation ont toujours été deux activités étroitement liées.

Etant donné que la capacité de sillonner la mer est à l'heure actuelle illimitée, l'absence de politiques internationales adéquates et de règles communes risque de créer des conflits qui apparaissent en mer mais qui, de fait, influent sur les scénarios diplomatiques et les bonnes relations entre les Pays.

En ce sens, la politique de la pêche prend une valeur internationale de plus en plus remarquable, et le rôle de la coopération et de l'échange d'informations devient crucial pour la définition de politiques et de relations pacifiques durables.

A cet effet, la décision de la Direction Générale de la Pêche et de l'Aquaculture du Ministère des Politiques Agricoles, Alimentaires et Forestières italien de confier à l'Institut Agronomique Méditerranéen de Bari – l'établissement italien du Center International de Hautes Etudes Agronomiques Méditerranéen-CIHEAM - le projet intitulé *"Développement de la coopération dans le secteur de la pêche en Méditerranée : le monde du travail, les organisations des producteurs, les associations des consommateurs et la formation (Pescamed)"* est semblé absolument approprié, justement pour créer, au sein des Pays Méditerranéens, une occasion de rencontre et d'échange sur les thèmes de la pêche.

Entre autres, cette initiative visait à développer la coopération internationale pour construire une vision commune sur la durabilité de la pêche méditerranéenne de la part des Institutions compétentes des Pays qui donnent sur la Méditerranée (Maghreb, Mashrek et les Balkans) s'appuyant sur une meilleure connaissance des organisations de la pêche et du monde syndical.

Des représentants de chaque pays - la Croatie, le Monténégro, l'Albanie, la Turquie, la Syrie, le Liban, l'Egypte, la Tunisie, l'Algérie et le Maroc - provenant des Ministères de l'Agriculture et/ou de la Pêche et du monde des associations professionnelles et du monde du travail ont participé aux activités prévues dans le projet.

Le cadre méditerranéen commun pour la durabilité de la pêche se présente assez complexe et, à beaucoup d'égards, fragmentaire, avec des facteurs de difficulté accrus par l'état de certains stocks et par les urgences environnementales récurrentes, ce qui fait qu'il est de plus en plus urgent d'entamer un processus d'harmonisation des mesures techniques et de gestion entre les Pays. La nécessité d'une vision commune devient d'autant plus urgente à cause de la présence de politiques hétérogènes dans les pays de la rive nord et sud du pourtour méditerranéen.

Le projet a donc voulu faire intervenir directement le monde du travail et des associations, en engageant un dialogue entre les opérateurs et les représentants institutionnels, et mettant l'accent sur l'importance d'approches gestionnaires responsables et durables partagées.

Dans sa première phase, le programme de travail a focalisé l'attention sur le monde du travail engagé dans les activités de pêche maritime en Méditerranée, et ce à travers des enquêtes, menées dans les différents Pays, sur les droits sociaux et sur les conditions du personnel salarié à la lumière des normes et des règles nationales.

Se basant sur les contenus de la convention de l'OIT, l'on a collecté la documentation et les informations utiles à la définition d'un cadre de référence sur les conditions de travail dans le secteur de la pêche et les différences existantes en matière de droits sociaux et contractuels des travailleurs salariés dans les différents pays méditerranéens qui ont participé à l'initiative.

Parallèlement, une enquête a été menée sur l'associationnisme dans le monde de la pêche afin de faire ressortir les potentialités au niveau régional, compte tenu des efforts déjà entrepris et des expériences réalisées.

Une composante importante du projet est représentée par le programme de formation à l'intention des délégués des Institutions et des représentants du monde de l'associationnisme des Pays participants, visant à approfondir les thèmes du développement et de la gestion durable des ressources halieutiques en Méditerranée.

L'Union italienne des travailleurs de la pêche (UILA) et les Associations professionnelles de Federpesca, Federcoope-sca, Legapesca, AGCI/AGRITAL et UNICOOP ont fourni un apport important par leur participation, l'animation des rencontres multilatérales et la rédaction des documents techniques du projet.

La présente publication réunit les rapports relatifs au monde du travail et au monde des associations de pêche pour les Pays qui ont fait l'objet de l'enquête.

Le travail a été mené conjointement par l'équipe d'experts italiens et les représentants de chaque Pays. Il a fourni des informations très intéressantes sur les aspects contractuels, ce qui est une matière très peu connue.

Ce travail conjoint a permis d'établir un réseau de collaborations et d'échanges de connaissances entre les acteurs méditerranéens de la pêche, institutionnels aussi bien que professionnels. C'est un patrimoine relationnel qui permettra d'accroître le dialogue en vue de parvenir à une sensibilité commune à l'égard de la gestion durable des ressources halieutiques, sans pourtant négliger les aspects sociaux et économiques de ce secteur.

Prof. Stefano Cataudella
Coordinateur scientifique du projet

PRESENTATION

The General Directorate for Fisheries and Aquaculture of the Italian Ministry of Agriculture, Food and Forest Policies, promoted and funded the project *"Development of cooperation in the Mediterranean fishery sector: the world of Labour, producers' organizations, consumers' associations and training (Pescamed)"*, with a view to contributing to design a shared policy in the Mediterranean area.

Since long, Italian institutions have been trying to reconcile ecological and socio-economic needs. The conservation of biological resources is a priority rightly recognized worldwide and without which the whole "Fishery system" could hardly be developed and strengthened. Equally so, adequate attention should be addressed to the problems of fishery enterprises and workers who are the core of the production system.

The Italian fishery sector boasts an ancient and consolidated "association-oriented" tradition. Italian institutions have since long recognized the role that professional organizations play as stakeholders representing the sector's needs and as a link with national and European Institutions.

Moreover, the evolution of markets is such that national reality is projected into a wider global context where the Mediterranean represents the common good to be safeguarded for sustainable development.

Through this project, Italy intends to intensify and consolidate relationships with fishermen and trade union organizations in the various Mediterranean countries in order to know them better and work for a common growth by promoting exchange of experiences and good practices.

Implementing a flow of information between the organizations of the various countries is of utmost importance and may help national governments and international Organizations to know the expectations expressed by the world of enterprises and trade unions. This is important to pursue the development of responsible fishery that has thus to take into account the various ecological, economic, social and legal aspects.

Heartfelt thanks are expressed to the institutions of the involved countries and to MAIBari for their active contribution in animating tables and developing this project that has allowed strengthening relationships that are the base for shared and prospective growth.

Achievements of this work undoubtedly contribute to extend the knowledge-base of the various geographic realities.

Francesco Saverio Abate

*Director General for Fisheries and Aquaculture
Italian Ministry of Agriculture, Food and Forest Policies*

PRESENTATION

La Direction Générale de la Pêche et de l'Aquaculture du Ministère italien des Politiques Agricoles, Alimentaires et Forestières a promu et financé le projet *“Développement de la Coopération dans le secteur de la pêche en Méditerranée: le monde du travail, les organisations des producteurs, les associations des consommateurs et la formation (Pescamed)”*, pour contribuer à la conception d'une politique partagée dans le contexte méditerranéen.

Depuis longtemps les Institutions italiennes se sont engagées dans la recherche d'un point de rencontre entre les exigences écologiques et celles socio-économiques. La conservation des ressources biologiques est, à juste titre, une priorité reconnue au niveau international et sans laquelle on ne peut pas imaginer de développer et renforcer l'ensemble du « système Pêche ». En même temps, il est quand même opportun d'être à l'écoute des problèmes des entreprises de pêche et des travailleurs qui constituent le cœur du système productif.

Le secteur italien de la pêche se vante d'une tradition "associative" ancienne et consolidée. Depuis longtemps les institutions reconnaissent aux organisations professionnelles leur rôle de parties prenantes qui représentent les exigences du secteur, et de raccordement avec les institutions nationales et européennes.

D'ailleurs, l'évolution des marchés projette la réalité nationale vers un contexte global plus vaste au sein duquel la Méditerranée représente un bien collectif qu'il faut sauvegarder aux fins d'un développement durable.

Ce projet est un outil par lequel l'Italie vise à intensifier et consolider les relations avec les organisations des pêcheurs et des syndicats dans les différents pays de la Méditerranée afin de mieux connaître leur réalité et permettre une croissance commune en encourageant l'échange d'expériences et de bonnes pratiques.

De toute première importance est la création d'un flux d'informations entre les organisations des différents Pays, permettant aux Gouvernements nationaux et aux Organisations internationales de connaître les exigences manifestées par le monde des entreprises et des syndicats. Et ce afin de poursuivre le développement d'une pêche responsable qui, pour ce faire, doit prendre en compte les différents aspects écologiques, économiques, sociaux et juridiques.

Je tiens à exprimer mes sincères remerciements aux Institutions des différents Pays et à l'IAMBari pour leur apport efficace en tant qu'animateurs de tables et pour avoir développé ce projet qui a permis de renforcer les relations mutuelles visant à favoriser une croissance conjointe aux perspectives futures évidentes.

Les résultats de ce travail vont sans aucun doute élargir la base de connaissance des multiples réalités géographiques.

Francesco Saverio Abate

*Directeur Général de la Pêche et de l'Aquaculture
Ministère des Politiques Agricoles, Alimentaires et Forestières italien*

A REVIEW OF LABOUR IN INTERNATIONAL FISHERIES LAW AND IN THE LEGISLATION OF MEDITERRANEAN COUNTRIES

Fabrizio De Pascale, *UILA Pesca*

ILO WORK IN FISHING CONVENTION, 2007 (C188)

PESCAMED project approach came out of the adoption, in 2007, of the Work in Fishing Convention (C188) by the International Labour Organization of the United Nations (ILO).

First of all, the project consisted of an analysis of the contents of the Convention. Secondly, a collection and analysis of national legislation was carried out relating the work in fishing in the 11 Mediterranean countries involved: Albania, Algeria, Croatia, Egypt, Lebanon, Morocco, Montenegro, Syria, Tunisia, Turkey and, finally, Italy.

ILO C188 closes the circle

The importance of this convention lies not only in its content, but in the fact that it brings to a conclusion the long developmental arc of International Law of the Sea (and fisheries law in particular) over the past 30 years. In effect, a revolution has taken place which has led, in practice, to “replace” the principle of freedom of fishing on the high seas with the obligation to fish responsibly.

This new approach is linked to the great technological and industrial development of the 1950s (which led to triple the world catch in 20 years, from 20 to 65 million tonnes) and its consequences: on the one hand, the claims of developing countries of the South (ever more numerous thanks to the great decolonization process of the 60s and the 70s) which saw the living resources of the waters adjoining their coasts being exploited by ships that came from more developed countries far away; and, on the other, an international emerging and a growing concern about the state of natural resources which were being exploited with ever increasing intensity.

The United Nations Convention on the Law of the Sea (UNCLOS/III Convention of Montego Bay/1982) was the outcome of ten years of discussion and was adopted by general consensus by the member states of the UN, introducing the right to a maximum of 200 miles Exclusive Economic Zone (EEZ/with sovereign rights over natural resources) for coastal States and the principle of the “duty of international cooperation” in the management of natural resources.

The sovereign right of coastal States to exploit the natural resources of the EEZ has been enshrined in the national law of more than 100 States. International legislation has been established aiming to protect living resources from the risks of excessive exploitation, and FAO member States adopted the 1995 Code for responsible and sustainable fishing. In any case, there had not been any new international regulations regarding the social aspects of fisheries or the working conditions of its principal operatives, the fish workers.

For this reason C188, in a certain sense, closes the circle. For the first time international law has introduced a series of rights for workers in a particular area of trade and industry which should be recognised as applying to all workers in that sector.

The importance of C188 for unions and labour

From the union point of view, the Convention is of great importance for a number of reasons:

- The objective stated in its preamble is “to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security”.
- Next, because it recognizes the role of workers’ representative organizations and introduces the principle of consultation, stating that these organizations must in many cases be “consulted” by the competent authority before decisions are taken.
- Thirdly, it recognizes the value of Collective Contracts of Employment, including them among the “other measures” that States have at their disposal in order to implement the Convention.

But, perhaps the most important element is the fact that employees are included in the definition of “fishers” as “persons working on board who are paid on the basis of a share of the catch”, as distinct from the owner and the skipper; thus the worker becomes the direct beneficiary of the rights affirmed by the Convention.

The contents of C188

In reality, the Convention on Fishing does not assign rights directly to workers (apart from some specific provisions for vessels that are 24 m in length and over) but simply “imposes” on States (apart from some specific exemptions from its implementation) the duty to implement and enforce laws, regulations or other measures aimed at recognizing and implementing such rights and to designate one or more authorities with competence in the areas dealt with by the Convention and “establish mechanisms for coordination” among these authorities.

The only regulations that are applicable immediately, apart from possession of a medical certificate, are the establishment of 16 as the minimum age for starting to work in the sector and the obligation for the ship to provide the authorities on shore with a crew list before leaving port.

Workers’ rights

It has to be pointed out that the provisions relating to the rights of fish workers contained in the 2007 Convention are the basic and minimum standards required. Members who already have more favourable provisions in their national laws and regulations should continue to apply those measures.

The Convention requires States to enable fish workers to enjoy the rights described within it. Briefly summarized, these consist of:

- a vessel whose crew is adequate in both size and quality;
- a regular rest period of sufficient length (on vessels of over 24 m in length a minimum rest period of 10 hours in every 24 is specified);
- the workers must then be protected by a comprehensible and public work agreement which sets out the conditions of work;
- they must have the right of repatriation, at the end of employment or for other reasons, at the owner’s expense;
- they must be given a wage that is paid monthly or at other regular intervals;
- they have the right to accommodation on board “of sufficient size and quality” and to food and water “of suffi-

cient quantity and nutritional value” at the expense of the vessel’s owner.

- workers are also entitled to **medical treatment** at sea and **ashore** in the event of serious injury or illness;
- they must have access to **adequate medical care** and be entitled to **compensation**.
- finally all fishers should have the benefit of social security protection.

The Convention then deals with the subjects of **safety and accident prevention**, without ascribing specific rights or obligations but simply requiring member states to adopt laws or other measures regarding: the prevention of occupational accidents, training for fishers in the types of fishing gear they will use, the obligations of owners, **the reporting of accidents, and the setting up of joint committees**. Only for vessels of 24 m in length and over the competent authority is expected to oblige the owner to implement the procedures for accident prevention and require that vessel owners, skippers and fishers be provided with sufficient and suitable guidance and training material.

All this is contained in the Convention. There is, however, a subject on which the Convention is completely silent, and that is working hours. The Convention, which is naturally the outcome of a compromise among all the States and interested parties, contains not the slightest reference to this thorny subject, limiting it, as we have seen, to providing for a minimum rest period.

It should be pointed out that the ILO 2007 Recommendation supplementing the Convention makes it clear that fish workers between the ages of 16 and 18 must not work more than 8 hours a day or 40 hours a week. The only exception to this rule is when the safety of the vessel or the persons on board is threatened.

NATIONAL LEGISLATION OF MEDITERRANEAN STATES

In parallel with the analysis of the ILO Convention, the texts of the national legislation regarding the rights of fish workers in the countries covered by the project have been analysed and then compared with the contents of the ILO Convention.

Fishing in general

When an analysis is made of the general legislation relating to fisheries, one fact becomes immediately apparent: over the past 10 years, and in accordance with the Montego Bay Convention, the majority of the States that were considered (Algeria, Croatia, Egypt, Morocco, Syria, and Tunisia) have extended their jurisdiction over their coastal waters beyond 12 miles, proclaiming EEZs or resource protection zones. Almost all have introduced new fisheries policies, inspired by the principles of conservation and protection of resources, but also pursuing the development of the sector and aiming at increased production, through the expansion and modernization of the fleet and the development of aquaculture.

Another observation that emerges from the research relates to ministerial responsibility.

Fisheries generally come under the aegis of Agriculture Ministries, albeit with varying levels of “importance”. In three countries (Croatia, Morocco and Tunisia) the term fisheries is included in the name of the Ministry, while in others there are Departments or particular authorities within these Ministries. There are two exceptions: Algeria, which is the only country with an appointed Fisheries Minister, and Albania, where fisheries fall within the competence, not of the Ministry of Agriculture but that of the Environment, Forests and Waters.

The subject of work in fishing, on the other hand, is generally the responsibility of the Ministry of Labour in all the

The subject of work in fishing, on the other hand, is generally the responsibility of the Ministry of Labour in all the countries analysed. As regards employment legislation, another striking finding is that in recent years almost all the countries examined have introduced new laws, some of them new employment codes, relating to the whole of trade and industry. In some cases, such as Tunisia or Morocco, there are specific laws on work in fishing.

Collective bargaining and National Collective Labour Agreements

Another striking fact, as regards trades unions, is that in none of the countries of PESCAMED Project there is a collective national contract, regulating the rights and conditions of work in fishing, as there is in Italy. In all of them, rights and conditions of work are established by law and engagement is on the basis of individual contracts, whose form and content are established by law.

Alongside the absence of collective labour agreements, and with the important exceptions of Morocco (Union of Officers and Sailors Engaged in High Seas Fisheries) and Tunisia (Tunisian Union for Agriculture and Fisheries), the other countries lack union organizations for fish workers, even where, as in some cases, there are agricultural or confederated unions. In some countries there are fishers' associations which both employees and owners can belong to.

Although this is the situation at present, the principles of collective bargaining and the opportunity for workers' unions to make collective agreements have been introduced into the legislation of several of these countries.

It should also be noted that the low level of union membership in the sector applies not only to the countries included in the PESCAMED project but also to many European States; and that, more generally, the fisheries sector is not adequately represented within international trades unionism. Indeed, from the union perspective, fishing is associated not with agriculture but with the transport sector, and is thus represented, along with the airline pilots' unions, by the ETF (not EFFAT) at the European level and the ITF worldwide. Thus, the Mediterranean context currently lacks a regional fisheries union organization to stand alongside the EU/RAC (Regional Advisory Committee), the organization of Mediterranean fisheries employers' associations.

Albania

Fisheries come under the Ministry of the Environment, Forests and Water. The development plan for the sector, drawn up in 2004, pursues the objectives of: sustainable development of fisheries, restructuring and modernization of the sector, and sustainable growth in production. There is no specific law regarding labour in the fisheries sector, which is thus regulated generally by the 1995 Employment Code. This Code introduced the principle of a Collective Labour Agreement and the possibility for unions and employers' organizations to decide its contents. In particular, the Code establishes the priority of collective agreements over the conditions established by individual contracts. There is no National Collective Labour Agreement nor are there any fish workers' unions.

Algeria

Algeria is the only one of the countries analysed to have a ministry that is solely and exclusively dedicated to fisheries. There is also a Consultative Fisheries Council (with a broad range of representation including associations of owners of fishing vessels and fish workers) which has a broad mandate to examine all aspects of the world of fisheries, including protection for fish workers.

The development strategy for the fisheries sector includes among its aims: an increase in production through the

development of offshore fishing, and the development of aquaculture. There are two laws regulating fish work in particular: one passed in 2005, which established the regime for working relations between seafarers in the transport, trade and fisheries sectors; and another from 2007, which introduces a model contract of engagement for fishing crews.

There are no national unions, but there are local associations which include in their membership both owners of fishing vessels and fish workers. These include the Zegzou Association from the Tizi-Ouzou, whose chairman has informed us of a recently concluded National Employment Agreement which would also include fish workers.

Croatia

Fisheries fall within the remit of the Ministry of Agriculture, Fisheries and Rural Development. There is a Fisheries Directorate with seven regional offices and three areas of competence: management of the resources and the fleet; structural and market measures; and inspections.

The most recent law regulating the fisheries sector is the Marine Fisheries Act 2010, which broadly aims to endure the sustainability of both resources and fishing activities, in particular ensuring the maintenance of a good standard of living for communities which depend on fishing. The work of the Fisheries Directorate is supported by the Croatian Agriculture Extension Institute which communicates with the production side. The latter is divided into two sections representing business and small producers.

There is no law relating specifically to the work in fisheries; however, following the adoption, in 2009, of a new Employment Code, two orders relating specifically to the sector were adopted in 2010: one concerns the registration of contracts of engagement, the other the hours of work and rest periods.

Although there are many associations on both the employers' and the union side (around 600, of which 260 are registered nationally) there are no National Collective Labour Agreements, although the 2009 Code of Employment envisages the possibility that such agreements may be made.

Egypt

Fisheries fall within the remit of the Ministry of Agriculture which contains the General Authority for Fishery Resources Development (GAFRD).

Egypt is pursuing a policy of development and modernization of the sector whose aim is to increase production. There are no special laws on fisheries work, which is included among the activities regulated by the Employment Code issued in 2003. The Code gives scope for collective bargaining and the possibility for one or more union organizations to reach collective employment agreements.

Such agreements must, however, be approved by an absolute majority by the council of the Egyptian Trades Union Federation. There is no collective agreement on fishing. There is an Egyptian Union of Maritime Workers.

Italy

In Italy, fisheries fall under the remit of the Ministry for Agricultural, Food and Forests Policy which includes a dedicated Fisheries Directorate. Following a modification of the constitution in 2001, fisheries are no longer the exclusive responsibility of the Italian State; the consequence of this is that the regions are able to regulate fishing activities.

The national development strategy for fisheries is set out in law 41/82 (modified by law n.165 of 10/2/1992). The aim is to guarantee the reasonable utilization and enhancement of the living resources of the sea through the balanced development of marine fishing.

A notable reduction in fishing effort over recent years as a result of following the EU Common Fisheries Policy has

had severe socio-economic effects. In 2007 the number of people employed in fishing had fallen to around 30,000, compared with 47,000 at the beginning of the decade.

In Italy, conditions of work in the fisheries sector are regulated by the navigation code and general labour laws, but also by National Collective Labour Agreements (CCNL) between the sector's confederated unions (Fai-Cisl, Flai-Cgil, Uilapesca) and the owners' associations (Federpesca) and cooperatives (Legapesca, Agrital-Agci, Federcoopesca-Confcooperative). These contracts ensure and guarantee good working conditions and protection of rights for fishworkers. In particular, the national contract with Federpesca provides for the possibility of further negotiations in order to reach specific local or regional agreements.

Lebanon

The management of Lebanese fisheries is the responsibility of the Ministry of Agriculture, which contains a Fisheries Department. There is no governmental policy for the management of fisheries at the local or national level.

Maritime work is regulated by Article V of the law of 18 February 1947 on the Marine Commerce Code. Many clauses of this law mention the work in fisheries contract. Articles 128-162 in particular refer to rights and obligations of those who work at sea.

The fisheries sector in Lebanon is represented by five associations of cooperatives and fishers and 86% of the 9,000 or so fishers hold a personal licence.

There is no National Collective Labour Agreement and there are no union organizations representing workers.

Morocco

In Morocco, fisheries are the responsibility of the Ministry of Agriculture and Maritime Fishing. The fisheries department of the ministry is the public body with responsibility for the formulation and execution of fisheries policy. For many years Morocco has been pursuing a policy and approach oriented towards the long-term utilization of resources in the context of Morocco's continuing participation in the international industrial fisheries market.

There is specific fisheries legislation in the form of the 1919 maritime code and the more recent Dahir [Royal decree] of 2 March 1973.

There is a model fishers' contract, but it is a personal contract; there is no National Collective Labour Agreement. For many years Morocco has had a national Union for Officers and Sailors Engaged in High Seas Fisheries.

Montenegro

Fisheries fall under the remit of the Ministry of Agriculture, Forests and Water Management. A Fisheries Unit was set up in 2009.

There is a detailed development strategy for the sector which aims, among other things, to preserve and maintain sea fishing at sustainable levels, to encourage exports, to increase the production of bivalves, and to develop partnership agreements for the exploitation of pelagic resources.

In the absence of specific fisheries legislation, the new Labour Code n. 49 of 2008 applies. It recognizes the legal status of collective labour agreements undertaken by organizations representing employers and employees and by the government of Montenegro in establishing the rights and responsibilities of labour.

There is no Collective Agreement nor are there any union organizations in the sector.

Syria

The fisheries sector falls within the competence of the Ministry of Agriculture and Agrarian Reform. The national stra-

tegy for the fisheries sector is undergoing revision. There are no specific laws relating to fish work. In their absence, the new Labour Law n. 17 of 2010, which relates to all workers and thus also to fishers, applies. This law recognizes the legal status of collective labour agreements undertaken by organizations representing employers and workers and by the Syrian government in establishing the rights and responsibilities of labour.

There are no Collective Labour Agreements nor are there any workers' organizations such as trade unions in the marine fisheries sector.

Tunisia

The fisheries sector in Tunisia is regulated by the Ministry of Agriculture, Water Resources and Fisheries through the Office for Fisheries and Aquaculture, which in turn consists of the Office for the Conservation of Fisheries Resources, the Office for Fisheries Exploitation and the Office for the Promotion of Fisheries.

The national strategy for the development of the fisheries sector was drawn up in 2009 and updated in 2010. This document contains important elements relating to the sustainability of fisheries, the optimal use of pelagic resources, the consolidation of the aquaculture sector, and an increase in the added value of the products of commercial fishing. Fishery's Code has been promulgated in 1975; it contains specific regulations on the conduct of fisheries and the relations (rights and obligations) between fishers and vessel owners. Among other things, it contains regulations for the engagement, remuneration and holiday entitlements of fishermen. For other provisions relating to labour, the Employment Code of 1996 is generally applicable. Article 66 of the Code defines the collective contract, but there is no Collective Labour Agreement for the sector between unions and businesses.

The Tunisian organization which represents employed fisher workers is the Tunisian Union for Agriculture and Fisheries (UTAP). This association includes representatives both of fishers and of vessel owners who produce fisheries products.

Turkey

The management of fisheries activities in Turkey is the responsibility of the Ministry for Agriculture and Rural Affairs (MARA). Four of its Divisions deal with both the management and the administration of fisheries and aquaculture. The Secretariat for Marine Affairs looks after the register of maritime business within territorial waters.

The development strategies for the fisheries and aquaculture sectors are included in the development plan for agriculture. A long-term strategy was launched in 2001 whose main objectives are: sustainability of fisheries, the development of aquaculture, and the improvement of infrastructures.

The strategic plan also takes account of harmonization with the measures of the EU, above all in relation to control of catch landed and sustainable harvesting of fisheries resources.

The 2003 Code on Employment at Sea applies to sailors who are contracted to work on Turkish vessels: it includes provisions on wages, work contracts, working times and so on. The general Employment Code of 2003 contains other measures. There is no specific system of social security for fishers.

Workers' collective contracts are regulated by decision n. 99/12459 which states that, when such contracts are agreed in the maritime sector, they apply to everyone who is employed in that sector. Until now, however, no collective contracts have been agreed in Turkey.

The agricultural workers' unions are also responsible for fisheries; there are no specific unions of the sector.

Table 1. Employment in the fishery sector		
COUNTRY	NUMBER OF FISHERMEN	YEAR
Albania	2300	2010
Algeria	40615	2009
Croatia	3886 Authorized permits for commercial fisheries	2010
Egypt	24530	2010
Italy	30000	2007
Lebanon	4500-9500	2010
Marocco	18921 (Mediterranean coast)	2009
Montenegro	638	2009
Syria	21000	2005
Tunisia	52000	2009
Turkey	110230	2006

ANALYSIS OF THE MEDITERRANEAN FISHERY ASSOCIATIONS

Roberto Ugolini - *C.I.R.S.Pe*, Tommaso Carone - *FEDERPESCA*

Fisheries and aquaculture sectors give the Mediterranean coastal communities important social and economic opportunities for improving their livelihood prospects and leading to development and growth.

These sectors still contribute to food security, income and profit, and general well-being, in spite of the current global economic crisis in which the cost of energy and raw material and price trends do not necessarily insure enough income to the enterprises.

In this context, Fisheries Policy is gradually moving towards sustainable and responsible management: the ecosystem approach to fisheries should be accepted as a new instrument to correlate the sector economic needs to the sea environment and resources protection.

Mediterranean Fishery Associations can become an effective tool towards the identification of sustainability criteria, as a means of improvement, mediation and dissemination of EU, national and regional policies and, at the same time, a network for conveying the enterprises' opinions to the Institutions.

In this framework, a comparative description of these different associations would provide a cognitive key to be used for the identification of functional solutions, clarifying roles and assignments aiming at the consolidation of the fishing sector in the Mediterranean context.

Without any doubt, the development and consolidation of the Mediterranean Fishery Associations is strictly connected to the quantity and quality of the products the sector can offer to the consumers, linking the production processes to food security and people wealth. This should be the guideline for the sector stakeholders in civil society, following a lobby concept oriented to safeguard both producers' and consumers' interests.

Fishery products are one of the main components of a healthy diet and an excellent source of several beneficial nutritional elements. As reported in many studies, there are several nutritional benefits from including fishery/aquaculture products in the diet. They have a low content of saturated fats and high levels of protein and omega-3 fatty acids, which are essential for cell development and have anti-inflammatory, antithrombotic, and arrhythmic and vasodilator properties. Fishery products also supply vitamins and minerals (calcium, iron, zinc, vitamin A, niacin, vitamin B6 and vitamin D). Adequate fish consumption can positively contribute to the balance in the n-6 to n-3 fatty acid ratio.

According to FAO data, 2008 world contribution to fish consumption has reached 115 million tonnes with a consumption of 17 kg per person, supplying over 3 billion people with at least 15% of their average animal protein intake.

Employment in fisheries and aquaculture has grown faster than the world's population and employment in traditional agriculture. Almost 45 million people are directly engaged in the sector. Taking also into account indirect employment

and the family labour, the sector supports the livelihoods of about 540 million people (8% of the world population).

The Mediterranean area hosts a population of over 450 million people representing one of the most important geopolitical systems in the world. In such a context, the European Union Countries (Spain, France, Italy, Malta, Slovenia, Greece, and Cyprus) and the Third Countries, some of them having applied already to join the European Union (Croatia, Albania, and Turkey) predominate. The differences in economic, social and cultural terms could strongly separate the two sides of the Sea.

An FAO analysis on the EU countries highlights a high level of socio-economic welfare and development, remarking at the same time that economic differences among the Mediterranean countries are so evident that it is difficult to give a unique profile of the area. This is well described in the FAO Report of 2010 (Malvarosa, L.; De Young, C.; Fish trade among Mediterranean countries: intraregional trade and import–export with the European Union; Studies and Reviews. General Fisheries Commission for the Mediterranean. No. 86. Rome, FAO.2010. 93p.),

Based on the Gross Domestic Product official indicator, the European Countries (less than 50% of the Mediterranean population) produce almost the yearly total income of the Mediterranean basin.

Agriculture contributes by only 2.9% to the total GDP in the European Countries. In the Mediterranean Third Countries (Algeria, Egypt, Israel, Libya, Lebanon, Morocco, Syria Palestinian Territory, Tunisia), agriculture's contribution to national GDP is 11.7%.

Fishing is an important source of income in many Third Mediterranean Countries; the value of this sector on agriculture represents about 27.9% in Morocco, 7.5% in Egypt, 5.5% in Tunisia and 3.4% in Turkey.

In the European Union Mediterranean Countries the contribution to agriculture production is about 6.7% (ranging between 3.9% in France and 12.5% in Spain).

However, Mediterranean Countries have a common history of trade and cultural exchanges. For instance, the production structure of the fisheries sector exhibits a remarkable homogeneity, strictly connected to bio-ecology and marine geology factors. Mediterranean Fishery is "multispecies-oriented" and the "fishermen know-how" makes use of a great variety of gears to catch a wide range of species, most of them having a high nutritional and commercial value. The ecological context of the Mediterranean resources gives fishermen continuous flexibility during the year, a *conditio sine qua non* to match profit in the different seasons.

Undoubtedly, Mediterranean fishery is a labour intensive and small–scale activity; differences with the north European social and technical context/organization are evident. Only a few boats can work in distant areas from the coast (for instance, for few specific target species as shrimp and bluefin tuna (*Thunnus thynnus*)).

In 2007, the total catch/aquaculture production of Mediterranean countries was 5.6 million tonnes (3.6% of the total world fishery production) considering the fishing areas of the Mediterranean waters, Eastern Atlantic (Moroccan fleets), Northeast Atlantic (Spanish and French) and the Western Indian Ocean (Egyptian, French and Spanish vessels). The total production of Mediterranean countries showed a growth rate of 6% in the period 1990–2007, but -8% in

the last seven years, showing significant differences between countries and fishing areas. For instance, a decreasing trend is evident for European Countries, both in the Mediterranean fishing area (-13%) and in the other fishing areas (-30%), as a result of EU Fishery Policy oriented to reducing the fishing effort.

An increase of 28% is also evident in the Mediterranean area and a 5% decrease in non-Mediterranean catches.

The consumption of fishery/aquaculture products showed a growth, both in the Third Countries (216%) and in the EU Mediterranean area (87%), in the period 1961/2005.

This trend is strictly linked to the increase in the population growth (176% for the Third Mediterranean Countries, 28% for the European Mediterranean Countries) and income levels. In 2005, the per capita consumption reached 18.43 kg/year. Turkey is a good example of this trend, with the largest growth linked to the GDP, population and fish production.

The importance of Mediterranean Aquaculture in global food production is also evident and confirmed with a growth rate of 130% (149% from Mediterranean waters, 126% from non-Mediterranean areas), in the period 1990–2007.

Marine aquaculture higher production is recorded in Croatia and above all in Turkey (from 5 700 to 140 000 tonnes). Egypt is in a leading position among the third Countries, with an increase in aquaculture production of 926% during 1990–2007 (currently almost 40% of the total for Mediterranean countries).

The knowledge on the benefits of fish consumption on human wealth is another factor that is contributing to the high demand of fishery and aquaculture products.

Regarding trade with the rest of the world, in the period 1990/2005 the Mediterranean Common Market heavily depended on imports of fish products to meet the domestic demand. EU-27 imported about 4.8 million tonnes from the rest of the world in 2006 (plus 8.1% compared with 2005), while exports fell to 1.5 million tonnes (less 8.8 %). In the area, the non-European Mediterranean countries tend to export molluscs, fresh and chilled fish and crustaceans, of a higher commercial value, to the EU; especially the Maghreb countries and Turkey benefit from the EU market demand.

The PESCAMED project results and the related **Country Reports** show that fishing associations in the Mediterranean Sea are variously organized and pursue different goals oriented either to the social component or to control and regulation of the activities, or to the entrepreneurial aspects of associations.

Some of these associations are deep-seated (hundreds of years) in coastal communities, with a consequent different level of recognition by the Institutions of each single Country.

For instance, the Italian Association, the Croatia Chambers, the fishermen cooperative in Syria and Lebanon, the *Groupement Interprofessionnel des Produits de la Pêche* (GIPP) in Tunisia, the owners' Associations in several Countries, are types of Associations both of public and private law, having institutional recognition, various levels of public support and various features and tasks: power to impose penalties, licenses management, biennial revision of guarantee systems and loans.

In other words, the nature of and the reasons for fishing Associations are country-specific and no single interpretation

can be applied to the different Countries.

In **Italy** (PESCAMED Country Report), commercial activities concern more than 140 species, but only 44 of them are statistically accounted. The highest catch value is recorded for anchovies (*Engraulis encrasicolus*), which is the most targeted species by the national fleet, clams follow, then hakes, squids and prawns. In 2008 the species that contributed the most to the total turnover was hake (*Merluccius merluccius*), which reached 92.57 million euro representing 9% of the national total production. Anchovies (*Engraulis encrasicolus*) are the second species accounting for 77.20 million euro. Squid, prawns and crayfish follow for a total amount of about 60-70 million euro. Considering the whole lot of Italian commercial species, only clams showed an income increase, mainly due to the good market price that was about 2.25 €/Kg in 2008, while it was 1.88 €/Kg the previous year. In general, Italian fishing companies do not target particular species, with the exception of fishing-vessels which catch sardine, anchovy, sword-fish (*Xiphias gladius*) and bluefin tuna (*Thunnus thynnus*).

Italian fishing is defined as 'multi-species and multi-gear'. The fishing systems, in compliance with what has been established by the regulations on fishing licences, are trawling, pelagic trolling, seine net fishing, and hydraulic trawls for molluscs, small scale fishery, and polyvalent fishing vessels. The national fishing fleet which is placed on the Fishing Licences Register in 2008 included 13,683 vessels for a total of 196,313 Gt and a power of 1,149 081 kW. According to the latest available data, in 2008 the full-time employees in the fishery sector were about 28,000, 15,600 of which being member workers of fishing cooperatives, 2,600 individual fishermen and more than 10,000 self-employed workers.

As compared to the previous year, in 2009 the total fishery production increased both in production (7%) and turnover (9%), and this is to be ascribed to marine fishing which reached 242,000 tonnes after the difficulties faced in 2008 (-18% compared with the previous year).

Commercial trends show a stable demand, the growth of unusual commercial channels (as large-scale distribution) and, finally, a constant increase of dependence on imports. Such trends are pushing the sector towards new management models based on the concentration of the market, product traceability, and improvement of quality.

As far as domestic consumption is concerned, after a long period at a standstill, in 2009 a slight increase was observed. Per capita consumption moved from 19.2 kg in 2008 to 19.6 in 2009. Globally speaking, in the last year consumption has increased by 3% in quantity, but only by 0.9% in value.

In Italy, the socio-economic importance of cooperative enterprises is evident in the production activities. The most important Cooperative Associations are currently AGCI/AGRITAL, FEDERCOOPESCA, UNICOOP and LEGA PESCA.

The firms owning the largest crafts (engine power and GT) belong to the ship-owners' organization of FEDERPESCA, which is a member of CONFINDUSTRIA (Italian Manufacturers' Association)

The role of the Italian Associations is basically that of trade union representation. Direct action in the field of production can only be by way of general support to the sector, such as pilot actions and promotional activities.

This type of activity speeded up considerably due to the European Union Structural Funds (FEOGA, FIGG, and curren-

tly the FEP) which permitted the establishment of the Unitary Consortiums (UNIMAR, UNIPROM, and UNICREDITO) set up by the Associations themselves. These funds (made up of 50% European funding and 50% national funding) enabled considerable strengthening of activities, such as the creation of Services Centres, technical assistance and research (UNIMAR), sector visibility and pilot projects (UNIPROM), financial support (UNICREDITO/UNIFI).

Undoubtedly, the Italian Associations have been able to use both national and international sources of financing, carrying out really original and innovative initiatives since 1994 and thus favouring their progressive consolidation in the country.

During these years, most of the Associations have expanded their operating structures in research and technical assistance. With regard to professional experience and the background of the experts who work for them (both as permanent staff and as freelance), these Institutions possess skills applicable to development programs, applied research and scientific dissemination.

The Italian Associations are fully and internationally recognized by Institutions and Public Authorities.

Dissemination and promotion activities are backed up by mass media: television programs, radio broadcasts, publication of periodicals, circulars and agency bulletins, etc. The Italian Associations are paying more attention than in the past to aspects related to information and communication. All the Associations have Internet sites.

As far as the Countries on the eastern bank of the Adriatic (Croatia, Montenegro, and Albania) are concerned, the situation is extremely varied, with several Associations operating there. An important role is played by the Public National Institutions Department which has been working for several years to support different forms of fishermen's Association.

For instance, in **Albania** (PESCAMED Country Report) a World Bank Project was aimed precisely at the development of trade Associations identifying, as a priority activity, the creation of regional and national Associations of fisher folk, which would have the task of planning fishery activities on the basis of the state of the resources, managing port equipment, participating in marketing.

There is no doubt that the international assistance provided, for instance, by the European Aid Fund, the World Bank and even FAO/AdriaMed, made an important contribution to the process of Association among fishery enterprises in Croatia, Albania and Montenegro.

In the period 2003-2005, the average per capita availability of fish products in Albania was 4.5 kg/year. In recent years, Albania has shown a decrease in the size of its fishing fleet. This resulted in approximately 212 boats in 2002 and 168 in 2004. Currently, the fleet consists of 174 boats. The fleet is mainly composed of crafts primarily carrying out fishing with trawls, i.e. approximately 62% of fishing boats. In addition to trawling, other fishing systems in use are pelagic trawl, seine and selective fishing with longlines and traps. Most of the boats (36%) have a length between 15 and 24 metres; 26% between 12-15 m. According to the most recent available data, the full-time employees in the fishery sector are about 2,400 fishermen.

In **Croatia** (PESCAMED Country Report), the total catches and production of sea fish and other sea organisms

amounted to 66,619 tonnes in 2009, which means an increased value by 11% compared to the previous year. Per capita consumption of fish at present time is lower in Croatia - only 5-9 kg/year; according to the data of the Croatian Central Bureau of Statistics, there are 3,886 authorized permits for commercial fisheries in Croatia (engaged in any activity of catching fish and other sea organisms for profit) and the total number of vessels in 2009 was 3,886 (42,883 GT and 299,037 KW).

Croatia has a long-standing tradition of Associations, with the Chamber of Crafts and Trade and the Chamber of Economy. They have a widespread territorial organization. The Chamber of Crafts and Trade includes small-scale fishermen and the Chamber of Economy includes the biggest fishery enterprises and mainly provides a service of information to members on various subjects such as, for example, legislation and access to credit. The Chamber of Economy promotes, represents and harmonises common interests of its members towards the government, estimates opportunities and conditions of economic growth, establishes business relations abroad, promotes business, development and innovation, runs company databases, provides education, assists in company transformations and common tasks of importance for economic activities.

In the Chamber of Economy, the Association of Fishery and Fish Processing groups together around 130 members engaged in fishing, farming and processing. The Association is a member of various international organisations, such as FEAP (Federation of European Aquaculture Producers). The Affiliations coordinate the interests of their members towards the ministries and promote different means of cooperation among the members. Affiliations exist within the Association, representing fishing, farming or processing. All affiliations are subordinate to the Association.

The annual production in **Montenegro** (PESCAMED Country Report) is 3,000 tonnes of fish, including 600 tonnes from freshwater fishing, 450 tonnes of farm-raised trout, 1,700 t from sea fishing, 50 t of sea bass and sea bream reared in cages and 250 tonnes of farm-raised shellfish. Fish consumption in Montenegro is almost the lowest in Europe and amounts to approximately 2-4 kg per capita, a very low value, considering the European average of 22 kg per capita. Fishing in Montenegro mostly consists of fishing at sea. The fleet is made up of 22 boats including 19 fishing vessels and a multi-purpose vessel (traditional and with seine net). All fishing vessels are licensed for the specific equipment used. 638 people are engaged in the fisheries sector in Montenegro, 443 of which work in freshwater fishing (437 full time and 6 part-time), 159 in sea fishing (91 full time and 68 part-time) and 36 in mariculture. Out of the 159 units working in sea fishing, only 120 are fishermen and 52 are professionals.

The two Associations of professional Fishermen in Montenegro are no-profit and are organized by professional fishermen, mostly owners of the vessels for large scale fishery. The Associations are organized in accordance with the Law on Non-Governmental Organisations.

In the period 2007-2009, the Ministry provided financial support to strengthen representative organisations and promote the establishment of a Producer's Organisation (PO). As a result of the funding made available, both marine fishers associations choose projects (selected by the fishermen themselves) to improve product quality and increase marketing potential.

The Ministry tends to closely involve the Associations in the decision-making process. Namely, the Law on Marine Fishery and Mariculture anticipates the establishment of the National Marine Fishery and Mariculture Council that shall

be responsible for the continuous monitoring of the status and development of fishery and mariculture and providing scientific and expert assistance in the decision-making process and development of fishery-related regulations, as well as other issues related to the enforcement of this Law.

In 2008, the total **Turkish** (PESCAMED Country Report) marine fish production was 453,000 tonnes. The number of fishery workers by sea product regions is actually 45,872: 16,673 of them are fishermen themselves and 20,486 are paid crews. The other fishery workers are partners and household members, working unpaid. The total number of fishing vessels registered in 2008 was 17,161. Fishing activity is mainly coastal, based on daily fishing trips. Major vessel types are seiners, trawlers and carriers vessels. These boats can be classified as industrial fishing vessels and their operation areas are mainly the Black Sea and the Sea of Marmara for seiners, the Mediterranean Sea for trawlers, while the small-scale vessels mainly operate in the Aegean Sea and in the Mediterranean Sea.

During the last years (1998-2008), per capita human consumption of fisheries products in Turkey has been 8 kg/year, which is over the value recommended by WHO (6.2 kg/year).

In Turkey, the existing co-operatives, Unions and Central Unions are an important element for the fishery management at central, regional and local level. Fishery co-operatives, fishery co-operative Associations, the Central Association of Fishery Cooperatives (SUR-KOOP) and Central and Regional Fishery Advisory Committees have an important role to play as representative stakeholder organisations as well.

The **Syrian** (PESCAMED Country Report) fishery sector is a minor segment in the economy of the country. The boat owners and fishermen are organized in small cooperatives grouped into five Cooperative Associations for marine fishermen, based in the main six fishing harbours (Tartous, Arwad, Banyas, Jableh, Latakia, and Albassit). The main purpose of these Associations is to ensure the protection of fishermen rights providing them with information and administrative support. For these purposes, the Association is supported by the General Union of Workers which, for the fishery sector, deals with the Department of Fisheries Resources (DFR) at the Ministry of Agriculture and Agrarian Reform.

In 2008, the fish landings from marine fisheries (Mediterranean Sea) amounted to 3,212 tonnes, which represent about 20.60% of total production. Basing on 2005 data, national fish production supplies the market with 0.925 kg per capita per year. Human resources directly engaged in capture fisheries, both marine and inland, are some 10,000, out of which 6,400 are full time, 1,700 are part-time and 1,600 are occasional workers. All the artisanal fleet is locally constructed, the majority of wood, while some are made of reinforced plastic and a very few of steel. The engines are mostly between 5 and 150 HP. Vessels over 12 m form 4.3% of the fleet. Some 525 fishers are beach-based, using beach seines, or swimming/diving to set the gear and collect the catch. The Syrian artisanal fishery is a multi-species fishery with multipurpose/polyvalent vessels operating a wide variety of gear in different seasons. Although licensed to fish in territorial waters, the actual activity of artisanal fishing vessels is restricted to the inshore area of the very narrow continental shelf. The so-called industrial fleet is not bigger than 25 vessels of 16–28 m LOA, 40–150 GRT and inboard engines of 120–660 HP which are licensed to fish exclusively outside the territorial waters.

The total fish production of **Lebanon** (PESCAMED Country Report) is 4,614 tonnes, 3,541 tonnes from marine natural resources and 1,073 tonnes from inland waters, with an estimated value of 23 million USD (SAUP, 2006).

Lebanon imports 75% of the total fish consumption (in fresh fish equivalent) including canned fish. Fish consumption per person in 2005 was estimated at 7.7 kg considering that the number of residents in Lebanon was 4.4 million people. The local production of fish covered 25% of the total quantity consumed. The 2004/2005 census showed that a minimum of 4,475 fishermen operate the fishing fleet; while the usual number is 6,480. This number increases to 9,575 fishermen during peak seasons. The 2004/5 census showed that the active fleet consists of 2,662 vessels, 217 vessels being not motorized. Fishing operations, with the exception of loglines, are mostly carried out at depths of up to 50 m. There are 34 fishermen's cooperative along the Lebanese coast, grouped under the General Cooperatives Union. Lebanese Fishing Cooperatives rarely comply with the applicable rules and regulations, generally operating according to the specificity of each port and its fishing community. Several cooperatives play active roles within the community; however, they are very often built on the involvement of individuals not being structured to work and function, as bodies, independently from the will and the vision of their most active figures. The practice of meeting and participating in decision-making process is rather absent.

The total fish production of **Egypt** (PESCAMED Country Report) is 1,067,630 tonnes (Fishstat 2008), 373,815 tonnes from fishery and 693,815 tonnes from aquaculture, with an estimated value of 10,814 million EGP. In 2008, the fish landings from the marine fisheries (Mediterranean Sea and Red Sea) amounted to 136 thousand tonnes, which represents about 13% of the total production. In 2008, the fish landings from the Mediterranean marine fisheries amounted to 88.882 thousand tonnes, representing about 8.30% of the total production. In 1991, the per capita consumption as reported by GAFFRD was 8.3 kg. It increased to 15.2 kg in 2001 and to 15.95 Kg in 2008, just over the international average reported by FAO of 14.5 kg per capita.

The total number of Egyptian registered fishing vessels operating in marine resources is 6,480 fishing boats, 4,089 units of these vessels are equipped with inboard engines of more than 50 HP up to 1,000 HP, using different fishing gears as trawlers, purse-seine, long-lines and trammel, gill nets.

The Egyptian fishing fleet operating in Mediterranean marine resources (year 2008) is 4,509 fishing boats (1,379 boats under sail), 2,900 units of these vessels are equipped with inboard engines of more than 10 HP up to 500 HP, using different fishing gears as trawlers, purse-seine, long-lines and trammel, gill nets.

In Egypt, the private sector of fishermen, vessels' owners and fish producers are represented by the Egyptian Cooperative Union for Fisheries Resources, which is partner with the governmental institutions in all the management measures. There are about 90 fishery/aquaculture cooperatives, with about 1,550 members. Also the Aquatic Union plays a role in the development of the fishery and aquaculture sector. Aquaculture cooperatives provide a variety of services to their members, including technical assistance, address issues of particular concern and provide support to credit requests of the members. All existing fishing cooperatives in Egypt must belong to the Federation of Fishing Cooperatives, run under the auspices of the GAFFRD. One of the main obstacles to the development of organized actions among small-scale fishers is that membership in almost all of these cooperatives is restricted to boat owners, the most influential of whom are elected to administer the cooperatives.

Attempts have been made to register alternative cooperative societies with the aim of better representing the demands of small-scale fishers, both boat owners and *arraqa*, literally "those who sweat" - who work for boat owners - for more favourable terms of work. Meanwhile, some fishing communities have registered "community development associations" with the Ministry of Social Affairs to provide basic social services: insurance against work-related injuries and death at sea, general health insurance and monthly retirement pensions.

The Egyptian Agribusiness Association (EAGA) is an Egyptian non-profit NGO which was established with the objective to serve the Agribusiness community through the support of the industry integrated clusters to represent, advocate and achieve their members' collective interests. EAGA also provides services to assist members to establish market excellence and sustainable international competitive position. Within the context of EAGA, several thematic Councils have been established, such as the Fish Council. The Fish Council was established in 2005 with the aim of representing the workers of the private sector in all disciplines related to the fish industry.

Another important aim of the Fish Council is to implement an information system and a map of fish investment in Egypt in order to allow Arab and foreign investors to invest in this Country. This information tool is also strategic as a support to small farmers and fishermen both from a financial and technical point of view.

Fishery and aquaculture production in **Tunisia** (PESCAMED Country Report) reached 100,500 tonnes, for an economic value of 361 millions of dinars for the producers (195 M€). Small pelagic species are the main species (*Sardina pilchardus*, *Scomber scombrus*) for about 50% of the total catches. Then followed by demersal species (about 44%) and other products (aquaculture and the big pelagic species). Per capita consumption is estimated to be 10.5 kg in 2009. According to the *Direction Générale de la Pêche et de l'Aquaculture* and to the *Direction Générale de la Planification Agricole* of the Ministry of Agriculture of Tunisia, the fishing fleets include 10,949 boats: 432 boats are equipped for trawling fish, 60 for tuna catching, 365 for sardines, 19 are mixed units. Apart from that, there are 10,073 boats for the small-scale fisheries.

During 2009, people engaged in fisheries were estimated to be 100,000, with 52,000 fishermen. In Tunisia, there is the Fishing Boat Owners Association (inside UTAPI/Union Tunisienne de l'Agriculture et la Pêche), which has the duty of looking after the interests of the Association. Working groups can be organized to convey the constraints of the sector to the Public Institutions.

In **Algeria** (PESCAMED Country Report), fishery production has increased during the last ten years by about 22%, from 113,000 tonnes in 2000 to 138,000 tonnes in 2008. Fish consumption increased from 3.0 kg in 1999 to 5.12 kg/ in 2006. According to official data, fishermen total number is about 34,046. Algerian fishing fleet can be divided into three main segments, as trawling boat, purse seine and, finally small scale fishery. Number of boats in 2003 was 3,292 units. In Algeria, the *Chambre Nationale pour la pêche et l'aquaculture* has been implemented and, currently, there are about 2,295 members. Apart from that, the professional association number increased from 78 to 119.

In **Morocco** (PESCAMED Country Report), according to official data, fishery production achieved 1,160,903 tonnes in 2008, from 570,000 tonnes in 1990. The main target products are *Sardina pilchardus*, *Encaulis encrasicolus*, *Scomber scombrus*, *Thunnus thynnus*, *Xiphias gladius*, and demersal species as prawns, lobster, crabs, squids, and octopus.

About 96% of the production is from Atlantic Ocean, where the stock is very rich, above all for sardine, mackerels, octopus, and anchovy. In the Mediterranean area the main products are mackerel and sardines.

Pro capita consumption is about 7.5 - 9 Kg. According to 2009 official data, fishermen number is 111,959.

Small-scale fishery increased from 3600 in 1981 to 15,428 in 2007. Currently, the number of small-scale fishery boats

is 14,291 units, of which 10,598 are working in the Ocean and 2,427 in the Mediterranean Sea. According to 2009 data, 1,509 are the big fishing boats in the Atlantic area and 331 in the Mediterranean Sea (633 trawling; 628 purse seines; 555 long line and 24 others).

Other fishing boats are involved in the frozen sector, about 338 boats are working in the Atlantic and only 1 in the Mediterranean Sea. These boats have a length of more than 24 m with 150 tonnes/capacity. The target products are above all cephalopods with export-oriented market.

Fishermen communities in Morocco are currently becoming more important due to the programs of the *Département des Pêches Maritimes* that launched several projects for supporting the fishermen cooperative organization at social and economic level.

The increasing demand for fish also highlights the need for the sustainable management of aquatic resources. The generally increasing trend in the percentage of overexploited, depleted and recovering world marine stocks compared with the decreasing trend in those that are underexploited and moderately exploited gives matters of concern.

PESCAMED was conceived to give an initial contribution to the promotion of Fishery Management in the Mediterranean Sea between the participating countries, in line with the Code of Conduct for Responsible Fisheries adopted by the FAO Conference on 31 October 1995. Today, also considering the recent social developments, the need for shared management decisions and approaches is more urgent than in the past. Any important national event can have a political, social and economic impact on the other Countries. It is enough to remark the emigration trend from the South to the North, the related social and economic implications in the EU countries, the trade and marketing management.

The Sector Associations can help find a solution to the sector constraints through training, information and media, services organization, innovation both for the production process and products, technical assistance and bank loans. In this context, some aspects can be traced out as tentative solutions to consolidate the sector, as diversification of activities, valorisation of production, optimization of the production chain, harmonization of the legislation and creation of international joint ventures. Private standards and certification schemes are becoming significant features of international fish trade and marketing.

Association and fishermen groups are one of the components of the fishery sector; they have relations with other important sector stakeholders which play a crucial role both in the Fishery Policy and the production and marketing phases.

The consolidation of fishermen's associations is strictly connected to the identification of fishermen's interests and their constraints/problems. It is also crucial to understand their capacity level and, finally, the possible actions to address the interests of fishermen groups.

Apart from that, identification of other stakeholder groups is also important/necessary to reduce any negative impact, problems/frictions during the actions related to the Association consolidation phase.

The following matrix gives just an example of simple stakeholder analysis, which is not intended to be an exhaustive approach.

Stakeholders	Interests and involvement in the problems	Capacity and motivation towards a change	Possible Sector Associations actions to address stakeholder interests
Fishermen syndicates	Lobby capacity	Improvement of lobby capacity	International Forum Consultations
Fishermen Cooperative	Economic/life level	Improvement of income	Marketing actions
Local Institutions	Policy approach	Local interests	International Consultations
Environmental Organisation	Environmental protection	Protection Policy	Resources protection plan
Environment Ministries	Environmental protection	Protection Policy	Biodiversity protection plan
Agriculture Ministries	Sector consolidation	Sector governance	Social approach
Research Institutes	Know-how and scientific research	Application-oriented research plan	Workshop/Seminars
Restaurants	Fresh products availability	High income	Consultations
Mediators	Fresh products availability	High income	Consultations
Consumers	Products quality and price	Human health	Marketing campaigns
Bank system	Credit lines	Credit volume	Technical assistance approach
International donor	Foreign Policy	Bilateral relationship	Visibility and Policy approach

New technologies can help meet fisheries management objectives, as proven by the wider use of the Internet and Geographic Information Systems (GIS). These can integrate diverse data and different perspectives, leading to comprehensive solutions to the advantage of all stakeholders. Effective linking of the international fishery community's expectations with the potentials offered by the Internet can also narrow the digital divide in fisheries science between nations.

The international cooperation and dialogue can open the discussion to the harmonization of technical and management measures, taking anyway into account the different policies of the Mediterranean States.

Based on the PESCAMED project outputs, the following table shows a matrix with the strengths/weaknesses and opportunities/threats, related to the Association system in the Mediterranean context. Moreover, this table is just an example of simple analysis, which is not intended to be an exhaustive picture.

Table 3. SWOT Analysis - Association system consolidation in Mediterranean context	
Strengths	Weaknesses
Linked with the production system	Port/local organization
Lobby linked to quality of products for human health	International quality standard knowledge
Fishery production as an environmental indicator	Lack of plan for self-sustainable fishing effort
Direct and indirect employment	Scarce market/prices control
Production as social development in coastal area	Fishery products price trend
Linkages between Institutions and production system	Lack of funds and technical expertise
Opportunities	Threats
Lobby consolidation by certification and labelling	Globalization of the markets and competition
Sea food per capita consumption increase	Competition from other food products
Marketing actions	Inability to expand and to exploit new markets
Appropriate integration in the natural environment, for making fishery a sustainable activity	High cost of environmental monitoring and protection systems
Identification of new markets (Middle East, USA, Asia)	International context
Use of collective actions to regulate the catching	Difficulties for collective action implementation
International Agency Forum (CGPM/FAO)	Technical contribution approach

According to the information and data collected during the project implementation and drawing up of the **PESCA-MED Country Reports**, the following final considerations are given:

- The role of Associations as stakeholders is becoming established in all the Countries. It is increasingly difficult to separate such a mandate, which rightly corresponds to the statutory objectives, from their involvement in technical aspects that allows them to be acquainted with the problems of the sector.
- The consolidation of Fishery Associations is partly linked to economic support, in order to be able to invest in human resources and start various types of assistance initiatives (technical assistance, pilot projects, tax and legislation). In fact, in all the Countries these cannot be borne by the fishermen members who, at the same time, request various types of services to update their production processes to the new concepts of sustainable, responsible fishing: information about laws and taxes, quality processes, access to financing and credit, management/self-management of fishable resources.
- The services offered by several Associations already go beyond the role of trade union representation, and extend to technical assistance, pilot projects, financial assistance and even applied research. This evolutionary process will probably take place in all Associations.
- Both Institutions and Associations are realizing the importance of viewing the sector in the widest environmental context, which is moreover exemplified in the contents of the Code for Responsible Fisheries published by FAO. Fisheries Policy is remarking the importance of sustainable and responsible management, leading to wider acceptance of the ecosystem approach to fisheries, as an integrated approach to correlate the sector economic need to the sea environment and resources protection.
- There is an equally widespread awareness of the importance of consumers and the need for adequate information about products and production processes. For instance, the standards required by the European market involve actions aimed at achieving "total quality" and professional and cultural growth of all the Mediterranean players.

- It is crucial to reinforce the capacity of all Associations in all the Countries. Specific projects have to be designed, identifying opportunities of funding, at both the national and international level (national funds, EU, bilateral and multilateral cooperation, World Bank).
- The possibility of funding presupposes a high level of project formulation and it is therefore desirable for all the Associations to consolidate/reinforce their technical structures to implement technical dialogue between all Mediterranean countries.
- The process of strengthening the technical process also depends on training approaches. For this purpose, training operations of "training to trainers" type could be organised. Once trained, these experts could assist the Associations in each national context and, in turn, assume the role of trainers or extensionists, planning for the Associations themselves and for their member enterprises.
- Information technology (the Internet, hardware and software) is making the exchange of information faster and easier and greater diffusion of information technology among the Associations of the area is desirable and, therefore, dedicated structures oriented to a permanent network should be created.
- International contacts are of fundamental importance, both by the Internet and "Stakeholders consultations/workshops". The establishment of the permanent Mediterranean Stakeholders\Association Forum should be assessed and proposed (improving the model offered before by Medisamak and now by EU/RAC), by implementing and establishing a regional, consultative, neutral forum for representatives of the Mediterranean fishing sector.



FINAL STATEMENT OF “PESCAMED” PROJECT

“A shared policy for sustainable fishery in the Mediterranean Sea”

On 27 January 2011 the final meeting of PESCAMED project was held in Bari. This is a project specifically directed to increase the knowledge base on Fishermen’s Associations and Fishing Unions in the Mediterranean. These crucial components of the “Fishery System”, that have an ancient history and whose culture and traditions meet and complement each other, need to be better known for them to become an active part in resources management, on account of the major environmental, economic and social role of the fishing sector.

This project, funded by the Italian Ministry of Agriculture, Food and Forestry Policies – General Directorate of Fisheries and Aquaculture, was mainly intended to study the world of fishery associations and the component of labour.

The reasons for this initiative are directly related to the major attention institutions and civil society give to the conservation of marine biological resources, being increasingly and rightly oriented to better preserve marine ecosystems; nevertheless, an equally urgent emphasis has to be placed on the problems of fishermen and fishing enterprises.

Fishermen’s associations and fishing unions should thus be better connected with each other to share a common vision on resources management by integrating top-down development-oriented policies with the needs of players and enterprises at the grass-roots level.

The program was structured into three steps: collection of information in different countries through the active participation of experts from various countries; training; and, finally, the conclusive debate based on a methodological approach aimed at highlighting and formalizing the contributions from the various country Delegations.

The results of the project are summarized in this Report which, because of the complexity of the topic, is not intended to be exhaustive but is shared by all participants.

This Statement has neither political purpose, nor does it imply any institutional responsibility for participants who are aware that this matter is a prerogative of the political authorities in charge within the relevant international institutions. However, some remarks and general recommendations were made and they can hopefully contribute to the process of rationalization of Mediterranean fisheries in the relevant institutions, and primarily within the GFCM (General Fisheries Committee for the Mediterranean).

During the final meeting of the PESCAMED Project, the Delegations (representatives of the Administrations of Albania, Croatia, Montenegro, Turkey, Syria, Lebanon, Egypt, Tunisia, Algeria, Morocco, Italy) shared a general set of remarks and recommendations addressed to all those who are somewhat involved in fisheries.

With a view to ensuring continuity to PESCAMED Project, the country representatives stress the validity and effectiveness of the participatory approach followed by PESCAMED and firmly hope for the opportunity to keep on dialoguing and exchanging experiences.

General Recommendations

- *The development of responsible and sustainable fisheries in the Mediterranean depends on the capacity to regulate the access to biological resources so as to ensure an effective restocking: such a strategy requires a wide knowledge-base on the state of biological resources of the seas and of marine ecosystems in general;*
- *The incidence of unregulated and illegal fishery needs to be known to complete the knowledge-base required to plan the fishery sector management;*

- *The world of fishery has to take in due account the multiple man-made impacts that might contribute to cause the decline of many fish stocks and thus need to be put on the agenda of international organizations, national institutions and professional organizations.*
- *The development of conservation measures requires a reconsideration of fishing practices, which should involve the use of more selective methods and shared regulation models on fishing effort and capacity, with equitable and effective control systems targeting environmental sustainability. Such a reconsideration, that can't be postponed any longer, inevitably has some effects on the social base, on markets and coastal communities and thus makes the socio-economic approach absolutely crucial and complementary to the ecological one. The players of this complex scenario are then the consumers, the States that hold the common goods represented by the resources, the fishermen who get benefits and job opportunities from their activity.*
- *Fishing enterprises and their organizations should play a leading role in the development and implementation of fishing policies through their Associations. Similarly, enterprises and their employees should be the active players for responsible fisheries through protecting rights and decent working and wage conditions (International Labour Organization of United Nations Work in Fishing Convention C188/2007).*
- *A flow of information between the organizations of different Countries, between national Governments and international organizations can be decisive to be acquainted with the positions emerging from the world of fishing enterprises and unions, with a view to pursuing the development of responsible fisheries that should integrate ecological, economic, social and legal components.*
- *The development of a shared network has to be based on the creation of tools that allow the best possible flow of information (database, network, etc.).*
- *A network ensuring players involved in fishery to give their independent contribution for the valorisation of professionalism in the Mediterranean has to be established to generate stable relationships between scientific institutions, national and regional Administrations, fishing Unions and Associations. The PESCA-MED website could become a Forum to collect the experiences from all the players of the fishery sector in the Mediterranean Sea.*

PESCAMED Project thus recommends national and international Institutions, Research Institutes, and non-governmental organizations the following operational priorities and proposals:

1. Carrying out studies on social and governance-related aspects of the "Fishery System" in the different geographic situations;
2. Developing networks that facilitate exchange of experiences and information aimed at setting up a set of common and shared rules for the sound use of shared resources;
3. Highlighting the ecological, technological and socio-economic characteristics of fishery in the Mediterranean to contribute to defining a specific code for responsible fishery in the whole Mediterranean basin;
4. Setting up a survey system for alien species in the Mediterranean;
5. Developing responsible mariculture to limit fishing effort for a better protection of marine resources;
6. Sustaining the fishery sector through diversification and the development of multi-functionality (leader-fishermen for recreational fishing, fishing in protected areas, fishery and tourism, food-related activities, educational and scientific activities, etc.) directly managed by fishermen, to ensure income sustainability of coastal communities.

Bari, 27 January 2011

DECLARATION FINALE DU PROJET "PESCAMED"

"Une politique partagée pour la pêche durable en Méditerranée"

C'est le 27 janvier 2011 que s'est tenue à Bari la réunion finale du projet PESCAMED qui visait à élargir la base de connaissance sur les Associations des Pêcheurs et les Organisations syndicales de la pêche en Méditerranée. Ces composantes essentielles du "Système Pêche", caractérisées par une histoire ancienne et dont les cultures et les traditions qui se rencontrent et se croisent, méritent d'être mieux connues pour qu'elles deviennent partie active dans la gestion des ressources, sachant que la pêche joue un rôle environnemental, économique et sociale tout à fait remarquable.

Ce projet, financé par le Ministère des Politiques Agricoles, Alimentaires et Forestières Italien – Direction Générale de la Pêche et de l'Aquaculture, a eu pour objet l'analyse du monde des associations de la pêche et de la composante du monde du travail.

Les raisons à la base de cette initiative sont directement liées à l'attention que les Institutions et la Société Civile prêtent au thème de la Conservation des ressources biologiques, avec une orientation croissante et tout à fait partageable vers la sauvegarde des écosystèmes marins, sans néanmoins détourner l'attention des thèmes relatifs aux droits des travailleurs-pêcheurs et des entreprises de pêche.

Les associations des pêcheurs et les organisations syndicales de la pêche sont appelées, donc, à interagir afin de partager une vision commune sur la gestion des ressources, en intégrant les politiques qui règlent le développement avec les exigences des communautés des acteurs et des entreprises de pêche.

Le programme s'est développé en trois phases: une phase de collecte des informations de base à travers la participation active des différents Pays; une phase de formation; et, enfin, une phase conclusive de débat basée sur une approche méthodologique servant à faire ressortir et à formaliser les diverses contributions des délégations des pays. Les résultats du projet sont résumés dans ce Rapport qui, pour une matière si complexe, n'a certainement pas l'ambition d'être exhaustif mais qui est tout à fait partagé par tous les participants.

La présente déclaration n'a pas de but politique, ni elle implique des responsabilités institutionnelles de la part des participants qui sont bien conscients qu'une telle matière est la prérogative des autorités politiques préposées dans les sièges ad hoc. D'autre part, les considérations et les recommandations générales qui ont émergé peuvent servir d'appui au processus de rationalisation de la pêche en Méditerranée de la part des sièges compétents et premièrement au sein de la CGPM (Commission Générale des Pêches pour la Méditerranée).

Lors de la dernière réunion du Projet PESCAMED, les Délégations (représentants des Administrations d'Albanie, Croatie, Monténégro, Turquie, Syrie, Liban, Egypte, Tunisie, Algérie, Maroc, Italie) ont partagé un ensemble de considérations et de recommandations générales adressées à tous ceux qui, à titre divers, s'occupent de la pêche.

En vue d'assurer la continuité du projet PESCAMED, les représentants des pays souhaitent avoir l'opportunité de garder des espaces de dialogue et d'échange en soulignant l'efficacité de l'approche participative offerte par PESCAMED.

Recommandations Générales

- *Le développement d'une pêche responsable et durable en Méditerranée dépend de la capacité de régler l'accès aux ressources biologiques pour en permettre la reconstitution: une telle stratégie requiert une large base de connaissance sur l'état des ressources biologiques des mers et des écosystèmes marins en général;*
- *L'incidence de la pêche illicite et non réglementée doit être connue afin de compléter le cadre d'informa-*

tions utiles à la planification de la gestion du secteur de la pêche;

- *Le monde de la pêche doit nécessairement tenir compte des multiples impacts anthropiques qui peuvent contribuer à l'épuisement de plusieurs stocks de poissons et qui nécessitent donc d'être soumis à l'attention des Organisations internationales, des institutions nationales et des organisations du secteur.*
- *La mise au point des mesures de préservation impose de repenser les modalités de pêche, en visant à des méthodes plus sélectives et des modèles de réglementation partagés pour les efforts de pêche et la capacité de capture, par des systèmes de contrôle à la fois équitables et efficaces orientés à la durabilité environnementale. Ces changements, tout à fait nécessaires et qui ne peuvent plus être différés, ont quand même des effets sur le plan social, sur les marchés et les économies côtières, ce qui fait que la clé de lecture socio-économique est tout à fait essentielle et complémentaire à celle écologique. Les acteurs de ce scénario si complexe sont, donc, les consommateurs, les Etats qui disposent d'un bien collectif représenté par les ressources, les marins-pêcheurs qui tirent avantages des ces activités du point de vue économique et de l'emploi.*
- *Les entreprises de pêche et leurs organisations jouent un rôle primaire dans le développement et la réalisation des politiques de pêche, par le moyen de leurs Associations. Les entreprises de pêche et leurs employés sont appelés à jouer un rôle actif pour le développement de la pêche responsable, dans le respect des droits, des conditions de travail et de rémunération décentes (Organisation Internationale du Travail des Nations Unies – C188 Convention sur le travail dans la pêche, 2007).*
- *Le flux d'informations entre les Organisations des différents Pays, les Gouvernements nationaux et les Organisations internationales peut être déterminant pour connaître les positions des entreprises et des syndicats, afin de poursuivre le développement d'une pêche responsable qui doit tenir compte des composantes écologiques, économiques, sociales et juridiques.*
- *Le développement d'un réseau partagé doit se baser sur la création d'instruments qui permettent d'aboutir au meilleur flux d'informations possible (base de données, réseau, etc.).*
- *Un réseau permettant à tous les acteurs du monde de la pêche d'intervenir librement pour la valorisation du professionnalisme en Méditerranée doit être mis en place afin d'engendrer des relations stables entre les Institutions scientifiques, les Administrations nationales et régionales, les Syndicats et les Associations du secteur. Le site de PESCAMED pourrait devenir un Forum servant à collecter les expériences de tous les acteurs de ce secteur en Méditerranée.*

Donc, le Projet PESCAMED recommande aux Institutions nationales et internationales, aux Instituts de recherche, aux Organisations non-gouvernementales, les propositions et priorités opérationnelles suivantes:

1. Mener des études sur les aspects sociaux et de gouvernance du « système pêche » dans les différentes réalités géographiques;
2. Développer des réseaux qui facilitent l'échange d'expériences et d'informations et qui aboutissent à un système de règles communes pour l'exploitation rationnelle des ressources partagées;
3. Faire ressortir les caractéristique écologiques, technologiques et socio-économiques de la pêche pour contribuer à définir un code spécifique pour la pêche responsable dans tout le pourtour méditerranéen;
4. Mettre en œuvre un système de relevé des espèces invasives exotiques en Méditerranée;
5. Développer la mariculture responsable afin de limiter l'effort de pêche pour une meilleure protection des ressources marines;
6. Soutenir le secteur de la pêche par la diversification et le développement d'une multifonctionnalité (pêcheurs-guide pour la pêche récréative, la pêche dans les aires protégées, la pêche et le tourisme, la restauration, les activités pédagogiques et scientifiques, etc.) gérée directement par les pêcheurs, afin de garantir la durabilité de revenu des communautés côtières.

Bari, 27 Janvier 2011

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PESCAMED



ALBANIA



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ACRONYMS AND ABBREVIATIONS

- EACs** Eastern Adriatic Countries
EEZ Exclusive Economic Zone
DOF Department of Fisheries at the Ministry of Agriculture and Food
FAO Food and Agriculture Organization of the United Nations
FISHSTAT FAO fisheries statistics
FRI Fisheries Research Institute
GDP Gross Domestic Product
IARs Italian Adriatic Regions
IFT Italian National Institute for Foreign Trade (ICE)
MEFWA Ministry of Environment, Forestry and Water Administration
MiPAAF Italian Ministry of Agriculture, Food and Forestry
MOAF Ministry of Agriculture and Food
O.A.S.I.S Open Adriatic Sea Integrated System
PFDP Pilot Fishery Development Project-World Bank
SMEs small and medium enterprises
WB World Bank

1. FISHERY SECTOR

Regarding the spectrum of data and information treated, project activities have targeted statistical data collection and processing issues related to marine fishing activities and to marine fishing units (vessels, gear, fishermen) operating in the Mediterranean areas. The oceanic fishery (distant water), sport, and recreational fishing, as well as aquaculture activities, have not been covered by the project. Nevertheless, we shall give a general overview of the whole Albanian fishery sector, to better comprehend the Mediterranean marine fishing sector.

The fisheries sector in Albania plays a considerable influence on the national economy and this is mainly due to the decline occurred after the collapse of the socialist regime.

Yet, the country has a remarkable potential for industrial development both for the maritime fisheries and the aquaculture sector. This is also due to its geographical location, coastline configuration, abundant inland water resources and proximity to highly developed markets which requires large quantities of fishery products.

The Nation is certainly experiencing a period of development in this sector, including through the intervention of international funds intended to finance cooperation projects, so the current trend is an increase in the economic weight of this sector.

The fishing activity mainly takes place in the area of the continental shelf, which extends for approximately twenty-five miles in the Northern part of the Country (Adriatic Sea) and only for 2-4 miles in its Southern part (Ionian Sea).

The seabed are sandy (sand and mud) in the north, i.e. in the Adriatic Sea, while they are more rocky and characterized by a greater depth in the South, i.e. in the Ionian Sea.

The Albanian fishing areas are therefore characterized by suitable sea beds for trawling in the Adriatic and Ionian Seas, as well as important coastal environments, such as the lagoons and lakes of Shkodër in the North and Butrint in the South.

Albania's prevailing fishery activity is sea fishing, although fish capture is also present to some extent in the inland waters and lagoons. Fishing is practiced all along the coast (450 km, including the territorial waters up to 12 miles off the coast).

There are also several lagoon areas, the most important of which are: Patok, Karavasta, Narte (Nartë), Gulf of Vlora (Vlorë), Gulf of Drini River (Kune & Vaini) and Lake Butrint.

A fair number of rivers flow into the sea: Buna, Devoll, Drini, Erzen, Ishmi, Mati, Osumi, Semani, and Shkumbin and Vjosa, which are all characterized by a relatively high level of sedimentation. From a biological standpoint, marine biodiversity is to be considered high. The studies carried out so far have identified 25 species of fish, 46 species of echinoderms, 104 of decapods, 84 of molluscs and 131 of multi-cellular algae (Gjijknuri, 1995).

Fishing activity is more important at sea, although the industry is suffering because of the low rate of investments and the effort needed to modernize and repair the existing fishing fleet. Investments are often private, by the same families who depend on fishing activities. There are still limited opportunities for credit due to stagnation of the country's growth and modernization.

1.1 Production

The main species caught are: hake, red mullet, cuttlefish, squid, gilthead sea bream, sea bass and pond-reared shrimp. Another important production of the Country is eel fishing in Lake Shkoder and the lagoons. The Albanian coast is indeed characterized by the presence of important coastal ponds: Vilun, Kune, Patok, Orikum, Narta (Nartë) and Kavastase.

Over the last years aquaculture development has been boosted, especially with regard to the production of carps and other species destined for direct consumption (including sea farms).

Table 1. Catches in metric tons from 1990- 2008 are shown in the following chart by water category 1995-200

No.	Water category / years	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
I	Total (1+2+3+4)	1421	1486	1005	2664	2752	3075	3410	3654	3703	4098	4443	4546	4887	4692
1	marine (a+b+c)	991.8	1259.9	715.8	1847.4	1485	1613	1466	1956	1921	1722	1752.3	1932	1974	1911
a	Trawler	691.5	845	652.2	1602.4	1313	1410	1190	1721	1611	1632	1645	1791	1815	1438
b	Pelagic	239.4	263	48.6	216	140	60	120	80	80	43	50	74	87	451
c	Purse seiners	60.9	151.9	15	29	32	143	156	155	230	46.7	57.3	67	72	22
2	Coastal	55.4	96.6	149.6	240	400	90	116	90	95	67.2	240.3	254	473	482
3	Lagoon	116.4	79	80	225.6	240	174	240	235	175	428.1	270.1	282	295	287
4	Internal waters	257.3	50.2	60	351	627	1198	1588	1373	1512	1881	2179.8	2078	2145	2012
II	Aquaculture				20		15	35	108	167	683.9	724.6	1470	1430	1490
III	Mollusc farm	300	200	104.4	0	200	200	150	350	860	720	1250	1360	1042	950
IV	Bivalve (Captured)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total (1+2+3+4)	1721	1685.7	1109.8	2684	2952	3290	3595	4112	4730	5502	6417.1	7376	7359	7132

(source: Directorate of Water Resources and Fisheries)

1.2 Trade: import and exports

Fishing in Albania offers highly valuable products, so that many industry operators have focused their activities on exporting to the Euro zone. Exports of fishery products constitute 32.5% of the agricultural sector and 1.8% of the total merchandise exports. Quantitatively, exports of fishery products in 2003-2005 amounted to 4.382 tons / year.

Albania exports its product fresh, thus giving a significant contribution of foreign capital to the national economy. It is estimated that half the production goes into the common European market, mainly to Italy and Greece. That is why several commercial companies for the storage and processing of fish destined to local or foreign markets, have been recently established.

In 2006 exports reached 3,119 ton by the value of 20,3 million (Euro). while imports approximately 16.347.000 (USD). Imports of fishery products between 2003-2005 scored an average of 3,990 tonnes by the value of 6,5 million (Euro).

1.3 Pro capita consumption

In the period 2003-2005, the average per capita availability of fish products in Albania was 4.5 kg / year.

1.4 Fishing Harbours

Landing activities are mainly concentrated in four major landing ports, namely: Durrës, Vlora (Vlorë), Shengjini and Saranda.

The distribution of the fleet by port and engine power for 2009 (Fishery Vessel Register – MEFWA – December 2009), is shown below:

Table 2. Fleet according to port and engine power 20

Hp group	Ports				All
	Durres	Sarande	Shengjin	Vlore	
<= 60	3	14	1	15	33
61 / 120	10	6	6	18	40
121 / 200	14	5	6	15	40
201 / 300	46	4	18	18	86
> 300	38	5	19	19	81
TOTAL	111	34	50	85	280

Fishery Vessel Register – MEFWA – December 2009)

1.5 Fishing fleet

Albania has seen a decrease in recent years in the size of its fishing fleet. This resulted in approximately 212 boats in 2002, and 168 in 2004. Currently, the fleet consists of 174 boats.

The fleet is mainly composed of crafts primarily carrying out fishing with trawls, i.e. approximately 62% of fishing boats. In addition to trawling, other fishing systems in use is pelagic trawl, seine and selective fishing with longlines and traps. Most of the boats (36%) has a length between 15 and 24 metres; 26% between 12-15 m.

By comparing the distribution of the fishing fleet according to ports and engine power, Durres and Shengjin result to be the two most important Albanian ports. This indicates that the fishing activity in these two ports is more industrial, characterized by bigger vessels spending a longer time at sea for professional fishing. The large vessels in these two ports conduct fishing activities over a span of several days on the 150-300 meter isobath, while the smaller vessels, operating in each of the four ports, carry out daily fishing in the areas near their ports on the 50-150 meter isobath level.

Four types of fishing equipment is used, namely:

- Bottom otter trawler
- Purse seiners
- Trammel nets and gill nets
- Hook line

Equipment distribution by fishing port is shown below:

Table 3. Distribution of fishing vessels according to the type of vessel and fishing ports (according to Fishery Vessel Register – MEFWA – December 2009)

Durrës	Vessel Type	Vessel Type	Qty
	Trawlers	Fundore	100
	Gill netter	Selektive	10
	Multi-purpose	Shumeperdoruese	1
			111
Saranda	Vessel Type	Vessel Type	Qty
	Purse Seiners	Pellagjike	4
	Trawlers	Fundore	9
	Gill netter	Selektive	21
			34
Shëngjin	Vessel Type	Vessel Type	Qty
	Purse Seiners	Pellagjike	2
	Trawlers	Fundore	41
	Gill netter	Selektive	7
			50
Vlora	Vessel Type	Vessel Type	Qty
	Purse Seiners	Pellagjike	10
	Trawlers	Fundore	46
	Gill netter	Selektive	29
			85
		Grand Total	280

1.6 The employment in the fishery sector

Albania has seen a decrease in recent years in the size of its fishing fleet. Actually about 2.300 persons are employed in marine fisheries.

Table 4. Estimated Employment (2009):

(i) Primary sector (including aquaculture)	4 800
(ii) Secondary sector:	1200
Gross Value of Fisheries Output (2002):	\$US 18 million
Value of Fisheries Imports (2009):	19.494.799 Euro
Value of Fisheries Exports (2009):	23.221.934 Euro

About 600 fish farmers are estimated to be employed in aquaculture. Marine aquaculture and mollusc culture employ around 250 fish farmers amongst whom 50 work part-time. Fish farmers employed in inland aquaculture are estimated to be 350; which are involved in trout and shrimp culture, in agricultural reservoirs and in natural and artificial lakes.

A socio-economic observation in fisheries was realized in 2004 within the Adriamed Project. Its main objective was to have a realistic framework of the socio economic features of Albanian fisheries.

Starting from the analysis of the data, the results can be so summarized: the educational level of fishermen is low. In fact about 55% attended elementary school (8 class school), 43% obtained middle school certificates and only 3% have a university degree. The fishermen job is not only limited to pure fishery activities, but other issues play an important role as: maintenance (58%) , engine motor keepers (39%), vessel cleaners (27) and extraordinary maintenance of vessels (13%).

Table 5. Main Indicators of marine fisheries (structural and technical) in Albania

Capacity, activity, manpower and catches.					
Fishing Port	N° of Fishing vessel.	Power (HP)	Days at the sea	Fishermen	Landings ton
Durres	104	31541.1	8.051	329	1006.74
Sarande	33	4512.92	4.110	104	157.92
Shengjin	48	14273	5.668	152	394.8
Vlore	84	16671	4.612	265	414.54
TOTAL	269	66998.02	22.441	850	1974

Table 6. Main Economic Indicators of marine fisheries in Albania – million lek

Fishing Port	Production Value	Intermediate Cost	Added Value	Crew Percentage of soc. assurance.	Gross cash flow
Durres	629.2125	302.022	317.125	231.725	95.465
Sarande	98.7	48.363	48.363	35.175	15.1625
Shengjin	246.75	118.44	127.9125	91.45	36.86
Vlore	259.0875	124.362	149.2375	109.5875	25.1375
TOTAL	1233.75	593.187	642.638	467.9375	172.625

Table 7. Main Economic Indicators of marine fisheries in Albania in 000 €

Port	Production Value	Intermediate Cost	Added Value	Crew Percentage of soc. assurance.	Gross cash flow
Durres	5033.7	2416.176	2537	1853.8	763.72
Sarande	789.6	386.904	386.904	281.4	121.3
Shengjin	1974	947.52	1023.3	731.6	294.88
Vlore	2072.7	994.896	1193.9	876.7	201.1
TOTAL	9870	4745.496	5141.104	3743.5	1381

(Exchange course 1€ = 125 leke).

Table 8. Intermediate expenditure

Port	Fuel and oils	food	maintenance	Other costs	Total
Durres	72,09%	10,48%	14,49%	2,93%	100,00%
Sarande	65,46%	9,98%	20,27%	4,28%	100,00%
Shengjin	71,84%	10,52%	14,66%	2,97%	100,00%
Vlore	68,63%	11,35%	16,62%	3,40%	100,00%
TOTAL	70,71%	10,61%	15,52%	3,17%	100,00%

The table below shows that the number of primary fishermen has remained quite stable over the years, despite several variations.

Table 9. Fishermen number in Albania

Year	1975	1980	1985	1990	1995	2000	2005
Fishermen	2.800	2.800	3.300	4.005	1.280	2.800	2.400

1.7 Institutional organisation

The Ministry of Environment, Forestry and Water Administration is one of the authorities responsible for fisheries.

The Ministry of Environment, Forestry and Water Administration (MEFWA) covers institutional tasks related to the development and proposal of policies, strategies and action plans aimed at implementing protection and management measures for the environment (forests, waters and fishing).

The goal it pursues is to achieve such level of sustainable development as to allow the country to join the European Union. The realization of this mission is pursued through participation, starting up and coordination of activities aimed at sustainable and long-term development and welfare for the population.

In collaboration with the Minister, the Deputy Minister for Fisheries, the Secretary General and the Director General develop strategic guidelines for the sector in accordance with the policies approved by the Government.

The Fisheries Administration is organized in an area within the Directorate for Water and Fishery Policies, with a supervisor and two specialists.

Furthermore, within the structure of the Ministry, under the Directorate for Environmental Control, the Fishery Inspectorate was instituted, with a supervisor and two specialists and including 23 subordinate local inspectorates.

Under the supervision of the Directorate for Water and Fishery Policies there are two fish hatching plants, one fish Capture Company and one mussel breeding company in Sarande.

This business is composed of 16 persons with representatives in all four fishing harbours and its administration is based in Sarande.

The ex Fisheries Research Institute (FRI) now under the Agriculture University; called "The lab for Fisheries and Aquaculture" is responsible for carrying out the assessment of marine resources.

Within the MEFWA there is the Directorate for Water Resources and Fisheries which has overall responsibility for the fishery sector.

In addition, it has been agreed that there should be a certain number of institutions as fishery stakeholders in the co-management plans pursuant to Article 31 of the Decision of the People's Assembly, Resolution n° 8870 of 21.3.2002, «Amendments to Law n° 7908 of 05.04.1995 on Fisheries and Aquaculture».

These include the Local Advisory Committee on Fisheries and Aquaculture and the Ministry of Environment.

The competent Authority from the institutional point of view was defined with Law n° 77941 of 31.05.1995, and is included in the Ministry of Agriculture and Food (Decision of the Council of Ministers of n° 646 of 10.11.1995).

Albania is divided into 12 Provinces / Regions, each with a Director General for Agriculture directly appointed by the Minister.

Thus the institutional structure is organized as follows:

- Ministry of Agriculture: Directorate for Veterinary Services;
- Veterinary Research Institute (IKV) in Tirana;
- The Laboratory for Fishery and Aquaculture, under the Agriculture University;
- District Veterinary Offices;
- Municipal Veterinary Services.

A pilot project for fisheries development was started, aiming at increasing the economic and environmental sustainability of the exploitation of marine and lake fishing resources by improving the management of the sector.

This result was achieved through the introduction of a co-management system based on the collaboration of local communities, strengthening public institutions, improving the management of fishing ports and implementing targeted interventions on port facilities. The project also provided an increase in the aquaculture activity using low-cost farming techniques. The project was implemented in the four main ports of Durrës, Vlorë (Vlorë), Saranda and Shengjin, as well as in the lake ports of Lake Ohrid and Shkodra.

Fishermen and their families were the beneficiaries of the project's activities.

1.8 National development strategy

In 1999 the Government developed a plan for the fisheries sector as part of a broader strategy for the farming industry (Green Strategy) which includes the following pillars.

- Sustainable development of fisheries at sea and inland waters.
- Restructuring and modernization of productive activities, commercial network, of fisheries and fishing ports.
- Sustainable increase in production both for marine and freshwater aquaculture.

The first National Plan for the fisheries sector issued in 2004 covers both catches and aquaculture within a context of transition where all industries belonging to the fishing production chain are engaged for the restoration of its production capacity.

The second Plan: The Management Plan on Fisheries and Aquaculture: Blue action. (2011-2013). This Plan is approved and it is prepared according to the Strategy of fisheries and aquaculture Development.

2. ASSOCIATIONS

There are 13 Fisheries Management Organizations (FMOs) in Albania. Articles 31/1 to 31/19 of Law No 7908 of 5.4.1995 provide rules for the establishment of FMOs within the state administration. FMOs are private juridical entities established according to the Civil Code, for activities in the fishing sector.

An FMO is a voluntary union of members composed of owners of fishing entities (ship-owners, establishments, or other subjects), and non-owners. The non-owner members are captains, engineers, or fishermen with at least 2 years of fishing experience. The proportion of votes within the FMO is 3/5 for the owner members and 2/5 for non-owners (Article 31/2 of Law No 7908 of 5.4.1995). An FMO is composed of a General Assembly (the main organizational decision-making body), and an Administrative Council (the FMO managing body).

Ports, fishing centres or the structures related to fishing activity may be assigned to FMO management. Any geographically determined body of water within Albania can be declared a "co-management area" and managed by an FMO according to the co-management plan.

The law provides that each co-management area may have only one FMO.

A co-management strategy has the following major objectives:

- Promote the exploitation of fishery resources, based on sustainable development, ensuring at the same time adequate levels to fulfil actual and future needs;
- Preserve and maintain the quality and natural diversity of the fishing resources;
- Promote proper fishing technology;
- Avoid surplus in fishing capacity.

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Institutional framework

Different public authorities are involved in the regulation of the fishermen working conditions in Albania. As described above, the management of fisheries is under the responsibility of the Fishery Directorate (FD) which is under the control of the Ministry of Agriculture and Food (MoAF).

However, the regulation of labour aspects in the fisheries sector falls under the general competence of the Ministry of Labour, Social Affairs, and Equal Opportunities (www.mpcs.gov.al) which is also responsible for the general supervision of unemployment benefits and family allowances system. Additionally, some other Ministries are involved in the management of the social insurance system such as the Ministry of Finance and the Ministry of Health Protection.

The Ministry of Finance and a tripartite Administrative Council provide a general supervision for the pension system (old age, disability and survivors). Regarding sickness and maternity administrative organisation, the Ministry of Finance and the Ministry of Health Protection provide a general supervision. And finally, the Ministry of Finance provides a general supervision for the work injury related issues.

Albania has created the Social Insurance Institute (www.issh.gov.al) with the decision N°249 of 15 June 1992 which is responsible for the management of the social insurance system and directly comes under the control of the Council of Ministers. Among its duties, the Social Insurance Institute collects the contributions for unemployment, administers the program for work injury and sickness and maternity benefits.

As far as unemployment concerns, the National Employment Service is responsible for administering the benefits. Regarding sickness and maternity, the Health Insurance Institute (www.isksh.com.al) administers the medical benefits. And finally, regarding family allowances, the General Administration of Social Assistance and Services manages the program at district level.

The high labour inspection is the most important Department responsible for the control of the labour market within the Country. In each Albanian town, a work office has been established to deal with the questions of employment and unemployment.

The law n° 7986 of 13th September 1995 on labour inspection set the general missions including to watch over the respect of the labour law, of the right to the social insurance system, of the safety and health conditions at work.

The labour inspection is also responsible for the control of the workplace, to inform the employers and the employees. Finally, it can take the necessary administrative measures if the working conditions set by the law are not respected. The law n° 9634 of 30th October 2006 on the labour inspections services regulate the labour inspection system and determine the competences and duties of the labour inspector and controller. The inspection law also contains several provisions on the rights and obligations of employers and employees, on the obligation for the labour inspection services to provide information and on sections and procedures. Anyway, there are no specific legislations in Albania setting particular labour rules peculiar to fishermen working conditions or establishing a specific social insurance system assigning special rights.

In the absence of such special legislations, the labour relations in the marine fishery sector are regulated in Albania by the Labour Code (Law no. 7961 of 12.7.1995, amended). The Labour code introduces the fundamental rights of the workers such as the prohibition of compulsory work, discrimination at work, and it proclaims the freedom of trade union. It also defines the notions of contract of employment, group contract and part time labour.

The labour Code also foresees provisions related to special contracts. "The Council of Ministers may provide special rules about the employees working at home, in agriculture, construction, transports, mines or ports, and about the temporary employees". It sets the rules for both individual labour contract and collective contract of employment. It also lays down the employee's obligations and responsibility (prohibition against competition after the termination of labour relations) and the employer's obligations and responsibility (protection of personality, certificate of labour, checking of personal possessions).

It also included provisions on safety and health protection at work, on the duration of work and breaks, on leaves and salary (setting, payment and protection). It also foresees some special measures for the protection of young workers (minimum age, medical check, night work, difficult or dangerous jobs) and women (maternity leave, prohibition of work for pregnant women, adoption leave, night work).

The labour code also sets the rules concerning the absences of employees in case of sickness or accident, in the situations where employees are putting at disposal, transfer of work relations, termination of work relations for both contracts of undefined or defined duration. Finally, it contains provisions on the settlement of disputes, on trade unions (organization, creation and dissolution) on labour administration and on sanctions.

For its implementation several laws, Decision of Council of Ministers (DCM), Ministerial Regulations have been issued.

Regarding the social insurance system, the basic is the Law n° 7703 of 11th May 1993 amended on Social Insurances in Albania. This Law contains some provisions on compulsory insurance, on voluntary insurance and on private social insurance. It includes several measures on special state pensions and sets a list of persons who could benefit from social insurances (foreigner workers and Albanese citizens working abroad). It also sets a list of contributions to be paid, their amount, as well as their collection. It foresees the conditions and requirements to receive the sickness benefits, maternity allowances, unemployment benefits (sum, duration). It includes some provisions on pensions (old age, disability, and survivor) and foresees the payment of indemnities in case of occupational accidents or diseases. It foresees that the management and administration of the social insurances should be ensured by the Social Insurance Institute. It defines the different procedures especially the payment of contributions.

3.2 Organizations of representation

There are no trade unions involved specifically in the fishery sector. Actually, the Fishery Management Organizations (FMOs) are the only structures that aggregate professional fishermen. However, they do not act as trade unions. The right of employees to form and join trade unions stems from:

- article 46 and article 50 of the Constitution of the Republic of Albania.
- convention No.98 of the International Labour Organization (ILO), for the right of organization and collection negotiation.
- article 176/1 "Professional Organizations" of the Labour Code of the Republic of Albania. This article clearly

provides that trade unions are independent professional organizations that are created as voluntary unions, the purpose of which is representation and protection of social, professional and economic rights of their members. In the sense of this provision, retired persons and the unemployed can be members of the organizations of employees, however they cannot create trade union organizations.

To guarantee the freedom of exercising this right, Labour Code provides measures to create facilitating and penalizing conditions so that a trade union organization could exercise its activity independently.

Thus, the trade union organization exercises freely its activity in accordance with its statute and legislation in force. Every intervention of the employer and the state in the trade union activity is prohibited.

In cases of intervention in the union activity from employers, as well as abuses with the leaders of trade unions, these provisions foresee sanctions towards employers up to 50 times the monthly minimum salary.

According to article 186 of Labour Code «Intervening actions from the employer or from an employers' organization», the following actions are considered interventions:

- Measures that urge the establishment of employees' organizations that are dominated from one employer or an organization of employers or that support employee organizations with financial or other means, in order to place these organizations under the control of an employer or organization of employers;
- Obstruct establishment, functioning or administration of a trade union; damage the employee because of his/her union activity, discriminating him/her.

Also, leaders of trade unions, based on the law, benefit of special protection from abuses by employers (article 181 "Union Freedoms"). Basing on this law, the employer does not have the right to change the conditions of the labour contract, job position or to solve the job contract without their consent and the consent of the trade union, with the exception of the cases when these changes are forced by the indispensability of the enterprise activity, or when the law is violated or the individual or collective labour contract is broken.

The right to protect the job position for the leaders of trade unions in all the country, the labour contract of whom is suspended during the exercise of their mandate, has been sanctioned in the labour law. At the end of the mandate, the employer is obliged to hire them again and the labour contract renews into force. Article 181/7 provides the necessary conditions and facilities for the elected representatives of unions during the normal exercise of their functions, which should be also foreseen in the collective job contract. In the last two years (2007-2008), a special project has been undertaken for the organization of regional seminars, with representatives of regional employer organizations, as well as bigger state and private employers, and regional labour offices regarding knowledge and application of the Labour Code of the Republic of Albania. The purpose of these seminars, which will continue to be held during 2009 is getting the regional partners and especially the employees to become familiar with their legitimate rights in labour relations, including the right to be organized in a trade union (UN, 2010).

3.3 The collective labour agreement

The labour Code (Law no. 7961 of 12.7.1995) sets the rules for the conclusion of collective contract of employment. It

defines the collective contract and foresees that «Upon the order of the Minister of Labour, the effects of the collective contract may include all the employers of the branch when the employers bound through the collective contract employ at least half of the employees of the branch».

The Code includes measures on the demand to have talks on binding the collective contract, on the recognition procedure of the most represented organisation or organisations of the employees, on negotiations, mediation, arbitration, on the form, on the deposition, on the changing and renewal, on the effects on third parties, on the settlement of disputes, on its effects on the individual contracts of employment, on its duration, on the consequences of its termination.

However, there are no collective agreements in the fishery sector in Albania. In the meantime, there are no collectively agreed wage and cost of labour.

The labour relations in the marine fishery sector are regulated in Albania by the Labour Code (Law no. 7961 of 12.7.1995, amended). Differently from some other Mediterranean Countries, there are no specific labour regulations applying to fishermen in Albania. In consequences, in the absence of such special regulation, the basic law applies for a general description of the Labour Code .

3.4 Engagement

The provisions of the Labour Code are applicable for all the contracts of employment, which will be bound after its entering into force. Consequently, the labour contracts concluded in the fisheries sector are also concerned and regulated by this Labour Code.

Additionally, Albania has adopted in 1993 the Order n°5 on the mentions which should appear on the contract of employment.

The Labour Code includes some provisions on the capacity to conclude an employment contract, on the form of the contract of employment, on the termination of contract in case of a contract of undefined duration and in case of a contract of defined duration and on the immediate termination of contract. Regarding the minimum age, the Labour Code foresees that "the employment of the children under the age of 16 is prohibited" .

The Labour Code also include some provisions on difficult or dangerous jobs which state "that only the adults over 18 years of age may be employed to carry out difficult jobs or jobs that pose danger for their health or personality». The Code also forbids to carry out night work for employees under 18 years of age and those recognized as invalids on the basis of the medical report and in accordance with the law on social insurance. Moreover, children under 18 years of age must be employed only when they are recognized as capable of working after a complete medical check.

The labour Code also foresees a special protection for women.

Regarding the form of the contract of employment, the Labour Code foresees that the contract may be concluded or changed either orally or in a written form. It may be changed only if the parties agree to do so. Any change of the written contract to the detriment of the employee, must be executed in a written form. The contract of employment is considered as concluded when the employer accepts the carrying out of a job for a definite or indefinite period of time

within the framework of his/her organization and under his/her orders, and which, on the basis of these circumstances, is carried out against payment.

Regarding the content of the employment contract, the labour foresees that the contract concluded in a written form must particularly include:

- the identity of the parties;
- the workplace;
- the general description of the job;
- the date of starting the job;
- the duration, when the parties enter into a contract of defined time limits;
- the duration of paid vacations;
- the notice deadline to terminate the contract;
- the constituent elements of the wage and the day on which it is given;
- the normal time of the working week;
- the contract of employment must contain the collective contract in force as well.

When the contract of employment is concluded orally, the employer, within 30 days, starting on the day of the concluding of the contract, is obliged to compile the written relevant document bearing his/her signature and that of the employee, which particularly contains the elements as provided above. Failing to compile this document in a written form shall not affect the validity of the contract, but it only makes the employee responsible as defined by Article 202, point 2, of the Labour Code.

3.5 Remuneration

Legal determination of the minimum salary is provided in the Labour Code, approved in July 1995, according to which the minimum salary is determined by a decision of the Council of Ministers. This process also foresees the negotiation with social partners through the functioning of the trilateral Salary Committee off the Labour National Council. After the trilateral agreement for the minimum salary, the Minister of Labour makes the proposal in the Council of Ministers (UN, 2010).

Albania has adopted the Order n° 245 of 27 April 2006 on the setting of the minimum national salary. The Order sets the minimum monthly salary at 14.000 Leke for 174 hours of work per month.

Additionally, the Labour Code contains an entire chapter on wage. The Code foresees that «the employer pays the employee the wage in accordance with the provisions of the collective contract or the individual contract, or if this is not the case, the employer is obliged to pay basic wage for that particular kind of job». The article 11 states that «when, on the basis of the contract, the employee enjoys the right to benefit a certain service in relation to the result of exploitation, this will be calculated on the basis of law and the generally recognized commercial principles». This means that the practice called share of the catch» can be applied to the fisheries sector as it is often the case in other Countries. However, it was not possible to verify if this kind of remuneration is applied in Albania. The labour code also foresees the possibility for the employer to give the employee a special reward in addition to his/her salary at the end of the year.

Finally, the Code includes some provisions on the payment, subtractions from salary, modalities of payment, wage

calculation, interest rates in case of delay and the protection of the salary.

The salary of fishermen is related to production (in %). As a result there are big differences in the salaries of fishermen and between the fishermen crew in different fishing vessels (those bigger and those smaller).

The perception of economic situation in which the fishermen lays is: over 60% of interviewed gives a negative evaluation, 22% give not good enough, while 16% is not able to answer.

3.6 Working hours

The normal duration of the weekly working time is no longer than 40 hours. It is defined by the decision of the Council of Ministers in the collective or individual contract of employment. The Council of Ministers determines a reduced weekly duration for jobs that are difficult to do or harmful to health.

The labour Code foresees that the normal daily duration of work is no longer than 8 hours. For the employees under 18 years of age, the daily duration of work is not longer than 6 hours a day. The daily break is at least 11 hours a day without interruption within the same day or, in case of need, two consecutive days. The Code also contains some provisions on night work and extra payment added to salary. The Code also includes some measures on extra hours which have to be compensated and sets the maximum duration of the extra hours.

3.7 Breaks and rest

The Labour Code foresees that the weekly holidays are not shorter than 36 hours, out of which 24 hours without interruption. The weekly holidays include Sundays and are not payable. However, the exceptions are regulated by the Decision of the Council of Ministers. Additionally, as a rule, work is prohibited on official red-lettered days.

The employee enjoys the right to payment on official red-lettered days. The exceptions to work on official red-letter days are also defined by the Decision of the Council of Ministers or in the collective contract of employment. Finally, it states that «the work done on Sundays or on other official holidays, shall be compensated with a wage increase not less than 25% or with a leave from duty equal to the duration of the performed job plus an additional leave from duty not shorter than 25% of the duration of this job, which will be taken one week before or after it has been carried out».

3.8 Leaves

The Labour Code foresees that the duration of the annual vacations with pay is defined by the collective contract or by the individual contract of employment. The duration of the annual vacations is not less than 4 calendar weeks over an year of work. When the employee has not completed a full year of work, the duration of the annual vacations with pay is defined in relation to the duration of labour relations. The periods of temporary disability to work are considered as working time.

It also contains some provisions on the date of annual vacation, salary and on other vacations. In the case of marriage or death of any of the spouses, of his/her direct predecessors and descendants, the employee benefits of 5 days of paid leave. In the case of the serious sickness of his/her direct predecessors or descendants, which is certified by

medical report, the employee benefits of no more than 10 days of paid leave. Finally, the Code states that the Council of Ministers sets specific rules in favour of the juridical and physical persons to the extent that their specific situation makes it necessary. The fisheries sector can be concerned by such specific provisions.

3.9 Recruitment of foreign fishermen

The Labour Code further reiterates that discrimination is prohibited in respect of employment, profession and treatment of employees.

The Art. 9 of Labour Code (7961/1995), as amended by Law No. 8085/1996 and Law No. 9125/2003, defines discrimination as any differentiation, exception, or preference based on race, colour, sex, age, religion, political beliefs, national and social origin, family ancestry, physical and mental disabilities which infringes the right of the individual to be equal in respect of employment

and treatment at work. "Employment and profession" refers to professional orientation and qualification, employment in various professions, and the terms and conditions relating to division of the burden of work, job performance, remuneration, social assistance, discipline, or termination of the contract (IOM, 2004).

The foreigners benefit of the same rights of the Albanians when they hold the Residence permit .

In article 1/2 of Law no.7995, dated 20.09.1995, "On promotion of employment", changed, provides that the state establishes and develops employment offices, which function under the control of a central authority, to realize the right of all residents in Albania for a benefiting employment, to get counselling and professional qualification for every such employment and to get income support (UN, 2010).

3.10 Income support benefits

As already stressed, there are no special social insurance system in force in Albania peculiar to fishermen as a particular category of workers . Consequently, they have the same rights that any other Albanian worker can benefit.

The right of each person for social insurance, including social insurance and effective legal and administrative measures for its application, is regulated from October 1st 1993 by the Law No.7703 dated 11.05.1993 "On Social Insurance in the Republic of Albania" . According to this law, system of social insurance is made up of the obligatory insurance, voluntary insurance, supplementary insurance and special state pensions.

Obligatory social insurance protect the employed person from:

- Temporary incapacity in work due to illness;
- Pregnancy;
- old age, invalidity and loss of keeper of family;
- job accident and professional illness;
- Unemployment.

Benefits foreseen by this law are financed from the Social Insurance Fund (SIF), to which regularly contribute employers, employees and other economically active persons. Management of SIF is in charge of the Institute of Social Insurance (ISI), which is a public independent institution, administratively controlled by the Ministry of Finance.

The Institute of Social Insurance is headed by its Administrative Council and General Director of the Social Insurance Institute. The Administrative Council is composed of 12 members, 6 of whom are members of the Council of Ministers, 3 are members of the employers' organizations and 3 are members of the most representative trade unions.

The legislation regulating this area is applicable to all the employed and self-employed persons, and the other economically active persons contributing to the social insurance scheme. This legislation has been amended by Law No 9377 of 21 April 2005; Law No 9498 of 3 April 2006; Law No 9600 of 27 July 2006; Law No 9708 of 5 April 2007; Law No 9768 of 5 April 2007; and by the subordinate legal acts pursuant to these laws (UN, 2010).

3.11 Unemployment allowance

The first and current law including measures on unemployment is the Law n° 7703 of 11st May 1993 which sets the general standards for the Social Insurance System. Additionally, the Decision of Council of Ministers (DCM) n° 226 of 19th April 2006 sets down detailed rules based on the Law n° 7703 for the payment of unemployment allowances. This Decision determines who is eligible for the unemployment allowances, the duration and rate of the allowance, the documents needed to be completed for the application, further notifications and conditions for exclusion from the unemployment of the allowance.

This DCM does not establish the amount of the allowance, but only the rate (%) one applicant can claim.

The persons covered by the system are the employees. The self-employed persons are excluded which means that fishermen owning their own boat are not concerned.

The source of funds comes from the employers who paid 6% of payroll. Additionally, the Government covers any deficit.

To receive unemployment benefit, the insured must gather at least 1 year's contributions, and should not be receiving any other benefits (except for partial disability). He must also be registered at an unemployment office, and be willing to undergo training.

A flat-rate benefit is paid for up to 12 months or for a total of 365 calendar days if the insured has temporary periods of employment. The benefit must be at least equal to the minimum standard of living, as decided by the Council of Ministers (3,960 Leks a month in 2003). There has been drafted the CMD No.236, dated 27.02.2008 "On determining the basic level of the income from unemployment".

Child's supplement: Each dependent child younger than age 15 receives 5% of the unemployment benefit, up to a maximum of 20% (the supplement is reduced by 50% if one parent is employed or is receiving a pension). For persons attending training courses, but not receiving a grant or wages, benefits are paid for up to 18 months. Benefit adjustment: Benefits are indexed annually according to price changes of several selected commodities.

In Albania the employment promotion programs consist in the support to employers, who create and retain new jobs, and employ the candidates suggested by the employment offices, unemployed job-seekers, and particularly, job-seekers from special groups, with such support being provided through:

- Subsidies for a certain percentage of the costs for the mandatory insurance and salary;

- Subsidies or loaning for the refurbishing of the workplace.

The persons included in the employment promotion programmes must be registered with the employment offices for a period of at least three months.

Long-term unemployed include all those persons who have been registered with the employment offices for a period of at least 12 months. During this period, they may benefit of vocational training initiatives in the public vocational training centres. In the Decision No 48 of the Council of Ministers of 16th January 2008 'On the amount of benefit and criteria for the unemployed job-seekers in difficulty to benefit from the employment promotion programmes,' with this programme designed to start by early 2008, priority is put on the inclusion of long-term unemployed job-seekers. The programme is funded with state budget funds, and consists in providing subsidies to employers, who hire unemployed job-seekers in difficulty for a period of one year, for social insurance and salary, in the amount of 10 per cent of the minimum salary at a country level (UN, 2010).

3.12 Sickness indemnities

The first law foreseeing sickness and maternity benefits has been adopted in 1947. The current laws dealing with these social aspects are the law n° 3766 of 17 December 1963 on medical care amended in 1993 and the Law n° 7703 of 11 May 1993 on Social Insurance. The program in place is a social insurance (cash benefits) and universal (medical benefits) system.

Only employed persons can receive the cash sickness benefits. Concerning maternity indemnities, employed persons, employers and self-employed can receive benefits. However, a voluntary coverage is possible in both cases. It should be mentioned that all persons residing in Albania have the right to medical benefits.

For the category of insured person, the cash benefits are financed by 8% of covered monthly earnings. The voluntarily insured persons pay a contribution of 3,140 leks. Medical benefits are financed by 1.5% of covered earnings. 1.7% of covered earnings for persons living in urban areas. The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks). The maximum earnings for contribution purposes are equal to five times the minimum monthly wage (65,700 leks).

For the category of self-employed person, 33.2% of the minimum monthly wage is debited to contribute to the pensions system. The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks). The self-employed person's contributions also finance sickness and maternity benefits.

For the category of employers, the contributions and their allocations are the following: 0.8% of covered payroll (sickness benefits), 2.3% of covered payroll (maternity benefits), and 1.5% of covered payroll for medical benefits. The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks). The maximum earnings for contribution purposes are equal to five times the minimum monthly wage (65,700 leks).

The Government finances 1.7% of covered payroll for employees (medical benefits) and pay the total cost of medical benefits for persons not currently in the labour force. In such situation, the minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks).

The maximum earnings for contribution purposes are equal to five times the minimum monthly wage (65,700 leks).

In any case, to receive cash sickness benefits, the person should be regularly insured and to receive cash maternity benefits, the insured must have at least 12 months of contributions. However, for medical benefits, there is no minimum qualifying period.

The sickness benefit is equal to 70% of the insured's average daily wage in the last calendar year if the insured has less than 10 years of contributions; 80% with 10 years or more. The benefit is paid from the 15th day of medical certification (the first 14 days are paid by the employer) for up to 6 months; it may be extended for an additional 3 months if the Medical Experts Committee certifies the likelihood of recovery in that period. The benefit is equal to 50% of the insured's average daily wage during periods of hospitalization, provided there are no dependents. Compensation is also paid for a loss of income resulting from a change of employment because of health reasons. Up to 365 days of paid maternity leave is provided (with a minimum of 35 days before the expected date of childbirth and 42 days after). The monthly benefit is equal to 80% of the insured's average daily wage in the last calendar year for the leave period taken before childbirth and for 150 days after; the benefit is equal to 50% of the average daily wage for the remainder of the entitlement period. For multiple births, the paid leave period is extended to 390 days, including a minimum of 60 days before and 42 days after the expected date of childbirth. Benefits are also paid for the adoption of a child. Compensation is also paid for a loss of income resulting from a change of employment because of the pregnancy.

For employers and self-employed persons, the benefit is equal to the flat-rate old-age pension.

A lump sum equal to 50% of the minimum wage set by the Council of Ministers is paid to either insured parent with a minimum of 1 year's contributions. The minimum monthly wage is 13,140 leks.

In Albania, all general medical services are free. A system of cost sharing has been established according to which the insured is reimbursed from 35% to 100% of the cost of various essential medicines. The Health Insurance Institute pays 90% and the insured pays 10% of the cost for some kind of examinations. It should be mentioned that there is no limit of duration.

The regime applied to the dependents is the same as described above for the workers.

We should mention that free benefits are provided for children up to 12 months age, disabled persons, WWII invalids and veterans, and persons diagnosed with certain serious illnesses. There is no limit of duration.

3.13 Family benefits

The Law n° 9355 of 10th March 2005 on social services and assistance specifies which are the persons who can benefit from family allowances and it defines the different types of assistance and social services as well as the allocation requirements for each benefit. The social system covers all the families residing in Albania. The total cost of the system is borne by the government.

To receive the family allowances (social assistance) the families residing in Albania have to demonstrate that they live with low or inadequate income or have a family member who is disabled or blind.

The Family Allowance Benefits takes the form of a financial aid provided to eligible families.

3.14 Accidents and diseases

As it is the case for the social insurance system, there are no special regulations in force in Albania on occupational accidents or work related disease specifically to fishermen. In consequence, they are covered by the common regime compensating work injuries.

The right of every person for social insurance, including social insurance and effective legal and administrative measures for its application is regulated from October 1st 1993 by the Law No.7703 dated 11.05.1993 "On Social Insurance in the Republic of Albania". According to this law, system of social insurance is made up of the obligatory insurance, voluntary insurance, supplementary insurance and special state pensions. Obligatory social insurance protects the employed person from several accidents including job accident and professional illness.

Benefits foreseen by this law are financed by the Social Insurance Fund (SIF), to which regularly employers, employees and other economically active persons contribute. Management of SIF is in charge of the Institute of Social Insurance (ISI), which is a public independent institution, administratively controlled by the Ministry of Finance. The Institute of Social Insurance is headed by its Administrative Council and General Director of the Social Insurance Institute. The Administrative Council is composed of 12 members, 6 of which are members of the Council of Ministers, 3 members from the employers' organizations and 3 members from the most representative trade unions.

3.15 Occupational accidents and Work related sickness

The first law providing for a compensation for work injury has been adopted in 1947. The current system is regulated by the Law n° 7703 of May 11th 1993 (last amended by law n°9708 of 5 April 2007) which sets the general standards for the Social Insurance System. Additionally, the Order n° 460 of 22 July 1998 on employment accident defines the occupational accidents, foresees the delay and the procedure for the declaration at the labour inspection and at the Social Insurance Institute. Finally, the Order n° 42 of January 23rd 1995 concerning the implementation of the Law n° 7703 on social insurances and the Law n° 7870 of October 13th 1994 on medical insurances has been adopted.

This Order creates the obligation, for the persons having a labour contract foreseeing a daily working time above the norm, to contract an insurance covering sickness, unemployment, pension, maternity, work injury and occupational disease.

The employed persons, apprentices, and students in vocational training, are covered by this regime. We should mention that it is not possible to request a voluntary coverage and that the self-employed persons are excluded from the application of this system.

The only source of funds is the employer which has to pay 0,5% of payroll.

It should be mentioned that there is no minimum qualifying period to receive work injury benefits. The occupational diseases are defined by the Ministry of Health's Medical Commission for Determining Incapacity for Work.

In case of temporary disability, the benefit is equal to 100% of the insured's average daily wage in the last 3 years and it is paid for up to 12 months.

For an assessed permanent loss of working capacity of at least 67%, the benefit is equal to 80% of the insured's average monthly earnings in the last 3 years but not less than the minimum standard of living. In case of partial permanent disability and for an assessed loss of at least 33% of working capacity, the benefit ranges between 50%

and 80% of the insured's average monthly earnings in the last 3 years, depending on the degree of loss of working capacity.

In case of a minor permanent disability, and for an assessed loss comprised between 10% and 33% of working capacity, a lump sum is paid according to the schedule in law. Additionally, the material damages occurred to the insured person are fully compensated.

The Workers' Medical Benefits is the Compensation available for additional medical care and for the cost of rehabilitation.

In case of employee's death, a survivor pension is paid to the surviving spouse who receives 50% of the deceased's pension. Additionally, each orphan receives 25% of the deceased's pension, up to a maximum of 50% of the deceased's pension. Regarding other eligible survivors, 25% of the deceased's pension is paid for each parent, grandchild, and grand parent. All survivor benefits combined must not exceed 100% of the deceased's pension.

3.16 Pension performances

As it is the case for the other social benefits described above, there is no special regime applying only to fishermen or more generally to the seafarers for the system of pensions, as old age, disability and survivors.

Obligatory social insurance protects the employed person including old age retirement, invalidity and loss of keeper of the family.

Minimum of insured years to benefit an old age partial pension is 15. The person who has 35 insured year, benefits a full old age pension when he/she reaches the retirement age according to the legislation in force.

The general economic developments and those in the social insurance field in particular, have brought time after time the necessity to undertake reforms with the aim to adopt the social insurance system to the economic developments. In this framework, different changes have been foreseen in the social insurance legislation, which have affected all fields, both in the improvement of procedures for the gathering of contributions and the essential changes in the field of benefits.

Between 2004-2008 a series of Reforms have been undertaken, including: approximation of Albanian legislation of social insurance with the standards of the European Code and with the ILO convention for social insurance in 2005 (where one of the main things is reduction of the minimum period of insurance to the benefit of the partial retirement pension from 20 to 15 years) and the further reduction of the contribution norm in September 2006, (reduction by 9% to 38.5% to 29.5% from which the pension branch from 29.9% to 23.9%); reduction by law no. 10070, dated 5.2.2009, of contributions paid by the employer, with 5 points of percentage (from 20% to 15%) for the obligatory social insurance, with the financial effect starting from May 2009 (UN, 2010).

The first law establishing a system of pension has been adopted in 1947. The basic law n° 7703 of May 11th 1993 with 1995 and 2007 (Law n° 9768 of July 9th 2007) amendments, provides for several general provisions on pensions (old age, disability, and survivors).

Additionally, Albania has adopted the law n°7943 of 1st June 1995 on regimes for private pensions and on the private institutions for pensions. Finally, two Orders (n° 501 of August 16th 2007 and n° 448 of July 13th 2007) have been adopted on the increase of pensions.

Employed persons and self-employed persons are covered by the pensions system. The regime also foresees the possibility to take out a voluntary coverage. Special systems for civil servants and military personnel are also provided by the regime.

The Insured persons pay 8% of covered monthly earnings and the voluntarily insured persons contribute with 3,140 leks.

The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks) and the maximum earnings for contribution purposes are equal to five times the minimum monthly wage (65,700 leks). The insured's earnings also finance sickness and maternity benefits.

The Self-employed persons pay 33.2% of the minimum monthly wage. The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks). The self-employed person's contributions also finance sickness and maternity benefits.

The Employers pay a contribution equal to 21.7% of covered monthly payroll. The minimum earnings for contribution purposes are equal to the minimum monthly wage (13,140 leks). The maximum earnings for contribution purposes are equal to five times the minimum monthly wage (65,700 leks).

The Government finances any deficit and pays contributions for persons in compulsory military service and credits contributions on behalf of unemployed persons; contributes as an employer; covers the costs of the special state pensions for those who have contributed to the political and cultural development of Albania.

To receive the Old-age pension, the persons concerned have to be 65 for the men and 60 for the women and they must have contributed at least for 35 years. The retirement from economic activity is necessary.

A mother with six or more children older than age 8, can retire at 50 if she can demonstrate 30 years of contributions. It is also possible to receive a partial pension if the insured is 65 (men) or age 60 (women) and if he has paid between 15 and 35 years of contributions.

It should be mentioned that there is no early pension. However, a deferred pension is possible. Finally, it should be specified that in Albania, old-age benefits are not payable abroad.

To receive a disability pension, the insured must be assessed as blind, severely disabled, or incapable of performing any work. The minimum coverage period for eligibility varies according to age, but must be in any case, equal to at least 50% of the difference in years between the claimant's age and age 20. The degree of disability is assessed by the Medical Experts Committee.

To receive a partial disability pension, the insured must be assessed as incapable of performing work in the last job, but capable to work under special working conditions as determined by the Medical Experts Committee. The minimum qualifying period for eligibility varies according to age but must be equal to at least 50% of the difference in years between the claimant's age and age 20.

At the pensionable age, the claimant may choose to replace the disability pension with the old-age pension if the amount payable is greater. It should be noted that disability benefits are not payable abroad.

To receive a survivor pension, the deceased must have been an old-age or disability pensioner, who was insured at the time of death, or with a coverage which ceased no more than 1 year before death. The eligible survivors include a surviving spouse caring for a dependent child younger than age 8; a disabled spouse; a spouse aged 50 or older (widow) or aged 60 or older (widower); dependent orphans younger than age 18 (age 25 if a student, no limit if disabled from childhood); dependent parents and grandparents aged 65 or older who lived with the deceased for the last 12 months; and dependent grandchildren. It should be specified that survivor benefits are not payable abroad. Old-Age Benefits consist in a flat-rate pension (equal to the minimum standard of living) paid to all insured persons, plus an earnings-related pension for employed persons equal to 1% for each year of coverage, multiplied by the insured's average covered earnings for contribution purposes. The minimum standard of living is considered to be 3,960 leks per month.

The maximum monthly pension is equal to twice the flat-rate pension amount or 75% of the insured's average net earnings in 3 of the last 10 years of employment, whichever is less.

For the partial pension, a percentage of the full pension is paid, according to the number of years worked. The minimum monthly pension is 7,850 leks.

In case of a deferred pension, the pension is increased by 0.34% for each month of deferral after the normal retirement age. The maximum deferred pension is equal to 80% of the insured's average net earnings in 3 of the last 10 years of employment.

A benefit adjustment is foreseen and the flat-rate pension is indexed annually according to price changes of selected commodities.

The Permanent Disability Benefits consist in a flat-rate pension (equal to the minimum standard of living) paid to all insured persons, plus an earnings-related pension for employed persons equal to 1% for each year of coverage multiplied by the insured's average covered earnings for contribution purposes. The minimum standard of living is 3,960 leks a month (2003). The maximum monthly pension is equal to twice the flat-rate pension or 80% of the insured's last average net earnings, whichever is less.

In case of a partial disability pension, 50% of the insured's full disability pension (the flat-rate pension plus the insured's earnings related pension) is paid.

The monthly constant-attendance supplement is equal to 15% of the insured's average covered earnings for contribution purposes. A child's supplement is also foreseen. Indeed, each dependent child younger than age 15 receives 5% of the flat-rate old-age pension. The maximum supplement is equal to 20% of the flat-rate old-age pension.

Finally, benefits are adjusted annually according to changes to the old-age pension.

In the case of Survivor Benefits, the surviving spouse receives 50% of the deceased's old-age pension; each orphan and each other dependent receives 25% of the deceased's old-age pension. The survivor pension for a spouse ceases on remarriage. All survivor benefits combined must not exceed 100% of the deceased's old-age pension; 50% if the surviving spouse is working or receiving a pension in his or her own right.

Regarding the full orphan's pension, 50% of the deceased's old-age pension is paid for a single full orphan provided there are no other eligible dependents. Full orphans are eligible for the pension entitlements of both parents.

A lump sum for the death benefit equal to 1 month's flat-rate old-age pension is paid.

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PESCAMED



ALGERIE



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1. DONNEES DE PECHE

La production de la pêche maritime a enregistré, dans les dix dernières années, une évolution des captures supérieur à 25%, soit une augmentation de 113.157 tonnes en 2000 jusqu'à 142035 de tonnes en 2008 (source Ministère de la pêche et des ressources halieutiques). On a enregistré pendant les années de 2004 et 2005 une sensible baisse, imputable au décretement des captures des petites espèces pélagiques, notamment sardine, maquereau et sardinelle.

1.1 Production

Les principaux stocks de poissons exploités par la flotte nationale, chalutiers et senneurs, sont composés de petits pélagiques (sardine, maquereau, chinchard, anchois et sardinelle) ; grands pélagiques (thon rouge, melva, bonite et espadon); espèces démersales (crevettes rose et royale, langoustine, langouste, homard, crabe et cigale; poulpe, calmar et seiche, merlu, daurade, pageot, sole, loup, grondin, ombrine, requins, raies).

Table 1. Evolution de la production de pêche entre 2000 et 2009:

Unité: tonnes

Année	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Production totale	89818	113157	133623	134320	141528	137108	139459	157021	148842	142035	130120

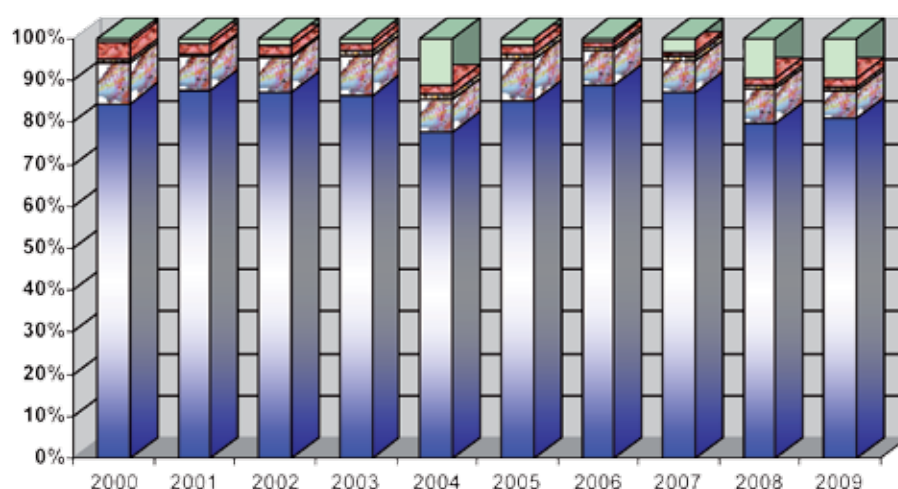
Source : Ministère de la Pêche et des Ressources Halieutiques

Table 2. Evolution de la production de pêche (2000-2009):

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Poissons Pélagiques	95637	117001	117121	122500	106780	118891	139484	129745	113103	105642
Poissons Démersaux	10885	10906	10899	13235	10676	13563	12737	11001	11709	8197
Mollusques	1113	958	677	1540	1419	1769	1413	1907	1183	1306
Crustacés	4822	3121	3520	2758	2775	2780	2439	1546	2695	2716
Autres	700	1637	2103	1496	15458	2455	948	4643	13345	12260
Total	113157	133623	134320	141528	137108	139459	157021	148843	142035	130120

Source : Ministère de la pêche et des ressources halieutiques

Graphique 1. Stocks des poissons



□ Poissons Pélagiques □ Poissons Démersaux ■ Mollusques ■ Crustacés □ Autres

1.2 Consommation humaine par habitant

Le poisson demeure un produit de luxe en Algérie, inaccessible pour de nombreux ménages : Le produit de la pêche est commercialisé dans sa majeure partie dans les centres urbains les plus importants (Alger, Annaba, Oran, Constantine). Par conséquent, la consommation de produits de la mer reste insignifiante.

On note malgré tout un accroissement du ratio alimentaire qui passe de 3.0 kg/an en 1999 à 5,12 kg/an en 2006.

La ratio alimentaire en produit de la pêche reste toujours en deçà de la moyenne préconisée par l'OMS (6,2 kg).

1.3 Pêcheurs et travail indirect

Le nombre total des marins employés directement dans le secteur de la pêche été, en 2009, de 40678 dont 3646 patrons côtiers, 1883 mécaniciens et 35149 mécaniciens (source: Ministère de la pêche et des ressources halieutiques) en augmentation par rapport à 2001 dans laquelle le nombre été de 26857 dont 3337 patrons côtiers, 1585 mécaniciens, 21935 mécaniciens (source: Ministère de la pêche et des ressources halieutiques).

En 2003 la pêche artisanale offrait un emplois direct à 4.012 marin pêcheurs tout âges confondus. Généralement c'est des marins jeunes ayant acquis le métier auprès de leurs parents marins pêcheurs. Les vieux marins en retraites ce sont reconvertis en ramendeurs de filets.

Table 3. La pêche artisanale (2000 - 2009).

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Catégorie										
Patrons Côtiers	2 837	3 337	3 337	3 461	3516	3624	3846	3864	4284	3646
Mécaniciens	1 443	1 585	1478	1 527	1674	1615	1772	2262	1989	1883
Marins Pêcheurs	20 786	21 935	22 565	24 814	24029	24422	26628	31031	32146	35149
TOTAL	25 066	26 857	27 380	29 802	29 219	29661	32246	37157	38419	40678

1.4 Ports de pêche

La côte algérienne est divisée en quatorze wilayas maritimes et sept continentales. Chaque wilaya côtière renferme un certain nombre de ports, d'abris de pêche et de plages d'échouage.

Soixante quatre (64) sites de débarquements longent la côte algérienne à savoir:

- 32 ports;
- 10 abris de pêche;
- 5 plages d'échouages, dont 01 finalisée et 04 en cours de réalisation;

Les ports de pêches sont caractérisés par une forte concentration de toutes les flottilles confondues, Parmi cette catégorie on trouve des ports mixtes (marchandise et pêches) auquel une partie est réservée à le rapprochement des navires de pêches, et les ports spécifiques à la pêche. Ils sont de l'ordre de 32 soit 50% du total des sites recensés.

Ces ports sont dotés en général des infrastructures nécessaires l'appui de la production.

Les Sites de plages ouvertes sont des plages composées de sables fin et de sable grossier caractérisé par des points de débarquements des petits métiers. En été ces sites connaissent une activité importante d'estivants.

Ils sont à proximité des routes goudronnées près des villages et villes, rare ceux qui sont dotés de pistes mais carrossables.

Ces sites facilitent aux pêcheurs l'écoulement de leurs produits de pêches et l'entretien de leurs barques. Cette catégorie représente 35,9 % du total dont la plus forte concentration se situe à Mostaganem.

Les Sites à abris aménagés sont aménagés par la conception de digues en forme de (T) et de (L) pour briser les vagues de courants et permettre un dragage de la plage.

En régime de long terme ce genre de sites seront transformés en sites de plaisances et de pêche artisanale. Ils représentent le 6,3 % du total des sites.

Les Sites à abris naturels se situent sous les petites falaises accessibles se trouvant entre les montagnes qui protègent les barques. Ils sont au nombre de 4 sites soit 7,8% du total.

L'avantage c'est que les pêcheurs écoulent facilement leurs produits aux riverains et aux passagers qui viennent jusqu'au site de débarquement pour leur acheter la production.

Les principaux sites de débarquements sont des ports et sont en nombre de treize, en particulier le port de Alger est mixte pêche et plaisance, Annaba et Mostaganem pêche et commerce et le port de Ghazaouet est mixte pêche et marchandise.

La carte suivante ainsi que le tableau représenté synthétisent la position géographique et les caractéristiques de chaque port.

Graphique 2. Ports de la Méditerranée Algérienne

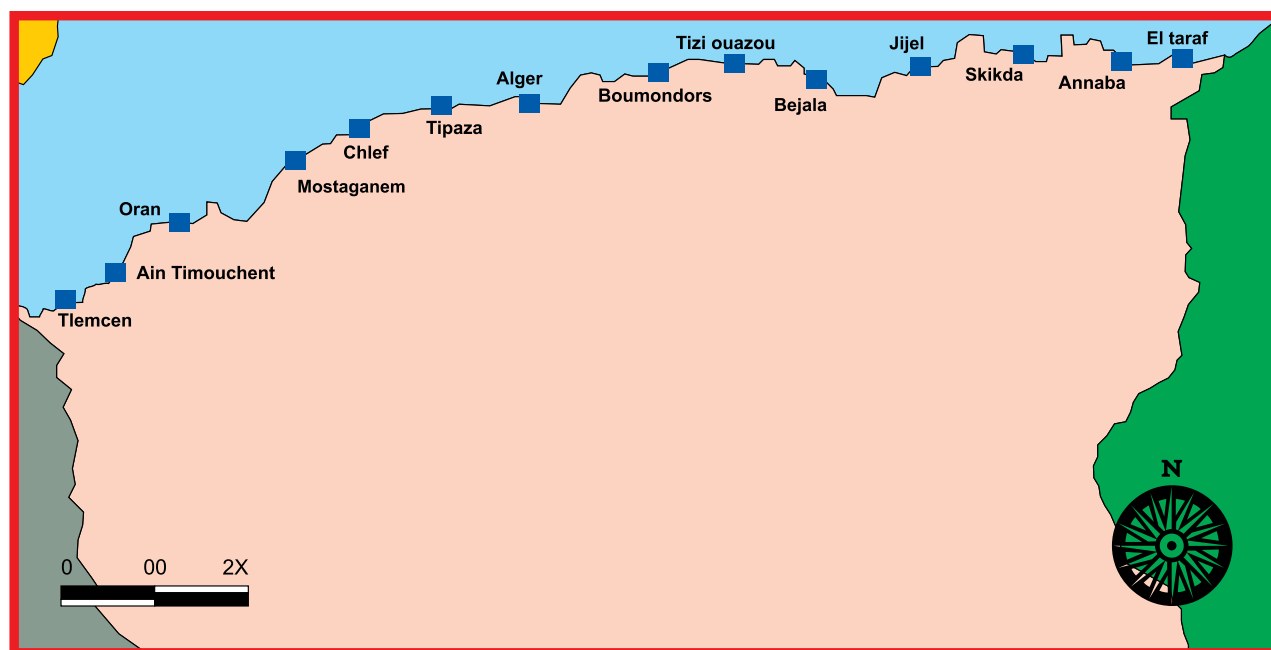


Table 4. Répartition des sites de débarquements longent la côte algérienne

Regions	Wilaya	Ports	Plages ouvertes	Sites aménagés	Sites d'abris naturels	Total
Centre	Alger	Alger El djamila Tamnfouste	Kaa-sour Sidi-ferdj	Rascasse		6
	Boumerdess	Dellys Zemmouri	Aguiouaz Cap-djinet Sidi el medjni		El-kos	6
	Chlef	Beni Haoua Tenes	El-marsa			3
	Tipaza	Bouharoun Cherchell Gouraya Khemisti Tipaza	Fouka Sidi ghiles	Bou-ismail	Hadjret el nas	9
	Tizi-Ouzou	Azeffoun Tigzirt				2
Est	Annaba	Annata Chetaibi				2
	Bejaia	Bejaia	Saket	Beni-ksila		3
	El Tarf	El-kala				1
	Jijel	Jijel Ziama Mansouria			Sans nom Sans nom	4
	Skikda	Collo La Marsa Stora	Cap de Fer R'mila			5
Ouest	Ain Temouchent	Beni-saf Bouzedjar				2
	Mostaganem	Mostaganem	Abdelmalek ramdan El-bahara Hadjadj Kharouba Oureah Salamandre Sidi lakhdar Stidia			9
	Oran	Arzew Mers El kbir Oran	Marsset el hadjadj Kristel	Cap blanc	Cap Falcon	7
	Tlemcèn	Ghazaouet Mersset ben mhidi Honain	Bekhata Sidi Oucha			5
Total		32	23	4	5	64

Source: FAO-COPEMED

1.5 Flotte de pêche

Les principales productions de la pêche Algérienne sont réalisées par une flottille réparties en trois segments principaux à savoir, les chalutiers, les senneurs et les petits métiers. Jusqu'à 2003 la flottille nationale Algérienne enregistrée été de 3.292 unités.

Le nombre total des embarcations a augmenté par rapport aux années passés, en 2001 le nombre été de 2692 embarcation toute activités confondu, soit 338 chalutier, 31 corailleurs, 660 sardiniers, et 1663 petits métiers. C'est grâce au programme de relance économique soutenu par l'état qui a permis l'acquisition de 600 nouvelles embarcations.

En 2003 le nombre de barques actives dans la pêche artisanale été de 2210.

Les chalutiers: ces navires d'une jauge brute comprise entre 25 et 100 tonneaux, utilisent les arts traïnants sur des profondeurs allant de 50 à 500m non accidentés. Les engins les plus utilisés sont les chaluts de fond de type espagnol (le huelvano et le minifalda), le chalut de fond type Français (le CHARLESTON) et le chalut de fond type italien (MAGLIUCHE), le chalut semi-pélagique (04 faces ou le GOV), et le chalut pélagique (chalut à cordes). A l'exception des chalutiers des sociétés mixtes qui peuvent aller jusqu'à 50 jours de mer, les chalutiers font dans leurs majorité des marées de mois de 24 heures.

Les senneurs: cette catégorie de navires jaugeant entre 05 et 100 tonneaux, utilise la senne tournante avec coulisse. La longueur est comprise entre 220 et 700m avec des chutes de 1500 à 8000 mailles (0.9 cm de maille étirée).

Les senneurs font des marées de 10 à 16 heures selon les saisons et débarquent principalement les petits pélagiques à savoir la sardine, l'allache, l'anchois la melva, la bonite et le maquereau.

Les petits métiers: cette flottille se caractérise par des petites embarcations mois de 12 m de longueur et d'une jauge brute allant de 01 à 10 tonneaux. Ces embarcations se spécialisent parfois dans la pêche de certains espèces tel est le cas des espadoniers. Certains par contre changent l'armement selon la saison. Les engins les plus fréquemment utilisés sont les lignes et les filets maillants sous leurs différentes formes et même la senne elle est utilisée. Le temps passé en mer varie selon les unités, de 02 heures il peut aller jusqu'à 16 heures.

Le tableau suivant montre, pour la pêche artisanale la distribution des barques et le caractéristiques des engins utilisée par Wilaya.

Table 5. Distribution des barques de la pêche artisanale par Wilaya.

Region	Wilaya	Sites	Barques	Marins	Engins	Espèces
Centre	Alger	6	157	318	Filet maillant déri	Limon, Bonite, Pageot, Bazougue
					Palangre dérivant	Thon, Brochet, Espadon
					Palangre de fond	Serranidé, Congre, Rascasse
	Boumerdes	5	193	395	Palangrotte	Mérou, Pagre, Sare
					Palang De surf	Espadon, Tchoutche
					Lampostade	Bonite, Bogue, Saourel, Dorade,
	Chlef	3	54	166	Ridfine (Trémail)	Mullidae, Sole, Sépia, Raie
					Palangre fondou	Mustel, Pagre, Mérou, Rascasse
					Tremail	Mullidae (Rouget), Rascasse
	Tipaza	9	197	394	Palangre de fond	Badèche, Pagre
					Palongro	Requin, Raie, Espadon
					Mille mailles	Saourel, Sardine, Allache, Tchalba
					Bonitière	Bonite, Thon, Limon, Brochet
					Trémail	Mullidae, Seiche, Pagre, Pageot
					Palangre flottante	Espadon, Requin, Thon, Chien m
					Senne	Limon, Brochet, Saourel, Sardine
					Palangre de fond	Les Mérous, Murène
					Filet maillant dérivant	Sare, Limon, Tchalba
Tizi-Ouzou	2	61	176	Bonitière	Bonite, Melva, Tchelba	
				Trémail	Mullidae, Mustelle, Pagre	
				Palangre de fond	Mérou, Pagre, Mustelle	
				Ridfine	Mullidae, Pagre	
Est	Annaba	2	125	536	Palangre de fond	Mérou, Badèche, Sar
					Trémail	Sparidae, Sole
					Palangre flottant	Espadon, Pagre
	Bejaia	3	58	160	Petit senne	Sardine, Allache, Saurel
					Trémail	Mullidae, Merlon, Raie, Pageot
					Palangre de fond	Mérou, Merlon, Mustelles
	El Tarf	1	41	94	Bonitière	Bonite, Thon, Thonine
					Trémail	Sparidé, Mullidae, Chien de mer
					Filet mailant der	Limon, pagre, Mullidae
	Jijel	4	113	280	Langoustine	Limon, Bonit, Chien de mer
					Palangre de fond	Sparidé (Pageot, Pagre)
					palangre flottant	Espadon, Requin,
	Skikda	5	229	500	Trémail	Mullidae, Merlu, Pageot
					ligne de traîne	Bonite, Limon
					Bonitière	Bonite, Limon, Brochet
Mandrague					Chien de mer, Mérou, Pagre	
Chekifa					Brochet	
Palangre calée					Merlon, Mérou, Pageot	
Ouest	Ain Temouchent	2	72	144	Palangre dérivant	Espadon
					Trémail	Mullidae, Rascasse, Bazougue
					Palangre de fond	Pagre, Mérou, Rascasse
					Lampostade	Brochet, Bonite, Tchalba
	Mostaganem	9	124	368	Palang de surf	Espadon
					Trémail	Mérou, Pageot, Rouget, Bazougue
					Senne coulissante	Sardine, Allache, Saurel
					Palangre Dérivant	Espadon, Bonite
	Oran	7	120	258	Palangre dérivant	Espadon, Requin, Thon, Chien m
					Trémail	Mullidae, Rascasse, Bazougue
					Palangre de fond	Mérou, Pagre
					petit sardinal	Sardine, Allache, Saurel
Tlemcen	5	102	223	Lamposta	Bonit, Bacorète,	
				Lamposta	Pageot, Dorade, Sare	
				Trémail	Mullidae (Rouget), Pageot, Merlu	
				Palangrotte	Pageot, Sare	

Source: FAO-COPEMED

La pêche artisanale en Algérie se caractérise par plusieurs engins de pêches, dont la plupart se trouvent sur toute la cote avec des noms locaux différents.

A l'Ouest c'est des noms extraits de l'Espagnole, à l'Est de l'Italien au Nord, ils utilisent les deux dénominations.

Dans la plupart des cas on trouve 3 à 5 engins de pêche qui sont pratiqués par alternance sur une même barque à des périodes de pêches différentes dans l'année.

Les Métiers principaux utilisant les filets sont le tremail, les filets maillants dérivants, la Lampostade, la senne tournante, les lignes et hameçons, la palangrotte

Cet engin de pêche se caractérise par sa présence dans certains sites mais il est très important dans les débarcadères relevant des wilayas : D'Alger, et Chlef au centre et Tlemcen à l'Ouest.

1.6 Stratégie nationale du secteur halieutique

Dans le cadre de l'application des politiques de développement durable adoptées par le gouvernement Algérien, le Ministère de la Pêche et des Ressources Halieutiques a tracé plusieurs plans quinquennaux. Le premier est relatif à l'aquaculture, le second relatif à la pêche maritime et océanique et le troisième au soutien à la pêche artisanale.

Ces trois plans ont mis en objectifs l'augmentation de la production jusqu'à environ 230 000 t/an, l'augmentation du niveau de consommation nationale des produits de la pêche à 6,2 kg/h/an, la création de 100.000 postes d'emplois en plus des rentes en devise.

Les objectifs à atteindre sont non seulement basés sur l'augmentation des captures mais aussi une pêche économique, intégrée, durable, responsable, professionnelle et écologique.

Ce sont des mesures de protection de la ressource à savoir:

- La fermeture de la pêche du mois de mai jusqu'à septembre afin de préserver les immatures;
- La taille minimale marchande, où plus de 20% d'immatures n'est pas toléré;
- Réglementation des maillages des engins de pêche,
- Interdiction de la pêche de quelques espèces menacées;
- Interdiction de la pêche dans les réserves marines (Gouraya dans la wilaya de Bejaia, Taza à Jijel et l'île Rachgoun dans la wilaya d'Oran).

En effet, l'application de ce système de gestion relatif à la pêche maritime et océanique a fait ressortir quelques résultats bénéfiques:

- L'augmentation de la production nationale en produit halieutique ce qui engendre une augmentation du ratio de consommation nationale du produit de la pêche;
- Préservation des stocks de corail rouge.

La prise de décision par l'administration doit se faire en prenant compte deux principaux acteurs de la pêche: le

professionnel et le scientifique. Car la prise de décision doit se baser sur l'avis scientifique, sans oublier de prendre en considération l'aspect socio-économique du pêcheur ou du professionnel.

Ajouter à cela, le scientifique est en étroite relation avec le professionnel car grâce à l'aide de ce dernier (le professionnel fournit l'information) que le chercheur peut mener à bien son travail.

En dernier, la concertation entre les trois acteurs de la pêche (administration, scientifique et professionnel) est nécessaire pour la prise de décision.

La prise de décision nécessite des informations portant sur l'état des stocks en mers, pour obtenir cette information il est indispensable de:

- évaluer indirectement le stock, cette étape exige un système statistique fiable, ce dernier est basé sur la collecte des données statistiques tel que les données sur les débarquements, la flotte, et l'effort de pêche d'une part. D'autre part il est indispensable de fournir les données biologiques par l'intermédiaire d'un réseau d'échantillonnage.
- évaluer directement la ressource, assurer par la réalisation des campagnes en mer. Ces deux méthodes sont nécessaires et complémentaires pour une bonne prise de décision, évidemment il ne faut pas oublier les paramètres socio-économiques.

1.7 Institutions œuvrant dans le secteur de la pêche

L'autorité responsable des pêches au niveau national est le ministère de la pêche et des ressources halieutiques (MPRH), auquel d'autres structures apportent leur contribution. Ainsi le service national des gardes côtes et Institutions et organismes universitaires.

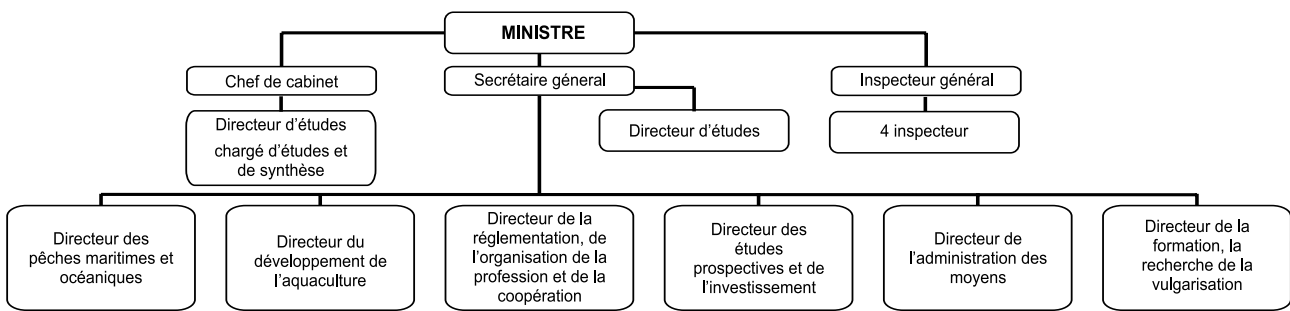
Le secteur de la pêche a connu des mutations depuis l'indépendance. En effet, les affaires de la pêche ont changé de main entre plusieurs départements ministériels. Du ministère de l'agriculture en 1964, il est passé au ministère des transports en 1968, pour devenir un vice ministère rattaché à l'agriculture de 1984 à 1989. Il passe une année sous la tutelle de l'hydraulique pour être repris en 1990 par l'agriculture. Ce n'est qu'en l'an 2000 qu'il a eu l'installation d'un ministère de la pêche et des ressources halieutiques.

Organigramme du Ministère de la pêche et des ressources halieutiques (MPRH)

- Directeur des pêches maritimes et océaniques
 - Sous direction de la gestion des ressources halieutiques et de l'aménagement
 - Sous direction de la gestion des ports et des abris de pêche
 - Sous direction l'animation des échanges et du contrôle des produits de la pêche
 - Sous direction des industries de pêche maritime
- Directeur du développement de l'aquaculture
 - Sous directeur de l'aménagement des sites aquacoles
 - Sous directeur de l'exploitation des ressources aquacoles et du développement
 - Sous directeur de l'environnement et de la prévention
- Directeur de la réglementation, de l'organisation de la profession et de la coopération
 - Sous direction de la registration et du contentieux

- Sous direction de l'organisation de la profession
- Sous direction de la coopération
- Directeur des études prospectives et de l'investissement
- Sous direction des statistiques et des études prospectives
- Sous direction des subventions et du crédit des activités de la pêche
- Sous direction des projets et des investissements
- Directeur de la formation, la recherche et de la vulgarisation
- Sous direction de la formation
- Sous direction de la recherche
- Sous direction de la vulgarisation et de la publication
- Directeur de l'administration des moyens
- Sous direction de la gestion du personnel
- Sous direction du budget
- Sous direction des moyens généraux

Graphique 3. Organigramme du Ministère de la pêche et des ressources halieutiques



1.8 Les services extérieurs

Il y'a:

- 14 directions locales de la pêche et des ressources halieutiques de wilaya (départements) et directions de la pêche et des ressources halieutiques continentales.
- Centre National de Recherche et de Développement de la Pêche et l'Aquaculture CNRDPA
- Institut National Supérieur de la Pêche et l'aquaculture (INSPA)
- 2 Instituts de Technologie des Pêches, Est, Ouest
- 4 Ecoles de Formation Technique de Pêche et d'Aquaculture
- Laboratoire de recherche en cours de création

1.9 Les Services de contrôle

Sous tutelle du ministère de la défense, le service national des gardes côtes est la seule institution responsable de faire appliquer les mesures de contrôle, son rôle est de:

- contrôler la flotte;
- S'assurer que les engins utilisés sont conformes à la réglementation en vigueur tel que le maillage des filets;
- S'assurer que les zones et les périodes de pêche sont respectés par les pêcheurs (interdiction de pêcher dans des les réserves marines, les baies...);
- contrôler les espèces débarquées ainsi que leur tailles marchandes.

2. LES ASSOCIATIONS

L'année 2003 a été marquée par la création de la Chambre Nationale pour la pêche et l'aquaculture et la mise en place des structures des chambres de pêche des Wilaya qui a totalisé 2.295 adhérents .

Par ailleurs, le nombre d'associations professionnelles est passé de 78 à 119 associations traduisant ainsi la volonté des professionnels à vouloir s'organiser et protéger la profession.

2.1 Les Services de contrôle

Sous tutelle du ministère de la défense, le service national des gardes côtes est la seule institution responsable de faire appliquer les mesures de contrôle, son rôle est de:

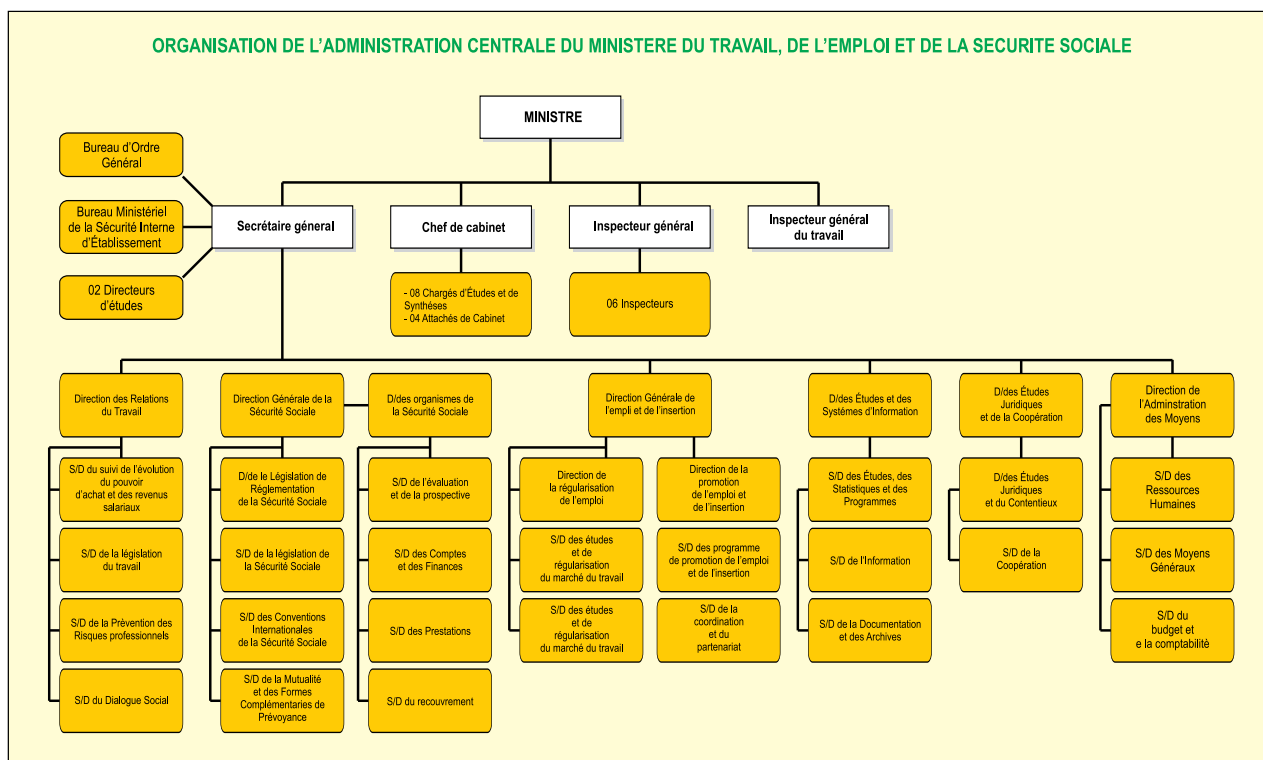
- contrôler la flottille,
- S'assurer que les engins utilisés sont conformes à la réglementation en vigueur tel que le maillage des filets;
- S'assurer que les zones et les périodes de pêche sont respectés par les pêcheurs (interdiction de pêcher dans des réserves marines, les baies...);
- contrôler les espèces débarquées ainsi que leur tailles marchandes.

3. GESTION DU TRAVAIL DANS LE SECTEUR DE LA PECHE

3.1 Cadre institutionnel/règlementation des conditions de travail des pêcheurs

L'organisation du Ministère du travail, de l'emploi et de la sécurité sociale est indiquée dans l'organigramme ci-dessus.

Graphique 4. Organisation de l'administration centrale du Ministère du travail, de l'emploi et de la sécurité sociale



Le Conseil consultatif national pour la pêche et l'aquaculture a pour missions d'examiner et d'évaluer tous les aspects liés aux activités de pêche et d'aquaculture, qui lui sont soumis et notamment:

- La gestion et l'exploitation des ressources biologiques;
- La stratégie du développement de la pêche et de l'aquaculture;
- Les programmes de formation et de recherche dans le domaine de la pêche et de l'aquaculture;
- es aspects liés au développement des ressources humaines et de la protection sociale des professionnels de la pêche et de l'aquaculture.

Le Département d'inspection du travail avec l'inspection générale du ministère du travail, de l'emploi et de la sécurité sociale est chargée, dans le cadre de sa mission générale de contrôle de l'application de la législation et de la réglementation en vigueur spécifiques au secteur et de la régulation du fonctionnement des structures centrales et déconcentrées et des organismes sous tutelle du ministère du travail, de l'emploi et de la sécurité sociale, des missions ci-après:

- s'assurer du fonctionnement normal et régulier des structures et organismes publics suscités et prévenir les défaillances dans leur gestion;
- veiller à la préservation et à l'utilisation rationnelle et optimale des moyens et ressources mis à leur disposition;
- s'assurer de la mise en œuvre et du suivi des décisions et orientations du ministre du travail, de l'emploi et de la sécurité sociale;
- évaluer l'organisation et le fonctionnement des structures centrales et déconcentrées et des organismes sous tutelle.

L'inspection générale peut, en outre, être appelée à effectuer un travail de réflexion, ou des missions ponctuelles de contrôle sur des dossiers précis, des situations particulières ou des requêtes entrant dans les attributions du Ministre du travail, de l'emploi et de la sécurité sociale.

L'inspection générale peut également proposer, à l'issue de ses missions, des recommandations ou toutes mesures susceptibles de contribuer à l'amélioration et au renforcement de l'action des services et établissements inspectés ainsi que de leur organisation.

La Caisse Nationale de la Sécurité Sociale est chargée notamment d'organiser, de coordonner et de contrôler les activités des agences de wilaya et d'antennes d'administration, la gestion des moyens humains et matériels de la caisse:

- de gérer le budget de la caisse, de coordonner les opérations financières et de centraliser la comptabilité générale;
- d'organiser le contrôle médical;
- d'attribuer un numéro d'immatriculation national aux assurés sociaux et aux employeurs;
- d'organiser l'information des assurés sociaux et des employeurs;
- de suivre l'application des conventions et accords en matière de sécurité sociale;
- de conclure les conventions prévues à l'article 60 de la loi n° 83-11 du 2 Juillet 1983 relative aux assurances sociales;
- de coordonner et de suivre la réalisation des investissements planifiés tels que prévus par l'article 92 de la loi n° 83-11 du 2 Juillet 1983 relative aux assurances sociales et par ses textes d'application, et de suivre la gestion des investissements réalisés;
- de contribuer à la prévention des accidents du travail et des maladies professionnelles, conformément à l'article 73 de la loi n° 83-13 du 2 Juillet 1983 relative aux accidents du travail et aux maladies professionnelles et à ses textes d'application;
- de gérer le fonds de prévention des accidents du travail et des maladies professionnelles prévu à l'article 74 de la loi n° 83-13 du 2 juillet 1983 précitée;
- de gérer le fonds d'aide et de secours prévu à l'article 90 de la loi n° 83-11 du 2 juillet 1983 relative aux assurances sociales.

N'existe pas une réglementation spécifique, mais générale concernant les conditions d'accès pour les pêcheurs à la Caisse nationale de sécurité sociale.

La Caisse Nationale des Retraités est chargée, notamment d'organiser, de planifier, de coordonner et de contrôler:

- les activités des agences de wilaya et d'antennes d'administration ou d'entreprise, la gestion des équipements et des moyens humains et matériels de la caisse;
- de gérer le budget de la caisse, de coordonner les opérations financières et de centraliser la comptabilité générale;
- de coordonner le recouvrement des cotisations de retraite et de retraite anticipée;
- de gérer et de reconstituer les carrières de assurés sociaux;
- d'organiser l'information des assurés sociaux et des employeurs;
- de suivre l'application des conventions et accords en matière de retraite.

Dans le cadre des missions qui lui sont dévolues par les dispositions du décret exécutif n° 92-07 du 4 janvier 1992, susvisé, la caisse nationale des retraites comprend, des services centraux, des agences locales, et, le cas échéant, des centres de paiement.

N'existe pas une réglementation spécifique ou générale concernant les conditions d'accès pour les pêcheurs à la Caisse nationale de retraite.

La Caisse Nationale de Sécurité Sociale des Non Salariés a été créée en 1992 portant statut juridique des caisses de sécurité et organisation administrative et financière de la sécurité sociale.

La CASNOS est devenue opérationnelle en 1995 en assurant l'activité du recouvrement transférée durant la même année, à partir de la CNAS qui en avait la charge, les prestations sociales ont été quant à elles transférées en 1999 à partir de la CNAS pour ce qui concerne les assurances sociales et de la CNR en ce qui concerne la retraite.

La CASNOS est dotée de la personnalité morale et de l'autonomie financière; elle est réputée commerçante dans ses relations avec les tiers, les missions de la CASNOS sont les suivantes :

- gérer les prestations en nature et en espèces les assurances sociales de non salariés;
- assurer le recouvrement, le contrôle cotisant et le contentieux du recouvrement;
- organiser, coordonner et exercer le contrôle médical;
- gérer le fonds d'aide et de secours;
- procéder à l'immatriculation des assurés sociaux;
- la CASNOS peut également entreprendre des actions sous forme de réalisations à caractère sanitaire et social.

L'affiliation à la CASNOS et le versement de la cotisation annuelle permettent aux ayants droit de bénéficier d'une couverture sociale tout au long de la vie, et même après grâce à l'assurance décès, dont le capital est égal au dernier revenu annuel soumis à cotisation, qui sera versé aux ayants droit.

La couverture sociale au profit des non-salariés concerne deux branches:

L'assurance sociale

Les prestations de l'assurance maladie concernent la prise en charge des frais de soins de santé, à titre préventif et curatif, en faveur de l'assuré et de ses ayants droit.

L'assurance Maternité a pour but la protection de la femme enceinte depuis la première constatation médicale de la grossesse jusqu'à l'accouchement. Elle est destinée à couvrir les frais médicaux liés à la grossesse et à l'accouche-

ment.

Lorsqu'un assuré est atteint d'une invalidité totale et définitive le mettant dans l'impossibilité absolue de continuer à exercer une profession quelconque, il ouvre droit à une assurance invalidité qui consiste en une pension d'invalidité versée mensuellement.

Lors du décès de l'affilié, la CASNOS verse aux ayants droit un capital décès. Par ailleurs, les ayants droit perçoivent mensuellement une pension ou allocation de réversion.

L'assurance vieillesse

Les ayants droit peuvent bénéficier de l'une des deux possibilités qu'offre la retraite en rapport avec les années ayant fait l'objet de cotisations.

Il existe deux catégories de bénéficiaires des assurances sociales :

- Ceux qui ont droit aux prestations sur leur propre compte, parce qu'ils ont la qualité d'assuré social.
- Ceux qui ont droit aux prestations sur le compte d'un assuré social, parce qu'ils ont un lien de parenté avec un assuré social: ce sont les ayants droit.

Les ayants droit sont définis comme suit:

- Le conjoint de l'assuré, s'il n'est pas lui-même assuré au titre de sa propre activité professionnelle ou s'il ne remplit pas les conditions d'ouverture de droit.
- Les enfants à charge âgés de moins de 18 ans.
- Les enfants de moins de 25 ans pour les quels il a été passé un contrat d'apprentissage prévoyant une rémunération inférieure à la moitié du salaire national minimum garanti.
- Les enfants de moins de 21 ans qui poursuivent leurs études. En cas de traitement médical débutant avant l'âge de 21 ans, la condition d'âge ne peut être opposée avant la fin du traitement.
- Les enfants à charge et les collatéraux au troisième degré de sexe féminin, sans revenu quel que soit leur âge.
- Les enfants quel que soit leur âge, qui sont par suite d'infirmité ou de maladie chronique, dans l'impossibilité permanente d'exercer une activité rémunérée quelconque.
- Les enfants qui remplissent les conditions d'âge requises, et qui ont interrompu leur apprentissage ou leurs études en raison de leur état de santé.
- Les ascendants de l'assuré ou du conjoint de l'assuré. Lorsque leurs ressources personnelles ne dépassent pas le montant minimal de la pension de retraite.

L'Institut National de la Prévention des Risques Professionnels, (INPRP) a pour objet d'entreprendre toutes activités concernant la promotion et l'amélioration des conditions d'hygiène et de sécurité en milieu de travail et de mettre en œuvre des programmes de recherches de développements et de formation dans le domaine de la prévention des risques professionnels.

L'Institut est placé sous la tutelle du Ministre chargé du Travail et de la Sécurité Sociale.

Organisme d'utilité publique à caractère industriel et commercial doté de la personnalité morale et de l'autonomie financière.

L'INPRP a pour mission général de mettre en œuvre :

- Des programmes de recherches, de développement et de formation dans le domaine de la prévention des risques professionnels;
- Des études techniques et scientifiques;
- Des conseils pratique et suggestions;
- L'homologation et la normalisation;
- L'assistance technique.

Dans ce cadre, il est notamment chargé:

- De promouvoir : l'amélioration des conditions d'hygiène et de sécurité au travail.
- D'assister par le développement d'esprit de sécurité professionnel toutes les entreprises publiques et privés sur le territoire national.
- D'étudier les conditions concrètes d'hygiène et de sécurité sur les lieux de travail.
- De recommander les solutions visant l'amélioration des conditions de travail.
- D'enquêter par le dépistage sur les lieux de travail, les dangers et les lacunes dans le dispositif de prévention des accidents du travail et des maladies professionnelles.
- De rassembler et diffuser toute information et documentation concernant l'hygiène et sécurité en milieu de travail.
- D'assurer la formation: par le recyclage et le perfectionnement des personnels, dans le cadre de la législation et de la réglementation en vigueur.
- D'informer et de sensibiliser par le développement d'esprit de sécurité professionnel en milieu de travail.
- De contribuer à la recherche par toute étude spécialisée d'utilité publique ou d'intérêt général. Les études sont menées à la demande des pouvoirs publics ou à la commande de tout établissement et organisation public ou privé.
- De contribuer par des travaux de normalisation et des recommandations en matière d'homologation de machines et/ou d'utilisation de substances dangereuses.

3.2 Législations du travail des pêcheurs

La loi cadre n° 01-11 du 3 juillet 2001 relative à la pêche et à l'aquaculture inscrit le développement du secteur dans un cadre durable et fournit toutes les corrections et solutions relatives à l'exploitation, la valorisation, et la conservation de la ressource. De plus, la loi cadre a introduit et a renforcé le sens de la préservation de la profession en particulier le marin pêcheur, qui est l'acteur réel du développement du secteur. Aussi elle a mis en considération particulière la gestion participative et consultative du secteur en faisant participer les professionnels, scientifiques, chercheurs, et opérateurs.

En outre, cette loi se veut un espace favorable à la rencontre et la conjugaison des efforts et des capacités vives et positives pouvant donner une nouvelle dynamique sur la base d'un développement rationnel et responsable dans le cadre d'une vision durable. Dans ce sens, la loi relative à la pêche et à l'aquaculture a été établie selon une structure qui permettra, sans aucun doute, de prendre en charge les préoccupations actuelles et futures et de s'adapter aux conditions d'exploitation diverses, en englobant le pêcheur artisan et l'industriel, le professionnel et le scientifique.

Au niveau National, les lois que règlent spécifiquement les conditions de travail des pêcheurs sont deux. Le premier est le décret exécutif n°05-102 du 26 Mars 2005 fixant les règles particulières de la relation de travail de l'équipage sur les navires, le transport maritime, du commerce et de la pêche. La seconde est l'arrêté ministériel du 21 Septembre 2006, qui définit le modèle standard de contrat de recrutement des marins. Le décret exécutif du 26 Mars 2005 contient trois chapitres, le premier sur les dispositions générales, le second sur les relations de travail, et le dernier sur les règles de procédure. Le chapitre intitulé « Rapport du travail » contient une section sur le recrutement, sur une période d'essai, une section sur le temps de travail à bord, l'absence et le congé, un autre sur la rémunération de l'équipage et enfin une section sur la cessation de la relation d'emploi.

3.3 Stratégie nationale de développement

La stratégie nationale de développement de la pêche est contenue dans le Programme de relance du secteur de la pêche et des ressources halieutiques. Les objectifs retenus pour l'élaboration du programme du secteur de la pêche et des ressources halieutiques, s'inspirent des plans quinquennaux (2001-2005) pour le développement des Pêches Maritimes et Océaniques, de l'Aquaculture et de lutte contre la pauvreté, et portent sur :

- Le développement des pêches maritimes et de l'aquaculture;
- La création d'emplois permanents;
- L'apports en investissements privés national et étranger;
- L'augmentation de la production;
- L'amélioration du pouvoir d'achat et la lutte contre la pauvreté et l'exclusion;
- L'encouragement aux exportations hors hydrocarbures;
- La préservation de l'environnement;
- L'équilibre régional et la stabilisation des populations;
- Renouvellement et modernisation de la flotte de pêche.

Les actions retenues au titre du programme de relance du secteur sont orientés tout d'abord vers le développement de la pêche côtière; la réhabilitation et le développement de la pêche artisanale; le développement de la pêche au large et de la grande pêche, l'aménagement des plages d'échouage; le soutien aux activités de production (construction, réparation et maintenance navales, conditionnement, valorisation, froids, transports, etc.);

Le programme du développement prévu jusqu'en 2012 est donnée dans le «Schéma directeur de développement des activités de la pêche et de l'aquaculture – Horizon 2025».

Le schéma vise un développement intégré et durable des activités de la pêche et de l'aquaculture à l'horizon 2025, en partant des considérables efforts déployés par les pouvoirs publics depuis l'année 2000, à travers les plans successifs de relance économique et de soutien à la croissance, vers la perspective d'une insertion utile et efficace du secteur au sein d'une économie nationale en phase d'intégration à un contexte international, caractérisé tant par une rude concurrence économique que par la dégradation de l'environnement.

Comme le démontre les résultats financiers attendus à terme, à savoir, une valeur ajoutée de plus de 85 milliards de Da pour un produit sectoriel brut de près de 94 milliards de Da et un chiffre d'affaire de 102 milliards de Da, générant

un minimum de recettes fiscales annuelles de l'ordre de 7milliards de Da, le secteur est rentable pour peu que son infrastructure soit parachevée et qu'une synergie intersectorielle soit instaurée.

Depuis l'année 2000, le secteur est parvenu à un taux de couverture moyen des importations des produits halieutiques par les exportations de près de 50%. D'un autre côté, le secteur participe à hauteur de 17,21% du total des exportations des biens alimentaires.

A l'horizon 2025, il est prévu, l'injection de 1.493 nouvelles unités de pêche (dont 827 déjà inscrites au titre des programmes de développement 2001-2004 et 2005-2009). Ces nouvelles embarcations induiront la création de près de 23.661 emplois directs et de 71.000 indirects.

Cet effort de pêche additionnel autorisera des débarquements supplémentaires de 81.600 tonnes, augmentant la production totale des pêches maritimes à 221.100 tonnes métriques.

De ce fait, le ratio de consommation per capita enregistrera une amélioration sensible par la seule production nationale. Il passera de 5,1 kg en 2005, importations comprises, pour une population de 32,3 millions d'habitants, à près de 6,5 kg en 2025, importations non comprises, pour une population de 42,4 millions d'habitants.

3.4 L'emploi dans le secteur de la pêche

Depuis l'installation du ministère de la pêche et des ressources halieutique, le nombre d'emplois générés a augmenté de 3.378 emplois en l'an 2000 à 6.105 emplois en 2002.

Aussi, l'augmentation de la production a fait passer la ratio alimentaire de 4,58 kg/an en 2001 à 4,62kg/an en 2002

Table 6. L'Emploi dans le secteur de la pêche

Année	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Emplois (directs et indirects)	26500	28255	29004	30544	34046	41195	44191	50665	53853	57600	66400

La population maritime en 2009, a connu une nette augmentation de plus de 15% par rapport à l'année 2008, enregistrant ainsi une création de 8.800 nouveaux emplois directs et indirects. Aussi, un taux de croissance annuel de plus de 250% a été enregistré en 2009 par rapport à 1999, soit une création de plus de 39.800 nouveaux emplois.

Les inscrits maritimes ont connu une augmentation de près de 6% a été enregistrée en 2009 par rapport à 2008, due essentiellement à l'injection des nouvelles unités de pêche. Cependant, on enregistre une augmentation de plus de 62% par rapport à l'année 2000.

3.5 Les organisations de représentation

Le nombre d'associations professionnelles et coopératives toutes activités confondu (armateurs, chalutiers, sardiniers

et petits métiers) est de 119 et 75 respectivement.

3.6 Conventions collectives de travail

Une convention collective du travail est en phase d'approbation.

La réglementation de base est le décret exécutif n° 05-102 du 26 mars 2005 fixant le régime spécifique des relations de travail des personnels navigants des navires de transports maritimes, de commerce ou de pêche. Les dispositions du décret s'appliquent au personnel navigant étranger recruté conformément à la législation et à la réglementation en vigueur.

Le décret contient des dispositions relatives au recrutement, à la période d'essai, à la durée de travail à bord des navires, des absences et des congés. Cette réglementation aussi contient des dispositions sur la rémunération.

Le modèle-type du contrat d'engagement du navigant à la pêche est fixé par l'annexe de l'arrêté interministériel du 21 septembre 2006. Cette réglementation établit que tout engagement de personnel navigant à la pêche ne peut être opéré que par un contrat établi conformément à la réglementation en vigueur et au modèle-type du contrat d'engagement annexé.

3.7 Engagement

Toutes les personnes exerçant la pêche à titre professionnel doivent avoir le livret professionnel de pêcheur institué par le décret exécutif n°03-481 du 13 décembre 2003. Les livrets professionnels sont établis et délivrés par la chambre algérienne de pêche et d'aquaculture et les chambres de pêche et d'aquaculture de wilaya ou inter-wilayas territorialement compétentes. Le livret professionnel est validé chaque année. Il doit être conservé en permanence et présenté à tout contrôle effectué par les autorités compétentes.

L'annexe de l'arrêté interministériel du 21 septembre 2006 contient l'accord entre l'armateur (ou son représentant) et le navigateur à la pêche et ils doivent convenir sur:

- La fonction;
- La durée du contrat : si est engagé (e) pour une durée déterminée (marée ou campagne) ou indéterminée;
- La rupture du contrat d'engagement et préavis : en cas de cessation de la relation de travail par la démission, le navigant à la pêche est tenu de donner un préavis écrit de quinze (15) jour pour la pêche au large et la grande pêche et du moins vingt-quatre (24) heures pour la pêche côtière. Toutefois, la démission du patron de pêche et du personnel navigant officier ne devient effective qu'après que le navire soit à port et que l'ensemble des conditions de sécurité aient été remplies ou que le nouveau patron de pêche ou le nouvel officier navigant prennent leurs fonctions;
- La rémunération: si est mensuelle et/ou à la part.

Les autres dispositions du contrat sont fixées par le décret exécutif n° 05-102 du 26 mars 2005:

- La période d'essai: le navigant à la pêche recruté au titre du contrat à durée déterminée et à la pêche côtière n'est pas soumis à la période d'essai;
- Repos et congés.

L'armateur est tenu de s'acquitter des cotisations de la sécurité sociale du/de la navigant à la pêche conformément à la législation et la réglementation en vigueur.

3.8 Rémunération

La section 4 du décret exécutif n° 05-102 du 26 mars 2005 régit la rémunération du personnel navigant des navires de transports maritimes, de commerce et de pêche.

Le personnel navigant perçoit, en contrepartie de son travail:

- soit un salaire de base, de primes et indemnités et, le cas échéant, une participation aux résultats,
- soit, pour la navigation de pêche côtière, un revenu proportionnel aux résultats du travail.

L'armateur est tenu de verser régulièrement au personnel navigant et à terme échu, le salaire ou la part qui lui est dû. Le personnel navigant à la pêche est rémunéré soit à salaire fixe soit à la part. Le montant des parts du personnel navigant est calculé après déduction des dépenses et des charges communes. Les éléments constituant les dépenses et les charges communes sont ceux fixés par l'arrêté du 11 Janvier 2009.

Le niveau du salaire fixe ou de la part est fixé par le contrat d'engagement. Généralement le pêcheur est payé à la part. La rémunération des marins se fait chaque fin de semaine et adopte le système des parts différent d'une région à l'autre.

3.9 Temps du travail

Le travail à bord des navires de transports maritimes, de commerce ou de pêche comprend:

- le service à la mer et,
- le service au port.

Le service à la mer constitue un service permanent.

Le personnel navigant embarqué sur les navires de transports maritimes, de commerce, de pêche au large et de grande pêche est réparti en quarts pour le personnel du pont et de la machine et en équipes pour le personnel du service général.

Les bordées et les quarts se succèdent de jour et de nuit sans interruption en vue d'assurer la marche, la conduite, l'entretien et la sécurité du navire, de la cargaison et des personnes embarquées à bord, ainsi que les opérations de pêche, alors que les équipes demeurent en service pendant la journée en vue d'assurer les tâches de restauration et d'hôtellerie.

A l'exception de la pêche côtière, les règles du service à la mer sont applicables à la mer, sur rade et toutes les fois que le navire séjourne moins de vingt quatre heures dans les ports d'escale.

Dans le cas de séjour du navire au port pour une période supérieure à vingt quatre heures, le service à la mer prend fin, au plus tard, quatre heures après l'amarrage du navire et reprend quatre heures avant l'appareillage.

A l'exception de la navigation de la pêche côtière, un tableau réglant l'organisation du travail, tant à la mer qu'au port, est dressé par le capitaine et visé par l'administration maritime territorialement compétente et affiché à bord.

Toute modification au cours de l'expédition maritime est consignée dans le registre des heures de travail ou de repos de bord.

La durée de travail à bord des navires est régie par la Section 3 du décret exécutif n° 05-102 du 26 mars 2005.

A l'exception du déchargement du poisson dans le port et en rade, la durée de travail ne peut être prolongée au delà de huit heures. Le personnel navigant embarqué peut être soumis aux heures supplémentaires sur les lieux de pêche. Dans ce cas, il bénéficie d'un repos de dix heures au minimum, dont six heures consécutives quotidiennement.

Par dérogation aux dispositions de l'alinéa précédent, la durée de repos peut être réduite à huit heures pendant cinq jours consécutifs; mention en est portée au journal de bord.

Sauf dispositions contractuelles prévues dans le contrat d'engagement, le nombre d'heures supplémentaires que peut effectuer un personnel navigant ne peut dépasser un maximum de vingt huit heures par semaine.

Les heures supplémentaires effectuées sont rémunérées conformément aux dispositions de l'article 32 de la loi n°90-11 du 21 avril 1990, susvisée.

3.10 Pauses et repos

La sous-section 3 du décret exécutif n° 05-102 du 26 mars 2005, sur la durée de travail, des absences et des congés, est spécifiquement pour les navires de pêche. Les autres navires, de transports et de commerce, sont régies par la sous-section 2.

Pendant la durée de la marée, le service est organisé, au moins, en deux quarts.

A l'issue d'une marée supérieure à six jours, un repos effectif de vingt quatre heures doit être accordé au personnel navigant pêcheur.

Le personnel navigant embarqué à bord des navires de pêche côtière ouvre droit à un repos non rémunéré de vingt quatre heures après six jours de travail consécutifs.

Conformément aux dispositions de l'article 36 de la loi n°90-11 du 21 avril 1990, susvisée, le personnel navigant à la pêche au large et de la grande pêche qui a travaillé un jour de repos légal a droit, à la fin du cycle d'embarquement, à un repos compensateur d'égale durée et bénéficie du droit de majoration des heures supplémentaires.

L'article 43 prévoit que, sans préjudice des dispositions de l'article 40, le personnel navigant des navires armés à la

pêche côtière, à la pêche au large et à la grande pêche et pour des marées supérieures à vingt quatre heures d'embarquement, bénéficie d'un repos de six heures par vingt quatre heures de travail à bord sans que, toutefois, le total ne puisse être inférieur à quatre vingt heures sur dix jours consécutifs de travail à bord.

3.11 Congés

La période d'embarquement effective et ininterrompue des personnels navigants à bord des navires de toutes catégories, à l'exception des navires affectés à la navigation de la pêche côtière et de servitude, ne peut excéder une durée maximale de six mois. Cette durée peut être prolongée dans les cas de force majeure.

Le personnel navigant à la pêche au large et de la grande pêche bénéficie de sept jours de congé payé par trente jours d'embarquement avec un maximum de soixante dix jours par année. Ce congé sera pris par roulement, au choix et suivant l'ordre d'ancienneté de ce personnel à bord.

Le personnel navigant embarqué à bord des navires affectés à la navigation restreinte, sans restriction, à proximité du littoral et à la navigation de pêche au large et de grande pêche, bénéficie d'une augmentation de la durée du congé principal dans les conditions et selon les modalités fixées par arrêté conjoint des ministres chargés de la marine marchande, de la pêche et du travail.

3.12 Recrutement de pêcheurs étrangers

La réglementation de base, décret exécutif n° 05-102 du 26 mars 2005 s'applique aussi au personnel navigant étranger recruté conformément à la législation et à la réglementation en vigueur.

La loi n° 81-10 du 11 juillet 1981 prévoit que, sous réserve des dispositions contraires d'un traité ou d'une convention conclu par l'Algérie avec un Etat étranger, tout étranger appelé à exercer une activité salariée en Algérie doit être titulaire d'un permis de travail ou d'une autorisation de travail temporaire délivrée par les services compétents de l'autorité chargée du travail, conformément aux dispositions de cette loi. Si le travailleur étranger n'est pas soumis au permis de travail, l'organisme employeur est tenu d'en faire la déclaration auprès des services de l'emploi territorialement compétents.

Il est fait défense à tout organisme employeur d'occuper, même au titre temporaire, des travailleurs étrangers n'ayant pas un niveau de qualification au moins équivalent à celui de technicien, sauf le cas de ressortissants d'un Etat avec lequel l'Algérie a conclu un traité ou une convention, ainsi que des personnes ayant le statut de réfugiés politiques. Des dérogations exceptionnelles peuvent être accordées, en cas de force majeure, par le ministre chargé du travail, sur rapport motivé de l'organisme employeur.

Le permis de travail ou l'autorisation de travail temporaire permet au bénéficiaire l'exercice d'une activité salariée déterminée, valable pour une période donnée, auprès d'un seul et même organisme employeur.

Une autorisation de travail temporaire est délivrée aux travailleurs étrangers appelés à exercer une activité salariée

d'une durée inférieure ou égale à trois mois, sur demande motivée de l'organisation employeur après consultation du représentant des travailleurs. Elle ne peut être renouvelée plus d'une fois dans l'année.

Sont exclus de l'obligation de l'autorisation de travail temporaire les travailleurs étrangers appelés, à titre exceptionnel, pour effectuer des travaux n'excédant pas quinze jours et sans que le total cumulé des durées de présence n'excède trois mois dans l'année.

L'article 10 prévoit que la durée du permis de travail ne peut être supérieure à deux ans, mais il est renouvelable.

Après expiration du contrat de travail pour lequel il est tenu, un travailleur étranger peut être autorisé exceptionnellement, par les services de l'emploi territorialement compétents et après consultation du dernier employeur, à offrir ses services à un autre employeur qui introduira, pour son compte, une demande de permis de travail.

Le travailleur étranger peut, dans des conditions fixées par décret, prétendre au remboursement des frais de voyage, pour lui-même et les membres de sa famille, de son lieu habituel de résidence à son lieu d'affectation.

Si le titulaire du permis de travail a des motifs valables qui l'obligent à quitter son employeur, il doit avertir les services de l'emploi territorialement compétents, quinze jours au moins avant la rupture de la relation de travail et en justifier les motifs. Le travailleur étranger est tenu de restituer le permis de travail ou l'autorisation de travail temporaire à son organisme employeur, lequel doit l'adresser aux services territorialement compétents au plus tard quinze jours après la date de rupture de la relation de travail.

3.13 Mesures de indemnité

N'existe pas une réglementation spécifique, mais générale concernant les conditions d'accès pour les pêcheurs à la Caisse nationale de sécurité sociale et à la Caisse nationale de retraite que ce soit pour les indemnités ou autres, mais ça n'existe pour la Caisse nationale d'assurance chômage.

La Loi n° 83-11 du 2 Juillet 1983 a pour objet d'instituer un régime unique d'assurances sociales que couvrent les risques de maladie, maternité, invalidité et décès. Bénéficient des dispositions de cette loi, tous les travailleurs, qu'ils soient salariés ou assimilés à des salariés, et ce quel que soit le secteur d'activité auquel ils appartiennent et le régime dont ils relevaient antérieurement à la date d'effet de cette loi.

Bénéficient des prestations en nature les personnes physiques non salariées qui exercent effectivement, pour leur propre compte, une activité industrielle, commerciale, libérale, artisanale, agricole ou toute autre activité dans les conditions fixées par la réglementation en vigueur (Art.4).

L'article 6 prévoit que soit affiliées obligatoirement aux assurances sociales, les personnes, quelle que soit leur nationalité, occupées sur le territoire national, salariées ou travaillant, à quelque titre et en quelque lieu que ce soit, pour un ou plusieurs employeurs, quels que soient le montant et la nature de leur rémunération, la forme, la nature, ou la validité de leur contrat ou de leur relation de travail.

La loi 83-11 du 2 Juillet 1983, fixe l'ayant droit aux prestations des personnes inactives. A droit et ouvre droit aux prestations en nature de l'assurance-maladie, le titulaire:

- d'une pension directe d'invalidité des assurances sociales;
- d'une rente d'accident du travail ou de maladie professionnelle correspondant à une incapacité de travail au moins égal à 50%;
- d'une pension de retraite;
- d'une pension de retraite de réversion;
- d'une pension de retraite substituée à une pension d'invalidité;
- d'une allocation de retraite;
- d'une allocation de retraite de réversion;
- d'une allocation aux vieux travailleurs salariés;
- d'un secours viager;
- d'une pension d'invalidité de réversion;
- d'une pension de retraite de réversion substituée à une pension d'invalidité de réversion;
- d'une rente d'accident du travail ou de maladie professionnelle de conjoint, d'orphelin ou d'ascendant.

Le financement des dépenses d'assurance sociales est assuré par une fraction de cotisation obligatoire, à la charge des employeurs ainsi que des bénéficiaires. Sont exonérés du paiement des cotisations : les moudjahidine, les titulaires de pension au titre de la législation des moudjahidine et des victimes de la guerre de libération nationale, les personnes handicapées physiques ou mentales, les étudiants, les personnes visées ci-dessus lorsque le montant de leur revenu est égal ou inférieur au salaire national minimum garanti.

3.14 Indemnité de chômage

Il n'y a pas d'indemnités chômage.

3.15 Indemnité de maladie

Les prestations de l'assurance-maladie sont fixées par l'article 7 de la Loi n° 83-11 du 2 Juillet 1983.

Elles comportent:

- Prestations en nature : la part en charge des frais de soins de santé, à titre préventif et curatif, en faveur de l'assuré et de ses ayants droit;
- Prestations en espèces : l'attribution d'une indemnité journalière au travailleur contraient, pour cause de maladie, d'interrompre, momentanément, son travail.

Les prestations en nature de l'assurance-maladie couvrent les frais médicaux, chirurgicaux, pharmaceutique, d'hospitalisation, d'explorations biologiques.

Ces prestations ne peuvent être accordées que si les soins ont été prescrits par un médecin ou par toute personne habilitée, à cet effet, par la réglementation. La couverture des frais prévus à l'article 8 sont attribuées sans limitation de durée si l'assuré remplit à la date des soins, les conditions d'ouverture des droits.

L'article 13 prévoit que le dossier médical doit être adressé ou présenté à l'organisme de sécurité sociale, dans les

trois mois qui suivent le premier acte médical, sauf s'il y a traitement médical continu. Dans ce dernier cas, le dossier doit être présenté dans les trois mois qui suivent la fin du traitement.

Les bénéficiaires des prestations en espèces sont les travailleurs que se trouvent dans l'incapacité physique ou mentale, constatée médicalement de continuer ou de reprendre son travail. Ils avaient droit à une indemnité journalière fixée ainsi qu'il suit :

- du 1^{er} au 15^{ème} jour suivant l'arrêt du travail le 50% du salaire de poste journalier net;
- à partir du 16^{ème} jour suivant l'arrêt du travail le 100% du salaire visé ci-dessus;
- en cas de maladie de longue durée ou d'hospitalisation, le taux de 100% est applicable à compter du premier jour d'arrêt du travail.

L'indemnité journalière est due pour chaque jour ouvrable ou non: elle ne peut être supérieur au trentième (1/30^{ème}) du salaire de poste mensuel perçu, pris pour base de calcul des prestations d'assurances sociales. En cas d'affections de longue durée, l'indemnité journalière peut être servie pendant une période de 3 ans, calculée de date à date pour chaque affection.

En cas d'affection de longue durée ou d'affection entraînant une interruption de travail ou nécessitant de soins continus pendant une période supérieure à 6 mois, l'article 19 prévoit que l'organisme de sécurité sociale doit faire procéder, périodiquement, à un examen médical du bénéficiaire.

La continuation du service des prestations est subordonnée à l'obligation pour le bénéficiaire :

- de se soumettre, sous contrôle de l'organisme de sécurité sociale, aux visites médicales et aux examens nécessaires par son état,
- de se soumettre aux traitements et mesures de toute nature prescrits,
- par l'organisme de sécurité sociale, conjointement avec le médecin traitant,
- de s'abstenir de toute activité non autorisée.

L'article 22 prévoit que le montant de l'indemnité journalière au taux de 100%, ne peut être inférieur à huit fois le montant net du taux horaire du salaire national minimum garanti:

- L'Assurance-invalidité est régie par le Chapitre III et a pour but l'attribution d'une pension à l'assuré contraint d'interrompre son travail pour cause d'invalidité: l'assuré a droit à une pension d'invalidité lorsqu'il présente une invalidité réduisant, au moins de moitié, sa capacité de travail ou de gain;
- L'état d'invalidité est apprécié en tenant compte de la capacité de travail restante, de l'état général, de l'âge et des facultés physiques et mentales de l'assuré ainsi que de ses aptitudes et de sa formation professionnelle;
- La demande de pension d'invalidité n'est recevable que si l'assuré n'a pas encore atteint l'âge qui lui ouvre droit à la retraite. Toutefois, cette condition d'âge n'est pas opposable à l'assuré qui ne remplit pas les conditions de durée de travail pour bénéficier d'une pension de retraite.

A l'expiration de la période au cours de laquelle ont été servies les prestations en espèces de l'assurance-maladie, l'organisme de sécurité sociale procède d'office à l'examen des droits, au titre de l'assurance-invalidité, sans attendre que l'intéressé en fasse la demande.

L'article de 36 contient les trois catégories de classification de l'invalidité pour la détermination du montant de la

pension:

Table 7. Détermination du montant de la pension

Catégories	Classification de l'invalidité	Montant annuel
1 ^{ère} catégorie	invalides encore capables d'exercer une activité salariée	60% du salaire de poste annuel moyen
2 ^{ème} catégorie	invalides absolument incapables d'exercer une activité salariée	80% du salaire
3 ^{ème} catégorie	invalides qui, étant absolument incapables d'exercer une activité salariée sont, en outre, dans l'obligation d'avoir recours à l'assistance d'une tierce personne	80% du salaire - majorée de 40% sans que cette majoration puisse être inférieure à un minimum fixé par voie réglementaire

Le montant annuel de la pension d'invalidité ne peut être inférieur à un minimum fixé à 2300 fois le taux horaire national minimum garanti. Les pensions d'invalidité et les pensions de réversion, sont versées mensuellement et à terme échu.

La pension d'invalidité peut être révisée en raison d'une modification de l'état d'invalidité: elle est supprimée s'il est constaté que la capacité de travail du bénéficiaire est supérieure à 50%.

A partir de l'âge de retraite, la pension d'invalidité est remplacée par une pension de retraite d'un montant au moins égal, à laquelle s'ajoute, éventuellement, la majoration pour conjoint à charge. Pour avoir et ouvrir droit aux prestations en nature et aux indemnités journalières de l'assurance-maladie pendant les 6 premiers mois, l'assuré doit avoir travaillé:

- soit, au moins, pendant 9 jours ou 60 heures au cours des 3 mois précédant la date des soins dont le remboursement est demandé;
- soit, au moins, pendant trente 6 jours ou 240 heures au cours des 12 mois précédant la date des soins dont le remboursement est demandé;
- L'article 53 prévoit que le travailleur ouvre droit à l'allocation-décès à compter du premier jour de son entrée effective en fonction;
- Pour avoir droit aux indemnités journalières de l'assurance-maladie au-delà du sixième mois, ainsi qu'à la pension d'invalidité, l'assuré doit avoir travaillé;
- soit, au moins, pendant 36 jours ou 240 heures au cours des 12 mois précédant l'interruption de travail ou la constatation de l'invalidité;
- soit, au moins, pendant 108 jours ou 720 heures au cours des 3 années qui ont précédé l'interruption de travail ou la constatation de l'invalidité.

Ces conditions prévues ne sont pas applicables à l'assuré, si la maladie ou l'invalidité découlent d'un accident.

L'article 58 prévoit qu'est assimilée à huit heures de travail salarié en vue de la détermination du droit aux prestations:

- toute journée pendant laquelle l'assuré a perçu les indemnités journalières des assurances-maladie, maternité, accidents du travail et maladies professionnelles;
- toute journée d'interruption de travail due à la maladie, lorsque l'assuré a épuisé ses droits à indemnisation, à condition que l'incapacité physique de continuer ou de reprendre le travail soit reconnue par l'organisme de sécurité sociale;

- toute journée de congé payé légal;
- toute journée au cours de laquelle ont été remplies les obligations du service national ou effectuée dans les circonstances d'une mobilisation générale.

La section II du chapitre V, contient tous les taux de remboursement prévus relatives aux soins de santé.

L'article 64 prévoit que les organismes de sécurité sociale peuvent décider de soumettre les assurés à un examen médical, à charge, pour eux, de pourvoir aux frais du praticien. Ils peuvent également soumettre les assurés à un contrôle par un de leurs représentants.

Au cas où l'assuré s'oppose à ces examens médicaux ou au contrôle demandé, ou lorsqu'il ne répond pas à la convocation, il est déchu de ses droits aux prestations pour la période pendant laquelle le contrôle aura été entravé.

3.16 Les prestations familiales

La section II, de la loi 83-11, contenant le montant de la pension d'invalidité, prévoit que le conjoint, les enfants et les ascendants à charge d'un titulaire d'une pension d'invalidité décédé, bénéficient d'une pension d'invalidité de réversion.

La loi 83-11 par « ayant droit » de la famille entend le conjoint de l'assuré, les enfants à charge, au sens de la réglementation de sécurité sociale, et âgés de moins de 18/21 ans.

Le chapitre II contient les dispositions sur l'assurance-maternité, que comportent:

- prestations en nature : la prise en charge des frais relatifs à la grossesse, à l'accouchement et à ses suites;
- prestations en espèces: l'attribution d'une indemnité journalière à la femme travailleuse contrainte, pour cause de maternité, d'interrompre son travail. L'article 28 prévoit que la femme travailleuse, contrainte d'interrompre son travail pour cause de maternité, a droit à une indemnité journalière dont le montant est égal à 100% du salaire de poste journalier perçu pour quatorze (14) semaines consécutives. L'intéressée doit obligatoirement cesser son travail avant la date présumée de l'accouchement, déterminée sur la base d'un certificat médical.

L'assurance-décès, prévue par le chapitre IV, a pour objet de faire bénéficier d'une allocation-décès, les ayants droit d'un assuré décédé.

Le montant de l'allocation-décès est fixé à 12 fois le montant du dernier salaire de poste mensuel. En aucun cas, ce montant ne peut être inférieur à douze fois le montant mensuel du salaire national minimum garanti. L'allocation-décès est versée en une seule fois et est versée à l'ayant droit du décédé : en cas de pluralité d'ayant droit, l'allocation-décès est répartie entre eux, par parts égales.

Les ayants droit d'un titulaire d'une pension d'invalidité, de retraite ou de rente d'accident du travail, tels qu'ils sont définis ci-dessus, bénéficient, d'une allocation-décès dont le montant est égal au montant annuel de la pension d'invalidité, de retraite ou de rente d'accident du travail, sans que ce montant puisse être inférieur au minimum fixé à 2.300 fois les taux horaires du salaire national minimum garanti.

En cas de décès du pensionné ou du travailleur, chacun de ses ayants droit bénéficie d'une pension de réversion.

Sont considérés comme ayants droits le conjoint, les enfants à charge, les ascendants à charge.

Pour pouvoir bénéficier d'une pension de réversion, le conjoint doit avoir contracté un mariage légal avec le *de cuius*.

Ne peuvent prétendre à la pension de réversion que les enfants nés avant le décès ou, au plus tard, dans les 305 jours suivant la date du décès.

L'article 34 fixe le montant de chaque pension d'ayant droit:

- lorsqu'il n'existe ni enfant, ni ascendant, le montant de la pension de réversion du conjoint survivant est fixé à 75% du montant de la pension du *de cuius*;
- lorsqu'en plus du conjoint, il existe un autre ayant droit (enfant ou ascendant), le montant de la pension du conjoint est fixé à 50% du montant de la pension directe, celui de la pension de l'autre ayant droit à 30%;
- lorsqu'en plus du conjoint, il existe deux ou plusieurs autres ayants droit (enfants ou ascendants ou les deux à la fois), le montant de la pension du conjoint est fixé à 50% du montant de la pension directe; les autres ayants droit se partagent, à parts égales, 40% du montant de cette pension directe;
- lorsqu'il n'existe pas des conjoint, les autres ayants droit se partagent une pension égale à 90% du montant de la pension du *de cuius* et ce, dans la limite d'un maximum fixé, pour chaque ayant droit, à:
 - 45% de la pension quand l'ayant droit est un enfant;
 - 30% de la pension quand l'ayant droit est un ascendant.

Le montant total des pensions d'ayants droit ne peut être supérieur à 90% du montant de la pension du *de cuius*. Lorsque le total des pensions dépasse ce pourcentage, il est procédé à une réduction proportionnelle de chacune des pensions.

3.17 Les accidents et les maladies professionnelles

La loi n°88-07 du 26 Janvier 1988 a pour objet de définir les voies et les moyens ayant pour but d'assurer aux travailleurs les meilleures conditions en matière d'hygiène, de sécurité et de médecine du travail, et de désigner les personnes responsables et organismes employeurs chargés de l'exécution des mesures prescrites. Les dispositions de cette loi sont applicables à tout organisme employeur, quel que soit le secteur d'activité auquel il appartient.

L'article 12, Chapitre III « Règles générales en matière de médecine du travail » prévoit que la double mission de la médecine du travail est préventive, essentiellement et curative et a pour but d'organiser les soins d'urgence aux travailleurs, la prise en charge de traitements ambulatoires et le traitement des maladies professionnelles et à caractère professionnel. La médecine du travail constitue une obligation de l'organisme employeur. Elle est à la charge de celui-ci.

Le décret exécutif n°05-102 du 26 mars 2005, qui est spécifique pour le personnel navigant, prévoit que les périodes de congé, de maladie ou d'accident de travail du personnel navigant embarqué à bord des navires affectés à la navigation restreinte sans restriction, à proximité du littoral et à la navigation de pêche au large et de grande pêche, survenues durant son embarquement, sont prises en compte pour le calcul des congés payés.

L'indemnité de congé payé attribuée au personnel navigant embarqué à bord des navires affectés à la navigation

restreinte, sans restriction, à proximité du littoral et à la navigation de pêche au large et de la grande pêche est calculée en fonction de la rémunération dont a bénéficié ce personnel durant la période d'activité à bord et à laquelle s'ajoutent toutes primes prévues par le contrat d'engagement.

3.18 Accidents du travail

La loi 83-11 du 2 Juillet 1983, fixe entre les ayants droit aux prestations des personnes inactives le titulaire:

- d'une rente d'accident du travail correspondant à une incapacité de travail au moins égal à 50%,
- d'une rente d'accident du travail de conjoint, d'orphelin ou d'ascendant.

En cas d'accident professionnel le travailleur est bénéficiaire des dispositions prévues par la loi relative aux assurances sociales, contenues dans le chapitre des prestations sociales.

3.19 Maladie du travail

Les ayants droit aux prestations des personnes inactives sont les titulaires:

- d'une rente de maladie professionnelle correspondant à une incapacité de travail au moins égal à 50%;
- d'une rente de maladie professionnelle de conjoint, d'orphelin ou d'ascendant.

En cas de maladie professionnelle le travailleur est bénéficiaire des dispositions prévues par la loi relative aux assurances sociales, contenues dans le chapitre des prestations sociales.

3.20 Performances des fonds de pension

L'institution du régime unique de retraite est basée sur les principes suivants:

- uniformisation des règles relatives à l'appréciation des droits,
- uniformisation des règles relatives à l'appréciation des avantages,
- unification du financement.

L'article 3 fixe que la pension de retraite constitue un droit à caractère pécuniaire, personnel et viager.

Ont droits au bénéfice de la loi 83-12:

- tous les travailleurs, qu'ils soient salariés ou assimilés à des salariés, et ce quel que soit le secteur d'activité auquel ils appartiennent et le régime dont ils relevaient antérieurement à la date d'effet de cette loi (Art.3 de la loi n° 83-11 du 2 juillet 1983 relative aux assurances sociales);
- bénéficient des prestations en nature les personnes physiques non salariées qui exercent effectivement, pour leur propre compte, une activité industrielle, commerciale, libérale, artisanale, agricole ou toute autre activité dans les conditions fixées par la réglementation en vigueur (Art.4 de la loi n° 83-11 du 2 juillet 1983 relative aux assurances sociales).

Les droits accordés au titre de la retraite comportent :

- une pension directe attribuée du fait de la propre activité du travailleur, augmentée d'une majoration pour conjoint à charge;
- des pensions de réversion comprenant une pension en faveur du conjoint survivant, une pension d'orphelin, une pension d'ascendant.

L'article 6 du chapitre I « La pension directe » fixe les conditions d'ouverture du droit à la pension:

- être âgé de 60 ans au moins pour l'homme, et 55 ans pour la femme;
- avoir travaillé pendant au moins 15 années.

La durée minimal prévue doit avoir donné lieu, pendant une période égal au moins à la moitié desdites durées, à un travail effectif et à un versement de cotisation de sécurité sociale par le travailleur, pour permettre, à ce dernier, de bénéficier d'une pension de retraite.

L'article 10 prévoit que l'employeur ne peut pas décider unilatéralement de mettre le travailleur à la retraite si celui-ci n'a pas encore atteint l'âge lui donnant droit à la pension de retraite augmenté de 5 années, et s'il a travaillé pendant moins de 15 années. En tout état de cause, la mise à la retraite ne peut être prononcée avant la notification de la décision attributive de la pension.

Sont assimilées à des périodes de travail :

- toute période pendant laquelle l'assuré a perçu les indemnités journalières des assurances maladie, maternité, accidents du travail et maladies professionnelles; toute période d'interruption de travail due à la maladie, lorsque l'assuré a épuisé ses droits à indemnisation, à condition que l'incapacité physique de continuer ou de reprendre le travail soit reconnue par l'organisme de sécurité sociale;
- toute période de congé payé légal;
- toute période au cours de laquelle ont été remplies les obligations du service national;
- toute période effectuée durant une mobilisation général.

La section II sur « la pension directe » fixe le montant de la pension qui est pour chaque année validée, le montant de la pension est fixé à 2,5% du salaire de poste mensuel. Le salaire servant de base au calcul de la pension est égal :

- soit au salaire de poste mensuel moyen de la dernière année précédant la mise à la retraite;
- soit, si c'est plus favorable, au salaire mensuel moyen déterminé sur la base de trois (3) années qui ont donné lieu à la rémunération la plus élevée au cours de la carrière professionnelle de l'intéressé.

Ne peuvent être validés que les années ou les trimestres, selon le cas, qui ont donné lieu à, au moins, 180 jours ou 45 jours de travail. Toutefois, une compensation peut être effectuée entre l'ensemble des années ou des trimestres d'activité.

L'article 15 prévoit que le retraité qui a un ou plusieurs conjoints à charge, a droit au bénéfice d'une majoration de pension dont le montant annuel est fixé à 600 fois le montant horaire du salaire national minimum garanti. Il ne peut être accordé plus d'une majoration pour conjoint à charge, à un même pensionné.

Le montant annuel net de la pension ne peut être inférieur à un minimum fixé à 2300 fois le montant horaire du salaire national minimum garanti. Il, augmenté de la majoration pour conjoint à charge, ne peut être supérieure à l'80% du salaire de poste annuel brute duquel ont été préalablement déduits la cotisation de sécurité sociale et l'impôt. Toutefois, le pourcentage peut être augmenté de 2% par année, au-delà de l'âge donnant droit à la pension de retraite, dans la limite de 5 années, en faveur du travailleur maintenu à son poste de travail.

La date d'entrée en jouissance de la pension de retraite est fixée au premier jour du mois où l'intéressé atteint l'âge de la retraite, lorsque les conditions d'ouverture des droits sont remplies.

Il est institué, par l'article 47, une allocation de retraite en faveur des travailleurs, âgés au moins de 65 ans, qui ne remplissent pas, à cet âge, la condition de durée de travail et qui peuvent faire valider au moins 5 années ou 20 trimestres.

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PESCAMED



CROATIA



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ACRONYMS AND ABBREVIATIONS

CAEI	Croatian Agriculture Extension Institute
CAC	Croatian Association of cooperatives
CCE	Croatian Chamber of Economy
CCT	Croatian Chamber of Crafts and Trade
CCBS	Croatian Central Bureau of Statistics
CNB	Croatian National Bank
FAO	Food and Agriculture Organization of the United Nations
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
GFCM	General Fisheries Commission for the Mediterranean.
GFCM Area	Major fishing area 37, (FAO, 2006).
HANFA	Croatian Financial Services Supervisory Agency
IOF	Institute of Oceanography and Fisheries, Split
IPA	Instrument for Pre-accession Assistance
IUCN	International Union for Conservation of Nature
MAFRD	Ministry of Agriculture, Fisheries and Rural Development

1. FISHERY SECTOR

Fishery sector in Croatia comprises the management of marine and freshwater resources, including freshwater capture fishing and aquaculture, marine capture fishing and marine aquaculture, processing of fish and other water organisms, overall surveillance, inspection and control, as well as international co-operation.

Fishery in Croatia is a multispecies fishery. In terms of biological resources supporting the fisheries sector, there are about 410 fish species in the Adriatic Sea, out of which 100 species are commercially exploited. Continuous monitoring of marine resources status has shown that the majority of demersal catches (as much as 80%) is composed by maximum ten species where the most important are hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*) and striped mullet (*Mullus barbatus*). Commercially important species of small pelagic fish are sardine (*Sardina pilchardus*), anchovy (*Engraulis encrasicolus*) and sprat (*Sprattus sprattus*).

The fishery stocks abundance in the Adriatic Sea is strictly connected to environmental parameters, for instance: temperature, salinity, trophic resources. In the whole Adriatic Sea, the most significant spawning area is Jabucka kotlina, some 2/3 of which is in territorial waters of Croatia. This area is the spawning and nursery ground for about 80 different species, half of which are economically relatively important both for Croatia and the Adriatic fishery management.

According to several studies, index of species in biomass are showing that in the Croatian part of the Adriatic Sea, there are 2-3 times more fish than in the Italian part. All fisheries are based on mixed catch.

Some changes have happened in the compositions of fish communities during the years. According to the recently available data, changes in fish communities and assemblages are observed when comparing the "virgin state" of the resource in the 1950s and today. Due to hydrographical changes as well as due to the fishing effort, some species have answered by reducing the length at first maturity, and some have significantly diminished in terms of quantity and biomass in catches. Some top predators, such as chondrychthyies are today present mostly in the eastern part of the Adriatic. (source: MEDITS)

Standard age of fish in Croatian waters is about 3-4y and that is considered as a main reason why there is no possibility from Croatian responsible bodies to issue a recommendation for resource management in longer time periods, and, as in many Mediterranean countries, management measures usually match the changing nature of the resource.

The shared ownership of the biomass with neighbouring countries makes the management of the resource a complex practice. There are also some common measures that are restricting the catch capacity.

1.1 Production

The fisheries sector accounts for a small portion of the national GDP (0.23% in 2004).

National Strategy of Croatia for aquaculture and fishery sector starts in 2002. The first objective was to increase the annual production of white fish in Croatia from 3.000t to 10.000t.

Long term strategic goal of Croatia is to bring Croatia to the level of leading Mediterranean countries in fish and

shellfish production and competitiveness of products.

The total catches and production of sea fish and other sea organisms amounted in 2009 to 66.619 tonnes, which means that it increased by 11% compared to the previous year. The catches, which amounted to 55.319 tonnes, increased by 13% and the production, which amounted to 11.300 tonnes (value 113 mil €), increased by 1% compared to the previous year.

There are some indications that catch and production values should be increased due to catch sold on the "grey market". Estimates of these quantities vary according to different sources.

In 2009 Croatian marine fishing capture production was 53.596 tonnes and it mainly includes pelagic fish (49.459 tonnes in 2009). Shellfish catching was 1.194 in 2009.

Croatian marine aquaculture predominantly includes production of sea bass (*Dicentrarchus labrax*) and sea bream (*Sparus aurata*) in floating cages (inshore and/or semi-offshore) and bluefin tuna (*Thunnus thynnus*) in offshore floating systems.

Shellfish production (2.100 tonnes in 2009) is mostly composed of black mussel (*Mytilus galloprovincialis*) and European flat oysters (*Ostrea edulis*) in long lines.

In 2009 fish farming in Croatia was 9.200 t. That number is mainly divided between tuna, sea bass and gilt head sea bream. Total tuna farming is about 4.000 t/y with an export value of 100 millions USD.

Due to the increase of domestic demand, revitalisation of tourism, and as well to the new investment possibilities, it is expected that marine aquaculture continues its growth in the next future.

Shellfish production is stagnating due to the fact that marketing is limited only to domestic market. It is expected that as soon as EU requirements for export will be fulfilled, the production will be significantly increased.

Tuna production is the fastest growing activity, however it is expected that there will be no future significant increase, due to the fishing restrictions.

The entire marine aquaculture sector needs to be adjusted to the changed market situation.

This does not apply only to the fish production, but also to the processes of recognizable profiling and product confectioning.

The focus inevitably shifts towards increased diversification of products and introduction of new species to the production process, based on continuous scientific research tested through development programs.

Another necessary step concerns measures to introduce the HACCP system to all marine fish farms.

The achievement of a level of efficiency comparable to international competitors, is a Long-term strategic objective meeting, at the same time, the most stringent environmental and quality standards.

Table 1. Production 2000

	Catches and production, tonnes			Indices, total 2009. 2008.
	Total	Catches	Production	
Total	66 619	55 319	11 300	111
Fish	62 796	53 596	9 200	113
Pelagic fish	53 659	49 459	4 200	116
Pilchard	28 815	28 815	-	136
Anchovy	13 835	13 835	-	106
Bluefin tuna	4 819	619	4 200	106
Mixed small fish	5 105	5 105	-	81
Other species	1 085	1 085	-	81
Other fish	9 137	4 137	5 000	98
Hake	840	840	-	120
Red mullet	844	844	-	102
Grey mullet	59	59	-	219
Conger	34	34	-	131
Seabass	2 811	11	2 800	104
Gilthead seabream	2 233	33	2 200	123
Picarels	150	150	-	110
Bogue	145	145	-	111
Sole	301	301	-	226
Other species	1 720	1 720	-	61
Crustaceans	529	529	-	115
Spiny lobster	15	15	-	107
Norway lobster	371	371	-	103
Prawn	139	139	-	193
Other crustaceans	4	4	-	27
Oysters and other molluscs and shellfish	3 294	1 194	2100	82
Oysters, mussels and other shellfish	2 193	93	2100	71
Squid	180	180	-	76
Cuttlefish	68	68	-	179
Octopus	146	146	-	107
Cephalopods	707	707	-	140

Sources: Croatian Central Bureau of Statistics (2010)

1.2 Trade: Imports and Exports

Croatia imports are higher in quantity than exports, but this is partly due to imports of frozen herrings as fish feed for the tuna farming sector. High value exports include the sale of tuna, directly shipped to Japan, canned fish, and anchovies. The export of tuna accounted for more than 63% of total fresh and frozen fish export in 2008. Exports from fish farm industry - tuna go to Japan, while white fish mainly to Spain and Italy. Yearly production of tuna is about 5.000 t has a value of 80 millions EURO.

In recent years, fishery production has been mainly export-oriented. In terms of quantity, the most important resource is small pelagic fish. In terms of catch value, the first place is held by trawl fishing. Captive fisheries are showing a positive trend, with an increase in total landings of small pelagic species. Sardine is the basic for the processing industry and it is also used as a feedstock in tuna farming activities. Anchovies are used as a raw material for the salting industry – which is also showing significant development.

The fish processing industry is currently restructuring and switching offer from the relatively cheap products to new and more expensive products. The development of new products provides an outlook for further production - exceeding the present values. Croatian trade of fish and fish products is generally characterized by the import of large quantities of low-value species and export of high-value products.

1.3 Pro capita consumption

As fish consumption is a strong tradition in Croatian coastal regions, it is to be expected that in case of an improvement of fish production, the market consumption should significantly increase. As additional demand for fish food, coming from tourism, is continually increasing, it can be easily concluded that domestic market is far from saturation.

Until now promotion activities related to fish consuming resulted to be insufficient. The fish consumption rate in the EU is now about 21kg/y. Per capita consumption of fish is lower in Croatia - only 5-9 kg/year and about 12 percent of the total meat consumption per person. Of this amount, only 0.4-0.5 kg is freshwater fish; there is a clear consumer preference for seafood rather than freshwater fish. In Dalmatia people is consuming about 15kg/y per inhabitant and in inner parts of Croatia about 3-8k/y. According to the Department of Agricultural Marketing at the University of Zagreb, estimated annual per capita fish consumption in the capital is about 9.0 kg, divided into household consumption at 8.3 kg (7.8 kg marine, 0.5 kg freshwater) and restaurant consumption at 0.7 kg.

The key to increase consumption is seen to be making fish more price competitive compared with other food, through the reduction of intermediaries in the distribution chain, improving at the same time the product quality. Several areas have been identified as limiting factors for the fish market, while improving infrastructure in landing places and empowering the distribution chain, could be the answer..

1.4 Fishing Fleet

Croatian legislation distinguishes between fishing vessels (defined as of 12 meters and more and having a gross

tonnage of more than 15GT) and boats (vessels under 12 meters and 15 GT). Tonnage and power measurement is conducted according to Croatian regulations as well as the International Convention on Tonnage Measurement of Ships (London Convention). Croatia foresees to complete the tonnage measurement according to the provisions of the acquis by 2012.

At present time, according to the data of the Croatian Central Bureau of Statistics, there are 3.886 authorized permits in Croatia for commercial fisheries (engaged in any activity of catching fish and other sea organisms for profit) and the total number of vessels in 2009 was 3.886 (42.883 GT and 299.037 KW).

Thus, compared to 2008, the number of fishermen, increased by 4% and the total number of vessels by 5%. On the other hand, there was a decrease recorded in the number of different kind of fishing nets in 2009, so the trawl nets decreased by 3%, purse seine nets by 6%, drift nets by 10% and single and triple gillnets by 1%. Demersal (bottom) trawls and pelagic purse seines make up most of the total number of used gear and the catch volumes. A significant proportion of the fleet is represented by multipurpose vessels (62%), while trawlers and purse seiners comprise about 14% each. However, in order to evaluate these data it's important to underline that Croatia has been structuring the fleet and license register, so the number of vessels entered in the register increased, and with the changes of the register, the number of licenses and vessels has been matched.

Table 2. VESSELS, BY TYP

	2008.			2009.			Indices 2009. 2008.		
	Vessels	Total vessel size, GT	power, kW	Vessels	Total vessel size, GT	Total engine power, kW	Vessels	Total vessel size, GT	Total engine power, kW
Total	3 718	43 058	252 112	3 886	42 823	299 037	105	99	119
Ships	488	28 984	124 815	445	31 236	129 768	91	108	104
Boats	3 230	14 074	127 297	3 441	11 587	169 269	107	82	133

Sources: Croatian Central Bureau of Statistics (2010)

Table 3. FISHING NETS, BY TYPE

	Nets		Indices 2009. 2008.
	2008.	2009.	
Trawl nets, number	1 910	1 850	97
Purse seine nets, number	892	841	94
Drift nets, number	1 118	1 011	90
Single and triple gillnets, meters	17 752 600	17 630 200	99

Sources: Croatian Central Bureau of Statistics (2010)w

Data for the Croatian Central Bureau of Statistics' annual report on fishermen, vessels and their equipment in 2009 have been taken over from the Ministry of Agriculture, Fisheries and Rural Development – Directorate of Fisheries,

picturing the situation on December 31st 2009.

Since 1998, the Ministry has assumed, from the Office of Economy, the charge of keeping records on the number of fishermen, vessels and their equipment based on the issued licences for commercial fishing, according to the Maritime Fishing Act (NN, No. 74/94) changes and by-laws thereof.

1.5 Employees

The fishery sector plays a significant socio-economic role as it provides around 20.000 jobs with traditional fishing dominating on the industrial one.

Almost 70% of fishing, farming and processing takes place on coastal areas, and particularly on the islands, where alternative income sources are limited.

Table 4. FISHERMEN ENGAGED IN COMMERCIAL FISHING

	Fishermen		Indices <u>2009.</u> <u>2008.</u>
	2008.	2009.	
Total Number	3 740	3 886	104

Sources: Croatian Central Bureau of Statistics (2010)

1.6 Landing Sites

Distribution of landings depends on the area and the target species. In the Istrian region (Umag, Poreč, Rovinj, Pula), landings include mainly demersal species, with a predominance of cephalopods, flatfish (sole) and sardines.

Northern Adriatic channel areas are served by Rijeka, Krk (island), Rab (island) and Cres (island), and landings include small pelagic species, hake and Norway lobster. Zadar, Kali (island), Ugljan and Biograd in Zadar county are the main landing sites, with landings composed mainly of pelagic species. In the Šibenik area, main sites include Šibenik, Vodice, Tribunj, Murter and Jezera, and the major part of the landings are demersal catches. Dalmatia is covered by Split, Trogir, Hvar (island Hvar), Stari Grad (island Hvar), Jelsa (island Hvar), Vis (island Vis), Komiža (island Vis), Postira (island Brač), Sućuraj (island Hvar), Makarska and Podgora, with small pelagics, hake and mullet constituting the bulk of the landings. Dubrovnik, Cavtat, Vela Luka (island Korčula), Korčula (island Korčula) and Ston are the main locations in the Southern part of Croatian coast, where landings are dominated by small pelagic species.

1.7 Fishing Market

Due to unfavourable situation where fishermen suffer for the lack of organized landing places and markets for the first sale of fish and fishery products, and thus lack of efficient and systematic control of the market, significant quantities of fish are being sold through "grey" channels. The current situation shows that fish marketing is underdeveloped and conducted in such manner that fishermen individually sell their fish thus exposing themselves to high transport

costs in order to get the fish to distant buyers, which also has negative effect to the fish quality due to inadequate conditions of transport and storage. Fish and other marine organisms are mostly sold through individual wholesalers, processing factories (tuna farms), hotels and directly to consumers through several buy-off stations located mainly on the islands and in Istria, Zadar, Šibenik and Split wider area (there are approx. 54 stations).

Retail trade is mainly based on small private shops. Another way of fish trading is typical for the settlements along the coast and it is based on local, public fish markets. Several smaller markets are located along the coast, in all major cities (Pula, Rijeka, Zadar, Šibenik, Split, Dubrovnik) and in areas with intensive fish activities (islands, wider Šibenik and Zadar area).

Fishermen rent a post within the fish market for a day or longer and sell their fish and other sea organisms there. A large part of the small pelagic catch is landed at tuna farms, and only a small proportion is delivered fresh or chilled to fish markets for direct consumption, or is exported chilled or frozen (to Italy or Slovenia).

Demersal catches are sold either for direct consumption in Croatia (to markets or to buy-off stations), or exported (mainly to Italy). Aquaculture species (seabass and seabream) are sold at farm, exported (mainly to Italy), sold to large market chains or processed (small extent, mainly in Istra region).

A quick look at the prices on the fish market in Croatia today, shows that fishermen, mainly due to the lack of organized channels, get the minimal price for their fish, while the price for the final consumer is unreasonably high.

The organization of the market in such a way to ensure the necessary infrastructure as well as an efficient data cross checking system, could facilitate inspections and control of the marketing segment, enable the implementation hygienic and sanitary standards and ensure the quality of the fish and fishery products for the final consumer. Moreover this approach could also lead to the establishment of adequate working conditions and fair prices of the products paid to fishermen.

All the gross buyers need to be registered with the Ministry of Agriculture, Fisheries and Rural Development – Directorate of Fisheries, and have to regularly report the information on quantities and prices of fish sold. Thanks to specific characteristics of the Croatian coast line with numerous islands, peninsulas, bays and channel areas, fishing communities are extremely dispersed. For that reason, the Croatian fishing fleet can be divided in two segments – migratory and stationary (local). Migratory fleet includes vessels that fish in the whole Adriatic Sea, and are always in need for appropriate infrastructure and logistics in all coastal counties. Stationary fleet, however, includes vessels and boats that mainly fish in inner waters and use their home port for landing of their catches as well. Finding an adequate solution to the problem of underdeveloped fish market, asks for a systematic approach.

Therefore, it is crucial to place relevant activities within the appropriate geographical context having in mind financial gains as well as ensuring sustainability of fishing communities in terms of new landing and marketing sites convenient both for, local and migratory fleet.

Wholesale fish markets have been developed in Rijeka and Porec, the latter is still not in full use. Other two large wholesale market are scheduled to open in Dalmatia: a market for the first sale (including auction sales) in the region

of middle Dalmatia with the capacity of minimum 5.000 t per year and the other one in the region of North Dalmatia where there is a high concentration of pelagic and trawling fleet and where the highest quantity of catches are reported.

1.8 Institutional Organization

The Ministry of Agriculture, Fisheries and Rural Development is responsible for the overall administration of aquaculture and fisheries, for ensuring the legislative and economic framework and for providing related legislative control tasks. The Directorate of Fisheries (DF) is responsible for passing and implementing regulations. DF has a staff of 64 people, including a central office in Zagreb, and seven field offices in the coastal counties of Croatia. Internally, the DF has three segments (Sectors) responsible for different management aspects: Resources and fleet management, Structural and market measures in fisheries and Fishery inspection.

Each Sector comprises a number of Departments involved in more specific subjects and tasks. DF is headed by the Director.

As far as inspection and control concern, there are several responsible State bodies:

- Ministry of Agriculture, Fisheries and Rural Development – fisheries inspectors,
- Ministry of Sea, Tourism, Transport and Development – navigational safety inspectors,
- Ministry of Interior Affairs – maritime police,
- State inspectorate (SIRC) – commercial inspector.

Scientific research in fisheries is carried out by several institutions. One of the leading scientific institutions is the Ruđer Bošković Institute (Zagreb), where scientific research in different areas is carried out, including mariculture and aquaculture. The Institute of Oceanography and Fisheries (in Split) mainly deals with problems related to marine fisheries and aquaculture. The institute deals with demersal, pelagic and coastal resources and is involved in numerous projects: AdriaMed Trawl Survey, MEDITS, National Demersal Monitoring (DEMMON), National Pelagic Monitoring (PELMON), and AdriaMed Acoustic Survey.

The Institute of Oceanography and Fisheries participates in numerous other environmental and ecological projects, at both international and national level. In addition, the Institute for Coast and Sea in Dubrovnik provides insight into the status of demersal fish communities and ecology.

Research regarding aquaculture is carried out across a range of faculties, depending on their location (e.g. Agriculture Faculty, Veterinary Faculty, Faculty of Science and the Faculty of Maritime Studies).

1.9 National development strategy

Council Decision on the Principles, Priorities and Conditions contained in the Accession Partnership with Croatia sets out priorities that Republic of Croatia should fulfil within the Chapter 13 – Fisheries, before the accession and includes the improvement of inspection and control in fisheries as well as reinforcement of the collection and processing of statistics in relevant sector in line with EU standards and methodology.

In its progress report in 2009, the EU encourages Republic of Croatia to increase the effort into the organization of the

market from the aspect of establishing marketing facilities and introducing market mechanisms as well as implement respective standards.

Dispersion of fishing and farming activities in Croatia with huge differences in production intensity over the year, as well as weak connections between small fishing units, represent the main factors determining the need for a systematic approach to the problems of the sector.

Available strategic documents and studies list a number of critical issues: unsafe ports and docking facilities, unorganized fish buy off, insufficient vessel supply (fuel, consumables, food, service and maintenance – dry docks and repair); insufficient storage and cooling capacities and lack of other service activities and institutions.

In the pre-accession period the priority objectives of the fishing policy of Croatia are: to restructure the fishing sector and secure adequate structures (both at land and in terms of human resources) for its successful positioning on a global market; to strengthen and expand marine and fresh water farming and secure sustainable management of resources, and at the same time, increasing the competitiveness of producers through marketing and structural mechanisms; establishment of appropriate administrative institutions.

The main objectives of the Croatian fisheries policy are:

- Strengthening and restructuring of the fishing sector as a whole, including fishing fleet, fish farming and fish processing industry;
- To insure the long-term sustainable management of fishing resources in accordance with fishing possibilities and with increasing competitiveness of producers through the adoption of structural and trade mechanisms;
- The development of aquaculture in order to explore and exploit the marine biological capacity with the highest environmental and quality standards;
- Improving the processing and quality handling of fish in order to improve value and payback for the catch and cultured fish products;
- Establishing an organization for trade of fish and fish products;
- Development of infrastructure and logistical support for the fisheries (ports, docks, ship berths, transportation, etc.);
- Education regarding all the main issues concerned in the fishing industry entities;
- Strengthening organized associations and management of fishing;

An important segment is the modernization of ports / vessels /fish processing/ market, with the aim to achieve better conditions of storage, refrigeration, packing, processing/management and other activities, as well as to fulfil hygiene standards in order to obtain improved quality products.

The strategic fishing policy guidelines have been defined by the Development strategy for agriculture and fisheries, adopted as one of 19 constituent parts of the Government of Croatia Strategy «Croatia in the 21st century» (OG 89/02), which deals with agriculture, fishery and food industry. These Guidelines are based on available scientific background / knowledge and constant contact with the fishermen, fish farmers, manufacturers and scientists.

Strategic guidelines of Croatian fishery are:

- Adjustment of fishing and fish farming to responsible and sustainable management in accordance with the protection of nature;

- Adjustment of fish farming production to market demands;
- Promoting environmental criteria of fish farming and management of water resource for the purpose of their promotion as an attractive tourist product;
- Modernizing of fish processing industry;
- Encouraging the use of appropriate and selective fishing gears;
- Encouraging building of coast infrastructure and logistic for fishery;
- Promoting the interests of the fishermen's association;

Main goals of the above mentioned strategic guidelines are:

- To achieve sustainable fishery; sustainable management of fish and biomass and fishing gears in order to direct the development of the distribution chain towards selectivity criteria;
- To improve the fishing fleet and to monitor the fishing vessels in order to improve work conditions, safety, navigation, the preservation of fish on board, basic hygienic conditions and to improve the quality of fishing by applying new technologies, which should increase the competitiveness of Croatian enterprises;
- Modernization of the existing ports and discharging places with all related infrastructure;
- To improve the organization of fish market/trade;
- Modernization and development of the existing aquaculture sector;
- Modernization of the fish processing industry; increase the product's added-value in the market;
- To improve the promotion of Croatian products in this sector in order to create a recognizable brand;
- Undertake significative improvements on the data gathering system regarding the catch, as the information now available comes from different sources and it is very different in nature.

2. FISHING ASSOCIATIONS

Croatian producers and fishermen have significantly contributed to the global development of fishing and farming tools and techniques. The Pelagic growth of purse seine fisheries at open sea to its current level of importance, was mainly due to the development of a special kind of mechanized winch named the Puretic power block, from its Croatian inventor Mario Puratic.

Currently there are about 387 legal entities engaged in fishery activities including both fishing and aquaculture. With the development of tourism, traditional fishery communities are difficult to identify, and generally there is still a rather low level of larger fishermen organization, such as cooperatives or other types of joint management.

2.1 The organization of Cooperatives

The cooperative is a voluntary association which each member directly joins, participating to the activities and operating basing on the principle of mutual help promoting and protecting its economic and other professional interests, in order to achieve their personal and shared profits or other interests of its members, in accordance with the law and rules.

Cooperative activity is regulated by the Act on cooperatives (OG No 36/95, 67/01 and 12/02), which went through several amendments and therefore the new Act is in the process of adoption.

Fishermen in Croatia are organized in cooperatives with the aim to secure the best possible outcome for their activities. According to the data of the Croatian Chamber of economy, currently there are 42 cooperatives engaged in fishery, 36 of which operating in seawaters. In the aquaculture sector there are 15 cooperatives 9 of which are actually active in freshwaters. In both cases small-sized cooperatives are predominant.

Furthermore, the Act on structural support and market organization in fisheries recognizes to fishery cooperatives an important role among the stakeholders involved in the implementation of the fishery policy in Croatia. According to this Act and subsequent regulation on fishery cooperatives (OG No 48/10), fishery cooperatives need to be registered with the MAFRD. There are pre-conditions for registration, such as minimum number of members forming a cooperative, minimum number of fishing days per each member, etc.; the register is kept at MAFRD.

Table 5. Number of fisheries cooperatives for country

Country	Fisheries Cooperatives	Number
Zagreb	Seawaters	1
	Inland waters	0
Dubrovnik-Neretva	Seawaters	5
	Inland waters	1
Istria	Seawaters	10
	Inland waters	0
Zadar	Seawaters	3
	Inland waters	1
Dalmatia	Seawaters	5
	Inland waters	0
Šibenik-Knin	Seawaters	7
	Inland waters	0
Primorje-Gorski Kotar	Seawaters	5
	Inland waters	0
Bjelovar –Bilogora	Seawaters	0
	Inland waters	2
Vukovar-Srijem	Seawaters	0
	Inland waters	2

Table 6. Number of fish farming for country

County	Fish farming	Number
Zadar	Sea waters	1
	Fresh waters	0
Dubrovnik-Neretva	Sea waters	1
	Fresh waters	0
Slavonski Brod-Posavina	Sea waters	0
	fresh waters	1
Karlovac	Sea waters	1
	Fresh waters	0
Split – Dalmatia	Seawaters	0
	Fresh waters	1
Šibenik-Knin	Sea waters	2
	Fresh waters	0
Primorje-Gorski Kotar	Sea waters	1
	Fresh waters	1
Bjelovar –Bilogora	Sea waters	0
	fresh waters	2
Osijek-Baranja	Sea Waters	0
	Fresh waters	1
Vukovar-Srijem	Sea waters	0
	fresh waters	3

Croatian Association of cooperatives is a professional business organization of cooperatives and cooperative alliance established to promote, coordinate and represent the interests of its members, cooperatives and cooperative alliances. Tasks and business activity of the Croatian Association of cooperatives are summarized below:

- The promotion of cooperatives and cooperative principles;
- Representation of the interests of cooperatives and cooperative associations in front of national administrative bodies and other organizations;
- Providing opinions and proposals to national authorities in the regulatory process in the field of cooperatives;
- Providing technical and other assistance to cooperatives, cooperative unions, the establishment, operation and dissolution of cooperatives and cooperative associations;
- Maintaining a register of cooperatives and cooperative alliances,
- Conducting cooperative audit;

- Organize cooperative exchange of goods and services and promotion of cooperative products and services;
- International cooperation;
- Organization and training of cooperative members, managers and employees of the cooperative system;
- Business Advisory members, business plans and feasibility studies;
- The issuance of bulletins, journals and professional literature;
- Mediation in the cooperative movement of goods and services.

On April 13th, 2010, the Ministry of Agriculture, Fisheries and Rural Development adopted a regulation to define the criteria for recognition of fisheries cooperatives and the conditions which foresee the recognition's withdrawn. The obligations that fisheries cooperatives have to fulfil in order to get the recognition, include, inter alia, to be composed by at least 7 members; and to work no less than 60 fishing days per year. The fisheries cooperatives have to present, no later than December 1st of every year, a Business Economic plan which has to be approved by the Ministry.

The Ordinance establishes an electronic Register of fishing cooperatives kept by the Ministry of Agriculture, Fisheries and Rural Development. The Ministry enters in the Register, ex officio, the related information, such as: serial number and date of entry of fishery cooperatives; basic information about the cooperative recognition (class, register number, date of recognition); name of fishing cooperatives; information about the cooperative (social Security number, phone, fax, e-mail); name and surname of the chief of the fishing cooperatives; the legal representative; date of registration in the Commercial Court Register and registered activities according to the Commercial Court; activity code according to the Central Bureau of Statistics; list of members of fishing cooperatives and their basic information (number of vessels and benefits); date of decision on ratification of Business-Economic Plan fishing cooperatives; information about inspections; data on temporary or permanent withdrawal of recognition; etc.

2.2 The Organization of Liability Companies

Companies based on capital include:

- a private limited company,
- a public limited company,

Private limited companies are the most frequent type of companies in Croatia. A private limited is a company one in which one or more legal entities or natural persons invest in initial authorized stakes, with which they participate in the total authorized capital as contractually set beforehand. Authorized stakes are not necessarily of the same amount. In the process of company formation, no founder may acquire multiple authorized stakes. However, their subsequent acquisition is possible.

The stakes may not take the form of securities.

There are 317 limited liability companies registered for fisheries. The majority of them, about 203, are engaged in sea water fisheries and only 8 entities deal with freshwaters.

Croatian producers in fisheries and aquaculture are organized in two chambers, Croatian Chamber of Economy (CCE) and the Croatian Chamber of Crafts and Trade (CCT). The CCE gathers legal entities (companies), while the CCT gathers individual small producers and fishers.

Within the chambers, the producers have their own respective organizations and unions. Both chambers are involved in the process of preparation of legal instruments and are consulted for management measures.

The Croatian Chamber of Economy is an independent professional and business organisation of all legal entities engaging in business. It was established in 1852, organised in European tradition and on the so-called continental model of Austrian and German chambers with compulsory membership. Every company registered with the Commercial Court is a member of the Chamber.

Chamber represents both the City of Zagreb and Zagreb County. Functionally, the CCE consists of 8 departments dealing with the respective branch of the economy, and it also includes 40 professional associations, 87 groups and 19 affiliations. Apart from this and within the CCE five business centres, Permanent Arbitration Court, Conciliation Centre, Court of Honour and CCE Office for Areas of Special State Concern, act. The Croatian Chamber of Economy is run by the Assembly, Management and Supervisory Boards, President, who is elected by the Assembly, and five Vice Presidents.

The members of the Supervisory Board and Assembly are elected among reputable business people. Together with the Chamber's working bodies, they promote, represent and protect their members' common interests before governmental authorities home and abroad. The CEE assembles the most important Croatian producers, organised within the Association of fisheries and fish processing. The Association of Fishery and Fish Processing bring together around 130 members engaged in fishing, farming and processing, although the number changes over time. The Association is a member of various international organisations, such as FEAP (Federation of European Aquaculture Producers) and Medisamak. The Affiliations coordinate the interests of their members towards the ministries and promote different means of cooperation among the members. Affiliations exist within the Association, representing fishing, farming or processing. All affiliations are subordinate to the Association.

The Croatian Chamber of Economy promotes, represents and harmonises common interests of its members towards the government, estimates possibilities and conditions of economic growth, establishes business relations abroad, promotes business, development and innovation, runs company databases, provides education, assists in company transformations and common tasks of importance for economic activities.

The Croatian Chamber of Trades and Crafts is an independent professional business organization of tradesmen and craftsmen, founded with the aim to promote, coordinate and represent the joint interests of tradesmanship and craftsmanship. Membership in the Croatian Chamber of Trades and Crafts is mandatory. The tasks of the Croatian Chamber of Trades and Crafts are the following: promoting trades and crafts, representing tradesmen and craftsmen's interests before national authorities and in the forming of economic policies, providing state authorities with opinions and suggestions when passing regulations concerning trades and crafts, founding commissions for apprentice and master's exams, tradesmen and craftsmen's activities, founding of the arbitration council, keeping a register of tradesmen and craftsmen, keeping a register of apprenticeship contracts, assisting tradesmen and craftsmen in establishing and operating a trade/craft business, performance of other tasks stipulated by the law and legislative documents of the Croatian Chamber of Trades and Crafts.

The Bodies of the Chamber are the following: Assembly, Steering Committee, Supervisory Committee, President of the Chamber, Presiding Committee. The Assembly is the highest body of the Chamber, and it consists of the Chamber's members. The Assembly passes the Statute of the Chamber, the annual budget and other legislative documents. The

Assembly also appoints and dismisses the President of the Chamber, the Steering Committee, the Supervisory Committee and other working bodies of the Assembly. The representatives for the Assembly are chosen by the County Chambers in accordance with the principle of quantitative, vocational and territorial representation of the members.

Members of the Steering Committee are the presidents of the County Chambers by virtue of their position, and an additional three members are appointed by the Assembly at the proposal of the Chamber's President. Sessions of the Steering Committee are convened and chaired by the President of the Chamber, who is devoid of decision making power.

The Supervisory Committee is appointed by the Assembly of the Croatian Chamber of Trades and Crafts. The same person cannot be a member of both the Steering and Supervisory Committee at the same time.

The President is appointed and dismissed by the Assembly. He is chosen among the Chamber's members. The President chairs the sessions of the Assembly and the Steering Committee as well. He represents the Croatian Chamber of Trades and Crafts before the Croatian Parliament, the Government of the Republic of Croatia, and other authorities, chambers, organizations and institutions in Croatia and abroad.

2.3 Producers' Organisations and market organization

There are no recognised producers' organisations in Croatia at the moment. The Act on structural support and market organization in fisheries sets the basis for the establishment of PO's, as well as subsequent by-law on recognition. There is an ongoing project with the Netherlands that facilitates the education of existing cooperatives and other subjects interested in PO's, since this concept is entirely new among Croatian fishermen.

A new ordinance on collection and notification of prices in line with the EU requirements is also in the process of adoption, while the intervention system still has to be set up. General provisions for consumer information have been provided in the Food Law and its by-laws. Standards for fisheries products have been adopted in line with the acquis. Commercial designations for fish as well as additional labelling provisions for fisheries products are expected to be adopted by the end of 2010.

2.4 Financial Services

Croatia adopted legislation implementing the Credit Institutions Act, thus further alignment of the Croatian banking legislation with the EU acquis, in particular the Capital Requirements Directive (CRD), which is currently under review at EU level. Even if the situation could have changed over the last year, the Implementation of the Credit Institutions Act provisions relating to capital adequacy was postponed to March 31st 2010.

The Law on Financial Conglomerates was adopted, providing for the additional supervision of regulated entities, which have been authorized to operate basing on laws regulating activities of credit institutions, investment companies, insurance and reinsurance companies and companies forming a financial conglomerate. The law is already in force except for the provisions regulating activities and supervision of financial conglomerates that have their registered office in the EU, which will enter into force upon Croatia's accession to the EU. The framework for risk-based supervision was adopted, and a new working group for the implementation of the CRD was set up. Home-host

supervisory coordination has improved. Work still needs to be done on cross-sector cooperation and cross-border coordination for crisis preparedness and management. The process of transforming savings and loan cooperatives into credit unions or savings banks, was completed at the end of 2008.

As a response to the global financial crisis, the Croatian National Bank performed a quantitative impact assessment on banks' capital adequacy in line with the recommendations of the Financial Stability Forum. Moreover, the Deposit Insurance Act was amended and the level of guaranteed bank deposits was substantially increased.

Some progress can be reported with regard to winding-up procedures. More details on offences and penalties related to the winding-up of credit unions and on supervision of saving and loan cooperatives in a process of winding-up were included in the Law on Credit Unions. The Ministry of Finance has issued implementing legislation regulating the inspection and supervision of the winding-up of savings and loan cooperatives.

The Croatian Financial Services Supervisory Agency (HANFA) and the Croatian National Bank (HNB) adopted the ordinances establishing the layout and the content of annual accounts for entities under their supervision. The Croatian National Bank has signed Memoranda of Understanding with the French Banking Commission and the German Supervisory Agency, regulating cooperation in banking supervision.

Further progress can be reported in the field of insurance, where a good level of alignment has already been reached. Legislation in the area of compulsory motor insurance has been further improved. By amending the Insurance Act and adopting the related implementing legislation, Croatia has aligned its legislation in the outstanding areas of non-life insurances, insurance mediation and supervision of reinsurance companies. Croatia has also aligned its legislation with the EU acquis in the area of investment restrictions concerning technical reserve coverage of insurance undertakings and calculation of the solvency margins in the Life and Non-Life Insurance Directives.

Provisions of the acquis concerning certain investment rules were also transposed and will become applicable upon Croatia's accession to the EU. Alignment with the Directive on supervision of insurance groups was also completed with the adoption of amendments to the Insurance Act, as well as relevant implementing legislation in the Ordinance on supplementary supervision of insurance groups. Further efforts are still required to reach full alignment with the pension insurance acquis and life and non-life insurance legislation, as well as to guarantee the proper functioning of the insurance and occupational pensions markets.

There has been some progress concerning the financial market infrastructure. Croatia adopted regulations implementing the Law on Settlement Finality in payment systems and in systems for settlement of financial instruments.

Progress can be reported in the area of securities markets and investment services, where a good level of alignment has been already reached. Croatia adopted the legislative framework regulating special criminal offences against the capital market. HANFA has also adopted implementing legislation stemming from the Capital Market Act.

Alignment with the collective investments acquis — UCITS Directive (2007/16/EC) — has also been achieved. HANFA, all four mandatory pension funds and the four largest companies managing open-ended investment funds have jointly established the Fund for Protection of Investors.

As regards to the administrative capacity, the Financial System Department in the Ministry of Finance, is responsible

for drafting financial legislation and it employs 21 people. Administrative strengthening through additional training and additional staff would be advisable. The National Bank's Prudential Regulation and Bank Supervision Department hired 8 additional staff. HANFA has continued to strengthen its administrative capacity, by employing 2 new staff (reaching 124 in total) and by providing training programmes on risk-based supervision. HANFA was also active in educating the broader public and investors, as well as professionals, police, state attorneys and journalists. Croatia should continue its efforts to strengthen HANFA's administrative capacity and to improve its arrangements for consultation with the private sector.

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

The main body responsible for fisheries issues and aquaculture in Croatia is the Ministry of Agriculture, Fisheries and Rural Development (MAFRD), with the Directorate of Fisheries (DF) being the responsible department. DF has a central office in Zagreb, and seven field offices in the coastal counties of Croatia. Internally, the DF has three segments (Sectors) responsible for different aspects of management: Sector for resources and fleet management, Sector for structural and market measures in fisheries and Sector for fishery inspection. Each Sector comprises a number of Departments involved in more specific subjects and tasks. DF is headed by the Director.

3.1 Institutional framework

The DF is headed by a General Director. The work of the MAFRD-DF is supported by the assistance of the Croatian Agriculture Extension Institute (CAEI), which represents a direct link with the producers. The main role of the CAEI is to communicate with the producers on all legal and practical issues, as well as to advise on possibilities of development.

As already mentioned, Croatian producers in fisheries and aquaculture are organized in two chambers, Croatian Chamber of Economy (CCE) and the Croatian Chamber of Crafts and Trade (CCT).

In terms of fisheries research, the Institute of Oceanography and Fisheries in Split (IOF) provides the scientific inputs for management measures. Generally, more activities in inland fisheries are realized through recreational fishing. They are organized in associations that can manage an area of water body. Concessions are issued basing on management plans, and their implementation is verified through regular inspections of the Ministry of Agriculture, Fisheries and Rural Development (MAFRD), through the Directorate of Fisheries (MAFRD-DF) fisheries inspectors.

The Ministry of Economy, Labour and Entrepreneurship is the relevant institution conducting administrative and other work concerning: work relations, labour market and employment, relationships with unions and employers' associations, labour law status of Croatian citizens employed in foreign countries and work concerning their return and employment in the country, labour law status of foreigners employed in the Republic of Croatia, occupational safety, international cooperation in labour and employment sector, pension and disability insurance system and policy.

The Labour and Labour Market Directorate carries out administrative and other professional activities related to labour relations, labour market and employment, collective and other agreements, activities for promotion of trilateral cooperation of social partners, harmonizing of Croatian legislation with the EU acquis as for instance labour market and employment, follow up of the active employment policy, follow up of equal treatment in the area of employment and labour, registration of associations, implementation of active policy in the area of safety at work.

The following departments are established within the Labour and Labour Market Directorate:

- Labour Law Department;
- Labour Market and Employment Department;
- Safety at Work Department;
- The Directorate of EU Aid Schemes and Projects Management in the Area of Labour and Social Security.

Other institutions involved are the Ministry of Health and Social Welfare, the Ministry of Sea, Transport and Infrastructure and Ministry of Agriculture, Fisheries and Rural Development, each within their own authority.

3.2 National Strategy of Development

The main strategic goal in fisheries management is ensuring the sustainability of both the resource and the activity as such, aiming at providing the best livelihood possibilities for fishery-dependant communities. Protection and management of the resources is undertaken through the implementation of numerous technical measures, control measures and effort-related measures, while structural support to the sector and stakeholders is achieved through support schemes in aquaculture and through structural funds and rural development mechanisms. The main resource management measures include minimum landing sizes, closed seasons for numerous species, and temporal and spatial restrictions for gears. Croatia's fleet is characterized by a large number of small, rather old vessels. As the status of the resources allows for only a certain level of fishing effort, modernization of the fleet is rather difficult and a very sensitive issue. Generally, there is a lack of capital investment in both production activities (farming, processing) and in infrastructure (lack of coastal support, infrastructure, ports and markets). Adequate support on land and further development of postharvest practices are absolute preconditions for further development of the sector, as this will facilitate both the production activities and increase the level of reliability of catch statistic data.

The Government of Croatia adopted a Fisheries Development Strategy in 2002, identifying the main areas of development. Increased consumption of fish in the domestic market, sustainable development of aquaculture and sustainable development of capture fisheries were identified as the main guidelines. Value-adding to fisheries products is seen as the main development potential, particularly for aquaculture production, where development guidelines include diversification of farmed species and post-harvest processing (diversification of final products).

Development issues regarding capture fisheries is seen through minimizing of discards and by-catch, increasing safety at sea and development of different social schemes.

All development programmes for the aquaculture sector are based on the Strategies for Croatian Fisheries of 2002; which lay down a series of objectives for both freshwater and marine aquaculture related activities.

3.3 Organizations of representation

There are about 600 registered trade unions out of which 260 are registered at national level. Within certain companies the employer negotiates autonomously, while at sectorial level, collective bargaining is undertaken by the following associations:

- Croatian Employers' Association – 23 sector associations and 5 associate members
- Confederation of Croatian Industry and Entrepreneurs – 7 sector associations
- Union of Independent Employers' Associations – 5 sector associations

Individual trade unions or representative trade union associations which is ready and capable to promote members' interests during the negotiations on the conclusion of a collective agreement, may participate on behalf of trade unions in the collective bargaining.

Sector associations are often members of the associations of a higher level, or trade union confederations. There are

six representative trade unions of a higher level active in Croatia:

- Union of Autonomous Trade Unions of Croatia – 21 affiliated trade unions
- Independent Croatian Trade Unions – 51 affiliated trade unions
- Association of Workers Trade Unions of Croatia – 52 affiliated trade unions
- Association of Croatian Public Service Trade Unions – 5 affiliated trade unions
- Croatian Trade Union Association – 115 affiliated trade unions
- Trade Union of Services UNI-Cro – 8 affiliated trade unions.

3.4 Collective labour agreements

There is no collective labour agreement in the fisheries sector in Croatia, even if the article of the Labour Act provides the principle of freedom of the contract: "Employers, employees and the works councils as well as trade unions and employers' associations may stipulate working conditions which are more favourable for the employee than those prescribed by this Act or another law".

3.5 Work relationship

A new Labour Act (OG No 149/09) has been brought, and two new Ordinances based on this Act:

- Ordinance on the registration manner and the content of the register of labour contracts of seafarers and workers on fishing vessels (OG No 70/10);
- Ordinance on the working hours, rest and leave of absence of workers on fishing vessel (OG No 82/10).

Before the new Labour Act, there were no specific regulations regarding the issue of working hours of fishermen. The Labour Act provide legal basis for specific regulation that regulate working hours of fishermen, considering their particular working conditions. Ministry of Economy, Labour and Entrepreneurship has therefore brought this Ordinance (OG No 82/10) as listed above, with the consent of the Ministry of Agriculture, Fisheries and Rural Development. This Ordinance is in line with the relevant EU Directive 2003/88/EC of the European parliament and of the Council of November 4th 2003, concerning certain aspects of the organisation of working time.

3.6 Engagement

The Labour Act of 2009 states the Obligation to comply with regulations relating to the employment relationship.

The contract can be concluded for an indefinite period or fixed-term employment contract. In the second case the regulations specifies that "As an exception, an employment contract may be concluded for a definite period of time ("fixed-term contract") for the establishment of an employment relationship whose termination is determined in advance as a result of objective reasons that are justified by a specific deadline, performance of a specific task or occurrence of a specific event". The employer shall not conclude one or more consecutive fixed-term employment contracts on the basis of which employment commences with respect to the same work for a continuous period longer than three years.

The employer shall provide the same working conditions for an employee employed on the basis of a fixed-term employment contract as for an employee with identical or similar qualifications and skills performing identical or similar tasks who concluded an open-ended employment contract with the employer's undertaking, its establishment or group of undertakings.

3.7 Remuneration

The Act of May 28th 2008 OG 67/08 is the Minimum Wage Act and states that: "The minimum wage for the period 1st July 2008 - 31st May 2009 is 39 % of the average monthly wage achieved in the previous year in Republic of Croatia according to the publication from the State Statistical Biro (it was 2.747,00 kunas)."

The amount of minimum wage for the period between the 1st June 2009 and 31st May 2010 and every following annual cycle, will be harmonised with the real growth of GDP for the previous year, according to the share of minimum wage in average monthly wage achieved in the previous year enlarged per percentage according to the real growth of GDP in beforehand year, following the publication of the State Statistical Biro (it is 2.814,00 kunas).

For the period from the 1st June 2010 to 31st May 2011, the minimum wage will be kept on the same level (2.814,00 kunas) because the index of the GDP growth rate in 2009 was slightly more than -5%.

As far as remuneration concerns, the Labour act states that considering the annual leave, the employee has the right to have a salary compensation for an amount determined by a collective agreement, employment rules or employment contract. The salary compensation may not be lower than the employee's average monthly salary in the preceding three months (also taking into account any other monetary or in-kind benefits, which represent remuneration for the work done).

3.8 Working hours

As stated by the Labour act, the Minister responsible for labour affairs shall issue the Ordinance on working hours, rest periods and leaves for employees on seagoing fishing vessels. The Ordinance (OG No 82/10) provides the regulations on working hours. Working time may be full-time or part-time.

Unless working hours are specified by a law, collective agreement, agreement between the works council and the employer or employment contract, full-time working hours are considered to be 40 hours per week.

Part-time working hours are considered any working time shorter than full-time working hours. An employee shall not enter into part-time employment contracts if more than one employer results to have the total working hours lasting longer than full-time working time.

When entering into a part-time employment contract, the employee is obliged to inform the employer about the part-time employment contracts already entered subscribed with another employer or employers.

Where necessary, due to the work process with an employer, full-time or part-time work needs to be distributed not evenly by weeks; in such a case full-time or part-time working hours shall be determined as the average weekly working time within a period of four months. A collective agreement or an agreement concluded between a works council

and the employer may lay down a longer statutory period for the establishment of the average weekly working hours of this Article, but it may not be longer than twelve months.

In the period in which the working time duration exceeds full-time or part-time working hours, total working hours may not be longer than fourteen hours over the period of twenty-four hours or longer than seventy-two hours over a seven-day period.

If the average weekly working hours exceeded the agreed full-time or part-time working hours, work in excess is considered to be overtime work.

The Ordinance states that it shall be prohibited for minors to work longer than eight hours a day in the course of the scheduled working hours. The same provision is provided by the article 6 which prohibits the overtime work for minor employees.

The inspector shall prohibit or limit scheduled working hours if they are contrary to the provisions of this Ordinance or if it can be concluded, on the basis of the report and opinion of an authorised physician, that they could have harmful effects on the employees' health, his or her working ability and safety. The schedule of working hours must be displayed on the maritime fishing vessel and be accessible to all employees and competent inspection authorities.

Irrespective of its duration, work between the 10 pm and 6 am is considered night work (article 8). For minors employed, work between 8 pm and 6 am is considered night work: night work shall be prohibited for minors, unless it is, on a temporary basis, absolutely necessary, provided that adult employees are not available, in which case such night work shall not last longer than eight hours within a period of twenty-four hours and provided that minors do not work in the period from midnight to four in the morning. In this event of night work referred to in paragraph 4 of this Article, the employer shall ensure that such work is performed under the supervision of an adult and after this work the employer shall immediately provide a minor employee with an alternative resting period, equivalent in length to the missed rest hours.

A night worker is an employee who regularly in one day, according to a working time schedule, works at least three hours during the hours of night work or who, in the course of a calendar year, works at least one third of his or her working time during the hours of night work.

3.9 Breaks and rest

The Ordinance on the daily break (OG No 82/10) states that an employee who works at least six hours a day has the right to a rest period ("break") each working day, lasting at least 30 minutes.

In case of a minor working at least four and a half hours a day, he/she shall have the right to a rest period (break) of no less than 30 minutes without interruption for each working day.

The time of the rest period shall be included in the working hours.

If the special nature of the job does not allow interruptions of work to take a rest period, the time and manner of the rest period shall be regulated by a collective agreement, agreement between the works council and the employer or

employment contract.

The rules on the breaks and rest are specified by the Ordinance (OG No 82/10), which also includes the dispositions in work in shift.

Shift work means a method of organizing work at an employer's workplace whereby employees take turns in the same job and at the same work site in accordance with a working time schedule, which may be continuous or discontinuous, rotating shifts included.

Shift worker is considered an employee whose work schedule, with an employer using shift work pattern, performs his or her job in different shifts over a period of one week or one month. If work is organised in shifts including night work, a change in shifts must be ensured, so that employees work in a night shift during consecutive nights for at most one week continuously.

The article 9 states that in organising shift or night work, the employer shall invest particular efforts to organise work in favour of the employees taking into account their safety and health, in line with the nature of work performed during the hours of night work or in shifts. If a night worker suffers of any health problems as a result of night work, the employer shall ensure that such employee receives a working time schedule allowing him or her to perform his or her job outside the hours of night work.

3.10 Leaves

Even if the Ordinance (OG No 82/10) is titled: "Ordinance on working time, rest breaks and leaves of workers on maritime fishing vessels", the text doesn't contain provisions on annual leaves. Therefore the article 55 of the Labour act (OG 149/09) regulates the annual leave that applies to all employees: "An employee has the right to have paid annual leaves in the duration of at least four weeks for each calendar year".

The labour code foreseen that a minor employed or an employee, carrying out work at which workers cannot be protected from harmful effects despite the application of occupational safety and health measures, has the right to have paid annual leaves in the duration of at least five weeks for each calendar year.

Holidays and non-working days established by law and the period of temporary inability at work, which was confirmed by an authorized physician, are not included in the duration of annual leave.

Where an employment contract is terminated, the employer shall pay compensation to an employee who has not used his or her annual leave in full. The compensation shall correspond in proportion to the number of days of unused annual leave.

An employee has the right to take annual leave in two portions, unless any other agreement with the employer. If the employee takes annual leave in portions, he or she must use the first portion, lasting at least two weeks without interruption, in the calendar year for which the right to annual leave is acquired, provided that the employee has acquired the right to an annual leave in the duration of no less than two weeks.

Where an employee works part-time for two or more employers and such employers fail to reach an agreement on

the simultaneous exercise of the right to annual leave, the employers shall enable such employee to use annual leave in accordance with his or her request. When preparing the schedule for annual leave, account must be taken on the needs concerning the organisation of work and the possibilities for rest available to employees. An employee must be informed about the duration and schedule of annual leave at least 15 days before annual leave is to be taken. An employee has the right to take one day of annual leave whenever he or she wishes, provided that he or she informs the employer thereof at least three days in advance, unless a collective agreement specifies a different period of advance notification.

The employee has the right to have leave paid when receiving training or vocational training, as well as education for the needs of the works council or trade union work, for the entire duration and for a remuneration determined by a collective agreement, agreement between the works council and the employer or employment rules. For the purpose of acquiring the rights arising from employment or related to employment, the periods of paid leave are considered as time spent at work.

The employer may grant the employee unpaid leave, at his or her request. During unpaid leave, the rights and obligations arising from employment or related to employment are suspended, unless otherwise specified by the law.

3.11 Recruitment of foreign fishermen

The fundamental provision regulating the area of migration (lawful, working and unlawful) is the Foreigners Act (OG 79/07) adopted by the Croatian Parliament on 13th July 2007, and applied as of 1st January 2008. The Foreigners Act was amended in 2009 by the Act on Amendments to the Foreigners Act (OG 36/09), effective as of 31st March 2009. There is no particular regulation for the recruitment of foreign fishermen.

Conditions under which foreigners may be issued a business permit were amended so as to explicitly state that the permit may be issued to the founder of his/her own company or to a foreigner who is a holder of the majority part of at least 51 per cent, as well as to the person who has registered the business on his/her own or to one of the persons in a common business.

Foreigners who are in independent professions may be issued business permits on the basis of registration in the appropriate register of the Republic of Croatia.

3.12 Income support benefits

The current laws are: 1998 (pension insurance), implemented in 1999; 1998 (maximum pension); 1998 (disability); 1998 (occupational diseases); 1998 (medical reports); 1999 (pension funds); 1999 (pension insurance companies and savings); 1999 (insurance); 1999 (medical assessment); 2002 (contributions); 2004 (contribution collection); and 2006 (compulsory insurance).

There are no specific laws on social security system that covers the fishery sector.

The Social insurance covers the following categories: employed persons in industry, commerce, or services; apprentices; civil servants and public-sector employees; military and police personnel; judiciary officers; temporary contract

workers; and self-employed persons.

Mandatory individual accounts: all persons who were younger than age 40 on January 1st 1999, who are covered by social insurance. Those between ages 40 and 50 who were already insured under the social insurance system could voluntarily join the two-pillar system until June 30th, 2002.

The insurance base is defined as a percentage of the gross average wage of all employed persons (from 50% to 110%, from 7,460 kunas), depending on the category of self-employment and the individual's level of education.

The self-employed person's contributions also finance disability and survivor benefits and work injury and occupational disease benefits.

The minimum monthly earnings used to calculate contributions are 2,611 kunas.

The maximum monthly earnings used to calculate contributions are 44,760 kunas.

3.13 Unemployment allowance

The Social insurance system covers all employed persons with insurance coverage based on an employment contract, including public-sector employees, civil servants, military and police personnel, and judiciary officers.

The Government provides periodic subsidies and the total or partial cost of benefits for certain categories of persons.

The unemployment assistance is paid to unemployed persons who participate in vocational training and the unemployment benefit is calculated on the basis of the average wage over the last 3 months. The benefit is paid for a period between 90 and 450 days, depending on the duration of the previous employment.

The Ministry of the Economy, Labour, and Entrepreneurship is responsible for general supervision.

Croatian Employment Service, managed by a tripartite nine-member committee through its central office and 22 regional and 95 local offices, administers the program.

3.14 Sickness indemnities

The Workers Medical Benefits are provided by public and private health institutions contracted with the Croatian Institute for Health Insurance.

Benefits are provided by public and private health institutions contracted with the Croatian Institute for Health Insurance. Benefits include primary and specialist treatment, hospitalization, orthopaedics and other aids, dental care, approved pharmaceuticals, laboratory services, maternity care, preventive care services, emergency aid, rehabilitation services, appliances, and transportation.

Cost sharing: The insured with no complementary health insurance pays 20% of the actual cost of health care and no less than the minimum, according to a schedule in law. Up to 3,000 kunas is paid by the Croatian Institute for Health for each service.

Medical services are free for children younger than age 18, persons with low income, persons with disabilities and

in need of constant assistance, Homeland War veterans with disabilities, persons registered as unemployed at the Croatian Institute for Health Insurance, and voluntary blood donors who have made at least 35 donations (men) or 25 donations (women).

The Ministry of Health and Social Welfare provides general supervision, while the Croatian Institute for Health Insurance, with 20 district offices and 91 branch offices, administers benefits.

3.15 Family benefits

The Social assistance system covers parents or guardians who are Croatian citizens or hold a permit for permanent settlement, who have resided in Croatia for at least 3 years; foreign citizens with temporary residence who are eligible under a bilateral international social security agreement or the European Union's coordination instruments; parents of children who reside abroad for more than 3 consecutive months, except if otherwise covered by a bilateral international social security agreement or the European Union's coordination instruments.

The Family Division of the Ministry of Family, Defenders, and Intergenerational Solidarity provides general and legal supervision. The Croatian Pension Insurance Institute administers the program.

3.16 Accidents and disease

Under the 2006 Health Insurance Act, benefits for an assessed incapacity or disability that are paid as the result of a work injury or an occupational disease are provided under more favourable conditions and at higher rates than general sickness and disability benefits (see Old Age, Disability, and Survivors, and Sickness and Maternity).

Supervised by the Ministry of Health and Social Welfare, the Croatian Institute for Health Insurance of Health Protection at Work, oversees prevention measures and the detection of occupational diseases.

The legislations concerned are:

- The Act on health care regulates principles and measures of health care, rights and obligations of persons using health care, holders of national public health care, content and organization of performing health services and inspection of performing health services.
- The Act on health insurance regulates the obligatory health insurance in Croatia, the scope of right to health care and other rights and obligations of persons which have obligatory insurance according to this Act, conditions and manners of their financing, etc.

3.17 Occupational accidents

Compensation allowance for a physical injury: Paid for organ or body part loss or damage that is the result of a work injury or an occupational disease. The injury must be assessed as at least 30%. The allowance is paid regardless of whether the physical injury led to an assessed disability or not.

The benefit of the Occupational rehabilitation and salary compensation is the same as the occupational disability pension, unless the disability was caused by a work injury or an occupational disease, in which case it is the same amount as the general disability pension based on 40 years of coverage.

The compensation allowance for a physical injury depends on the assessed degree of physical injury resulting from a work injury or an occupational disease. There is no minimum qualifying period. The allowance is paid to employed and self-employed persons for life.

Benefits are adjusted every 6 months according to changes in the cost of living and national average gross earnings.

3.18 Work related sickness

The benefit of the Occupational rehabilitation and salary compensation is the same as the occupational disability pension unless the disability was caused by a work injury or an occupational disease, in which case it is the same amount as the general disability pension based on 40 years of coverage.

The compensation allowance for a physical injury depends on the assessed degree of physical injury resulting from a work injury or an occupational disease. There is no minimum qualifying period. The allowance is paid to employed and self-employed persons for life.

Benefits are adjusted every 6 months according to changes in the cost of living and national average gross earnings.

3.19 Pension performances

The Pension and Disablement Insurance Directorate carries out administrative and other activities related to the pension and disablement insurance system such as: normative regulation of pension system, providing for implementation of pension regulations, participating in bilateral social insurance agreements and their follow up, providing expertise and interpretation of implementation of pension insurance regulations, administrative control (Croatian Pension Insurance Institute), follow up of pension trends, as well as other pension related incomes, and other activities specified by the Minister.

The Three-pillar Pension System:

Pillar 1 – Pay as you go (PAYGO) system financed by contributions and state budget revenues.

Contributions equal 20% of gross salary;

Current retirees remain unaffected;

Individuals over 50 will remain in pillar 1.

Pillar 2 – Compulsory pension insurance based on individual capitalized savings— pillar 1 contribution of 15% and remaining 5% into a private pension fund;

Mandatory for individuals under 40;

Individuals between 40-50 can choose between pillars 1-2.

Pillar 3 – Voluntary pension insurance based on individual capitalized savings open to all citizens since March 2002.

The pension system in Croatia, and all its major subjects, are bound to strict legislations comparable and compatible with modern and proven systems from around the World and Europe.

Two of the most important legal acts in Croatian pension system legislature are the Law on pension insurance companies and payment of pension annuities based on individual capitalised savings and Compulsory and voluntary pension funds act.

The Qualifying Conditions for old-age pension are:

Social insurance: Age 65 with at least 15 years of coverage (men) or age 60 with at least 15 years of coverage (women).

Early pension: Age 60 with at least 35 years of coverage (men) or age 55 with at least 30 years of coverage (women).

A pensioner who receives a social insurance pension must cease work.

Mandatory individual account (old-age): The insured must meet the qualifying conditions for a social insurance pension.

The Disability benefits are paid for a permanent reduction in, or loss of, the ability to work resulting from an occupational or non occupational injury or disease.

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[www.fao.org/fishery/countrysector/FI-CP_HR/en]

MINGORP – *Ministry of Economy, Labour and Entrepreneurship*

[www.mingorp.hr/defaulteng.aspx]

[www.mingo.hr]

NN - *Narodne Novine d.d.*

[www.nn.hr]

HZZ - *Hrvatski Zavod Za Zapošljavanje Središnja Služba*

[www.hzz.hr]

MOBMS - *Ministarstvo Obitelji, Branitelja i Medugeneracijske Solidarnosti*

[www.mobms.hr]

HZMO

[www.mirovinsko.hr]

MZSS - *Ministarstvo Zdravstva i Socijalne Skrbi, Republike Hrvatske*

[www.mzss.hr]

ILO - *International Labour Organization*

[www.ilo.org/dyn/natlex/country_profiles]

FAO ADRIAMED - *Scientific Cooperation to Support Responsible Fisheries in the Adriatic Sea*

[www.faoadriamed.org]

Institute for Coast and Sea in Dubrovnik

[www.imp-du.com]

IRB - *Institute Ruđer Boškoviæ*

[www.irb.hr]

CAEI - *Croatian Agriculture Extension Institute*

[www.hzpss.hr]

MAFWM - *Ministry of Agriculture, Forestry and Water Management*

[www.mps.hr]

CCE - *Croatian Chamber of Economy*

[www.hgk.hr]

CCT - *Croatian Chamber of Crafts and Trade*

[www.hok.hr]

IOF - *Institute of Oceanography and Fisheries, Split*

[www.izor.hr]

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- Act of 10 July 1998 Pensions Act - Text No. 1409 (OG No 102/98)
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- Act of 15 July 2003 on Health care - Text No. 1706 (OG No 121/03)
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- Ordinance (OG No 82/10).
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PESCAMED



EGYPT



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ACRONYMS AND ABBREVIATIONS

ASDP Agriculture Sector Development Programme

CIB Commercial International Bank

CLAR Central Laboratory for Agriculture Research

EAGA The Egyptian Agribusiness Association

EAS Egyptian Aquaculture Society

EEZ Exclusive Economic Zone

EMDB Egyptian Maritime Data Bank

FAO Food and Agriculture Organization of the United Nations

FSDP Food Sector Development Programme

FM Financing Memorandum

GAFRD General Authority for Fish Resources Development, Ministry of Agriculture and Land Reclamation, Egypt

GDP Gross Domestic Product

GFCM General Fisheries Commission for the Mediterranean.

GFCM Area. Major fishing area 37, (FAO, 2006).

MedFisis Project: Mediterranean Fishery Statistics and Information System

MoALR Ministry of Agriculture and Land Reclamation

MSSP Multi Sector Support Programme

NIOF the National Institute of Oceanography and Fisheries

PBDAC Principal Bank for Development and Agricultural Credit

PMU Project Management Unit

1. FISHERY SECTOR

In Egypt, fishery resources are divided in 3 main sectors: Marine fisheries (Total Exclusive Economic Zone 650,000 Km²); Inland fisheries (River Nile, lakes, lagoons); Aquaculture (major contribution). The fisheries activities in Egypt have witnessed a fast and remarkable development during the last ten years, where technological development, improved efficiency in fishing fleets.

Political and economic decision-makers are becoming increasingly aware of the fundamental economic role that fisheries and related activities play in Egypt.

The share of fisheries percentage in the total income has increased recently (2008), fisheries share 6.94% of the total income, however the net profit has increased to 8.52% as a result of the development of the aquaculture activities by the private sector, where the aquaculture have jumped fast and wide steps achieving a sharp increase in fish production net profit.

Egypt vessels operate in the Levant province as well as in the Aegean and south Eastern Mediterranean. Apart from the fact that this country has a much longer coastline, its production per km coastline is higher compared to other Levantine Countries.

Table 1. Fish Production

Source	Quantity in Tons	%
Marine Fisheries		
Mediterranean Sea	88.882	8,33
Red Sea	47.361	4,44
Inland fisheries		
Northern lakes and Lagoons	114.482	10,73
Inland Lakes	43.402	4,07
River Nile and its tributaries	79.688	7,46
Aquaculture	693.815	64,99
Total	1.067.630	100

Source: Gamal El Naggar, Mohamed Fathy Osman – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Bari, Italy 14-16 June 2010

Table 2. Fishery production in Mediterranean (2008)

Species	Quantity (tons)	Ex vessel economic value
Anchovy	4.865	31.622,5
Bluefish	862	36.204
Bogue	3.597	25.538,7
Brushtooth lizard fish	1.862	18.117,26
Marine crabs	3.525	40.854,75
Cuttlefish	3.301	72291.9
European seabass	1.125	20.711,25
False scad	1.113	10.128,3
Gilthead seabream	1.322	46.521,18
Grey gurnard	1.540	20.020
Groupers nei	1.327	14.597
Kawakawa	1.587	9.442,65
Largehead hairtail	1.749	20.988
Magre	977	5.822,92
Mullets nei	4.660	72.323,2
Narrow barred Spanish	1.810	45.250
Red mullet	2.939	33.739,72
Red porgy	2.738	15.907,78
Sardinellas nei	17.389	113.550,17
Sharks, rays	3.039	31.453,65
Marine molluscs nei	2.990	31.395
Shrimps nei	10.746	461.218,32
Sigans	1.102	16.530
Common sole	1.157	18.500,43
Spotted seabass	933	16.327,5
White seabream	874	4.807
Sphyræna spp	529	5.554,5
Other	9.224	82.001,36
TOTAL	88.882	1.321.419,04

1.1 Production

The total fish production of Egypt is 1.067.630 tons (Fishstat 2008), 373.815 tons from fishery and 693.815 tons from aquaculture, with an estimated value of 10.814 million LE (GAFRD. 2010)

The fish landings from the marine fisheries (Mediterranean Sea and Red Sea) in 2008 summed up to 136 thousand tons, which represents about 13% of the total production.

The fish landings from the Mediterranean marine fisheries in 2008 summed up to 88.882 thousand tons, representing about 8,33 % of the total production.

Table 3. Fish Production

Source	Quantity in Tons	%
Marine Fisheries		
Mediterranean Sea	88.882	8,33
Red Sea	47.361	4,44
Inland fisheries		
Northern lakes and Lagoons	114.482	
Inland Lakes	43.402	4,07
River Nile and its tributaries	79.688	7,46
Aquaculture	693.815	64,99
Total	1.067.630	100

Source: Gamal El Naggar, Mohamed Fathy Osman
GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Bari, Italy 14-16 June 2010

Table 4. Fishery production in Mediterranean (2008)

Species	Quantity (tons)	Ex vessel economic value
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Bluefish	862	36.204
Bogue	3.597	25.538,7
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Other	9.224	82.001,36
TOTAL	88.882	1.321.419,04

Source: Gamal El Naggar – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Lecce, Italy 6-8 October 2010

The Egyptian marine fishery sector in the Mediterranean areas generates almost one billion US\$ per year (GAFRD, 2003).

Table 5. Fishery production value 2008

Production value (Wholesale Value) ex vessels ('000 L.E.)	4.089.396
Production value ex consumers market:	
Export value ('000 L.E.)	59.510
Import value ('000 L.E.)	2.034.893

Source: Gamal El Naggar, – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Lecce, Italy 6-8 October 2010

As already mentioned, Mediterranean capture fisheries contribute about 8,33 percent to the total Egyptian capture fisheries production (Fishstat, 2008). Despite this relative low number, the importance of the sector cannot be ignored, because it is a very important sector for the economy of coastal areas, generating income and work opportunities in areas with little other options for livelihood sustenance (GAFRD).

Table 6. Mediterranean capture fisheries (2000 - 2008)

SPECIES	2000	2001	2002	2003	2004	2005	2006	2007	2008
Crustacea	6.133	4.828	6.907	3.929	4.228	5.257	5.578	8.901	14.271
Mollusca	1.503	5.727	4.977	4.254	2.638	3.790	5.552	5.724	6.291
Pisces	47.236	49.069	47.735	38.790	40.615	47.674	61.536	69.137	68.320
TOTAL	54.872	59.624	59.619	46.973	47.481	56.721	72.666	83.762	88.882

The Egyptian capture fisheries production from the Mediterranean has been steadily increasing over the years. Currently, the production is around 89 000 tons, most of which comes from the capture of species in the coastal zones, over the continental shelf. The waters of the Mediterranean Sea are generally poor in marine resources, but the land discharge with high nutrient outflows of drainage water from the Nile Delta region increases the productivity of the coastal region.

The continental shelf, however, is generally fairly heavily exploited, although there is some potential for catch increases from some fishing grounds (e.g. in Saloum Bay) or from additional stocks that are moderately or under-exploited, such as small shrimp (*Metapenaeus* spp.), sharks, and large pelagic beyond the continental shelf.

Landings from the Mediterranean Sea represent about 11% of the total marine catch (Fishstat, 2005). About 40 percent of the landings are from purse seiners operating along the Mediterranean coast. Coastal lagoon fisheries are well developed. (A. Salem, personal communication, 2005).

Since 1999, sponge catching has been banned, although it was an important economic activity. In part it has been compensated by snail and clam fisheries, with a production of more than 4 000 tons.

The main catching/marine resources are: sardine, shrimp, sea bass and sea bream, mullet, common sole mackerel, snappers, groupers, siganus, meager, anchovy and others. (GAFRD, 2010.)

According to the official statistics, production is as follows: sardinellas (*Sardinella* spp, 17 389 tonne), european anchovy (*Engraulis encrasicolus*, 4.865 tons), mullets (*Mugilidae*, 4 660 tons), bogue (*Boops boops*, 3.597 tonne), Marine crabs (*Brachyura*, 3.525 tonne), cuttlefish, bobtail squids nei (*Sepiidae*, *Sepiolidae*, 3.301 tonne), Sharks, rays, skates, etc. (*Elasmobranchii*, 3.039 tonne) and molluscs (*Mollusca*, 2 990 tonne), besides 7.432 tons of marine fishes.

Table 7. Egypt marine capture production 2008, FAOSTAT Group

Fishery products	2008
Cephalopods	3.301
Crustaceans	14.271
Demersal Marine Fish	32.733
Marine Fish Nes	7.432
Molluscs Excl Cephalop	2.990
Pelagic Marine Fish	28.155
TOTAL	88.882

Source: (Fishstat)

The total fish production of Egypt from both fisheries and aquaculture has increased more than 133% between year 1997 to 2008; It was only 45.000 tons in 1997 and reached 1.067.630 tons in 2008.

During the first ten years (1988-1996) fishery production increased 40% from the base year 1988. While the remarked increased in fishery production started after year 1998 up to 2008, during that time the production has more than doubled (CIHEAM, 2008).

The Mediterranean marine capture fisheries production of Egypt has increased more than 61% between year 2000 to 2008. It was 54.872 tons in 2000 and reached 88.882 tons in 2008.

1.2 Trade: import and exports

In Egypt fishery economy, only small quantities are exported, while imports are very much higher than exports; as a result of the domestic fish demand. Egypt is one of the major importer of fish products originating from EU sources. In 2006 the trade economy value of marine fishing shows that imports were very much higher than exports, confirming the previous trend. In fact, for Export of fish products the value is 3.495 USD 000, for Import 167.741 USD 000, that means a grand total of 171.236 USD 000.

In 2008, amount of 6,7 thousand tons were exported with an estimated value of 59,5 million LE.

On the other side, to reduce the gap between the local production available for domestic consumption (around 1,1 million tons), and the fish demand (the local production covers about 89% of the fish demand), amount of 137 thousand tons was imported, mainly of frozen and processed fish.

1.3 Pro capita consumption

Fish is a traditional and important component of the Egyptian diet, and is the main source of cheap animal protein for a growing population. Most of the catch is consumed fresh through domestic markets, with only small quantities exported (2.000 tons). Fish consumption in Egypt is characterized by a longstanding traditional preference for fresh fish. However, with increasing fish imports and developments in cold storage, frozen fish is becoming acceptable. In addition, fish consumed in areas far away from landing sites is salted, as in some of the sardine and mullet catch

from the Mediterranean and Red Sea. Although salted fish is traditionally eaten during certain holiday periods, salting is expected to decline as internal transport and marketing improves. Processing facilities, including freezing and canning, are present. Canned sardines are sold locally. Domestic supplies are supplemented by substantial imports (260.000 tons) of frozen fish whole, fillets, salted and smoked products (FAO).

As domestic production increased in recent years mainly from increased aquaculture activities and imports, domestic supply has consistently grown. As a result of this increase in domestic production and imports, supply has grown at a slightly faster rate than the rate of increase in the population. As a result, the annual per capita supply increased to almost double.

In 1991 the per capita consumption as reported by GAFRD was 8.3 kg. It increased to 15,2 kg in 2001 and to 15,95 Kg in 2008, just over the international average reported by FAO of 14, 5 kg. per capita.

This increase in consumption indicates the change in the traditional attitude of preference for meat and poultry, improvement in the distribution system, importation of low priced fish species and increasing in the purchasing power of some sectors of the population, who consume high value imported fish and fishery products (FAO 2003)

In 2008, the total fish production of Egypt was 1068 thousand tons and the amount of 6,7 thousand tons were exported. The local production available for domestic consumption is 1,1 million tons. This production covered about 89% of the fish demand and facilitates an average per capita per annum of 14,13 kg.

To reduce this gap, 137 thousand tons was imported, mainly of frozen and processed fish that rising per capita per annum to 16 kg (2008).

Fish contribute to about 20% of the national consumption of animal protein and, as it is showed in tables 15 and 16, it is estimated that in 2008 the per capita consumption of fish is 15,95 kg per year.

Table 8. Fish Production and consumption per capita (2008)

Source	Quantity in Tons	%	Kg per capita
Local production	1,067,630		
Exported	6727		
Available from local production	1,060,902	89	14.13
Imported	136,807	11	1.82
Available for fish consumption	1,197,709	100	15.95

Source: Gamal El Naggar, Mohamed Fathy Osman – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Bari, Italy 14-16 June 2010.

The Egyptian demand for fish in 2012 is forecast to reach 1.362.000 tons, and this amount is not so far from the present production level of 1.067.630 tons (2008). Government policy aims to bridge this gap through managing the natural fisheries and developing aquaculture activities.

1.4 Fishery and linking industry

The fishing industry has a relatively minor direct role in the economy of Egypt, but nevertheless, domestic fish production makes a valuable contribution to the national food supply and to the traditional way of life, in which fish eating plays an important part. In addition it is a significant source of food for the tourist industry. In some cases, fishermen (especially in the Red Sea) sell their catch directly to restaurants or hotels.

In Egypt, also depending on the fact that fish are consumed mostly in its fresh form, very little quantity of the national production with a major part of the imported fish is used for processing and manufacturing (smoked, canned, fillet, salted and dried).

Fishing industry is important for the livelihood of over 65.000 fishermen and other people employed full time in related activities (estimated at some 300.000 people). (Source: FAO). The General Authority for Fish Resources Development (GAFRD) estimates that an equal number of people is working in the sector without licenses, either fishing or working in the supporting industry. The Authority estimates that in Egypt one million people depend on the fisheries sector for their livelihoods (Seham and Salem, 2004).

Updated, reliable information on the fishermen population is not available. The closest estimate indicates that total employment in the fisheries sector is approximately one million persons. This estimate includes about 321.000 licensed fishermen in capture fisheries, and probably more than twice as many who are not. It is believed that an additional 300.000 persons work in fish farming, handling, transportation, processing, marketing and other related activities and services to the industry. In 2001, it is reported that there are 90 official fishermen cooperative in marine, inland and aquaculture fisheries with a total of 90.957 members (FAO 2003).

The marketing system starts with fisherman in the fishing ports or fish farmers to the whole dealers through the cooperatives by auction, then the fish is transported to the big fish market as El Aoubour, fish market in Cairo by freezing facilitated trunks.

The transportation, marketing systems for fish covers all the big cities in the country.

The Egyptian coasts of both seas are under severe and increasing pressure from rapid, unsustainable development. The construction of four fishing harbors at the main fishing grounds has had a positive effect on fisheries development. There has been a resulting increase in the size of boats, the amount of fishing gear used, and the number of working days. New fisheries were introduced at the same time, especially outside the territorial waters.

The Egyptian fishing industry is modernizing. Much of the fleet in the private sector is now well developed, using advanced navigation equipment. Fish production expanded rapidly in the last ten years, and was marked by a gradual increase in unit effort, i.e., increase in engine power and the size of gear used by the individual vessels. While the thriving sponge fishing industry has completely stopped, mainly due to sponge disease, sea cucumber collection has rapidly grown (FAO).

1.5 Fishing Harbours

The main fishing ground used in the Mediterranean coast by Egyptian vessels is the continental shelf off the Nile Delta, which may also be extended to the eastern side of Port Said and rarely, to the western side of Alexandria. The continental shelf is narrow in the east and west comparable to the wider central Delta region. The seabed is flat, mostly muddy to sandy along the middle and eastern coast.

Limited grounds for trawling are available on the western coast.

Landings in the Mediterranean Sea represent about 14% of the total marine catch. Along the Mediterranean Coast, the official landing sites – from west to east – are: Salum and Mersa Matruh (Matruh province); Al Max, Al Anfoushy, Mena Sharki and Abu Kir (Alexandria province); El Maadiya and Rashid (Behera province); Borge and Al Burollus (Kafr Al Sheakh province); Al Borge (Dumyat province); Port Said (Port Said province); and El Arish (North Sinai province). There are 9 fisheries centres along the coast.

Table 9. Fishing ports and fishing boats (2008 MEDITERRANEAN)

Port Name	Boats small scale fishery	Boats <500hp (Trawler)	Boats >500hp (Purse seine)	(Long line)	Trammel Nets	Other
Matrouh	(Trawler)	Boats >500hp		2	12	
Alexandria	(Purse seine)	(Long line)	Trammel Nets	Other	36	1
Abu Kir	69	33	18	231	126	
Rashid	143	86	18	68	76	
El Maadiyah	32	115	36	105	93	
Al Burollus	159	15	27	206	1	
Green Island	42	2	13	11	6	
Al Borg	149	601	17	204	13	
Port Said	512	223	51	238		
Al Arish			53	10	166	

(Source: Gamal El Naggar, Mohamed Fathy Osman – GA-FRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Lecce, Italy 6-8 October 2010.):

1.6 Fishing fleet

The total number of Egyptian registered fishing vessels operating in marine resources is 6.480 fishing boats, 4.089 units of these vessels are equipped with inboard engines more than 50 up to 1.000 HP, using different fishing gears as trawlers, purse-seine, long-lines and trammel, gill nets. (Source: Gamal El Naggar, Mohamed Fathy Osman – GA-FRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Bari, Italy 14-16 June 2010.)

The Egyptian fishing fleet operating in Mediterranean marine resources (year 2008) is 4.509 fishing boats (1.379 boats under sail), 2.900 units of these vessels are equipped with inboard engines more than 10 HP up to 500 HP, using different fishing gears as trawlers, purse-seine, long-lines and trammel, gill nets.

Table 10. Mediterranean Egyptian Fishing fleet - 2008

Description	Boat number
Sail boat	1.379
Boat motorized <10 mt length (<10 hp)	218
Boat motorized >10 mt length (10 < hp <500)	2.900
Boat motorized over >10 mt length >500 hp	12
TOTAL	4.509

(Source: Gamal El Naggar, Mohamed Fathy Osman – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Lecce, Italy 6-8 October 2010.)

The Mediterranean motorized fleet (3.129 boats) in 2008 was composed of 1.095 trawlers, 238 purse seines, 1.267 pelagic long-liners (Tuna and swordfish) and 529 trammel nets. While the number of trawlers and purse seiners was stable in the last five years, the number of long liners has doubled.

Table 11. Mediterranean Fishing fleet/fishing gear (2008)

Description	Boat number
Small scale	1379
Trawler	1095
Purse seine small pelagic species	238
Pelagic Long line (tuna and sword fish)	1267
Trammel Nets	529
Other	1

(Source: Gamal El Naggar, Mohamed Fathy Osman – GAFRD. 2010. Country Report: fisheries in Egypt. PESCAMED Project Meeting, Lecce, Italy 6-8 October 2010.)

The average crew of a trawler is 6–8, with 17–23 operating on a purse seiner, while other boats work with a crew of 2 or 3.

Most of the motorized fleet (62%) was small wooden craft of less than 10 m in length and equipped with inboard or outboard engines of less than 100 hp. Only 3 % were large steel vessel with engines of more than 500 hp. The marine sector employed 27.550 fishermen, 3.013 of which were categorized in the recreational sector. (FAO 2010).

1.7 Trade towards EU

The EU and Egypt began diplomatic relations in 1966. The EU seeks to develop a particular close relationship to support Egypt's domestic and political reforms.

The relationship emphasizes close cooperation on democratic reform, economic modernization, social reform, and migration issues. The current agenda of EU-Egypt relations is spelled out in an "Action Plan" under the European Neighborhoods Policy.

Regarding the fishery sector, the Action Plan aims to:

- Reinforce the cooperation in order to implement the actions identified in the Declaration of the Ministerial Conference for the Sustainable Development of Fishery in the Mediterranean (Venice, 25-26 November 2003) in the framework of the relevant international instruments.

- Take steps to further promote the creation of fishermen associations with a view of implementing responsible fisheries and improve their capacity to be represented into international and multilateral organizations.
- Increase the scientific and technical capacity to monitor fisheries and evaluate the state of exploitation of marine resources and marine environment.
- Improve scientific cooperation with the Regional Fisheries Body and in particular the GFCM with a view to strengthen a concerted and regional approach suiting to the needs of sustainable fisheries and based on dialogue and coordination.
- Undertake necessary marketing infrastructure upgrading to cope with market demands and standards.

Egypt and the EU are bound by the legally binding treaty in the form of the Association Agreement (2003/913/EC) which came into force in 2004.

Egypt is one of the major importer of fish products originating from EU sources. At the same time, for all the period 1988-2000, imports resulted to be very much higher than exports; as a consequence, the fish trade balance showed a deficit that, starting from a value of -22.000 t (corresponding to € 0,6 million) at the beginning of the period, deteriorated progressively until the last three years. In 1998 it peaked at -145.000 t (equivalent to a trade deficit of € 55 million).

Egypt's exports of seafood destined for the EU in 2000 went primarily to Italy, Greece and Spain, buying 37%, 30% and 22%, respectively. The quantities involved were small: Italy 32 t; Greece 26 t; Spain 19 t; France 6 t; and others 3 t.

Egyptian exports of fish products to EU destinations in 2000 were 65% mollusks (live and processed; CN code 0307), while imports were principally frozen fish, excluding frozen fish fillets (CN code 0303). (FAO 2010).

1.8 Institutional organization

The General Authority for Fish Resources Development (GAFRD), a branch of the Ministry of Agriculture, is the state agency responsible for the management of all fisheries and aquaculture activities in Egypt. GAFRD is also the authority for fishing licensing, production control, statistics of fisheries, extension services, developing strategies. Furthermore it takes all the necessary measures for the sustainable management of the sector.

Three central offices, for the western coastal provinces, Dumyat region and Delta provinces, are part of the GAFRD headquarter complex in Cairo, with another general office for the eastern provinces and three local offices for Nile provinces, Aswan region and Red Sea province. These local offices are responsible for issuing fishing vessel and fishermen licenses, collecting catch statistics data, controlling aquaculture activities, managing and developing the inland water bodies, and applying the fisheries law with the support of the coast guard for marine fisheries and water bodies police in the inland fisheries. The headquarters office is responsible for development projects, applied research, national and international agreements, and maintenance activities.

Each central department includes several specialized departments, such as department of fish farms management, hatcheries, legal affairs, researches, fisheries management, international affairs, nutritional department, research

hatcheries, legal affairs, researches, fisheries management, international affairs , nutritional department, research department, financial and administration, training, department of cooperation, department of planning and projects & department of engineering and construction .

GAFRD also includes 7 central departments located in the areas of production, geographically spread overall Egypt:

- Central administration of the Central Delta.
- Central administration for Damietta area.
- Central administration of the Western region.
- Suez and Red Sea region.
- Ismailia region.
- The Nile Valley region.
- Aswan region.

There are many Egyptian organizations that cooperate with GAFRD in fisheries management. These agencies belong to other ministries, such as General Authority for Maritime Inspection (GAMI); Central Laboratory for Aquaculture Research (CLAR); the Police of Environment and Water Bodies. National Institute of Oceanography and Fisheries (NIOF); Institutes and Colleges specializing in fisheries and aquaculture studies in the Egyptian Universities. The General Authority for Veterinary Services (GAVS).

The private sectors of fishermen vessels owners and fish producers, as it is thoroughly described in chapter 1.4.2, are represented by the Egyptian Cooperative Union for Fisheries Resources, which is a partner with the governmental institutions in all management measures.

1.9 National development strategy

Egypt produces 172.000 tons marine catch, most of which comes from the capture of species in the coastal zones, over the continental shelf (FAO 2001).

The waters of the Mediterranean Sea are generally poor in marine resources, but the land discharge rich in nutrients outflows of drainage water from the Nile Delta region and increases the productivity of the coastal region. The continental shelf, however, is generally fairly heavily exploited, although there is some potential for catch increases from some fishing grounds (e.g. in Saloum Bay) or from additional stocks that are moderately or under-exploited, such as small shrimp (*Metapenaeus* spp.), sharks, and large pelagics beyond the continental shelf. Reducing overall fishing effort is the main priority for management action.

There are reasonable prospects for artisanal fisheries, particularly on the rocky bottoms that occur in many parts on the Egyptian coastal zones (e.g. in the southern region of the Red Sea, and the Halayb Triangle). Shore-based infrastructure will also need to be improved, in particular ship repair and maintenance facilities and ice plants.

Although the local freshwater fish populations are limited in size and are fully exploited, the extensive and uncontrolled use of illegal fishing methods calls for introduction of management for conservation as an important goal.

For the Egyptian Mediterranean Coast fisheries management, the National Institute of Oceanography and Fisheries (NIOF), Alexandria branch, recommended the following goals:

- Moratorium on new vessel licensing for any fishing ground for five years;
- Prohibiting fishing closer than 1 km from the shore using any fishing method;
- Prohibiting fishing of fry from the estuarine area for at least 2 km offshore;
- Instituting a closed season in May–June for fishing by trawl, purse seine and trammel net;
- Encourage fishing in deeper water (>100 m) and in the western and eastern regions of the Nile Delta (e.g. Saloum Bay and Sahal El Tina);
- Setting the minimum mesh size of bottom trawl cod ends at 40 mm, of purse seines at 8 mm, of trammel net at 63 mm and of gill net at 125 mm
- Reducing overall fishing effort remains the main priority for any management action.

2. FISHING ASSOCIATIONS

2.1 Cooperative Organization

The private sector of fishermen, vessels' owners and fish producers are represented by the Egyptian Cooperative Union for Fisheries Resources, which is partner with the governmental institutions in all the management measures.

There are about 90 fishery and aquaculture cooperatives, seven of which are aquaculture cooperatives with about 1.550 members. Also the Aquatic Union plays a role in the development of the fishery and aquaculture sector. Aquaculture cooperatives provide a variety of services to their members including technical assistance, address to issues of particular concern and support to credit requests of the members. (GAFRD, 2002)

All existing fishing cooperatives in Egypt must belong to the Federation of Fishing Cooperatives, run under the auspices of the GAFRD. One of the main obstacle to the development of organized actions among small-scale fishers is that membership in almost all of these cooperatives is restricted to boat owners, the most influential of whom are elected to administer the cooperatives.

Attempts have been undertaken to register alternative cooperative societies with the aim to better represent the demands of small-scale fishers, both boat owners and arraqqa, literally "those who sweat" -who work for boat owners - for more favourable terms of work. Meanwhile, some fishing communities have registered "community development associations" with the Ministry of Social Affairs to provide basic social services: insurance against work-related injuries and death at sea, general health insurance and monthly retirement pensions. (MERIP, 2000).

2.2 Business Associations

The Egyptian Agribusiness Association (EAGA) is an Egyptian non profit NGO which was established with the objective to serve the Agribusiness community through the support of the industry integrated clusters to represent, advocate and achieve their members' collective interests.

EAGA also provides services to assist members to establish market excellence and sustainable international competitive position.

The strategic vision of this Business Association is to partner with the members of the Agri sector in achieving their individual and collective goals, aiming at reaching a competitive position on the international market.

Within the context of EAGA, several thematic Councils have been established, such as the Olive Council, the Meat and Dairy Council and the Fish Council.

Fish Council was established in 2005 with the aim to represent the workers of the private sector in all disciplines dealing with the fish industry. The institution of Fish Council is based on the recommendations of a workshop held in Egypt in cooperation with sector's experts, Dutch delegates, Egyptian private side representatives, Universities and Research Centres, Egyptian Institutions.

The outcome of the workshop was to develop a plan for the improvement of the fishery sector in Egypt; the plan aims to transform Egypt from fish importer to exporter, mainly through the growth of exports to EU. The internal market was also mentioned in relation to the improvement of fish wealth and creation of direct and indirect jobs.

Another important aim of the Fish Council is to implement an information system and a map of fish investment in Egypt in order to allow Arab and foreign investors to invest in this Country. This information tool is also strategic as a support to small farmers and fishermen both from a financial and technical point of view.

The vision of the Fish Council goes through the following tasks:

- The development of laws and regulations of the existing fish sector in order to involve stockholders in the industry, improve safety and long-term local and foreign investors and facilitate access to licenses;
- Practical and high standards of quality and food safety of fish products for local and international markets, the provision of the rules that ensure long-term environmental sustainability of the sector;
- Raising the efficiency of the workers in the fish sector through well-coordinated training programs to ensure the flow of information at all levels;
- To stimulate innovation to facilitate joint ventures with foreign investors, with the support of research and development programs with good targets on a national level.

Recently, the Egyptian Aquaculture Society (EAS) has been created with the main objective to represent the interests of the aquaculture sector with the Government and to promote Egyptian aquaculture both at national and international levels.(EAGA)

2.3 Credit Associations

According to law no. 50 of 1930, The Agricultural Credit Bank was established as the first specialized bank dedicated to grant loans to farmers under the name of the Egyptian Bank for Agricultural lending.

During the last years, the bank went through different stages as there was a change in its organizational chart and legal status. However, it still handles its role of serving both agriculture and farmers; providing his services in all the Governorates through his widespread branches and village banks all over the country even in new areas like Toshka, East Owinat, Haliab and Shalateen.

According to law no. 117 of 1976, the Principal Bank for Development and Agricultural Credit (PBDAC), is considered to be the largest specialized credit institution in Egypt.

The capital of PBDAC and BDACs (Governorate banks) is L.E 1.500.000.000. Meanwhile, the bank is diversifying his services, year after a year, as the role of the bank is not only agricultural finance, but the package of services includes providing farmers and fishermen with new technology to increase and improve their productivity as well as all the banking services required by the different segments of clients, either in local currency or foreign currency according to the banking regulations and rules.

In line with the State's general policy, the bank is specifically concerned with subsidizing the loans of youth and rural households which contribute to Country development:

- For instance the Bank can provide investment loans (short, medium, and long term loans) to finance expenditures for operating projects of (livestock, poultry, fishery, agricultural industrialization projects, apiaries projects to produce honey, rural and environmental development projects, agricultural marketing projects and the related commercial activities).
- The Bank can provide long and medium-term loans for financing the establishment and development of the projects of (greenhouses, livestock, poultry, fishery, agricultural industrialization, apiaries, land reclamation and improvement, development of irrigation systems, agricultural mechanization, development, rural, environmental and service activities and consumer loans for personal usage). Apart from that. The bank can finance the purchasing of different kind of private cars and transportation vehicles and all personal needs approved by the bank itself.

The Bank accepts the following assets as guarantees for the loans:

- Real estate mortgage on fixed assets (agricultural lands/ real estates) approved by the bank;
- Commercial mortgage on the movable assets (crop yields that can be stored, agricultural mechanization, agricultural machinery) approved by the bank;
- Different kinds of deposits - saving certificates;
- External letters of guarantee.

The main sources of funds for PBDAC are term deposits and savings, equity, borrowings from international development agencies.

The bank, for the development of the sector, also benefits of some important donors such as the World Bank and IFAD. Access to credit is often a bottleneck for the development of the agricultural and fishery sector. With this belief and in this direction, several micro-finance projects have been undertaken in Egypt, with alternate results.

2.4 Services Associations

In 1993, the Ministry of Maritime Transport (MTS) assigned the Maritime Research and Consultation Centre (MRCC) affiliated to the Arab Academy for Science, Technology and Maritime Transport (AASTMT) the task to establish the first data bank within the MTS, connecting the headquarters to the Egyptian main ports (Alexandria, Port-Said, Damietta, Suez) and Ports and Lighthouses Administration (The Egyptian Authority for Maritime Safety currently), with a view to provide planners, decision-makers and researchers from various maritime fields with accurate information on all activities of the Sector.

In this direction the Egyptian Maritime Data Bank (EMDB) was established. EMDB is a network consisting of the main site (MTS), the subordinate sites on Egyptian Port Authorities, and the Egyptian Authority for Maritime Safety site. EMDB data are obtained from external and internal sources, as well as other data providers such: universities, institutes, libraries, research centres, different scientific entities, national and foreign data banks, and the official internet sites. Moreover, EMDB represents the MTS in various conferences, seminars, national and international exhibitions, as well as representing Egypt in the European Commission project MED-Trans concerning the Mediterranean and European countries (27 member countries) (EMDB).

As far as professional fishing is concerned, EMDB provides users with the Maritime Ports Guide which includes in-

formation on Egyptian commercial and specialized ports (fishing ports), including data on berths, docks, storehouses, equipment, services, tariffs, and the required documents for entering and exiting the ports, as well as the Suez Canal characteristics.

Private companies provide services to the sector, through the Egyptian Register of Shipping Marine & Cargo Inspection Company (E.R.S.) which is an Association of 73 service companies with more than 5.000 employees worldwide. The services provided include surveys, physical investigation, review of official documents, analysis, report preparation, rebuttal, briefing of lawyers advice and experts' evidence.

E.R.S. is actually involved with different types of ships including: fishing vessels, offshore supply and support vessels, tankers, passenger ships, refrigerated cargo ships, research vessels (E.R.S.).

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Institutional framework

The General Authority for Fish Resources Development (GAFRD) is responsible for managing all fisheries activities in Egypt.

GAFRD organizing the licensing, production control, statistics of fisheries, extension services, developing strategies, and taking all the necessary measures for the management of this sector.

Other institutions involved are the National Institute for Occupational Safety and Health (NIOSH); the National Organization for Social Insurance for the Private and Public Sector Fund and the Social Insurance Government Sector Fund for contributions and cash benefits and the Health Insurance Organization administers medical benefits through its hospitals.

3.2 The employment in the fishery sector

The Labour Code of 2003 certainly applies to the fishermen as it regulates all the labour relationships. This Labour Code includes various provisions on the individual contract which might apply to the fishermen in the lack of special regulation(s).

Several regulations regarding seafarers, such as the Commercial shipping Code, contain special provisions on labour contract, minimum wage, requirement to carry out the profession, minimal age, food supply, etc. However it is not possible to verify if their provisions apply to fishermen as well.

3.3 Organizations of representation

Any owner of a vessel or part of it can join a fishing cooperative. The co-ops form the union which lobby for the co-ops interests.

There is no other forms of vessel owners' associations.

The cooperative Insurance Fund covers powered vessels and working fishermen. In 2008, the insurance Fund covers 3.395 vessels and 37.200 workers in fisheries.

The number of fishing cooperatives reached 82 with 91.343 members in 2008. About 60 cooperatives with 64.432 members fishing in the Red sea, Mediterranean, and northern lakes.

The Egyptian Trade Unions which could be involved in the fisheries sector are:

- EMWU – the Egyptian Maritime Workers' Union;
- ETUF – the Egyptian Trade Union Federation (NF).

3.4 The collective labour agreement

There are no collective labour agreements in the fisheries sector.

3.5 Engagement

Anyone aged 18 years can get a fishing permit and work with his family or others.

The Order No. 40 on the regulation of crew and manning of Egyptian vessels of July 2007, sets provision for minimum wage for employees working on Egyptian merchant ships. It provides modalities for sustenance allowance, seafarer's bonus, cargo allowance on sea going ships, travel allowance, allowances for radio officers, engine capacity allowances, winch maintenance allowance, procedure allowance, hours of work and rest periods, additional wages, leave, and minimum age of employment on ships.

No "official" contract exists between fishermen and vessels' owners.

3.6 Remuneration

The Order No. 40 on the regulation of crew and manning of Egyptian vessels of July 2007, sets provision for minimum wage for employees working on Egyptian merchant ships.

The President of the Republic of Egypt Decree No. 176/2005 regards "Increasing Wages". As of 1st July 2005 workers in any positions falling under the conditions set out in the Decree are eligible to receive a 15% increase in wages.

3.7 Working hours

The Decree No. 122 of 2003 determines the cases or works that compel continuing work therein without rest period, and the hard and exhausting works in which the workers are granted rest periods counted within the actual working hours.

The Order No. 40 on the regulation of crew and manning of Egyptian vessels of July 2007, sets provision for working hours as well.

3.8 Breaks and rest

Decree No. 113 of 2003 determines the works that are intermittent by their nature and in which the worker may stay at the place of work more than ten hours a day, providing that her/his stay shall not exceed twelve hours a day.

The Order No. 40 on the regulation of crew and manning of Egyptian vessels of July 2007, sets provision for rest periods as well.

3.9 Leaves

Decree No. 112 of 2003 determines the holidays considered as leave with full pay for workers.

The Executive Decrees of the Labour Law, 2004-03, The Middle East Library for Economic Services, Egypt, L.E.70, pp. 33-34.

The Order No. 40 on the regulation of crew and manning of Egyptian vessels of July 2007, sets provision for leaves, as well.

3.10 Recruitment of foreign fishermen (and Residence permit)

No foreign fishermen are working on Egyptian vessels within the borders. The Ministry of Manpower and Migration, Decree No. 49/2008 amends the Decree No. 136 of 2003 concerning the conditions and procedures of granting work permits to foreigners.

It amends paragraph one of Article 5 of the Ministerial Decree No. 136/2003 concerning procedures for issuing work permits and setting permit fees.

3.11 Unemployment allowance

The current law (No. 79 of 1975) on social security, covers the employed persons in the public and private sectors. The insured must have at least 6 months of contributions, including the 3 consecutive months before unemployment. The insured must be able and willing to work and be registered with and reporting regularly to the manpower office. Unemployment must not be the result of voluntary leaving, misconduct, or the refusal of training or a suitable job offer.

The benefit is equal to 60% of the last monthly wage and it is paid after a 7-day waiting period for up to 16 weeks; it may be extended to 28 weeks if contributions have been paid for the last 24 months.

The Ministry of Finance provides general supervision and the National Organization for Social Insurance for the Private and Public Sector Fund administers the program.

3.12 Sickness indemnities

The Law No. 79 of 1975 concerning social security covers the employed persons aged 18 or older as well (aged 16 or older if a government employee). Coverage is being extended gradually to students.

The insured must have paid contributions for at least the last 3 months or for a total of at least 6 months, including the last 2 months.

The Sickness benefit is equal to 75% of the last covered daily wage before the incapacity began and is paid for the first 90 days; thereafter, 85% (100% for specified chronic diseases). The benefit is paid for up to 180 days in a calendar year, but with no limit for specified chronic diseases.

The minimum benefit is equal to the minimum contributory wage (108,5 pounds in July 2008).

Benefits are paid daily, weekly, or monthly, depending on the frequency of the wage payments.

Benefits include general and specialist care, surgery, hospitalization, maternity care, dental care, laboratory services, medicines, rehabilitation services, and appliances.

Service benefits are provided by employer, public, or other medical facilities under contract with the Health Insurance Organization.

Dependents' Medical Benefits include general and specialist care, surgery, hospitalization, maternity care, dental care, laboratory services, medicines, rehabilitation services, and appliances.

Service benefits are provided by employer, public, or other medical facilities under contract with the Health Insurance Organization.

The Ministry of Health and Population provides general supervision. The National Organization for Social Insurance for the Private and Public Sector Fund and the Social Insurance Government Sector Fund administer contributions and cash benefits. The Health Insurance Organization administers medical benefits through its hospitals.

3.13 Occupational accidents

The Law No. 79 of 1975 on social security covers the employed people aged 18 or older (aged 16 or older if a government employee). There is no minimum qualifying period for the work injury benefits. The Temporary Disability Benefit is equal to 100% of the covered daily wage and is paid from the day after the disability began, until full recovery or certification of permanent disability.

The minimum benefit is equal to the minimum contributory wage (108.5 pounds in July 2008).

Benefits are paid daily, weekly, or monthly, depending on the frequency of the wage payments.

3.14 Work related sickness

The social security covered the employed persons aged 18 or older (aged 16 or older if a government employee). If the insured is assessed with a disability of at least 35%, but less than 100%, a percentage of the pension is paid according to the assessed degree of disability. If the degree of disability is less than 35%, a lump sum based on 48 months of pension is paid according to the assessed degree of disability.

If the insured is eligible for a permanent disability pension, one month of base earnings is paid for each year of contributions.

Base earnings are earnings up to 775 pounds a month (July 2008).

The minimum lump-sum award is equal to 10 months of base earnings.

Supplementary compensation is equal to 18 times the monthly base earnings used to calculate the survivor pension multiplied by an age coefficient.

Constant-attendance allowance: If the insured requires the constant attendance of others to perform daily functions, 20% of the pension is paid.

If the insured receives benefits under the old-age, disability, and survivors program, the total work injury permanent disability pension (base plus variable) must not exceed 100% of average monthly covered (base plus variable) earnings during the year before the disability began.

The Workers' Medical Benefits include general and specialist care, surgery, hospitalization, medicines, X-rays, appliances, and rehabilitation.

3.15 Pension performances

The Current laws are: 1975 (civil servants and public- and private-sector employees), 1976 (employers), 1978 (migrant workers), and 1980 (coverage extension). The type of program is the Social insurance system.

Base earnings are earnings up to 775 pounds a month (July 2008). Variable earnings are earnings greater than 775 pounds a month (July 2008) plus certain other forms of compensation, including bonuses, incentives, commissions, and profit shares.

The old-age pension (base and variable) is at age 60 with at least 120 months of contributions.

The early pension can be paid at any age with at least 240 months of contributions.

For the disability pension (base and variable) the insured must be assessed with a total or partial disability and permanent incapacity for any gainful employment, be younger than age 60, and have at least 3 consecutive months or a total of 6 months of contributions. The disability must begin while in covered employment or within a year after employment ceases; 10 years of contributions are required if the disability began more than a year after employment ceased.

If the insured is eligible for a disability pension, a disability benefit, supplementary benefit, special increment, and flat-rate allowance, are also paid.

Disability settlement is paid if the insured is assessed with a total disability, but does not satisfy the qualifying conditions for a disability pension.

The death grant is paid for the death of the insured to the surviving spouse or eligible surviving children and the cost of the funeral is paid to the surviving spouse or to the eldest child.

Eligible survivors for survivor benefits are a dependent widow or a dependent, disabled widower; dependent sons and brothers younger than age 21 (age 26 if a student, no limit if disabled); unmarried daughters and sisters; dependent parents; and a divorced spouse without any other source of income and previously married to the deceased for at least 20 years.

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ITALY



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1. FISHERY SECTOR

Italian fisheries presents extremely peculiar features among the EU context, very different from the countries of Northern Europe, to which it must however be compared for the application of Common Fisheries Policy (CFP).

In any case the features concerning the productive issues (fishing vessels, engines and fishing equipment) and the production (species, fishing seasons) are very similar to those of other Mediterranean countries.

1.1 Production

The Italian fishery sector is divided in different regions, which also show a considerable difference with regard to natural fishing resources, meteo-climatic characteristics and sea bed morphology.

The ecological issues of fishing resources which are living in the Mediterranean Sea, give continuous flexibility to fishing operators during the year, which is something necessary to match productive activities and profit in the different seasons.

Commercial activities regard more than 140 species, however only 44 of those are statistically accounted. The higher catch value is registered for anchovies (*Engraulis encrasicolus*), which is the most targeted species by the national fleet, clams follow, then hakes, squids and prawns.

In 2008 the species that contributed the most for the total turnover was hake which reached 92,57 million of euro representing the 9% of the national total production. Anchovies are the second species accounting for 77,20 million euro, squid, prawns and crayfish, follow for a total amount of about 60-70 million euro.

Considering the whole lot of Italian commercial species, only clams registered an increase of the income, mainly due to the good market price which in 2008 was about 2,25 €/Kg, while the previous year was 1,88 €/Kg.

In general, Italian fishing companies do not target particular species, with the exception of fishing-vessels which carry out sardine, anchovy, sword-fish ('*Xiphias gladius*') and red tuna ('*Thunnus thynnus*') catching.

Italian fishing can be defined as 'multi-species and multi-gear'. Italian fishing systems, in compliance with what has been established by the discipline regarding fishing licences, are trawling, pelagic trolling with flying net, seine net fishing, hydraulic trawls for molluscs, small scale fishery, and polyvalent fishing vessels.

In 2009 the total fishery production showed a turnaround comparing with the previous year. Both production (7%) and turnover (9%) increased. The increase in production is to be ascribed to marine fishing which after the difficulties faced in 2008 (-18% with previous year) reached 242.000 tons.

As far as Mediterranean fishery concerns, production increase is to be connected with the general restart of the Italian fishing fleet after the deep crisis of 2008 following the dramatic increase of the fuel cost. Despite this growth, the average daily production has not increased comparing with the previous 2 years.

Between 2000-2006 prices showed a constant growth enabling to recuperate the loss connected with the production decline or, compensate even partially the operational costs. On the contrary, over the last 3 years, production prices have not increased, penalizing the sector revenues.

Table 1. Italian fishery production 2007-2009

		2007	2008	2009
Catch	Maritime fishing	276.650	227.011	242.437
(t)	Mediterranean fishing (a)	267.368	216.567	234.082
	Oceanic fishing (b)	9.282	10.444	8356
	Aquaculture (c)	179.634	157.872	157.872
	Total production	456.284	384.883	400.310
Revenues	Maritime fishing	1.365	1.105	1.202
(mln €)	Mediterranean fishing (a)	1.338	1.082	1.179
	Oceanic fishing (b)	27	23	23,05
	Aquaculture (c)	576	466	466
	Total production	1.941	1.571	1.668
Average	Maritime fishing	4,93	4,87	4,96
prices	Mediterranean fishing (a)	5,00	5,00	5,04
(€/kg)	Oceanic fishing (b)	2,91	2,20	2,76
	Aquaculture (c)	3,21	2,95	2,95
	Total production	4,25	4,08	4,17

Source: a) Irepa; b) Istat; c) Unimar (for 2009, missing the latest data, the 2008 value has been reported)

1.2 Trade: import and export

In 2009 trading of fishery products with other countries confirmed the Italian deficit position on foreign markets. Trade balance for the fishery sector in 2009 registered a loss of 3,1 billion euro, which is a 2% decrease comparing with the previous year.

In quantity terms, the situation is not very different from the one described for the value. Despite export growth comparing with 2008, together with the growing of export, the deficit got worse in 2009, reaching about 780.000 tons. Value of exportation, on the contrary has decreased of about 2,5% as a consequence of the intensification of the demand for fresh products and the drop of processed food.

The analysis of production indicators for 2009, shows a slight restart comparing with 2008, which was particularly negative for the sector because of the fuel cost sudden rise, however the first data for 2010 show a deep crisis for several sectors such as trawling in the Adriatic Sea.

Table 2. Italian fishery sector main economic indicators (2008-2009)

	Volume		Value	
	Tons x 1000		MLN EURO	
	2008	2009	2008	2009
Domestic production (a)	385	400	1.571	1.668
Import (b)*	896	913	3.655	3.565
Export (b)*	131	133	528	494
Trade balance	-765	-780	-3.127	-3.071
Movement	1.027	1.045	4.183	4.059
Apparent consumption	1.150	1.181	4.698	4.738
Per capita Consumption (kg)	19,2	19,6	-	-
Normalized balance (%)	-50,3	-51,3	-50,2	-54,3
Import inclination (%)	77,9	77,3	77,8	75,2
Export inclination (%)	34,0	33,1	33,6	29,6
Self-sufficiency rate (%)	33,5	33,9	33,4	35,2

*Oil and fat import and export is excluded as well as flour and other products not intended for human consumption.

a) Irepa, Unimar, Istat.

b) Istat.

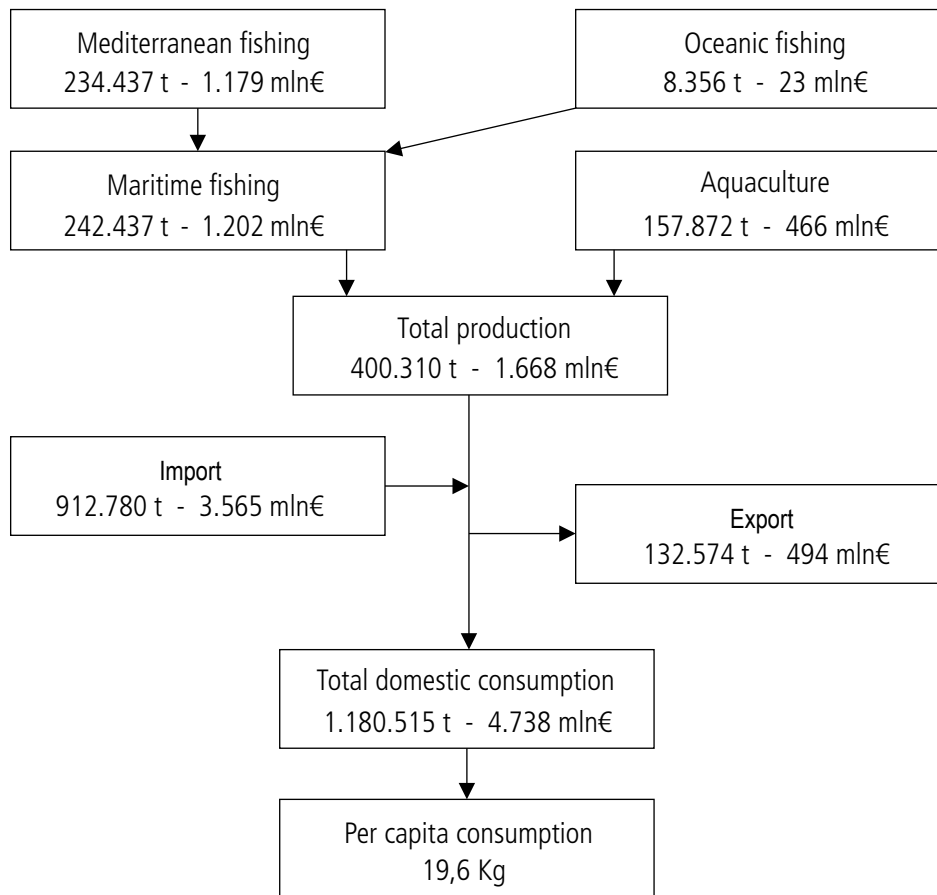
Source: Irepa data processing from different sources

1.3 Per capita consumption

New commercial trends are characterized by a stable demand, by the growth of unusual commercial channels such as large-scale distribution and finally by a constant increase of the dependence from imports. These trends push the sector towards new management models based on the concentration of the market, product traceability, improvement of quality.

As far as domestic consumption concerns, after a long static phase which was registered over the last years, in 2009 a slight increase was observed. Per capita consumption moved from 19,2 kg in 2008 to 19,6 in 2009. Globally speaking consumption has increased in the last year of 3% in quantity, but only 0,9% in value.

Figure 1. Domestic production and fishery products trade balance in 2009



Source: Irepa data processing from different sources

1.4 Fishing Harbours

In the Mediterranean Sea, Italian fishing areas cover about 8.000 km of coastline; for the landing of the goods, about 800 points are operating being very different from each other for the availability of infrastructures.

The fishing fleet is distributed all along the national territory and actually fishing ports with a large concentration of the fleet do not exist.

For a country like Italy, where the sea is almost the only boundary, ports play a crucial role under several point of views. They can be seen as a window showing the history, culture and technologies that the country can rely on.

Fishing harbours represent something extremely peculiar of the coastal environment: traditional fishing boats, peculiar fishing gears, habits and culture of the fishermen living around the harbour.

Fishing harbours in Italy maintain the features of a sector which kept its own artisan traditions and quality. Out of the 800 landing site, only 198 are strictly to be considered harbours. The others are just bays or natural inlets where fishermen land their catch and often even market their product.

The fishing harbours which most of others are considered to be the traditional venues for the Italian fishery are the

Sicilian ones in Mazara del Vallo, Trapani and Palermo and the ones on the Adriatic Sea where Chioggia, Ancona, Molfetta and Manfredonia share the primacy. Several important sites are also present on the Tyrrhenian Sea: Savona, Livorno, Monte Argentario, Napoli and Salerno.

The main fishing port in Sardinia is Cagliari.

- Adriatic Sea n.19
- Ionian Sea n.1
- Tyrrhenian Sea n.9
- Liguria n.2
- Sicily n. 4
- Sardinia n. 1

1.5 Fishing fleet

The national fishing fleet which is registered to the Fishing Licences Register and operating in December 2008, was made of 13.683 vessels for a total weight of 196.313 Gt and a power of 1.149.081 kW.

In the next future a further resizing of the fleet will arise from the adoption of the National Operative Program which foresees the retirement of about 25.500 Gt between 2007-2013 which is the 13% of the actual capacity, with a maximum of 30% for several fishing gears which show a great capacity in relation to the state of the resourced concerned. In August 2008, following the publication of the decree "Definitive retirement of fishing units" the plan for the retirement has started for the period 2008-2010. The level of retirements have been calculated in order to be compatible with the gradual rearrangement of fishing stocks, according to the conditions of biological and financial resources. The following Plans have then been introduced for fishing type and geographical areas:

- 1 Plan drawn under Reg. (CE) 744/08 regarding bluefin tuna purse seine fishing;
- 7 Plans regarding trawling, preserving demersal biological resources;
- 6 Plans regarding fleets operating with other systems;
- Plans regarding the fleet operating with seines and pelagic trawlers targeting small pelagics

The analysis of 2008 data, confirms the prevalence of the small-scale and trawling fishing. The first class of vessel account for 8.831 units, representing 2/3 of the entire national productive structure; trawlers are 2.667 boats (20%). Hydraulic dredge follow in the list with about 700 boats, passive multi-purpose vessels (427 units), seines (305), longlines (233), pelagic trawlers (154) and multi-purpose (59). In terms of tonnage and power, trawlers absorb more than the half of the total GT and kW, while small-scale vessels represent only 9% in tons and 22% of total engine power.

The fleet segmentation is based on the main fishing gear in use according to Reg. (CE) n. 1543 dated June 29th 2000 which sets a Community framework for the collection and management of data for the implementation of the Common Fishery Policy (CFP) and Reg. (CE) n. 26/2004 dated December 2003 concerning the EU fleet register annex 1 "Data definition and registration description".

1.6 Institutional organization

In Italy, before the reform of the Ministerial Subdivision of 1994-95, the General Management for Fishing and Aquaculture was part of the Ministry of the Merchant Navy. Since several years, the Management has been part of the Ministry for Agricultural and Forest Policy. Then, the administrative reform has identified two Departments as coordination bodies among the several General Management's (Organization of the Italian Ministry of Agricultural and Forestall Policies; Italian Official Journal no.64 of 17/3/2001; DPR n.450 del 28/3/2000; Law n.49 del 9/3/2001).

The two Departments are:

- Department for Market Policy;
- Department for Quality of Products and Services.

The general management for Fishing and Aquaculture belongs to the General Directorate of Fishery and Aquaculture, that is under the control of the Department for Market Policy.

The national legislative base of Italian fishing is Law no. 963/65, with the relative accomplishment Regulation no.1639/68.

The Italian State based the modern management concepts for the sector in the Law no.41/82 and on the following modification and updating. The fundamental character of this law was to identify the "National Sector Plan", every three years, as instruments to accomplish the development policy.

Law no.41/82 have had the aim to maintain a substantial balance between the level of exploitation of resources and their availability.

This law introduced the concept of 'fishing licence'. The licence has substituted the 'fishing permit', which was in force before. The licence is in fact a granting act, which implies a widely discretionary evaluation of the Administration, which has the task to make private companies' needs adequate to the state of the biological resources.

The subject of the fishing licence has been disciplined with the Ministerial Decree dated 26/7/95. The licence is valid for 8 years and can only be issued exclusively by the Ministry for Agricultural and Forest Policy in favour of the person directly interested, who must have previously obtained the relative ministerial authorization.

Law no.41/82 introduced the sector planning method effectively overcoming previous interventions, which were completely fragmentary and disorganized. Triennial Plans were drawn up by the National Conservation and Management Committee for Marine Biological Resources.

This law allocated financial resources, which were subjected to Government and European Commission's approval, aiming at different kinds of intervention.

Among these, funds for modernization of the fleet, establishment of aquaculture plants, fishing product processing and manufacturing plants, accomplishment and re-organization of wholesale fishing markets as well as funds for applied research, have been foreseen.

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Law no.41/82 established the 'Fondo centrale per il credito peschereccio' (Central Fund for the Fishing-Vessel Credit), in order to bestow loans and contributions in favour of initiatives coherent with the targets of the Triennial Plans themselves.

The law had also created a series of consultative bodies involving Research Institutes, Category Associations and Environmental Associations.

On this subject, the Committee for the Coordination of Scientific and Technological Research applied to Sea Fishing intervenes on subjects regarding biological, technological, social and economical research and expresses its opinions on matters requested by the Administration.

The law also financed pilot initiatives and professional category Associations, in relation with their trade-union and interest protection activities, characterized by a non-profit nature.

Law n. 41 dated February 17th 1982 was abrogated by the art. 23 D.Lgs. Of May 26th 2004 n. 154.

The new Law n.153 dated 26th May 2004 "Fishery Systems Rationalization" is inspired by sustainable development and responsible fishing principles, aiming at matching economical activities with environmental protection.

The following issues and competences apply: Maritime fishermen register; Fishermen registration; Fishing companies registration; Fishing licence; Maritime personnel; coral reef finding, Sport fishing regimentation; Diving; Control bodies; police bodies; civil responsibilities; transitory dispositions.

In any case the most important text for the regulation of the fishery sector is D.Lgs. 26-5-2004 n. 154 which defines the Consultative Commission for fishery and aquaculture to which also representatives of fishermen Associations and trade unions participate.

1.7 National Development strategy

The National fishery sector is now facing a transitory phase which has to be connected with the new management policies proposed both at national and European level, new scenarios for general organization regarding in particular trade of the products, must also be taken into account.

As far as the first issue concerns, in 2010 the Reg. (CE) n.1967/2006 entered in force. It concerns the management and sustainable exploitation of the fishery resources in the Mediterranean Sea.

Technical measures set by the Regulation will have in a short term a direct impact on the national productive structure, considering the changing of the mesh size which has to be undertaken for trawling and seine nets, the respect of the minimum size for several species, fishing in protected areas and no-fishing zones.

There also are many restrictions imposed by the Mediterranean Regulation which will determine direct effects on small scale trawling in Northern Adriatic Sea. According to national regulation, small-scale fishery could be carried out within 3 miles with a specific authorization for several traditional species such as bianchetto, rossetto, cicero operated with boat seines and trawlers, hydraulic and boat dredges for bivalve molluscs in the Tyrrhenian Sea within 0,3 miles.

All those fishing systems, without a specific derogation, cannot be undertaken from the 1st of June 2010 even though are often traditional activities connected with local culture with a strong social and economical relevance for several Italian fisheries.

Moreover the approval at the end of 2009 of Regulation 1224/2009 setting European control for the observation of CFP norms, is also to be considered.

Measures set in this Regulation are intended to establish a European regime control based on inspections and integrated with the principle of proportionality, aiming at ensuring the respect of all the norms related to the CFP for the sustainable exploitation of the resources. The Regulation introduces additional formalities and charges to fishing companies which are necessary for the fulfilment of the norms.

At the end of this crucial period of changes, the Italian fishery sector could register an escalation of the differences already affecting the productive segment. On one side there is the industrial fishery which is more suitable to the new scenarios, on the other side small-scale fishery with few boats often at family level management which can only passively absorb these changes, being then hit under occupational and income point of views.

2. FISHING ASSOCIATIONS

Several professional categories Associations in the fishery sector are operative in Italy, namely:

The following Associations group the fishing Cooperatives: Federcoopesca; Lega Pesca; AGCI/AGRITAL, UNCI Pesca and UNICOOP.

The Federation of Fishing Ship-owners is named Federpesca/Confindustria.

The sector Cooperative Associations have a similar structure and functions. The Association starts from the single company or from the vessel's owner, who joins a cooperative structure in relation to some services that it offers. The cooperatives are then associated to one of the National Category Associations which offer services and represent the interests at a trade-union level. The category Associations of the cooperatives are actually company trade-unions.

Several cooperatives are also associated to Federpesca/Confindustria. In this case, we are talking about major companies, with fishing vessels bigger than 50 GRT.

The non-cooperative ship-owner companies can be associated exclusively to Federpesca which, from this point of view, is the only associative body.

The Cooperative Companies Associations and Federpesca role at national level, is fully consolidated. Their sub-division at local level, allows a privileged point of view, regarding the recording of the service, assistance and protection requests advanced by the companies. Associations are deep-rooted even within Regions. Without any doubt, the sector is now facing heavy problems, such as productive activity management at sea, sanitary issues, consumers' protection and production identification. These aspects are directly connected to the Common Fishing Policy and with Structural Funds of the European Union.

2.1 Cooperative Association

The Italian Constitution (art.45) assigns legal value to Cooperative organizations, recognizing the social role of cooperation, considering its mutual and both non profit and no private speculation nature.

The Cooperatives National Headquarters have now a long story. LEGA DELLE COOPERATIVE has been established in 1886, CONFCOOPERATIVE in 1919 and AGCI in 1952. UNCI (1971) and UNICOOP (2004), have been established more recently.

The respective National Associations for the fishery sector have then been created: FEDERCOOPESCA has been established in 1950, LEGA PESCA in 1962, AGCI AGRITAL in 1981, UNCI PESCA in 1991 and finally UNICOOP in 2004.

FEDERCOOPESCA-CONFCOOPERATIVE has been established on April 25th 1950 with the aim to perform representation and protection of fishing cooperatives and their members' interests. It carries out its activities through initiatives and projects made in partnership with the national Government, Regional Institutions and European Union.

FEDERCOOPESCA actually also performs fiscal, legal and technical assistance, as well as professional training of its members. These services actively contribute to the economical development of the associated companies.

At a European level, FEDERCOOPESCA operates for the safeguarding of the peculiarity of Italian fisheries, encouraging the setting of specific norms for the Mediterranean context.

The membership to COGECA (General Committee for Agriculture Cooperation of the EU) and Europêche (Association of national organizations of fishing companies in the EU), the participation to the Fishery and Aquaculture Advisory Committee, and to the social dialogue Committee "Pesca Marittima", the membership to Medisamak (trans-Mediterranean Association for fishery organization), RAC MED (Regional Advisory Council for the Mediterranean) and to the European tuna fishery Association for the Mediterranean, is to be seen in this framework.

FEDERCOOPESCA-CONFCOOPERATIVE at national level, has its headquarters based in Rome. It is then organized with local branches covering the whole country, and its representation in Bruxelles.

FEDERCOOPESCA-CONFCOOPERATIVE uses qualified structures operating in the fields of promotion and technical assistance:

- C.I.R.S.P.E. (Italian Fishery Research and Study Centre) which operates in the field of research and experimentation applied to production, it monitors the ecosystem and marine environment, and studies the quality of the fishery products;
- Gestimar, which is a service centre providing technical assistance to member companies;
- CO.NA.FI.PE. (National Consortium for fishery trusts) which is an instrument of collective security for the financial needs of members;
- Mare in Italy, which is an Association promoting the sea heritage, its handcrafts and increasing the value of national fishery productions;
- Gesticom which is a company promoting the production chain and the activities of Federcoopesca- Confcooperative.

Federcoopesca represents 364 production cooperatives (fishery and aquaculture sectors) for about 17 000 members (85% of the companies are committed to fishing, and 15% deal with both fishing and aquaculture).

Federcoopesca uses the Cooperative Gestimar to provide assistance to associated cooperatives for the access to structural funds and for the predisposition of the relative financial requests for the modernization of the fishing boats.

Federcoopesca participates to the collective Consortium UNIPROM that was established within a project financed by FIG, with CIRSPE, to UNIMAR collective Consortium established with a project financed by FIG, as indicated in Regulation (CE) n.2080/93.

Federcoopesca collaborates with RAI television within the communication campaigns promoted by MiPAF, which are realised through the TV programs "Vivere il mare" and Linea Blu" on RAI 1 and "Serenio Variabile" on RAI 2. Federcoopesca also attends the TV program "Uno Mattina" on the Channel RAI 1. It collaborates with UNIPROM for the TV programme "Rete Mare" (Sea Network) broadcasted on several regional/local channels in order to reach the widest distribution over the national territory.

Federcoopesca collaborates with the Consortium UNIPROM to the TV program "Rete Mare" broadcasted on several regional/local channels in order to reach all the Italian national territory.

The Internet web site reports information about the activities of the Association. It presents daily updating of the sector and the initiatives of Federcoopesca itself. It also offers documentations and regulations.

Lega Pesca was established in 1962 and it is the fishery sector Association of LEGACOOOP cooperatives, the most ancient of the cooperative organizations, joining more than 13.000 cooperatives, about 414.000 operators and 7.7 million members, for a total annual turnover of about 50.3 billion Euros.

Lega Pesca is part of the Boarding Bodies of the Headquarters benefiting of a wide range of services and assistance ensured by Legacoop: UGF Ensurance, UGF BANK, COOPFOND, INFORCOOP and COOPTECNICAL.

Lega Pesca, which took its actual name in 1995, ever since then benefits of financial autonomy, operates towards the promotion of mutuality and cooperative business as modernization and sustainable development tools for the fishing economy. In such a complex and extremely dynamic context, the Association pursues the overtaking of economical marginality of which the sector has been affected over the last decades. The goal is to promote the full integration of the fishery production chain in the food system, together with its valorisation within the environmental protection policy.

Institutional aims of Lega Pesca are to protect, represent, assist and coordinate member cooperatives in order to support their professional growth and development towards modern and efficient companies. Members are also provided with technical, project, financial, administrative, fiscal and social security assistance.

Lega Pesca, represents a wide range of subjects involved in different social-economical interests connected with all the sub-sector composing the fishery production chain.

471 structures joined the Association, 430 of which being cooperatives, 13 recognized Producers Organizations (PO), and 25 companies of persons and capitals, with a wide representation in all the coastal Regions and subsectors of the productive chain: production, processing, trading, services, research and training. Occupational level is about 5.000 operators, more than 18.800 members including land workers, for a total turnover of about 840 million EURO in 2008.

The 59,78% of the cooperatives, carry out fishing activities, 15,91% deal with aquaculture, 9,25% with trading, 3,01% with processing, 4,30 with research and finally 7,74% with services.

The Statue of the Association foresees the possibility of membership for non-cooperative companies as long as their aims are not against, but contribute to the fulfilling of Lega Pesca goals.

In order to improve its assistance possibilities in the different subsectors, Lega Pesca uses seven specialized structures which operate at local, national and international level: AMA – Mediterranean Aquaculturists Association (national Association with 72 member companies), Study Centre (legal and socio-economical studies) , CESVIP – ForMare (training) , Confidifin Pesca (credit), ONG Halieus (International cooperation NGO for fishery and aquaculture, research, development and environment) , Mediterraneo (national Consortium joining 14 scientific research cooperatives) ,

Ecoittica Service (services and assistance).

The Association is one of the promoters of the three National unitary Consortiums for the scientific research on fisheries (UNIMAR), the credit (UNIPESCA) and for the promotion of fishery products (UNIPROM).

Lega Pesca is also member of ACI (International Cooperative Alliance), COPA/COGECA (European General Committee of professional organisation for agricultural and fishery cooperatives, Europêche (European Association of fishing companies), MEDISAMAK (Trans-Mediterranean Association of fishery professional organizations).

Lega Pesca participates to the collective Consortium UNIPROM which was established within a project financed by FIFG, as indicated in Regulation (CE) n.2080/93.

Lega Pesca News is a bi-monthly periodical of information, legal, economical and social news. Other information is distributed using internal circulars and/or web pages.

Lega Pesca collaborates with RAI television within the communication campaigns promoted by MiPAF, which are realised through the TV programs "Vivere il mare" and Linea Blu" on RAI 1 and "Sereno Variabile" on RAI 2. Lega Pesca also attends the TV program "Uno Mattina" on the Channel RAI 1. Lega Pesca collaborates with UNIPROM for the TV programme "Rete Mare" broadcasted on several regional/local channels in order to reach the widest distribution over the national territory.

The Internet web site offers information regarding the Association's intervention sectors with plenty of images and pictures regarding the fishing world and with an animated setting. Information about the territorial network on a national and regional level as well as the reference operative structures of the Association, is also reported. Press releases of the Association are reported on the website; which is supplied with an automatic window for emailing. On-line consultation service is also available. Finally there are several links with other interesting web sites regarding this sector.

AGCI Pesca was established by AGCI Generale in 1975, for the fishing sector. The latter is recognised by the Italian State with the Law Decree no.1577 dated December 14th 1947 and with the Decree issued by the Department of Employment dated December 14th 1961.

AGCI Agrital operates on the whole Italian territory through two Departments specialized in the fishery and agriculture sector. The Association also joins the cooperatives members of AGCI which are active in the consuming sector. AGCI Agrital also activated its study centre at the Rome University Tor Vergata.

44 Cooperative Consortia are also joined with AGCI Agrital, operating throughout the whole productive chain of the fishery, aquaculture and agriculture sector regarding in general food productions. The linking industry and connected activities are also included, for a total annual value of production of about 1.550 million EURO. AGCI represents and protect member cooperatives within the industrial relations of the sector, stipulates national collective labour contracts for the concerned categories.

AGRITAL is the Association of the food-agriculture-fishery of AGCI which groups, represents and protect the interests of cooperative bodies operating in the whole country with regard to agriculture, forests, zoo-technics, fishery, aquaculture, services, studies and researches. The activities are directly and indirectly connected also with processing, trading, representation of single or associated companies, Producers Organizations, and any other economic subject member dealing with food production and trading and contributing to the development of the affiliated cooperatives. AGCI AGRITAL carries out its role of promotion, protection and representation at different institutional levels, both central and peripheral, within the Ministerial, Regional and Provincial Commissions.

AGCI AGRITAL operates in Brussels through the affiliation to COGECA (General Committee of European Agriculture Cooperation). It participates to the associative bodies, to advisory committees and to focus groups established both for agriculture and fishery, it also takes part to organizations which deal with the institutional dialogue between professional Associations of EU Member States and the Commission.

AGCI AGRITAL operates over the whole country through two Departments dealing respectively with fisheries and agriculture. The operative tools account of 62 offices both regional and peripheral and 3 national Consortia (ICR and CISPA for agriculture and fishery and CIFAP only dealing with fisheries). Several other national organism of the national AGCI also collaborate: General Fond (AGCI mutuality fund), Fincoopra (financial agency), Consortium Meuccio Ruini (training).

Peripheral offices ensure the organization, representation and protection at local and central levels. The National Consortia CIFAP, CISPA and ICR, play a crucial role for AGCI AGRITAL internal organization.

These organizations are considered to be important tools for cooperatives, covering different kind of interventions of technical, business and financial nature. The above bodies also participate to unitary fishery Consortia UNIPESCA, UNIPROM and UNIMAR which have been established together with the other sector's Associations.

AGCI AGRITAL also promoted PESCATOUR, the Association grouping cooperatives operating in the fishing tourism, to which it assigned the management of a specific brand and the promotions of Producer Organizations.

ICR is the Cooperative Research Institute which was established in 1993 and ever since it is operating in fishery and aquaculture research, studies and agriculture surveys, environmental issues, project drafting and technical assistance. ICR, not only designs productive plants for the food, agriculture and fishery sector, but it also undertakes studies and market researches, surveys and researches concerning hydrobiological and oceanographic matters, forestry and agronomic issues, studies and Environmental Impact Assessments.

AGCI Pesca is part of the collective Consortium UNIPROM which was established starting from a project financed by FIFG , as indicated in Regulation (CE) n.2080/93.

AGCI Pesca collaborates with RAI television within the communication campaigns of MIPAF, which are realised in the TV program "Vivere il mare" , "Linea Blu" and "Uno Mattina" on RAI 1 and "Sereno Variabile" on RAI 2. Participation to several radio programs time, both at local and national level is also included.

AGCI Pesca collaborates with UNIPROM to the TV program "Rete Mare" which is broadcasted on several regional/ local channels in order to reach all the Italian national territory.

The Internet web site mainly shows information regarding the Association and the services it offers. The web site is supplied with an internal search engine in order to select subjects of interest. It reports Association's press releases. It offers direct links with other Internet web sites, among which the Press Agencies, daily newspapers, Chambers of Commerce, European Commission, Research Institutes and Ministries, International Agencies such as FAO, Regions, Universities and the main transport companies.

AGCI Pesca is a member of the General Committee of Agricultural Cooperation (COGECA) in the EU. It is affiliated to ACI in Geneva (Alleanza cooperativa internazionale – International Cooperative Alliance).

UNCI Pesca was established in 1991 as a representative Association to assist and protect the cooperative movement and it was legally recognised with the Ministerial Decree dated May 18th 1975. UNCI Pesca promotes, assists, represents, protects and coordinates associated cooperative companies (entire fishing sector and aquaculture) in institutional, national and international headquarters (Government, Ministries and Regions). The main targets can be indicated as follows: to promote the development of cooperatives in fishing and aquaculture; to protect the interests of members; to assist members with training, information and technical assistance; to promote and develop the cooperative's activities; intermediation and guarantees from a financial point of view; assist associated cooperatives in the technical-administrative, legal, fiscal and social security fields.

UNCI Pesca is part of the collective Consortium UNIPROM which was established through a project financed by FIGG, as indicated in Regulation (CE) n.2080/93.

UNCI Pesca carries out training activities, promotes conventions, studies, seminars, qualification, re-conversion, specialisation and updating courses for the operators of the fishing sector.

2.2 Cooperative Organization

The Italian fishing sector is essentially constituted by cooperative companies. From an historical point of view, we have to mention that cooperative companies have been established towards the end of 1800 in order to protect the interests of social stratum laying in difficulties, whose living standards were very close to poverty. It is for this reason that the first cooperatives were essentially constituted by fishermen of artisanal-fishing.

The original unit of these companies was the Central-Adriatic area. Over the years, this kind of organization spread amongst the peoples who practiced fishing all along the Italian coast.

The first modern cooperatives were established in the second post-war period, coinciding with the motorization of the fishing fleet. Fishermen with this kind of organization were able to obtain benefits relative to the collective diesel purchasing, as well as for materials and equipment.

A considerable impulse towards cooperation came from the Law no.250 dated 13/3/58, which introduced insurance for disability and old age pensions for every fishermen as well as the benefit of family allowances. Fishing workers have been equally compared to those of industry. This Law established the Commissions for fishermen insurance within Provincial Administrations. The Law no.250/58 must be now completely revised since it is not anymore adequate for the sector's needs especially from a social security-contributing point of view.

Law no.41/82 introduced specific financing in order to favour associative activities in the fishing sector, through the accomplishment of adequate programmes established by the Associations themselves, recognised by the Department of Employment as the representative of this sector. The same Law has actually accomplished the preambles for the proxy principle, giving the Associations the task to organize several activities.

Law no.266 dated August 7th 1997, introduced a more restricted form of cooperatives: "the small cooperative company", where the number of members could be 3 persons.

With Law no.59 dated January 31st 1992, the figure of the financier member who could bestow money to the cooperative which has emitted proper shares, was also introduced.

The Italian Constitution, in the section relative to economical relationship, expressly recalls the social function of cooperation and indicates that the laws of the State must promote and favour its development.

According to the Department of Employment (Circular no.96/1965 issued by the General Management of Cooperation), fishing cooperatives are classified as reported in the following table:

Table 3. Cooperative Classification in Italy

Category	Description
1	Cooperatives to purchase, re-sell and maintain fishing equipment and consumer items, to manage warehouses for fish product preservation, handling and sale;
2	Cooperatives to build, purchase, repair and maintain vessels and engines;
3	Cooperatives to sell fishing products;
4	Cooperatives for breeding in sea waters;
5	Cooperatives for fishing and breeding inside internal waters;
6	Cooperatives to carry out fishing, persons and crew ferrying, anchorage spaces, goods and luggage loading and unloading from steamships and railway wagons, internal and external cleaning of steamships and their painting.

Fishing Cooperatives in Italy are actually of two kinds. The first one, generally has a coordination function of the activity and accomplishment of specific services, for which members pay fees. Generally the single members of the cooperatives directly carry out the fishing product commercialization. However, there are also cases when the product is totally or partially given to the cooperative or reference trade-unions.

The second kind of cooperative implies that the cooperative itself is the owner of the fishing vessel. This is typically the case of small artisan-fishing.

Concerning the cooperative organization, the productive activity in the sea is directly carried out by single fishing

companies. These companies are then associated to single cooperatives with the owners of the relative fishing vessels. The property of fishing vessels therefore belongs to the single member.

2.3 Confindustria Association

Federpesca was established in 1968, reorganizing the National Federation of fishing product producers, created in 1947. From a legal point of view, Federpesca can be defined as a non-profit Association, enabled with financial and administrative autonomy.

It is associated to CONFINDUSTRIA and its groups, represents and protects the interests of the ship owners of the Italian fishing fleet, as well as the fishery productive chain companies, against Public Administrations, the Parliament and the EU. It is contracting party of the national labour contract for marine fishery and nets factories.

FEDERPESCA is part of the National Fishery Observatory and the Bilateral Body for the Fishery (E.BI.PESCA) for the management of regulatory Institutes within the national fishing labour contracts.

FEDERPESCA, through the company "FEDERPESCA RICERCA & SVILUPPO S.r.L." realizes activities connected with research and professional training for the sector operators, with particular attention to the internationalization process of the associated fishery companies.

FEDERPESCA is member of "Federazione del Mare" (Italian Maritime System Federation), established in May 1994 and grouping the majority of the organization of the sector: AIDIM (maritime law), ANCIP (harbour labour), ANIA (insurance), ASSOLOGISTICA (logistics), ASSOPORTI (harbour management), ASSONAVE (shipbuilding), ASSORIMORCHIATORI (harbour trailers), COLLEGIO CAPITANI (Maritime staff), CONFITARMA and FEDARLINEA (cargo shipping), FEDERAGENTI (maritime intermediary agencies), FEDERPILOTI (pilots), FEDERPESCA (fishing boats), IPSEMA (maritime welfare), RINA (classification and certification), CONS.A.R. (research), TMCR (cabotage promotion) and UCINA (yachting).

FEDERPESCA represents the Italian fishery companies against CNEL (National Council for Labour Economy) and IPSEMA (Social security).

It promotes FEDEROP.IT, the Association of Italian Fishery Producers Organizations, recognized with a Decree of the Italian Ministry of Agriculture and Forestry Policies.

The associated companies, about 2.200, carry out fishing activities, processing, trading, fishing nets production, equipment and services for the fishery sector. They are organized in national trade unions.

The main targets are:

- To represent the ship owners category with public authorities, administrations, bodies and Associations;
- To protect the interest of the associated companies in the legal, Trade-Union, economical and technical field in compliance with the country's interests.
- To assist companies in the solution of problems regarding working relationship and social legislation;

- To harmonise its own activity in the general interest of fishing and national economy;
- To promote initiatives and studies which can be of interest to fishing companies;
- To follow the activities of other Associations and promote arrangements and agreements with other bodies, both on a national and international level.

The Structural organisation foresees several bodies such as: the Federal Assembly, the Federal Council, the Category Trade-Unions, the Executive Council, the Federation President, the College of Arbiters, the Body of Reviser Auditors. The Executive Council represents the executive body where the ship owner sectors are represented: oceanic fishing, Mediterranean fishing, manufacturing activities and fishing nets-making industry. The Federal Assembly and the Federal Council are the other two decision-making bodies.

The Head Office in Rome. All the offices of the associated ship owners Organizations, which are present in the main Italian fisheries, constitute the branch venues of Federpesca. There are 54 branch offices in total.

The source of funds are represented the National Law of the sector no.41/82, initiatives and studies of Community-source, proceeds deriving from associative shares.

At EU level, Federpesca is associated with Europeche which constitutes the National Organization Association of the European Fishing Companies. The Association participates in the Advisory Committee on Fishery and Aquaculture (FAAC).

Federpesca is interested in signing fishing agreements between the EU and third countries. For this purpose, it discusses with the Ministry of Agriculture and Forestry Policies – General Management for Fishing and Aquaculture which transmits the declarations of interest for fishing (country, species and quantities) to the Commission. Some associates to Federpesca operate with their own vessels in Tunisia, Libya, Senegal and Mauritania.

Assoittica adheres to Federpesca; this is a non-profit Association which pursues the improvement of fishing products on behalf of its associates, also improving hygienic-sanitary standards.

La Pesca Italiana is the Federpesca magazine; which also collaborates with RAI television within the communication campaigns of MIPAF, realised in the TV program "Vivere il mare" , "Linea Blu" and "Uno Mattina" on RAI 1 and "Serenio Variabile" on RAI 2. Participation of Federpesca to several radio programs, both at local and national level are also included.

The Federpesca televideo service has been active since January 16th 1997. It represents a mean of immediate information for associated companies, for ship owners Associations and for other operators in this sector. It supplies the latest news and it can be consulted at page 433. It is technically supplied with a connection between the Federpesca web site and the televideo service.

The Federpesca Internet web site presents and reports information about the activities of the Association. In particular, it reports news, expiries and other interesting communication for the sector. The web site is linked to other

relevant addresses, e.g., Press Agents, other Associations, Banks, Confindustria and Cooperatives. The web site has a complete and direct electronic mail service for urgent matters.

2.4 Credit Associations

The Italian Associations, both the Cooperatives and Federpesca, participate to collective guarantees of UNICREDITO Consortium, which was born from a project financed by FIFG , as indicated in Regulation (CE) no.2080/93.

2.5 Research and Technical Assistance

These operative guidelines can be found in other projects promoted by the category Associations and presented in 1994 to the EU based on Reg.UE 2080/93 relative to FIFG. The projects were financed by the Italian Ministry for Agricultural Policy for the 50% and by the Union for the remaining 50%.

The category Associations (Federpesca and Cooperative Associations) promoted the establishment of the following Unitary Consortiums.

Table 4. The Unitary Consortiums

Consortium	Promoting Bodies	Targets
UNIPROM	Lega Pesca Federcoopesca UNCI Pesca AICP Pesca	Promotion of fishing products Promotion of the image sector Product quality
UNIMAR	Lega Pesca Federcoopesca UNCI Pesca AICP Pesca Federpesca	Technical assistance Data-base creation Support to administration Applied research

The Unitary Consortiums (UNIMAR, UNIPROM) carry out several common technical and promotional initiatives for this sector, such as photographic exhibitions on fishing, extension materials (cd rom, technical publications, video films/cd) public events for promoting the fish consumption, productive pilot projects, marketing research and analysis.

It is necessary to draw the attention to those bodies that have been involved in applied research. CIRSPE (Federcoopesca), ICR Mare (AGCI-AICP), Consorzio Mediterraneo (Lega Pesca) and MEDNET (UNCI Pesca) carry out research, studies and technical assistance actions for their respective Associations.

During these last years, fishing Associations realised a certain functional inadequacy with regard to the new entire fishing sector requests.

Moreover, the 'FCP' (Fishery Common Policy) underlines that, among intervention priorities, member States must take into consideration the modernisation at all levels of the entire fishing sector. For this purpose, the European Union

launched Fishery Initiative, for the planning period 1994-99 in order to favour both sector modernisation and the productive re-conversion, in the areas of greater socio-economical crisis ('Fishery Initiative' was operative in the areas Objective 1, 2 and 5b of 'SF' planning). This project was the subject of a deep debate at its beginning, also considering the necessity to clarify the planning directions of the community initiative and therefore the allowed interventions. Among the projects admitted to be financed, the establishment of 'Service Centres', in order to identify and offer real services to companies, has been undertaken.

Following deep debate between the Associations, 'MiPAF' and the competent offices of DG Fishing of the European Union, the project has foreseen a series of actions which have the purpose to reinforce/structure a capillary network of offices at the services of the companies in the main Italian fisheries.

The Project has been articulated into two different service typologies, as described below:

- Horizontal services of general interest for the sector, whose results must be available for all of the operators;
- Customized services: services requested by specific companies and for which therefore a direct beneficiary is identified;

While the horizontal services are 100% financed by the project, customized services imply the payment of 30% of the relative cost which is directly charged to beneficiaries.

During this last period, information broadcasting has been one of the main worries for fishing Associations. Among the used tools, we can find the traditional printed paper, such as magazines, articles, internal bulletins and circulars. Then there are the possibilities offered by telecommunications; that is why all the Associations have created their Internet Pages, both to broadcast information and to receive data and news.

The reasons for this attention to communication issues, can be summarized as follows:

First of all, the sector's general need to spread its own image outside the national circuit, represented by authorised persons, emerged. This also happened because an opinion of the fishing sector impervious to civil society requests regarding environmental food security subjects, was spreading. That is why promotional campaigns using the press and specific television programmes, in order to communicate the essential characteristics of the sector, have been carried out.

Finally, it is necessary to underline the positive competition level among the different Italian Associations. The necessity to be first informed and to transmit important news to the associates in real time (but also to those of other Associations), represents a positive aspect which must be taken as a collective improvement factor.

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Employment

According to the most recent available data, in 2008 the full-time employees in the fishery sector result to be about 28.000, being 15.600 member worker of fishing cooperatives, 2.600 individual fishermen and more than 10.000 self-employed workers.

The average age ranges between 41 and 43 years, but it has increased from 40,62 years registered in 2002, to 42,71 in 2007.

The operators of the sector can be divided for kind and working duties, in 3 different categories:

Low labour force, staff and multifunctional; the last one is the most important as it comprises the skills which are requested for the other two.

The comparative analysis of the three categories, shows a strong prevalence of low labour force employment. About the 88.3% of the total man power of the fishery sector, in fact results to be represented in this class. The staff employed accounts for about the 11.4% , while the multifunctional employees represent the 0.3% of the total workers in the fishery sector.

Women employment is in contrast with the general decrease of the occupational level. Between 2002 and 2007 it has increased of 8% . In 2007 women's employment represented the 5.1% of the total with 1.450 registered operators.

3.2 Legislative aspects

Labour in the fishery sector is regulated by several Laws. As far as general regulation concerns, we primarily refer to Navigation Code; the other fundamental tool is the Collective National Labour Contract (CCNL).

Regarding the social security issues, the Law n. 250 dated 1958 (social security for fishermen operating in small-scale marine and freshwater fisheries) and the Law n. 413 dated 1984 (rearrangement of the social security system). As far as security concerns, the norms are still in the revision process.

The following laws are considered to be fundamental: D.Lgs. n. 271 dated 1999 (adjustment of the regulation concerning maritime workers operating on national fishing vessels, according to law n. 485 dated December 31st 1998), D.Lgs. n. 272 dated 1999 (concerning wharfs maintenance) and the D.Lgs. n. 298 dated 1999 (implementation of the Directive 93/103/CE concerning minimum work safety and health requirements on board of fishing vessels).

In any case, the Law n. 123 dated 2007 charged the Government to adopt one or more decrees for the rearrangement and the reform of dispositions regarding safety and health working conditions. The D.Lgs. n. 81 dated April 9th 2008, which was issued for the implementation of such delegation, is applied to all the sectors. A single text which however addresses to a further regulation through specific decrees, is still to be defined. In particular, article 3 of the

text, sets May 15th 2011 as deadline for the decrees issue for the fishery sector, keeping however valid until this date, the ones issued on 1999.

3.3 Work agreement and bilateral approach

The national collective labour contract (CCNL) is the fundamental legal tool which rules the employment, respective rights and duties between employer and employee. As far as the workers operating on board of marine fishing vessels concerns, the National contract is stipulated between the following trade unions organizations Uila pesca-Uil, Flai-Cgil, Fai-Cisl and Federpesca. The latest renewal is dated July 28th 2009 (it is in any case under way the renewal platform for the new agreement which will last for 3 years).

As far as workers operating on board of cooperative fishing vessels concerns, a new collective labour contract has been signed on July 28th 2010 between Agci-Agrital, Federcoopesca and Lega pesca. This contract is very similar to the one subscribed with Federpesca, however several peculiarities typical of the cooperative sector, have been introduced (as the profile of member worker).

The fishery sector is a segment where bilateralism (the inclination of the contracting parties to establish several bilateral joint bodies to which the management of several functions could be assigned) has been expressed in the most concrete way.

The National fishery Observatory has been created in 1994 by Federpesca and Fai-Flai-Uila and ever since then it has primarily carried out training initiatives aiming at the achievement of certificates of qualification and the promotion of safety. In 2009 following the renewal of the national fishery labour contract, new and important functions have been assigned to the Observatory.

Among the new tasks which the Observatory will have to deal with, the most relevant can be so listed: management of a system for the issue of Durc for the companies of the fishery sector, the management of the tools regarding income support, in the event of any suspension of the fishing activities, monitoring and assistance for safety at work, on job training for the boarding qualification, professional training, training concerning responsible fishing, food security and illegal fishing.

3.4 Salary level

Normally the crew is paid according to shares (percentage on catch), however each member is also paid a "minimum guaranteed level" (MMG). Alternatively the contract foresees the possibility to pay the crew on a monthly basis with the MMG and a production incentive proportional to the catch, which has to be discussed and agreed at local level.

As far as workers boarded on cooperative fishing vessels concern, the renewal foresees an MMG which is the same as the one agreed for the contract with Federpesca for several categories, while for other more artisanal segments the adjustment will be undertaken over the next 5 years.

For the calculation of the share, the production is considered to be composed of the venues from the trade of produc

For the calculation of the share, the production is considered to be composed of the venues from the trade of production, the recovery of floating or submerged items, insurance bonus for boats rescue. From the total production, the cost for the fuel, lubricants, refrigerating gas, ice, paper, packing boxes, baits, eventual payment for fishing permissions in other countries, have to be deduced.

The total production, net of expenses, it is then divided by 50% between the ship owner and the crew. Habits and local agreements can define a different distribution of the income, often more profitable for the crew.

A “minimum guaranteed level” has been however defined. Each month the worker is provided with his share. If in any way this amount should be less than the minimum guaranteed level, the ship owner has to pay another sum for the 70% of the MMG as an advanced payment. At the end of every quarter, if the share results to be less than the MMG, the ship owner should anyway pay all the MMG to the worker for that quarter. The share and the MMG also include the 13th and 14th monthly payment, leaves, and severance pay.

It is also possible to obtain an additional wage between 4 and 8% of MMG, through second level agreements which may include monetary incentives connected with the fulfilling of production objectives or several other indicators (such as work continuity on board of the same vessel). If this additional agreements should not be subscribed, the ship owner must pay the employee additional 22 euro each month as alternative indemnity.

3.5 Recruitment

Recruitment of workers is undertaken with the filling of a “boarding convention” in which the following information is detailed: ship owner’s and crew data, type of contract (defined, undefined, fishing campaign or activity), duration, payment modalities. The ship owner should then register a copy of the convention at the Maritime Authority so that Trade Unions Organizations can access it. It is also foreseen the pre-emption right.

3.6 Insurance and family allowances

Members of the crew are covered with an insurance for disability, old age, unemployment, accidents and illness at work. Contribution is paid on a conventional wage made of MMG and a conventional value for social security purposes. The last renewal of the national labour contract, has increased (in 2 years) by the 6% the first and about 15% the second. The assignment of family allowances is ruled as for the industrial sector.

3.7 Working time, weekly rest and holidays

Considering the peculiarities of fishing activities, the working time is often ruled by specific needs which can be often very different or unpredictable. However it is necessary to consider a day off, so as the Law sets. The weekly rest for Mediterranean coastal fishery cannot be less than 48 hours per week and should coincide with Saturdays and Sundays.

If, during a week due to force majeure (weather conditions, failures, etc..) fishing activities should be stopped for at least 48 consecutive hours, it is possible to negotiate a different weekly rest at local level in order to recover the company's efficiency. Each member of the crew is provided with 30 days of paid holidays and with the permission to use it for at least two weeks consecutively.

In 2008, following trade unions and companies actions, considering the deep crisis of the sector mainly due to the increase of the fuel cost, the redundancy fund has been introduced also for the fishery sector. The redundancy fund is granted whenever it is necessary for the employer to stop his working activity, for causes which are not to be ascribed to his will. The redundancy fund is also assignable to workers and member-workers which are paid an MMG.

Unemployment indemnity pertains to dismissed workers, to defined contracts or to the ones who resign for good cause (as missed wage payment). Unemployment can be ordinary or with reduced requirements, but in any case it should be requested to INPS which directly pays the worker.

3.8 Ordinary unemployment

Ordinary unemployment is considered when an employee is insured with Inps (National Social Security Institute) for at least 2 years and with 52 weekly contributions paid in the previous 2 years before the end of the employment. In order to be granted, the employee has to provide the employment centre with a declaration of "immediate availability" to carry out a new job.

The indemnity is paid for no more than 180 days (270 for workers over 50 years of age). The amount is 40% of the average wage perceived over the last 3 months. The request must be submitted within 68 days from the dismissal. The payment is over when the worker obtains a new job (or starts its own activity) or becomes holder of a direct pension.

3.9 Reduced requirements unemployment

It is granted to those workers who have been insured by INPS for at least 2 years, but don't have 52 weekly contributions over the last 2 years and however have been working for at least 78 days over the previous calendar year. The indemnity to be paid is only for the number of days which the employee worked in the previous calendar year, until a maximum of 156 which is the 30% of the remuneration.

3.10 Sick pay

All the issues concerning the sick pay have gone through a "formal" change. The Institute in charge for the related activities (IPSEMA) has been cut following the Law 78/2010 and all its functions have been transferred to INAIL. Sick pays for the fishery employee are due to all the crew of a fishing vessel. It is not due to fishermen who operate individually or associated in a cooperative on board of vessels which are less than 10 tons.

There are 2 insurance typologies: "basic" which covers illness occurred during boarding; the other one "complementary" which covers those occurred within 28 days from the landing and which is only due to those workers boarded on fishing vessels bigger than 200 tons which operate out of the fishing district (ocean fishing). In order to benefit from this indemnity, the worker has to provide INAIL with the certificate attesting the illness.

Regarding the basic management, the declaration has to be subscribed by the captain of the vessel. The National Health Service for the maritime assistance (Saan) doctor is responsible for the certification of the illness; the indemnity starts from the day after the landing. For the complementary management the declaration is subscribed by the employee and the family doctor is responsible to certificate the illness; the indemnity starts from the fourth day from the declaration.

In any case, if the sick prevents the worker from his activity, a daily indemnity (75% of the wage) it is to be paid until the healing, within one year from the landing.

3.11 Temporary disability for navigation

This is a compensation which is only paid to 1st and 2nd category navigation book holders, which are temporarily recognized to be disable for the navigation at the end of the sick assistance period.

The ability certification is carried out by the Saan doctors. The controversial cases are reported to the 1st level Commission, at the Coast Guard, which can express three different opinions: disability, temporary disability, permanent disability. After this assessment the worker can apply to the 2nd level medical commission in Rome. The daily indemnity (75% of ordinary wage) it is paid by Ipsema/Inail for no more than 1 year.

3.12 Accidents at work

Inail/Ipsema insurance include all the injures occurred on board which cause the impossibility to carry out normal activities for more than 3 days; the insurance also covers the worker during the transfer towards the boarding port. Injures must be declared to Ipsema/Inail. The worker has to inform immediately the Captain, indicating possible witnesses.

3.13 Professional illness

The only illness which can be considered of professional origin, therefore to be compensated, is those included in specific charts which the Law sets arising within a certain period of time after the end of the job. For their recognition the worker is not obliged to provide any evidence.

There are also several illness which are not included in the official charts; in this cases, the worker must prove that the illness arises from a working cause.

Workers who are affected by a professional injury or illness, are covered by Ipsema/Inail even if the employer did not pay the insurance or did not registered the employment. Indemnities are paid by Ipsema/Inail even to foreign workers regularly operating in Italy.

When the doctor orders the worker's landing, Ipsema/Inail pays a daily indemnity equal to 75% of the wage starting from the day after the landing, until the whole disability period.

3.14 Settlement or revenue for permanent disability

The worker who should suffer from permanent damages consequently to a professional injury or illness, has the right to obtain a compensation. After the enter in force of the decree 38/2000 the system was reformed, now recognizing a money compensation (according to age and sex) for permanent disability between the 6 and 15% and the institution of a revenue, with monthly instalments for more than 16% of disability. For those workers who declared a professional injury or illness, before July 25th 2000, previous norms apply (revenue starting from 11%). Other adjustments are foreseen to be undertaken in the next future.

Revenue is increased of 1/20 for the wife and each dependant. The worker loses his right for the indemnity if he refuses to undertake medical care. This refusal also causes the reduction of the revenue.

If the professional injury or illness causes the death of the workers, relatives are compensated with a revenue for the spouse calculated on the basis of the annual income (50%) until his/her death, for children (20%) until 18 years of age, for the orphans (40%). In particular circumstances the revenue can also be requested by parents, brothers or sisters, grandchildren of the deceased worker.

If the deceased is already owner of a revenue, Ipsema/Inail should inform the relatives about the possibility to apply for a new revenue.

3.15 Allowance in case of death

An allowance is paid "una tantum" to the relatives having the right. The sum should not be less than 1 monthly wage of the deceased worker.

3.16 Indemnities paid by Ebi Fondo

Ebi Fondo is made of Uila Pesca, Fai, Flai and Federpesca and it directly pays the fishery sector workers (insured by the Law 413/84) with temporary integration of Ipsema regular indemnities in case of illness or injuries, of 6.20 euro per day for no more than 60 days. In the event of hospitalization for more than 60 days or relevant surgery, the indemnity is paid for the entire period.

3.17 Family allowance

Family allowance (ANF) was established to help the families with an income which results to be lower than certain limits varying every year (1st July-30th June). Allowance is paid after an official request and the amount depends on the members of the family and their relative income.

Allowance is due to Italian and foreign workers employed in fishing companies operating in Italy or sharing an agreement, to shareholder, ship owners, and owners on board of their own fishing vessels, to fixed term contract holders. Members of the family can include: the spouse, children up to 18 or more if disable, sometimes even brothers or sisters and grandchildren. Spouses living in those countries sharing agreements.

3.18 Foreign workers

European Regulation 859/2003 sets that extra-UE workers which have been operating in at least 2 EU countries are treated the same way as European workers with regard to social security. Therefore they are eligible for ANF also for not cohabiting spouses, with the only condition to be resident in a EU country.

3.19 Pension indemnity

After the adoption of the Law 335 dated 1995, in order to verify the right to have a pension and calculate its amount, it is necessary to evaluate if the worker is part of the contribution or pay basis system. Workers which on 31.12.1995 already paid contributions, fall under the pay system.

The pension calculation depends on the contributory seniority until the date: it is fully pay system for those who have more than 18 years of contributory seniority; it is mixed (pay system until 1995 and contributory from 1996) for those who have a contributory seniority of less than 18 years.

Contributory system apply to those workers who paid the first instalment after the 31.12.1995. In this case pension is calculated only with the contributory system. It is also foreseen that workers with less than 18 years of paid contributions, until 1995, can choose the contributory system if they are eligible to do so. Apart from the laws in force for the fishery sector, as all the other productive sectors, there are several specific kind of pensions only applicable for the fishery sector:

- The early retirement pension for machine or radio operators is due to those workers with 55 years of age who stop their activity with at least 20 years of contribution, 10 of which arising from machine related activities.
- Navigation disability pension can be activated following an assessment directly promoted by the Coast Guard after the biennial usual examination. It is therefore eligible the worker permanently disable to navigation, with at least 10 years of contribution, not holding other indemnities as for the Law 222/84. The disability has to be certificated by the medical commission of the Coast Guard.
- Navigation disability pension is due to those workers showing at least a weekly contribution of effective navigation.

- Privileged pension for the survivors of a worker deceased at work, can be assigned showing at least 1 weekly contribution of effective navigation. The measure of privileged pensions is determined calculating all the periods, but it cannot be lower than 20 years of maritime service
- The Pension for the survivors of a maritime worker is a specific indemnity in favour of the relatives of the worker deceased at sea, following events connected with the navigation of the vessel.

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- Regulation CE 744/08
- Regulation CE n. 1543 dated June 29th 2000
- CFP - Common Fishery Policy
- Regulation CE 26/2004 dated December 2003
- Official Journal n.64 of 17/3/2001
- DPR n.450 dated 28/3/2000
- Law n.49 dated 9/3/2001
- Law n. 963/65
- Regulation n.1639/68
- Law no.41/82
- Ministerial Decree dated 26/7/95
- Law n. 41 dated February 17th 1982 abrogated by the art. 23 D.Lgs. Of May 26th 2004 n. 154.
- Law n.153 dated 26th May 2004 "Fishery Systems Rationalization"
- D.Lgs. 26-5-2004 n. 154
- Regulation CE n.1967/2006
- Regulation 1224/2009
- The Constitution of the Italian Republic dated January 1st 1948 (art.45)
- Regulation CE n.2080/93.
- Law Decree n.1577 dated December 14th 1947
- Decree issued by the Department of Employment dated December 14th 1961
- Ministerial Decree dated May 18th 1975
- Law n.250 dated 13/3/58
- Law n.250/58
- Law n.266 dated August 7th 1997
- Law n.59 dated January 31st 1992
- Circular n.96/1965 of General Management of Cooperation
- Law n. 250 dated 1958
- Law n. 413 dated 1984
- D. Lgs. n. 271 dated 1999
- Law n. 485 dated 31/12/1998
- D. Lgs. n. 272 dated 1999
- D. Lgs. n. 298 dated 1999
- Directive 93/103/CE
- Law n. 123 dated 2007
- D. Lgs. n. 81 dated 09/04/2008
- CCNL - National Collective Labour Contract
- Law n. 78/2010
- Decree n. 38/2000
- Law n. 413/84

- European Regulation n. 859/2003
- Law n. 335 dated 1995
- Law n. 222/84

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ACRONYMS AND ABBREVIATIONS

BDL Banque du Liban

CAS Central Administration of Statistics

DFW Department of Fisheries & Wildlife, Ministry of Agriculture, Lebanon

EEZ Exclusive Economic Zone, as stated in the UNCLOS-United Nations Convention on the Law of the Sea of 10 December 1982.

EPCA Emergency Post-Conflict Assistance

FAO Food and Agriculture Organization of the United Nations

GDP Gross Domestic Product

GFCM General Fisheries Commission for the Mediterranean is the regional fisheries body for the Mediterranean Sea and the Black Sea.

GFCM Area. Major fishing area 37, consisting of the Mediterranean Sea and the Black Sea, FAO major fishing area map (FAO, 2006).

IMF International Monetary Fund

LMA-DSC Lebanon Ministry of Agriculture - Directorate of Studies & Coordination

MedFisis Project: Mediterranean Fishery Statistics and Information System

MOA Ministry of Agriculture

SAUP: Sea Around Us Project. Global fisheries mapping data. Version 4.0 (1950 - 2003) . 2006

WTO World Trade Organization

1. FISHERY SECTOR

Fishing activities in Lebanon have always been classified at small-scale level, traditionally based on bottom stationary gears (trammel nets and long lines), purse seine nets, and beach seines. It was estimated that in mid 1990s there were around 4.000 traditional small-scale fishermen distributed all over the Lebanese coast.

The national continental shelf is narrow, especially in the Southern and central coast. The bottom ground is mainly rough with intensive rocky patches, good for stationary demersal gear (DFW, 2010).

The majority (91%) of active fishermen fish within 6 miles radius from their respective home ports; 14% of vessels fish in a 12 miles radius (DFW, 2010). Fishing operations, with the exception of long lines, are mostly carried out at depths up to 50m.

Thanks to the strict control of the military force, the extensive fishing with explosives has been significantly reduced during the past few years (MedFisis, 2004)

Actually, there is no regular data collection efforts; the last fishing vessels and facilities census was conducted in 2004/5. As far as the catch assessment concerns, it doesn't seem to be any at national level, except for North Lebanon where some actions have been carried out by a private university. Similarly, there is no stock assessment, neither countrywide socio-economic studies (DFW, 2010).

1.1 Production

Available information on local production of marine fish sector remains relatively limited and depends on the results of the census carried out by the Directorate of rural development of the ministry of agriculture in collaboration with the FAO. The aim of the Institutions is to prepare the base for a permanent statistical information system and elaborate and implement development programs to help this sector evolving, considering the difficulties which still has to face (FAO Project "Support to the Agricultural Census", 2007).

The total fish production of Lebanon is 4.614 tons (Fishstat 2006-2008), 3.541 tons from marine natural resources and 1.073 tons from inland waters, with an estimated value of 23 million USD (SAUP, 2006).

The Lebanon marine fishery sector generates almost 21 million USD per year (SAUP, 2006).

Table 1. Lebanon Mediterranean marine capture fisheries production 2000-2008/tons

SPECIES	2000	2001	2002	2003	2004	2005	2006	2007	2008
Crustacea	55	55	60	60	60	55	57	57	57
Mollusca	50	50	50	50	50	50	50	50	50
Pisces	3.541	3.545	3.563	3.503	3.491	3.418	3.434	3.434	3.434
TOTAL	3.646	3.650	3.673	3.613	3.601	3.523	3.541	3.541	3.541

Source: Fishstat

Regarding data about targeted stock, more than half vessels (56%) target demersal inshore species, mainly of hard sub-stratum (e.g., sea-bream), while 21% of them target large pelagic (e.g. amberjacks). Demersal offshore species, mainly of soft sub-stratum (e.g., codfish) and Small Gregarious Pelagic (e.g., anchovies, sardines, and mackerel) were targeted by 12% and 9% of the vessels respectively (DFW, 2010).

The most common species caught from the marine resources are pelagic, representing about 55,4% of the total catches, while demersal species account for about the 41,5% of the total.

Table 2. Lebanon marine capture production 2000-2008/tons

Species	2000	2001	2002	2003	2004	2005	2006	2007	2008
Cephalopods	50	50	50	50	50	50	50	50	50
Crustaceans	55	55	60	60	60	55	57	57	57
Demersal Marine Fish	1.291	1.545	1.513	1.503	1.491	1.468	1.472	1.472	1.472
Pelagic Marine Fish	2.250	2.000	2.050	2.000	2.000	1.950	1.962	1.962	1.962
TOTAL	3.646	3.650	3.673	3.613	3.601	3.523	3.541	3.541	3.541

Source: Fishstat

According to the official statistics, the nine most important species for Lebanon are: Clupeoidei (580 tons), Scombroidei (389 tons), carangids (383 tons), porgies, seabreams (371 tons), Mugilidae (360 tons), mackerels (322 tons), groupers, seabass (252 tons), barracuda (240 tons) and surmullet (190 tons).

The total fish production of Lebanon from both fisheries and aquaculture has increased 17,7% from 1998 to 2008. It was 3.920 tons in 1998 and reached 4.614 tons in 2008, registering a peak in 2002 with 4.760 tons.

The Mediterranean marine capture fisheries production of Lebanon has decreased more than 2,8 % between 2000 and 2008. It was 3.646 tons in 2000 and declined down to 3.541 tons in 2008.

The fishing season is all year long. The percentage varies depending on the group of targeted stock, e.g. the fishing season for *Coryphaena hippurus* is from September to November, while 74% of the vessels targeting the demersal inshore species fish through all the year. (DFW, 2010).

The quantity of fish captured is estimated to be distributed between the 4 seasons as follows:

- 30% of the quantity is captured in spring time;
- 42% of the quantity is captured in summer time;
- 20% of the quantity is captured in autumn time;
- 8% of the quantity is captured in winter time.

Good quality marine fish represents the 30% of the total quantity of fish captured and 70% of the other varieties (including sardines).

The total value of marine fish captured in 2005 reached about 54 billion L.P (36 million USD) and sale prices increased remarkably due to the intense competition of imported fish products on one hand, and to the decrease in good quality fish on the other, together with a capture increase of other fish varieties. (FAO Project "Support to the Agricultural Census", 2007).

1.2 Trade: Import and Export

The Lebanese fishery economy is mainly oriented to the internal market due to the high domestic demand; only small quantities of product is therefore exported.

The imports are considerably higher compared to exports. Imports of chilled, frozen, and canned fish were reported to be about 9.000 tons in 2002. (MedFisis, 2004).

In 2005, the value of imported raw and semi-raw materials of animal origin (live animals, frozen, refrigerated or fresh meat, milk and its derivatives, honey, fish and others), reached about 666 billion of Lebanese Pounds, taking into consideration the canned fish, which normally fall within the processed agricultural products' category, thus decreasing of about 6% as compared to 2004.

Lebanon imports 75% of the total fish consumption (in fresh fish equivalent) including canned fish. (FAO Project "Support to the Agricultural Census", 2007).

Table 3. Value of imported and exported fish products (in million USD)

Products	Imports' Value			Exports' Value		
	2003	2004	2005	2003	2004	2005
Fresh Fish refrigerated or frozen	30.8	35.7	38.3	0.04	0.03	0.07
Canned fish	13.4	17.7	16.8	0.02	0.02	0.02
Total	44.2	55.2	55.1	0.06	0.05	0.09

The value of imported fish products, increased from about 44 million USD in 2003 to 55 million USD in 2005 registering a 24% increase. At the same time, the value of exported fish products increased more than 33% in 2005 compared with the 2003 data. (FAO Project "Support to the Agricultural Census", 2007).

Table 4. Quantity and value of imported fish during the years 2003, 2004, 2005

Fish imports	2003			2004		
	Quantity (thousands tons)	Value (millions USD)	Quantity (thousands tons)	Value (billions L.P)	Quantity (thousands tons)	Value (billions L.P)
Fresh fish, frozen, refrigerated	12.20	30.8	14.92	53.6	14.07	57.5
Canned fish	5.02	13.4	6.35	26.6	5.71	25.3
Total	17.22	44.2	21.27	53.4	19.78	55.1

Source: FAO Project "Support to the Agricultural Census", 2007

The price of one kg of imported fish (fresh, frozen or refrigerated) increased remarkably in 2005, reaching 2.7 USD per kg while it did not exceed 2.4 USD per kg in 2004. (FAO Project "Support to the Agricultural Census", 2007).

In 2006 the trade economy value of marine fishing (fish, crustaceans, molluscs and other aquatic invertebrates) showed that imports were considerably higher than exports, confirming the previous trend. In fact, the value of fish products Exports was 578 USD 000, while the Import was 46 789 USD 000.

The trend is confirmed in the following period 2007-2009. The total amount of imported fish products (live fish, fresh/chilled fish, frozen fish, fish fillets, dried/salted/smoked fish, crustaceans, molluscs) increased of 36%, from 14.316 tons in 2007 to 19.590 tons in 2009.

Table 5. Fish trade import during the last three years

Import	2007	2008	2009
Live Fish	6	6	4
Fresh/chilled Fish	3.991	5.246	6.579
Frozen Fish	6.113	4.154	4.889
Fish fillets	2.996	3.733	6.103
Dried/salted/smoked fish	26	27	21
Crustaceans	957	1.001	1.515
Molluscs	226	464	480
Total (Ton)	14.316	14.630	19.590

Source: Samir S. Majdalani (Lebanon Ministry of Agriculture Department of Fisheries & Wildlife). 2010. Country report: Lebanese Fisheries Sector. PESCAMED Project Meeting, Bari, Italy 14-16 June 2010.

1.3 Pro capita consumption

The demand for fish is high (15.000 tons per year in 2000). The estimated potential for fish consumption in Lebanon is 35.000 tons per year. The per capita fish consumption was about 3.75 kg per year in 2000. (Dahej El Mokdad, Department of Fisheries and Wildlife – Ministry of Agriculture, 2010 personal communication).

The total quantity of fish consumed in Lebanon decreased in recent years (including imported fish of different nature: fresh, refrigerated, frozen or canned), reaching 34.000 tons in 2005 (in fresh fish equivalent) thus recording a decrease of about 6% compared to 2004.

Fish consumption per person in 2005, was estimated at 7.7 kg considering that the number of residents in Lebanon was 4.4 million people. The local production of fish, covered 25% of the total quantity consumed. (FAO Project "Support to the Agricultural Census, 2007).

Table 6. Fish and fishery products: apparent consumption

Fish and fishery products			Apparent consumption (tonnes in live weight)			Average 2003-2005	
Country of area	Production	Non food uses	Imports	Exports	Food supply	Population (Thousand)	Per capita supply(Kg/year)
Lebanon	4648	9	27017	246	31410	3965	7.9

Source: FAO Yearbooks of Fishery Statistics. 2007.

1.4 Fishery and linking industry

The marketing system register that most landing sites have at least one local cooperative of fishermen, which, among other things, takes care, in part, of the marketing of the fish. At major landing sites, fish are being marketed by auctions. These sales are recorded (species, price, quantity) by the cooperative.

The fish production is marketed, besides auctions, on port fish stalls, by licensed and/or unlicensed shops and fish stalls, directly by fishermen, as well as by street vendors.

There is no data on fish processing. Small containers are used for fish preservation. (DFW, 2010).

In 2005 fish halls for sorting, packing, selling and icing fish, were recorded.

There were fish halls on-site at 16 ports/landing sites along the Lebanese coast. There were fish auctions at Dora, Ouzaii, and Saida Ports. There were fish auctions outside the major ports of Tripoli and Sour. Ten fish halls were built in concrete, while the rest were made of wood, metal or prefabricated.

As far as the cold storage concerns, seven fish halls were equipped with chill rooms/refrigerators and twelve with ice. The ice format was mainly crushed. The ice source was readymade crushed/blocks ice from commercial suppliers. No fish hall had iceboxes for sale to fishermen, processors, and households; thus, fishermen had to resort to buy such items from local vendors. Qalamoun, Saida, and Naqoura Ports were equipped with ice crusher.

Electricite du Liban (EDL) supplied electricity to 23 ports/landing sites. Four ports had standby electrical generators, which were enough for the whole port in Jbail and Beirut-Dalieh Ports, for the fish auction at Ouzaii Port, and for the Syndicate building at Dora Port.

Storage facilities were recorded at 11 ports/landing sites. They were mostly concrete structures. The size of such storage facilities ranged between 16 and 65 m².

Some kind of boat building and maintenance facility were available at 22 sites. (FAO).

1.5 Fishing Harbors

There are 44 ports and landing sites along the Lebanese coast in the 5 coastal Governorates. The largest number (17) was located in Mount Lebanon. It was followed by North Lebanon with 12 of ports/landing sites.

Table 7. Ports and landing sites along the Lebanese coast

Governorate	Official port	Landing sites	Total
Akkar	3	1	4
Beirut	0	4	4
Mount Lebanon	7	10	17
North	3	9	12
South	1	6	7
Total	14	30	44

Source: Census of Lebanese Fishing Vessels and Fishing Facilities, 2005

Most landing sites have at least one local cooperative of fishermen, which, among other things, takes care, in part, of the marketing of the fish. At major landing sites fish is being marketed through an auction. These sales are recorded by the cooperative (species, price, quantity).

1.6 Fishing fleet

The active fishing fleet consists of around 1.600 small fishing boats (less than 6 meters) and 400 motorized boats (less than 8 metres). The fisheries of Lebanon are classified as small scale "artisanal" and traditional, mainly based on bottom stationary gears (trammels and longlines), purse seine nets and beach seines. Fishing operations, with the exception of longlines, are mostly carried out at depths of up to 50 metres.

Tripoli and Beirut Harbor Masters issued about 63% of 2.662 Fishing Vessels Property Notebooks.

Most of the fishing nets in use have a small mesh size (less than 2x2 cm). Thanks to the strict control by the military force, the extensive fishing with explosives has been significantly reduced during the past few years. In mid 1990s there were around 4.000 traditional small-scale fishermen distributed all over the Lebanese coast. The active fishing fleet consists of around 1.600 small fishing boats (less than 6 meters) and 400 motorized boats (less than 8 meters), but precise figures are not available. The average annual income of the fishermen, in 1998, was equivalent to US \$800. These fishermen have no access to institutional lending.

Table 8. Vessels Distribution

Port	Vessel	%
Tripoli	957	36
Beirut	715	26,9
Saida	417	15,7
Sour	231	8,7
Jounieh	184	6,9
Jbail	125	4,7
Chekka	33	1,2
Total	2.662	100

Source: Census of Lebanese Fishing Vessels and Fishing Facilities, 2005

About 92% of the vessels were motorized floukas. There were two trawlers (at Al Mina-Tripoli Port) and two Purse Seiners (At Dora Port). The rest of fishing vessels were categorized as oars operated.

Length Class distribution indicated that 52 % of Lebanese fishing vessels are 6-9 m long, while 33 % are 3-6 m in length. Twelve percent of the vessels are 9-12 metres. 77.5% of Lebanese fishing vessels is made of wood while 15% is made of fibreglass, about 7% is made of wood/fibreglass, and less than 1% is made of iron/steel, aluminium, rubber, and wood/iron. 75% was constructed after 1980 with 40% of the vessels being constructed in 1990-1999 and 14% was made after the year 2000. 81% of the vessels are undecked and only 6% of the fibreglasses fishing vessels is decked, while about 22% of the wooden and wooden/fibreglass vessels is decked. 63% of the vessels longer than 9 metres are decked while the percentage drops to 12% for the vessels <9m (LOA).

Only 1.385 vessels have GRT recorded on the Property Notebook, while the figure drops to 608 for Gross Tonnage (GT). About 70% of the recorded vessels has GRT less than 5 tons while 24% has 5-10 tons GRT. About 90% of coastal fishing vessels (2.385) are motorized and about 75% of the engines are inboard, while 597 vessels have outboard engines. 76% of the engines use diesel while the rest use either gasoline or gasoline mixed with oil. The horsepower of 71% of the vessels is below 30 hp, while for the 22% it was between 30 and 50 hp. The remaining 7% had horsepower above 50 hp.

About 53% of the vessels uses trammel nets as their primary fishing gear. Hand operated Handlines/Pole-lines and Set Longlines were used respectively by 17% and 12% of the fishermen. The same trend applied during a successive period when fishermen used a different gear from the one used before.

The majority (91%) of active fishermen, fish within 6 miles radius from their respective home ports when using their primary fishing gear. About 53% of vessels operates in a 3 miles or less fishing zone, while 38% reaches the 6 miles limit. 131 vessel owners (14% of vessels in North Lebanon) in North Lebanon fish in a 12 miles radius. This percentage is much less for other geographic regions. A large number of vessels fish all year long. The percentage varies depending on the group of targeted stock e.g. the fishing season for *Coryphaena hippurus* is from September to November, while 74% of the vessels targeting the demersal inshore species do this all through the year.

1.7 Trade towards EU

The European Union remains the main source of Lebanese imports, with an aggregate share of 45,2% and the majority of goods exported to Lebanon consisting in machinery and transport equipment. As for individual countries, Italy is the lead followed by France, Germany and China. Exports on the other hand are mainly addressed to the Arabic countries.

This is due to the fact that Lebanon's trade relations with the EU are currently governed by the "EU-Lebanon Association Agreement", the trade-related provisions of which entered into force in April 2006. This agreement establishes the necessary conditions for progressive liberalisation of trade in goods between the EU and Lebanon, with a view to create a bilateral Free Trade Area. As a result, Lebanese industrial and most agricultural products benefit from free access to the EU market. Progressive elimination of tariffs on EU imports into Lebanon will take place between 2008 and 2014.

The following main special treatments were granted to Lebanon:

- There will be no reduction in custom duties for five years, after which the reduction on European industrial goods will follow a gradual uniform schedule. The five year grace period was only accorded to Lebanon. However, the Lebanese industry will enter EU markets duty free immediately; The end of this grace period was planned to coincide with the entry into force of the GAFTA;
- The reduction of custom duties on EU agricultural imports will not start before the fifth year, and there will be a gradual decrease over 12 years for a large basket;
- In terms of agro-industrial products, Lebanon succeeded in separating the agricultural component from the industrial component and Lebanese exports received a 0% tariff on the industrial component when other countries settled for a 30% average.

The association agreement with the EU represents a vital cornerstone in Lebanon's trade liberalization strategy, as well as the WTO accession and the GAFTA. The association agreement serves a catalyst to conduct the required adjustments to the domestic economy that will render Lebanon more competitive. Consequently, Lebanon is expected to develop its past role as being a primary trade center in the region and between the GAFTA and the Euro-Mediterranean Free Trade Area.

The main challenge for Lebanese producers remains the ability to follow up with the EU and international standards and norms in order to benefit of the potential markets.

This entails as being able to follow up with the capacity of the Lebanese producers to implement the international

and EU standards of quality. However, liberalizing trade with EU is expected to facilitate the transfer of new technology and know-how as a result of the expected increased inflow of Foreign Direct Investment. Furthermore, the agreement will serve as catalyst to modernize and update the Lebanese trade-related legislation (Agrimed 2005).

1.8 Institutional organization

Several Ministries have jurisdiction over the fisheries sector:

- Ministry of Public Works & Transportation: Property Notebook (Deed), seaworthiness and navigation license;
- Ministry of Agriculture: fishing licenses and enforcing the law;
- Security Force (Ministry of Interior & Lebanese Army): enforcing the law;

The Directorate of Rural Development and Natural Resources deals with fisheries in the Ministry of Agriculture (MOA) in Beirut. The Service of Forests and Natural Resources is part of this Directorate, and controls the Fisheries and Wildlife Department (DFW). The Department (one chief, one agricultural engineer, and one ranger) manages and supports four designated centers.

2. FISHING ASSOCIATIONS

2.1 Cooperative Organization

The Lebanese territory is under the jurisdiction of five Fishermen Syndicates (North, Beirut, Ouzai, Saida, South) each one operating in a different area of the country. The activities that they are supposed to carry out are those generally ascribed to their role, which in particular would mean lobbying by the government to push for interventions towards the sector's development, working on getting the rights of their affiliates recognized (in terms of social security), pushing for specific integrated policies for sustainable economic development of the community.

In the reality the sphere of their activity is very limited and consequently their influence on governmental policy planning. This is mainly due to the low impact of fisheries on the national GDP.

Five fishermen Syndicates are along the Lebanese coast. Only 1.017 vessel owners/operators (38%) declare that they belong to a Syndicate, while the rest (1.645) are not members. North Lebanon Fishermen Syndicate showed the highest membership (388 fishermen).

There are 34 fishermen's cooperative along the Lebanese coast (Samir Majdalani Department of Fisheries & Wildlife Ministry of Agriculture Lebanon – personal communication) grouped under the General Cooperatives Union. According to the Census of Fishing Vessels and Fishing Facilities edited by the Ministry of Agriculture in 2005, only 1.152 vessel owners/operators (43%) belong to a cooperative while 1.510 are not members.

Fishermen Cooperatives are the only organizations that encompass fishing vessels owners.

Cooperatives in Greater Beirut (Dora, Beirut, and Ouzaii) show the highest membership with 591 members representing 51% of vessel owners/operators.

There is usually one cooperative in each officially recognized fishing port except for Dora Port that had two cooperatives; namely, Cooperative of Vessel Owners & Professional Fishermen in Mount Lebanon and North Matn & Karantina Fishermen Cooperative.

Each port has usually its own cooperative and it is not generally allowed to establish more than one for commodity or category in each municipality.

Lebanese Fishing Cooperatives rarely comply with the applicable rules and regulations, generally operating according to the specificity of each port and its fishing community.

Many of the fishing cooperatives that have been established in Lebanon are not actually active, neither they play relevant roles within the institutions involved in the sector's development.

Of course there are exceptions to this general principle, with a few cooperatives that hold active roles within the community, however they are very often built on the involvement of individuals not being structured to work and function, as bodies, independently from the will and the vision of their most active figures. The practice of meeting and participation to decisions process is rather absent.

The level of cooperation with the local syndicates varies according to political issues, to the extent that where they go together, there is no separation between functions, responsibilities, and/or in the perception of the community on their different role. Where they do not operate in agreement there is often duplication of efforts, conflicts, often resulting in local disputes.

Rarely cooperatives are seen as associations of active individuals gathering to share knowledge and resources and to develop production and marketing through consolidated efforts. Even where cooperatives actually manage common selling points or work as informal credit facility, this generally follows corporative logics and does not have an entrepreneurial approach.

The following section shows in brief several features of the main fishing port in Lebanon focusing on marketing structures, level of institutional involvement, credit need and facilities.

Tripoli

The Fishermen Syndicate of the North is the reference organization for fishermen and the head is also chief of the Fishing cooperative.

The Syndicate gathers six seaports of the north of Lebanon and few villages that carry out their activities at sea, mooring the boats in small rivers.

The Syndicate follows ordinary activities such as lobbying to the government to gain funding and to provide services to improve infrastructures.

The Cooperative gathers 404 boats (2-3 fishermen per boat); They do not receive any governmental support and the only funds come from the fees that each boat owner has to pay when associating (around 10.000 LBP). The Cooperative manages, in association with the Syndicate, a gasoline selling point at the port; it redistributes funding coming from donors such as NGO, International Organizations (FAO and other UN agencies) occasionally involved in programmes/projects for the development of the sector.

In Tripoli there are several selling points located at the city souq, mainly dealing imported fish, in addition there are two other selling points, located at the port, being obliged by the local institutions (Syndicates and Cooperative) to sell only local fish.

Batroun

The local Fishing Syndicate, does not seem to have such an active role within the community, while the local Cooperative is quite lively. The support of the government is more or less absent and the fee for the affiliates to the Cooperative is symbolic. The money of the Cooperative is mainly spent for the small maintenance of the port and to provide the fishermen with small credit when needed. It seems that they do not pay any interest on the amount and that there is no rigid repayment scheme to follow.

The local fish is sold in local selling points. As in Tripoli, the fish sellers provide the fishermen with a certain amount of money at the beginning of the year; the fishermen do not have to pay the money back, but they are obliged to sell their fish only to them.

Beirut

The main fishing port in Beirut area are the Dora/Beirut and the New Ouzaii Beirut Fishing port. The first one lays in a very bad condition considering the infrastructure status and also the sanitary context should be improved. On the

contrary the fishermen are ready to discuss for improving the association process and the work conditions. In the port there are about 300 fishing boat (long lines, purse seines, gillnets).

There is a little auction hall where several boats sell their catches, but the biggest quantities are sent to be sold in other wholesale market.

The new fishing port in Beirut is in very good conditions. It was completely destroyed during the war and completely rehabilitated by an International project with a grant of 4 million of Euro. The Cooperative gathers approximately 300 boats and 400 fishermen (about 90% of the Fishermen of the local port). It manages a selling point, built according to international standards, producing also ice blocks for the fishermen (price 40 kg /10.000LL) ice factory (cost 130.000 USA\$). The Cooperative keeps the 5% of the total amount sold by each fisherman.

The main sources of income for the Cooperative are:

- a) The entry fees that the fishermen pay to join (25.000 LBP);
- b) The commission on the fish sold in the market;
- c) The rental of the two properties located on the port (which the Cooperative owns);
- d) Private donations or government contributions.

Money is used to manage the selling point and to finance the Cooperative's activities. What is left at the end of the year is redistributed among fishermen actually participating in the daily activities of the Cooperative. The money coming from the entry fees is saved in a bank account and it constitutes the social capital of the organization.

Since the establishment of the Cooperative the price of the fish and fishermen revenues have slightly increased, being the clear evidence of an efficient managing of the Cooperative.

The Cooperative also manages a restaurant in the port and there is the willing to implement a project for fishing net manufacture.

Saida

The port of Saida is the biggest of the south and the local Fishing Cooperative gathers 227 fishermen (140 boats); meaning almost all of the fishermen based in the port, except the Palestinians who are about 85 (45 boats) and gather under their own Association.

The Cooperative works in harmony with the local Syndicate; it gets its incomes from the monthly fee all the adherent have to pay (1.000 LBP per month) to be affiliated.

Its main role is to manage the selling point and to lobby to the government and other institutions on behalf of the fishermen.

The Cooperative is also intermediate for the redistribution of financial support provided by different donors (mainly the Hariri Foundation). They occasionally purchase gears and other equipment that fishermen need, but it doesn't seem to be any kind of credit scheme. Occasionally the Cooperative concedes grants when needed, according to the cash availability.

The selling point is located to the port and markets local catches. It was donated to the Cooperative by privates (the Hariri Foundation).

The selling point normally manages to market all the daily catch, what is eventually left unsold is frozen and sold as such the day after.

Naqoura

The port of Naqoura is under the jurisdiction of the Syndicate of the South. It is a very small port, but its relevance

relies more on the good functioning of the local Cooperative and common selling point.

The Fishing Cooperative gathers 18 out of the 20 boats registered by the port authority. They all market their own catch through the Cooperative selling point that was built with UNDP funds and the Cooperative has been set within the same framework of activities that led to the establishment of the market.

The fishermen bring the daily catch to the market where the head of the Cooperative checks the fish, weights it and bargain with the buyers. The fish that remains unsold to local consumers, is brought to the wholesale market of Beirut, to be sold the coming night.

Revenues are redistributed among the fishermen, except for a 10% which goes for the Cooperative management (salaries, maintenance of market hall, ice).

Tyre

The port of Tyre gathers about 300 fishermen and 170 small boats. The yearly production (about 230 tons) is entirely marketed by the local selling points (7 shops on the port and 6 in the souq).

In Tyre there is a very strong relationship between the fishermen and the fish sellers. The nature of this relationship builds on the grant that each year the fish sellers give to some of the fishermen.

At the beginning of the year each boat owner decides whether to ask/accept a grant from one of the local fish sellers or not. This grant might consist in money or gears/equipment and normally ranges between 400.000 and 800.000 LBP (260-530 USD).

The only obligation that the fishermen have is to deal only to those sellers to market their product. Moreover the amount that they get for one kilogram of fish is lower by the 20% of that of those who do not receive the initial grant. This mechanism is a sort of repayment for the grant, but is clear that the bargaining power of the fishermen is very weak.

2.2 Credit and Banking System

The most common credit facility serving fishing communities is the one provided by the fish sellers. Besides the yearly grant that some of them usually give to fishermen, they are often available to lend them extra money during the year. The amount is generally limited to 450.000-600.000 LBP (300-400 USD) and normally no interest is charged.

Repayment schemes are very flexible, but the only obligation fishermen have is to sell their fish to their money-lenders.

This way the fish sellers have fresh fish assured every day , on the other hand the fishermen cannot go to other markets to sell their fish at better prices.

Neither the Syndicate, nor the Cooperative manage to counteract this situation with concrete actions aimed at breaking this bond. This is mainly due to political reasons.

There was an attempt in the past to set up a sort of wholesale market managed by the Syndicate/Cooperative through some private funding received, but the attempt was opposed by the local authorities and by the sellers themselves and, then abandoned. Sometimes Cooperatives (such as the one established in Beirut) work as an informal credit institution, offering credit to the fishermen through the person heading the cooperative, who claims he covers it personally. He asks for no interest rate and there is no rigid repayment scheme. Apparently all of the fishermen rely

on this informal credit facility.

Fishermen prefer to rely on the fish-sellers for their loans instead of the bank loans (but this doesn't seem to be more expensive than the amounts granted/lent by the fish sellers).

The reason is because they are afraid not to be able to repay some of the instalments.

Several micro credit programmes have been started in some fishing ports such as Tyre by a local NGO and International Cooperation Agencies, with alternate results.

In Tyre for example the amounts were about 500 USD, with no interest rate and a very low instalment (15 USD per month), the only request made to the borrowers being the purchasing documents for gears or similar.

This approach was, of course appreciated by the community, but it cannot be recognized as a strategic tool for the development of the sector as it is not sustainable.

Other credit facilities available for the Community are: Al Hasan and Al Majmoua.

Al Hasan is working since 1983, targeting the poorest in society regardless of religion, race or nationality; it offers credit for services, trade, handicrafts and agriculture. No contribution from the applicant is requested and the maximum loan amount is 500 USD for a period of no more than 1 year. There is no interest rate, but a 10/20USD application fee. Al Hasan gives credit upon a real guarantee (money or goods) which is deposited when the loan is granted and is given back once it is fully repaid. The credit scheme is rather efficient and the rate of failure very low (around 5% on a total of 30.000 standing loans).

Al Majmoua is another Micro-Credit institution operating all over Lebanon since 1997. It targets poor women in groups and covers the sector of informal commerce and agriculture. The loans range between 250 and 1.000 USD, but it can reach up to 3.000 USD if previous loans were appropriately repaid.

The maximum lending period is 4 months, with 2 weeks grace period and interest rate of 2% per month. They ask for a group guarantee and the repayment rate is around 99%. One peculiarity of Al Majmoua credit scheme is that they ask for a contribution of the applicant to the total project cost, which can be up to 50%. This way, also considering group guarantee, they can rely on a stronger commitment of the applicant for the repayment. (Ricerca e Cooperazione, 2005).

According to the Lebanon Country Profile edited in 2009 by the Lebanese Ministry of Finance, at the end of December 2008, there were 53 active commercial banks and 12 specialized medium-and long term credit banks, 45 financial institutions, 11 financial intermediaries, and 2 leasing companies in the Republic.

Foreign banks were well represented with 9 institutions. Foreign banks have traditionally established in Lebanon, with either receiving a banking license or operating through a representative office or acquiring participations in the capital of Lebanese banks.

Some credit facilities virtually available to the communities are the banks. Few banks offer small credit and none does it without any collateral. Therefore only those owning a boat or some other valuable good, can afford to ask for a loan. The interest rates vary between 25% and 30% according to the length of the repayment period (normally 16/18 months) and the amount of the instalments.

Although the bank loans don't seem to be more expensive than the amounts granted/lent by the fish sellers (also considering the market distortion connected with the impossibility to choose dealers/other markets), fishermen prefer to rely on the fish-sellers for their loans. The reason is because they are afraid not to be able to repay some of the instalments and consequently loose the collateral.

3. LABOUR CONTEXT IN THE FISHERY SECTOR

3.1 Institutional framework (Responsible Ministries, Fisheries Directorate)

The Ministry of Social Affairs in Lebanon was created in 1993 by Law Number 212 and modified by Law Number 327 and Decree Number 5734.

The Ministry of Social Affairs includes the following Departments:

- Administrative Department (al-Diwan)
- Department of Planning and Research
- Department of Accounting
- Department of Development Services
- Department of Disabled persons
- Department of Social Welfare
- Department of Private Associations & Institutions
- Department of Family Social Services
- Department of Handcrafts
- Department of Social Development

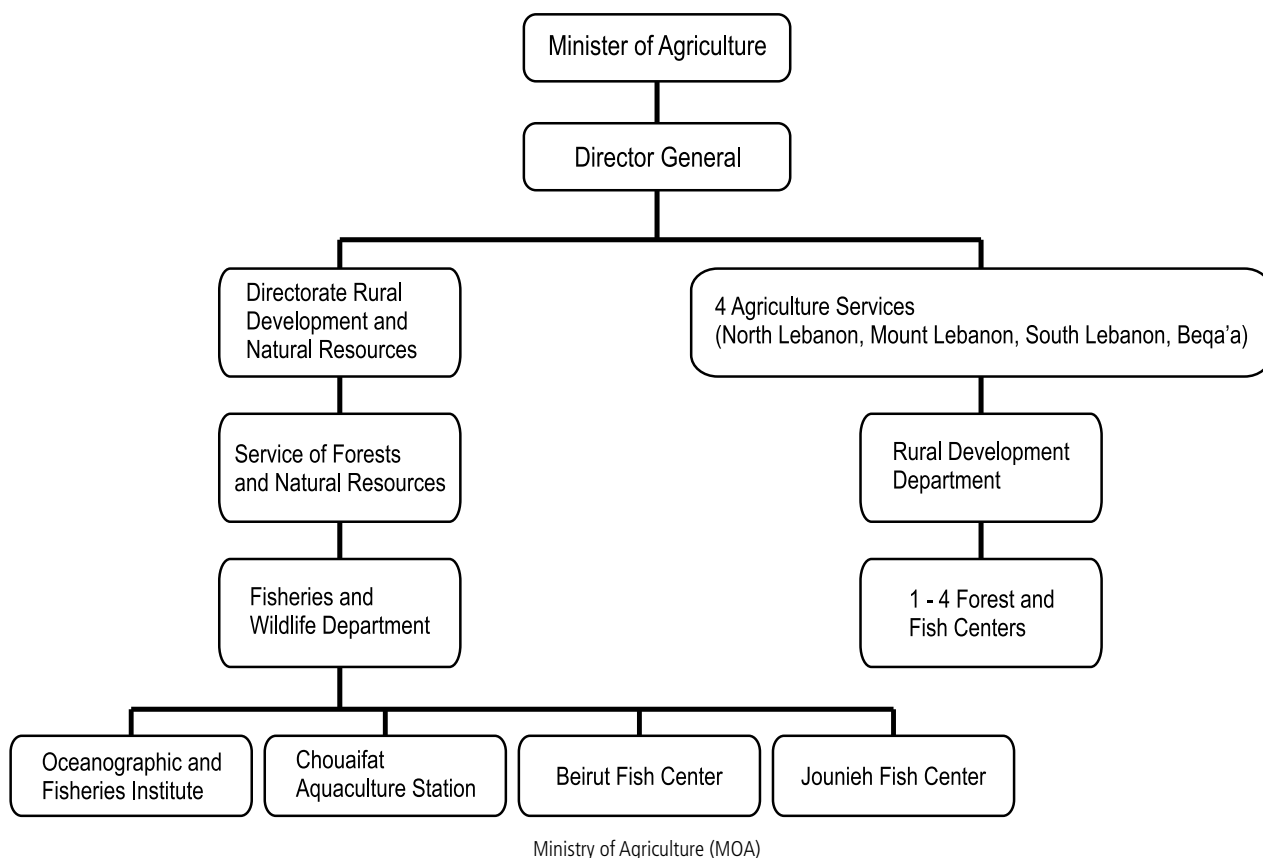
The Ministry of Agriculture (MOA) was founded in 1943 but regulations concerning the fisheries sector date since 1921. Decree 1104 dated November 14th, 1921 forbids fishing within ports and basins, use of explosives and other fishing techniques, discharging industrial residues into the sea, while trawling is prohibited by the 1929 law n.2775. Both fixed fines and imprisonment are levied in case of infringement.

The Department of Fisheries and Wildlife at the MOA is responsible for the regulation of the fishery sector (specification of fish size, forbidding fishing in some areas, controlling fishing tools and techniques, and determining the fishing season).

The Department is directly in charge of the Oceanography and Fisheries Institute at Batroun, North Lebanon, the Chouaifat Aquaculture Station and the Beirut and Jounieh Fish Centers, while it is responsible for providing technical advice for two aquaculture research stations and seven Fish Centers around the country. In addition, the MOA is mandated to issue fishing and diving permits. Despite many decisions promulgated since the nineties by the Minister of Agriculture, most of legislative texts related to fisheries date from the thirties. Furthermore, the MOA is understaffed and is currently unable to fulfil its tasks and mandates.

The legal framework of the fisheries sector suffers from the overlapping mandates of different national authorities, which also lack a clear and efficient communication mechanism. In addition to the MOA, the following public authorities have mandates related to the fisheries sector.

Figure 1. Organization chart of Minister of Agriculture



Public authorities with mandates related to fisheries sector:

- Ministry of Public Works and Transportation: Seaworthiness and sailing licensing for fishing vessels and issues licenses/passports to fishermen;
- Lebanese Central Administration of Statistics: Producing statistics related to natural wealth including agriculture;
- Ministry of Finance: Maintains and publishes fish trade data (imports & exports);
- Ministry of Environment: Protection of biodiversity and species from the risk of extinction;
- Ministry of Health: Quality of fisheries products for human consumption;
- Ministry of Defense: law enforcement;
- Ministry of Interior and Municipalities: law enforcement.

3.2 The employment in the fishery sector

The fishermen of Lebanon are classified as small-scale, artisanal, and are traditionally based on bottom stationary gears (trammel nets and longlines), purse seine nets, and beach seines. It was estimated that in mid 1990s there was around 4.000 traditional small-scale fishermen distributed all over the Lebanese coast.

Data on full-time workers, part-time and occasional fishermen are not available.

According to the National Survey of Household Living Conditions (2004-2005), the composition of workers in the Republic (pursuant to the categorization adopted by the International Labour Organization) is the fol-

lowing: skilled workers 16.8 %; unskilled workers 11.3 %; general and corporate managers 11.9 %; service sector workers and salespersons 11.8 %; specialists 10.3 %; drivers 8.4 %; office employees 7.5 %; intermediate professions 9.7 %; and skilled agricultural and fishery workers 4.7 % (Lebanon Ministry of Finance, 2010).

The 2004/5 census showed that the active fleet consists of 2.662 vessels, 217 vessels were not motorized. Fishing operations, with the exception of longlines, are mostly carried out at depths of up to 50m.

In mid 1990s there were around 4.000 traditional small-scale fishermen distributed all over the Lebanese coast. The average annual income of the fishermen, in 1998, was equivalent to US \$800. These fishermen have no access to institutional lending.

In Lebanon, fishing is usually artisanal and small scale. It supports about 30.000 fishermen (IUCN/Green Line, 2006) who catch on average 8.000 tons of fish per year (FAO, 2006). The 2004/2005 census showed that there are a minimum of 4.475 fishermen operating the fishing fleet; while the usual number is 6.480. This number increases to 9.575 fishermen during peak seasons.

The hostilities and the oil spill hit strongly the fishermen' activities and welfare. The hostilities damaged a large number of boats (about 330 boats were damaged in Ouzaii port only) and halted fishing activities until 8th September, 2006. On the other hand, the oil spill caused:

- direct damages: the boats and gears oiling often resulted in engine damage and ultimately, in a partial decline of fish supply (FAO, 2006);
- indirect damages: the actual fish contamination or the perception of its effects on health reduced the overall demand for fish consumption. This caused a decline of fish price and catch. (World Bank, 2007).

Practically (99,9%) all fishermen are Lebanese and the 86% have a Fishermen License. Fifty percent of the fishermen are less than 45 years old (2004/5 Census).

About 79% of vessels only have one owner and the 80 % of the owners are operators.

3.3 Organizations of representation

Fishermen are organized into five Fishermen Syndicates (North, Beirut, Ouzai, Saida, South) each one operating in a different area of the country. There is no jurisdiction about these organizations and the membership is voluntary.

The five fishermen syndicates along the Lebanese coast (Majdalani, 2005):

- South Lebanon Fishermen Syndicate (271 vessel owners/operators);
- Saida Fishermen Syndicate (99 vessel owners/operators);
- Ouzaii and Neighboring Ports Fishermen Syndicate (24 vessel owners/operators);
- Beirut and Suburbs Fishermen Syndicate (235 vessel owners/operators);
- North Lebanon Fishermen Syndicate (388 vessel owners/operators).

Efforts in developing management strategies for the fisheries sector are sporadic at best. Currently, no clear management activities exist in terms of species and fishing seasons. Fishermen exploit stocks as long as it is possible using all available gear.

Control on gear type usually depends on the political situation in the country and on the area. Regarding the stock assessment, no national system is in place and baseline data is almost absent. The MOA tries its best to evaluate the sector including its economic potential but it is hampered by the lack of resources and political support.

The latter usually leads to restricted funding and therefore to the inability to develop and implement proper management of the resource. Nevertheless, the Department of Fisheries and Wildlife invited the Cooperatives and Syndicates of Fishermen to discuss and contribute to the new 'Fisheries Law' to be submitted to parliament. Actions of that nature are welcomed and encouraged in order to install a feeling of ownership among the stakeholders. It is worthy to mention, at this stage, that neither the Cooperatives, nor the Syndicates are mandated in any form to contribute to the management of the resources on which they depend for their livelihoods.

Their involvement is dependent on their lobbying pressure or on the willingness of the Ministry to engage them in the regulatory process of the sector. The role of Cooperatives and Syndicates mainly revolves around managing International Aid that is bestowed on fishermen. In addition, there are very few awareness building and training activities for fishermen on the importance of sustainably managing of the resource, and therefore, little has been achieved in resource conservation.

3.4 The regulation on the work relationships

The Labour Code is the law of 23 September 1946 (last amended by law number 207 on 26/5/2000). But the Law of Maritime Commerce (Law of 18 February 1947, amended by Law 107 on 23/7/1999) is the regulation that governs working conditions of seafarers and of fishermen. There are no other regulations about the Labour contract of this category of workers.

Several clauses of the Law of Maritime Commerce mention the Labour contracts on fishing vessels: this law includes 381 articles and the ones that mention the seafarers contract, rights and obligations are articles 128 –162.

3.5 Engagement

In Lebanon, there is no collective agreements in the marine fisheries sector. The contract should contain date and place of contract, its duration, position of seafarer, date of service (Law of Maritime Commerce, Article 130).

The Articles 153-162 of the Law of Maritime Commerce talk about conclusion and termination of the contracts. This could be due to expiry of contract, death, court termination, and firing of seafarer. The articles mention details of these and rights and obligation of seafarers.

3.6 Remuneration

The contract should contain the method of wage/profit, if is based or not on profit sharing payment (Law of Maritime Commerce, Article 130). Moreover, the articles mention the obligations of the seafarer, conditions of payment of wage/profit share, and advance payments.

The Law of Maritime Commerce governs the Labour contracts on fishing vessels, but there are no mentions on the minimum wages, which in Lebanon is LL 500.000 (approximately US\$ 333) as per Law number 63 of December 31, 2008.

The estimated monthly income is \$200-300 (below poverty line).

3.7 Working hours

The Law of Maritime Commerce governs the Labour contracts on fishing vessels, but there are no mentions on hours of work.

3.8 Breaks and rest

The Law of Maritime Commerce governs the Labour contracts on fishing vessels, but there are no mentions on rest periods.

3.9 Leaves

The Law of Maritime Commerce governs the Labour contracts on fishing vessels, but there are no mentions on leaves.

3.10 Recruitment of foreign fishermen (and Residence permit)

The nationality of the fishermen is > 99% Lebanese.

The Article 4 of the Law of 18 February 1947, amended by Law 107 on 23/7/1999, states that the Lebanese ships have the exclusive right of fishing on the national coast (except international agreements on fisheries).

The Organization of Foreign Labour is governed by the Decree 17561 of 18/9/1964, last amended by Decree 1582 of 25/4/1984

The Law regarding Entrance, Residence, and Exiting Lebanon was enacted on 10th July of 1962.

3.11 Measures of income support benefits

The Code of the Social Security (Decree No. 13955 of 26 September 1963, last amended by Law Number 483 of 12/12/2002) although mentions seafarers as beneficiaries, it is not yet implemented for them and there are no regulations regarding social security specifically in the fisheries sector.

The National Sickness Insurance Fund mentions seafarers as beneficiaries, but it isn't yet implemented for them.

Law of Maritime Commerce (Law of 18 February 1947) mentions the pre-appointment medical examination of seafarers and injuries/illness/death during work.

3.12 Unemployment allowance

There are no regulations on unemployment allowances specifically for the fishery sector.

3.13 Sickness indemnities

There are no regulations on sickness indemnities specifically for the fishery sector.

3.14 Family benefits

The Code of the Social Security (Decree No. 13955 of 26 September 1963, last amended by Law Number 483 of 12/12/2002) although mentions seafarers as beneficiaries, it is not yet implemented for them and there are no regulations regarding social security specifically for the fishery sector.

3.15 Professional accidents and disease

The Decree N° 11802 of 30 January 2004 is concerned with the Regulation of the Protection, Safety, and Professional Health in all institutions that are governed by Labour Law. In principle, all employees, other than civil servants, are governed by this law.

The law of Maritime Commerce (Law of 18 February 1947) mentions the pre-appointment medical examination of seafarers and injuries/illness/death during work.

3.16 Occupational accidents

The Article 151 of the law of Maritime Commerce (Law of 18 February 1947) mentions that permanent disability is covered by "Work Accidents Law".

The Decree No. 136 of 16 September 1983 is Titled "Work Accidents". It was last amended by Law number 220 of

29/5/2000. This is concerned with all employees.

There is no data about occupational accidents, since the Ministry of Labour does not collect such data. However, it should be noted that although fishermen are not covered by Social Security, yet hospitalization is covered by the Ministry of Health for any Lebanese who does not have medical insurance of any kind.

3.17 Work related sickness

The Ministry of health covers any sickness/illness that requires hospitalization.

3.18 Pensions performances

There are no regulations on disability pension specifically in the fisheries sector.

The Article 151 of the law of Maritime Commerce (Law of 18 February 1947) mentions that permanent disability is covered by "Work Accidents Law" (Legislative Decree No. 136 of 16 September 1983).

The Code of the social security (Decree No. 13955 of 26 September 1963, last amended by Law Number 483 of 12/12/2002) although mentions seafarers as beneficiaries, it is not yet implemented for them and there are no regulations regarding social security specifically for the fishery sector.

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- Decree 17561 of 18/9/1964
- Decree No. 136 of 16/9/1983
- Decree 1582 of 25/4/1984
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1 DONNEES DE PECHE

La production de la pêche maritime a enregistré un considérable accroissement des captures qui ont augmentées de 570.000 tonnes en 1990 jusqu'à 1.000.000 de tonnes en 2008 (source FAO). En 2009 la production halieutique nationale a rejoint 1.160.903 tonnes (source Département de la Pêche Maritime).

1.1 Production

Les principaux stocks de poissons exploités par la flotte nationale sont composés de espèces pélagiques (sardine, maquereau, chinchard, anchois et sardinelle); grands pélagiques (thon rouge, melva, bonite et espadon) ; espèces démersales(crevettes rose et royale, langoustine, langouste, homard, crabe et cigale; poulpe, calmar et seiche; merlu, daurade, pageot, sole, loup, grondin, ombrine, requins, raies, etc.).

Plus de 96% de la production provient du versant atlantique, là où les captures sont caractérisées par l'abondante présence de sardine, maquereau, poulpe, chinchard, anchois et sardinelle. Sur le versant méditerranée, les espèces plus nombreuses dans les captures sont le maquereau, la sardine, la bogue.

La sardine (*Sardina pilchardus*) est l'espèce la plus abondante: en 2008, représentait 66% du total des captures, 98% de celles-ci effectuées en Atlantique.

Table 1. Evolution de la production halieutique nationale de 2003 à 2008 en poids (tonnes)

Type de pêche	2003	2004	2005	2006	2007	2008
Pêche côtière et artisanale	865.473	862.390	865.378	702.322	680.362	779.386
Poisson pélagique	742.957	748.058	742.354	579.041	566.110	657.478
Céphalopodes	21.369	16.348	28.916	28.466	26.786	36.120
Poisson blanc	95.502	91.985	85.957	87.461	79.555	79.639
Crustacés	5.368	5.405	5.357	5.046	6.718	5.501
Coquillages	277	594	2.794	2.308	1.193	648
Pêche hauturière	67.473	75.480	113.215	90.375	88.457	114.901
Céphalopodes	17.894	13.717	42.302	35.506	24.029	40.782
Poisson blanc	13.637	12.045	18.076	19.378	21.685	17.528
Crevettes	5.949	4.020	4.158	3.657	4.014	5.763
Poisson pélagique	29.993	45.698	48.679	31.834	38.729	50.828
Affrètement		707	43.101	71.294	106.650	113.498
Autres activités	13.674	15.454	16.180	17.165	15.394	11.214
Algues	11.131	13.126	12.812	14.870	12.373	9.037
Aquaculture	1.078	975	1.466	291	441	214
Corail	11	6	3	2	1	4
Madragues	1.454	1.347	1.899	2.002	2.579	1.959
Total	946.620	954.031	1.037.874	881.156	890.863	1.018.999

Source: Département de la Pêche Maritime

La production de la pêche maritime a enregistré, dans les derniers dix ans, un accroissement des captures supérieur à 23% : 932.000 tonnes en 2000 jusqu'à 1.160.000 de tonnes en 2009. On remarque que il y'a été une forte diminution en 2006 et 2007, à savoir de 15% et de 14% par rapport à la production de 2005, imputable à la réduction des captures des petits espèces pélagiques, notamment sardine, maquereau et sardinelle.

En réduction résultent les captures de poisson blanc de la pêche côtière et artisanale avec une baisse de 17% entre les réalisations de l'année 2003 et celles de 2008.

Dans la même période, au contraire, les captures de céphalopodes ont augmenté de 69% pour la même catégorie.

Le tableau suivant montre la production halieutique du Maroc selon le type de flotte en 2009, les données sont regroupées par typologie de pêche.

Table 2. Production halieutique nationale en 2009 en poids (tonnes)

	Quantités en tonnes	Valeurs en millions dirhams
Côtière et artisanale	884.624	4.033.622
Hauturière	142.935	2.718.263
Autres activités	12.592	260.727
Affrètements	120.752	151.104
Total	1.160.903	7.163.716

Source: Département de la Pêche Maritime

Au cours de dernières années, notamment de 2000 jusqu'à 2009, l'évolution de la valeur de la production de la pêche côtière et artisanale montre un accroissement de 35%, mais il faut noter que la valeur de la production en 2009 a baissé de -6% par rapport à l'an précédent.

La valeur de la production de la pêche hauturière a enregistré aussi un accroissement de 86% de 2003 à 2009, avec une réduction de -26% entre le 2008 et le 2009.

Table 3. Evolution de la production halieutique nationale de 2003 à 2008 en valeur (en mille Dirhams)

Type de pêche	2003	2004	2005	2006	2007	2008
Pêche côtière et artisanale	2.995.173	3.042.803	3.403.747	3.546.094	3.493.994	4.273.213
Poisson pélagique	1.222.249	1.250.354	1.256.898	1.347.242	1.302.916	1.481.859
Céphalopodes	630.749	514.266	913.244	884.987	887.977	1.445.394
Poisson blanc	980.876	1.068.661	1.044.452	1.121.971	1.082.235	1.132.269
Crustacés	159.499	208.010	182.399	186.188	217.587	211.571
Coquillages	1.800	1.512	6.754	5.706	3.280	2.120
Pêche hauturière	1.458.222	1.264.813	3.037.149	2.721.594	2.515.741	3.674.503
Céphalopodes	988.188	768.450	2.398.710	2.066.010	1.625.894	2.689.255
Poisson blanc	83.866	71.567	134.000	155.026	286.247	205.246
Crevettes	369.960	383.379	438.082	460.361	530.809	694.603
Poisson pélagique	16.208	41.417	66.357	40.197	72.791	85.399
Affrètement		1.131	48.036	77.368	97.647	141.506
Autres activités	249.462	206.937	267.322	235.861	347.177	328.782
Algues	78.218	90.330	96.094	104.089	122.942	88.113
Aquaculture	38.316	36.222	60.631	8.477	11.730	7.603
Corail	10.743	7.675	4.040	1.309	1.451	3.996
Madragues	122.185	72.710	106.557	121.986	211.054	229.070
Total	4.702.857	4.515.684	6.756.254	6.580.917	6.454.559	8.418.395

1.2 Import

Les importations de produits alimentaires se sont établies en 2008 à 31.863,6MDH contre 26.726,4MDH en 2007, soit +19,2% ou +5.137,2MDH, pour un volume en retrait de 1,2% (8.477,8mt contre 8.578mt). La part des produits alimentaires dans le total des importations a baissé à 9,8% contre 10,2% en 2007.

Les produits de la mer (poissons, crustacés, invertébrés aquatiques) représentent 1% du poids des importations alimentaires et 2% en valeurs en 2009.

Les importations des produits de la mer du Maroc ont observé une augmentation soutenue jusqu'à l'année 2009. Elles sont passées d'un volume de 840 tonnes en 1993 à 46.000 tonnes en 2009 et d'une valeur de 15 millions de dirhams à 630 millions pour la même période.

1.3 Exportations

Pour ce qui concerne l'apport du secteur de la pêche dans la balance commerciale du Maroc on fait référence aux données fournies par l'Office des changes (Commerce extérieurs du Maroc 2008).

Le CA global à l'export était de 13 milliards de dirhams en 2008 et 12 milliards de dirhams en 2009 (chiffres provisoires). 70% de ce chiffre est réalisé par l'industrie de congélation et de conserve.

La structure des exportations a été prédominée en 2008 par trois groupes de produits qui ont représenté 72,5% du total des exportations contre 76,3% en 2007. Il s'agit des demiproduits (34,1% contre 28,3%), des produits finis de consommation (21,6% contre 28,7%) et des produits alimentaires (16,8% contre 19,3%). Les produits de la mer ont représenté 8,5% du total en 2008.

En 2008, les exportations de produits alimentaires se sont élevées à 26.197,7MDH contre 24.161,7MDH en 2007, enregistrant une hausse de 8,4% ou +2.036MDH. Leur part dans le total des exportations a baissé à 16,8% au lieu de 19,2% une année auparavant.

Cette évolution résulte essentiellement de la progression des ventes de poissons en conserve (+16% ou +625,1MDH), de crustacés, mollusques et coquillages (+7,2% ou +372MDH), de conserves de légumes (+33,6% ou +370,9MDH) et d'agrumes (+6,9% ou +207MDH).

Le tableau suivant montre les exportations de produits alimentaires en poids et en valeur (le prix moyen de la tonne est déterminé sur la base de la valeur en milliers de dirhams et du poids en tonnes). La contribution des produits de la mer est de 46% en valeur.

Table 4. Evolution du prix moyen des produits de la mer (DH/Tonne)

Produits	2004	2005	2006	2007	2008
Crustacés, mollusques et coquillages	54.354	48.611	46.329	54.338	57.077
Poissons en conserve	26.217	27.060	27.733	29.837	31.019
Poissons frais	22.368	19.999	15.456	15.793	14.951

Source: Office des changes

Les ventes de poissons en conserve ont totalisé 4.524,2MDH contre 3.899,1MDH en 2007, réalisant un accroissement de 16% ou +625,1MDH pour un volume en hausse de 11,6% : 145,9mt contre 130,7mt. Ainsi, le prix moyen de la tonne exportée s'est apprécié de 4% (31.019DH/T contre 29.837DH/T de l'année précédente).

La structure des exportations se caractérise par une forte concentration autour d'une trentaine de produits qui interviennent pour 80,2% dans le total des exportations en 2008 et parmi eux dix premiers produits en constituent 66,8%.

Table 5. Evolution/destination des exportations des produits de la mer de 2003 à 2008 en poids (tonnes)

Produits/Années	2003	2004	2005	2006	2007	2008
Union Européenne	172.270	136.426	185.288	219.416	206.568	229.033
Reste de l'Europe	32.233	11.811	35.263	45.926	49.487	54.578
Asie	30.506	13.385	29.401	29.086	26.792	29.393
Moyen Orient	23.061	17.657	12.433	20.931	16.397	15.201
Amérique	14.511	12.125	12.939	33.722	35.679	44.432
Afrique	54.990	51.963	56.756	90.815	81.796	98.926
Océanie	681	621	1.905	884	774	1.570
Total partiel	328.252	243.988	333.985	440.780	417.493	473.133
Dont l'UMA	1.126	1.423	1.786	6.332	3.168	4.951
Total	329.378	245.411	335.771	447.112	420.661	478.084

Source: Office des changes

Table 6. Evolution/destination exportations des produits de la mer de 2003 à 2008 en valeur (mille DHs)

Produits/Années	2003	2004	2005	2006	2007	2008
Union Européenne	6.236.955	5.107.064	6.605.151	7.938.027	8.324.722	9.012.440
Reste de l'Europe	225.602	90.022	234.944	329.172	362.927	476.925
Asie	1.449.709	416.769	925.434	831.122	1.084.545	1.115.232
Moyen Orient	325.876	264.289	211.199	368.755	324.326	333.404
Amérique	357.995	322.666	338.327	429.824	363.100	546.532
Afrique	908.074	913.677	1.015.174	1.354.194	136.195	1.655.114
Océanie	23.757	24.720	38.750	35.898	28.414	32.404
Total partiel	9.527.968	7.139.207	9.368.979	11.286.992	10.624.229	13.172.051
Dont l'UMA	14.215	15.527	24.771	46.898	51.325	61.512
Total	9.542.183	7.154.734	9.393.750	11.333.890	10.675.554	13.233.563

Source: Office des changes

Table 7. Ventilation des exportations en 2009

Produits	UE	Afrique	Asie	Amérique
Congélation	53%	11%	56%	36%
Conserve	17%	87%	24%	30%
Semi- conserve	10%	0%	1%	17%
Frais	15%	0%	10%	5%
Farine et huile	3%	2%	3%	5%
Autres	2%	0%	6%	7%

Source: Département de la Pêche Maritime

1.4 Consommation humaine par habitant

Témoignant d'une véritable tradition maritime, le marché local de poisson frais est approvisionné par la pêche côtière et dans une faible mesure par la pêche artisanale.

En effet, la pêche côtière assure près de 80% de la production nationale en volume, soit plus de 900.000 tonnes de poisson débarqué. Aussi, 80% de ces débarquements sont constitués essentiellement de poissons pélagiques destinés à l'approvisionnement de l'industrie de valorisation des produits de la mer. 20% restant alimente le marché local de la consommation à travers un réseau de halles réparties dans tous les ports du Royaume.

Cependant, la flotte artisanale débarque des produits de qualité, destinés soit à la consommation locale, soit à l'approvisionnement de l'industrie de valorisation.

La consommation par habitant et par an est comprise entre 7,5 et 9 Kg.

Moderne et hautement spécialisée, la pêche congélative est constituée principalement des navires céphalopodes et crevettiers. La pêche congélative est fortement exportatrice et oriente ses produits principalement sur les marchés japonais et européens.

1.5 Pêcheurs et travail indirect

Selon les données du Département de la pêche maritime le nombre total des marins employés directement dans la pêche a été, en 2009, de 111.959, opérant en majorité le long de la côte atlantique.

Table 8. Evolution de la composition de marins embarqués par genre de navigation de 2003 à 2008

Genre de navigation	2003	2004	2005	2006	2007	2008
Pêche (navires marocains)	114.182	115.165	105.991	107.393	113.365	110.879
Pêche hauturière	7.399	9.158	9.103	9.039	9.216	8.535
marins marocains	5.538	6883	6828	6.980	7.072	6.470
Officiers marocains	1.325	1.658	1.649	1.641	1.746	1.675
Pêche côtière	61.593	57.972	58.209	57.335	59.428	54.998
marins et officiers	61.593	57.972	58.209	57.335	59.428	54.998
Pêche artisanale	45.190	47.643	38.389	41.019	44.721	47.346
canotiers actifs	45.190	47.643	38.389	41.019	44.721	47.346
Marins marocains à bord des navires de pêche étrangers	19	392	290	861	424	589
Navires d'Etat	235	204	207	215	222	230
Recherche scientifique	17	15	16	30	31	31
Marins	5	5	12	22	22	22
Officiers	12	10	4	8	9	9
Navires d'école	90	89	88	76	73	73
Marins	67	65	42	47	52	53
Officiers	23	24	46	29	21	20
Sauvetage	128	136	107	109	118	126
Marins	63	69	50	51	56	56
Officiers	65	67	57	58	62	70
Total général	111.436	115.405	106.202	108.469	114.011	111.698

Source: Département de la Pêche Maritime

1.6 Ports de pêche

Répartis sur le long du littoral, les ports de pêche au Maroc s'élevaient à 22 dont 6 sur la côte méditerranéenne (Ras Kebdana, Nador, Al Hoceima, Jebha, M'Diq et Tanger) et 22 points aménagés dont 3 en méditerranée (Sidi Hssaine, cala Iris et Fnideq).

Le tableau suivant regroupe les principaux ports répartis par nombre d'embarcations (pêche côtière et hauturière).

Table 9. Flotte immatriculée par port d'attache

Ports d'attache	Flotte hauturière			Flotte côtière			Flotte artisanale
	nombre	TJB	PM	nombre	TJB	PM	
Méditerranée				567	20.660	136.630	2.752
Nador				282	10.790	71.366	1.069
Al Hoceima				136	5.676	38.203	610
Jebha				12	170	1.182	426
Oued Laou				26	73		
Martil				16	84	303	
M'Diq				95	3.867	25.576	647
Atlantique	451	146.043	458.343	1.995	96.940	570.516	12.618
Tanger	32	7.327	27.956	353	14.653	87.038	376
Asilah				33	623	4.444	104
Larache				128	5.576	38.301	205
Kénitra	9	1.441	6.780	93	4.727	29.947	338
Rabat				5	121	391	205
Mohammedia				72	2.906	18.874	270
Casablanca	73	21.355	72.471	232	12.306	69.201	253
El Jadida				83	3.461	22.222	1.648
Essaouira				86	4.248	24.921	624
Safi	1	314	1.250	351	13.554	87.776	1.098
Agadir	267	93.032	271.558	342	22.417	121.547	1.457
Sidi Ifni	1	154	836	24	1.624	8.943	496
Tan Tan	44	14.586	51.840	121	6.027	31.276	183
Laâyoune	10	2.821	9.650	51	3.473	19.291	443
Boujdour							1829
Dakhla	14	5.014	16.002	21	1.224	6.345	3.089
Total	451	146.043	458.343	2.562	117.600	707.146	15.370

Source: Département de la Pêche Maritime

Aux ports de pêche et points aménagés se somment nombreux sites de pêche à partir desquels opère la pêche artisanale, ils sont estimés à 150 sites dont 73 en Méditerranée (FAO).

1.7 Flotte de pêche

Présente dans toutes les pêcheries et dans toutes les zones de pêche, de Saïdia à Laguirra, la flotte marocaine est très

diversifiée.

La flotte artisanale est constituée des petites embarcations en bois de 5 à 6m, équipées de moteurs Hors-bord, ayant un tonnage inférieur à 2tjb et pratiquant la pêche fraîche.

Leur nombre a augmenté de manière significative à partir des années 80, passant de 3600 en 1981 barques à 15428 en 2007. La flotte de pêche artisanale active en 2009 a été composée par 14.291 unités. 10.598 barques opèrent en Atlantique et 2.427 en Méditerranée (Source: Département de la pêche maritime).

Quoiqu'ils soient présents 22 ports de pêche et 22 points aménagés le nombre de sites de pêche à partir desquels opère la pêche artisanale est estimé à 150 sites dont 73 en Méditerranée (FAO).

La flotte de pêche côtière opérationnelle est composée d'unités dont le tonnage est inférieur à 150 tjb et armée à la pêche fraîche ou réfrigérée. Une petite flotte côtière s'est équipée de système de congélation à bord.

Elle est répartie en Senneurs, Chalutiers, Palangriers, Alguiers, Corailleurs, Langoustiers, Madraguiers et unités mixtes de 15 à 25m de longueur, construite localement en bois. Cette flotte, caractérisée par sa vétusté et son faible niveau de technicité, joue un important rôle économique et social tant au niveau national que régional.

Elle représente par ailleurs, le principal fournisseur du marché local de pêche fraîche et des conserveries.

La flotte de pêche côtière active en 2009 a été composée par 1.840 unités (Source: Département de la pêche maritime).

En 2009 on avait 633 chalutiers, 628 senneurs, 555 palangriers et 24 autres. 1.509 bateaux opèrent en Atlantique et 331 en Méditerranée.

En relation à cette flotte, il est intéressant de signaler que l'âge moyen de ses navires est de plus de 20 ans.

La flotte hauturière a connu un développement rapide à partir de 1973 grâce aux encouragements de l'état. Elle est composée en 2009 de 339 unités, 338 bateaux opèrent en Atlantique et 1 seul en Méditerranée. Elle est composée principalement de chalutiers congélateurs construits en acier, de longueur supérieure à 24 m, d'un tonnage supérieur à 150 tjb.

Cette flotte cible les céphalopodes (poulpe, seiche et calmar). Sa production est exclusivement orientée vers le marché extérieur.

En 2009 on avait 260 céphalopodiens opérationnels, 60 crevettiers, 10 chalutiers pélagiques et 9 navires réfrigérés.

1.8. L'industrie de transformation des produits de la pêche

L'industrie de transformation des produits de la mer au Maroc est très développée et active sur différents types. Les principales branches d'activités du secteur de l'industrie de la pêche sont la conserve, la semi-conserve, la congélation, le conditionnement à l'état frais, la fabrication d'huile et farine de poisson, le traitement des algues marines.

Actuellement 422 unités sont présentes au Maroc dont 406 agréées UE, réparties comme suit:

Table 10. Etablissement de transformation par type

Type	Nombre
Congélation	190
Frais	76
Conserve	45
Semi-conserve:	34
Farine et huile	25
Autres	52
Total	422

Source: Département de la Pêche Maritime

Le tableau suivant montre la répartition géographique des établissements de transformation

Table 11. Répartition géographique des établissements de transformation

Zone	Nombre
Méditerranée:	70
Atlantique Nord:	122
Atlantique centre:	105
Atlantique Sud:	125
Total	422

Source: Département de la Pêche Maritime

Dans l'industrie de la pêche c'est l'activité de la conserve qui occupe le premier rang. Pour ce qui concerne les conserveries, selon les données, en 2002 (CABINET SEDDIK, 2003) 15 étaient localisées à Safi et 15 à Agadir, soit 70% du total des conserveries. Employant près de 21.000 personnes dont pas moins de 15.000 femmes, les conserveries nationales ont réalisés un chiffre d'affaires global de 2,4 milliards de dirhams dont près de 80% à l'export. Les quantités de poissons traités par ces unités en 2002 ont porté sur 230.000 tonnes d'espèce pélagique pour produire environ 105.000 tonnes de conserve. 4 nouvelles unités ont été construites en 2002 pour un investissement global de l'ordre de 100 M.Dh ayant créé plus de 2.500 postes d'emploi. En 2008 les conserveries nationales ont traité 322.000 tonnes de matière première. Le chiffre d'affaire à l'export a atteint 3.5 milliards de dirhams pour l'année 2008. Une seule unité a été créée en 2008 pour un investissement global de l'ordre de 30 millions de dirhams ayant créés 500 emplois.

En ce qui concerne l'activité de la semi-conserve, en 2002, elle été pratiquée surtout à Agadir où étaient installées 13 unités de production, 4 unités à Oujda et 3 à Larache. Le reste était réparti entre d'autres villes telles que Nador, Tétouan, El Jadida, Tanger, Kénitra et Chefchaouen à raison d'un établissement par ville. Ces établissements qui emploient près de 6.000 personnes, font appel, principalement, à une main d'oeuvre féminine qualifiée. Leur activité consiste, essentiellement, en la salaison et la transformation de l'anchois. Elles ont produit, en 2002 environ 15.000 tonnes de semi-conserves, nécessitant le traitement de 40.000 tonnes de poissons. Les unités de production de semi-conserve ont générés, en 2002, un chiffre d'affaires de 720 millions de dirhams, réalisés presque entièrement à l'exportation.

En 2008, la reprise de pêche de l'anchois qui concerne cette branche, a confirmé le reprise enregistrée en 2007 par rapport aux quatre années ultérieures avec près de 20.000 tonnes de débarquement, ce qui a contribué à l'amélioration de l'approvisionnement des unités de semi-conserve.

Les exportations de semi-conserve ont réalisé pour la première fois, 1 milliards de dirhams, enregistrant une augmentation de 10% par rapport à l'année 2007.

Une seule unité de semi-conserve a été créée en 2008 pour un investissement global de l'ordre de 30 millions de dirhams ayant créés 400 emplois.

L'activité de la congélation en 2002 était assurée par 152 unités dont le plus grand nombre était localisé dans deux villes, à savoir Dakhla (74 unités) et Agadir (34 unités). Les autres villes abritant des unités de cette activité sont Nador, Laâyoune, Casablanca, Tétouan, Tanger et Tan Tan. Les établissements de congélation à terre qui emploient plus de 6.000 personnes ont traité, en 2002, plus de 70.000 tonnes de poissons, alors que les navires hauturiers congélateurs traitent environ 80.000 tonnes de poissons, essentiellement, les céphalopodes. Avec un investissement global de 300 M.Dh et la création de 42 nouvelles unités, générant 1.500 emplois, l'activité de la congélation a pu réaliser une production de 70.000 tonnes en 2002 et un chiffre d'affaires de plus de 3 milliards de dirhams.

L'industrie de congélation a enregistré des performances appréciables en 2008, en volume et en valeur, jamais réalisées.

La quantité traitée en 2008 est estimée à 92.000 tonnes, en hausse de 57% par rapport à l'année 2007.

La valeur des exportations totales du congelé (congélation à terre et en mer) s'est élevée à 6 milliards de dirhams.

Les résultats positifs de la congélation des petits pélagiques, sont dus essentiellement à l'impact du programme de reconversion des unités de congélation de Dakhla et de Laâyoune, dont les exportations de la sardine congelée a quadruplé entre les années 2005 et 2008.

Le montant des investissements dans la congélation s'élève à 72 millions de dirhams et plus de 300 postes d'emploi créés.

Les établissements de conditionnement à l'état frais, en 2002, étaient concentrés surtout à Casablanca (20 unités) et à Agadir (12 unités) sur un total de 76 unités. Cette branche qui emploie plus de 2.000 personnes et traite environ 35.000 tonnes de matière première, a généré un chiffre d'affaires de 1,3 milliards de dirhams, principalement à l'export, avec pratiquement le seul marché de l'Union européenne (99%), étant donné sa proximité et sa demande en produits frais et de qualité. Cette activité a connu en 2002 l'implantation de 7 nouvelles unités qui ont nécessité un investissement de plus de 25 M.Dh et qui ont généré 100 nouveaux postes d'emploi.

L'activité de conditionnement du poisson frais a traité 35.000 tonnes en 2008.

Le chiffre d'affaires à l'export des produits frais en 2008 s'élève à 1,6 milliards de dirhams.

L'investissement réalisé dans le conditionnement du poisson frais en 2008, est de 105 millions de dirhams pour neuf nouvelles unités et 240 postes d'emploi créés.

Les unités de production de la farine et huile de poisson ont été établies, en 2002, à Laâyoune (7 unités), à Agadir et Tan Tan (5 unités chacune), à Essaouira, Safi et Tarfaya (2 unités). Cette branche emploie environ 1.000 personnes et a réalisé, en 2002, un chiffre d'affaires de près de 450 millions de dirhams. Cette activité a traité en 2002 près de 350.000 tonnes de petits pélagiques et réalisé une production d'environ 87.500 tonnes dont 80% de farine de poisson, écoulées presque exclusivement sur le marché local pour l'alimentation de la volaille. Néanmoins, et malgré tous

les efforts déployés pour la modernisation de ces unités de production, elles restent confrontées à des difficultés qui ont trait à l'irrégularité de l'approvisionnement des industries de transformation des produits de la mer, à la faiblesse de la consommation locale et à l'absence d'une véritable politique pour la promotion de nos produits, visant le renforcement de notre présence sur les marchés extérieurs.

La quantité traitée par cette industrie a atteint 260.000 tonnes en 2008 enregistrant une hausse de 45% par rapport à l'année 2007.

Le chiffre d'affaires à l'export pour l'année 2008 est de 482 millions de dirhams pour la farine et 300,7 millions de dirhams pour l'huile de poissons.

1.9 Exportations vers l'UE/ Numéro UE/ établissement agréé

Les exportations de poissons en conserve ont été effectuées principalement à destination de la France avec 582MDH, de l'Espagne (542,6MDH) et de l'Italie (486,7MDH).

Les exportations de crustacés, mollusques et coquillages se sont chiffrées à 5.536,8MDH contre 5.164,8MDH en 2007, marquant ainsi une hausse de 7,2% ou +372MDH. En volume, elles n'ont enregistré qu'une légère hausse de 2,1%: 97mt contre 95mt. Le prix moyen de la tonne exportée s'est, en conséquence, apprécié de 5%: 57.077DH/T contre 54.338DH/T. La progression des exportations de crustacés, mollusques et coquillages provient essentiellement des ventes de poulpes qui ont augmenté de 19,5% ou +551,5MDH (3.373,3MDH contre 2.821,8MDH). Ventilées par pays, les exportations de crustacés, mollusques et coquillages ont été réalisées essentiellement sur l'Espagne (61,8%), l'Italie (16,2%) et le Japon (13,4%).

Les exportations de poissons frais, quant à elles, se sont établies à 2.108,7MDH contre 2.017,6MDH en 2007, soit +4,5% ou +91,1MDH pour un volume en augmentation de 10,3%: 141mt contre 127,8mt. Le prix moyen à l'exportation a baissé de 5,3% : 14.951DH/T contre 15.793DH/T en 2007.

Actuellement 406 unités de transformation des produits de la mer, présentes au Maroc, sont agréées UE.

1.10 Stratégie nationale du secteur halieutique

À la base de la stratégie de développement du secteur halieutique il y a le plan «Halieutis» qui prévoit la réalisation des objectifs bien définis à l'horizon 2020.

La réalisation des objectifs prévus par le plan Halieutis se base sur l'adoption d'idées fortes:

- La ressource halieutique, un patrimoine naturel durable: toutes les pêcheries, à intérêt commercial aménagées sur la base quotas;
- L'Aquaculture, un relais de croissance fort: pisciculture et conchyliculture, activités aquacoles phares;
- Des ports de pêche structurés et équipés au service du secteur: «Global Operateur»;
- Toutes les captures valorisées à terre: nouveau port de pêche au Sud et 3 pôles de compétitivité;
- Des flux contrôlés tout au long de la chaîne de valeur: un système de contrôle efficace.

Les axes majeurs de la stratégie envisagée sont trois:

- Durabilité: une ressource exploitée durablement pour les générations futures
- Performance: un secteur outillé et organisé pour une qualité optimale, du débarquement à la consommation
- Compétitivité: des produits bien valorisés et compétitifs sur les marchés

En termes de gouvernance chaque ligne de développement sera coordonnée par des structures appropriées:

- Gouvernance: Comité National de la Pêche
- Financement: Fond pour l'Ajustement et la Modernisation de l'Effort de Pêche
- Promotion et développement: Agence Nationale pour le Développement de l'Aquaculture
- Veille technologique: Centre de Valorisation des Produits de la Mer
- Gestion proactive: Observatoire de l'Emploi du Secteur Halieutique

L'accès à la ressource au Maroc est subordonné à l'obtention d'une licence de pêche qui donne droit à la perception d'une taxe.

La prise de conscience de la nécessité de promouvoir un mode de gestion des ressources qui tient compte de leur vulnérabilité et préserve leur équilibre biologique a conduit le Maroc à mettre en place des instruments de gestion rationnelle de son capital marin en vue d'en assurer le renouvellement et d'en garantir l'exploitation durable.

Dans le cadre de la mise en oeuvre des orientations gouvernementales et internationales en matière de nouvelle gouvernance halieutique, une approche nationale de gestion et d'exploitation durable des ressources halieutiques a été conçue et mise en oeuvre pour une gestion optimale de la ressource.

Cette approche, qui vise la consolidation de la politique de pêche responsable et d'exploitation durable des ressources et de leur écosystème marin, a permis au Maroc de renforcer sa position en tant que pays à vocation halio-industrielle pourvoyeur du marché mondial en produits de qualité à forte valeur marchande.

Les axes stratégiques émanant de ces orientations consistant à la préservation des ressources s'articulent autour de: l'optimisation de la production, la maximisation des retombées socio-économiques, la consolidation de la politique de proximité.

C'est pour atteindre les objectifs assignés à ces axes qu'un ensemble d'actions a été entrepris depuis le début des années 90, tel que l'instauration du repos biologique et le gel de nouveaux investissements en mer. D'autres sont actuellement programmées pour être mises en oeuvre au cours des prochaines années. Toutefois, ces actions sont accompagnées de contraintes auxquelles les pouvoirs publics devront faire face dans la perspective de réaliser les objectifs fixés.

Les principales actions pour optimiser la production sont:

- Lancer des programmes de modernisation et de mise à niveau de la flotte de pêche côtière et artisanale;
- Asseoir les bases pour une exploitation rationnelle et durable par la mise en place de plans de gestion et d'aménagement des pêcheries (poulpe et sardine...);
- Développer les dispositifs pour adapter l'effort de pêche au potentiel de renouvellement des ressources par la

poursuite et l'extension du programme d'aménagement et/ou de développement des pêcheries et des activités annexes (aquaculture, activités récréatives, littorales, etc.);

- Renforcer les dispositifs de contrôle et de suivi des activités de pêche;
- Poursuivre les programmes de préservation du milieu et l'écosystème marin;
- Participer davantage aux travaux des organismes régionaux de gestion des pêches;
- Renforcer la recherche scientifique préalable indispensable à toute politique d'aménagement des différentes pêcheries. Il s'agit de renforcer les moyens mis à la disposition de la recherche scientifique compte tenu des informations importantes qu'elle peut fournir et qui sont inhérentes au suivi de l'état et du niveau d'exploitation des différents stocks de poissons;
- Renforcer la surveillance et le contrôle en vue d'assurer une application rigoureuse des mesures de gestion, un contrôle et un suivi des activités de pêche.

Les actions prévues pour maximiser les retombées socio-économiques concernent:

- La modernisation des outils de production (flotte de pêche côtière et artisanale);
- Le renforcement des moyens de manutention à bord et de débarquement des produits à terre (ports);
- La promotion de la valorisation des captures;
- La promotion de l'amélioration des conditions de vie, de travail et de sécurité.

Les mesures techniques programmées sont:

- La réglementation des tailles marchandes et la promotion d'engins sélectifs de pêche;
- La restriction de l'accès aux zones de pêcheurs sensibles;
- L'instauration des périodes de repos biologique;
- L'instauration de plafonds annuels de capture;
- La limitation de la pêche à certaines zones pour protéger les juvéniles ou les stocks parentaux, ou pour éviter les conflits entre les segments de pêche: nurseries, distance par rapport à la côte;
- La réglementation des dimensions du maillage de la poche du chalut et des filets;
- Les interdictions saisonnières pour protéger les sites de ponte ou de reproduction de certaines espèces;
- Les interdictions zonales pour la protection des espèces menacées.
- La réglementation de la taille minimale des espèces en vue de lutter contre la pêche des juvéniles;
- L'institution d'un système de quota global (TAC), de quota par segment de pêche et de quota individuel transférable au sein des mêmes groupes d'entreprises ont été mis en place au niveau de la pêche poulière depuis 2004.

Les moyens de contrôle utilisés pour la gestion des capacités de pêche sont:

- L'interdiction de l'octroi de nouvelles autorisations de pêche depuis 1992, la gestion au moyen du système des licences de pêche renouvelables annuellement;
- La gestion de la capacité de la flotte de pêche selon des normes bien définies (circulaire relative aux autorisations de remplacement, refonte et reconversion des navires de pêche);
- La limitation du nombre des engins par unité de pêche (cas des poulières et turlottes);
- L'encouragement de la reconversion des chalutiers vers des techniques plus sélectives telles que les palangriers;
- Le redéploiement des unités de pêche vers des zones au large.

Le contrôle des produits de la pêche est assuré par :

- Des commissions centrales et régionales du département des pêches maritimes pour le contrôle de la qualité des produits;
- Le suivi de la salubrité des produits et des zones de pêche par le département;
- Les contrôles des services vétérinaires pour la généralisation de la mise en place des systèmes HACCP au sein des unités de traitement;
- L'intervention des médecins municipaux pour les produits destinés à la consommation locale.

La mise en œuvre des mesures de préservation des ressources génère souvent des conflits entre les différents segments de la pêche; ces conflits concernent généralement:

- La répartition du quota global des quantités à pêcher ainsi que la répartition spatiale des zones de pêches;
- Les engins utilisés pour la pêche, tel que l'utilisation des pots par le segment de la pêche artisanale et l'utilisation du chalut de fond par les segments de la pêche côtière et hauturière;
- Le pouvoir d'influence sur la décision de l'administration par les associations ou par d'autres groupements professionnels;
- La prolongation ou non des arrêts biologiques pour des raisons, entre autres, commerciales.

Les informations reçues par le ministère sur les objectifs à l'horizon 2020 sont donnés dans le tableau ci-dessous.

Table 12. Objectifs à l'horizon 2020

PIB du secteur	21,9 milliards DH
Consommation	16 kg /hab./an
Emploi direct à Terre	115 000
Emploi indirect	510 200
Production nationale	1,660 millions de tonnes
Production aquacole	200 000 tonnes
Exportation	3,1 milliard \$
Importation matière première	130 000 tonnes
Durabilité de la ressource	95% espèces gérées durablement

La vision du Département des Pêches Maritimes en matière de vulgarisation « Pêches Maritimes », prend en considération la stratégie adoptée pour la promotion du secteur de la pêche artisanale par l'implantation des villages de pêcheurs et de points de débarquement aménagés tout le long du littoral marocain.

L'objectif est d'accompagner les marins pêcheurs par l'encadrement nécessaire favorisant l'émergence de structures locales comme les associations et les coopératives de pêcheurs.

1.11 Institutions œuvrant dans le secteur de la pêche

La gestion du secteur de la pêche au Maroc est assurée par le Ministère de l'Agriculture, du développement rural et des pêches maritimes, auquel d'autres structures apportent leur contribution. Ainsi, l'Office National des Pêches (ONP) veille au développement et à la modernisation du secteur.

Le Ministère de l'Agriculture et de la Pêche Maritime est chargé d'élaborer et de mettre en œuvre la politique du gouvernement en matière des pêches maritimes, de coordonner l'ensemble des activités maritimes et de promouvoir

l'organisation professionnelle du secteur.

A cet effet, le Ministère de l'Agriculture et de la Pêche Maritime, en relation avec les autres administrations et organismes intéressés, élabore la stratégie de développement du secteur de la pêche, de l'exploitation de la zone économique exclusive, de la modernisation et du développement de la flotte et des industries de traitement ou de transformation des produits marins. Ce département comprend, outre le cabinet du ministre, l'Administration Centrale et les services extérieurs.

L'Administration Centrale désigne un ensemble d'entités destinées à assurer la gestion administrative des navires de pêche et des marins pêcheurs, du sauvetage en mer, de la prévention et de la lutte contre la pollution.

L'Administration Centrale englobe: le Secrétariat Général, l'Inspection Générale, la Direction des Pêches Maritimes et de l'Aquaculture, la Direction des Industries de la Pêche Maritime, la Direction de la Coopération et des Affaires Juridiques, la Direction de la Formation Maritime et de la Promotion Socioprofessionnelle ainsi que la Direction des Ressources Humaines et des Affaires Générales.

L'organigramme du Département de la Pêche Maritime se présente comme suit Directement au Ministre : Cabinet du Ministre, Inspecteur général , Secrétaire général

Le secrétaire général assure, sous l'autorité du ministre, l'animation et la coordination de l'ensemble de service du ministère. Il veille à l'application des décisions du ministre.

En plus directement du Ministre dépendent des organigrammes, notamment les Organigrammes consultatifs (CN-SPRH, f:N DES CPM, MEDISAMAK), Organigrammes sous tutelle ("ONP / INRH" CPM)

Directement au Secrétaire général la Direction des Pêches Maritimes et de l'Aquaculture (DPMA), avec les:

- Division des Structure de la Pêche
- Division de la Protection des Ressources Halieutiques
- Division de la Gestion des Accords de la Pêche
- Division de Suivi de l'Observation des Opérations de Pêche

La Direction des Pêches Maritimes et de l'Aquaculture a pour mission de déterminer et de proposer la stratégie, de définir les orientations et de mettre en œuvre les actions et les programmes propres à assurer le développement, la promotion et la gestion des pêches maritimes et des activités Littorales.

Elle veille à la protection et à la conservation des ressources halieutiques, et à cet effet elle trace le cadre général dans lequel sont élaborés les plans d'exploitation des pêcheries et détermine les conditions nécessaires à leur application.

Elle encourage l'innovation, oriente, coordonne et suit les travaux de recherche scientifique et les études à caractère technique, économique et social dans le domaine des pêches maritimes et des activités littorales.

Elle assure la coordination avec les professionnels de la pêche et notamment prépare et anime les réunions du comité central et des comités locaux des pêches maritimes.

A ce titre, la direction des pêches maritimes et de l'aquaculture est principalement chargée de:

- Proposer et veiller à l'application de toutes mesures propres à assurer un équilibre entre les différentes formes et méthodes d'exploitation des ressources halieutiques;
- Définir, coordonner et mettre en œuvre les orientations propres à assurer le développement et la promotion des pêcheries et des activités littorales notamment en encourageant toutes actions et programmes visant à assurer une meilleure gestion de la flotte de pêche, son renouvellement, sa modernisation et sa diversification;
- Assurer l'application de la réglementation relative à l'exercice de la pêche, aux concessions des établissements de pêche et des activités littorales et récréatives et à cet effet préparer les documents de concession des établissements de pêche maritime et assurer le suivi de l'exploitation des ressources halieutiques littorales;
- Procéder à toute étude et mettre en œuvre toutes actions de nature à permettre une meilleure gestion et à améliorer la rentabilité des flottes de pêche, ainsi que veiller à l'application des mesures qui seront prises à cet effet;
- Orienter, coordonner et suivre les activités de recherche scientifique et technique appliquées à la pêche ainsi que proposer et suivre les projets de développement;
- Élaborer avec les organismes publics, les administrations et les professionnels concernés, des plans d'aménagement des pêcheries et en assurer l'exécution et le suivi;
- Prendre toutes mesures de nature à assurer une meilleure conservation des espèces halieutiques, notamment en cas de menace ou de pollution du milieu marin;
- Encourager et vulgariser toutes nouvelles techniques ou méthodes de pêches;
- Promouvoir l'organisation professionnelle en veillant notamment à l'orientation, à l'encadrement et à l'assistance technique des organismes concernés;
- Assurer le suivi des activités des flottes de pêche étrangères autorisées dans la zone économique exclusive;
- Assurer l'encadrement et la gestion technique du corps des observations scientifiques;
- Promouvoir, organiser et diffuser l'information et la documentation dans ses domaines de compétence, et assurer l'exploitation des données statistiques de pêche.

La Direction des Industries de la Pêche Maritime est chargée principalement de:

- Mettre en œuvre les orientations et la stratégie propres à assurer le développement, la modernisation et la promotion des établissements de traitement, de transformation et de conditionnement des produits de la pêche maritime et entreprendre toutes actions nécessaires à cet effet, y compris toutes mesures visant à encourager les investissements ;
- Procéder à toutes études à caractère technique, économique et commercial concernant les marchés des produits de la pêche maritime transformés ou traités et proposer, en concertation avec les professionnels, toutes mesures techniques et économiques susceptibles d'améliorer les conditions de commercialisation de ces produits;
- Coordonner les travaux de normalisation des produits de la pêche maritime entre les différents organismes concernés, élaborer toutes normes visant à assurer la qualité de ces produits et veiller au respect de celles-ci à tous les stades de leur production;
- Promouvoir la recherche et l'innovation dans le domaine des industries de la pêche maritime et suivre les programmes établis à cet effet, avec les professionnels et les autres organismes intéressés;
- Suivre les conditions d'exploitation des industries et établissements de conservation, de traitement, de tran-

sformation et de conditionnement des produits de la pêche maritime, et, à cet effet, agréer leurs installations et surveiller leur conformité avec les normes en vigueur;

- Agréer les unités de pêche maritime sur le plan de la qualité et de la normalisation des installations destinées à recevoir, à conserver et à traiter les produits de la pêche maritime;
- Vulgariser les techniques et méthodes de valorisation, de manipulation, de traitement, de transformation, de conditionnement et de présentation des produits de la pêche maritime;
- Réglementer et organiser la profession du mareyage et suivre cette activité.

La Direction de la Coopération et des Affaires Juridiques est chargée principalement de:

- Proposer des orientations en matière de coopération bilatérale, régionale et multilatérale dans les domaines d'attribution du ministère et, à cet effet, identifier, étudier et recommander toutes possibilités de coopération économique, technique et scientifique;
- Participer aux négociations des accords bilatéraux et conventions internationales dans les attributions du ministère, et participer aux réunions et travaux des organismes internationaux, régionaux et sous-régionaux compétents en la matière;
- Veiller, en collaboration avec les directions concernées du ministère, à l'application et au suivi des accords bilatéraux et conventions internationales maritimes, auxquels le Maroc est partie;
- Promouvoir et coordonner la formulation, la réalisation, le suivi et l'évaluation des projets de coopération exécutés par le ministère ou sous son égide;
- Promouvoir, auprès des organisations internationales et régionales, l'expertise nationale en matière maritime dans toutes les composantes du secteur;
- Participer à la réforme et à la mise à jour de la législation maritime et suivre les conventions internationales et autres instruments bilatéraux ou multilatéraux ainsi que les textes législatifs et réglementaires élaborés par les autres administrations de l'État et, à cet effet, procéder aux études nécessaires;
- Encourager et promouvoir la publication de documents à caractère maritime et veiller à la diffusion de l'information et de la documentation.

La Direction de la Formation Maritime et de la Promotion Socioprofessionnelle est chargée principalement de:

- Contribuer à l'élaboration de la stratégie nationale en matière de formation professionnelle et de formation des cadres et participer au niveau du secteur maritime à sa mise en œuvre;
- Identifier et évaluer les besoins du secteur maritime en ressources humaines et établir, de concert avec les opérateurs du secteur, les profils d'emploi requis ainsi que les programmes prévisionnels de formation et en planifier l'exécution;
- Étudier et mettre en œuvre toutes mesures de nature à favoriser l'adéquation formation/emploi et l'insertion des lauréats dans la vie active;
- Veiller à la qualité de la formation et assurer l'adaptation de celle-ci à l'évolution technologique du secteur et aux besoins des professionnels tout en assurant la conformité de la formation maritime avec la réglementation nationale et les normes internationales en vigueur en la matière;
- Organiser, notamment avec le concours de la profession, des cycles de perfectionnement, de recyclage et de formation continue, et, à cet effet, mettre en œuvre des programmes spécifiques de formation dans l'entreprise, de formation alternée, d'apprentissage et autres modes de formation;
- Planifier l'utilisation des moyens humains et matériels nécessaires aux établissements de formation

maritime et assurer le suivi de leurs activités;

- Participer à la promotion tant des personnels embarqués que des autres cadres, techniciens et personnels administratifs du secteur maritime dans son ensemble, notamment par le biais de la formation continue;
- Promouvoir les études et recherches académiques et universitaires dans les différentes disciplines du secteur maritime.

La Direction des Ressources Humaines et des Affaires Générales est chargée principalement de:

- Veiller à la mise en œuvre d'une politique de valorisation des ressources humaines notamment sur le plan de la gestion des carrières et de la promotion du personnel du ministère;
- Préparer et exécuter le budget du ministère;
- Assurer la gestion du patrimoine mobilier et immobilier du ministère;
- Étudier et suivre les affaires contentieuses concernant le personnel et le patrimoine du Ministère;
- Développer et gérer les actions sociales et promouvoir les activités des œuvres sociales.
- Effectuer en collaboration avec les directions du ministère, des études et des recherches tenant à l'amélioration et au perfectionnement de l'organisation des structures, procédures et méthodes de travail et proposer toutes mesures à cet effet;
- Étudier les besoins en informatique des services et contribuer à la conception du réseau;
- Assurer l'acquisition des équipements nécessaires et veiller à la maintenance du matériel utilisé.

Le département chargé des Pêches Maritimes dispose de services extérieurs dans tous les ports du Royaume. Ces services sont les Délégations des Pêches Maritimes (DPM) ou Sous Délégations, suivant l'importance du port.

Les Délégations des Pêches Maritimes sont placées chacune sous l'autorité d'un Délégué des Pêches Maritimes qui représente le département auprès des autorités locales de la circonscription qu'il gère.

Le Délégué est chargé dans sa circonscription de l'administration, de l'inscription des gens de mer, de l'application des lois et règlements maritimes concernant notamment la navigation, la pêche, les cultures marines, les industries de la pêche, le régime social des gens de mer, et le contrôle de la conservation des hypothèques maritimes.

Il est responsable également de l'organisation des opérations de sécurité et de sauvetage en mer et de la protection du milieu marin contre la pollution occasionnée par les rejets des navires. Sur le plan social, il exerce les fonctions d'arbitre dans les conflits entre marins et armateurs.

Les Délégations des Pêches Maritimes couvrent tout le littoral marocain et la circonscription de chaque délégation est définie par l'arrêté qui l'organise. Actuellement, le département des Pêches Maritimes dispose de 18 Délégations, ainsi que 8 établissements de formation maritime.

Les organismes sous tutelle du Département des pêches maritimes et de l'aquaculture sont:

L'Office National des Pêches à été créé par le dahir N°I-69-45 du 21 février 1969. C'est un organisme étatique qui joue un rôle fondamental auprès du Département des Pêches Maritimes, sous la tutelle duquel il est placé. Il a pour mission de développer la pêche artisanale et la pêche côtière. Il est également responsable de la commercialisation des produits de la pêche.

En conséquence, il est appelé à:

- Mettre en œuvre les programmes de promotion et modernisation de la flotte de pêche artisanale et côtière;
- Promouvoir la commercialisation du poisson;
- Promouvoir la consommation interne des produits de la pêche maritime, les exportations du poisson et de tous les produits de la mer (algues, corail, etc.);
- Gérer et organiser les marchés de vente en gros et les halles au poisson;
- Agréer, le poisson industriel par le biais du comptoir d'agrèage (CAPI);
- Participer aux discussions sur la fixation des prix et le contrôle de l'exécution des décisions prises à ce sujet.

L'Office National des Pêches est administré par un conseil composé des représentants de l'État impliqués et des directeurs ou représentants de l'Agence Nationale des Ports (ANP), de l'Institut National de Recherche Halieutique (INRH), des armements à la pêche côtière et hauturière, des industries de la conserve des produits et sous-produits marins, des entreprises d'aquaculture et des secteurs d'activités relatives à l'exploitation des ressources halieutiques littorales.

Les actions Régionales de l'Office National des pêches sont supervisées sur le terrain par quatre directions régionales et une délégation par port.

Les délégations régionales recueillent toutes les données intéressant la pêche, les statistiques des débarquements, les désirâtes des professionnels relatifs aux infrastructures portuaires, aux structures d'accueil et à la commercialisation des captures.

Les ressources halieutiques que recèlent les eaux marocaines constituent un atout important pour le développement économique et social du pays. Aussi, la priorité est-elle par conséquent accordée à la recherche scientifique afin d'évaluer et d'étudier ces ressources, ce qui permettra de les exploiter de façon rationnelle. C'est dans cette optique qu'a été créée l'Institut National de Recherche Halieutique.

L'Institut National de Recherche Halieutique est un organisme public, placé sous la tutelle du département des Pêches Maritimes. Il a pour objectif d'étudier, d'évaluer, d'organiser, de surveiller et de protéger les stocks et les ressources halieutiques au Maroc. Son programme s'articule autour d'un certain nombre de thèmes de recherche liés à ses objectifs, tels que:

- Les statistiques de capture et d'effort de pêche;
- Les données de composition en taille et en âge des captures;
- Les données biologiques (croissance, mortalité, reproduction);
- Les campagnes de prospection acoustique pour le poisson pélagique;
- L'océanographie pour l'identification des relations entre les fluctuations de l'hydro climat et de l'abondance du poisson;
- Les techniques et engins de pêche;
- L'aquaculture;
- Les pollutions marines;
- L'estimation du potentiel halieutique.

Afin de couvrir toutes les régions où l'activité du secteur est importante, l'Institut National de Recherche Halieutique a créé plusieurs centres et stations dans certaines villes côtières.

Les chambres des pêches Maritimes qui sont des établissements publics dotés de la personnalité morale et d'une au-

tonomie financière. Ces chambres sont au nombre de quatre: Méditerranée avec son siège à Tanger, Atlantique-Nord à Casablanca, Atlantique-Centre à Agadir et Atlantique-Sud à Dakhla. Elles sont regroupées au sein d'une fédération chargée d'assurer la coordination des activités et de mettre en œuvre des actions à caractère national.

Le Conseil National de Sauvegarde et d'exploitation des Ressources Halieutique est une entité créée en vue de consolider la concertation avec les pouvoirs publics sur les orientations nationales des pêches.

L'Agence Nationale des Ports (ANP), créée en vertu de la loi 15-02 relatives aux ports, a pour mission de :

- Assurer le développement, la maintenance et la modernisation des ports;
- Veiller à l'optimisation de l'utilisation de l'outil portuaire;
- Veiller au respect du libre jeu de la concurrence dans l'exploitation des activités portuaires;
- Veiller au respect des règles de sécurité, d'exploitation et de gestion portuaires prévues par la législation et la réglementation en vigueur;
- Assurer la gestion d'un port. À ce titre, il assure la maintenance des terre-pleins, des voies de circulation et des réseaux d'eau et d'électricité. Elle s'occupe aussi d'autres activités, telles que la gestion des cales de halage des bateaux, l'assainissement et le ravitaillement en eau des navires.

La plate-forme continentale marocaine, constitue une zone très poissonneuse. Aussi, le Maroc s'est doté d'une marine pour assurer non seulement la défense de son littoral et de ses eaux maritimes, mais également pour veiller sur sa zone économique exclusive (ZEE).

La Marine Royale est donc habilitée à contrôler et arraisonner au besoin, dans les eaux marocaines, les bâtiments de toutes les nationalités. Elle assure, en matière de pêche maritime et de police de la navigation, la surveillance de l'espace maritime national et des navires de pêche.

En cas d'infraction, elle dresse un procès-verbal qu'elle transmet au délégué des Pêches Maritimes de la circonscription où l'infraction a été constatée.

Enfin, la Marine Royale participe aux opérations de recherche et de sauvetage en mer, ainsi qu'à la recherche scientifique dans les domaines de l'océanographie, l'hydrographie et la météorologie.

Pour assurer la sécurité du littoral, la Marine Royale a été renforcée par un corps de la Gendarmerie Royale. La Gendarmerie Royale Maritime, outre les attributions de police judiciaire et administrative que lui confèrent les lois et règlements, exerce un contrôle dans les ports. Elle est habilitée à contrôler les papiers de bord et les engins de pêche, pour constater toute infraction aux règlements portuaires et à l'accès des zones de pêche. Enfin, la Gendarmerie Royale Maritime intervient dans le cadre des opérations de sauvetage

D'autres organismes gouvernementaux sont aussi impliqués dans la gestion de ce secteur, tel que le Ministère des Finances qui intervient au niveau de la fiscalité, notamment par l'exonération des taxes exigibles pour les navires de pêche.

Quant au Ministère de la Santé, il est compétent en matière d'hygiène à bord.

Le Service Vétérinaire, la Direction de la Météorologie Nationale ainsi que le service de la Radio Maritime sont également concernés par la gestion du secteur.

D'autres organismes professionnels participent à la gestion du secteur des pêches, comme les Chambres des Pêches

Maritimes et les comités locaux des pêches maritimes. Leur rôle est de fournir des renseignements concernant le secteur de la pêche ou d'émettre leur avis sur un sujet particulier dans le domaine de la pêche.

La Chambre des Conseillers du Maroc est la chambre haute du parlement marocain. Elle est composée de 270 membres (conseillers), élus pour neuf ans avec renouvellement par tiers tous les trois ans.

Les 270 membres de la Chambre des Conseillers sont élus au suffrage indirect par les élus des chambres professionnelles, des salariés et des collectivités locales dans les proportions suivantes:

- 162 conseillers (soit 3/5ème) sont élus dans chaque région par un collège électoral composé de représentants des collectivités locales (conseils locaux et régionaux, assemblées préfectorales et provinciales).
- 108 conseillers (2/5ème) sont élus dans chaque région par des collèges électoraux composés d'élus des chambres professionnelles (industrie, agriculture, artisanat, commerce, services, pêches maritimes) et de membres élus à l'échelon national par un collège électoral composé des représentants des salariés.

La durée du mandat des conseillers est de neuf ans, avec renouvellement par tiers, tous les trois ans.

2. LES ASSOCIATIONS DE PECHE

2.1 Organismes d'employeurs

Les organismes d'employeurs dans le secteur des pêches maritimes sont les personnes physiques ou morales armateurs de navires de pêche exerçant dans le littoral marocain. Ces sociétés organisées dans des associations, dont le cadre juridique est garanti par la constitution, sont consultées par l'administration avant toute prise de décision. Elles ont pour rôle de promouvoir et encourager l'activité de pêche, défendre les intérêts des professionnels, informer les membres sur toute question ou projet de loi relatif au secteur et les représenter devant l'administration.

2.2 Principaux syndicats de Pêcheurs

La liberté syndicale est garantie par la constitution. Les syndicats ont pour mission la défense des intérêts de leurs membres auprès des organismes publics ou privés. L'action syndicale dans le domaine des pêches maritimes est pratiquement identique à celle engagée dans les autres secteurs (régime des retraites, accidents du travail, assurance maladie).

Les catégories socioprofessionnelles exerçant dans le secteur des pêches sont pratiquement toutes, à l'heure actuelle, syndiquées.

Aussi trouve-t-on, entre autres:

- Le syndicat National des Officiers et Marins de la Pêche Hauturière;
- Le syndicat Régionaux.

2.3 Organisations traditionnelles

Au début, on avait des formes non organisationnelles de gestion des affaires de la communauté des pêcheurs qui était assurée par une personne de la communauté appelée «Amine». L'«Amine» est choisi par les artisans et son rôle est prépondérant dans les professions qui ne sont pas réglementées.

Il a pour mission de veiller à la conservation du métier et à la qualité de la production. Il intervient dans les litiges interprofessionnels ou entre artisans et clients.

L'administration peut faire appel à l'«Amine» pour une expertise ou un avis sur des sujets intéressant la profession (litiges, organisation de la profession, etc.). Dans le secteur de la pêche, la représentativité de l'«Amine» est assurée au niveau de la pêche artisanale.

Rôle de «Al Amine»:

- Trancher dans les conflits entre les pêcheurs;
- Résoudre les problèmes de la profession des pêcheurs;
- Interlocuteur privilégié de l'administration;

2.4 Comité Central des Pêches Maritimes

Le Comité Central des Pêches Maritimes, créés par le décret N° 02-58-783 du 22 octobre 1958, est chargé de donner au Ministère des Pêches Maritimes son avis, sur les questions d'ordre technique, social, économique ou scientifique, concernant l'exercice de la pêche et la vente des produits de la mer sur l'ensemble du territoire.

Le Comité Central des Pêches Maritimes a une composition tripartite car l'État, la profession et les marins y sont représentés. Il comprend en effet :

- Le ministre de l'Agriculture et des Pêches Maritimes ou son représentant;
- Le directeur des Pêches Maritimes et de l'Aquaculture;
- Un représentant du ministre de l'Intérieur;
- Un représentant du ministre des Travaux Publics;
- Un représentant du ministre des Finances;
- Un représentant du ministre du Commerce et de l'Industrie;
- Quatre représentants des associations professionnelles de l'armement à la pêche du poisson industriel;
- Deux représentants des associations professionnelles des mareyeurs expéditeurs;
- Deux représentants des associations professionnelles des congélateurs;
- Six représentants de la fédération syndicale des marins pêcheurs.

Pour l'examen des questions relevant de leurs attributions, d'autres organismes tels que le Ministère du Travail ou le Ministère des Affaires Sociales, l'Institut National de Recherche Scientifique et l'Administration de la Défense Nationale rejoignent le Comité Central.

L'étude préparatoire des questions soumises à l'examen du Comité Central est confiée aux sections technique, sociale, économique et scientifique du comité.

2.5 Comités Locaux

Créés par le décret N° 02-58-783 du 22 octobre 1958 précité, les comités locaux sont consultés sur les questions de même nature que celles du Comité Central, mais intéressant spécialement la circonscription maritime, c'est-à-dire la Délégation des Pêches Maritimes dans laquelle ils siègent.

Un comité local représente les catégories professionnelles de la circonscription d'une Délégation des Pêches Maritimes.

Le comité local est désigné par les organisations syndicales ou professionnelles et est présidé par le Délégué des Pêches Maritimes de la circonscription, assisté au besoin par les responsables des sous-délégations concernées.

Siègent au comité local:

- Un représentant de l'autorité locale;
- Trois représentants de l'armement à la pêche;
- Trois représentants des marins pêcheurs;
- Deux représentants des industries de transformation et de conservation du poisson;
- Un représentant des mareyeurs.

Éventuellement et selon la nature des questions à étudier, peuvent également siéger :

- Un représentant de l'Administration des Travaux Publics ;
- Un représentant de l'Office de Contrôle et d'Exportation;
- Un représentant de l'Institut National de Recherche Halieutique;
- Le Chef du Comptoir d'Agréage du Poisson Industrie.

2.6 Les Chambres des Pêches Maritimes

Crés par le Dahir n° 1-97-88 du 23 kaada 1417 (2 avril 1997) portant promulgation de la loi n° 04-97, les chambres des pêches maritimes sont des établissements publics dotés de la personnalité morale et de l'autonomie financière. Les chambres des pêches maritimes se composent de membres élus conformément aux dispositions de la loi n° 09-97 formant code électoral. L'organisation prévoit:

- Un président;
- Un premier vice président;
- Un second vice président;
- Un secrétaire;
- Un secrétaire adjoint;
- Un trésorier;
- Un trésorier adjoint;
- Des assesseurs dont le nombre ne peut excéder cinq (5).

Les chambres des pêches maritimes sont les représentants des secteurs des pêches maritimes auprès des pouvoirs publics nationaux, régionaux et locaux. Elles peuvent :

- Donner au gouvernement des avis et des renseignements sur toutes questions concernant la pêche hauturière, la pêche côtière, la pêche artisanale et l'aquaculture ainsi que les activités d'exploitation des ressources halieutiques littorales;
- Présenter des propositions sur toutes questions intéressant le secteur des pêches maritimes;
- Favoriser au moyen de dons, legs, contributions volontaires des armateurs ou tout autre opérateur du secteur des pêches maritimes, la création et l'entretien d'établissements des pêches maritimes;
- Aider le gouvernement à vulgariser parmi les opérateurs des pêches maritimes les méthodes modernes de pêche, de valorisation, de commercialisation et de promotion de la consommation des produits de la pêche;
- Servir d'intermédiaire entre les armateurs à la pêche et les opérateurs du secteur des pêches maritimes marocain et leurs homologues étrangers, aux fins d'étendre et de diversifier les relations commerciales du Royaume.
- Participer à la mise en œuvre et au développement de la recherche scientifique dans le domaine des pêches maritimes et de l'aquaculture.

En outre, les chambres des pêches maritimes doivent être consultées par l'administration:

- Sur les règlements relatifs à la pêche maritime;
- Sur l'élaboration et l'application des plans d'aménagement et de gestion des pêcheries;
- Sur toutes mesures visant à l'amélioration des conditions de travail dans le secteur des pêches maritimes.

2.7 Les Associations

La quasi-totalité des sites abrite une association.

Durant la dernière décennie, les communautés des pêcheurs artisans sont devenues de plus en plus organisées en association, grâce aux différents programmes de sensibilisation et de vulgarisation mis en place par le Département des Pêches Maritimes.

Les principaux objectifs d'une association de pêche artisanale sont:

- Regroupement de tous les pêcheurs qui pratiquent le même métier;
 - Défendre le métier dans les différentes circonstances, au niveau de toutes les instances et auprès des autorités;
 - Interlocuteur auprès de l'administration des pêches maritimes;
 - Résoudre les conflits entre les pêcheurs Améliorer la situation socio-économique et culturelle des membres e l'association.
-
- Mais, en réalité la majorité de ces associations fonctionne mal, pour les raisons suivantes:
 - manque de moyens financiers;
 - faiblesse d'encadrement technique et de communication;
 - manque d'esprit associatif chez les adhérents et par conséquent le manque de volonté pour améliorer le cadre associatif.

2.8 Les Coopératives

Les coopératives de pêcheurs ont été créées par le décret royal portant loi N° 721-67 du 5 août 1968. En fait, ce n'est qu'en mars 1975 qu'elles firent leur apparition.

Récemment, en 1984, le secteur a été réglementé avec la Loi N° 24-83 du 5 octobre 1984 "Dahir n° 1-83-226 du 9 moharrem 1405(5 octobre 1984) portant promulgation de la loi n°24-83 fixant le statut général des coopératives et les missions de l'Office du Développement de la Coopération, tel qu'il a été modifié par Dahir portant loi n°1-93-166 du 22 rebia I 1414 (10sept 1993)" qui a reconnu à plein titre cette importante type de société coopérative.

Ces entités peuvent engager toute action touchant directement ou indirectement l'armement à la pêche. Ainsi, elles peuvent par exemple construire, acheter, exploiter ou gérer les navires de pêche. Elles peuvent aussi effectuer toute opération commerciale, financière, mobilière ou immobilière se rapportant aux navires de pêche ou à l'armement de pêche.

Au cours des dernières années, plusieurs efforts ont été mis en place de la part de l'administration pour encourager la diffusion de cette forme de société entre les travailleurs. Dans le secteur de la pêche, cette intervention a été développée en retard et a été mis en œuvre principalement dans le secteur de la pêche artisanale, grâce à la présence des petits villages de pêche et de points de débarquement aménagés dans les sites de pêche.

La situation actuelle au Maroc est:

- 57 coopératives de pêche artisanale avec 3106 adhérents;
- 20 coopératives de ramassage des algues avec 873 adhérents;

- 7 coopératives de pêche côtière avec 79 adhérents;
- 7 coopératives de ramassage des coquillage avec 174 adhérents;
- 6 coopératives de commercialisation et d'exportation avec 429 adhérents;
- 1 coopératives mixte algues et poissons avec 13 adhérents.

La répartition régionale montre que les coopératives sont présentes le long du littoral marocain (Méditerranée, Atlantique Nord, Atlantique Centre et Atlantique Sud).

Il est important de mettre en évidence que, malgré le nombre total des coopératives est encore limité, le nombre des associés au contraire est plutôt élevé, tout en démontrant une certaine capacité de pénétration et d'importance au niveau social.

Le Département des Pêches a lancé plusieurs projets favorisant davantage la création de Coopératives de pêcheurs artisans, notamment avec le programme national d'aménagement du littoral (PDA, VDP). Ces coopératives bénéficient de plusieurs subventions sur les engins de pêche, mais également elles bénéficient de dons (surtout des moteurs), dans le cadre de l'Initiative Nationale de Développement Humaines et dans le cadre des projets internationaux qui privilégient ces formes organisationnelles.

Les objectifs sont soit professionnels, qu'économiques et sociaux.

Professionnels:

- Gestion des infrastructures sur place s'elles existent (DPA et VDP);
- Construction d'ateliers pour la maintenance des moteurs hors bord;
- Achat et entretien des moyens pour assurer la sécurité maritime;
- Bénéficier des différents programmes de formation maritime et d'encadrement dans les différentes activités;
- Mettre en place des liens de coopération avec les différents intervenants dans le secteur, à l'échelle nationale et internationale.

Economiques:

- Equipement des barques par les moteurs de propulsion et les engins de pêche;
- La commercialisation collective des produits de la coopérative afin de diminuer le coût de la commercialisation et la valorisation des produits;
- Réalisation des activités génératrices de revenu (exploitation de foyer des pêcheurs).

Sociaux:

- Prendre les mesures adéquates pour la protection de la santé des adhérents, à travers l'adhésion au Caisse Nationale de Sécurité Sociale;
- Réalisation de quelques activités d'ordre social, en faveur des membres de la coopérative (exp. aider les veuves des pêcheurs, crèches, pèlerinage, etc.).

Les coopératives qui opèrent au niveau des Villages de Pêche et des Points de Débarquement Aménagés sont évaluées par un comité de suivi composé du président de la coopérative, du responsable de la Délégation des Pêches Maritimes, du responsable de la Délégation de l'Office National des Pêches, du représentant des autorités locales et

des autres responsables locaux selon le besoin de la situation.

Il y'a plusieurs contraintes au niveau de la création, notamment:

- Hétérogénéité des prétendants adhérents (Marins pêcheurs, propriétaires de barque, mareyeurs);
- Divergence des intérêts et des objectifs;
- Impact sur les mini projets de la coopérative;
- Interférence entre Association et coopérative;

et même au niveau de gestion:

- Irrégularité de la tenue des AGO ;
- Absentéisme des adhérents ;
- La non motivation des adhérents dans la création des projets;
- Le non respects des engagements établis par la coopérative de la part des adhérents;
- Le conseil d'administration ne tient pas régulièrement ses réunions;
- Opportunismes de certains adhérents;
- Il n'y a pas un total engagement;
- Les pêcheurs attendent toujours de l'assistance de la part de l'état ou les ONGs.

2.9 Encadrement et accompagnement social

La vision du Département des Pêches Maritimes en matière de vulgarisation «Pêches Maritimes», prend en considération la stratégie adoptée pour la promotion du secteur de la pêche artisanale par l'implantation des villages de pêcheurs et de points de débarquement aménagés tout le long du littoral marocain.

L'objectif est d'accompagner les marins pêcheurs par l'encadrement nécessaire favorisant l'émergence de structures locales comme les associations et les coopératives de pêcheurs.

Les motivations à la base de cette intervention sont:

- Gestion des infrastructures réalisées dans le cadre des villages de pêche et des points de débarquement;
- Amélioration des méthodes de travail;
- Amélioration de la commercialisation;
- Réalisation des projets socio-éducatifs au profit des membres;
- Protection de l'environnement et des ressources;
- Participation à la création de micro-pôles de développement régional.

Le programme national de vulgarisation instauré a pour objectifs de:

- Améliorer les conditions de travail des communautés de pêcheurs;
- Contribuer à l'amélioration de revenus par le soutien et la réalisation d'activités génératrices de revenu des coopératives de pêche;
- Accompagner le programme de développement des PDA et VDP;
- Mettre en place une organisation qui permet d'avoir une structure représentative des coopératives au niveau national sous forme de fédération ou d'union nationale qui sera l'interlocuteur privilégié avec les pouvoirs publics et une instance consultative pour l'élaboration des plans et des stratégies de développement en ma-

tière de la pêche artisanale et côtière. Cette structure sera fondé à partir des coopératives locales et des coopératives régionales ayant le même type d'activité.

Le système mis en place dans ce cadre a permis d'entreprendre et de réaliser les actions suivantes:

- 57 coopératives de pêche ont été créées, dont 05 pour les femmes;
- Création de 03 Unions régionales de coopératives de pêche artisanale; dont une méditerranéen; et un réseau des associations de pêcheurs en Méditerranée;
- Organisation d'une vingtaine d'ateliers et de visites d'échange inter-coopératives;
- Organisation des sessions de formation au profit des membres des conseils d'administration des coopératives et des actions de vulgarisation destinés aux marins pêcheurs;
- Réalisation des minis projets générateurs de revenu;
- Organisation de campagnes nationale de promotion des associations et coopératives de pêche;
- Organisation de la première rencontre euro-méditerranéenne des coopératives de pêche à Tanger en Novembre 2009.

Les perspectives de développement de la forme coopérative sont prometteurs:

- Le nombre des coopératives est en constante évolution;
- Les côtes marocaines offrent d'énormes potentialités, sinueuses, mais favorables aux petites embarcations, donc à la pêche artisanale (15000 barques actuellement avec 45000 marins);
- Les expériences réussies ont un effet positif d'entraînement pour la constitution d'autres coopératives;
- Le projet MCC offre encore d'autres possibilités;
- Les faibles investissements exigés par les activités de la pêche artisanale encourage le regroupement dans le cadre coopératif.

2.10 Rôle et structure organisationnelle des pêcheurs

Tous les objectifs précités aussi bien pour les coopératives que pour les Associations sont très ambitieux et montrent la bonne volonté des pêcheurs artisans pour mieux s'organiser et pour améliorer leurs conditions de vie.

Toutefois, la réussite de telles organisations n'est pas une tâche évidente vu les conditions socioéconomiques difficiles où sont confrontés les pêcheurs. Donc, il serait primordial de fournir un effort particulier de la part de tous les intervenants dans le secteur, en matière d'encadrement et d'accompagnement des professionnels, afin de répondre à leurs ambitions.

Presque toutes les coopératives étaient créées suite à l'initiative de projets et on a relevé:

- manque d'initiative de la part de la communauté des pêcheurs;
- manque d'esprit associatif;
- peu d'information sur les intérêts économiques et sociaux d'une coopérative.

Afin d'améliorer la diffusion des coopératives il faudra:

- Créer un système de passerelle de la forme organisationnelle d'association en celle de coopératives;
- Réaliser des visites d'échanges entre les coopératives, à l'échelle nationale, régionale et internationale;
- Réaliser une étude sociométrique approfondie sur toute la communauté des pêcheurs, afin de trouver les meil-

- leures solutions pour le bon fonctionnement d'une coopérative;
- Sensibilisation sur les multiples intérêts de la coopérative surtout ceux en relation avec les aspects économiques. Elle doit être renforcée par la réalisation de mini projets à but lucratifs à court ou à moyen terme;
- Trouver une solution pour les différents conflits entre les propriétaires des barques et les marins pêcheurs, surtout sur les aspects de commercialisation et de partage;
- Aide financière et logistique pour chaque coopérative nouvellement créée.

2.11 Organismes Gouvernementaux impliqués

Les Institutions de référence pour le secteur des coopératives sont:

- L'Office de Développement des Coopératives;
- L'Agence du Développement Social.

Institué en 1962, le bureau pour le développement de la coopération (B.D.Co) prend en 1975 la dénomination d'Office du Développement de la Coopération (O.D.CO).

Cet établissement, doté de la personnalité morale et de l'autonomie financière, est placé sous la tutelle administrative du Premier Ministre ou l'autorité gouvernementale déléguée par lui à cet effet.

L'O.D.CO est chargé de:

- Centraliser et instruire les demandes de constitution des coopératives et de leurs unions et les transmettre pour décision avec son avis, au ministre de tutelle;
- Prêter son concours aux coopératives et leurs unions dans les domaines de la formation, de l'information et de l'assistance juridique;
- Centraliser et diffuser la documentation de l'information relative à la coopération;
- Etudier et proposer toutes réformes législatives ou réglementaires et toutes mesures à caractère particulier relatives à la création et au développement des coopératives;
- Financer des campagnes de vulgarisation et de formation;
- Assister les institutions coopératives dans le domaine de gestion;
- Régler à l'amiable les différends s'élevant au sein des institutions coopératives;
- S'assurer que les coopératives et leurs unions sont gérées conformément à la législation en vigueur.

L'Agence de Développement Social (ADS) est un établissement public, dont la tutelle est assurée par le Ministère du Développement Social, de la Famille et de la Solidarité, dédié à la réduction de la pauvreté et à la promotion du développement social au Maroc, en complémentarité avec les autres instruments étatiques qui contribuent à réduire le déficit social.

Son intervention se fait à travers la consolidation du capital humain et social grâce à des actions de formation et de renforcement des acteurs du développement local; la promotion et le développement des activités génératrices de revenus et créatrices d'emplois, ainsi que l'amélioration des conditions de vie des populations ciblées, aussi bien en milieu rural qu'urbain.

L'Agence a procédé à l'adaptation de son organisation centrale et régionale pour servir et accompagner cette

stratégie. Une mission qui passe par une stratégie spécifique visant à:

- Identifier les opérations à exécuter, passer des conventions avec les diverses catégories de partenaires et évaluer l'impact des différents projets.
- Faire appel à des partenaires tels les associations et les coopératives, les collectivités locales, les établissements publics et l'administration ainsi que le secteur privé. Ces partenaires réalisent, avec l'agence, des programmes ou projets de développement au profit des populations cibles de l'Agence de Développement Social.
- Recourir à des partenaires spécialisés pour l'exécution des actions de formation et d'appui technique: ONG expertes en la matière, bureaux d'études, universités et établissements de formation.
- Dans ce cadre, l'agence a mis en place progressivement 16 Coordinations Régionales à travers l'ensemble du pays, ce qui permet une plus grande proximité avec nos partenaires et les populations.

Pour le secteur de la pêche maritime le Ministère de l'Agriculture, du développement rural et des pêches maritimes a une spécifique Division dédiée, sous la Direction de la Coopération et des Affaires Juridiques

2.12 Associations regroupant les coopératives

A l'heure actuelle, il n'y a pas d'Association regroupant les coopératives de pêche en général.

L'action du Département des Pêches Maritimes a permis la constitution de 03 Unions régionales de coopératives de pêche artisanale et une autre est prévue afin de couvrir tout le littoral: Méditerranée, Atlantique Nord, Atlantique Centre et Atlantique Sud.

En plus, il est prévu dans un proche délai, la création d'une Fédération ou d'une Union ayant pour mission d'assurer la représentativité des coopératives au niveau national. Elle aura pour objectif de représenter les coopératives auprès des pouvoirs publics et jouera le rôle d'instance consultative pour ce qui est des stratégies et plans de développement.

Pour ce qui concerne la constitution éventuelle d'associations de coopératives, la loi de référence est celle qui concerne les associations en général "Dahir n° 1-58-376 du 3 jourmada I 1378 (15 novembre 1958) réglementant le droit d'association.

Autres activités ou service en faveur des coopératives sont pour le moment déléguées directement au Département des Pêches Maritimes qui prend en charge, par exemple, les actions de sensibilisation, de vulgarisation et d'encadrement y compris en matière de gestion administrative, comptable et financière et de gestion de conflits.

Les crédits se limitent aux microcrédits pouvant être contractés par les coopératives ou les pêcheurs eux-mêmes.

3. GESTION DU TRAVAIL DANS LE SECTEUR DE LA PECHE

3.1 Cadre institutionnel/conditions de travail des pêcheurs

Au Maroc, les activités liées à la pêche maritime (et à l'aquaculture marine) sont gérées par le Ministère de l'Agriculture et de la Pêches Maritime (Département des Pêches Maritimes). La pêche continentale relève de la compétence du Haut Commissariat aux Eaux et Forêts.

Le plan de développement du secteur des pêches maritimes s'intègre dans les nouvelles orientations gouvernementales en matière de développement économique et social du Royaume.

La contribution du secteur des pêches à la réalisation de ces objectifs est basée sur une politique de préservation des ressources tenant compte des opportunités offertes par le marché mondial des produits de la mer, structurellement demandeur.

Dans le cadre de la mise en œuvre des orientations gouvernementales et internationales en matière de nouvelle gouvernance halieutique, une approche nationale de gestion et d'exploitation durable des ressources halieutiques a été conçue et mise en œuvre.

Cette approche, qui vise à la consolidation de la politique de pêche responsable et d'exploitation durable des ressources et de leur écosystème marin, devra permettre de renforcer la position du Maroc en tant que pays à vocation halieutique-industrielle et pays pourvoyeur du marché mondial en produits de qualité à forte valeur marchande.

3.2 Contexte du travail dans le secteur

L'intérêt accordé au secteur des pêches maritimes dans les politiques de développement de l'État tire sa légitimité de ses incidences économiques et sociales. Le secteur représente 2,5 pour cent du Produit Intérieur Brut (PIB), assure un apport en devises d'environ un milliard de dollars annuellement et emploie 400 000 personnes directement ou indirectement.

Ces effets positifs ont permis au secteur d'être considéré parmi les secteurs prioritaires dans les plans de développement quinquennaux de 1973-1977, 1978-1980, 1981-1985, 2000-2004, 2005-2009, 2009-2011 et plus récemment la nouvelle stratégie baptisée « Halieutis ».

Trois composantes de pêche se partagent l'exploitation des ressources halieutiques marocaines à savoir la pêche artisanale, la pêche côtière et la pêche hauturière.

La Pêche artisanale est constituée d'embarcations en bois de 5 à 6m, équipées de moteurs Hors-bord. Leur nombre a augmenté de manière significative à partir des années 80, passant de 3600 en 1981 barques à 15.370 en 2008.

La flotte de pêche côtière composée de 2.562 unités immatriculées correspondant à une capacité globale de 117.600 tonnes de jauge brute (année 2008). Elle est répartie en Senneurs, Chalutiers, Palangriers, Alguiers, Corailleurs, Lan-

goustiers, Madraguiers et unités mixtes de 15 à 25m de longueur, construite localement en bois. Cette flotte, caractérisée par sa vétusté et son faible niveau de technicité, joue un important rôle économique et social tant au niveau national que régional.

Elle représente par ailleurs, le principal fournisseur du marché local de pêche fraîche et des conserveries.

La flotte hauturière a connu un développement rapide à partir de 1973 grâce aux encouragements de l'état. Elle est composée actuellement de 451 unités immatriculées pour une capacité globale de 146.043 (année 2008) TJB. Elle est composée principalement de chalutiers congélateurs construits en acier, de longueur supérieure à 24 m. Cette flotte cible les céphalopodes (poulpe, seiche et calmar). Sa production est exclusivement orientée vers le marché extérieur.

Le travail dans le secteur des pêches maritimes est fortement encadré et soumis au contrôle des pouvoirs publics. C'est un marché fortement administré, l'usage dans le secteur de la pêche maritime constitue, à côté des obligations réglementaires imposées par l'État comme moyens d'accès au métier de marin pêcheur, un ensemble de pratiques spécifiques. Si ces pratiques contribuent à construire une identité professionnelle, elles participent, par là même, à construire un marché de travail protégé de la concurrence à l'abri des formes générales de régulation et notamment de celles qui relèvent des mécanismes des marchés habituels.

C'est un marché professionnel dont le cadre a toujours défendu une identité collective forte, construite autour d'un passé et d'un avenir partagé et favorisée par la nature même des relations de travail à la pêche, basée dans le cas de la pêche côtière et artisanale sur un système de rémunération à la part et de partage des risques. Ceci induit une relation d'association plutôt que de subordination.

3.3 L'emploi dans le secteur de la pêche

Le secteur des pêches permet l'emploi de façon directe et indirecte de quelques 450 000 personnes (2009). Les emplois directs créés, estimés à environ 176 000 personnes, sont répartis dans la pêche hauturière avec 11.000 emplois, pêche côtière avec 50.000 emplois, pêche artisanale avec 65.000 emplois et industries des pêches avec 50.000 emplois.

La contribution du secteur des pêches dans le développement rural est significative. En effet, le département de tutelle a mis en œuvre un programme d'aménagement des sites de pêche artisanale en villages de pêcheurs. Ce programme consiste en la mise en place des infrastructures nécessaires permettant aux marins pêcheurs de travailler et de vivre dans des conditions décentes. Ce programme permet, en effet, de mettre en place les premiers jalons de micro-pôles de développement.

3.4 Niveau du travail

Contribution à l'emploi (2010) : 170.000 emplois directs ; 500.000 emplois indirect ; 3 millions de personnes vivent du secteur.

3.5 Les organisations de représentation

La liberté syndicale est garantie par la constitution. Les syndicats ont pour mission la défense des intérêts de leurs membres auprès des organismes publics ou privés. L'action syndicale dans le domaine des pêches maritimes est pratiquement identique à celle engagée dans les autres secteurs (régime des retraites, accidents du travail, assurance maladie).

Les catégories socioprofessionnelles exerçant dans le secteur des pêches sont pratiquement toutes, à l'heure actuelle, syndiquées. Aussi trouve-t-on, entre autres:

- Le Syndicat des Patrons Armateurs à la Pêche Industrielle;
- La Chambre Syndicale des Armateurs à la Pêche à la Sardine;
- Le syndicat National des Officiers et Marins de la Pêche Hauturière.

Les professionnels traditionnels ou artisanaux sont souvent réunis au sein d'un regroupement représenté par un «Amine». L'«Amine» est choisi par les artisans et son rôle est prépondérant dans les professions qui ne sont pas réglementées. Il a pour mission de veiller à la conservation du métier et à la qualité de la production. Il intervient dans les litiges interprofessionnels ou entre artisans et clients.

L'administration peut faire appel à l'«Amine» pour une expertise ou un avis sur des sujets intéressant la profession (litiges, organisation de la profession, etc.). Dans le secteur de la pêche, la représentativité de l'«Amine» est assurée au niveau de la pêche artisanale.

Le Comité Central des Pêches Maritimes est chargé de donner au Ministère des Pêches Maritimes son avis, sur les questions d'ordre technique, social, économique ou scientifique, concernant l'exercice de la pêche et la vente des produits de la mer sur l'ensemble du territoire.

Le Comité Central des Pêches Maritimes a une composition tripartite car l'État, la profession et les marins y sont représentés. Il comprend en effet :

- Le ministre de l'Agriculture et des Pêches Maritimes ou son représentant;
- Le directeur des Pêches Maritimes et de l'Aquaculture;
- Un représentant du ministre de l'Intérieur;
- Un représentant du ministre des Travaux Publics;
- Un représentant du ministre des Finances;
- Un représentant du ministre du Commerce et de l'Industrie;
- Quatre représentants des associations professionnelles de l'armement à la pêche du poisson industriel;
- Deux représentants des associations professionnelles des mareyeurs expéditeurs;
- Deux représentants des associations professionnelles des congélateurs;
- Six représentants de la fédération syndicale des marins pêcheurs.

Pour l'examen des questions relevant de leurs attributions, d'autres organismes tels que le Ministère du Travail ou le Ministère des Affaires Sociales, l'Institut National de Recherche Scientifique et l'Administration de la Défense Nationale rejoignent le Comité Central.

L'étude préparatoire des questions soumises à l'examen du Comité Central est confiée aux sections technique, socia-

le, économique et scientifique du comité.

Créés par le décret N° 02-58-783 du 22 octobre 1958 précité, les comités locaux sont consultés sur les questions de même nature que celles du Comité Central, mais intéressant spécialement la circonscription maritime, c'est-à-dire la Délégation des Pêches Maritimes dans laquelle ils siègent.

Un comité local représente les catégories professionnelles de la circonscription d'une Délégation des Pêches Maritimes. Le comité local est désigné par les organisations syndicales ou professionnelles et est présidé par le Délégué des Pêches Maritimes de la circonscription, assisté au besoin par les responsables des sous-délégations concernées.

Siègent au comité local:

- Un représentant de l'autorité locale;
- Trois représentants de l'armement à la pêche;
- Trois représentants des marins pêcheurs;
- Deux représentants des industries de transformation et de conservation du poisson;
- Un représentant des mareyeurs.

Éventuellement et selon la nature des questions à étudier, peuvent également siéger:

- Un représentant de l'Administration des Travaux Publics;
- Un représentant de l'Office de Contrôle et d'Exportation;
- Un représentant de l'Institut National de Recherche Halieutique;
- Le Chef du Comptoir d'Agréage du Poisson Industrie.

Après leur création en 1997, les chambres maritimes sont devenues la principale instance consultative du département des pêches maritimes.

Les chambres maritimes sont les représentants du secteur des pêches maritimes auprès des pouvoirs publics nationaux, régionaux et locaux.

Les chambres maritimes doivent être consultées par l'administration:

- Sur les règlements relatifs à la pêche maritime,
- Sur l'élaboration et l'application des plans d'aménagements et de gestion des pêcheries;
- Sur toute mesure visant à l'amélioration des conditions de travail dans le secteur des pêches maritimes.

La création des chambres maritimes n'exclue pas le recours à des consultations auprès des principales associations et syndicats représentant les professionnels du secteur des pêches maritimes.

Le Conseil National de Sauvegarde et d'exploitation des Ressources Halieutique est une entité créée en vue de consolider la concertation avec les pouvoirs publics sur les orientations nationales des pêches.

3.6 Conventions collectives de travail

Il existe des syndicats de pêcheurs, mais il n'existe pas de conventions collectives dans le secteur de la pêche maritime.

3.7 La réglementation sur les relations du travail

Le marché de travail dans le secteur des pêches maritimes est fortement administré. La sécurité des biens et des personnes justifie les obligations réglementaires imposées par l'administration comme compétences minimales pour accéder à toute fonction à bord.

L'usage dans le secteur de la pêche maritime constitue, à côté des obligations réglementaires imposées par l'État comme moyens d'accès au métier de marin pêcheur, un ensemble de pratiques spécifiques. Ces pratiques contribuent à construire une identité professionnelle, et participent, par là même, à construire un marché de travail protégé de la concurrence, à l'abri des formes générales de régulation et notamment de celles qui relèvent des mécanismes de marché habituels.

En effet, tout marin souhaitant accéder à un poste de commandement, doit avoir comme minimum un niveau de qualification exigée par le dahir N° 2-60-389 du 25 Février 1960. Ces exigences sont fonction du tonnage jauge brute pour les officiers pont et de la puissance propulsive pour les officiers machine.

Quant aux autres membres de l'équipage, la décision prise pour obliger toute nouvelle recrue à effectuer une formation de base en matière de sécurité et l'adoption dans le cadre de la promotion socioprofessionnelle de cette catégorie, du mode de formation par apprentissage au profit des membres d'équipage en exercice, permettra dans l'avenir de généraliser la formation à tout marin.

Concernant la législation des relations du travail, outre le Code du travail, le Code de Commerce Maritime du 31 mars 1919 prévoit une réglementation du navire et du marin (concernant les conditions du travail à bord) et les contrats d'engagement entre armateurs et marins.

3.8 Engagement

Le Code du Commerce Maritime prévoit, à l'article 166, que est considéré comme mousse tout marin âgé de moins de seize ans et considéré comme novice tout marin âgé de plus de seize ans et de moins de dix-huit ans. Toutes les clauses et stipulations du contrat d'engagement maritime doivent, à peine de nullité, être constatées par écrit devant l'autorité maritime. Elles sont inscrites ou annexées au registre d'équipage. L'inscription du marin au registre d'équipage d'un navire de plus de 50 tonneaux de jauge brute, faisant habituellement des sorties en mer de plus de soixante-douze heures, est subordonnée à une visite médicale passée, aux frais de l'armateur, par le médecin du navire, ou, à défaut de médecin à bord, par un médecin agréé par l'autorité maritime, et établissant que l'embarquement du marin ne présente aucun danger pour sa santé ou pour celle de l'équipage (Art. 167 bis).

Les dispositions concernant le contrat d'engagement maritime sont prévues par l'annexe du Dahir portant code de commerce maritime du 31 mars 1919. Le représentant de la société et le marin doivent convenir sur l'emploi du marin à bord du navire de pêche; la durée du contrat qui doit correspondre à la date d'inscription sur le registre d'équipage qui fait foi d'embarquement, elle peut être indéterminée ou déterminée et ne peut en aucun cas être inférieure à une en marée. La rémunération peut être un salaire mensuel fixe ou un salaire calculé sur la base d'un pourcentage sur la valeur de vente des captures, que doivent être indiquée sur le contrat. Lorsque le salaire est déterminé à la

part, un montant mensuel doit être versé à titre d'avance sur les rémunérations dues. Ces avances sont déduites des rémunérations réelles lors de la liquidation des salaires.

Le contrat peut prévoir d'autres primes au profit du marin - prime de rendement, d'encouragement, de fidélité, d'ancienneté, etc.

L'article 4 prévoit que la liquidation de la rémunération a lieu, le cas échéant, par virement bancaire, à la fin de chaque mois pour la partie fixe de la rémunération salaire mensuel ou avance. Le complément de salaire est intégré, au plus tard, dans la paie du mois suivant la date des ventes des captures.

Le marin peut, lors de l'engagement, déléguer une partie de ses gains en faveur de la ou des personnes se trouvant légalement ou en fait à sa charge. Dans tous les cas, il est délivré au marin un bulletin de paie mensuel et une situation de solde de tout compte après la liquidation totale des salaires mentionnant la rémunération brute et nette ainsi que les déductions faites.

Outre les cas prévus par la législation en vigueur, il peut être mis fin au contrat, sans indemnités particulières en cas d'immobilisation involontaire du navire, en cas de la saisie ou en cas de perte du navire suite à un événement de mer.

L'armateur ou son représentant est tenu de remettre au marin une copie du contrat et de son avenant, éventuellement, aussitôt après le visa de ces documents par l'autorité maritime.

Le Code du travail prévoit que les bénéficiaires des stages de formation-insertion et de formation par apprentissage sont soumis aux dispositions relatives à la réparation des accident de travail et des maladies professionnelles ainsi qu'aux dispositions prévues par le Code notamment en ce qui concerne la durée du travail, le repos hebdomadaire, le congé annuel payé, les jours de repos et de fêtes et la prescription.

3.9 Rémunération

L'article 5 du Contrat d'engagement maritime prévoit que le congé doit être convenu au moment de l'acceptation du contrat écrivant les jours de congé payé par mois d'embarquement, comprenant les congés annuels, les jours de repos hebdomadaires et les jours fériés non pris (11 jours pour les officiers et 8 jours pour les autres membres de l'équipage).

Les pêcheurs artisans et côtiers sont payés à la part, alors que les pêcheurs de la grande pêche, ils ont un salaire et une prime de rendement.

La composante du coût la plus pesante sur les pêcheurs est le carburant. Les profits nets sont modestes.

En matière de traitement des salaires, une distinction s'impose entre les modes de rémunération des marins du segment de la pêche hauturière et ceux des pêches côtière et artisanale.

Généralement, le personnel de commandement à bord des navires de la pêche hauturière est payé à raison d'un salaire fixe mensuel auquel s'ajoute une prime sur le chiffre d'affaire réalisé ou bien sur le tonnage des captures débarquées. Les marins embarqués à bord de ces navires sont payés au salaire fixe revalorisé par une prime sur le tonnage effectué.

Ce mode de rémunération a été inspiré du système adopté par la marine marchande (convention collective des marins de commerce). Cependant, une pluralité de barèmes des salaires existe et provoque parfois une certaine concurrence

interentreprises lorsqu'il s'agit du recrutement des bonnes compétences. A titre indicatif, les salaires virtuels servis par les entreprises détentrices des navires de la pêche hauturière sont comme présentés dans le tableau suivant.

Table 13. Grille indicative des salaires du personnel de la pêche hauturière (2007)

Personnel	Salaire fixe en dirhams	Prime
Capitaine	12.000-15.000	2 à 3% sur le chiffre d'affaire
Personnel de commandement	4.000-9.000	10 à 50 dirhams par tonne de produit débarqué
Personnel subalterne	2.660-8.000	5 à 25 dirhams par tonne de produit débarqué

Tous les marins de la Pêche côtière (Régime spécifique) ne sont pas des salariés, ils sont rémunérés à la part : Système formalisé pour la pêche à la sardine par l'arrangement du 18 avril 1952, puis étendu à toutes les composantes du segment de la pêche côtière.

Les dispositions des l'article 20 et suivants du dit arrangement fixent les conditions de répartition des apports entre l'armateur et l'équipage et entre les membres de l'équipage eux mêmes.

L'article 21 du protocole du 18 avril 1952 fixe le partage des parts entre l'armateur et l'équipage après déduction des frais communs est comme décrit dans le tableau ci-dessus.

Table 14. Répartition des parts entre armateurs et équipage dans la pêche côtière

Outil de pêche	Parts de pêche	
	Armateur %	Équipage %
Sardinier	40	60
Chalutier	50	50
Palangrier	45	55
Filet maillant	50	50

L'article 25 du même protocole définit la méthode de répartition par laquelle les sommes revenant à l'équipage seront effectuées conformément aux usages établis ou accords conclus dans chaque port.

Pour un sardinier: Patron 2 parts; Second 2 parts, Mécanicien 2 parts, Filet 1 parts, Homme des anneaux 1 part ½, Homme du canot 1 part ¼, Homme du « couba » 1 part ¼, Homme de retenu 1 part ¼, Matelot 1 part, Non titulaire du CAM ½ part.

Cet arrangement tolère, en fonction des coutumes locales, des ajustements au niveau de la répartition et non pas sur la nature.

Pour un chalutier: Patron porteur 1 part ½, Spécialiste 3 parts, Mécanicien 2 part, Second câblé 1 part ½, Second mécanicien 1 part ¼, Le glacier 1 part, Couberter» 1 part, Matelot 1 part, Cuisinier 1 part ¼, Ramendeur ¼.

3.10 Temps du travail

Le travail sur un navire de pêche lors de la navigation ou en situation de pêche nécessite un travail organisé en service continu.

Le Code de Commerce Maritime de 1919 concernant l'organisation des heures de travail se limitent aux activités des navires de commerce. L'article 196 du même code prévoit que la durée et l'organisation du travail à bord des navires de pêche seront réglées par arrêtés ministériels.

La loi 65-99 relative au code de travail qui régit en tant que conditions minimales moins avantageuses le travail des marins pêcheurs, limite en vertu de l'article 184 la durée de travail réglementaire à 44 heures par semaine sans excéder 10 heures par jour avec la possibilité d'une rallonge de 2 heures dans certains cas particuliers.

Dans la pratique, le travail à bord des chalutiers côtiers limite en majorité les opérations de pêche assurées par une seule équipe entre 06 heures du matin et 20 heures du soir pour les quelles le marin assure un travail discontinu lui permettant de prendre des moments de repos allant jusqu'à 2 heures par coup de chalut. Par contre, le travail à bord des sardiniers côtiers ne dépasse guère 6 à 7 heures par jour.

Celui des navires hauturiers utilisant le chalut espagnol est organisé avec une seule équipe de marins. L'organisation du travail à bord pour le personnel subalterne de ces navires est fonction de la périodicité des coups de chalut répétitifs. Chaque coup de chalut dure de 4 à 6 h, durant lequel le marin procède aux opérations de halage, largage du chalut, tri et conditionnement du poisson.

La durée totale de ces opérations est fonction de l'importance des prises, elle varie entre 3 et 4h, ce qui permet au marin de disposer d'un temps de repos maximum de 2h par opération de pêche. Le cumul journalier des périodes de repos ne dépassera guère 8 à 10 heures.

Abord des chalutiers utilisant les chaluts asiatiques la journée de travail est en général de 12 h répartie en deux périodes par de 6h chacun.

3.11 Pauses et repos

Les pauses et repos sont tel quelles décrits dans le dernier chapitre, car le travail sur un navire de pêche lors de la navigation ou en situation de pêche nécessite un travail organisé en service continu. Donc le repos est régit par la loi 65-99 que limite la durée de travail réglementaire à 44 heures par semaine sans excéder 10 heures par jour avec la possibilité d'une rallonge de 2 heures dans certains cas particuliers.

L'Article 188 du Code du travail prévoit qu'en cas d'organisation du travail par équipes successives, la durée de travail de chaque équipe ne peut excéder huit heures par jour. Cette durée doit être continue sauf une interruption pour le repos qui ne peut être supérieure à une heure.

3.12 Congés

Le Code de Commerce Maritime de 1919 concernant l'organisation de travail à bord du navire ne prévoit pas la réglementation sur les congés.

Les dispositions concernant les congés sont régies par le Code du travail. L'article 54 prévoit que sont considérées comme périodes de travail effectif les périodes de congé annuel payé.

La durée du congé annuel payé est établie par l'article 231 : « Sauf dispositions plus favorables du contrat de travail, de la convention collective de travail, du règlement intérieur ou des usages, tout salarié a droit, après six mois de service continu dans la même entreprise ou chez le même employeur, à un congé annuel payé dont la durée est fixée comme suit : un jour et demi de travail effectif par mois de service et deux jours de travail effectif par mois de service pour les salariés âgés de moins de dix-huit ans.

Lorsque le contrat de travail est à durée déterminée, le salarié doit avoir bénéficié de la totalité de son congé annuel payé avant la date d'expiration dudit contrat. Les interruptions de travail dues à la maladie ne sont pas comptées dans le congé annuel payé.

La durée du congé annuel payé est augmentée d'autant de jours qu'il y a de jours de fête payés et de jours fériés pendant la période du congé annuel payé.

Il est interdit aux employeurs d'occuper les salariés pendant les jours de fêtes payés dont la liste est déterminée par voie réglementaire et pendant les jours fériés (Art. 217). Le salarié payé à l'heure ou à la journée reçoit une indemnité pour le jour de fête payé égale à la rémunération qu'il aurait perçue s'il était resté à son poste de travail, à l'exception des indemnités de risques ou de remboursement des frais et dépenses engagés par lui à l'occasion de son travail.

Le salarié a le droit de bénéficier du repos du jour de fête payé, s'il est occupé immédiatement avant le jour de fête ou durant les treize jours du mois qui précède le jour de fête.

3.13 Recrutement de pêcheurs étrangers

Le décret N° 2-60-389 du 25 février 1961 exige la nationalité marocaine pour l'exercice des fonctions d'officiers à bord d'un navire battant pavillon marocain. Le même décret laisse la possibilité de recours aux compétences étrangères en cas de constatations de manque de compétences nationales.

Ce n'est qu'en 1999, après une nationalisation naturelle qui a buté sur certaines fonctions clés, qu'une décision ministérielle a exigé la marocanisation des fonctions de second capitaine et second mécanicien à bord de tous les navires y compris les crevettiers qui faisaient jusque là exception. Les étrangers se limitent actuellement à 61 cadres pour la pêche côtière, et 373 pour la pêche hauturière, soit au total 434 officiers de pêche.

Le décret n° 2-01-1543 du 20 octobre 2006 modifiant l'arrêté du 7 avril 1934 fixant la proportion des marins de nationalité marocaine qui doivent être embarqués à bord des navires armés sous pavillon marocain. B.O n° 1876 du 16/11/2006, vient pour exiger la nationalité marocaine pour l'exercice de toute fonction à bord des navires de pêche

opérant dans la zone économique exclusive marocaine. L'application de ce décret fait actuellement l'objet d'un plan d'action de marocanisation progressive.

3.14 Mesures de indemnité pour le soutien des revenus

L'article 7 du Contrat d'engagement maritime prévoit que l'assurance est contractée par l'armateur pour couvrir les risques d'accident de travail et de maladies professionnelles (Dahir du 9 juillet 1945).

Aussi pour ce qui concerne la CNSS, l'armateur est tenu de faire les déclarations nécessaires conformément aux dispositions réglementaires en vigueur (Art. 8).

Pour la pêche côtière et hauturière, les pêcheurs bénéficient d'une couverture sociale et médicale, alors que pour les pêcheurs artisanaux, un projet est en cours de discussion pour permettre à cette population de marins de bénéficier également d'une couverture sociale et médicale.

Les cotisations généralisées à tous les marins de la Pêche côtière sont prélevées sur les ventes brutes de poisson:

- Pourcentage à prélever = (part de l'équipage) x (taux de cotisation).
- Le taux de cotisation est de 15,50%.
- Les parts de l'équipage sont de:
 - 30% pour Chalutiers (CC: 40% et P/armateur: 30%)
 - 38,8% pour les Sardiniers et Palangriers (CC: 25% et P/armateur: 36,2%).
- Les prélèvements sur les ventes brutes de poisson sont de:
 - 4,65% pour les chalutiers (15,50% x 30)
 - 6% pour les Sardiniers et palangriers (15,50% x 38,80).

L'employeur doit payer les cotisations qui sont de 20,39% de la masse salariale. La pêche Artisanale n'a pas de couverture sociale actuellement.

3.15 Indemnité de chômage

La sécurité sociale pour la pêche côtière et hauturière est régie par le Dahir portant loi n° 1-72-184 du 27 Juillet 1972.

3.16 Indemnité de maladie

L'Assurance Maladie Obligatoire offre plusieurs avantages dont; le maintien de la garantie pendant 6 mois en cas de cessation d'activité, pendant 12 mois en cas de dissolution du lien de mariage du conjoint, pendant 24 mois en cas de décès pour le conjoint survivant et les enfants. La garantie illimitée et sans plafond et la couverture à vie des retraités. La couverture des enfants de moins de 12 ans pour tous les soins y compris les soins préventifs (vaccins). La couverture médicale obligatoire de base concerne les salariés assujettis au régime de sécurité sociale ne disposant

pas d'une assurance facultative, les titulaires de pensions dont le montant est supérieur ou égal à 500 dirhams; les assurés volontaire et les marins pêcheurs à la part.

Et elle couvre l'assuré social et les membres de sa famille à sa charge (à condition qu'ils ne soient pas bénéficiaires à titre personnel d'une assurance de même nature). Et elle couvre l'assuré social et les membres de sa famille à sa charge (à condition qu'ils ne soient pas bénéficiaires à titre personnel d'une assurance de même nature).

3.17 Les prestations familiales

Les allocations familiales sont des prestations non contributives basées sur un principe d'aide sociale. Elles revêtent un caractère d'allocation servie indépendamment de contributions et sur la base de l'activité salariée.

Leur financement est à la charge exclusive de l'employeur et il s'opère par un prélèvement sur la masse salariale brute, sans limite de plafond. Les prestations familiales sont attribuées à l'ensemble de la population active assujettie au régime de sécurité sociale.

Le montant des allocations familiales est uniforme, il ne dépend pas de la situation professionnelle ou sociale et reste le même quel que soit votre revenu. Pour chaque enfant à charge et pour 6 enfants au plus, la Sécurité Sociale vous fait bénéficier des allocations familiales: 200 DH par enfant pour les 3 premiers enfants ; 36 DH pour les 3 suivants.

En cas de décès d'un(e) assuré(e) ou d'un pensionné(e), une allocation au décès est servie dans cet ordre de priorité: a son conjoint ou épouse, a défaut, à ses descendants; a défaut, à ses ascendants; a défaut, à ses frères et sœurs; a défaut, à la personne qui a supporté les frais funéraires.

L'allocation au décès est cumulable avec les rentes applicables dans le cadre des accidents de travail et des maladies professionnelles sous réserve de déduction des frais versés par l'assurance. La demande doit être déposée dans un délai de 9 mois, à compter de la date de décès de l'assuré. Le montant de l'allocation au décès varie de 10.000 à 12.000 DH à partir de l'entrée en vigueur du plafond 6.000 DH. Ce montant est de 9.250 DH si le décès fait suite à un accident de travail.

Est possible bénéficier d'une indemnité journalière de maladie s'il y a un' incapacité physique dûment constatée par un médecin désigné ou agréé par la CNSS. Pour en bénéficier, est nécessaire Justifier de 54 jours de cotisations pendant les 6 mois qui précèdent l'incapacité. En cas d'accident, autre que l'accident de travail ou de maladie professionnelle, cette condition n'est plus nécessaire. Il suffit simplement d'être assuré à la CNSS à la date de l'accident.

3.18 Les accidents et les maladies professionnels

En novembre 2002, l'entrée en vigueur de la loi 18-01 rend l'assurance accidents de travail (AT) obligatoire pour tous. Le code de commerce maritime, dans l'article 189, met à la charge du navire les frais de soins et blessures d'un marin en cours de son embarquement à bord. Il décrit dans ses articles 190 à 194, les modalités de cette prise en charge ainsi que les obligations de L'armateur en cas d'accident ou décès d'un membre de l'équipage.

Toutefois, l'article 190 ter, exclut les navires de moins de 25 tonneaux et ceux qui sont armés à la pêche côtière de ces dispositions.

L'exclusion faite par le code de commerce maritime a été réparée par le code de travail qui a un effet générique. Ainsi, Le code de travail, dans ses articles 265, 266, 267, prend des dispositions concernant les salariés victimes d'un accident de travail ou d'une maladie professionnelle.

3.19 Maladie du travail

Le Code du Commerce Maritime prévoit que le marin est soigné aux frais du navire s'il est blessé au service du navire ou s'il tombe malade pendant le cours de son embarquement.

Les dispositions de l'alinéa précédent sont applicables au marin qui tombe malade postérieurement à la date de son débarquement et avant tout autre embarquement, lorsqu'il est établi que la maladie a été contractée au service du navire (Art. 189). En cas de maladie, les salaires du marin lui sont payés pendant le temps où il a droit aux soins, dans les limites ci-après:

- Si le marin a été débarqué malade à l'étranger et s'il est rapatrié guéri ou dans un état ne justifiant pas son hospitalisation, jusqu'à son rapatriement tel que celui-ci a été prévu par l'article 193 ci-dessous;
- Si le marin est hospitalisé même après rapatriement, jusqu'à sa sortie de l'hôpital;
- Si le marin est débarqué pour cause de maladie au port d'armement ou dans un port où l'obligation du rapatriement peut être considérée comme accomplie, et si son état ne justifie pas son hospitalisation ou qu'il ne peut être hospitalisé pour des raisons indépendantes de sa volonté, il bénéficie:
 - pendant les dix premiers jours suivant le débarquement, de son salaire de base effectif augmenté,
 - s'il y a lieu, de l'indemnité de nourriture.

A partir du onzième jour, et dans la limite des obligations fixées par l'alinéa premier du présent article, d'une allocation égale à la moitié de son salaire de base effectif majorée, s'il y a lieu, de la moitié de l'indemnité de nourriture.

Ne pourra prétendre à cette allocation le marin qui aura refusé son hospitalisation si celle-ci est prescrite par le médecin. Il en sera de même si le marin quitte l'établissement où il est hospitalisé sans autorisation médicale. L'armateur pourra faire contre-visiter par un médecin de son choix tout marin malade non hospitalisé.

En aucun cas, la période pendant laquelle les salaires ou l'allocation visée ci-dessus sont alloués au marin atteint de maladie ne peut dépasser quatre mois à dater du jour où il a été laissé à terre.

Les salaires visés au présent article s'entendent des salaires fixes mentionnés au contrat d'engagement. Dans le cas où le contrat ne prévoit pas de rémunération fixe, les salaires à allouer dans ces conditions sont déterminés d'après le taux moyen des salaires des marins du commerce au port d'armement du navire.

L'article 191 prévoit que si un marin meurt d'une maladie ou d'une blessure dont les frais de traitement sont à la charge du navire, celui-ci doit supporter les frais de sépulture et le retour du corps au port d'armement ou au lieu de rapatriement.

Les dispositions des articles ci-dessus ne sont pas applicables si la maladie ou la blessure a été déterminée par un fait intentionnel ou par une faute inexcusable du marin ou encore si elle a été contractée par lui sous l'influence de l'ivresse ou si elle résulte d'un acte d'indiscipline de sa part.

Les dispositions et les droits prévus dans le cadre de l'assurance maladie obligatoire sont le même que pour la maladie du travail sauf quelque cas particulière reporté dans le dernier chapitre.

3.20 Accidents du travail

Les dispositions prévues par le Code du Commerce maritime dans ses articles 190 à 194 concernant aussi les accidents du travail sont applicables même s'il est vérifié que cet accident est dû à une faute inexcusable de la victime (Art. 192 bis).

Les dispositions et les droits prévus dans le cadre de l'assurance maladie obligatoire sont le même que pour les accidents du travail sauf quelque cas particulière reporté dans le dernier chapitre.

3.21 Performances de fonds de pension

En cas de maladie de longue durée que rend incapable d'exercer une activité lucrative quelconque, une pension d'invalidité est attribuée.

Pour en bénéficier, il faut Justifier de 1080 jours d'assurance, dont 108 jours pendant les 12 mois civils qui précèdent le défaut de l'incapacité de travail ; être rendu incapable d'exercer une activité lucrative quelconque , ne pas avoir atteint l'âge d'admissibilité à la pension de vieillesse.

Si l'invalidité est due à un accident, vous devez seulement justifier votre assujettissement à l'assurance à la date de l'accident.

Le montant de la pension est minimum : 50% du salaire mensuel moyen pour l'assuré qui compte de 1080 à 3240 jours d'assurance. Pour l'assuré qui a réuni les 3240 jours d'assurance, le montant de la pension d'invalidité est augmenté de 1% pour chaque période de 216 jours de cotisation accomplie en plus des 3240 jours. Le maximum est le 70% du salaire mensuel moyen. Si l'invalidité doit être assisté par une tierce personne, le montant de la pension est majoré de 10% du salaire moyen ayant servi au calcul de ladite pension.

L'action de l'assuré pour le paiement des arrérages de la pension d'invalidité se prescrit par un délai de 6 mois. Si la demande de pension est introduite après l'expiration du délai, la pension prend effet à compter du 1er jour du mois civil suivant la réception de la demande.

Pension de Vieillesse / Retraite

La pension dite de vieillesse (retraite) est une prestation qui vous est allouée à l'âge de 60 ou 55 ans si vous justifiez de 3240 jours de cotisation.

Le montant de la pension minimale est de 600,00 dirhams par mois. Le montant de la pension correspond à 50% du salaire mensuel plafonné (à 6.000 dirhams) si vous totalisez au moins 3240 jours de cotisation. Ce montant est augmenté de 1% pour chaque période d'assurance de 216 jours accomplie en sus des 3240 jours. Le maximum est de 70% du salaire mensuel moyen.

La demande doit être déposée auprès de l'agence CNSS la plus proche du domicile ou du lieu de travail dans un délai

de six mois. Si la demande de pension de vieillesse est introduite après l'expiration de ce délai, la pension prend effet à compter du 1er jour du mois civil suivant la réception de la demande.

Le retraite anticipée est introduite à partir de 55 ans moyennant le paiement d'une prime par l'employeur. Celle-ci est en fonction de l'âge de l'assuré et de l'annuité de la pension.

Pour en bénéficier il faut être âgé de 55 ans et plus, et moins de 60 ans; avoir au moins 3240 jours de cotisations; avoir 54 jours de cotisations, continues ou discontinues, pendant les six mois précédant la demande de l'estimation de la prime; avoir l'accord de l'employeur (cette condition n'est pas exigée pour les marins pêcheurs à la part). Paiement de la prime par votre employeur.

La pension de survivants est une prestation allouée au(x) conjoint(s) et/ou les ayants droit de l'assuré qui, au moment de son décès, bénéficiait d'une pension de vieillesse ou d'invalidité ou remplissait les conditions requises pour en bénéficier.

La pension de survivants est servie aux ayants droit de l'assuré qui remplissait à la date de son décès, les conditions requises pour bénéficier d'une pension d'invalidité ou comptait au moins 3240 jours d'assurance.

Du pensionné d'invalidité ou de vieillesse décédé.

Le Montant de la pension pour le conjoint ou épouse(s), et pour les orphelins de père et de mère est le 50% du montant de la pension d'invalidité ou de vieillesse à laquelle le titulaire avait droit, ou à laquelle aurait pu prétendre à la date de son décès. Pour l'orphelin de père ou de mère est le 25% du montant de la pension d'invalidité ou de vieillesse que l'assuré a perçue ou aurait pu percevoir avant son décès.

Le montant total des pensions de survivants ne peut être supérieur au montant de la pension du défunt. La demande doit être déposée auprès de l'agence CNSS la plus proche du domicile ou du lieu de travail dans un délai de 12 mois, sauf survenance de force majeure, qui suit la date du décès. A l'expiration de ce délai, la pension prend effet à compter du mois suivant la réception de la demande.

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MONTENEGRO



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ACRONYMS AND ABBREVIATIONS

- CER** Centre for Ecotoxicological Research
EACs Eastern Adriatic Countries
EEZ Exclusive Economic Zone
DOF Department of Fisheries at the Ministry of Agriculture and Food
FAO Food and Agriculture Organization of the United Nations
FISHSTAT FAO fisheries statistics
GDP Gross Domestic Product
IARs Italian Adriatic Regions
IFT Italian National Institute for Foreign Trade (ICE)
MAFWM Ministry of Agriculture, Forestry and Water Management
MiPAAF Italian Ministry of Agriculture, Food and Forestry
PHI Public Health Institute
SMEs small and medium enterprises
WB World Bank

1. FISHERY SECTOR

Regarding the spectrum of data and information treated, the project activities have targeted statistical data collection and processing issues related to marine fishing activities and to marine fishing units (vessels, gear, fishermen) operating in the Mediterranean areas.

1.1 Production

Fishing in Montenegro mostly consists in fishing at sea. The annual production is 3.000 tons of fish, including 600 tons from freshwater fishing, 450 tons of farm-raised trout, 1.700 t from sea fishing, 50 t of sea bass and sea bream reared in cages and 250 tons of farm-raised shellfish. The country's sea fishing industry accounts for 0.3% of the total catch in the Mediterranean countries belonging to the EC.

In most cases, production costs are very high, so that, unless they are cut down, manufacturers are not able to profitably export to EU countries.

Therefore, under these circumstances, producers tend to focus on the local market, taking advantage of the opportunity to sell directly to shops and restaurants, and consequently maximize the selling price.

1.2 Trade: import and exports

Import of fish from the EU countries in 2007, 2008 and 2009 was 2,368.38; 2,475.04; 1,948.63 respectively (amounts in 1000 EUR).

Import of processed fish products from the EU countries in 2007, 2008 and 2009 was 1,045.76; 1,279.41; 1,024.77 respectively (amounts in 1000 EUR).

Import of fish and fish product in total from the EU countries in 2007, 2008 and 2009 was 3.414.14; 3.754.45; 2.973.40 respectively (amounts in 1000 EUR).

The largest share for imports are associated to Italy (56%), Spain (16%), Denmark (9%) and Slovenia (9%). Exports from Montenegro in 2006 amounted to approximately 540 tonnes of demersal species, namely: octopus, squid, shrimp, mullet and hake.

Export of fish to the EU countries in 2007, 2008 and 2009 was 1,40; 102,07; 125,88 respectively (amounts in 1000 EUR).

Export of processed fish products to the EU countries in 2007, 2008 and 2009 was 0; 0.04 ;0 respectively (amounts in 1000 EUR).

Export of fish and fish product in total to the EU countries in 2007, 2008 and 2009 was 1.40; 102.11; 125.88 respectively (amounts in 1000 EUR).

The fish caught with fishing vessels is exported as fresh refrigerated to Italy. Only 10% of the catch is sold locally. In fact, exports to the EU area are limited and some key actions are necessary in order to achieve best results and encourage exports. The largest share of exports is registered for Finland (85%) and Greece (12%).

Fish prices are artificially high and thus higher than the average in the EU. High prices are not only a consequence

of the fact that the domestic industry is developing, but they are also due to a lack of local competition which does not accelerate changes and efficiencies and therefore keeps the industry with very high costs and consequently with very narrow margins.

Trout farming represents the main industry sector, but there are also growing activities in mussel, sea bream and sea bass farming.

1.3 Pro capita consumption

Fish consumption in Montenegro is almost the lowest in Europe and amounts to approximately 2-4 kg per capita, a very low value, considering the European average of 22 kg per capita.

1.4 Fishery and linking industry

There are 24 trout farms, 16 mussel farms and 3 sea bream/bass farms and 638 people are engaged in the fisheries sector in Montenegro. 443 of these work in freshwater fishing (437 full time and 6 part-time), 159 in sea fishing (91 full time and 68 part-time) and 36 in mariculture. Among the 159 working in sea fishing, only 120 are fishermen and 52 are professionals.

There is only one fish processing plant in the Country, based at Ribarstvo (Rijeka, Crnojevica, Cetinje), which is also one of the five existing canning plants in the Balkan region.

The company produces 5 million fish cans which correspond to a production of 960 tonnes of sardines and mackerel. The fish needed comes from Italy, Croatia and Slovenia. There are also three other minor companies, one in Kotor and two in Bar. Moreover, there are programmes to build processing plants dedicated to export of canned anchovies, smoked carp and trout, smoked and fresh trout fillets, secondary treatment of frozen fish from Norway and Spain (although these activities include the preparation of fillets).

There is one processing factory situated near the Lake Scadar, "Ribarstvo" Rijeka Crnojevica, which produces canned sardine and mackerel and canned fish from the Lake. At the moment, the plant is producing 80% of its total production capacity. So far, it has imported most of the small pelagic fish for canning, from Croatia.

Construction of a new fish processing plant is underway in the area of Podgorica. Its production process will include smoking and vacuuming of freshwater fish (carp and trout).

1.5 Fishing Harbors

Bar is the only main fishing port throughout the Country, however there are several small secondary ports in Kotor, Herceg-Novi, Budva, and Tivat.

1.6 Fishing fleet

The fleet is made up of 22 boats including 19 fishing vessels and a multi-purpose vessel (traditional and with seine net). All fishing vessels are licensed for the specific equipment used.

In Montenegro, the fishing is done by a fleet of vessels with permits for large-scale and small-scale commercial fishing, as well as by vessels for semi-subsistence commercial fishing, where fishing is not the primary economic activity. All fishing vessels above 12 m of length over all are considered commercial fishing vessels. Most of the vessels are old (about 35 years on average) and a large number of them is not functional or provided with optimal fishing equipment.

There are three main types of fishing: bottom trawls, demersal (benthic) resources, entangling nets and pelagic trawls for pelagic resources (small pelagic fish) and small-scale coastal fishing, performed by small tools.

The most significant fishing activity is trawling used for fishing the demersal species of fish, crustaceans and cephalopods. The target and commercially most significant species of this type of fishing are: hake, red mullet, rays, musky octopus, cuttlefish and deep-water rose shrimp. The researches carried out show that there are significant demersal resources of shrimps and hake on the continental slope of the South Adriatic basin, in territorial and international waters and that this fishing should be developed in that direction. Therefore, expansion of the fleet with 6 vessels of length above 24 m fishing in that area, is actually planned. Currently, there is one 33 m trawler with engine of 1200 HP and the registration process of one more vessel is underway.

Fishing of pelagic resources by entangling nets and pelagic trawls is operated in the open sea. Currently, there are 8 vessels of overall length below 12 m, using small entangling nets for small pelagic fish, as well as one vessel of overall length above 12 m fishing small pelagic fish in the open sea with big entangling nets for small pelagic fish. Fishing by smaller entangling nets is also done in the entry of the Bay of Boka Kotorska (the bays of Herceg Novi and Tivat). The most significant species of this fishing are european pilchard, european anchovy and mackerel. Based on scientific research, Montenegrin waters have significant resources of small pelagic fish, so this fishing type has a great opportunity of development.

Small-scale coastal fishing is carried out on the territory of the Bay of Boka Kotorska and in the coastal area of Montenegro's territorial sea. Small boats and a large number of various tools are used (nets, angles). Species from the following families are generally caught:

Sparidae, Scombridae, Triglidae, Clupeidae, Engraulidae.

1.7 Institutional organization

The management body responsible for marine and freshwater fisheries is the Ministry of Agriculture, Forestry and Water Management of Montenegro (MAFWM) which is directly in charge of the fishery-related administrative and technical issues.

This Institution has the role to propose and adopt systemic solutions in the field of both marine and inland fisheries, in development of fisheries policy and in undertaking the measures for its implementation. As of January 2009 a Fisheries Unit was established in the Ministry, which currently has three employees: one senior and two junior advisers. Law on Marine Fisheries and Mariculture (Official Gazette of Montenegro, 56/09) determines the establishment of an administrative body in charge for the fisheries affairs (Fisheries Directorate) which will, inter alia, assist the sector for structural, market measures and planning.

This Institution is particularly important and its function is to propose and adopt systemic solutions in the field of fisheries, promoting a fisheries development policy and undertaking actions for its implementation.

All activities in the fisheries sector are carried out by a Senior Advisor, who is also responsible for other sector's activity.

The Fisheries Inspectorate is part of the Inspectorate for Agriculture. There are three inspectors assigned to the three main coastal areas (i.e. Bar, Herceg Novi and Kotor), which monitor and control fishing effort at sea. There is also an additional inspector with shared responsibility for the control of fish farms, domestic trade and import control.

The inspectorate controlling fishing activities is a part of the agricultural inspectorate of the MAFWM and it consists of 3 inspectors for marine fisheries, who work on a full-time basis, and inspectors for agriculture, who spend about 20% of their working hours on activities related to freshwater fishery. One of them undertakes control over fishing activities at sea as well, depending on the workload.

Ministry of Spatial Planning and Environment is responsible for giving the approval on the species of marine fish and other marine organisms, including anadromous and catadromous species to be declared as protected by the Government that have previously received advice by the MAFWM.

The Centre for Ecotoxicological Research (CER) lays under the responsibility of this Ministry, which carries out some of the analyses required for the export of fish and fish products on behalf of the MAWFM.

The Public Health Institute (PHI) which falls under the responsibility of the Ministry of Health, carries out all required microbiology analyses referring to fishery sector.

The Ministry of Defense and the Ministry of Internal Affairs are considered in a process of issuing the fishing permissions for the foreign fishing vessel fishing in the fishing sea of Montenegro.

The Ministry of Transportation, Maritime Affairs and Telecommunications is responsible for safety matters on board fishing vessels.

Other relevant institutions are:

- Institute of Marine Biology in Kotor which carries out many research activities including: population dynamics for economically important fish species, crustaceans and cephalopods and the maximum yield allowed in Montenegrin waters, water quality analysis etc. By the Law on the Marine Fishery and Mariculture, Ministry has recognized the Institute as an important partner in decision making process in the field of both, fisheries and mariculture;
- Faculty of Natural Sciences and Mathematics - Study program of Biology is responsible for performing

researches on fishery water for the purposes of sustainable exploitation of the fresh water fish stocks as well as data necessary for preparation of fishery basis;

- The Veterinary Directorate is the organ that falls under the responsibility of MAFWM, that directly enforces the laws and other regulations, makes decisions on rights and obligations of legal and natural persons and other operators in animal breeding, animal health protection, production of safe products and raw materials of animal origin, production and use of safe animal feed. Veterinary inspectors carry out the enforcement of regulations. The Veterinary Directorate is the competent authority for the approval of facilities to farm, fish processing and treatment, fish products and their compliance with veterinary and sanitary standards.

1.8 National development strategy

Montenegro has prepared in 2006 the "National Strategy of Sustainable Development of Montenegro", where the vision of economic, social, environmental, ethical and cultural future development of Montenegro, is provided. The long term and sustainable exploitation and management of the resources, taking into account the right of the future generations for quality life, represents one of the main objectives of this document. The "National Development Programme for fisheries" for the period 2009-2013, represents the policy document that builds up the "National Strategy of Sustainable Development of Montenegro" and represents its review which purpose is to harmonize the approach for the development of the sector to the adhesion in the EU.

The national development strategy for the fisheries sector includes the following 8 key actions:

- Preserving and maintaining sea and freshwater fishing on sustainable levels;
- Safeguarding consumer welfare;
- Promoting exports;
- Diversifying the market;
- Promoting and improving product quality and traceability;
- Increasing the production of bivalve molluscs (clams) and Norway lobsters in open sea;
- Improving production efficiency both for sea and freshwater aquaculture;
- Developing partnership agreements for the exploitation of pelagic species.

2. FISHING ASSOCIATIONS

2.1 Boats owners Association

There are two Association of professional Fishermen in Montenegro. There are no-profit organizations organized by professional fishermen, mostly owners of the vessels for large scale fishery. The Associations are organized in accordance with the Law on Non-Governmental Organisations (Official Gazette of the Republic of Montenegro 27/99, 71/99, 30/02 and 11/07).

A key MAFWM policy is the creation of a strong public / private sector partnership to be involved in the development and application of fishery policy e.g. management, planning, improved marketing, improved sector planning and the practical application of available financial aid packages.

Therefore, in the period 2007-2009, the Ministry provided financial support as part of the policy to strengthen representative organisations and promote the establishment of a Producer's Organisation (PO). As a result of the funding made available, both marine fishers associations chose projects (selected by the fishermen themselves) to improve product quality and increase marketing potential.

Also the Ministry itself tends to involve the Associations closely in the decision making process. Namely, the Law on Marine Fishery and Mariculture anticipates the establishment of the National Marine Fishery and Mariculture Council that shall be responsible for the continuous monitoring of the status and development of fishery and mariculture and to provide scientific and expert assistance in the decision-making process and development of fishery-related regulations, as well as other issues related to the enforcement of this Law.

The Council shall have 10 members including presidents of associations of professional fishermen and mariculture operators and directors of producers' organizations in fisheries and mariculture (when/if forms).

Although this represented a step forward, the overall mark would be that the associations are relatively unsuccessful because of the preference for individual rather than collective actions among the members, lack of understanding of the role of POs and current mistrustful attitudes to government institutions and organisations driven by negative past experiences.

With a view in building an efficient and competitive sector of marine fisheries and mariculture, the Ministry of Agriculture, in the period 2007-2009 provided grants, to associations of professional fishermen from Bar and Herceg Novi, for the modernization of the existing fishing vessels, particularly for the improvement of the safety of professional fishing, as well as improved food security concerning fish and other marine organisms.

2.2 Cooperative Organization

There is only one cooperative organisation in Montenegro which represents artisanal fishermen of small pelagics. The cooperative is organized in accordance with the Law on Cooperatives (Official Gazette of Federal Republic of Yugoslavia 41/96).

A bilateral aid project is currently working to draft a new Cooperative Law, establish a centre for cooperative development and provide practical assistance in the formation and management of cooperatives of small-scale producers. There is no any association activity in the field of credit or services, specifically targeted at fishery.

2.3 Business Associations

One of the issues governed by the Law on Marine Fishery and Mariculture (Official Gazette of Montenegro 56/09) is that the organization of producers in fisheries and the requirements for recognition of these organizations will be prescribed by the a special by-law.

However, at the present moment there are no Producer Organisations in Montenegro although the Ministry had directed efforts on that issue. Namely, under the CARDS project 2007/2008 "Support to Fishery Sector in Montenegro and Serbia" initial steps were undertaken with Associations of Professional Fishermen and Farmers (a series of seminars and workshops were organised in order to form a "transitional" producer organization (a pre-PO) in fishery).

This would be continued by the upcoming IPA 2009 Project "Sustainable Management of Marine Fishery" which one of the components is support to the setting up of a functional producer organisation, which will be a true representation of the fishery sector and which will fully be included in the fishery sector management.

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Institutional framework

Different public authorities are involved in the regulation of the fishermen working conditions in Montenegro. The management body responsible for marine and freshwater fisheries is the Ministry of Agriculture, Forestry and Water Management of Montenegro (MoAFWM). As of January 2009 a Fisheries Unit was established in the Ministry.

However, the regulation of Labour aspects in the fisheries sector falls under the general competence of the Ministry of Labour and Social Welfare which is the institution regulating Labour relationships and social allowances of all workers, including fishermen.

Moreover, the Ministry of Transportation, Maritime Affairs and Telecommunications is responsible for safety matters on board of fishing vessels.

3.2 The employment in the fishery sector

Fishing in Montenegro mostly consists of fishing at sea. The fleet is made up of 22 boats including 19 fishing vessels and a multi-purpose vessel (traditional and with seine net). All fishing vessels are licensed for the specific equipment used.

Fishing in Montenegro is operated by a fleet of vessels with licenced for large-scale and small-scale commercial fishing, as well as by vessels for semi-subsistence commercial fishing, where fishing is not the primary economic activity. All fishing vessels above 12 m of over all length, are considered commercial fishing vessels. Most of the vessels are old (about 35 years on average) and a large number of them is not functional or provided with optimal fishing equipment. There are three main types of fishing: bottom trawls, demersal (benthic) resources, entangling nets and pelagic trawls targeting pelagic resources (small pelagic fish) and small-scale costal fishing, performed by small tools.

3.3 Labour level

638 people are engaged in the fisheries sector in Montenegro. 443 of which work in freshwater fishing (437 full time and 6 part-time), 159 in sea fishing (91 full time and 68 part-time) and 36 in mariculture. Out of the 159 units working in sea fishing, only 120 are fishermen and 52 are professionals.

3.4 Organizations of representation

As previously explained, the two existing associations are mainly made up of professional fishermen, mostly owners of the vessels for large scale fishery. Hired fishermen are not members of any kind of associations or trade unions.

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As previously explained, the two existing associations are mainly made up of professional fishermen, mostly owners of the vessels for large scale fishery. Hired fishermen are not members of any kind of associations or trade unions.

3.5 The collective Labour agreement

There are no collective agreements in the fisheries sector in Montenegro. The labour relations in the marine fishery sector are regulated in Montenegro by the Labour Law n° 49/48 which entered into force the 23th of August 2008. Differently from some other Mediterranean Countries, there are no specific Labour regulations applied to fishermen in this Country. Consequently, in the absence of such special regulation, the basic law applies (see chapter 5.2 for a general description of the Labour Law).

3.6 Engagement

The whole Chapter II of the Labour Law concerns the Labour contract. It includes some provisions on the requirements for the subscription of the contract (articles 16 and 17), on its contents (article 23), on trial work (article 19), on the duration of the contract (article 25), on the types of Labour contracts (articles 29-35), on the change of the contracted working conditions (article 40).

According to the article 23, all Labour contracts shall contain the following:

- Name and seat of the employer;
- Name and surname of the employee, place of permanent, i.e. temporary residence of the employee;
- Unique personal identification number of the employee, that is, personal identification number in case of foreign citizen;
- Type and degree of qualification of the employee, that is, level of education and professional training;
- Type and description of tasks that the employee is supposed to perform;
- Place of work;
- Period of time for which the employment relationship is established (for an unlimited or limited period of time);
- Duration of the Labour contract signed for a limited period of time;
- Date of assuming work responsibilities;
- Working hours (full-time, less than full time or part-time);
- Amount of the basic wage, coefficient level and elements for determining performance, wage compensations, increased wage and other income of the employee;
- Deadlines for payment of wage and other incomes that employee is entitled to;
- Modalities of use of resting time during work, daily and weekly rest, holidays and other absences from work, in accordance with the law and the collective agreement.

3.7 Remuneration

Labour Law contains several articles on wage (article 77-86). It foresees that "the employee shall be entitled to adequate wage to be determined in accordance with the law, collective agreement, and Labour contract (article 77)." It also includes some provisions on minimum wage and states that "the employee shall be entitled to the minimum wage for the standard performance and full-time working hours, or working hours equalized with full-time working hours, in accordance with the law, collective agreement and Labour contract (article 80)".

Additionally, Montenegro has adopted the Decree of 1999 on the mode of implementing the employee's right to free shares.

3.8 Working hours

The Labour Law foresees that "full working hours shall last for 40 hours in a working week, unless regulated otherwise by this Law. Collective agreement may define working hours shorter than 40 hours in one working week" (article 44). It also includes some provisions on part-time working hours (article 46) and allows reducing working hours due to specific circumstances (article 47, 48). It also gives the possibility to work longer than full working hours (overtime work) under particular conditions (article 49).

The working hours of young persons are regulated by the Art. 106: "an employee below 18 years of age shall not be assigned to work longer than full time hours or to night shift". Working hours shorter than full time hours may be determined for the employee younger than 18 by the individual collective agreement with the employer. Exceptionally, an employee under 18 years of age may be assigned to night shift, when it is necessary that the work interrupted by natural disasters is continued, i.e. to prevent damage to the raw materials or other material.

3.9 Breaks and rest

The Labour Law foresees in article 59 that an employee shall be entitled to break during its working hours. The duration of break varies according to the number of working hours.

According to the article 61, "an employee shall be entitled to a break of at least 12 consecutive hours between the two consecutive business days, unless determined otherwise by this Law".

The Article 62 of the Labour Law foresees that an employee shall be entitled to a weekly break of at least 24 consecutive hours. It proceeds by specifying that "as a rule, the weekly break shall be used on Sundays". However, some derogations are also foreseen by the article 62 under strict conditions.

3.10 Leaves

The Labour Law recognizes the right to annual leave to all employees and stressed that the employee can neither waive his right, nor can be deprived of that right (article 63). The common rule is that "the duration of annual leave shall be determined by increasing the number of business days on the basis of the criteria determined by the collective agreement and contract of employment" (article 65). It also indicates the duration of the leaves in certain cases.

Additionally, the Labour Law foresees that "an employee shall be entitled to absence from work, with wage compensation (paid absence), in case of: getting married, his wife giving birth, serious illness of an immediate family member, taking a professional examination and in other cases determined by the collective agreement and Labour contract" (article 72).

3.11 Recruitment of foreign fishermen (and Residence permit)

Montenegro has adopted the Law on the employment and work of foreign citizens which entered into force the 1st January 2009. This Law includes some provisions on the determination of the number of work permits for foreign citizens (chapter II), on work permits (chapter III), on reporting the initiation and cessation of employment of foreign citizens (chapter IV) and on records and charge for the issuance of work permits (chapter V).

This Law foresees that the government shall annually determine the number of work permits for foreign citizens (hereinafter: quota), in accordance with the migration policy, Labour market status and trends (article 6). It also determines the quota distribution (article 8) and allows some quota exceptions (article 7).

The responsible authority is the Employment Agency which executes the procedure of issuance, rejection, cessation of validity and invalidation of the work permits (article 14). However, the form and content of the work permit, manner of issuance and documents necessary for decision-making shall be prescribed by the Ministry (article 15.1).

The Law sets different rules for three kind of permits: personal work permit (article 17- 19), employment permit (article 20-22) and the work permit (article 23-32).

The personal work permit is issued for an unlimited period of time (article 18) differently from the employment permit which is issued for the period of up to one year (article 21). However, some derogations to these provisions are foreseen.

The work permit is issued for a temporary period, depending on purposes (article 31). There are different types of work permits: seasonal work of foreign citizens (article 25), work with referred foreign citizens (article 26), training and capacity building of foreign citizens (article 29), provision of contracted services (article 30).

Additionally, the Ministry of Health, Labour and Social Protection has adopted the Regulation of December 2008 on the procedure for the issue of work permits for foreign workers.

3.12 Unemployment allowance

Montenegro has not adopted particular measures of income-support benefits peculiar to fishermen or more generally to seafarers. However, it has adopted the Law on Social and Child Welfare which provides with benefits the fishermen families that apply for it, as well as all the eligible families. Additionally, Montenegro has promulgated the Act on health Care.

The Montenegrin Law on Employment and Rights from Unemployment Insurance foresees that by unemployment insurance, each unemployed person is secured with financial compensation as well as with the right on health insurance and pension and invalidity insurance for the period of enjoying the right on financial compensation (Art. 46). The insured person who was employed on a part-time employment is entitled on financial compensation if, after redistribution of working hours for full-time, meets the conditions of the previous paragraph.

The right on financial compensation can be also applied to insured person, who is dismissed without his/her consent or fault and who is registered in the Employment Agency in prescribed deadline pursuant the Law on Employment and Rights from Unemployment Insurance.

The Article 47 states the periods of financial compensation for the insured person:

- 3 months for a 5 years of insurance period;
- 4 months for a 5 to 10 years of insurance period;
- 6 months for a 10 to 15 years of insurance period;
- 8 months for a 15 to 20 years of insurance period;
- 10 months for a 20 to 25 years of insurance period;
- 12 months for an insurance period over than 25 years;
- until new employment if she/he has more than 30/35 years of insurance period;
- unemployed person, who is relative with a person with personal disability benefit, is entitled on financial compensation until his/her new employment.

3.13 Sickness indemnities

Montenegro has adopted the Act on health Care which repeals the provisions of the Act on health care and health insurance of 1990. The whole Part III of Chapter II on Health care includes some provisions on measures of health care concerning Labour and working environment.

3.14 Family benefits

The Law on Social and Child Welfare which entered into force the 1st January 2005 (see section 5.2 for a brief description) includes, within the basic social welfare benefits, the grant of family cash benefit. The allowance takes the form of a financial aid provided to eligible families.

The amount of cash benefits for the family depends on its financial situation. Indeed, the verification of the entitlement to cash benefits shall be based on the income and property of the family members (article 14).

The Law on Social and Child Welfare also defines the conditions to be entitled to receive a family cash benefit. A family or a family member may be entitled to a family cash benefit, if the family member is incapacitated for work, or able to work, on some special condition (pregnant, a single provider; a parent maintaining an underage child or a child of legal age who is incapacitated for work and whose incapacitation occurred before the age of 18; a person who has completed his education according to the adjusted educational program and additional professional support or special educational program; a child without parental care, until they get employed full-time or part time).

The amount of cash benefits for the family depends on its financial situation. Indeed, the verification of the entitlement to cash benefits shall be based on the income and property of the family members (article 14).

3.15 Occupational accidents

Even if the Montenegro has adopted the Act on the Safety at Work 2004, it has not promulgated any laws on occupational accidents or professional diseases. However, the Act of 2003 on pension and disability insurance (Chapter 2, articles 30-41) foresees that an employee who suffers a loose of work capacity, as a consequence of an injury at work, professional disease, an injury away from work or a disease, can be entitled to a disability pension (full or partial).

The Act of 2003 on pension and disability insurance gives a definition of what should be understood by “injury at work” (article 34): For the purposes of this Law, an injury at work shall be deemed to be an injury sustained by the Participant in direct, causal, space and time connection with the performance of the job by virtue of which he/she is insured, and which is caused by an immediate and brief mechanical, physical or chemical cause, sudden changes in body position, sudden weighing down of the body or by other changes in the physiological condition of the body.

3.16 Work related sickness

The Act of 2003 on pension and disability insurance gives a definition of what should be understood by “professional disease”: Professional diseases, under this Law, shall be certain diseases that have arisen during the insurance period, caused by long and direct influence of processes and conditions at the work-place or in the jobs a Participant performed.

3.17 Pensions performances

In Montenegro, there are no specific regulations on pensions performances specifically designed for fishermen. However, Montenegro has adopted the Act of 2003 on pension and disability Insurance which entered into force the 1st January 2010. This Act defines the categories of beneficiaries and rights deriving from insurance (old age pension, disability pension, family pension, financial compensation for corporal injury, and funeral grant). It also deals with pension indexation, qualifying periods, rights realization, pension fund, and financing sources.

The Disability pension shall be deemed to exist when a Participant, due to health changes that cannot be eliminated by treatment or medical rehabilitation, suffers complete loss of working capacity. A disability shall also be deemed to exist when a Participant - employee, due to health changes that cannot be eliminated by treatment or medical rehabilitation, suffers a partial loss of working capacity of at least 75%. A disability may arise as a consequence of an injury at work, professional disease, an injury away from work or a disease (article 30).

The participant will be entitled to a full or a partial disability pension according to the degree of the loss of working capacity (complete or partial) (article 31). If it is determined that a Participant has suffered a loss of working capacity, he/she may be employed a quarter of full time hours (article 33).

A disability pension in the event of the disability caused by an injury at work or professional disease shall be set at the same level as the old-age pension that the Participant would receive for 40 years of pension service. For a Participant who is disabled partially due to an injury at work or professional disease and partially due to an injury away from work or disease and who is eligible to be entitled to disability pension only on the basis of disability due to an injury at work or professional disease, disability pension shall be determined in the percentage that the injury at work or professional disease affected the total disability (article 39).

In case of partial loose of working capacity of at least 75%, disability pension shall be determined, with respect to the cause of the disability, in the amount of 75% of disability pension as described above according to article 39 (article 40).

The Act foresees that “participant” shall become entitled to an old-age pension upon reaching the age of 65 (man), i.e. 60 (woman) and accruing at least 15 years of pension service. Additionally, a participant shall become entitled to old age pension upon reaching 40 (men), i.e. 35 (women) years of insurance service and minimum 55 years of age (article 17). However, the Act allows in certain cases to reduce the retirement age for entitlement to old age pension in relation to the degree of accelerated rate per one year (article 18).

The old-age pension shall be determined on the basis of average wages or pension insurance bases realized between 01.01.1970 and December 31 of the year that precedes the year when the entitlement is realized (article 19). Additionally, the pension amount shall be calculated by multiplying the Participant’s personal points by the pension value of one personal point on the day of the entitlement realization (article 20). These personal points are determined by multiplying personal coefficient of a Participant and his years of service (article 21). This annual personal coefficient shall be determined based on wages, i.e. insurance basis as of January 1, 1970 by dividing the wage, i.e. insurance base determined for each calendar year by the average annual wage in the Republic for the same calendar year (article 22). The value of pension for one personal point is 1.42% of average wage from December 2003 (article 27).

The maximum old-age pension amount shall be determined according to the method described above, but the average coefficient of a Participant may not exceed 4 (article 28).

A participant whose pension is determined pursuant to Article 20 and lower than the minimum pension, shall be granted the minimum pension. The minimum old- age pension shall be determined in a manner prescribed above, while the personal coefficient of a Participant shall be 0,5. The pension calculated cannot be lower than 45 Euros (article 29).

The Act of 2003 foresees that entitlement to a survivor’s pension may be realized by family members of:

- a deceased Participant who had at least five years of accrued insurance service or at least ten years of pension service, or who was eligible to old-age or disability pension;
- a deceased Beneficiary of an old-age or disability pension.

Where the death of a Participant or person under Article 14 and 15 of this Law arose as a consequence of an injury at work or professional disease, members of his/her family shall become entitled to a survivor’s pension regardless of the pension service length of the Participant or person (article 42).

The family members of the deceased Participant or Beneficiary shall be deemed to be the spouse; and the children (born in wedlock or out of wedlock or adopted; stepchildren who were the Participant’s or Beneficiary’s dependents) (article 43).

A widower, i.e. a widow shall be entitled to a survivor’s pension under certain conditions (article 44).

A child shall become entitled to a survivor’s pension and shall have a right to it up to the age of 15 (article 46). Under certain conditions, the child beyond the age of 15 can become entitled to survivor’s pension and shall have right to it until the end of education (article 46).

According to the Act of 2003, the survivor’s pension shall be determined on the basis of the old-age or disability pension that the Participant would have been entitled to at the time of death or on the basis of the pension the Beneficiary was entitled to at the time of death in the percentage that is determined based on the number of family

members who are entitled to that pension, as follows:

- for one member 70%;
- for two members 80%;
- for three members 90%;
- for four or more members 100%

If both a spouse and divorced spouse of deceased Participant or Beneficiary are entitled to a survivor's pension, one survivor's pension shall be determined in the amount that one family member is entitled to and shall be divided in equal shares (article 47).

Indeed, the old age pension of deceased Participant determined for 20 years pension service shall be taken as the minimum base for determination of survivor's pension (article 48).

Additional measures are foreseen for children without either parent (article 49).

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PESCAMED



SYRIA



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1. FISHERY SECTOR

The fishery sector plays a minor role in the Syrian economy, not only due to the scarcity of resources and the low natural productivity of fishing grounds, but also to technical, administrative and legislative constraints.

Small-scale fishery dominates in the marine fishery. It comprises some 1850 coastal fishing vessels licensed to fish within the territorial waters (12 n.m.) along a coastline of 183 km. Real industrial marine fishery barely exists, except for 25 comparatively small offshore vessels operating beyond the 12 nm zone.

The first Syrian fishing vessel was licensed to fish exclusively beyond the territorial sea in 1995, and Syrian marine fishing operations extended beyond 12 n.m. zone. The fishing ground for the majority of the artisanal fleet is restricted to the zone between 1 and 5 n.m. over the continental shelf of a short strip of coastline (183 km). The Syrian shelf is known to be rocky over three-quarters of its area (Saad,1996), , with a limited trawl-able sandy and muddy area estimated to be about 225 km².

The trawl-able bottom being bare of meadows of *Posidonia oceanica*, torn out by excessive bottom trawling and by other destructive means. The other 3 angiosperm species in the Syrian marine ecosystem, *Cymodocea nodosa*, *Halophila stipulacea*, *Zostera noltii* are now endangered (Ibrahim, 2010).

The artisanal fishery is a multi-species fishery with multipurpose vessels operating a wide variety of gears in different seasons. Some fishermen are specialized in certain gears. (MedFisis, 2006).

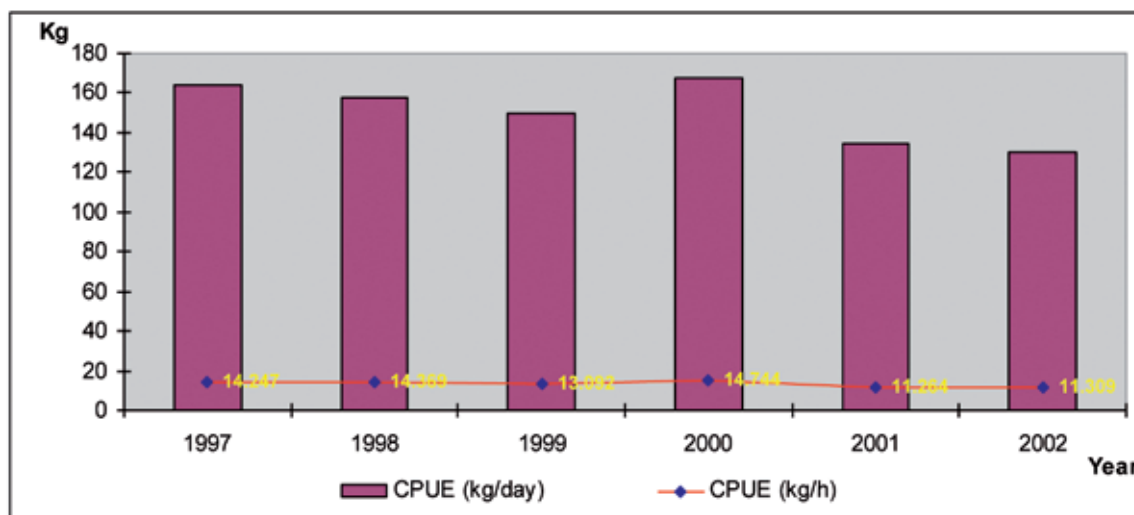
Artisanal fishery is the only capture fishery in inland waters with 1.283 small fishing boats, of which 436 are motored. Main inland water resources are located in the south and south-east of the country. Other resources in the western, central and coastal areas are considered to be marginal. Fishing communities are distributed accordingly.

An estimated 20 percent of the vessels operate seasonally, concentrating their efforts on the more productive summer season. (MedFisis, 2006).

The Syrian trawl-able area is estimated to be 225 km², or approximately one quarter of the total estimated 900 km² of shelf area. A total of 25 additional Syrian-registered trawlers are licensed for fishing in distant waters, meaning that they are allowed to fish outside the 12 mile zone of Syria, taking into account that Syria has declared in 2003 an EEZ of 10.222 km². (SAUP, 2006). Some distant water vessels fish illegally in territorial waters, during the closed season.

The trawl fishery and the artisanal fishery are in competition for the same resources on the same or proximal fishing grounds. All species, with the possible exception of deep-water shrimp and some species of minor commercial importance, appear to be harvested by both fisheries. The trawlers at times also destroy artisanal nets and are the subject of complaints by the artisanal fishermen.

Figure 1. Decline of trawling catch effort production 1997-2002



Source: Saad, 2010

Presently, there are 1.850 small traditional fishing boats authorized to fish within the territorial waters (12 n.m.), only 1.423 of them are actually working, and 25 trawling boats are allowed to fish outside the 12 mile Syrian zone; Syria has stopped the fishing with trawlers in its territorial waters since the beginning of 2005 (Ministerial Decree No.15/T of March 19th, 2004).

The annual catch per unit effort (CPUE) has shown an erratic but steady decline since 1986, dropping markedly in 1995 and 2003. Based on the low CPUE (Saad,2010), the large proportion of small-sized fish in the landings (mostly smaller than size at first maturity) and the marginal return to fishers, the fishery was considered over-exploited. Fishing remains economically viable due to extremely high local market fish prices maintained by a restriction on all fresh and frozen fish imports.

A policy has been adopted, objectives have been agreed upon and a strategy has been designed accordingly. The policy of marine fishery management is expressed in the rationalization of exploitation of living resources in the territorial sea and extension of national fishing capacity to the Syrian EEZ, underutilized Arab resources and eventually the high seas. (FAO, 2007).

1.1 Production

The total fish production of Syria in 2010 was 20.000 tons (Official Statistical Records of the General Commission of Fisheries Resources, Jable-Syria 2010), increasing the 2008 value estimated by FAO - 15.591 tons out of which 3.212 tons from marine areas, 12.379 tons from Inland waters, composed by 3.784 from freshwater and 8.595 from aquaculture, with an estimated value of 22,5 million USD (FAO, 2007).

The fish landings from marine fisheries (Mediterranean Sea) in 2008 summed up to 3.212 tons, which represents about 20,60 % of the total production.

Table 1. Fish Production (2008)

Source	Quantity in Tons	%
Marine Fisheries	3 212	20,60
Freshwater Inland fisheries	3 784	24,27
Aquaculture	8 595	55,12
Total	15 591	100

Source: Fishstat 2008

In 2007 the total fish production in Syria was about 17.000 tons, 19% of total fish production from marine fish and 81% from freshwater, the expected total fish production in 2010 is about 22.000 t (Official Statistical Records of the General Commission of Fisheries Resources, Jable-Syria 2009).

Table 2. Syria inland waters and marine captures 2000-2008 (FAO)

Land Area	Ocean Area	Species	Scientific name	2000	2001	2002	2003	2004	2005	2006	2007	2008
Syrian Arab Republic	Inland waters	Freshwater fishes	Freshwater fishes	3 991	5 969	6 355	5 851	5 451	4 770	4 869	6 075	3 784
	Marine areas	Marine fishes	Marine fishes	2 427	2 190	2 621	2 810	2 785	3 334	3 143	3 105	2 989
		Crustaceans	Crustaceans	60	57	66	128	146	215	137	148	148
		Molluscs	Molluscs	94	75	136	122	146	128	115	128	75
Sub-total Marine areas				2 581	2 322	2 823	3 060	3 077	3 677	3 395	3 381	3 212
Total Syrian Arab Republic				6 572	8 291	9 178	8 911	8 528	8 447	8 264	9 456	6 996
Grand total				6 572	8 291	9 178	8 911	8 528	8 447	8 264	9 456	6 996

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The Syrian marine fishery sector generates almost 23 million USD per year (SAUP, 2006).

Until 1997, sardinellas has been the most important product for Syrian marine capture fisheries. The production of Sardinellas peaked in 1995 at 408 tons, but there was a significant decline of around 25 percent until 2003. The production of small tuna, *Euthynnus alletteratus* remained stable (100 – 150 tons) from 1975 until 1994, when a dramatic increase of production began. The production peaked in 1998, at 417 tons. Since then, the production registered a steady decline (in 2003 production was 280 tons). Atlantic mackerel (*Scomber scombrus*) production remained stable (around 100 tons) until 1995, when a sharp increase in production started. The production peaked in 2000, at 284 tons, after which the production started to fluctuate. The production in 2003 was 336 tons.

Three fishery products with significant productions have been identified since 2002: Atlantic bluefin tuna (*Thunnus thynnus*, 225 tons in 2003), raja rays (Raja spp, 184 tons in 2003), and bogue (*Boops boops*, 137 tons in 2003).

Demersal species versus pelagic and migrating species contribute equally to marine fishery. The five most important species-groups (by weight) in the marine capture fisheries in 2005 were tuna and tuna-like species (731 t); porgies and sea breams (609 t); sardines (518 t); scads, jacks and runners (259 t); and scorpion fishes and allies (198 t). (Medfisis, 2006).

Table 3. Syria Mediterranean marine capture fisheries production 2000-2008

SPECIES	2000	2001	2002	2003	2004	2005	2006	2007	2008
Crustacea	60	57	66	128	146	215	137	148	148
Mollusca	94	75	136	122	146	128	115	128	75
Pisces	2.427	2.190	2.621	2.810	2.785	3.334	3.143	3.105	2.989
TOTAL	2.581	2.322	2.823	3.060	3.077	3.677	3.395	3.381	3.212

Source: Fishstat

The most common fish caught from marine resources are Pelagic species which represent about 47,44%, while Demersal species account for about 36,73%.

Table 4. Syrian marine capture production 2000-2008

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Species									
Molluscs Excl Cephalopods	94	75	136	122	146	128	115	128	75
Crustaceans	60	57	66	128	146	215	137	148	148
Demersal Marine Fish	1.098	1.115	1.437	1.287	1.375	1.684	1.359	1.215	1.180
Marine Fish Nes	151	75	-	-	-	-	190	358	285
Pelagic Marine Fish	1.178	1.000	1.184	1.523	1.410	1.650	1.594	1.532	1.524
TOTAL	2.581	2.322	2.823	3.060	3.077	3.677	3.395	3.381	3.212

Source: Fishstat 2008

1.2 Trade: Import and Export

Neither import, nor export of aquatic products was permitted in the period 1975–1999. Imports in 2005 were 2.292 tons of fresh and frozen fish, 15.670 of canned tuna and sardines, 431 t of fish oil, and 2 tons of ornamental fishes, while registered exports were limited to 177 tons. Hence, the contribution of the fishery trade to foreign exchange earnings is very low. (FAO. Fishery country profile: the Syrian Arab Republic. FID/CP/SYR. 2007).

In 2006 the trade economy value of marine fishing (fish, crustaceans, molluscs and other aquatic invertebrates) shows that imports were very much higher than exports, confirming the previous trend.

Table 5. Commodity Trade and Production: Quantity (t)

Land Area	Trade flow	Commodity	2000	2001	2002	2003	2004	2005	2006	
Syrian Arab Republic	Export	Fish	27	2	69	0 .	1	73	92	
		Fish, crustaceans, molluscs and other aquatic invertebrates	27	50	40	30	23	27	0 .	
		Molluscs, aquatic invertebrates	0 .	0 .	0 .	10	23	57	61	
	Sub-total Export			54	52	109	40	47	157	153
	Import	Crustaceans		3	1	0 .	10	0 .	30	26
		Fish		7 852	6 236	12 115	12 813	14 732	13 129	21 810
		Fish, crustaceans, molluscs and other aquatic invertebrates		13 355	4 520	10 712	8 614	788	854	856
		Molluscs, aquatic invertebrates		0 .	0 .	0 .	0 .	240	0 .	0 .
	Sub-total Import			21 210	10 757	22 827	21 437	15 760	14 013	22 692
	Total Syrian Arab Republic			21 264	10 809	22 936	21 477	15 807	14 170	22 845
Grand total			21 264	10 809	22 936	21 477	15 807	14 170	22 845	

Table 6. Commodity Trade and Production: Value (USD 000)

Land Area	Trade flow	Commodity	2000	2001	2002	2003	2004	2005	2006	
Syrian Arab Republic	Export	Crustaceans	0 .	0 .	0 .	0 .	0 .	0 .	3	
		Fish	48	17	47	2	7	65	185	
		Fish, crustaceans, molluscs and other aquatic invertebrates	57	251	88	46	70	30	0 .	
		Molluscs, aquatic invertebrates	0 .	0 .	3	72	56	91	72	
	Sub-total Export			105	268	138	120	133	186	260
	Import	Crustaceans	28	28	0 .	162	0 .	85	110	
		Fish	33 260	40 927	79 542	84 949	102 653	22 945	36 527	
		Fish, crustaceans, molluscs and other aquatic invertebrates	7 733	2 399	5 678	21 428	2 217	578	589	
		Molluscs, aquatic invertebrates	1	5	0 .	2	601	0 .	0 .	
	Sub-total Import			41 022	43 359	85 220	106 541	105 471	23 608	37 226
Total Syrian Arab Republic			41 127	43 627	85 358	106 661	105 604	23 794	37 486	
Grand total			41 127	43 627	85 358	106 661	105 604	23 794	37 486	

Source: FAO - Fisheries and Aquaculture Information and Statistics Service - 14/06/2010

1.3 Pro capita consumption

Presently in Syria the rate of person consumption is about 0.89/0.92 Kg fish/person/year from Syrian fisheries production. (Official Statistical Records of the General Commission for Fisheries Recourses, Jable-Syria 2010). However, this fish consumption rate mainly represents the authorized fish catch and aquaculture; it does not include those fish quantities caught by other means (eg. Fishing or aquaculture for family consumption).

Basing on 2005 data, national fish production supplies the market with 0.925 kg per capita per year. The balance of import/export of soft fish (2.115 t) adds some 0,115 kg. If imports of canned sardine and tuna are included, the total per capita supply is 1,9 kg/year. The contribution of soft fish supply to population consumption of animal protein is 3.3%, with the balance from milk and dairy products (46.1%), red meat (24.4%), chicken (15.3%) and eggs (10.9%). (FAO. Fishery country profile: the Syrian Arab Republic. FID/CP/SYR, 2007).

The demand for fish and fish products is believed to be much higher than the actual supply, but assessment is difficult since neither has supply ever exceeded demand, nor fish markets ever witnessed a surplus. The national fish market could easily, but gradually, absorb additional inputs to at least double the present level. Nevertheless, the limited economic capacity of Syrian consumers would necessitate that the retail price be within the range of USD 3–5/kg. (FAO. Fishery country profile: the Syrian Arab Republic. FID/CP/SYR, 2007).

Table 7. Fish and fishery products – apparent consumption

Fish and fishery products			Apparent consumption (tons in live weight)			Average 2003-2005	
Country or area	Production	Non-food uses	Imports	Exports	Food supply	Population (Thousand)	Per capita supply (kg/year)
Syria	16773	1	26763	128	43407	18392	2.4

Source: FAO Yearbooks of Fishery Statistics. 2007.

1.4 Fishery and linking industry

No real fishery linking industry is present in Syria (Abdolateef Ali, General Commission for Scientific Agricultural Research – GCSAR, 2010 (personal communication)). However, Syrian fisheries relies on ship building industry & maintenance in Arwad, Baniyas and Lattakia, as feed factory in Hama is associated, to some extent, with the aquaculture practice in Syria.

National outputs from capture fisheries and aquaculture are totally consumed fresh. The modest production level precludes sufficient surplus for even a small processing plant.

Real industrial marine fishery barely exists, except for 25 comparatively small offshore vessels operating beyond the 12 nm zone.

Location or size of landings on a specific landing site from the capture or farming, does not reflect its spatial relative importance as to fish consumption. Landing sites can be major fishing harbours, fishermen villages or farms, where marketing agents collect the catch or the harvest and transfer it to the main fish markets.

Main freshwater fish markets are Aleppo in the north, Raqqah and Deir Ez-Zor in the northeast and Homs and Hamah in the mid-west of the country. Coastal cities—Lattakia and Tartous—are the main marine fish markets. Damascus, the capital in the south, is a big market for both freshwater and marine fish. Simple marketing chains starting from contractors and ending in markets, do not exclude side or direct deals between producers and retailers or even consumers.

The infrastructure of fish marketing chains mostly suffers from limited cold chain facilities, including suitable insulated and cooled transport containers.

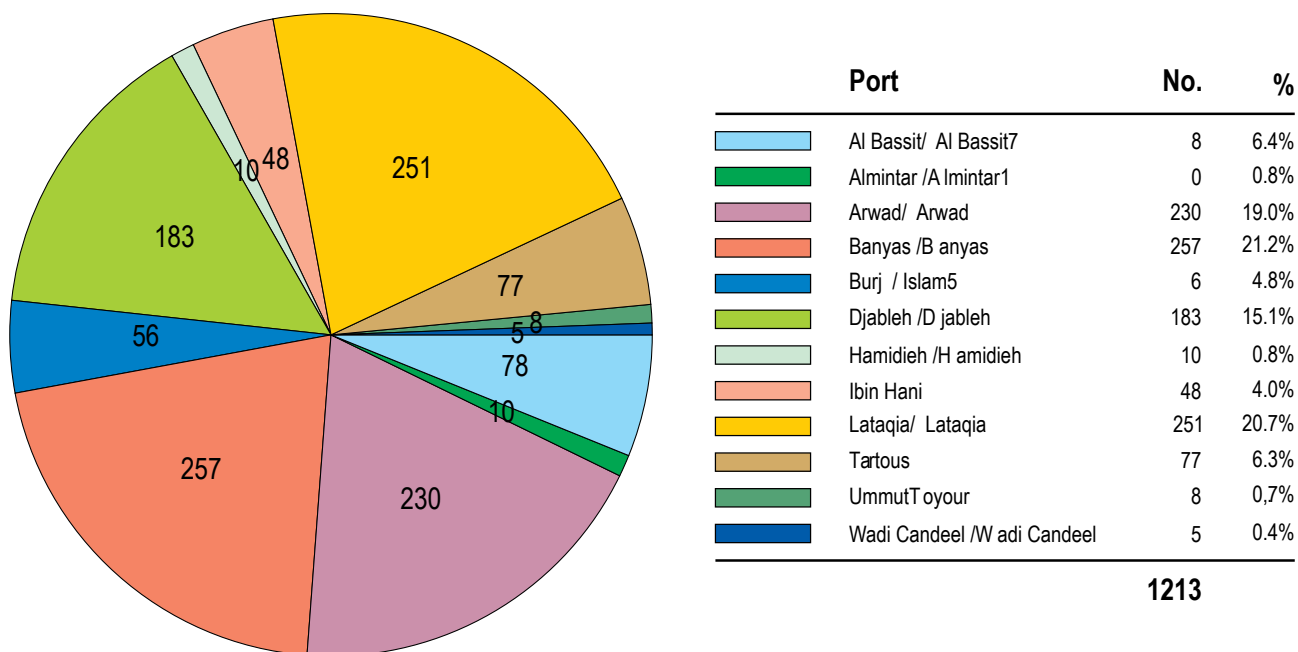
There is little economic information on the real role of the fishery sector in the national economy. The value of fishery GDP contributed 0.38 percent to agricultural GDP in 2005 (Author's estimate derived from official statistical data). However, with associated industries (fishing vessels, gear, fodder) and with services (marketing, transport, cooling, maintenance and value-added secondary processes), the figure is considered to reflect the contribution of the fishery sector to the overall national economy. (FAO, 2007).

1.5 Fishing Harbours

Fishing vessels usually land their catches in their home harbours. The major fishing harbours and landing sites are located in the major coastal cities and markets. In 2004, the Department of Fisheries Resources (DOF) identified ten major landing sites and established in each of them a small field office. The newly established Offices for Marine Fishery Rationalization (OMFiRs) took over responsibility for monitoring vessel activity, fishing gear and landings on a daily basis. Figure 8 shows the distribution of fishing vessels by ports on the Syrian coast.

Figure 2. Distribution of fishing vessels on the coast

Distribution by Ports



Source: Fishery Country Profile, FAO October 2007

1.6 Fishing fleet

All the artisanal fleet is locally constructed, the majority of wood, while some are made of reinforced plastic and a very few of steel. The engines are mostly between 5 and 150 hp. Vessels over 12 m form 4.3% of the fleet. Some 525 fishers are beach-based, using beach seines, or swimming/diving to set the gear and collect the catch. The Syrian artisanal fishery is a multi-species fishery with multipurpose/polyvalent vessels operating a wide variety of gear in different seasons. Although licensed to fish in territorial waters, the actual activity of artisanal fishing vessels is restricted to the inshore area of the very narrow continental shelf. The so-called industrial fleet is not bigger than 25 vessels of 16–28 m LOA, 40–150 GRT and inboard engines of 120–660 hp which are licensed to fish exclusively outside the territorial waters.

It is worth mentioning that fishing effort in coastal fishery gradually increased from the 1980s, with effort more than doubling by 2005. The number of vessels more than doubled, and the fleet power almost trebled.

According to the outcome of the census on marine fishing means, carried out with the technical support of MedFis Project of FAO, the fleet is now as shown in Figure 9. Gears employed in the marine fishery include gill and entangling nets (60,1% of vessels), hook-and-line (24,3%), purse seines (4,1%), traps (4,1%), trawls (1,6%) and other, unspecified, gears (5,8%). The dominating multipurpose vessels make a successive use of gear (trammel nets, hook-and-line and lamparas) according to the season. Illegal use of explosives is diminishing as a result of strict control.

1.7 The employment in the fishery sector

Human resources directly engaged in capture fisheries, both marine and inland are some 10.000, out of which 6.400 are full time, 1.700 are part-time and 1.600 are occasional workers. Aquaculture and capture-based aquaculture involves 950 owners and over 1.350 labourers on a full-time employment basis.

The aquaculture producer at the state level, i.e. the earlier General Establishment for Fishes (now, the General Commission for Fisheries Resources, GCFR), employs an additional 391 labourers. Other seasonal aquaculture activities provide further employment opportunities on a part-time basis for some 1 800 labourers.

The secondary sector (input-production, maintenance, transportation, storing, trading and other services) is estimated to provide 7.550 jobs. If the governmental managing body, the Department of Fisheries Resources (DOF, which is merged also with GCFR), is included, another 666 employees can be added. Hence, the fisheries and aquaculture sector sustains round about 20.800 families, employing 125.000 to 165.000 people on a full- or part-time basis.

A few decades ago, marine fishermen communities were considered to have a good living standard. Nowadays, this is not the case. Some may have kept a reasonable living standard, but the most seem to have suffered economically. Literacy in older generations is minimal. Family size is usually quite big, i.e. 6 to 8 persons or even more.

Inland fisher communities are known to have a poor standard of living, while workers in the secondary sector usually earn higher incomes for less effort. Inland fishermen are either traditional river fisherman or new entrants to fishery from the agricultural sector following inundation of agricultural land as a result of damming.

Aquaculture provides a good standard of living compared to other agricultural activities. This was proved at the very beginning by the first few pilot fish farms, established in 1957 in the Al-Ghab Valley. This was also an important reason behind the wide expansion of aquaculture in the centre of Syria during the following two decades. Almost 1.760 families or approximately 10.000 people are currently estimated to be engaged on a full-time basis in aquaculture activities, mainly fish farming. If the "culture-based fisheries" in surface water retention lakes are taken into account, another 300 families or 2.000 people, can be added.

Other seasonal activities, directly related to aquaculture: disinfection of fish ponds, harvesting of fingerlings, stocking, experimental fishing and harvesting and maintaining ponds, as well as indirectly related activities; manufacturing of feed, maintaining machinery, transportation of inputs and outputs and fish trading, avail additional employment opportunities on a part time basis to approximately 1.800 families or 11.000 people. Initially the educational level of pioneer aquaculture experts was generally elementary. Their successors have achieved a higher level of education, in some cases to university degree level. As to gender distribution, females have not been much involved in aquaculture.

There are more interesting in marine fish aquaculture in Syria recently and we encourage the investments in this field, however the beginning was in 2003 on experimental level (Saad and Ali, 2006; Ali and Saad, 2010a; Ali and Saad, 2010b; Ali, 2010), and we support the expand in marine fish culture because it's the optimal solution to increase the marine fish production in Syria and to reduce the pressure on our natural marine fisheries, now we have one private marine fish farm for production Sea bream (*Sparus aurata*) in commercial scale. Recently the General Commission for Fisheries, Jableh, established coastal marine fish farm in Banias.

1.8 Trade towards EU

The EU is the first trading partner for Syria with total trade amounting to approximately €5.4 billion in 2009, covering 23,1% of Syrian trade, while Syria ranks 49 for the EU. EU – Syrian bilateral trade volume has however contracted by almost 23% since 2008 in account of the impact of the global crisis.

Most of Syrian export to the EU are energy goods along with some agricultural and textile products. The Syrian economy remains relatively closed. However, the government is reforming economic and trade-related legal framework.

Bilateral EU-Syria relations are governed by the *Cooperation Agreement* signed in 1977: the purpose of cooperation between the European Community and Syria is to promote participation by the Community in the efforts made by Syria to develop its production and economic infrastructure in order to diversify its economic structure. Such participation is connected, in particular, with the industrialization of Syria and the modernization of its agriculture and its fishery sector.

On 14th December 2008 Syria and the EU initialized an *Association Agreement*. The EU formally agreed to proceed with signature of the Association Agreement on October 27th 2009. Syria's agreement to sign is still pending. Once signed and in force the agreement has the potential to significantly improve trade in both goods and services between the EU and Syria.

Syria is one of the 43 partners of the Euro-Mediterranean Partnership, known as the Barcelona process, which was relaunched at the Paris Summit in July 2008 as the Union for the Mediterranean. One of the aims of this partnership is to extend the benefits of free trade across the Mediterranean region. (Source: <http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/syria/>).

1.9 Institutional Organization

The fishery sector is managed by the Department of Fisheries Resources (DOF), established within the Ministry of Agriculture and Agrarian Reform in 1986. DOF proposes and implements fishery policy and strategy, drafts relevant legislation, sets regulations and instructions for capture fisheries, aquaculture and related activities, and plans for and implements fishery development projects. It also considers the introduction of new fish species, and introduces, tests and spawns them as preliminary steps towards their definitive adoption in aquaculture. It is also authorized to issue statistical data on the sector, in addition to import and export approvals for fish and fishery products and prerequisites, including new marine fishing vessels. DOF represents the country in relevant international, Arab and regional organizations. In addition, the General Establishment of Fishes GRF, was established in Jable-Lattakia since 1974 to be responsible of aquaculture, mariculture and marine fisheries.

With its headquarters in Damascus, DOF has 14 Fishery Field Services (FFS), under the 14 Directorates of Agriculture in the 14 Governorates of Syria. An FFS may cover 1–12 peripheral fishery related sites; watching point(s); marine fishery offices; a reserve area; a hatchery; or a study centre, as locally needed.

The FFS is responsible for implementing DOF strategy and plans in its area, licensing fishery and aquaculture captures,

leasing aquaculture and fishing rights in surface-water retention lakes and canals, controlling fisheries activities and enforcing the laws on protection of aquatic life, monitoring fish markets, prices, demand, species, etc., and extending training, extension and advice to fish producers. Recently the Department of Fisheries Resources (DOF) and its Field Services (FFS) became subordinated to the General Commission for Fisheries Resources (Legislative Law no.31 on 14/12/2008).

Vital issues with certain impact on the sector, such as new policies, or modifications of fishing rights or regulations, are proposed by DOF to the Supreme Council of Aquatic Life (SCAL), to be decided upon and endorsed. SCAL comprises high-level representatives of pertinent ministries, transport (harbours authority), irrigation, local authority and environment, finance, social affairs and labour, interior and high education. The attitude of those ministries, according to their specific fields of responsibility, can affect the outcome of DOF policy. (Source FAO 2007).

1.10 National development strategy

For decades, the trawl fishery and the artisanal fishery have been in severe competition for the same resources and almost on the same fishing ground. The annual catch per unit effort (CPUE) has shown an erratic but steady decline since 1986, dropping markedly in 1995 and 2003. Based on the low CPUE, the large proportion of small-sized fish in the landings (mostly smaller than size at first maturity) and the marginal return to fishers, the fishery was considered over-exploited.

A policy has been adopted, objectives have been agreed upon and a strategy has been designed accordingly.

This policy of marine fishery management is expressed in two points:

- Rationalization of exploitation of living resources in the territorial sea;
- Extension of national fishing capacity to the Syrian EEZ, underutilized Arab resources and eventually the high seas.

The objectives and goals of the management plan are to:

- Rehabilitate damaged fishing grounds;
- Minimize excessive fishing pressure on endangered stocks;
- Maintain eco-diversity and protect biodiversity;
- Secure sustainability of the resource;
- Investigate the potentials of the Syrian EEZ;
- Integrate national capacities with Arab resources.

The strategy applied adopts the following fundamental concepts:

- Long-term breaching of fishery laws and regulations needs to be urgently dealt with, precautionary measures taken and limitations imposed to reinforce breached laws and regulations;
- Taking into consideration the need for sustaining a given income for fishermen during rehabilitation phase, changes should be implemented progressively in order that new measures do not lead to drastic decrease in catches;
- Exhaustive information on the stocks as to catches, species composition, individual sizes and seasonality are to be regularly collected;

- Concurrent scientific research on various biological aspects of major endangered species in general, with the emphasis on “size at maturity” in particular, is to be carried out.

The fishery sector is facing environmental, administrative, marketing-infrastructure and expertise constraints. Detrimental fishing represents the major environmental hazard to stock size, aquatic biodiversity and ecodiversity, due to electric shock fishing in inland fishery and explosives in marine fishery. Overfishing and sometimes pollution are also considered to be problems.

The infrastructure of fish marketing chains mostly suffers from limited cold chain facilities, including suitable insulated and cooled transport containers. The scarcity of expertise in several fisheries and aquaculture fields and the limited attendance of Syrian fisheries officers at meetings, workshops or conferences seriously affects the sector’s development.

Fisheries development prospects lies in the following:

- Upgrading the landing facilities and other pertinent services for fishers.
- Taking necessary steps to play a key role in exploitation of the Syrian EEZ and convene bilateral agreements with Arab countries for exploitation of underutilized marine living resources.
- Intensifying scientific research on stock assessment, MSY and needs for reorganization or redistribution of fishing means.
- Upgrading the technical and managerial capacities of fisheries officers.
- Coordinating efforts with neighbouring countries towards the harmonization of marine fisheries policies and management measures.
- Participating actively in Arab, regional and international fisheries organizations, particularly in relation to the management of migratory fish stocks.

2. FISHING ASSOCIATIONS

As was previously specified, the Syrian fishery sector is a minor segment in the economy of the country; small scale fishery dominates in the marine subsector and a real industrial marine fishery does not exist.

A few decades ago, marine fishermen communities were considered to have a good living standard. Nowadays, this is not the case. The difficulties connected with the marine sector are not only due to the scarcity of resources and the low natural productivity of fishing grounds, but also connected to technical, administrative and legislative constraints.

There are no boat owner's organization in Syria, the owners and fishermen are organized in small cooperatives grouped in five Cooperative Associations for marine fishermen, based in the main six fishing harbours (Tartous, Arwad, Banyas, Jableh, Latakia, Albassit), which include about 3.500 members. The total number of workers in the Syrian marine fishery sector is about 20.000 units. [Abdolateef Ali, General Commission for Scientific Agricultural Research – GCSAR, 2010 (personal communication)].

The main purpose of these Associations is to ensure the respect of fishermen rights providing them with information and administrative support. For these purposes the Association is supported by the General Union of Workers which, for the fishery sector, deals with the Department of Fisheries Resources (DFR) at the Ministry of Agriculture and Agrarian Reform.

There is no evidence of any Producer's Organization (PO) and the market side is extremely basic, not being characterized by any Business or Service Association.

Fishing activities are focused on the coastal zone and the vessels usually land their catches in their home harbours. The main landing sites coincide with the major coastal cities and markets. In 2004, the Department of Fisheries Resources (DOF) identified ten major landing sites and established in each of them a field office. The Offices for Marine Fishery Rationalization (OMFiRs) have been appointed by the local Institutions to be responsible for the daily monitoring of the fishing vessels' activities, control of the technical features of the fishing gear in use, quantities and quality of the landings. (FAO Fishery Country Profile, 2007).

Another important issue which the fishery sector will have to deal with in the next future is the growing attention that institutions and the civil society are paying to the environment protection.

At this regard the Syrian Environment Protection Society (SEPS) was the first environmental movement that has been founded and announced publicly in 2004. In 2006 this Non-Governmental Organization obtained the accreditation to the United Nations Environment Programme (UNEP) and ever since, it is aiming at positively healing, correcting and shaping the natural and urban environment, combating the threats against Syrian Environment and clarifying the misconceptions using the awareness campaigns, thereby improving people's living conditions and their habitat. Particularly for the fishery sector, SEPS cares about the issues connected with potential or real overfishing both in freshwater and coastal zone.

There is actually another non-governmental Association which is called the Syrian Association for Protection of Water Environment, that has been founded and announced publicly in 2006 in the Latakia Governorate.

2.1 Credit and Banking System

Since its nationalization in 1963, the Syrian banking sector has been organized around state-owned specialized banks, each of them operating on a specific segment.

The Agricultural Cooperative Bank finances the agricultural sector. It provides farmers and the aquaculture sector with working capital for their activities, and determines the allocation of credit so as to implement the government's plans for the production of different crops/harvests. Its deposit base is very narrow despite the high number of branches, and the bulk of its loans are refinanced by the Central Bank.

The Syrian banking system has existed primarily to service the public sector with about two-third of the extended credit directed to public sector enterprises. Agriculture is the only exception to the limited access to credit from public banks. The private sector normally (with the exception of agriculture), obtains most of its credit needs from banks abroad and from the curb market at high interest rates. There are no Associations providing or facilitating credit.

Recently, the authorities have taken important measures to develop the financial system, while strengthening the regulation and supervision of banks. A new Banking Law was enacted in March 2002, setting the foundation for the reform of the financial sector. In its aftermath, a credit and monetary committee (CMC) has been set up to be responsible for monetary policy and for the development of the financial sector. Private banks have been allowed to operate in Syria and two private banks have started their affairs in early 2004.

Another striking feature of the Syrian banking activity is the concentration of credit to the agricultural sector. Two-third of total credit is extended to the agricultural sector with the financing of the procurement of wheat and cotton accounting by itself for 40 percent of outstanding credit. This concentration reflects the strategic policy choice of the state to support the agricultural sector, which has certainly contributed to achieve self-sufficiency in some crops while having positive implications for the sustainability of the rural environment, poverty reduction, and unemployment alleviation.

The legal framework regulating the banking system is extremely poor. Adequate supervisory systems and prudential regulations are not in place. Central bank and banking laws are weak, being deficient in regards to loan collection and bankruptcy, conflict of interest, and rules on collateral.

Monetary and credit policy is implemented through direct credit allocation and control. Policy instruments such as the discount rate and reserve requirement ratio have not been used for years.

Interest rates, whose structure is discriminative in favour of the public sector, are set administratively and nominal interest rates on the Syrian pound have remained unchanged from 1981 until their adjustment in mid-2003 and beginning 2004. After the slowdown in domestic inflation (in the years 1996-98) and the decline in world interest rates (in the years 2001-2002), the lack of nominal flexibility on interest rates had led to a situation where the premium paid against the dollar and the real interest rates on the Syrian pound reached historical highs (UNDP, 2005 - Macroeconomic Policy for Poverty Reduction: The case of Syria).

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Institutional framework

Different public authorities are involved in the regulation of the fishermen working conditions in Syrian Arab Republic. Since the reform launched in 1986, the Ministry of Agriculture and Agrarian Reform (Department of fisheries Resources (DOF) is responsible for proposing and implementing the fishery policies and strategies.

However, the regulation of labour aspects in the fisheries sector falls under the general competence of the Ministry of Social Affairs and Labour which is the institution responsible for regulating labour relationships and social allowances of all workers including fishermen. It provides general supervision for pensions system and for work injury indemnities system.

Additionally, the Institution of Social Insurance, managed by a tripartite board of directors and a director general, administers the social programs (pensions system, work injury) through regional and district offices.

The labour law No.17/2010 contains an entire title (title XII) on labour inspection and foresees that "all firms and workplace falling under the scope of the present Law shall be subject to labour inspection, which shall be carried out by labour, social security and occupational safety and health inspectors appointed by the Minister" (article 244). The Law includes some provisions on the appointment, the duties and missions of the labour inspectors and occupational safety and health inspectors.

The Law also foresees that a National Commission for Occupational Safety and Health shall be formed under the chairmanship of the Minister (article 231, title XI on occupational safety and health). The Law specifies that it shall comprise the competent directors of the central administrations under the ministries of Industry, Economy and Trade, Housing and Construction, Environment, Oil, Health, Irrigation, Electricity, Local Administration, Social Affairs and Labour, Civil Defence, a representative for the GFTU and a representative of employers' organizations, who shall be appointed by their respective organizations. It is foreseen that the commission shall be formed by ministerial decision that shall mention the time and venue. Among its duties, the commission shall determine and assess occupational safety and health hazards at the workplace and monitor working environment factors and work practises that may affect the health of workers, including sanitary installations, canteens and clubs built by the employer.

There are no specific legislations in the Syrian Arab Republic setting some particular labour rules peculiar to fishermen working conditions or establishing a specific social insurance system giving them some special rights. In the absence of such special legislations, the labour relations in the marine fishery sector are regulated in Syrian Arab Republic by the Labour Law No.17 of 2010 (repeals the Labour Code of 1959) which concerns all workers and in that respect applies to fishermen.

The Labour Law includes some provisions on employment agencies for unemployed, on employment of non-nationals, on apprenticeship and vocational training, on individual labour relations (hours of work, wages, individual employment contracts, employment relation termination, employment of women and juveniles), on internal labour regulations (rights and obligations of employers and of workers), on collective labour relations (collective labour agreements, consultation and cooperation), on collective dispute, on occupational safety and health and on the labour inspection and judicial police.

The Labour Law also proclaims the prohibition to breach or infringe the principle of equal opportunity or equal treatment for any reason whatsoever, and, in particular, to discriminate against workers on the basis of race, colour, gender, belief or political opinion.

Additionally, the title III of the Legislative Decree No.30 on the protection of aquatic life, August 25th 1964 on the regulation of sponge diving, includes some provisions on labour contract, work injury and salary in sponge diving (Chapter II).

Regarding social allowances, Syrian Arab Republic has adopted the Act No. 92 of April 6th 1959 with 1976 and 2001 amendments on social insurance.

3.2 The collective labour agreement

There are no collective labour agreement(s) in the marine fisheries sector in the Syrian Arab Republic.

3.3 Engagement

The Labour Law No.17/2010 contains an entire chapter on the individual employment contracts which applies to all labour contracts including the fisheries sector in the absence of specific provisions.

The Law foresees that the “employers shall draw up employment contracts in writing, on three Arabic copies and one copy in a foreign language in case of non-Arab workers. Each party shall keep a copy thereof and the employer shall file the third copy with the competent directorate of social security, within three months of the effective date thereof. In the absence of a written contract, workers may establish their entitlements by all methods of proof and the employer may similarly prove the contrary. The workers shall be issued a receipt of the assets, documents and degrees deposited with the employer”.

Regarding the content of the employment contract, the law indicates that it shall, in particular, include the following information:

- The name, nationality and address of each party, in a clear and detailed manner.
- The workplace.
- The nature and type of work agreed upon.
- The duration and type of contract.
- The wage agreed upon between the contracting parties, the payment method and date, and any other cash or in-kind benefits mutually agreed upon.
- The hours of work.
- The entitlements and benefits granted to the worker, which are not referred to in the present Law.

Additionally, the Legislative Decree No.30 of August 25th 1964 specifies that “the means to be employed in sponge diving and the prohibitions in respect thereof, shall be laid down in Orders by the Minister of Agriculture. The General Directorate of Harbours shall establish the conditions to be fulfilled by masters, divers and crew of boats engaged in

sponge diving”.

The law also foresees that the contract should be drawn up in Arabic language, in three copies, in accordance with the model contract to be prepared by the Directorate. These contracts shall be subject to the approval of the competent Harbour Master.

The Labour Law prohibits to employ children before they complete elementary schooling or before they reach the age of fifteen. The Minister shall issue regulations, terms, conditions and circumstances of juvenile employment, and prohibited activities, occupations and trades at different ages.

Regarding employment of women, without prejudice to particular provisions, the Labour Law foresees that any and all provisions governing the employment of workers shall apply to female workers, without discrimination, in case of equal work.

The Labour Law foresees that “the employer may terminate fixed-term employment contracts any time during employment, provided he pays the worker his wages for the remaining duration of the contract. Similarly, the worker may terminate the employment contract any time, provided he sends written notice to the employer two months prior to termination date, failing which, the worker shall pay the employer compensation equalling the wage for the notice period or the remaining portion thereof (article 53). It also sets the conditions of termination for the different types of contract. In case of an unspecified-term contract, the employer or the worker should send two months before the other party a written notice prior to termination.

3.4 Remuneration

The Labour Law No.17/2010 contains an entire chapter on wage (Chapter III, Title V) and specifies that a committee called the National Committee of General Minimum Wage shall be constituted by decision, and under the chairmanship of the Prime Minister. It shall comprise among others some members of the Minister of Social Affairs and Labour, the Minister of Finance and of the Minister of Economy and Trade. This National Committee shall determine and review the general minimum wage of workers covered by the Labour Law taking into consideration the following factors: the economic crises, the devaluation and drop of exchange rates, the purchasing power, the general price index and other economic changes.

Based on the recommendations made by every committee, the Minister shall determine, by ministerial decision, the minimum wage for a given occupation within its jurisdiction.

Unfortunately, it has not been possible to verify if a minimum wage has been determined by ministerial decision for the fisheries sector as it has been done for many sector and localities in Syrian A.R: (i.e. Order No. 1759 relating to fixing the general minimum wages of employees in the sector of privileged restaurants).

The Labour Law indicates that wages shall be fixed under the individual employment contract, the collective labour agreement or the firm’s basic labour regulations, failing which the worker shall be entitled to the minimum wage payable for his occupation or trade.

This agreed wage can never be less than the minimum wage payable to the same category of work.

Additionally, regarding the wages of sponge divers, the Legislative Decree No.30 of 25 August 1964 indicates that the salaries of the captain and the sponge diving supervisor, shall be established by an agreement between them on one

hand and the charterer, on the other. The wage of the diver shall be established according to the value of his sponge harvest and shall in any case not be less than 45 % (article 46).

The Decree also foresees that "the diver shall be entitled to receive another advance on his wages immediately after the approval of his contract and before beginning his work, however this advance shall not exceed 1000 Syrian pounds. The diver shall also be entitled to receive another advance on his wages, not exceeding 7 Syrian pounds per day, for his maintenance. In any case, the diver shall not be entitled to receive advances on his annual share before the end of the fishing season, in excess of 75% of his estimated share.

3.5 Working hours

As a general principle, the Labour Law No.17/2010 states that effective working time, shall not exceed eight hours per day or forty hours per week, exclusive of meal and rest breaks. The hours of work and rest breaks shall be scheduled in such a way that a worker does not spend more than ten hours per day at the workplace. However, some derogations to that principle are allowed under certain conditions. For example, the hours of work may be increased to nine hours per day for some categories of workers or some categories of industries and activities.

In case of overtime, the employers shall pay workers for overtime hours, the regular hourly wage plus a 25% supplement for day work and 50% supplement for night work. This rate shall be doubled in case of overtime hours during official holidays.

Regarding specific cases, juveniles shall not work more than six hours per day, including one or more meal and rest breaks for a total of no less than one hour. Such breaks shall be scheduled so that the juvenile does not work more than three consecutive hours. Finally, No juveniles shall be requested to work at night.

3.6 Breaks and rest (Rest during the daily work (breaks), Daily break, Weekly Break)

The Labour Law No.17/2010 foresees that the hours of work shall include one or several meal and rest breaks totalling no less than one hour.

Additionally, it specifies that work shall be scheduled in such a way that each worker gets one weekly day off of no less than twenty-four consecutive hours, with full pay, after six consecutive days at the most. However, when needed, the employer may ask workers to work on the weekly day off. In this case, the worker shall be entitled to double his daily wage in addition to another day off during the following week. Indeed, whenever workers work on official holidays, they shall be entitled to double their daily wage on top of their daily wage.

3.7 Leaves

The Labour Law No.17/2010 recognizes the right to annual leave to all employees. The duration and schedule of the annual leaves depend on the number of years' service. The Law states that:

- Workers shall be entitled to a leave period of twenty-one working days, after 5 to 10 years of employment.

- Workers shall be entitled to a leave period of thirty working days, after 10 or more years of employment or when they are over 50.
- Official holidays and weekly days off, shall not be considered part of the annual leave.
- Workers with less than one year of employment shall be entitled to annual leave on a pro rata basis.

Specific provisions are foreseen for the workers who are involved in arduous, difficult, hazardous or harmful work or in remote areas. They shall be entitled to the annual leave referred to above, plus seven working days. The occupations concerned by these provisions are determined by the Minister after consultation with the parties involved.

The Labour Law foresees that workers shall be entitled to leave with full pay, on the official holidays determined by ministerial decision totalling no less than thirteen days per year. However, employers shall have the right to ask their workers to work on such days if work conditions so require. In this case, workers shall be entitled to their daily wage plus double that wage. If any official holiday coincides with the weekly day off, workers shall be entitled to a replacement day on the first working day following the holiday.

3.8 Unemployment allowance

No legislations or regulations can give the right to unemployment allowances to fishermen in the Syrian A.R.

3.9 Sickness indemnities

The basic law setting the general standards for the social security is the Act No. 92 of April 6th 1959 with 1976 and 2001 amendments to promulgate a Social Insurance Code. Additionally, the health insurance Act No.1 contains various provisions on medical care and sickness benefit.

3.10 Family benefits

No legislations or regulations can give the right to family benefits to fishermen in the Syrian A.R.

3.11 Occupational accidents and Work related sickness

The basic law setting the general standards for the social security is the Act No. 92 of April 6th 1959 with 1976 and 2001 amendments containing various provisions on work injury benefits.

Additionally, the title III of the Legislative Decree No.30 on the protection of aquatic life, 25th August 1964 on the regulation of sponge diving, specifies that "in case of illness, accident or decease arising from employment, the provisions of labour legislation in force shall apply to the crew".

Employees of the following sectors are covered by the social insurance system: industry, commerce, agriculture, municipal workers, public employees. The household and self-employed person are excluded from the work injury benefits.

The system is only financed by the 3% of payroll paid by the employers. Neither the insured person, nor the government contribute to the system. To receive the work injury benefits, there is no minimum qualifying period.

In case of temporary disability, the system foresees that the benefit for the first month is equal to 80% of the insured's monthly earnings; thereafter, 100%. The minimum monthly benefit is 2,000 pounds and it is paid from the day after the injury occurred, for up to 12 months. Work injury benefits can be combined with other pension entitlements.

In case of Permanent Disability, if assessed with a degree of disability of at least 80%, the benefit is equal to 75% of the insured's average monthly earnings in the previous year. The minimum monthly pension is 458 pounds. These work injury benefits can be combined with other pension entitlements.

In case of partial disability and for an assessed degree of disability of 35% to 79%, a percentage of the full pension (75% of the insured's average monthly earnings in the previous year) is paid according to the assessed degree of disability. For an assessed degree of disability of less than 35%, a lump sum of 1 year of the partial pension (a percentage of the full pension) is paid.

The workers entitled can receive the following medical benefits: general and specialist care, surgery, hospitalization, drugs, X-rays, appliances, and rehabilitation.

A member of the family can receive a survivor pension of 75% of the deceased's average monthly earnings in the previous year, which is split among eligible survivors as follows; 50% for the widow and 50% for orphans; if there is a dependent parent, 20% to the parent, 40% to the widow, and 40% to orphans.

The minimum monthly pension is 400 Syrian pounds for a widow; 96 Syrian pounds each for other survivors.

For the funeral grant, a lump sum is paid equal to 1 month of earnings. The minimum funeral grant is 80 Syrian pounds.

3.12 Pension performances

In Syrian A.R. , there are no specific regulations on pensions performances specifically designed for fishermen. However, Syrian A.R. has adopted the Act No. 92 of 6th April 1959 with 1976 and 2001 amendments on social insurance which includes some provisions on the pensions system.

The Syrians working abroad could be submitted to a voluntary coverage.

The Insured person contributes to 7% of earnings (plus an optional 1% of earnings for voluntary supplementary disability and death benefits). The employer pays 14% of payroll. The government does not participate in any way to the funding.

The qualifying conditions for the disability pension depend on the loss of working capacity in percentage. A disability pension is paid for the loss of at least 80% of the working capacity. The disability should have began during employment or within 6 months after leaving employment. Additionally, the insured must have made contributions throughout the last 12 months or for a total of at least 24 months including the last 3 months.

In case of voluntary insurance, the assessed degree of disability must exceed 35% to be entitled to disability benefit.

Then, the disability may be due to an occupational injury.

The law also foresees that the disability pension is equal to 40% of the insured's base earnings plus 2% for each year of covered employment. The base earnings are equal to the previous year's average monthly earnings.

The minimum pension is equal to the legal minimum wage and the maximum pension is equal to 80% of base earnings.

For a temporary disability pension, the minimum monthly pension is 343 Syrian pounds, plus 25 Syrian pounds for each dependent. In case of voluntary insurance, a lump sum is paid equal to 50% of the insured's insurable earnings in the previous year. The benefit is increased by an additional 50% if the insured is totally disabled as a result of an accident at work.

To receive the old-age pension, the insured person has to be 60 (men) or 55 (women). In case of physically demanding or dangerous work, the old-age pension can be received at any age (men and women) after at least 15 years of contributions. This pension could be granted to person of 55 (men) or 50 (women) if they have contributed at least 20 years and at any age (men and women) if they have contributed for at least 30 years.

The early pension can be received at any age if the insured person has contributed for at least 25 years of contributions. It should be mentioned that payments abroad are made at the discretion of the Institution of Social Insurance.

Regarding the old-age settlement, the age is 60 (men) or 55 (women). It does not satisfy the qualifying conditions for the old-age pension.

The Old-Age pension is equal to 2.5% of the insured's base earnings multiplied by the number of years of contributions, up to 75% of the base earnings. The base earnings are equal to the previous year's average monthly earnings. The same criteria apply to the early pension.

The minimum pension is equal to the legal minimum wage.

The maximum monthly pension is 3,450 Syrian pounds or 75% of base earnings, whichever is less. These regulations are amended from time to time and the amounts are increased accordingly.

For old-age increment, a lump sum is paid equal to 1 month of the pension for every complete covered year beyond 30 years of coverage, up to 5 months of the pension.

For the old-age settlement, a lump sum of between 11% and 15% of total covered earnings is paid.

To receive a survivor pension, it should be demonstrated that the deceased should have met the contribution conditions for the disability pension or should have been a pensioner at the time of death. Additionally, the death should not be the result of an occupational injury.

The eligible survivors include unemployed widow of any age or a disabled widower, orphans younger than age 21 (age 24 if disabled), and dependent parents. A Death benefit in case of voluntary insurance is paid to eligible survivors in case of the death of the insured. Finally, a funeral grant is paid to mitigate the cost of the funeral.

The system foresees that the survivor pension is equal to 37.5% of the deceased's disability pension. The Orphan's

pension is equal to 25% of the deceased's disability pension for the first orphan (37.5% for a full orphan); 12.5% for the second orphan.

Additionally, each dependent parent receives 12.5% of the deceased's disability pension.

The minimum survivor pension is 400 pounds a month for a widow; 96 pounds each for other survivors and the maximum total survivor pension is equal to 75% of the deceased's disability pension.

In case of voluntary insurance, A lump sum as death benefit equal to 100% of the deceased's earnings in the previous year is paid to a survivor. The lump sum is increased by 50% if the insured's death was caused by an accident at work. For the funeral grant, a lump sum of 1 month of earnings is paid, however this cannot be higher than 100 pounds.

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PESCAMED



TUNISIE



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LISTE DES ACRONYMES ET ABREVIATIONS

APIA: Agence de la Promotion aux Investissements Agricole
APIP: Agence des Ports et des Installations de Pêche
AVFA: Agence de la Vulgarisation et la Formation Agricole
BAD: Banque africaine de développement
BCT: Banque Central Tunisien
CGPM: Commission Générale des Pêches de la Méditerranée
CISMA: Commission internationale des spécifications micro biologiques des aliments
CNSS: Caisse Nationale de la Sécurité Sociale
CNAM: Caisse Nationale D'Assurance Maladie
CRDA: Commissariat Régionale au Développement Agricole
CV: Chevaux/Axe
DGFIOP: Direction générale des financements aux investissements et de l'organisation professionnelle
DGPA: Direction Générale de la Pêche et de l'Aquaculture.
DGSV: Direction Générale de la Surveillance et de la Vigilance.
DT: Dinars Tunisien.
FAO: Found Alimentation Organisation.
FEM: Forum économique mondial
FISHSTAT: Logiciel universel pour les séries chronologiques de données statistiques sur les pêches
GIIP: Groupement Interprofessionnel des Produits de la Pêche.
ICCATT: Commission Internationale pour la Conservation des Thonidés de l'Atlantique
INS: Institut National des Statistiques.
INSTM: Institut National des sciences et technologies de la mer
INSTOP: Institut National Scientifique et Technique d'Océanographie et de Pêche.
JORT: Journal Officiel de la République Tunisienne.
OMS: organisation mondiale de la santé.
ONG: organismes non gouvernementaux.
OPP: Organismes de Producteurs de Pêche.
OMMP: Office de la Marine Marchande et des Ports
PNUD: Programme des Nations Unies pour le Développement
RGP : Recensement Général de la Pêche (année 2004)
UE: Union Européenne.
UGTT: Union Générale Tunisienne du Travail
UTAP: union tunisienne pour l'agriculture et la pêche
UTICA: Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat

1. LE SECTEUR DE LA PECHE

1.1 Production

En 2009, la production de la pêche et de l'aquaculture Tunisienne a atteint 100 500 tonnes pour une valeur à la première vente estimée à 361 millions de dinars (195 M€). Les débarquements en poids sont composés de 50% par les espèces de petits pélagiques (sardine, sardinelle, maquereau), 44% de produits benthiques et 6% d'autres produits (aquaculture, grands pélagiques).

Table 1. Evolution de la production halieutique marine nationale de 2000 à 2008 en poids (tonnes)

Produits	2000	2001	2002	2003	2004	2005	2006	2007	2008
Thon Rouge	2.184	2.493	2.528	791	2.376	3.249	2.545	2.622	2.679
Bonite de l'Atlantique	1.528	1.183	1.112	848	1.251	1.666	1.970	1.961	2.243
Bogue	3.052	2.852	3.209	3.435	2.995	2.814	2.871	2.584	2.729
Crevettes Caramote	6.165	3.356	2.539	2.264	2.864	2.809	2.303	1.962	1.285
Maquereau espagnol	2.200	3.727	2.480	4.457	9.367	9.026	4.873	2.786	3.528
Seiche Commune	6.002	7.148	7.995	7.188	6.008	6.204	6.404	6.717	4.913
Poulpe commune	2.103	1.752	2.535	2.710	4.638	3.901	2.542	2.297	1.280
Pageau commun	3.105	3.219	2.687	2.823	2.937	2.779	2.439	2.517	2.857
Crevette Rose du large	1.283	1.454	1.536	1.648	1.758	1.572	1.932	1.037	1.200
Anchois Européens	2	269	258	361	961	771	796	605	1.378
Merlu Européen	974	1.284	1.538	1.202	1.552	1.295	1.336	1.255	1.422
Sardine Européenne	15.001	13.988	13.311	12.051	14.256	18.612	24.802	19.871	18.386
Chinchards	4.917	4.204	4.746	4.096	6.998	5.540	7.839	9.462	8.934
Poisson de mer	5.125	4.259	2.222	-	5.879	5.550	5.405	4.135	4.774
Rougets nei	2.306	3.016	3.010	3.246	2.554	2.457	2.279	1.934	1.841
Dorade	3.084	2.825	2.818	2.806	2.193	2.109	2.266	2.154	2.378
Rouget barbet	1.600	2.632	2.045	2.908	2.732	2.335	2.236	2.807	3.194
Sardinelles nei	11.800	12.942	12.465	11.824	13.531	12.849	13.619	16.612	16.610
Rouget de roche	1.527	2.163	1.803	1.948	2.095	1.893	1.666	1.640	1.577
Espadon	483	567	1.138	1.172	791	1.074	949	1.024	1.011
Autre	20303	22321	23877	21617	22758	19423	19059	16760	14952
Total	94.744	97.654	95.852	89.395	110.494	107.928	110.131	102.742	99.171

Source: FAO

En valeur, la pêche côtière contribue à hauteur de 40% du total, devant la pêche au chalut (25%), la pêche aux petits pélagiques (20%) et autres types de pêche et activités mineures (15%). Le marché intérieur consomme en moyenne près de 70% de la production nationale à l'état frais et environ 10% de produits transformés (conserves de sardine et de thon), les 20% restants sont exportés en majorité vers les marchés de l'Union Européenne.

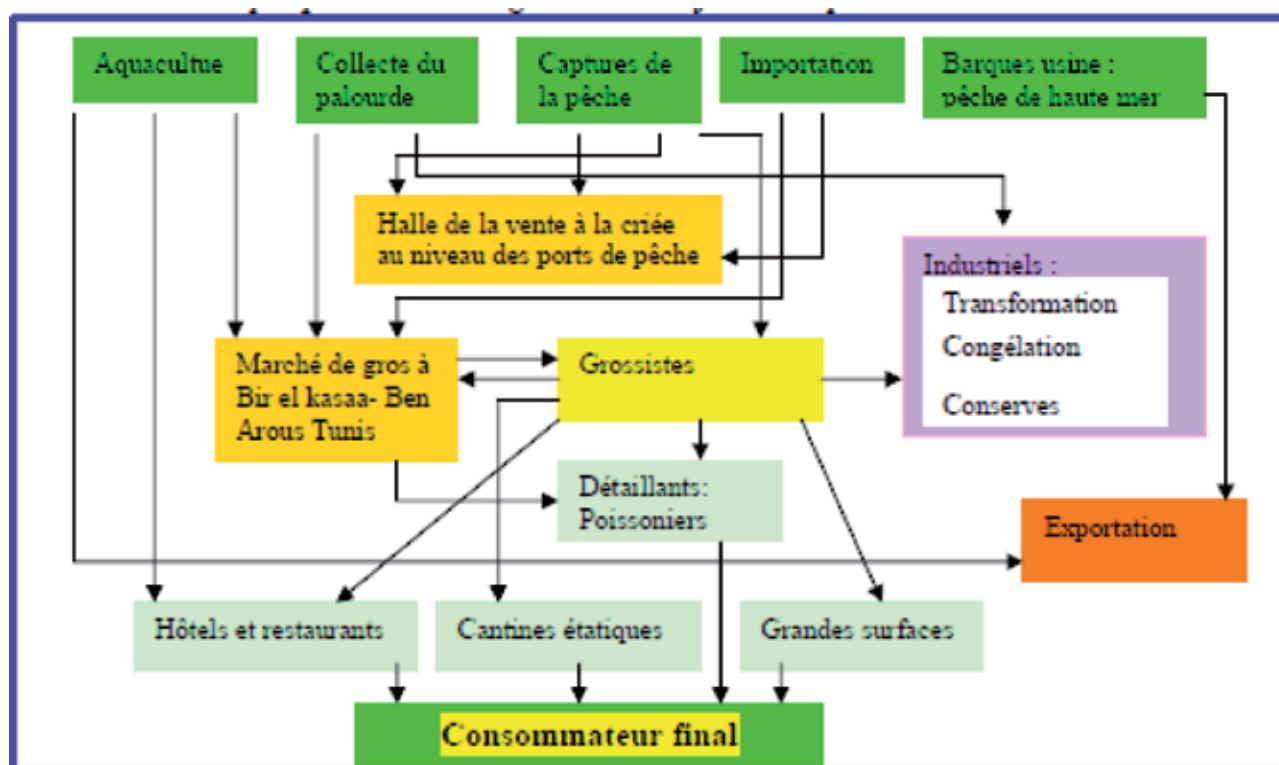
A des fins de bien assurer la préservation de la qualité des produits de la pêche et d'aboutir à maximiser la valeur ajoutée qui doit être dégagée dans tous les maillons du circuit de distribution à compter du pêcheur, toute une série de réglementations a été prise et ce que se soit à l'échelle mondiale ou nationale.

Ce cadre réglementaire se résume dans la conception de systèmes d'inspection et d'assurance de la qualité qui s'orientent, actuellement, pour adopter une approche préventive plutôt que corrective. Cette approche préventive a été retenue et recommandée par des organisations internationales, l'organisation des nations unies pour l'alimentation et l'agriculture FAO (Assurance of seafood quality FAO, 1994), l'organisation mondiale de la santé OMS (Salubrité des aliments et maladies d'origine alimentaire, 2002) et la commission internationale des spécifications microbiologiques des aliments CISMA, et le Codex Alimentarius, qui est chargé de la mission d'harmonisations sanitaires à l'échelle mondiale. En Tunisie, il a été promulgué une législation relative aux normes hygiéniques et sanitaires de production et de transformations basée essentiellement sur les directives de la législation Européenne.

La majorité de la production de la pêche tunisienne passe par ces marchés. Mais en parallèle, il y a une partie qui peut se vendre directement aux établissements de congélation ou de transformation (crevettes, sardines) après déclaration aux ports des captures et contrôle sanitaire. Cette mesure a été prise à la demande de la profession (producteurs et industriels) pour des raisons de gain de temps et d'économie en vue de mieux garder la fraîcheur des produits et éviter des manipulations doubles.

A signaler que la vente des produits de la pêche se fait à la criée à travers des mandataires installés dans les halles de marée des ports. Toutefois, certains armateurs (P. au chalut) ou grossistes choisissent de vendre les produits de pêche dans d'autres marchés de gros plus rémunérateurs tels que le marché de gros de Bir el Kassâa à Ben Arous/Tunis.

Graphique 1. Schéma général de la filière de pêche en Tunisie



Valeur économique de la production/importation/exportation (Moyenne sur cinq (05) ans (2005-2009))

Table 2. Production, Importation et Exportation de produits de la pêche en Tunisie

	Quantités (1000 tonnes)	Valeurs (millions de dinars)
Production	105	359
Importation	41.5	72
Exportation	21,6	227

1.2 Importation

Les importations de produits de la pêche en Tunisie sont en nette augmentation depuis les années 2000. Elles ont atteint 46 800 tonnes en 2009 pour une valeur estimée à 89,7 millions de dinars (35% de la valeur des exportations) contre 11 000 tonnes en l’an 2000 pour une valeur de 16 millions de dinars.

Ces augmentations remarquables s’expliquent surtout par le recours des industriels à l’importation du thon congelé destiné à être emboîté, le marché local est devenu de plus en plus demandeur de produits de la pêche vu l’irrégularité d’approvisionnement par des produits « locaux », d’une part, et la limite des stocks benthiques exploitables dans les zones traditionnellement fréquentées, d’autre part. Aussi, une faible partie de ces importations est utilisée comme aliments par les fermes aquacoles d’engraissement.

1.3 Exportation

Les exportations Tunisiennes en produits de la pêche ont atteint en 2009 les quantités de 19 500 tonnes, soit environ 19,4% de la production globale pour une valeur de 205 millions de dinars estimée à 111 M€, se plaçant ainsi à la seconde place des exportations des produits agricoles et agro-alimentaires après l’huile d’olive.

Environ 80% des exportations sont orientées vers les marchés des pays de l’Union Européenne. Les principaux produits exportés sur ce marché sont les céphalopodes (poules et seiches), les poissons frais et congelés et les crustacés, qui représentent respectivement 34%, 29% et 19% des quantités exportées.

Les poissons exportés à l’état frais ou congelés, ont vu leur part améliorée ces dernières années pour atteindre en 2009 les 34% de la totalité des quantités exportées contre 17% en 2000. Notons que la valeur des exportations Tunisiennes de produits de pêche a connu des augmentations successives ces dernières années (a doublé –au prix courant- en 2008 par rapport à celle de 2001); les quantités exportées ont aussi suivi mais à un rythme plus lent (+43% en 2008 par rapport à celles de 2001). Par contre, on a enregistré une baisse significative des ces résultats en 2009 en raison de la baisse des quotas alloués au thon rouge aussi à la diminution captures en produits benthiques. Le marché local est devenu de plus en plus demandeur de produits de pêche à haute valeur marchande pour satisfaire les besoins des hôteliers.

1.4 Disponibilité consommation par habitant

La consommation en poissons en Tunisie est considérée moyenne, elle est estimée à 10.5 kg par an et tête d’habitant en 2009, mais avec une forte disparité entre les régions côtières et les régions de l’intérieur du pays.

Des efforts ont été déployés ces dernières d'années pour hisser le niveau de consommation de la population à l'intérieur du pays, il a passé d'environ 1 kg/an/ha avant les années 2000 pour atteindre, les 1,5 à 2 (selon les régions) kg/an/ha et ce grâce aux interventions du Groupement Interprofessionnel des Produits de la Pêche (GIPP) relatives à la promotion de l'écoulement des produits de la pêche en général et le poisson bleu (sardines, ...) en particulier. Ainsi, des points de ventes sont approvisionnés toute l'année (selon la disponibilité des produits dans les lieux de débarquement «cas de mauvais temps, pleine lune») en produits de pêche à travers des commerçants bien assistés et aidé par le GIPP.

Le poisson en Tunisie est consommé en majorité à l'état frais de la production nationale. La consommation du poisson à l'état de conserve se limite à la sardine et au thon en boîte. La vente de produits congelés attire d'avantage la clientèle tunisienne et surtout celle qui fréquente les supers marchés. Le consommateur Tunisien garde néanmoins des précautions contre le congelé en général quelque soit la nature du produit de consommation (agricole, pêche). On signale, toutefois une consommation, à de faibles quantités, de poissons salés dans la région de Sfax à l'occasion des jours de fêtes de l'Aïd vers la fin du mois de ramadan, poisson salé dit «chermula».

1.5 Pêcheurs et induits

Si nous allons considérer l'unité de pêche exploitant les ressources marines comme étant une entreprise de pêche: les facteurs de production de cette entreprise sont le capital, le travail et les ressources halieutiques.

Le capital s'individualise par le montant d'investissement, la valeur du bateau, des engins et équipements de pêche et du fond de roulement. Les ressources halieutiques représentent le coeur de cette activité: c'est une richesse naturelle et en fonction de sa valeur commerciale et de sa localisation se différencient les espèces cibles à la pêche et se conçoivent les bateaux, les engins et les équipements de pêche.

Le travail s'individualise dans la main d'œuvre qui se rattache directement avec l'activité de la pêche et qui se compose d'armateurs et de marins:

- Les armateurs se sont les propriétaires d'unités de pêche. L'armateur peut avoir à sa propriété une ou plusieurs unités de pêche avec ces composantes d'engins et d'équipements de pêche comme il pourra être un associé dans cet actif. Les armateurs peuvent travailler à bord de leurs barques comme étant des commandants de bord ou même des pêcheurs ordinaires;
- Les marins participent à l'activité de la pêche par le travail uniquement et ils ne sont pas propriétaires dans l'actif de l'unité de pêche.

Le travail s'individualise dans la main d'œuvre qui se rattache directement avec l'activité de la pêche et qui se compose d'armateurs et de marins:

- Les armateurs se sont les propriétaires d'unités de pêche. L'armateur peut avoir à sa propriété une ou plunités de pêche avec ces composantes d'engins et d'équipements de pêche comme il pourra être un associé dans cet actif. Les armateurs peuvent travailler à bord de leurs barques comme étant des commandants de bord ou même des pêcheurs ordinaires;
- Les marins participent à l'activité de la pêche par le travail uniquement et ils ne sont pas propriétaires dans l'actif de l'unité de pêche.

Le système de fonctionnement de ces entreprises est un système particulier et plusieurs points de distinction le caractérisent à d'autres activités. Le Code du Pêcheur et autres textes associés constitue l'ossature réglementaire pour l'organisation du travail dans le secteur de la pêche en Tunisie.

Les modalités de rémunération les plus répandues sont le travail à la part, les salariés se trouvent principalement dans les activités des thoniers et certains chalutiers qui font de la congélation à bord. Le marin et bien qu'il n'est pas actionnaire à l'unité de pêche, mais à travers de son travail se considère comme étant un associé avec un pourcentage qui se détermine selon la tâche qu'il exécute.

Le fond de roulement ou « Frais à la masse » constitue la charge de production comme le gas-oil, huile moteur, appâts, produits alimentaires consommés à bord lors des sorties de pêche. Ce fond de roulement se déduit du chiffre d'affaire que réalise l'unité de pêche et ce avant de faire distribuer les salaires. De cette façon le marin paye une partie de ce fond de roulement.

Après la déduction du fond de roulement, le chiffre d'affaire se répartie avec des pourcentages bien déterminés entre le(s) armateur(s) et les marins d'une telle unité de pêche.

Les pourcentages de répartition des salaires voir même tout le système de fonctionnement des entreprises de pêche, suit les coutumes héritées de génération à génération, la réglementation instaurée à cet effet s'est vue appuyer sur ces traditions pour répartir le partage des recettes (après déduction des frais à la masse) selon le type de pêche comme suit:

- 50% équipage et 50% armateurs pour les unités de pêche côtières et les sardinières;
- 48% équipage et 52% armateurs pour les unités de pêche au chalut.

1.6 Les ports de pêche

Les ports de pêche en la Tunisie s'élèvent au nombre de 41 dont ont distingué 23 ports côtiers, 10 ports industriels et 8 sites de débarquements. Tous ces ports sont aménagés selon leurs importances en vue de fournir aux exploitants les prestations de services qui se résument principalement en ce qui suit:

- Approvisionnement de la flottille en eau, en électricité, en gas-oil et éclairage public;
- Fourniture de la glace et l'entreposage des produits de la pêche;
- Mise à sec des bateaux;
- Autorisation d'occupation temporaire pour implantation d'ateliers, de magasins de Vente de matériels de pêche, de dépôts pour les pêcheurs, d'unités de transformations des produits de la pêche.

1.7 La flotte de pêche

Le recensement général de la pêche, année 2004, élaboré conjointement par la Direction Générale de la Pêche et de l'Aquaculture en étroite collaboration avec la Direction Générale de la Planification Agricole du Ministère de l'Agriculture Tunisienne, a inventorié 10.949 barques de pêche sur tout le littoral Tunisien. Il a dénombré 876 unités industrielles.

Elles se répartissent selon le type de pêche entre 432 chalutiers, 60 thoniers, 365 sardiniers et 19 unités mixtes. Il a dénombré aussi 10.073 barques côtières, 1.710 barques motorisées à tonnage brute supérieur à 5T, 2.665 barques motorisées à tonnage brute inférieur à 5T, 2.099 barques à voile et 3.599 barques à rames sans compter les 789 barques annexes (156 portes filets, 238 Shkif et 395 portes groupes) qui accompagnent les sardiniers et les thoniers.

L'effectif des barques côtières a connu une hausse de 12% au cours de la période 1997-2003. Cette croissance a été tirée vers le haut essentiellement par le rythme d'évolution du nombre d'unités motorisées qui s'est situé à 22%. La répartition entre les gouvernorats et les ports d'attache de cette flotte est telle comme c'est indiqué au tableau en annexes.

Table 3. Répartition de la flotte de pêche en Tunisie (2004)

	Nombre	%
Chalutiers	432	3,9
Senneurs	356	3,4
Thoniers	60	0,6
Artisanales	10073	92
Total	10.949	100

Source: Ministère de l'Agriculture Tunisienne - DGPA - année 2004.

Table 4. Répartition de la flotte selon le littoral et le plateau continental en Tunisie

Répartition des barques sur le littoral	8,4 par km
Répartition des barques sur le plateau continental	0,13 par Km2

Source: Ministère de l'Agriculture Tunisienne - DGPA - année 2004.

La flottille active de pêche comptait en 2009 environ 11.500 unités réparties selon le type de pêche comme suit :

- 402 chalutiers de puissance moyenne de 450 CV l'unité;
- 380 sardiniers de puissant allant de 45 CV à plus de 500 CV pour certaines unités nouvellement construites;
- 42 thoniers;
- Environ 4.500 unités de pêche côtière ou « artisanale » motorisées et 6.200 unités non motorisées.

1.8. L'industrie de transformation

Les établissements industriels de transformation et de conditionnement, de produits de la pêche qui ont été recensés en 2004 sont au nombre de 87 dont 21 se trouvent dans le gouvernorat de Sfax (recensement de la pêche, 2004).

Les établissements de congélation en activité, au nombre de 46, traitent principalement les crustacés et les céphalopodes. Leurs capacités frigorifiques sont de 16 740 tonnes pour l'entreposage à moins de 25° C et de 540 tonnes pour la congélation.

Quant à la transformation des produits de la pêche, elle se limite à la mise en conserve du thon et de la sardine. Cette industrie comprend 25 unités en activité. La capacité maximale des établissements est de 140 tonnes par jour pour la sardine et de 160 tonnes par jour pour le thon (recensement de la pêche, 2004).

1.9 Stratégie Nationale de développement

La stratégie nationale pour le développement du secteur de la pêche se base sur la gestion rationnelle des ressources halieutiques et la préservation des équilibres entre l'effort de pêche et les ressources exploitables à travers la décélération du rythme de pêche de chalut et le développement de la pêche des poissons pélagiques par la mise en place d'une stratégie depuis 2002 afin d'atteindre une production de 68.000 tonnes à l'horizon 2011 compte tenu de la disponibilité d'une importante ressource au large des côtes tunisiennes (110.000 tonnes), tout en consolidant les mesures de protection des ressources à travers une meilleure organisation des campagnes de pêche et une évolution réfléchie de la flotte.

Sur cette base, les efforts seront orientés essentiellement vers l'amélioration du taux d'exploitation des espèces par l'intermédiaire d'une flotte spécialisée disposant de techniques modernes et permettant la manipulation et le traitement des captures à bord. L'exploitation des ressources se trouvent à son optimum biologique puisque les captures sont de 54 milles tonnes, en l'année 2004, contre un disponible de 56 milles tonnes. Mais les captures en petits pélagiques sont très au-dessous du stock disponible, 50 milles tonnes de captures en 2009 contre 110 milles tonnes de disponible pour les principales espèces commerciales.

Mais quand aux gros pélagiques, ils sont gérés suivant les conventions et les quotas répartis entre pays par l'ICCAT. Néanmoins, l'activité de pêche est soumise à toute une gamme de législation fixant les modalités de l'exercice de pêche et contribuant à la gestion et le contrôle de l'effort de pêche et veille à ne pas dépasser les limites au-delà desquels les ressources halieutiques deviennent vulnérables par un tel épuisement néfaste et inconscient. La planification, l'ordination et l'exécution et le suivi de la politique de gestion des pêcheries dans les eaux intérieures et extérieures Tunisiennes reviennent à la compétence exclusive de l'Etat.

L'instauration d'un système de repos biologique est entré en application à partir de 2009, il concerne pour le moment la zone du golfe de Gabes à travers l'arrêt de l'activité de la pêche au chalut durant trois mois (juillet, août et septembre).

Pour protéger les ressources benthiques, la législation Tunisienne interdit la pêche au chalut dans des profondeurs inférieures à 50 m au niveau des côtes Est et Sud et pas moins de 3 milles marins dans le reste des côtes.

Cependant cette activité est permise dans des profondeurs allant jusqu'à 30 m uniquement durant les campagnes de pêche à la crevette dans le golfe de Gabes (une 1ère période du 15 octobre jusqu'au 30 novembre avec une possible prolongation de quinze jours et une 2è période du 15 mai au 30 de juin).

En enregistre aussi une autre zone interdite à la pêche au chalut balayant tout le golfe de Tunis où la pêche n'est permise que durant le mois de juillet et à des profondeurs de 50 m et plus.

Pour la pêche aux petits pélagiques, à l'exception de la fixation de fonds minimums (35 mètres) et le potentiel maximum de la lumière utilisée (12 milles watts), la législation Tunisienne laisse toute la liberté d'accès aux senneurs de pratiquer leurs activités. D'ailleurs, la politique de l'Etat est actuellement encourageante pour l'augmentation de l'effort de pêche pour cette catégorie de pêche.

La pêche côtière bénéficie du libre accès total à la pêche dans les eaux Tunisiennes sauf dans les zones protégées ou

pour des espèces déterminées (poulpe, langouste, etc) dont leur capture est soumise à des campagnes réglementées durant des périodes et zones limitées dans le temps et dans l'espace en fonction de l'état du stock. Dans ce contexte, la pêche aux poulpes est permise à partir du 15 octobre et peut être retardée jusqu'au 15 novembre, selon l'état du stock, pour s'étaler jusqu'au 15 mai (et parfois bien avant « selon l'état du stock »).

De même la pêche à la langouste est réglementée de la manière où la permission, dans les eaux Tunisiennes, commence à partir du premier du mois de mars jusqu'à la fin de juin. Mais, quand aux eaux internationales, cette pêche se prolonge jusqu'au 14 de septembre. En fin la pêche aux éponges et à la plongée s'étale sur dix mois de l'année et ce depuis le premier du mois de juin jusqu'à la fin du mois d'avril. L'octroi de nouvelles autorisations pour pratiquer cette pêche n'est pas permis pour les côtes Est et Sud, la politique de l'Etat s'oriente pour maintenir l'effort de pêche à son optimum actuel.

A l'exception de la zone Nord, qui est une zone rocheuse, les côtes Tunisiennes sont pauvres en récifs naturels. Les récifs sont très importants dans la production primaire par la protection du développement des algues et micro-organismes et forment aussi des abris souhaitables pour plusieurs espèces benthiques. Les récifs existants dans les côtes Tunisiennes offrent des potentiels pour la pêche côtière utilisant la palangre.

Dans sa nouvelle stratégie du secteur de la pêche, et dans le cadre de conservation et la réhabilitation des zones sensibles ou/et menacées (pollution, effort de pêche considérable), la Tunisie s'est orientée vers l'utilisation de récifs artificiels pour les fixer dans de faibles profondeurs au niveau du golfe de Gabes, une telle action vise principalement d'empêcher la pêche illicite du chalutage et permet de reconstituer (à petite échelle) la faune et la flore dans cette zone connue par ses fonds sablo-vaseux avec une grande étendue du plateau continental permettant un bon ensoleillement et activités intenses de flore. A cet égard, un plan d'action s'étalant sur 10 ans (2009 2018) a été adopté pour la construction la mise en place de récifs artificiels au niveau des zones sensibles du golfe de Gabes.

En la Tunisie, il existait trois principales zones marines protégées qui s'individualisent par:

- La zone protégée de l'île du Galite;
- La zone marine protégée des îlots de Zimbra et Zimbreta;
- La zone marine protégée de l'île de Kuriat.

1.10 Organisation institutionnelle

L'administration reliée au secteur de la pêche est celle qu'on l'attribue l'exécution des tâches administratives concernant l'application et l'exécution des lois et l'ordination et la gestion du secteur. Pour soutenir, suivre et régler l'activité de la pêche, l'administration de pêche en Tunisie intervienne sous de multiples formes. Sept Ministères sont impliqués dans ce secteur qui sont le Ministère de l'Agriculture, des Ressources Hydrauliques et de la Pêche, le Ministère de la Défense Nationale, le Ministère de l'Intérieur et du Développement Régional, le Ministère du Transport, le Ministère de l'Equipement, de l'Habitat et de l'Aménagement du Territoire, le Ministère de l'Environnement et du Développement Durable et le Ministère de la Santé. La plupart de ces Ministères possèdent des représentations au niveau local mais le rôle le plus important, en relation avec l'activité de la pêche, est joué par le Ministère de l'Agriculture des Ressources Hydrauliques et de la Pêche.

Le Ministère de l'Agriculture, des Ressources Hydrauliques et de la Pêche représente l'administration qui s'en charge de la plus grande partie dans l'intervention administrative au secteur de la pêche à travers la Direction Générale de la Pêche et de l'Aquaculture, DGPA, à travers l'Agence des Ports et des Installations de Pêche, APIP, et les Commissariats Régionaux de Développement Agricole, à travers les Arrondissements et Divisions de la Pêche et de l'Aquaculture ; la Direction Générale de la Production Animale, à travers ces services vétérinaires régionaux et locaux pour l'inspection, le contrôle et la surveillance des produits de la pêche à chaque stade du processus de commercialisation depuis la mer jusqu'au consommateur final.

Le Ministère de l'Intérieur et du Développement Régional entre dans le processus de contrôle, de l'inspection et de la protection des règlements en complémentarité avec le Ministère de la défense qui fait le contrôle des côtes maritimes.

Le Ministère de l'Équipement, de l'Habitat et de l'Aménagement du territoire exécute et contrôle les travaux de constructions dans les ports de pêche et veille à la protection du littoral Tunisien.

Le Ministère du Transport intervient avec l'Office de la Marine Marchande et des Ports (OMMP) et ce par la réalisation de visites techniques des barques de pêche. C'est la marine marchande qui délivre les congés de police (jaugeage et immatriculation des navires), octroi les permis de navigation et fixe leur validité pour que telle barque puisse exercer ou non l'activité de pêche. OMMP réalise aussi le suivi des constructions navales et le suivi des événements (accidents) maritimes et octroi les dérogations de commandement des bateaux de pêche côtière (généralement inf. à 20 TJB).

Le Ministère de la Défense Nationale intervient par le contrôle des zones maritimes soumises à la compétence de l'Etat Tunisien et fait l'inspection en mer des barques pour la vérification de leurs identités et la protection des zones protégées contre la pêche clandestine et veille à l'accomplissement de la normative qui règle les activités de la pêche.

Le Ministère de l'Environnement et du Développement Durable intervient par dans les domaines de la protection de l'environnement, de la sauvegarde de la nature et de la mise en place des fondements du développement durable dans les politiques générales et sectorielles de l'Etat et ce, en coopération avec les ministères et les structures concernés, et de veiller à son exécution

Le Ministère de la Santé Publique intervient par son service de la défense au profit du consommateur qui réalise le contrôle sanitaire auprès des points de vente de produits de pêche en détail, les restaurants et dans les grandes surfaces et à tous endroits de vente et de consommation publique.

La Direction Générale de la Pêche et de l'Aquaculture est chargée notamment de:

- Élaborer les stratégies et les plans de développement de la pêche et de l'aquaculture et les programmes spécifiques tendant à la constitution des ressources halieutiques et de veiller à leur mise en œuvre et à leur évaluation;
- Évaluer les opportunités de l'investissement dans le secteur et notamment dans les moyens de production et les services;
- Concevoir les mesures d'encouragement et d'appui technique au secteur et veiller à leur mise en œuvre en collaboration avec les organismes concernés;

- Favoriser la promotion de la production notamment par l'introduction de nouvelles techniques de pêche et l'amélioration des conditions de manutention des produits à bord;
- Promouvoir, en collaboration avec les départements et organismes spécialisés, la qualité des produits ainsi que les techniques et technologies de leur conditionnement et de leur transformation;
- Assurer en collaboration des actions relatives à la mise à niveau du secteur y compris celles portant sur l'opportunité de construction, de l'extension et de la protection des ports de pêches, et assurer le suivi de l'exécution des travaux y relatifs;
- Participer à l'élaboration des programmes de recherche, de formation et de vulgarisation des résultats de ces programmes;
- Veiller à l'exploitation rationnelle des ressources halieutiques vivantes et à mettre en œuvre toute mesure tendant à préserver et à assurer la pérennité de ces ressources;
- Proposer les règlements régissant la pêche et les pêcheurs et veiller à leur application en collaboration avec les organismes concernés;
- Contribuer à la promotion des structures professionnelles et à l'encadrement des pêcheurs;
- Contribuer aux travaux des instances internationales et régionales exerçant des compétences en matière de conservation des ressources halieutiques et veiller à la mise en œuvre des recommandations et résolutions issues de ces instances;
- Promouvoir et mettre en œuvre les projets de coopération internationale intéressant de la pêche et de l'aquaculture en collaboration avec les services concernés;

Elle comprend 3 directions:

- La direction de la préservation des ressources halieutiques,
- La direction de l'exploitation,
- La direction de la promotion de la pêche.

La collecte des données au niveau des régions (gouverneras) est assurée principalement par les CRDA (Commissariat Régionale au Développement Agricole); ces données sont envoyées périodiquement ou instantanément à l'administration centrale (la direction générale de la pêche et de l'aquaculture) sur différents supports (fax, courrier, téléphone...etc.). La direction générale de la pêche et de l'aquaculture assure la collecte et l'analyse de ces données qui font l'objet de différents documents de synthèse, bulletins et rapports. Ces données sont ensuite communiquées par la direction générale de la pêche et de l'aquaculture, d'une façon périodique ou épisodique, aux services concernés du ministère de l'agriculture. Certaines données sont rapportées à des organismes nationaux (BCT, INSTM, Université...) et internationaux (FAO, CGPM, ICCAT, Banque Mondiale...). Toutefois, certaines informations parviennent directement d'autres services: services de surveillance côtière de la marine nationale et de la garde nationale, de la DGSV, de L'INS.

2. LE MONDE ASSOCIATIF DANS LE SECTEUR DE LA PECHE

Les organismes professionnels de la pêche constituent des partenaires économiques et sociaux d'un tel pays. Ils sont appelés à être efficaces dans leurs interventions pour permettre la bonne gestion des pêcheries et de leurs utilisations d'une manière scientifique bien étudiée et d'intégrer les pêcheurs et les autres intervenants dans tissu économique et social. Ceux-ci doivent être impliqués d'avantage en tant que partenaires dans le processus de développement du secteur de la pêche et de ces activités annexes.

C'est d'ailleurs dans ce cadre que s'inscrit le processus de création de structures adéquates telles que les coopératives ou les Confréries, les sociétés de service, les groupements, les associations d'armateurs, les comptoirs et autres associations syndicales pour en assurer une exploitation durable des ressources halieutiques, l'approvisionnement des pêcheurs en intrants, l'amélioration de la commercialisation, la conservation et la transformation de leurs produits et de permettre à tous les intervenants de défendre leurs intérêts.

En Tunisie, il existe deux types d'organismes professionnels actifs, sans compter l'organisation syndicale présentée par l'union Tunisienne de l'Agriculture et la Pêche (UTAP) et l'organisation interprofessionnelle présentée par le Groupement interprofessionnel des Produits de la Pêche (GIPP). Ces deux organismes actifs sont les coopératives de services de l'activité de la pêche et les groupements de développement dans le secteur de la pêche.

A signaler qu'une autre catégorie d'organisme a cessé d'exister et qui s'individualise par les chambres agricoles qui ont été créées en l'année 1988 et qui prenaient comme rôle de consultation, de négociation et d'intervention et à chaque chambre agricole existait une représentativité du secteur de la pêche par trois armateurs de pêche ou marins.

La coopérative de services dans le secteur de la pêche Tunisien, qui avait été nommé comptoir de pêche, aurait été porté le nom de coopérative en l'année 1996. Ce changement de nom vers l'appellation de coopérative a été fait suivant une procédure présidentielle visant à ranger la situation, financière surtout, de ces organismes par le biais du statut type favorable des coopératives.

2.1 Organisations des armateurs

Les armateurs de pêche sont adhérents à l'organisation de la profession dans le secteur de la pêche, en l'occurrence l'UTAP, quand ils ont des activités liées aux conditionnements des produits de la pêche par le biais des établissements spécialisés en la matière (congélation, stockage de produits vivants) ils peuvent adhérer à l'organisation de vocation industrielle et commerciale : c'est l'Union Tunisienne de l'industrie, du Commerce et de l'Artisanat (UTICA).

Ceci étant, certains armateurs ont senti, ces dernières années, le besoin de s'associer en petits groupes de propriétaires et exploitants de bateaux de pêche (cas de petits groupes pour la pêche aux poissons bleus –genre sardiniens et thoniers).

A signaler que les pêcheurs s'adhèrent volontairement à l'organisation de la profession l'UTAP, celle-ci intervient dans le secteur de la pêche à travers la participation de ses représentants dans les travaux de différents groupes de travail technique (administration, recherche, profession) et commissions consultatives sur la pêche et défends les

intérêts des pêcheurs via ses trois syndicales ou fédérations:

- Fédération nationale de la pêche côtière;
- Fédération nationale de la pêche au poisson bleu;
- Fédération nationale de la pêche au chalut et dans les eaux hauturières.

2.2 Organisations des coopératives

Les coopératives de service à la pêche en Tunisie, qui se rassemblent beaucoup aux coopératives italiennes, s'individualisent par les coopératives de service de pêche. La coopérative est une association de personnes qui se sont volontairement groupées pour atteindre un but commun, par la construction d'une entreprise dirigée démocratiquement, en fournissant une quote-part équitable de capital nécessaire et en acceptant une juste participation aux risques et aux fruits de cette entreprise au fonctionnement de laquelle les membres participent activement.

La coopérative de service de pêche vise essentiellement l'amélioration de la condition professionnelle et vitale de ces adhérents en leur assurant tous les services dont ils ont besoin compte tenu des moyens disponibles. Techniquement, les coopératives de services sont sous la tutelle du ministère de l'agriculture, alors que financièrement, elles sont sous la tutelle du ministère des finances. Avant l'année 1995, il existait des coopératives de services de pêche et des comptoirs de pêche, mais la législation tunisienne, décret du 18 décembre 1995, reconnaît les coopératives de pêche existantes par la promulgation d'un décret qui leur fixe un statut type et oblige les comptoirs de pêche existants d'adapter le statut type susvisé et de convertir leurs noms de comptoir à une coopérative.

En Tunisie, il existe 12 coopératives de services de pêche, appelées de nos jours, des sociétés mutuelles de services des pêches (ou agricoles) qui emploient un nombre de 147 salariés, qui sont comme l'indique le tableau suivant:

Table 5. Inventaire des coopératives de service de pêche en Tunisie(2005)

Gouvernorat	Nom de la coopérative
Jendouba	Coopérative de service de pêche de Taba
Bizerte	Coopérative de service de pêche de Ghar el Melh Coopérative de service de pêche de Menzel Abderrahmen
Nabeul	Coopérative de service de pêche de Kélibia Coopérative de service de pêche de Béni Khair
Sousse	Coopérative de service de pêche de Sousse
Monastir	Coopérative de service de pêche de Monastir Coopérative de service de pêche de Ghar el Melh Coopérative de service de pêche de Sayada
Mahdia	Coopérative de service de pêche de Mahdia
Gabès	Coopérative de service de pêche de Gabès
Médenine	Coopérative de service de pêche de Jarjis

Source: Ministère de l'agriculture: DGFIOP

2.3 Organisations d'intérêts économique

Les organisations d'intérêts économique en Tunisie ne sont pas développées, à moins qu'on cite le cas des coopératives des services de pêche en cas où elles assurent les ventes de produits de pêche pour leurs adhérents, ou accordent des petits crédits de campagnes.

2.4 Activités associatives de défense des intérêts

En que concerne les activités associatives de défense des intérêts en Tunisie il y'a l'UTAP, signalée précédemment, et l'UGTT à échelle réduite, l'Union Générale Tunisienne du Travail, d'une manière générale malgré que concrètement ses interventions sont presque absentes.

2.5 Activités associatives du crédit

Les activités associatives du crédit ne sont pas développées en Tunisie, à part bien sûr les banques de développement et des interventions minimales et éventuelles des coopératives de service de pêche ou de groupement de développement dans le secteur de la pêche (quelques groupements constitués dans le domaine de la pêche à pied).

2.6 Activités associatives dans les services sociaux

Dans le domaine des services sociaux en Tunisie, il n'y a pas des activités associatives. Toutefois la Caisse Nationale de la Sécurité Sociale (CNSS) est régime de sécurité sociale pour les travailleurs dans le secteur privé et la Caisse Nationale d'Assurance Maladie (CNAM) qui assure des services médicaux pour les employés dans les deux secteurs public et privé.

3. GESTION DU TRAVAIL DANS LE SECTEUR DE LA PECHE

3.1 Cadre institutionnel concernant la réglementation des conditions de travail des pêcheurs

Dans le Ministère de l'agriculture, des ressources hydrauliques et de la pêche il y a la Direction générale de la pêche et de l'aquaculture qui est composée par la direction de la conservation des ressources halieutiques, la direction de l'exploitation et la direction de la promotion de la pêche.

L'encadrement des pêcheurs est assuré par la Direction de la conservation des ressources, et le Service de l'aménagement des pêcheries fait partie de la Direction de la promotion de la pêche.

L'Office de la Marine Marchande et des Ports "OMMP" a été créé en vertu de la loi n° 65-2 du 12 Février 1965, modifiée par la loi du 15 Février 1972.

Par loi N° 98/109 du 28 Décembre 1998, l'OMMP a été chargé d'exercer les attributions confiées à l'autorité et à l'administration maritime ainsi que les missions de l'autorité portuaire conformément à la législation en vigueur.

Principales missions de l'OMMP :

- En tant qu'autorité portuaire la mission principale de l'OMMP est le traitement dans les meilleures conditions de délai, de coût et de sécurité, de l'ensemble des navires et des marchandises transitant par les ports de commerce tunisiens;
- D'autre part et en tant qu'autorité maritime, l'O.M.M.P. assure les services de la marine marchande dont notamment l'administration des navires, les gens de mer et la sécurité de la navigation maritime;
- L'OMMP intervient évidemment dans l'enregistrement des navires de pêche en Tunisie et c'est lui qui fait les visites techniques de ces navires pour délivrer les titres de sécurité et les permis de navigation. Donc il s'occupe de la sécurité à bord en s'assurant de l'existence des équipements de sauvetage et contre les incendies nécessaires selon la catégorie du navire et le nombre de marins à embarquer;
- C'est lui qui délivre les dérogations pour conduire les navires de pêche (sur test des patrons et selon le jaugeage des bateaux) en cas d'absence de patrons diplômés et brevetés. Par contre les mouvements des pêcheurs (embarquements et débarquements) sont assurés par les services régionaux de la pêche, en l'occurrence les arrondissements et divisions de la pêche et de l'aquaculture.

La Caisse Nationale de Sécurité Sociale « CNSS » est l'instance spécialisée en la matière pour les travailleurs dans des entreprises non étatiques (Privés), donc c'est là où les professionnels de la pêche (pêcheurs et armateurs) doivent s'adhérer.

La Caisse National d'Assurance Maladie « CNAM »: Tous travailleurs affiliés, soit à la CNSS ou à la CNRPS sont concernés par les services de cette caisse (regroupement ou fusion des prestations de services « maladies »).

Les Services vétérinaires pour le contrôle et l'inspection en matière de respect des conditions sanitaires relèvent de

la Direction générale des Services Vétérinaires placée sous le Ministère de l'Agriculture, des Ressources Hydrauliques et de la Pêche.

Les arrondissements et divisions des pêches (relevant des CRDA) pour les opérations d'embarquement et de débarquement, le contrôle des documents et pièces d'identités (navire de pêche, marins), le suivi des débarquements de produits de la pêche, l'application de la réglementation relative à l'exercice de la pêche, l'assistance technique des pêcheurs, etc.

L'Agence des Ports et des Installations Portuaires (APIP) pour les services portuaires tels que les opérations de hissage et de mise à l'eau des bateaux de pêche, l'approvisionnement en eau et carburant (ce dernier service est confié à des gérants privés) utilisation de l'électricité.

L'Institut de Santé et de Sécurité au Travail (ISST) est un établissement public à caractère administratif doté de la personnalité civile et de l'autonomie financière. Il est placé sous la tutelle du Ministère des Affaires Sociales, de la Solidarité et des Tunisiens à l'étranger. Les axes d'intervention de cet institut sont : la formation, l'information, l'assistance technique, l'assistance médicale et les études et recherches en la matière.

Le Ministère de l'Intérieur et du Développement Régional intervient dans le processus de contrôle, de l'inspection et de la protection des règlements en complémentarité avec le Ministère de la défense qui fait le contrôle des côtes maritimes.

Le Ministère de la Défense Nationale intervient par le contrôle des zones maritimes soumises à la compétence de l'Etat Tunisien et fait l'inspection en mer des barques pour la vérification de leurs identités et la protection des zones protégées contre la pêche clandestine et veille à l'accomplissement de la normative qui règle les activités de la pêche.

Le Ministère du Transport - Office de la marine marchande et des ports: contrôle papiers bateaux et la sécurité à bord.

Le Ministère des Affaires Sociales, de la Solidarité et des Tunisiens à l'Etranger intervient au niveau des régimes de la sécurité sociales par l'intermédiaire des Caisses (CNSS et CNAM).

Le Ministère de l'Equipement, de l'Habitat et de l'Aménagement du Territoire intervient dans l'exécution et le contrôle les travaux de constructions des ports de pêche et veille à la protection du littoral Tunisien.

Le Ministère de la Santé Publique intervient par son service de la défense au profit du consommateur qui réalise le contrôle sanitaire auprès des points de vente de produits de pêche en détail, les restaurants et dans les grandes surfaces et à tous endroits de vente et de consommation publique.

Le Ministère de l'Environnement et du Développement Durable intervient en matière de gestion du littoral à travers ses organismes placés sous sa tutelle : Agence Nationale de Protection de l'Environnement (ANPE) et Agence de Protection et d'Aménagement du Littoral (APAL).

3.2 Législations du travail des pêcheurs

Le Code du Travail Maritime (Loi n° 67-52 du 7 décembre 1967) est destiné aux marins travaillant dans le domaine du commerce maritime, d'où l'autorité compétente est l'office de la marine marchande et des ports (OMMP) qui se charge effectivement des opérations d'embarquement et de débarquement, alors que le Code du pêcheur (articles plus ou moins semblable à ceux du Code du travail maritime) est destiné marins exerçant à bord des bateaux de pêche.

Le Code du pêcheur (Loi n° 75-17 du 31 mars 1975 portant promulgation du Code pêcheur) est une réglementation spécifique concernant l'exercice de la pêche et les relations, droits et obligations, entre les pêcheurs et les armateurs.

Aussi, les pêcheurs sont concernés par le Code du travail maritime (loi n° 67-52 du 7 décembre 1967), notamment les articles du 127 au 137 relatifs aux conventions collectives, de même, plusieurs articles et titre du Code du travail touchent à l'activité de la pêche, dont notamment articles 12 et 13, articles 242 à 257 (obligations syndicales professionnelles des armateurs et de pêcheurs, article 333 (vêtements) titre VII (litiges).

La législation régissant le secteur de la pêche se base sur le développement de la pêche, en assurant une production annuelle maximale soutenue parmi les principales espèces benthiques et en maintenant l'effort de pêche à son optimum, tout en préservant les acquis de la pêche côtière. Plusieurs Arrêtés, relatifs à l'exercice de la pêche en Tunisie, sont apparus en 1973, 1977, 1983, 1991, 1992 et 1995, celui de 1995 à été modifié par d'autres arrêtés en 1997-2000 et 2001.

3.3 Stratégie nationale de développement

Un programme de mise à niveau pour le secteur de la pêche a été entamé depuis 1993, (respect des conditions sanitaires au niveau des infrastructures, des circuits de commercialisation des produits de pêche, de la flottille de pêche et leurs équipages).

Ce programme continue à faire l'objet de suivi et de contrôle des services concernés du Ministère de l'agriculture, des ressources hydrauliques et de la pêche pour préserver les acquis dans ce domaine et améliorer d'avantage les conditions de travail des pêcheurs.

Une stratégie nationale pour le développement du secteur de la pêche a été élaborée en 2009 et mise à jour en 2010, elle s'articule sur les principaux axes comme suit:

- Préservation des Ressources Benthiques
- Exploitation optimale des ressources pélagiques
- Relance de la filière aquacole
- Amélioration de la valeur ajoutée des produits de la pêche commercialisés.

3.4 L'emploi dans le secteur de la pêche

Au cours de l'année 2009, la population maritime totale reliée directement ou indirectement au secteur de la pêche

a été estimée à 100.000 dont environ 52.000 pêcheurs. Ces derniers se distribuent par type de pêche, comme suit:

- pêche côtière (artisanale) : 33.500 (temps plein)
- pêche au chalut : 5.500 (temps plein)
- pêche aux petits pélagiques: 5.300 (temps plein)
- Pêche des thonidés: 700 (temps partiel)
- pêche à pied et autres : 7 000 (Occasionnels)

La répartition géographique de cette population permet de constater que le 63% de l'effectif total de ces marins pêcheurs sont implantés dans la zone Sud du pays alors que les zones Est et Nord ne comptent respectivement que 19% et 18% de l'effectif total.

3.5 Niveau du travail

Plus de 90% des les Armateurs, environ 11.500, exercent à bord de leurs bateaux.

Les pêcheurs à temps plein sont environ 34.000 ; les pêcheurs indépendants environ 7.000 (à pied et autres).

Le sociétés de coopératives dans le domaine de la pêche sont uniquement coopératives de services de pêche.

Le monde des pêcheurs est tel que défini dans le Code du pêcheur, à savoir:

- le patron, commandant du navire,
- le second, en commandement,
- le mécanicien, l'aide mécanicien, le pêcheur (ou marin tout cours),
- les pêcheurs à pieds ou indépendants (assimilés aux pêcheurs),
- les plongeurs de scaphandre (assimilés aux pêcheurs),
- mousse (apprentis),
- les ramendeurs (embarqué sou non).

Cette main d'œuvre constitue en fait l'équipage ou les employés travaillant à bord des navires de pêche ou non (cas des pêcheurs à pieds ou ramendeurs).

Le monde des armateurs qui sont toute personne physique ou morale propriétaire de bateaux de pêche ou assurant l'équipement d'un bateau de pêche ou toute personne physique ou morale qui assure l'exploitation des ressources halieutiques par d'autres systèmes (cas de la pêche à pied), donc les pêcheurs à pied sont assimilés à la fois à des pêcheurs (indépendants ou travaillant en famille ou groupement) et à des armateurs. Mais sur le plan pratique ils sont comptabilisés parmi le monde des pêcheurs.

Quant aux membres de sociétés ou coopératives exerçant dans le domaine de la pêche: ils sont, soit des pêcheurs quand ils exercent le métier à bord (embarqués à bord des bateaux de pêche), soit des armateurs (physique ou morale) quand ils sont propriétaires ou exploitants de bateaux de pêche.

Les exploitants des eaux continentales (barrages, étendues d'eaux) sont comptabilisés dans le monde des pêcheurs, ils travaillent généralement à 2 par bateau (co-propriétaires ou l'un d'eux est propriétaire du bateau).

3.6 Les organisations de représentation

Il y a deux principales organisations de représentation des travailleurs en Tunisie, qui concernent aussi la catégorie des pêcheurs :

- L'Union Tunisienne de l'Agriculture et de la Pêche « UTAP » qui regroupe le monde des pêcheurs et des armateurs producteurs de produits de pêche
- L'Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat « UTICA » qui concerne les armateurs qui font le traitement et le conditionnement des produits de la pêche. Ils utilisent leurs produits et se procurent des produits des autres.

De même, plusieurs articles et titre du Code du travail touchent à l'activité de la pêche sur les obligations syndicales professionnelles des armateurs et de pêcheurs, (articles 12 et 13, articles 242 à 257).

Sur tout bateau de pêcheur comprenant au moins 8 hommes d'équipage est prévue par l'article 70 du Code du pêcheur l'élection d'un délégué qui peut présenter, à l'armateur ou à l'autorité compétente, les plaintes visant l'application de la réglementation en vigueur et notamment celle relative au travail maritime, à l'hygiène et à la sécurité. N'est pas prévu qu'il peut en aucun cas dans la conduite du navire.

3.7 Conventions collectives de travail

Le Code du travail maritime prévoit des articles qui sont relatifs aux conventions collectives.

Le Code des pêcheurs fournit la définition de convention collective : « c'est un accord relatif aux conditions de travail à bord des navires de pêche, conclu entre, d'une part, des armateurs organisés en groupement ou agissant individuellement et d'autre part, une ou plusieurs organisations syndicales professionnelles de pêcheurs ». Elle doit être écrite à peine de nullité. Il n'existe pas de conventions collectives dans le secteur de la pêche maritime.

Dans toute entreprise d'armement à la pêche, les dispositions de cette convention s'imposent aux rapports entre armateurs et pêcheurs, nés des contrats individuels ou d'équipage, sauf si les clauses de ces contrats sont plus favorables aux pêcheurs que celles de la convention. Un avis doit indiquer l'existence de la convention collective, les parties signataires, la date et le lieu de son dépôt. Un exemplaire de la convention est tenu à la disposition des pêcheurs et annexé au rôle d'équipage.

Les dispositions du Code du travail maritime relatives à la convention collective sont applicables aux pêcheurs.

3.8 Engagement

En Tunisie, la loi principale qui s'applique spécifiquement aux conditions de travail des pêcheurs est la loi No.75-17 du 31 mars 1975 qui promulgue le Code du pêcheur. Elle contient entre autres des dispositions sur l'enrôlement du pêcheur, le contrat d'engagement du pêcheur, l'immatriculation et le livret maritime du pêcheur, la rémunération, les congés. Pour le reste, le Code du travail de 1996 est d'application générale. La loi définit tous les différents travailleurs de la pêche, comprenant aussi le mousse.

Le Code du pêcheur prévoit que les droits et les obligations des pêcheurs, constituant les équipages embarqués à bord des bateaux de pêche, sont déterminés par la législation applicable aux marins sous réserve des dispositions spéciales prévues par le présent Code et par les lois et règlements propres aux pêcheurs.

Sont soumis au même régime, les pêcheurs à pied opérant au sein d'une équipe, à partir du littoral ou engagés à titre individuel.

Le Code du pêcheur prévoit que tout pêcheur, embarqué à bord des bateaux de pêche astreints au registre d'équipage, doit être titulaire du livret professionnel prévu par le Code du travail maritime.

Le demande du livret professionnel des gents de mer désirant exercer la profession du pêcheur est instruite et le livret remis à son titulaire par l'autorité compétent.

Les enfants de moins de 15 ans ne peuvent être employés à bord des bateaux de pêche et de ce fait, ne peuvent prétendre à la délivrance du livret professionnel des gens de mer.

Toutefois est prévu qu'ils peuvent prendre part occasionnellement aux activités à bord des bateaux de pêche, durant les vacances scolaires, à condition que ces activités ne soient pas de la nature à porte préjudice à leur assiduité à l'école et n'aient pas pour objet un bénéfice commercial. De même tout embarquement d'un enfant âgé de 14 ans au mois, pour un travail à bord des bateaux de pêche, est soumis à une autorisation délivrée par l'autorité compétente. Les pêcheurs son tenus de se soumettre aux obligations concernant l'examen médical, prévues à l'article 20 du Code du travail maritime.

Le titre III fournis les dispositions concernant l'enrôlement des pêcheurs et prévoit que le recrutement des pêcheurs se fait par l'armateur et leur enrôlement par l'autorité compétente, conformément aux conditions prévues pour les marins par le Codedu travail maritime. Toutefois, après l'enrôlement, copie de rôle d'équipage sera transmise directement à l'administration de la marine marchande.

Tout convention, en vertu de laquelle le pêcheur s'engage envers l'armateur ou son représentant pour servir dans le domaine des pêcheurs, est un contrat d'engagement régi par les dispositions du Code du pêcheur.

Tout contrat est soumis au visa de l'autorité compétent et celle-ci doit refuser son visa lorsque le contrat contient des stipulations contraires aux dispositions légales.

Le contrat d'engagement doit indiquer clairement les droits et les obligations respectifs de chacune des parties.

3.9 Rémunération

Aussi la réglementation sur la rémunération est prévue par le Code du pêcheur (Chapitre II). Le pêcheur est rémunéré, soit à salaire fixe, soit à la part. Toutefois, il bénéficie, même dans ce dernier cas, des prestations sociales dans les conditions prévues par la législation en vigueur. Le paiement à salaire fixe est fait en proportion de la durée effectuée des services .

La rémunération des partes entre l'armateur et l'équipage est faite à partir de la recette nette. Celle-ci s'obtient en déduisant du produit brut des ventes la masse commune des dépenses. L'article 45 prévoit que le syndicat régional des pêcheurs pourra désigner deux délégués syndicaux, chargés de vérifier les comptes.

Le pêcheur absent, sans autorisation, au moment où doit prendre son service ou qui s'absente pendant le cours de son contrat sans autorisation, perd le droit de ses salaires et parts. Pendant la durée de son absence sans préjudice des dommages et intérêts qui pourraient être réclamés par l'armateur.

Le pêcheur perd également son salaire ou part, à partir du moment où il a été privé de sa liberté comme inculpé en raison d'une infraction à la loi pénale.

Il est interdit à l'armateur d'opérer, sur les salaires du pêcheur, une quelconque retenue ou suspension, en raison de l'inexécution de ses obligations, autres que celles prévues par la loi.

Regard la liquidation et des paiements des salaires et parts le Code prévoit que le salaire de base doit être fixé par avis du conseil supérieur de la pêche et que la liquidation des comptes a lieu à la fin de chaque mois. Ils sont consentis les acomptes, qui ne peuvent être supérieurs aux 4/5 des sommes gagnées, à la demande du pêcheur.

3.10 Temps du travail

Le Code du pêcheur prévoit que le pêcheur est tenu de se rendre à bord du navire pour le service duquel il s'est engagé, au jour et à l'heure fixé par l'armateur ou le patron. Si après clôture du registre, des pêcheurs font défaut, le patron peut, exceptionnellement et s'il y a urgence, pourvoir à leur remplacement, jusqu'à concurrence d'un quart de l'équipage sans l'intervention de l'autorité compétente, en observant les prescriptions des règlements en vigueur.

L'article 21 prévoit que, dès son inscription au rôle d'équipage, le pêcheur est tenu de travailler pour préparer le départ du navire vers lieux de pêche.

En cas de l'immobilisation du navire au port pour une courte durée en raison du mauvais temps, l'équipage sera tenu d'exécuter les menus travaux que commande l'entretien du matériel. Au cas où l'immobilisation se prolongerait pendant plus d'un jour, l'équipage, à l'exception du patron, du second et du mécanicien, sera délié de cette obligation.

Le pêcheur est tenu d'accomplir, en dehors de ses heures de service, le travail de mise en état de propreté de son poste d'équipage, des annexes de ce poste, de ses objets de couchage, de ses ustensiles et plats, sans que ce travail puisse donner lieu à une rémunération supplémentaire. Toutefois, au port, cet entretien se fait pendant les heures normales du service.

L'équipage est tenu d'accomplir, sans rémunération supplémentaire, tous les travaux nécessités par les circonstances de force majeure et celles où le salut du navire, des personnes embarquées ou de la cargaison est en jeu, circonstances dont le patron est seul juge, ou pour les opérations d'assistance à un navire ou à des personnes en danger.

3.11 Pauses et repos

L'article 27 du Code du pêcheur prévoit que le régime du travail à bord est fixé par le patron de pêche. Celui-ci est seul juge de l'heure de l'appareillage et celle du retour au port.

Toutefois, il accordera un repos minimum de 10 heures par période de 24 heures de travail, par roulement ou fractionnement et sans que le travail ne puisse être arrêté.

Pour les pêcheurs payés à salaire fixe, les repos peuvent être pris globalement à la fin de la marée.

Les heures supplémentaires des pêcheurs payés à salaire fixe sont arrêtées par le ministre chargé des pêches.

3.12 Congés

Les congés payés sont prévus par l'article 60 du Code du pêcheur, pour les travailleurs à salaire fixe. Le congé annuel dont la durée est déterminée à raison d'un jour et demi ouvrables par mois de travail avec un maximum de 21 jours, dont 18 jours ouvrables. Ce congé sera pris par roulement, au choix, suivant l'ordre d'ancienneté à bord.

Pendant son congé annuel, le pêcheur continue à recevoir son salaire dans les mêmes conditions que s'il était embarqué.

L'article 61 concerne les jours que ne sont pas comptés dans le congé annuel payé: les jours fériés légaux, chômés et payés et les interruptions de service dues à la maladie ou un accident. Les jours fériés légaux, chômés et payés sont fixés par loi.

3.13 Recrutement de pêcheurs étrangers

Dans le Code du pêcheur, il n'y a pas de réglementation concernant les pêcheurs étrangers. Les règles sur les travailleurs étrangers sont contenues dans le Code du travail maritime, que l'article 170 prévoit que « les dispositions du présent Code sont applicables aux marins étrangers engagés sur les navires tunisiens ».

Les dispositions préliminaires du Code du travail maritime prévoient, ainsi que le Code du pêcheur, que le marin est toute personne engagée pour le service à bord d'un navire et inscrite au registre d'équipage, à l'exception des capitaines, des pilotes, des élèves des navires-écoles.

À la même époque, est disposée que tout marin embarqué à bord d'un navire battant pavillon tunisien doit être immatriculé lors de son premier engagement au chef-lieu de quartier maritime du port d'embarquement et doit être porteur d'un livret qui lui est délivré par l'autorité maritime du port de son premier engagement.

Le chapitre III concernant le recrutement des marins, prévoit à l'article 10 que l'engagement du marin comprend les opérations de recrutement et d'enrôlement et que le recrutement du marin est fait par l'armateur ou son représentant. L'enrôlement est la formalité consistant dans l'inscription du marin par l'autorité maritime au registre d'équipage du navire.

L'inscription d'un marin au registre d'équipage d'un navire faisant habituellement des sorties en mer, supérieures à 72 heures, est subordonnée à un examen médical effectué aux frais de l'armateur par un médecin désigné ou agréé

par l'autorité maritime.

Les dispositions concernant la formation et la constations du contrat sont très similaires au contrat d'engagement prévu par le Code de pêcheur.

3.14 Mesures de indemnité

L'article 31 du Code du pêcheur prévoit que l'armateur prend à sa charge les droits et taxes auxquels est astreint le bateau de pêche. Aussi, tout armateur est tenu par l'article 36 d'adhérer à la caisse de sécurité sociale. L'imputation à la masse commune des dépenses de la cotisation de l'armateur à la caisse de sécurité sociale se fera par tiers à l'occasion des trois liquidations mensuelles du trimestre suivant immédiatement leur paiement.

L'article 38 prévoit que soit que le pêcheur est payé à salaire fixe, soit à la part, toutefois il bénéficie des prestations sociales dans les conditions prévues par la législation en vigueur.

Le secteur de la sécurité sociale occupe une place importante dans la politique sociale de la Tunisie étant donné qu'il constitue l'un des vecteurs du développement et un outil primordial non seulement pour la préservation des ressources humaines mais également pour la consolidation des valeurs de solidarité et d'entraide entre les générations et les différentes catégories socioprofessionnelles.

Tout en favorisant la stabilité et la consolidation du tissu social, la sécurité sociale contribue aussi à l'amélioration du niveau de vie des personnes et des ménages.

Ce secteur a connu une forte impulsion qui s'est concrétisée à travers les différentes décisions et mesures prises et qui visent d'une part l'extension de la couverture sociale à l'ensemble de la population active et les catégories sociales et d'autre part l'amélioration des services rendus et le rapprochement des prestations octroyées aux assurés sociaux tout en veillant à la préservation des équilibres financiers des caisses de sécurité sociale en vue de garantir la pérennité du système et la capacité desdites caisses à honorer leurs engagements vis-à-vis des générations actuelles et futures.

Cette politique a consacré la promotion du système de sécurité sociale et a permis la réalisation de résultats probants à savoir l'augmentation du taux de couverture sociale qui est passé de 54,6% en 1987 à 91,6% en 2007 et l'élargissement du parapluie de sécurité sociale pour englober la quasi-totalité de la population active. D'ailleurs, l'instauration de nouveaux régimes de couverture sociale destinée aux catégories à faible revenu et le régime relatif aux artistes, créateurs et intellectuels témoigne de l'envergure de cette extension.

Par ailleurs, le XI^{ème} plan du développement (2007-2011) a fixé un objectif qui vise la réalisation d'un taux de couverture sociale égal à 97% à l'horizon de 2011.

C'est ainsi qu'une multitude de régimes de sécurité sociale a été mise en place progressivement afin de garantir une couverture sociale adéquate aux différentes catégories socioprofessionnelles actives.

Partant du principe que la couverture sociale est un droit inaliénable qui fait partie des droits fondamentaux de l'homme, les autorités tunisiennes ont accordé une grande attention à la protection sociale.

A cet effet, les Tunisiens à l'étranger disposent de plusieurs outils leur permettant une couverture sociale adéquate à l'instar des conventions bilatérales de sécurité sociale signées avec 13 pays (9 européens et 4 arabes).

Dans le cadre des différents régimes, une panoplie de prestations est servie par les caisses de sécurité sociale à savoir:

- Les prestations familiales
- Les indemnités en espèces (maladie, maternité et décès)
- La couverture maladie
- Les pensions de vieillesse, d'invalidité et de survivants
- Le capital décès
- La réparation de préjudices résultant des accidents du travail et des maladies professionnelles dans les secteurs public et privé.

En outre, les caisses de sécurité sociale fournissent des services complémentaires à leurs affiliés qui consistent en l'octroi de prêts sociaux (personnels, voitures et logements) et des prêts universitaires.

En plus, et dans le cadre de l'appui à l'effort national de développement, le secteur de la sécurité sociale contribue à la réalisation des objectifs nationaux en matière d'emploi, d'investissement et d'assistance sociale. Ces interventions se traduisent essentiellement par:

- La prise en charge intégrale ou partielle par le budget de l'Etat de la quote-part patronale au titre du régime de sécurité sociale dans le secteur privé dans le cadre du développement régional, du recrutement des diplômés, des handicapés et de la réinsertion. Et pour simplifier les procédures de déclaration, une nouvelle disposition a été prise portant paiement mensuel des montants de cotisations par les employeurs.
- L'assistance portée aux travailleurs licenciés pour des raisons économiques ou technologiques ou pour des raisons de fermeture définitive et inopinée des entreprises sans respect des procédures prévues par le Code du travail, par le biais de la prise en charge des indemnités de licenciement et des droits légaux.

Entre autres, soucieuses de l'amélioration de la qualité des services octroyés aux assurés sociaux, les caisses de sécurité sociale œuvrent pour une décentralisation accrue des prestations à travers la mise en place de bureaux régionaux et locaux sur tout le territoire de la République Tunisienne et en particulier dans les zones à forte densité démographique.

De même, la Caisse Nationale de Sécurité Sociale a procédé à la création d'équipes mobiles afin de permettre le rapprochement des services rendus aux assurés sociaux notamment ceux qui résident dans les régions rurales ou côtières. La Caisse Nationale de Sécurité Sociale « CNSS » est l'instance spécialisée en la matière pour les travailleurs dans des entreprises non étatiques (Privés), donc c'est là où les professionnels de la pêche (pêcheurs et amateurs) doivent s'adhérer.

Par ailleurs, un système de télé déclaration des revenus et télépaiement des cotisations a été mis en place par la Caisse de Sécurité Sociale depuis 2005 au profit des employeurs afin d'alléger les procédures et les charges y afférentes.

Il va sans dire que la mise en place de l'administration électronique constitue pour l'Etat une pierre angulaire de la volonté sans cesse renouvelée de promouvoir la relation entre le citoyen et les organismes publics et l'instauration d'une administration moderne à même d'être au diapason du rythme de développement et de l'utilisation des nouvelles technologies de l'information.

A ce titre plusieurs actions ont été menées à l'instar de la création des sites web par les caisses de sécurité sociale.

Il y a trois régimes de sécurités sociales selon la catégorie des bateaux de pêche et la nature des pêcheurs:

- Pêcheurs exerçant à bord des bateaux supérieurs à 30 Tonneaux de jauge brute : Régime général (Loi n° 1960-30 du 14 décembre 1960) cotisation totale = 25,75% : financement : 9,18% à la charge de l'employeur et 16,57% à la charge de l'employé.
- Pêcheurs exerçant à bord des bateaux supérieurs inférieur ou égal à 30 Tonneaux de jauge brute, les pêcheurs individuels et les petits pêcheurs : Régime de sécurité sociale dans le secteur agricole (loi n° 1989-73 du 02 septembre 1989) : cotisation totale = 18,19% : financement : 6,33% à la charge de l'employeur et 11,86% à la charge de l'employé.
- Pêcheurs exerçant à bord des bateaux inférieur ne dépassant pas les 5 Tonneaux de jauge brute: Régime de sécurité sociale pour certaines catégories de travailleurs dans les secteurs agricoles et non agricoles (loi n° 2002-32 du 12 mars 2002) : cotisation totale = 7,5% : financement : 2,5% à la charge de l'employeur et 5% à la charge de l'employé.

Ceci étant, il y a une refonte de ces 3 régimes, en vue d'unifier le régime de sécurité sociale pour les pêcheurs, compte tenu de leurs mouvements d'un bateau à un autre et par conséquent d'un régime social à un autre. L'étude du diagnostic et des scénarios possibles a été faite, reste les textes d'application qui sont en cours de préparation et d'examen par les parties concernées avec toujours association de la profession dans ce genre de réflexion.

En Tunisie, la gestion de la sécurité sociale est partagée par trois caisses :

- la Caisse Nationale de Retraite et de Prévoyance sociale (CNRPS), chargée d'assurer la couverture sociale aux agents de la fonction publique et du secteur public en général;
- la Caisse Nationale de Sécurité Sociale (CNSS) qui gère les régimes de couverture sociale pour les travailleurs du secteur privé (salariés et non salariés des différents secteurs d'activité);
- La Caisse Nationale d'Assurance Maladie (CNAM), qui a pour mission de gérer le régime d'assurance maladie au profit des assurés sociaux des secteurs public et privé ainsi que les régimes de réparation des préjudices résultant des accidents du travail et des maladies professionnelles et l'octroi des indemnités de maladie et de couche.

3.15 Indemnité de chômage

Les salariés du secteur non agricole ayant perdu leur emploi pour des raisons économiques ou technologiques ou suite à la fermeture inopinée de l'entreprise bénéficient du maintien des allocations familiales, de la majoration pour salaire unique et du droit aux soins pendant un an à compter du premier jour qui suit le trimestre d'arrêt de travail.

3.16 Indemnité de maladie

La Caisse nationale d'assurance maladie (CNAM) est un établissement public à caractère non administratif doté de la personnalité morale et de l'autonomie financière. Elle est soumise à la tutelle du ministre chargé de la sécurité sociale et créée en vertu de la loi 2004-71 du 2 août 2004.

C'est une nouvelle institution introduite par la réforme d'assurance-maladie, qui a notamment pour objectif d'unifier

les régimes d'assurance maladie et des prestations sanitaires dans le pays.

Considérant la santé du citoyen tunisien comme facteur incontournable de croissance et de développement, l'Etat lui a réservé, sous la conduite et la clairvoyance de Monsieur le Président de la République, une attention particulière le consacrant parmi les droits constitutionnels fondamentaux et absolus.

La concrétisation de cette approche a pris plusieurs formes dont notamment l'attention particulière donnée aux secteurs de la santé et de la couverture sociale qui constituent les deux axes majeurs de la couverture sanitaire nationale. En effet, plusieurs décisions ont été prises visant le renforcement et la rénovation de l'infrastructure sanitaire publique et de ses équipements pour lui permettre de s'adapter aux besoins de la population et aux nouvelles techniques utilisées.

Par ailleurs, l'extension de la couverture sociale à la quasi-totalité des catégories sociales, ayant permis d'atteindre un taux de couverture de 95 % en 2009, a joué un rôle important dans la couverture sanitaire de la population. Ainsi et grâce aux efforts et aux mesures prises par l'Etat, depuis le changement du 7 Novembre 1987, en faveur de ces deux secteurs, la Tunisie a réussi à améliorer remarquablement ses indicateurs de santé qui sont désormais comparables à ceux des pays développés.

Toutefois et malgré ces résultats satisfaisants, le dispositif de couverture maladie a donné lieu au, début des années 90, à certaines insuffisances tels que la disparité des régimes de couverture, l'iniquité entre les assurés sociaux, la superposition entre les régimes obligatoires et complémentaires d'assurance maladie et l'accélération du rythme d'accroissement des dépenses nationales de santé.

Compte tenu de ces insuffisances et des mutations démographiques et épidémiologique que connaît la population tunisienne donnant lieu à des besoins additionnels et des nouveaux défis sanitaires, Monsieur le Président de la République a ordonné depuis 1995 la réforme des anciens régimes d'assurance maladie en vue de mettre en place un système à même de relever ces défis.

Après une longue mais riche période de concertation et de négociation avec toutes les parties concernées, le nouveau régime d'assurance maladie a vu le jour de par la loi n° 71 du 2 Août 2004 en vertu de laquelle, les trois composantes essentielles de tout régime d'assurance maladie ont été unifiées à savoir le panier des soins couverts, le taux de cotisation (6,75%) et l'organisme de gestion (CNAM).

L'ouverture sur le secteur privé des soins prévue par le nouveau régime d'assurance maladie a été mise en œuvre en deux étapes. La première étape, entamée le 1er Juillet 2007 a concernée les soins considérés prioritaires et inscrits, à ce titre, dans le programme présidentiel (2004-2009). Il s'agit des maladies lourdes ou chronique (APCI), du suivi de la grossesse, de l'accouchement et certaines hospitalisations chirurgicales selon une liste définie par arrêté conjoint du ministre des affaires sociales, de la solidarité et des tunisiens à l'étranger et du ministre de la santé publique en date du 29 juin 2007.

Quant à la deuxième et dernière étape, elle a été entamée le 1er juillet 2008 avec une ouverture totale sur le secteur privé en matière de soins ambulatoires selon les trois modes de couverture prévus par la loi 2004-71 et ses textes

d'application à savoir, la filière publique, la filière privée et le système de remboursement.

Ainsi et après un débat national fructueux, la Tunisie a réussi à concrétiser et mettre en place un régime d'assurance maladie ambitieux adapté aux besoins du citoyen tunisien et à la hauteur de ses attentes et aux défis futurs de notre pays.

L'indemnité de maladie permet de compenser la perte de revenus au travailleur (salarié ou non salarié), atteint d'une incapacité de travail par suite de maladie (ordinaire ou de longue durée), d'accident ou de blessure non couvert par le régime légal relatif aux accidents de travail ou de maladies professionnelles. Elle est due pour chaque jour, ouvrable ou non, compris dans la période débutant le sixième jour d'incapacité et se terminant le cent quatre-vingtième de celle-ci. Le délai de carence prévu est supprimé dans le cas de maladie longue durée ou d'hospitalisation.

3.17 Les prestations familiales

Une allocation familiale est accordée par le CNSS pour le travailleur salarié du secteur non agricole, du régime agricole "amélioré" ou étudiant ayant des enfants à charge.

Les allocations familiales sont accordées au titre de trois premiers enfants ou de ceux adoptés par ou encore vis-à-vis desquels est exercée le droit de garde dans la mesure où ils sont à charge.

La majoration pour salaire unique est accordée aux travailleurs salariés du secteur non agricole, ayant des enfants à charges ouvrant droit aux allocations familiales et votre conjoint n'exerce aucune activité professionnelle. La majoration pour salaire unique est également servie aux titulaires de pensions, aux étudiants et aux travailleurs licenciés pour des raisons économiques ou suite à une fermeture inopinée de l'entreprise.

La majoration pour salaire unique est liquidée dans les mêmes conditions et délais que les allocations familiales. Une indemnité de décès est accordée.

3.18 Les accidents et les maladies professionnelles

L'article 32 du Code des pêcheurs prévoit que l'armateur est tenu d'assurer les pêcheurs à son service contre les accidents du travail et les maladies professionnelles.

Pendant la durée du voyage, le pêcheur a droit à la totalité de ses salaires ou de sa part, s'il est décédé au cours du voyage. Sont à la charge de l'armateur, le rapatriement du corps du pêcheur et les frais funéraires, en cas de décès survenu à bord (Arts. 47 et 48).

La Caisse Nationale d'Assurance Maladie (CNAM), qui a pour mission de gérer le régime d'assurance maladie au profit des assurés sociaux des secteurs public et privé ainsi que les régimes de réparation des préjudices résultant des accidents du travail et des maladies professionnelles et l'octroi des indemnités de maladie et de couche.

La fusion des branches maladies des divers régimes de sécurité sociale au sein d'un nouveau régime unique (CNAM), offrant les mêmes prestations à tous les assurés, appliquant un même taux de cotisation et administré par une seule caisse créée à cet effet. Avec ce nouveau régime, l'accès à l'offre de soins privée, longtemps ignorée par l'assurance

maladie obligatoire, est désormais possible et de nouvelles mesures ont été mises en place afin de maîtriser les coûts.

D'ailleurs, l'application progressive du nouveau régime d'assurance maladie prévu par la loi n°2004-71 du 2 août 2004 a débuté le 1er juillet 2007 avec la prise en charge par la CNAM des pathologies lourdes et coûteuses (dialyse rénale, chirurgie cardio-vasculaire, transplantation d'organes, hypertension, diabète), du suivi de la grossesse et de l'accouchement dans les établissements sanitaires publics et privés.

La réforme de l'assurance maladie a été achevée depuis le 1er juillet 2008 avec la prise en charge par la CNAM des frais relatifs aux maladies ordinaires dans le secteur privé. La concrétisation de la réforme a été initiée le 1er juillet 2007 par l'augmentation des cotisations.

Les taux sont majorés annuellement sur une période de 2 à 5 ans, selon les régimes, pour converger vers un taux unique.

L'article 8 de la loi 71-2004 prévoit qu'outre la gestion du régime d'assurance maladie les missions de la Caisse Nationale d'assurance Maladie portent sur la gestion des régimes légaux de réparation des dommages résultant des accidents du travail et des maladies professionnelles dans les secteurs public et privé.

Le décret n° 2007-1367 du 11 juin 2007 porte la détermination des modalités de prise en charge, procédures et taux des prestations de soins au titre du régime de base d'assurance maladie. Le décret décrit les taux de prise en charge des frais des prestations de soins ambulatoires dans le cadre de la filière publique et privée de soins.

3.19 Accidents du travail

Le Titre VI du Code des pêcheurs « Des obligations de l'armateur envers le pêcheur » fournit les droits du pêcheur en cas d'accident survenu pendant son travail au service du navire. L'article 33 prévoit que l'armateur est tenu de soigner le pêcheur à ses frais, jusqu'à ce qu'il soit pris en charge par le régime de l'assurance contre les accidents du travail. Il est également tenu d'assurer le retour du pêcheur à son port d'embarquement.

Après le débarquement du pêcheur, l'armateur doit lui verser, pendant deux mois une indemnité journalière dont le montant est égal à la différence entre le salaire minimum et l'indemnité temporaire allouée par les organismes d'assurance. Par la suite, il lui verse, pendant également deux autres mois, une indemnité journalière dont le montant est égal à la différence entre la moitié du salaire minimum et l'indemnité temporaire allouée par les organismes d'assurance.

Lorsque le pêcheur est rémunéré à la part, les salaires qui lui sont dus, aux termes du présent article, sont calculés d'après le salaire journalier minimum attribué dans le port d'embarquement aux pêcheurs de mêmes grades et catégories et sont déterminés par l'autorité compétente, sauf recours devant les tribunaux.

L'article 41 prévoit que en cas de perte par naufrage du navire, le pêcheur est payé de ses salaires jusqu'au jour du sinistre et a droit à compter de ce jour, pour la période effective de chômage qu'il a subi, à une indemnité équivalente à la totalité de ses salaires pendant deux mois et par la suite à la moitié de ses salaires sans que cette dernière indemnité puisse excéder 90 jours de demi-salaire.

Tout armateur est tenu de couvrir par une assurance ces salaires et indemnités. La moitié des montants des primes de cette assurance est supportée par l'armateur que l'autre moitié par l'équipage au prorata de leurs parts ou salaires.

La loi n° 94-28 du 21 février 1994 a apporté une refonte totale du régime de réparation des accidents du travail et des maladies professionnelles notamment dans le secteur privé. Cette refonte s'est traduite notamment par un élargissement du champ d'application du régime qui couvre désormais tous les travailleurs dans tous les secteurs d'activité y compris les entreprises publiques et qui prévoit la réparation même en cas d'accident du travail survenu à l'étranger à l'occasion d'une mission ou d'un stage.

Lorsque l'accident est suivi de décès, il est servi aux ayants droit une indemnité funéraire égale au salaire d'un mois, elle ne peut être en aucun cas inférieure à un SMIG mensuel en vigueur, correspondant à une durée de travail de 200 heures.

Il est servi également une rente de décès au profit du conjoint et des enfants et à défaut, du père, de la mère et des descendants de la victime.

Lorsque la victime est un apprenti, un stagiaire, un jeune travailleur ou un élève, la rente est calculée sur la base du salaire le plus bas des travailleurs adultes de la catégorie professionnelle pour laquelle est donnée la formation ou l'enseignement. Cette rente est due le lendemain du décès.

La carte de priorité est accordée par le Ministre des Affaires Sociales sur demande de l'intéressé. Elle est valable pendant 5 ans et renouvelable à la diligence de son titulaire.

Elle donne à son titulaire, à la condition qu'il se présente en personne, un droit de priorité pour l'accès aux bureaux et guichets des administrations, services et lieux publics et aux moyens de transport public de toute nature. Le même droit est acquis à l'accompagnateur permanent du titulaire. Toute mauvaise utilisation de la dite carte entraîne son retrait.

Les prestations servies par la CNAM dans le cadre du régime des AT/MP sont financées par des cotisations exclusivement à la charge des employeurs.

3.20 Maladie du travail

Les victimes des accidents du travail et des maladies professionnelles ont droit au service des prestations suivantes prévues par la loi n° 94-28 du 21 février 1994:

- à la prestation des soins que requiert leur état,
- à une indemnité journalière pour perte de salaire,
- aux appareils de prothèse ou d'orthopédie nécessaires.

À une rente réversible aux ayants droit en cas de décès de la victime. Les prestations de soins, les indemnités journalières sont le même dues en raison de l'état de la victime du fait de l'accident et sont décrits dans le chapitre précédent.

3.21 Performances de fonds de pension

Le Code du pêcheur sur le régime de retraite établis que les dispositions en vigueur, relatives au régime de retraite des ouvriers à terre, s'appliquent aux pêcheurs payés à salaire fixe.

Le régime de retraite des pêcheurs payés à la part est fixé par décret, ainsi que pour les petits armateurs.

Le taux de cotisation au titre du régime de base est fixé à 4% par le bénéficiaire d'une pension (loi n°71-2004).

La Caisse Nationale de Retraite et de Prévoyance Sociale « CNRPS » est réservée aux fonctionnaires et travailleurs de l'Etat (administration ou entreprises étatiques), mais le cas de pêcheur est considéré par la Caisse de Sécurité sociale.

La pension de vieillesse est une prestation servie mensuellement à l'assuré social ayant exercé dans le secteur privé agricole ou non agricole en tant que salarié ou non salarié, ayant atteint l'âge de la mise à la retraite et cessé définitivement toute activité professionnelle assujettie à la sécurité sociale.

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[www.tunisie.gov.tn]

Ministère de l'Agriculture et des Ressources Hydrauliques

[www.onagri.nat.tn]

APIA - Agence de Promotion des Investissements Agricoles

[www.tunisie.com/APIA]

APIP - Agence des Ports et des Installations de Pêche

[www.apip.nat.tn]

CNEA - Centre national des Etudes Agricoles

[www.cnea.nat.tn]

SEMIDE - Système Euro-Méditerranéen d'Information sur les savoir-faire dans le Domaine de l'Eau

[www.semide-tn.org]

INS - Institut national de la statistique

[www.ins.nat.tn]

UTAP - Union Tunisienne de l'Agriculture et de la Pêche

[www.utap.org.tn]

FAO - Organisation des Nations Unies pour l'Alimentation et l'Agriculture

[www.fao.org]

OIT - *Organisation Internationale du Travail*

[www.ilo.org]

OCDE - *Organisation pour la Coopération Economique et le Développement*

[www.oecd.org]

Nations Unies

[www.un.org]

OMS - *Organisation Mondiale de la Santé*

[www.who.int]

OMC - *Organisation Mondiale du Commerce*

[www.wto.org]

CITES - *Convention sur le commerce international des espèces de faune et de flore sauvage menacées d'extinction*

[www.cites.org]

ICCAT - *Commission Internationale pour la Conservation des Thons de l'Atlantique*

[www.iccat.int]

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- Arrêté du ministre de l'agriculture du 13 juin 1997, modifiant l'arrêté du 28 septembre 1995 réglementant l'exercice de la pêche.
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- Décret n° 2009-1981 fixant les conditions et les modalités des interventions propres au régime du repos biologique dans le secteur de la pêche ainsi que l'organisme chargé de la gestion de ce régime.
- Arrêté du ministre de l'agriculture, de l'environnement et des ressources hydrauliques du 19 décembre 2002, fixant les conditions techniques pour la construction ou l'importation des unités de pêche.
- Décret n° 99-2130 fixant la composition et les modalités de fonctionnement de la commission consultative pour l'organisation de l'exercice de la pêche.
- Décret n° 2007-2631 portant les règles générales auxquelles doivent satisfaire les navires de pêche pour la délivrance des titres de sécurité.
- Loi n°92-33 du 7 avril 1992 portant création de l'agence des ports et des installations de pêche.
- Loi n°2002/47 du 14 mai 2002, relative aux ports de pêche.
- Décret no 2002-87 du 21/01/2002 fixant l'organigramme de l'agence des ports et des installations de pêche.
- Décret no 95-252 du 13 février 1995, fixant les conditions d'octroi des autorisations de pêche et les redevances y afférentes.
- Arrêté du Ministre de l'agriculture, de l'environnement et des ressources hydrauliques portant approbation du règlement type des ports de pêche.
- Décret n° 2003-481 fixant la liste des ports de pêche.
- Décret n°2003-1984 du 15 septembre 2003, relatif aux modalités des dispositions de l'article 43 de la loi n°

2002-47 du 14 mai 2002 relative aux ports de pêche et fixant les conditions d'occupation temporaire du domaine public portuaire.

- Loi no 66-27 du 30 avril 1966 relative au Codedu travail.
- Loi n° 1975-17 du 31 mars 1975 portant promulgation du Codedu pêcheur.
- Lois n° 94-29 du 21 février 1994, portant modification de certaines dispositions du Codedu Travail.
- Loi n° 60-30 du 14 décembre 1960 relative à l'organisation des régimes de sécurité sociale.
- Loi n° 95-101 du 27 novembre 1995, modifiant la loi n° 60-30 du 14 décembre 1960 relative à l'organisation des régimes de sécurité sociale.
- Loi no 95-103 du 27/11/1995 modifiant et complétant la loi no 94-28 du 21 février 1994 relative à la réparation des accidents du travail et des maladies professionnelles.
- Loi n° 94-28 du 21 février 1994, portant régime de réparation des préjudices résultant des accidents du travail et des maladies professionnelles.
- Loi n° 1989-73 du 02 septembre 1989 relative au régime de sécurité sociale dans le secteur agricole.
- Loi n° 2002-32 du 12 mars 2002 relative au régime de sécurité sociale pour certaines catégories de travailleurs dans les secteurs agricoles et non agricoles.
- Décret no 2002-916 du 22/04/2002, relatif aux modalités d'application de la loi no 2002-32 du 12 mars 2002, relative au régime de sécurité sociale pour certaines catégories de travailleurs dans les secteurs agricole et non agricole.
- Décret n° 95-1474 du 14 août 1995 portant désignation de l'autorité compétente en matière de contrôle technique à l'importation et à l'exportation des produits de la mer et d'agrèage des locaux.
- Arrêté du ministre de l'agriculture du 27 décembre 1995, fixant les conditions générales d'hygiène applicables aux produits de la pêche à bord des bateaux de pêche.
- J.O.R.T, 5 décembre 1995, v 138 (97) p.2233-2235; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les règles sanitaires régissant la production et la mise sur le marché des produits de la pêche destinés à la consommation humaine.
- J.O.R.T, 5 décembre 1995, V 138 (97) p.2235 ; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les règles d'hygiène de manipulation et d'entreposage des produits de la pêche à bord des navires usines.
- J.O.R.T, 5 décembre 1995, V 138 (97) p. 2235-2237; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les conditions générales d'aménagement des locaux, d'équipement en matériel et d'hygiène dans les établissements de transformation des produits de la pêche.
- J.O.R.T, 5 décembre 1995, V 138 (97) p. 2237-2238; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les conditions de manipulation des produits de la pêche pendant et après le débarquement.
- J.O.R.T, 5 décembre 1995, V 138 (97) p.2238-2239; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les modalités de contrôle sanitaire et de surveillance des conditions de production des produits de la pêche.
- J.O.R.T, 5 décembre 1995, V 138 (97) p.2239; Arrêté du ministre de l'agriculture du 28 novembre 1995, fixant les conditions d'entreposage et de transport des produits de la pêche.
- Arrêté du ministre de l'agriculture et des ressources hydrauliques du 2 novembre 2006, modifiant et l'arrêté du ministre de l'agriculture du 28 novembre 1995 fixant les exigences auxquelles doivent satisfaire les zones de production des mollusques bivalves vivants.
- Arrêté du ministre de l'agriculture du 3 mars 2001, fixant les règles sanitaires régissant les opérations

des auto-contrôles pour les produits de la pêche.

- J.O.R.T, 26 décembre 1995 n° 103 p. 2358; Décret n° 95-2487 du 18 décembre 1995, portant modification de statut-type des coopératives de service agricole annexé au décret n° 83-933 du 13 octobre 1983;
- J.O.R.T, 5 mai 1982, V 138; Loi no 2004-24 du 15 mars 2004, modifiant et complétant la loi no 93-43 du 10 mai 1999, relative aux groupements de développement dans le secteur de l'agriculture et de la pêche;
- Loi n° 99-43 relatives aux groupements de développement dans le secteur de l'agriculture et de la pêche;
- Loi n° 2004-24 modifiant et complétant la loi n° 99-43 relative aux groupements de développement dans le secteur de l'agriculture et de la pêche.
- Décret n°99-1819 du 23 août 1999, portant approbation des statuts-type des groupement de développement dans le secteur de l'agriculture et de la pêche.
- Décret n°2005-978 du 24 mars 2005, portant approbation de la modification des statuts type des groupements de développement dans le secteur de l'agriculture et de la pêche, tel qu'approuvés par le décret n°99-1819 du 23 août 1999.

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PESCAMED



TURKEY



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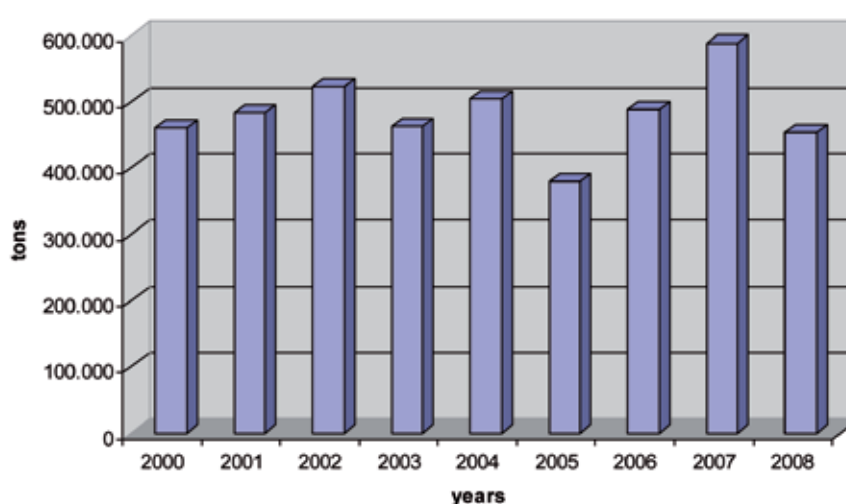
1. FISHERY SECTOR

1.1 Production

In 2008, the total Turkish marine fish production was 453.000 tons (FAO). The main fisheries in Turkey are pelagic, demersal and shellfish. Ten species, mostly small pelagics, account for approximately 90% of total marine catches. Only 4 species account more than 70% of them. Mainly, these species are European anchovy (55,5%), European sprat (8,7%), Mediterranean horse mackerel (4,9) and European pilchard (3,9%).

The fluctuations in marine catches depend on massive catch of anchovy; a meaningful decline was registered in 2005 due to the low catch of this species.

Figure 1. The decline of marine catches (2000 - 2008)



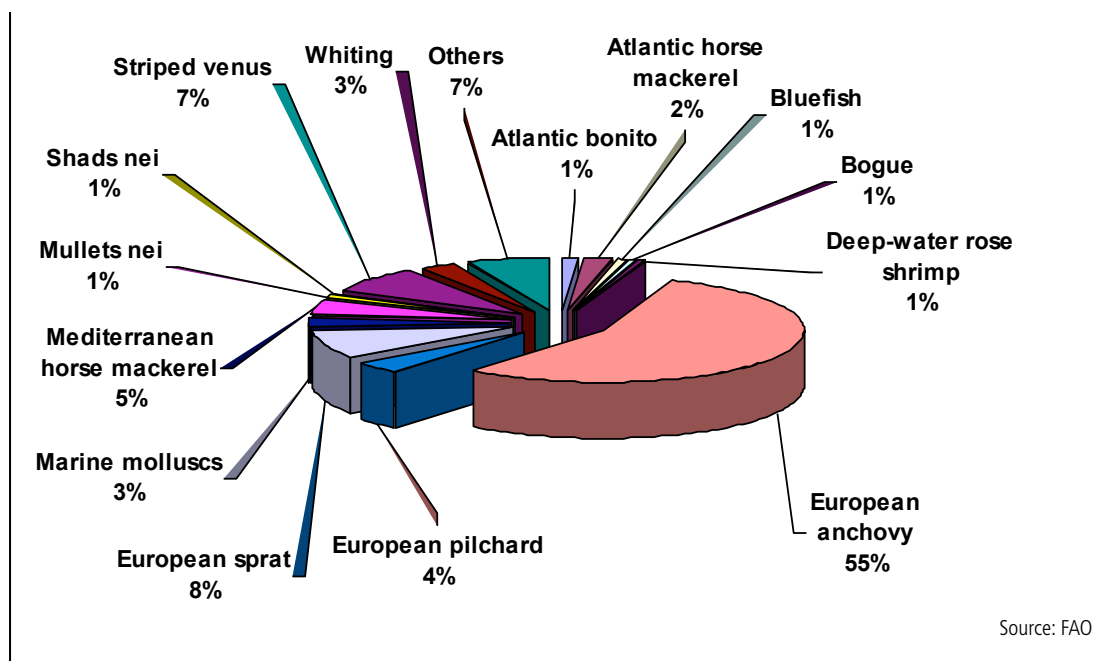
Source: FAO

Table 1. Turkey marine fisheries production

Species	2000	2001	2002	2003	2004	2005	2006	2007	2008
Atlantic bonito	12.000	13.460	6.286	5.999	5.701	70.797	29.690	5.965	6.448
Atlantic horse mackerel	7.200	10.635	6.982	11.600	9.337	13.978	11.800	9.030	10.043
Bluefish	4.250	13.060	25.000	22.000	19.901	18.357	8.399	6.858	4.048
Bogue	1.500	1.000	1.126	1.540	1.463	3.062	3.601	3.851	2.580
Deep-water rose shrimp	2.761	2.623
European anchovy	280.000	320.000	373.000	295.000	340.000	138.569	270.000	385.000	251.675
European pilchard (=Sardine)	16.500	10.000	8.684	12.000	12.883	20.656	15.586	20.941	17.531
European sprat	.	1.000	2.050	6.025	5.411	5.500	7.311	11.921	39.303
Marine molluscs	2.168	2.674	6.274	5.534	14.061	12.666	11.749	14.014	11.463
Mediterranean horse mackerel	15.000	15.545	19.500	16.400	18.068	13.540	14.127	22.991	22.134
Mulletts	27.000	22.000	12.000	11.000	12.424	10.560	8.915	8.291	3.345
Shads	720	690	862	1.100	1.172	2.176	1.738	2.252	2.289
Striped venus	10.000	7.500	10.000	19.700	16.899	10.847	48.344	47.215	36.896
Whiting	18.000	10.000	8.808	8.000	8.205	8.309	9.112	12.940	12.231
Others	66.190	56.849	42.172	47.176	39.372	51.364	48.594	35.099	30.504
Total	460.528	484.413	522.744	463.074	504.897	380.381	488.966	589.129	453.113

Source: FAO

Figure 2. Turkey: composition of marine fisheries production



In 2008 fisheries production reached an overall value of more than 745 millions US\$, decreasing compared to the previous years when catches of high quality species, such as tuna, squid, cuttlefish, octopus, and bivalve molluscs were much higher.

Table 2. Quantity and value of marine fisheries products (2004-2008)

	sea fish	other sea products	Total
2004			
Quantity (Tons)	456.752	48.145	504.897
Value (\$)	628.385.327	84.307.289	712.692.616
2005			
Quantity (Tons)	334.248	46.133	380.381
Value (\$)	955.126.927	128.595.976	1.083.722.903
2006			
Quantity (Tons)	409.945	79.021	488.966
Value (\$)	960.406.485	133.741.878	1.094.148.363
2007			
Quantity (Tons)	518.201	70.928	589.129
Value (\$)	825.978.958	89.537.243	915.516.201
2008			
Quantity (Tons)	395.660	57.453	453.113
Value (\$)	659.966.732	85.309.525	745.276.257

Source: TurkStat, Fishery statistics, 2008

1.2 Import

Turkey fisheries import in 2008 was approximately 120 US\$ millions. The total amount was composed of 80%, in quantity, and 73% in value. There were mainly anchovies, sardines and sardinellas. Bluefin tunas live imports for fattening purpose in off-shore national farms, represent an important amount.

Table 3. Import of fishery products (2008)

Species	quantity (kg)	Value (\$)
Live Bluefin tunas	1.735.928	12.027.622
Pacific-atlantic-danube salmon fresh/chilled	2.396.535	13.399.845
Anchovies fresh/chilled	7.016.122	4.111.579
Skipjack or striped-bellied bonito whole >10 kg for industrial manufacture	6.543.596	12.311.633
Herrings (<i>Clupea harengus</i>) frozen	5.410.361	4.252.306
Sardines (<i>Sardina pilchardus</i>) frozen	2.410.176	1.950.090
sardines (<i>Sardinops</i>) sardinella spp. Frozen	6.026.584	4.714.125
Scomber scomber and Scomber japonicus frozen	16.392.645	22.928.317
Coalfish (<i>Pollachius virens</i>) fillets, frozen	2.945.813	11.419.639
Others	12.344.085	32.653.686
Total	63.221.845	119.768.842

Source: TurkStat, Fishery statistics, 2008

During the last 5 years the annual fishery imports have more than doubled from 2004 to 2008, ranging between 54 millions of US\$ and 120 millions of US\$.

Table 4. Import of fisheries products, 2008

Country	Quantity (tons)	Value (YTL-TRY)	(\$)
Norway	20.124	66.256.132	51.483.093
France	2.702	9.738.393	6.897.522
India	3.832	9.413.107	7.360.898
USA	8.797	9.028.105	7.043.539
Morocco	5.552	8.078.707	6.396.480
Georgia	6.869	4.880.443	3.981.456
New Zeland	2.182	4.770.227	3.786.119
Greece	329	3.765.960	3.024.644
Uzbekistan	520	3.554.711	2.629.656
Libya	536	3.547.956	2.616.387

Source: TurkStat, Fishery statistics, 2008

1.3 Export

Turkey fisheries export in 2008 was 54.500 thousands of kg. and approximately 383 millions of US\$. The total amount was composed of 52%, in quantity, and 40% in value, by only 10 kind of products. The main exported quantities and revenues concern sea bass, sea bream, trout and salmonidae. Sea bass represents 1/5 of the total export value amount.

Table 5. Export of fishery products (2008)

Species	quantity (kg)	Value (\$)
Sea bass live	54.065	2.920.619
sea bream live	36.823	1.338.904
sea bass fresh/chilled	13.362.872	71.831.117
sea bream fresh/chilled	7.705.032	28.459.693
sea bass frozen	504.976	3.139.662
Salmonides other offal frozen	3.298.018	11.672.951
trout smoked	2.127.326	19.705.982
shrimps Penaeus frozen	250.518	3.249.095
other shrimps frozen	545.766	7.670.814
mussels of species Mytilus live, fresh/chilled	516.947	3.614.497
Others	26.124.005	229.694.014
Total	54.526.348	383.297.348

Source: TurkStat, Fishery statistics, 2008

During the last 5 years, annual fishery export has significantly increased, it has more than doubled from 2004 to 2008 and it has ranged between 180 millions of US\$ and 380 millions of US\$.

Table 6. Export of fishery products, 2008

Country	Quantity (tons)	Value (YTL-TRY)	(\$)
Norway	5.409	152.393.057	111.889.991
France	8.088	73.640.281	57.201.484
India	8.143	64.391.530	50.658.544
USA	9.953	60.561.705	46.056.787
Morocco	6.415	49.444.499	37.655.887
Georgia	5.450	37.277.286	28.549.288
New Zeland	3.372	13.368.904	9.965.395
Greece	1.422	9.897.641	7.636.154
Uzbekistan	728	7.109.122	5.676.289
Libyan	571	6.564.187	4.731.661

Source: TurkStat, Fishery statistics, 2008

1.4 Pro capita human consumption

During the last years (1998-2008), pro capita human consumption of fisheries products in Turkey has stand at 8 kg/year, which is over the value recommended by WHO (6,2 kg/year).

1.5 Fishery and indirect labour

According to the Classification of the Statistical Region Unit of the Ministry of Agriculture and Rural Affairs, published in the 2008 Fishery statistics, the number of fishermen licenses has reached 140.027, 132.006 of which, related to marine fishery and 8.021 concerning inland waters. Vessels licenses has reached 20.903, 17.732 for marine fishery and 3.171 for inland waters.

The number of fishery workers by sea product regions is actually 45.872: 16.673 of them are fishermen themselves and 20.486 are paid crews. The other fishery workers are partners and household members, working unpaid.

Table 7. Fishery workers by sea product regions (2008)

Category	Region					
	East Black Sea	West Black Sea	Marmara	Aegean	Mediterranean	Total
Fishermen	3.744	2.498	3.023	5.317	2.091	16.673
Partners working unpaid	561	377	480	353	146	1.917
Household members working unpaid	1.721	706	962	1.390	581	5.360
Crew with payment	4.424	4.922	5.654	3.176	2.310	20.486
Partners household members working unpaid	271	145	174	180	34	804
Other	495	88	19	9	21	632
Total	11.216	8.736	10.312	10.425	5.183	45.872

Source: TurkStat, Fishery statistics, 2008

They are mainly small-scale fishermen, but purse seiners employ a great number of workers as well.

Table 8. Fishery workers by operating type (2008)

Category	Operating type					
	Trawler	Purse seine	Trawler-Purse seiner	Carrier vessels	Other	Total
Fishermen	491	499	436	54	15.193	16.673
Partners working unpaid	100	340	169	3	1.305	1.917
Household members working unpaid	198	267	160	4	4.731	5.360
Crew with payment	2.042	7.172	3.651	144	7.477	20.486
Partners household members working unpaid	73	108	106		517	804
Other	4	278	37		313	632
Total	2.908	8.664	4.559	205	29.536	45.872

Source: TurkStat, Fishery statistics, 2008

Even though the fishery sector is generally depending on seasonal activities, workers generally (90%) are employed on a full-time basis. As far as the average age-range of fisheries sector workers concerns, it is to be noticed that in Turkey, there is no ageing labour force. Less than 9% of the workers are 55 years old and over. However if we consider the artisanal fisheries this percentage grows to 12%.

Table 9. Fishery workers by age groups, working time and sea products regions (2008)

Region	Age groups							
	Working Time		under age 20		20-55		over age 55	
	Full	Part	Full	Part	Full	Part	Full	Part
Eastern Black Sea	10.746	470	320	28	9.655	399	771	43
Western Black Sea	8.372	364	166	14	7.401	262	805	88
Marmara	9.175	1.137	339	15	7.966	986	870	136
Aegean Sea	8.261	2.164	175	72	7.267	1.723	819	369
Mediterranean	5.000	183	31		4.863	180	106	3
Total	41.554	4.318	1.031	129	37.152	3.550	3.371	639

Source: TurkStat, Fishery statistics, 2008

Table 10. Fishery workers by age groups, working time and operating time (2008)

Region	Age groups							
	Working Time		under age 20		20-55		over age 55	
	Full	Part	Full	Part	Full	Part	Full	Part
Trawler	2.755	153	55	3	2.638	144	62	6
Purse seiner	8.290	374	369	4	7.731	369	190	1
Trawler-Purse seiner	4.436	123	143	1	4.178	121	115	1
Carrier vessels	191	14	14		158	14	19	
Other	25.882	3.654	450	121	22.447	2.902	2.985	631
Total	41.554	4.318	1.031	129	37.152	3.550	3.371	639

Source: TurkStat, Fishery statistics, 2008

It's estimated that fish processing industry provides 6.775 jobs, 22% of which are part time employments.

1.6 Fishing port

There are 277 fish landing sites in Turkey: 165 of which are major fishing ports, 39 "small" fishing ports and 73 are locations with shore facilities.

The 52% of the sites is in the Black Sea. As far as the major fishing ports are concerned, 58 are in the Black Sea, 43 in the Sea of Marmara, 45 in the Aegean and 17 in the Mediterranean Sea.

Table 11. Fishing ports by region (2008)

Type	Black Sea	Sea of Marmara	Aegean Sea	Mediterranean	Total
Large fishing port	58	43	45	17	165
Small fishing port	15	9	11	4	39
shore facilities	72	1			73
Total	145	53	56	21	277

Source: TurkStat, Fishery statistics, 2008

1.7 Fishing fleet

The total number of fishing vessels registered in 2008 was 17.161. Fishing activity is mainly coastal, based on daily fishing trips. Major vessel types are seiners, trawlers and carriers vessels. These boats can be classified as industrial fishing vessels and their operation areas are mainly the Black Sea and the Sea of Marmara for seiners, the Mediterranean Sea for trawlers, while the small-scale vessels mainly operate in the Aegean Sea and in the Mediterranean Sea.

Table 12. Fishing vessels by region and grouped by operating type (2008)

Region	Trawlers	Purse seiners	Trawler-Purse seiners	Carrier Vessels	Others	Total
Eastern Black Sea	40	129	134	125	3.614	4.042
Western Black Sea	107	63	240	5	2.130	2.545
Marmara	105	194	67	14	2.697	3.077
Aegean Sea	83	89	17	69	5.056	5.314
Mediterranean	208	51	11		1.913	2.183
Total	543	526	469	213	15.410	17.161

Source: TurkStat, Fishery statistics, 2008

The Black Sea is the most important Sea for fishery in Turkey and it shows the greatest variation of catches. The proportion of anchovies aimed at fishmeal depends on the overall number of catches and on their seasonal nature. The following table shows the fishery profile, regarding fishing methods, regions and species.

Table 13. Turkish fisheries by fishing method, region and species

Fishery	Region	Species
Purse seiners	Eastern Black Sea	anchovy, horse mackerel, bonito, sprat
	Western Black Sea	anchovy, sprat, bonito, bluefish, scad, club mackerel, sardines, dogfish
	Sea of Marmara	anchovy, bonito, sprat, scad, bluefish, sardines
	Mediterranean and Aegean Sea	sardines, chub mackerel
Trawler	Western Black Sea	whiting, red mullet, turbot
	Aegean Sea	Mixed
	Mediterranean	Mixed
Highly migratory species	Mediterranean and Aegean Sea	tuna, swordfish
Artisanal fisheries (gillnet, trammel net, long line, traps)	Black Sea, Sea of Marmara, Mediterranean and Aegean Sea	mixed (whiting, turbot, red mullet, grey mullet, shrimp, sparidae, sole and dab, squids, octopus and cuttlefish, swordfish)
Sea snail fisheries (dredging)	Eastern Black Sea, Mediterranean and Aegean Sea	sea snail
Clam fisheries (dredging)	Western Black Sea	baby clams
Shrimp and prawn fisheries	Sea of Marmara, Mediterranean and Aegean Sea	Shrimp
Lagoon fisheries	Sea of Marmara, Mediterranean and Aegean Sea	mixed (seabass, seabream, eel, mullets)

Source: FAO

1.8 Processing industry

There are 165 boarding-houses in Turkey: 56 in the Black Sea regions, 49 in the Sea of Marmara regions, 44 in the Aegean Sea and 16 along Mediterranean Sea. Moreover there are 163 processing facilities and 10 Municipality's markets.

Fisheries products trading takes place through different selling channels: local markets and small selling-points. We can find 10 municipality fish markets, the biggest one is in Istanbul, with a capacity of more 45.000 tons per year and with a great importance for both internal market and export.

Table 14. Commerce centres of aquatic products in Turkey and their capacities (2006)

Aquatic products commerce centres	Capacity (tonnes/year)	Percentage
Istanbul Metropolitan Municipality Fish. Mar. Hall	45.000	31,9
Ankara Metropolitan Municipality Fish. Mar. Hall	10.000	7,1
Izmir Metropolitan Municipality Fish. Mar. Hall	8.000	5,7
Samsun Metropolitan Municipality Fish. Mar. Hall	20.000	14,2
Bursa Metropolitan Municipality Fish. Mar. Hall	10.000	7,1
Kocaeli Met. Munic. Fish. Mar. H. Izmit Fish. Mar. Hall	8.000	5,7
Canakkale Municipality Fish. Mar. H.	5.000	3,5
Trabzon Municipality Fish. Mar. H.	10.000	7,1
Ordu Municipality Fish. Mar. H.	10.000	7,1
Bandırma Municipality Fish. Mar. H.	15.000	10,6

Source: The Ministry of Agriculture and Rural Affairs, 2007

Table 15. Regional distribution of small commercial points in Turkey (2006)

Regions	Selling points (number)	Percentage
Marmara	786	30,2
Aegean	478	18,3
Mediterranean	343	13,2
Black sea	503	19,3
Central Anatolian	338	13,0
East Anatolian	103	3,9
South East Anatolian	54	2,1
Total	2.605	100,0

Source: The Ministry of Agriculture and Rural Affairs, 2007

Fish reduction factories process pelagic fish (mainly anchovies) into fishmeal and fish oil, which represent the main ingredients for the feed manufacture aimed at aquaculture and poultry farms. In the early 1970s, investments were made along the Eastern and Middle Black Sea coast to provide an alternative to fresh consumption or salting of pelagic catches.

There are 23 feed plants nationwide and seven of them produce only fish feed. The majority produce extruded feed and have a total annual production capacity of 160.000 mt.

1.9 Export to EU/ approved establishment EU number

Currently 127 licensed fish processing companies have obtained the permission to export to EU countries. Initial investment in national companies took place between 1977 and 1997 and recently some steps were undertaken to comply with EC Directive 91/493 which dealt with health conditions.

Of the total number of fish processing facilities nationwide 34 without an EU approval number are licensed to export to third countries (outside of the EU) and 36 are licensed only for the domestic market.

1.10 National development plans

Governmental policy towards the fisheries sector has traditionally focused on stimulating production and has included both fisheries management and fisheries development measures.

The development of fisheries in Turkey is decisively linked to the economic and social strategy outlined in the National Five Years Development Plan and the National Annual Programme. Management of fisheries in Turkey has been under the jurisdiction of the Ministry of Agriculture and Rural Affairs which is responsible for the formulation of fisheries regulations and development programmes.

Turkey's Long Term Development Strategy 2001-2013 outlines the fundamental objectives for national planning strategy, namely:

- Restructure the economy and society;
- Transform into an information society;
- Increase its effectiveness as a regional power in the 2010s and as a global state in the 2020s;
- Progress towards full membership of the European Union.

Fishery policies/strategies are reflected in national development plans which are prepared under the coordination of the State Planning Organization (SPO).

The main objective of the policy is to increase the total production on the basis of sustainable fisheries and environmental considerations. Under the section titled "Improving Efficiency of the Agricultural Structure", the 9th National Development Plan (2007-2013), published by the SPO, sets the following policy framework concerning fisheries: "The main principles to be adhered in fisheries policies include determination of fisheries policies on the basis of establishing resource utilization balance in fishery production by conducting stock assessment studies in line with the EU acquis, ensuring environmental sustainability in agriculture activities in parallel with the increasing demand and the recently provided supports, and establishing the required administrative structure in compliance with these goals".

From the 1970s, to late 1990s, state subsidy for investment and operational credits to fishermen were tools adopted for the rapid growth of the fisheries sector.

Subsequently, policy changed and cheap credits were not available until 2005 when such assistance was reintroduced by the Ziraat Bank. From July 2006, subsidized credits have been available for aquaculture and fish catching.

There is a long-term program of support through the Ministry of Agriculture and Rural Affairs (MARA), and various state bodies, to the fisheries sector in the form of credit support, VAT/tax refunds/credits and fuel subsidy.

1.11 Institutions

The Ministry of Agriculture and Rural Affairs (MARA) is the main state organization responsible for fisheries (including aquaculture) administration, regulation, protection, promotion and technical assistance through four General Directorates.

The history of fisheries administration in Turkey starts with the first legislation in 1867 regulating mussel and oyster

exports. In 1934, a Directorate of Sea Products and Fishing was established in the Ministry of finance and was later transferred to the Ministry of Transport in 1939.

A separate Directorate-General for Fisheries was not established until 1971 when the first comprehensive fisheries law (Law No. 1380) was promulgated. Under the new Directorate-General (DG), there were established 10 regional directorates for fisheries.

This form of fisheries administration persisted until 1983 when, with the reorganization of MARA, the Fisheries DG (Directorate-General) was downgraded to a Directorate of Fisheries. Following a further reorganization in 1985, the Directorate of Fisheries was split and its function distributed amongst three DGs and 81 MARA provincial offices with specialist fisheries staff.

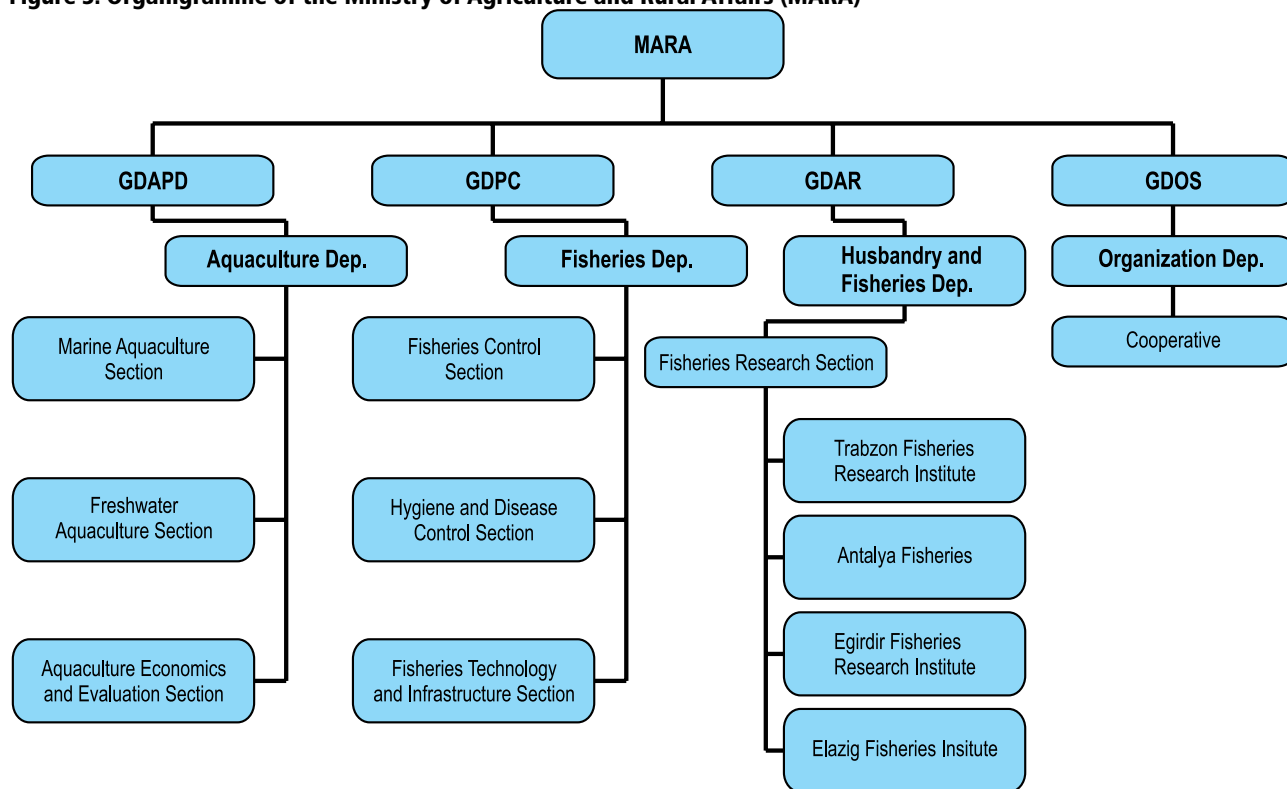
The main duties of MARA on fisheries are:

- to perform and to assign the duties specified in the Laws No. 1380 and 3288,
- to determine and implement the major fisheries policies (including aquaculture), to assist the services such as the provision, supply and distribution of the fisheries (including aquaculture) credits and other inputs that fish farmers and fishermen use),
- to establish and operate the quality control systems and organisations required to ensure and regulate that fish and other fishery products are captured, processed, stored, marketed and exploited in accordance with the international quality standards,
- to establish and operate research activities on the improvements, controlling, production, processing units, agencies, laboratories and establishments, and to provide technical assistance to private sector organisations desiring to establish and operate with such kind of institutions,
- to prepare and implement extension and training systems, programs and projects for farmers and fishermen,
- to collaborate with the private agencies, universities, research institutions and international organisations to increase the productivity, conservation of natural stocks and to preserve from biotic and abiotic hazards,
- to promote and support to fishery organisations (associations and co-operatives).

Actually the Ministry undertakes its duties in fisheries management through four General Directorates, as well as the District and 81 Provincial Directorates.

The General institutional structure of the fisheries sector in Turkey is shown in the following table.

Figure 3. Organigramme of the Ministry of Agriculture and Rural Affairs (MARA)



Control Sections of 81 Provincial Directorates of MARA are responsible for the implementation of the fishing regulation and for the control of fishing activities as stated in the annual ministerial circulars. Additionally, Coastguards of the Ministry of Internal Affairs manage the responsibility to control fishing in some defined areas.

The fisheries laws give the major responsibility of fisheries to MARA, and during 1980's, significant effort was devoted to prepare laws and by laws which are related to the management of coastal and inland resources.

A significant part of legislation prepared in this period deals with several protection and conservation issues. These include laws on environmental protection, national parks and the protection of cultural and national wealth, which may limit some fisheries and aquaculture activities.

2. THE ASSOCIATION

2.1 Cooperatives

In Turkey, many organisations of fishermen, producers, unions and other related stakeholders often have a few members, weak decision-making rules and lack of financial resources. Therefore, a continuous effort is required to improve capacity building and stakeholder participation.

Management system to be set up should meet the needs of fishery's stakeholders basing on an efficient and co-operative approach, promoting close relations among government bodies, stakeholders and fishery communities.

Despite their relative weak organisational structure, the existing co-operatives, Unions and Central Unions can be considered as an important element for the fishery management at central, regional and local level. In order to have a major role in the management system, these organisations need a re-structuring driven by the active support, contribution and participation of their members.

In order to drive the planning effective, the linkages among the various stakeholders must be considered to avoid conflicts and achieve positive, reinforcing interactions also having a wide range of stakeholder participation and acceptance. At this junction re-structuring of Fishermen's Associations (co-operatives, unions, central unions) that would assign them active and responsible roles and influence in the fisheries co-management is very important in terms of decentralization of decision-making procedures, based on scientific advice.

In addition to fishery co-operatives, fishery co-operative Associations, the Central Association of Fishery Cooperatives (SUR-KOOP) and Central and Regional Fishery Advisory Committees have an important role to play as representative stakeholder organisations as well.

Currently there are 482 fisheries co-operatives as recognised under the Fisheries Cooperative Law 1163, with a total membership of 24.920. Note that a co-operative can be established as long as there are at least seven signatories joining the memorandum of incorporation.

A minimum of seven or more cooperatives, sharing the same objectives can establish a central union. There are thirteen unions of fisheries cooperatives within Turkey, composed of 183 cooperatives and one central union in Ankara.

Table 16. Cooperatives established according to the Law n° 1163

Organisation	Min. No of Members/Unions	Total No of coop	No of fisheries unions
Cooperative	7 partners	9.657	482
Regional Union	7 cooperatives	100	12
Central Union	7 regional union	7	1
National Union of Cooperatives of Turkey*	All cooperatives	1	-

* there are fisheries cooperatives in the National Union of Cooperatives as well
Source: MARA

2.2 Producer Union

Producer organizations do exist, but their legal status and organization partly comply with the provisions of the EU legislation.

According to Law n°. 5200 on Agricultural Producer Unions (APU), Producer Union should join a minimum of 16 producers, minimum production capacity based on product and product group. Mainly purposes of APU are production planning, dispatch of products complying with market requirements, provide services aimed at the improvement of product's quality. The main activities concerning APU are market surveys for products, new business, regulation of products' supply, technical assistance concerning methods, harvesting, storage and packaging.

Table 17. Agricultural Producers Unions established according to the Law n° 5200

Organisation	Min. No of Members/Unions	Total No of APU	No of fisheries unions
APU	16 producers	155	5
Central Union	7 APUs	1	-

Source: MARA

3. MANAGEMENT OF LABOUR IN THE FISHERY SECTOR

3.1 Institutional framework

The Ministry of Labour and Social Security is the responsible and competent authority for labour related issues in Turkey. On the other hand, Under-Secretariat for Maritime Affairs it also contributes registry records for maritime affairs in territorial waters.

Ministry of Labour and Social Security is the only competent authority for labour issues and social security, but regarding the Labour issues it consults with other Ministries regarding their sectors of employment.

The Ministry of Labour and Social Security was established in 1930. The Ministry of Economy of the Organization and Duties Law, has been established within the Bureau of Labour and Employment (No. 2450 dated May 27, 1934). The Labour Law No. 3008 dated 8th June, 1936 has established the Bureau of Labour and Employment, Labour Department. Within the Presidential Permit No. 4-1040 dated 17/11/1974 of the Social Security Ministry, founded by the Social Insurance Institution Bag-Kur, it has been linked to this Ministry.

In 2000, within the entry into force of the Decree No. 618, the Social Security Agency was restructured, the Occupational Health and Safety General Directorate was established and the External Relations and International Labour Services General Directorate, has been restructured.

After consultation with the Ministry of Health, with the Ministry of Labour and Social Security, it may also issue regulations foreseeing:

- the medical examination of employees before being admitted to employment in jobs which are not considered to be arduous and dangerous;
- a general medical examination of employees in certain jobs at certain intervals;
- preclusion of employees from certain jobs where their health conditions are affected adversely or where their work does harm the products they deal with, or causes damages to employees with whom they work;
- specification of the situations and conditions in those establishments where bathing, sleeping, resting and dining facilities as well as employee housing and Labour training premises, are to be established.

The State shall follow up supervise and inspect, by officials of the Ministry of Labour and Social Security, the implementation of Labour legislation governing working conditions.

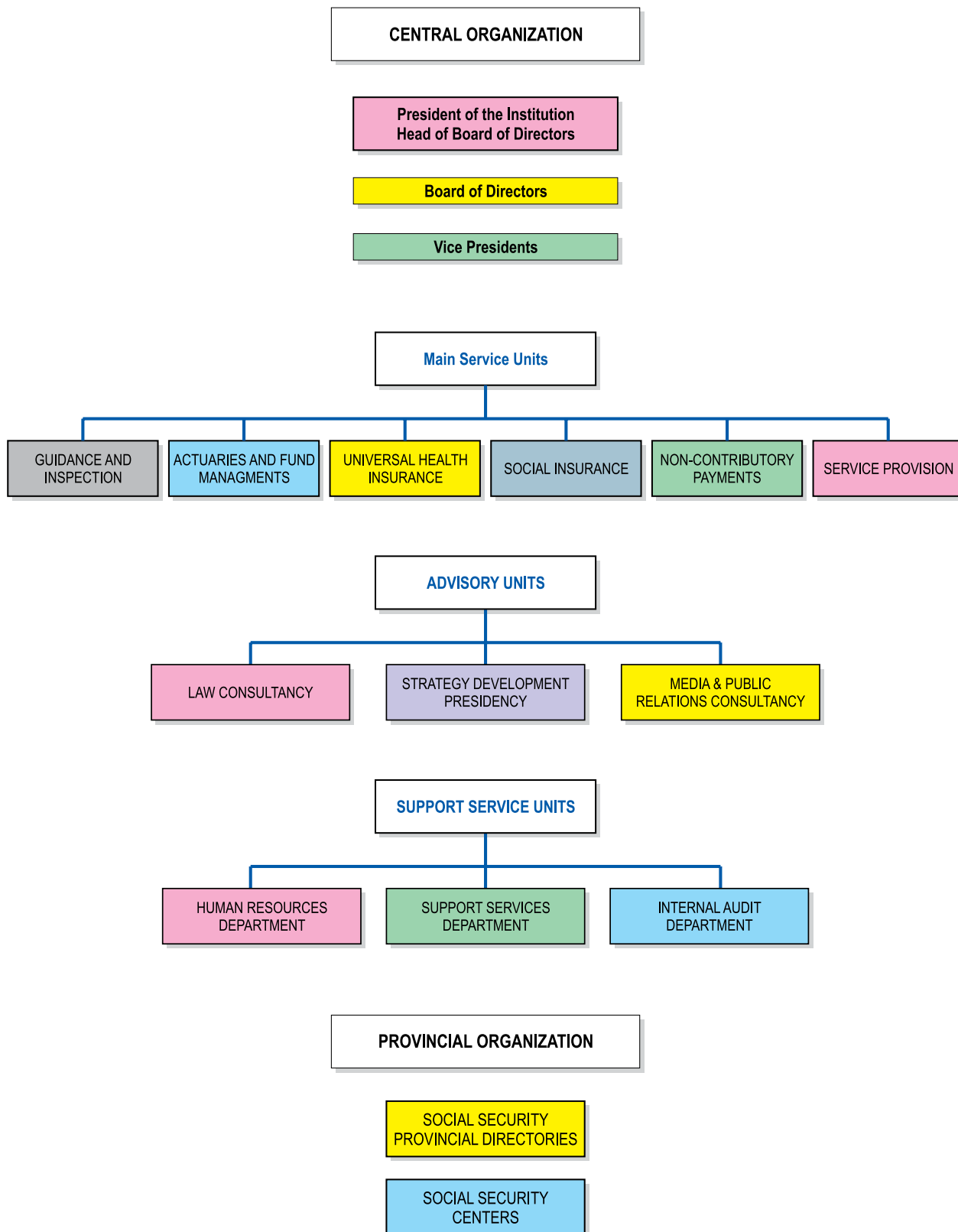
The municipalities and other authorities competent to issue permissions for the setting up and opening of establishments shall investigate the existence of the opening and operating certificate which must have been granted by the Ministry of Labour and Social Security in accordance with pertinent labour legislation.

Municipalities and other authorities competent to give permits for setting up and opening establishments shall communicate every month to the relevant regional directorates of labour lists of names and addresses of employers

and establishments for which they have issued permits as well as the nature of the work to be performed until the fifteenth day of the following month.

The Social Security Institution is the competent authority for the social system and allowances.

Figure 4. Organization chart of the Social Security Institution



3.2 Organizations of representation

The four major trade unions in Turkey are :

- Confederation of Revolutionary Trade Unions of Turkey
- Confederation of Public Workers' Unions
- Confederation of Turkish Trade Unions
- Confederation of Turkish Real Trade Unions
- HAK- has 9 affiliated unions, two of which are involved in the agricultural sector:
 - Real Trade Union for Workers in Agriculture, Land and Water Industry (ÖZ TARIM-IS)
 - Agriculture and Forestry Union (TARIM ORMAN).

3.3 The collective labour agreement

Up to now, no collective agreements have been signed in the fisheries sector in Turkey, even if the Law N. 4857 of 2003 establishes rights and duties to be applied to the workers included in the collective agreement.

All the rights concerning the seafarers are protected and preserved by the Code of Sea Labour.

Despite the law on Sea Labour, the fishermen's rights are preserved and regulated by the Labour law No 4857. The purpose of this Act is to regulate the working conditions and work-related rights and obligations of employers and employees working under an employment contract.

The Labour Law shall be applied to all the establishments and to their employers, employer's representatives and employees, irrespective of the subject matter of their activities. The employees of the subcontractor shall be treated as employees of the principal employer.

3.4 Engagement

The Labour Act (Law N. 4857 of 2003) foresees that the intermediary activity in providing employees, with jobs suitable to their qualifications and in finding employees qualified for different kind of jobs for employers, shall be performed by the Employment Organization of Turkey and by the private employment agencies authorized in this respect.

Written form is required for the employment contracts with a fixed duration of one year or more. In cases where no written contract has been subscribed, the employer is under the obligation to provide the employee with a written document, within two months at the latest, showing the general and special conditions of work, the daily or weekly working time, the basic wage and any wage supplements, the time intervals for remuneration, the duration if it is a fixed term contract, and conditions concerning the termination of the contract. If the employment contract has expired before the lapse of two months, this information must be communicated to the employee in written form on the expiration date at the latest.

The parties are free to draw up the employment contract in a manner commensurate to their needs, without prejudice to the limitations brought up by legislation. Employment contracts shall be made for a definite (fixed term) or

indefinite (open-ended) period. In terms of the manner of working, these contracts may be concluded on a full-time or part-time basis, or with a trial (probation) period or in any other possible forms.

If the parties, employers, employer's representatives and employees have agreed to include a trial clause in the employment contract, the duration of the trial term shall not exceed two months. However, the trial period may be extended up to four months by collective agreement. Within the trial term the parties are free to terminate the employment contract without having the obligation to observe the notice term and without having to pay any compensation.

The employment of children who have not completed the age of fifteen is prohibited. However, children who have completed the full age of fourteen and their primary education, may be employed on light works that will not hinder their physical, mental and moral development, and for those who continue their education, in jobs that will not prevent their school attendance.

During the term of notice the employer must grant the employee the permission to seek new employment within working hours without any deduction from his wage. The time devoted to this purpose should not be less than two hours daily and under the employee's requests, such hours may be added together and taken at one time. But if the employee wishes to take these hours at one time, he must do so in the immediately preceding days of his employment end, informing the employer in advance.

3.5 Remuneration

With the object of regulating the economic and social conditions of all employees working under an employment contract, either covered or uncovered by the Labour Act (Law N. 4857 of 2003), the minimum limits of wages shall be determined every two years, at the latest, by the Ministry of Labour and Social Security through the Minimum Wage Fixing Board. Without taxes net paid, salary for the minimum wage is nearly set in age limits and it is between 320 Euro to 360 Euro.

As a rule the wage shall be paid in Turkish currency at the establishment, or shall be deposited into a specially opened bank account. Wage payment must not be made in bonds, coupons or another paper claimed to represent the national currency valid in the country or by any other means whatsoever. Wage shall be paid on a monthly basis at the latest. The time of remuneration may be reduced down to one week by employment contract or by collective agreement.

Upon the expiration of the employment contract, employee's wage claims, as well as all the benefits based on the employment contract and law, must be paid in full.

No wage payments may be made to employees in bars and similar entertainment areas where alcoholic beverages are served as well as in retail stores, with the exception of employees working in such establishments. Statutory limitation on wage claims is five years.

In case of the employer's inability to pay as evidenced by the declaration of a concord by him or the issuance of a certificate attesting to his insolvency or bankruptcy, a separate Wages Guarantee Fund shall be established within the

Unemployment Insurance Fund with a view to meet the employees' wage claims for the last three months accruing from the employment relationship.

The employee whose wage has not been paid within twenty days from the due day, except for force majeure, may refrain from fulfilling his obligation to work. Even if refraining from work by employees based on their personal decisions, takes on the character of a concerted action in quantifiable terms, it shall not be qualified as a strike. The highest interest rate charged to bank deposits shall be levied on wage debts not paid on the day they were due.

Wage payments which the employer makes at the establishment or through a bank, must be delivered to the employee under a signed paper showing the wage account and bearing the special mark of the establishment. No employer may impose a reduction on an employee's wage for reasons other than those indicated in the collective agreement or the employment contract. The employee must be notified at once, together with the reason, of any wage deductions. Deductions made in this way, must not exceed three days' wages in one month, or in the case of piece work or amount of work to be done, the wages earned by the employee, in two days.

Temporary employment relationship may be established for a period not to exceed six months, and it may be renewed twice, if required. The employer's obligation to pay the employee's wages shall continue. The employer with whom temporary employment relationship is established, shall be jointly liable with the employer for the employee's unpaid wages for the period during which the employee was engaged in his establishment as well as for the duty to protect the employee and the payment of social security contributions.

An employee working under an employment contract for a definite period shall not be subjected to differential treatment in relation to a comparable employee working under an employment contract for an indefinite period. Divisible amounts for a given time period relating to wages and other monetary benefits to be given to an employee working under a fixed-term contract, shall be paid in proportion to the length of time during which the employee has worked.

In cases where seniority (length of service) in the same establishment or the same enterprise is treated as the criterion in order to take advantage of an employment benefit, the seniority criterion foreseen for a comparable employee working under an open-ended contract, must be applied to an employee with a fixed-term contract, unless there is a reason justifying the application of a different seniority criterion for an employee working under a fixed-term contract.

The equal treatment is provided for the employee working under a part-time employment contract as well. The divisible benefits to be accorded to a part-time employee in relation to wages and other monetary benefits must be paid in accordance to the length of his working time proportionate to a comparable employee working full-time.

In case of work on call, the employee is entitled to wages irrespective of whether or not he is engaged in work during the time announced for work on call. The remuneration of the overtime work shall be remunerated at one and a half times the normal hourly rate. In cases where the weekly working time has been set by contract at less than forty-five hours, work that exceeds the average weekly working time carried out in conduction with the principles stated above and which may last only up to forty-five hours weekly is deemed to be work at extra hours. In work at extra hours, each extra hour shall be remunerated at one and a quarter times the normal hourly rate.

3.6 Working hours

The Labour Act states that working time is forty-five hours maximum weekly. Unless the contrary has been decided, the working time shall be divided equally by the days of the week worked at the establishment. Provided that the parties have so agreed, working time may be divided by the days of the week worked in different forms on condition that the daily working time must not exceed eleven hours. In this case, within a time period of two months, the average weekly working time of the employee shall not exceed normal weekly working time. This balancing (equalising) period may be increased up to four months by collective agreement. The application methods of working time, in line with the principles mentioned above, shall be indicated in a regulation to be issued by the Ministry of Labour and Social Security.

The Ministry of Labour and Social Security and the Ministry of Health shall provide by regulation the list of the types of work where the daily working time must be seven and half hours maximum or less for health reasons.

When the normal weekly working time of the employee has been fixed considerably shorter in relation to a comparable employee working full-time, the employment contract shall be considered as a part-time contract. Employment relationship which foresees the performance of work by the employee upon the emergence of the need for his services, as agreed to in the written employment contract, qualifies as a part-time employment contract based on work on call. In the event the length of the employee's working time has not been determined by the parties in terms of time slices such as a week, month or year, the weekly working time is considered to have been fixed as twenty hours.

In cases where time worked has been considerably lower than the normal working time or where operations are stopped entirely for reasons of suspending work due to force majeure or on the days before or after the national and public holidays or where the employee is granted time off upon his request, the employer may call upon compensatory work within two months in order to compensate for the time lost due to no worked periods. Such work shall not be considered overtime work or extra hours. Compensatory work shall not exceed three hours daily, and in any case it must not exceed the maximum daily working time and it shall not be carried out on holidays.

The overtime work may be performed for purposes such as the country's interest, the nature of the operation or the need to increase output. Overtime work is work which, under conditions specified in this Act, exceeds forty-five hours a week. In cases where the principle of balancing is applied in accordance with Article 63, work which exceeds a total of forty-five hours a week, shall not be deemed overtime work, provided the average working time of the employee does not exceed the normal weekly working time.

When all or some of the employees are required to work overtime either in the case of a breakdown, whether actual or threatened, or in the case of urgent work to be performed on machinery, tools or equipment or in the case of force majeure, provided that it shall not exceed the time necessary to enable the normal operating of the establishment.

In these cases employees must be allowed to benefit of an adequate time for rest. In case of contract termination, the employer must grant the employee the permission to seek new employment within working hours without any deduction from his wage.

The time devoted to this purpose should not be less than two hours daily and if the employee so requests such hours

may be added together and taken at one time. But if the employee wishes to take these hours at one time, he must do so on the days immediately preceding the day on which his employment ceases and must inform the employer in advance. The employment of children is prohibited if children have not completed the age of fifteen. But in case of children who have completed their basic education and yet who are no longer attending school, the working time shall not be more than seven hours daily and more than thirty-five hours weekly. However this working time may be increased up to forty hours weekly.

3.7 Breaks and rest

The Labour Act states that employees shall be allowed to have a rest break approximately in the middle of the working day fixed with due regard to the customs of the area and to the requirements of the work: fifteen minutes, when the work lasts four hours or less; half an hour, when the work lasts longer than four hours and up to seven and a half hours (seven and a half included); one hour, when the work lasts more than seven and a half hours. These are minimum durations and the full period must be allowed at each break. These break periods may be split up by contracts where the climate, season, local custom or nature of the work so requires. Breaks may be taken at the same or varying times by the employees at the establishment. The breaks shall not be reckoned as part of the working time.

The employees working in establishments covered by the Labour Act, shall be allowed to take a rest for a minimum of twenty-four hours (weekly rest day) without interruption within a seven-day time period, provided they have worked on the days preceding the weekly rest day, For the unworked rest day, the employer shall pay the employee's daily wage, without any work obligation in return.

Employees shall be paid a full day's wages for the national and public holidays on which they have not worked; if they work instead of observing the holiday, they shall be paid an additional full day's wages for each day worked. In those establishments where a percentage wage system is in effect, the wage for the national and public holidays shall be paid to the employee by the employer.

If the employee who has worked overtime or at extra hours so wishes, rather than receiving overtime pay he may use, as free time, one-hour and thirty minutes for each hour worked overtime and one hour and fifteen minutes for each extra hour worked. The employee shall use the free time to which he is entitled within six months, within his working time and without any deduction of his wages.

3.8 Leaves

The Labour act states that "employees who have completed a minimum of one year of service in the establishment since their recruitment, including the trial period, shall be allowed to take annual leave with pay".

Holiday pay of an employee is the daily amount in proportion to the total sum of the days he has worked. Holiday pay of an employee working at a piece or job rate or on a percentage basis shall be calculated by dividing his total earnings within a pay period by the number of days he has worked during that period.

The holiday pay of an employee working on an hourly basis is 7.5 times his hourly rate. The right to annual leave with pay shall not be waived. The provisions of the labour Act on annual leave with pay are not applicable to employees

engaged in seasonal or other occupations which, owing to their nature, last less than one year.

The length of annual leave with pay may be increased by employment contracts and collective agreements. In the computation of the length of service required to qualify for annual leave with pay, the total period during which the employee has been employed in one or more establishments belonging to the same employer shall be taken into consideration. Furthermore, any length of time spent by an employee in an establishment covered by the Labour Act plus any length of time previously spent by the same employee in an establishment belonging to the same employer, which is however not covered by this Act, shall also be considered.

3.9 Recruitment of foreign fishermen/residence permit

The Labour Law doesn't regard foreign fishermen. This issue is contained in the Article 4 of the Code on the Sea Labour; concerning the foreign seamen the Code states: "The provisions of this Code will be applied to the seamen who work on the ships that are included in the scope of this Code and are the citizens of the countries, which according to the principle of reciprocity, grant the rights of the same nature to the Turkish seamen".

3.10 Measures of income-support benefits

The law regarding the social insurance branches is the "Law of Work Accidents, Occupational Diseases and Maternity Insurances". After the enactment of this law in 1945, the measures of income-support benefits for Work Accidents, Occupational Diseases and Maternity Insurances were implemented. In parallel with the above mentioned law, the law of Workers' Insurance Institution dated 16.07.1945 and numbered 4792, was passed. Together with the enactment of this law on 01.01.1946, Workers' Insurance Institution was established.

The arrangements about workers, which were segregated under different laws up to that date, were reviewed following the enactment of the Constitution 1961 which covers special provisions on the social security and they were unified under the Social Insurances Law dated 17.07.1964 and numbered 506. This law was enacted on 01.03.1965 and the Workers' Insurance Institution was renamed as Social Insurance Institution which offers new and contemporary rights and opportunities concerning the social security of the workers.

Social Insurance Institution for the Craftsmen and Artisans and Other Self Employers (Bağ-kur) was established with the Law 1479 dated 02.09.1971, provisions of the Law on insurance were put into implementation on 01.10.1972 and since 01.01.1986 those covered under this Law have started to be given health insurance benefits.

Head of Village and Neighbourhood (Muhtar) Allocation and Social Security Law dated 10.09.1977 and numbered 2108 ensured that the heads of the villages and neighbourhoods be obligatorily insured under Bağ-kur. The law dated 04.05.1979 and numbered 2229 furnished for the housewives and uninsured Turkish citizens the right to voluntary insurance under Bağ-kur and it was provided that they would be subject to same rights and responsibilities with the obligatorily insured people. Social security of the agricultural self-employers was assured since 1984 by the law numbered 2926 and they have been eligible for health benefit since 1999.

After the foundation of the Republic, the necessity that the state should take part in the fields of economy and trade

as well as military and administrative tasks has brought about the establishment of various agencies and their funds. For instance, between 1934-1947, 11 different retirement funds were established appealing to a broad spectrum ranging from the civil servants of the State Railways, to village teachers and health officers. However over time it was observed that this system created some complexity and inequality among civil servants and the dominant opinion was on the direction that social security policy should be prepared as a single text and be executed from a single unit. Therefore, with the Retirement Fund (Emekli Sandığı) Law which was accepted on 08.06.1949, enacted 01.01.1950 and numbered 5434, all existing retirement provisions and funds were abolished, a holistic social security policy basing on the principle of receiving premium from the workers and employers was developed and General Directorate of Retirement Fund (Emekli Sandığı) was established in order to carry out this policy from a single place.

The Social Security Institution was established by the Social Security Institution Law No:5502 which was published in the Official Gazette No: 26173 dated 20.06.2006 and brings the Social Insurance Institution, General Directorate of Bağ-kur and General Directorate of Emekli Sandığı in order to transfer five different retirement regimes as civil servants, contractual paid workers, agricultural paid workers, self-employers and agricultural self-employers into a single retirement regime that will offer equal actuarial rights and obligations. The Social Security Institution is continuing its activities to provide better quality of services for our citizens with the participation of the whole staff investing all their energies individually and institutionally.

All employees are compulsory to be registered in Social Security system immediately after they are employed including the first day of work. Although the law has set severe punishments and penalties for violating the law the implementation still remains with some problems to resolve.

The regulations concerning the social security are the Act N° 5510 of 31 May 2006 and the Act N° 4447 of 25 August 1999.

The employer is obliged to submit to the Institution the workplace notification, of which sample shall be prepared by the Institution, at the latest on the date the insurance holder starts working. The employers who submit the trade registry offices the number of insurance holders to be employed and their employment dates at the establishment stage of the company, shall be deemed to have made such notifications to the Institution. Trade registry offices are obliged to notify the Institution about such notifications submitted to them, within a maximum of ten days.

The Social security contributions to general government are compulsory payments that confer an entitlement to receive a (contingent) future social benefit. Such payments are usually earmarked to finance social benefits and are often paid to institutions of general government that provide such benefits. Contributions for the following types of social security benefits would, inter alia, be included: unemployment insurance benefits and supplements, accident, injury and sickness benefits, old-age, disability and survivors' pensions, family allowances, reimbursements for medical and hospital expenses or provision of hospital or medical services. Contributions may be levied on both employees and employers (OECD, 2008).

3.11 Unemployment allowance

The Act N° 4447 of 25 August 1999 remains the last and comprehensive law setting measures for the employees who have lost their jobs and implementation of the refunding has been facilitated after the law is enacted. The unemployed personnel have to pay for the Social fund at least 90 days in order to obtain the right to get unemployment payment.

The Labour act contains the provisions for the employer who temporarily shortens the weekly working time in his establishment or who temporarily suspends work wholly or partially in his establishment due to a general economic crisis or force majeure. This matter must be communicated, along with the reasons, immediately to the Employment Organization of Turkey and to the Union, signatory to the collective agreement if there is one. The acceptability of the request shall be decided by the Ministry of Labour and Social Security. The methods and principles of procedure shall be indicated in a regulation.

In cases where work is suspended or shorter working hours are applied at the establishment for at least four weeks due to the above-mentioned reasons, employees shall be paid benefits for shorter working time corresponding to the time not worked. Shorter working time shall not exceed the period during which force majeure was effective and in any case three months. In order to have the right to insurance benefit payments for shorter periods of work, the employee must meet the conditions required for entitlement to unemployment benefits both in terms of his length of employment and the number of days for which unemployment insurance contributions should have been paid.

The daily amount of benefit payment for working shorter is the same as the unemployment benefit. In case where work in the establishment is suspended temporarily wholly or partially due to force majeure, payment of unemployment benefits shall start after the lapse of the one-week period.

Within the period during which the employee receives benefits for working shorter, his contributions for illness and maternity insurance shall be transferred by the Unemployment Insurance Fund, at a two-thirds ratio, to the Social Insurance Organization. These contributions shall be computed at the lowest rate of earnings serving as a basis for fixing insurance contributions.

If the employee starts to work again before exhausting the time during which he could avail himself of unemployment benefits and becomes unemployed again before the conditions for access to unemployment insurance foreseen by Act No. 4447 have been met, he shall keep having access to unemployment benefits, provided that the period for which he had received benefit payments for working shorter is deducted, until the expiry of the time limit for receiving unemployment benefit to which he was previously entitled.

In order to be able to utilize unemployment benefit, health insurance, consultancy, placement and vocational training services, it is required that the insured unemployed should pay at least 600 days of contributions in the 3 years before unemployment, including the last 120 days of employment, and should lose the job out of his/her own intent and fault.

The conditions and transactions for income/payment for the insured and beneficiaries are set out by taking into account the financial balance of Turkish social security system by the new Social Insurance and General Health Insurance Law No. 5510 entering into force on 01/10/2008.

The amount of unemployment benefit is increased as a result of an amendment in article 50 of Unemployment Insurance Act No. 4447 by means of the Article 15 of the Law No. 5763. Accordingly, daily unemployment benefit corresponds to 40% of daily average gross earning calculated by taking into account the earnings basis upon premium of the insured person at the last 4 months. The unemployment benefit calculated in these terms cannot exceed 80% of the gross amount of monthly minimum wage determined for employees older than 16. By this provision, 12% increase occurs in unemployment benefit.

The gradual reduction in employers' entire contribution during 5 years is introduced by the Law No. 5763, provided that the women and the young aged 18-29 are employed additional to the current labour force, with the aim to stimulate the employment of these categories. The whole amount of the share of employers' contribution for the first year, 80% of the second year, 60% of the third year, 40% of the fourth year and 20% of the fifth year is compensated by the Unemployment Insurance Fund.

The prescribed duration for the Unemployment Insurance Fund's compensation of employers' shares regarding insurance contributions calculated over the minimum limit of earnings, basis upon premium for the ones over 18 and under 29, and the women over 18 without distinction of age, is augmented from 1 year to 2 years by the Law No. 5838 on Amendments to Some Laws published in Official Gazette dated 28/02/2009 (OECD, 2008).

3.12 Sickness indemnities

The conditions and transactions for income/payment for the insured and beneficiaries are set out by taking into account the financial balance of Turkish social security system by the new Social Insurance and General Health Insurance Law No. 5510 entered into force on 01/10/2008.

The disability compensation paid by the Social Insurance Organisation due to sickness, shall be deducted from the wage paid to the salaried employee remunerated on a monthly basis.

The new Social Insurance and General Health Insurance Law states that: "Provided that rest report is granted by medical doctor or health committees authorized by the Institution each day for an insurance holder suffering of temporary incapacity due to work accident or occupational disease, a benefit for temporary incapacity shall be payable".

3.13 Family benefits

The Act N° 5510 of 31 May 2006 sets the rules concerning the family benefits provided by the Social Insurance.

The family allowances are paid upon condition that the spouse of the insured does not work by being subject to any social security institution and does not get any income or payment from any institution, provided that the employment contract of the insured worker is still valid.

The children allowances are paid up to two children, if they have not completed the 18th year of age or, if receiving a secondary education, his 20th year of age or, if receiving higher education his 25th year of age or, to son if disabled to the extent of being unable to work and if he is not drawing a pension to which he was entitled in respect of an employment covered by a retirement pension or social insurance scheme and to a daughter regardless of her age if she is not married or she is divorced or is a widow, provided that she is not employed in an occupation covered by

Social Insurance Institution or under the Pension Fund for the Civil Servants or she is not drawing a pension from those institutions.

The women insured by the maternity benefit or the uninsured wife of the insured men, and the woman earning income or payment on behalf of herself, or the uninsured wife of the man earning income or payment among the insured people under the context of paragraph (a) and (b) of article 4 of the reference law, are entitled to the nursing grant at the rate determined by the Board of Directors of the Social Security Institution and approved by the Minister, in the case of viable birth.

3.14 Occupational accidents

As in the case of the measures of income-support benefits, the workers who are employed by one or more employers on a contract of employment basis have to be insured under the Social Insurance Act No.506.

All the employees have to be compulsory registered in the Social Security system immediately after their employment including the first day of work.

Although the law has set severe punishments and penalties for the violations of the law, the implementation still remains with some problems to resolve.

The list of the circumstances recognized as "work accident" is provided by the article 13 of the Act N° 5510. In order to reach to a decision whether to consider the incident notified to the Institution as a work accident or not, an investigation may be carried out, if necessary, by the officers of the Institution authorized with an inspection and control by the labour inspectors of the Ministry.

The occupational disease is described as "temporary or permanent disease, physical or mental handicapped status, caused by a reason reiterated due to the quality of the work made or worked by the insurance holder or by the working conditions".

It is possible to carry out necessary investigations on notifications about occupational disease by the officers of the Institution authorized with inspection and control or by the labour inspectors of the Ministry.

The temporary incapacity benefit payable in cases of work accident, occupational disease, sickness, and maternity of female insurance holders, shall be half of the daily earning and two thirds of the same in outpatient treatments. In cases of changes to the lower limits of the daily earnings to be used in the calculation of insurance premiums and benefits, such benefits of the individuals who are receiving, or has or will be granted the right to receive, a daily earning under the re - determined lower limit shall be payable according to the changed daily earnings lower limit, starting from the effective date of the changes in lower limit of daily earnings.

Where an insurance holder suffers of more than one of the cases of work accident, occupational disease, sickness and maternity, temporary incapacity benefit shall be payable at the highest level.

Temporary incapacity benefits may be collected by a payment made by the employers of workplaces of collective labour agreement or of public administrations, to the insurance holders, on behalf of the Institution, based on proce

dures and principles determined by the Institution, and by mutual setting - off records.

The insurance holder, whose earning power in the profession, due to the disease or disabilities caused by work accident or occupational disease, is considered to be reduced of the 10% by the Institution's Health Committee based on reports issued by the health committees of health - care service providers authorized by the Institution, shall be qualified for permanent incapacity income. In case the insurance holder who is put on permanent incapacity income is re - treated, the rate of losing earning power in profession shall be re - determined basing on reports to be issued by the health committees.

Permanent incapacity income shall be calculated basing on the rate of losing earning power in profession of the insurance holder. In case of permanent full incapacity, the insurance holder is put on an income 70% of the monthly earning. Income to be granted to the insurance holder in case of permanent partial incapacity shall be calculated as full incapacity income and of this total, the amount corresponding the degree of incapacity shall be payable.

If a work accident or occupational disease occurred due to employer's intention or insurance holder's action contrary to the legislation on protection of health and labour safety, then the sum of payments which will be made by the Institution to the insurance holder or right holders and the first advance capital value as of the starting date of granted income, shall be collected by the Institution from the employer, limited with the amounts that the insurance holder or right holders may request from the employer. The principle of inevitability shall be considered in determining the responsibility of the employer".

In case the work accident is communicated by the employer to the Institution, the temporary incapacity benefit payable to the insurance holder for the period up to the date of notification shall be collected from the employer by the Institution.

3.15 Work related sickness

The regulation on work related sickness follows the same rules stated on the occupational accidents and is provided by the Act N° 5510. Daily temporary incapacity allowance shall be given to the insurance holder, during the temporary incapacity period arising due to sickness or maternity statuses, from the sickness and maternity.

Daily earning to be used as basis for the calculation of benefits or income to be granted in cases of sickness or maternity, shall be calculated by dividing the sum of earnings subject to premium to be calculated pursuant to Article 80 in the last three months in twelve months before the date of work accident or birth or, in case of occupational disease or sickness, the date on which the temporary incapacity starts, divided by the number of days of paid premiums subject to such earnings.

For the calculation of the daily earnings used for benefit or income of individuals deemed to be insurance holders who are employed by one or more employer through a service contract: if the premiums, bonuses or similar temporary payments are considered, then the daily earning to be used in benefits and income shall not be greater than the amount found by adding 50% to the daily earning to be calculated by dividing the total wage to the number of days of receiving wage.

Among the wages, bonuses, increments, compensations and payments of similar quality made in accordance with the decision reached by the administration or legal authorities, the ones related with the period of the last three months used as basis in benefit and income calculation shall not be considered.

3.16 Pensions performances

As it is the case for the other social benefits described above, there is no special regime applying only to fishermen. The law concerning the pensions performance is the Act N° 5510 of 31st May 2006 which is the regulation on the Social Insurance.

Permanent incapacity income shall be calculated basing on the rate of losing earning power in the profession of the insurance holder. In case of permanent full incapacity the insurance holder is fixed on an income of 70% of the monthly earning. The income granted to the insurance holder in case of permanent partial incapacity shall be calculated as full incapacity income and of this total, the amount corresponding the degree of incapacity, shall be payable.

Where the insurance holder is in need of permanent care of another person, the insurance holder shall be put on 100% income. Where the insurance holder suffers again from a work accident or a occupational disease, considering the entire disabilities he/she suffers, an income is calculated for such individual over the earning during his/her last work accident or occupational disease which caused permanent incapacity.

However, if the income to be determined basing on daily income of the insurance holder during the last work accident or occupational disease is less than his/her first calculated income, then permanent incapacity income of the insurance holder shall be payable over the first earning.

Other procedures and principles on determining the rate of loss in earning power in professions in cases of permanent incapacity due to work accident or occupational shall be regulated by a regulation to be issued by the Institution.

The insurance holder, who is determined by the Institutions Health Committee to have lost working power or minimum 60% of the earning power in profession due to work accident or occupational disease for insurance holders and to have lost minimum 60% of the earning power in profession or at a degree which does not allow him/her to carry out his/her duties for the insurance holders, as a result of examining the reports and the medical documents the report is based on, prepared duly by the providers of healthcare services authorized by the Institution, upon request of the insurance holder or the employer, shall be deemed to be disabled.

However, if it is determined in advance or afterwards that the insurance holder has lost 60% of the working power or earning power in profession at a degree not to allow him/her to carry out his/her duties before the date of first start to work under insurance, then the insurance holder shall not benefit from invalidity pension due to such disease or handicap.

The invalidity pension, for the insurance holders with the number of premium days less than 9000 shall be calculated over 9000 days, and for the ones with the number of premium days equal to or greater than 9000 days shall be calculated over the number of paid premium days, in accordance with the provisions of Article 29.

If the insurance holder is in need of permanent care of another person, then the replacement rate shall be increased by 10 points. However, the 9000 premium days shall be applied as 7200 premium days for the insurance holders who are employed by one or more employer through a service contract.

Insurance holders, who have passed the age of 55 and are determined to suffer from premature ageing, shall benefit from old - age pension, provided that they fulfil conditions other than age.

The old - age pensions of the insurance holders shall equal to the amount to be found by the average monthly earning to be determined in accordance with the following provisions multiplied with the replacement rate.

Average monthly earning is thirty times the average daily earning, calculated by the sum of insurance holder's earnings subject to premium, found by updating with the update coefficient realized every year, for the years passed from the year of the earning up to the date of requesting pension, divided by the total paid premium days excluding the nominal service period and actual service period increment.

Replacement rate shall be applied as 2% for each 360 days of total paid premium days of the insurance holder, passed subject to invalidity, old - age and survivors insurances. Periods less than 360 days shall be considered proportionally in this calculation. However, the replacement rate shall not be over 90%.

The total of the pensions payable to the right holders cannot exceed the amount of the pension of an insurance holder. If necessary, proportional reductions shall be applied to the pensions of the right holders in order to observe this limit. The article 37 foresees that the funeral benefit, over a tariff to be determined by the Board of Directors of the Institution and approved by the Minister, shall be payable to the right holders of the insurance holder who deceased when receiving incapacity income due to work accident or occupational disease or permanent incapacity income, invalidity, duty disability or old - age pension or when his/her minimum 360 days of invalidity, old - age and survivors insurance premiums are notified for himself/herself.

Funeral benefit shall be granted to the insurance holder's spouse, if not to children, if not to parents, if not to siblings.

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HAK-IS - *Confederation of Turkish Real Trade Unions*

[www.hakis.org.tr/]

ILO – *International Labour Organization*

[www.ilo.org/dyn/natlex/country-profiles.basic?p-lang=en&p-country=TUR]

FAO – *Fisheries and Acquaculture Department*

[www.fao.org/fishery/countrysector/FI-CP-TR]

Ministry of Agriculture and Rural Affairs

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