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# ACCESS TO WATER AND SPACE IN ROMANIAN FRESHWATER AQUACULTURE

Erzsebet OLARIU<sup>1</sup>

**Abstract:** *Aquaculture falls within the scope of the Common Fisheries Policy (CFP) using the advantage of common market organization and financial measures as in integral part of this policy. Despite all these advantages, the results obtained from European aquaculture did not live up to expectations. Given that it is necessary to protect aquatic resources in the wild, aquaculture presents a viable alternative, especially with regard to the favorable social aspect by creating jobs. The European Commission, after consultation, identifies four priority guidelines for achieving sustainable aquaculture: reducing the complexities of administrative procedures, facilitating access to space through coordinated spatial planning, increasing the competitiveness of the sector, supporting the conditions of fair competition. In terms of spatial planning the asking is to elaborate maps with spatial planning and find areas where other activities and aquaculture may coexist. This paper studies how access to space in aquaculture in Romania is works.*

**Key words:** *aquaculture, space, sustainable, competitiveness.*

**Clasificare JEL:** *Q22, Q15, Q24, Q01.*

## INTRODUCTION

The branches of the fisheries sector are fishing, aquaculture, fish processing, and the marketing of fish, including products resulting from processing. According to GD 545/2010 on the organization, structure and operation of the National Agency for Fisheries and Aquaculture - NAFA develops national strategies and specific regulations in the field of aquaculture. According to GEO 23/2008 on fishing and aquaculture with subsequent amendments and completions, aquaculture has as object the growth and cultivation of aquatic organisms and has as unit the fish arrangement. According to data from the National Agency for Fisheries and Aquaculture in Romania, the area related to fisheries in production in 2019 was 80091 ha with 969 licenses and registered in the Register of Aquaculture Units. In the work Erzsebet Olariu, The economic efficiency of Romanian aquaculture in terms of resource use, presented at International Conference Competitiveness of Agro-Food and Environmental Economy, Bucharest, 2020 was presented the history, the legal regime from 1989 to 2019 and the amount of land related to aquaculture. In the work Erzsebet Olariu, The need of clarity of information which are the basis of the evidence for the state-owned land in Romania, presented at International Conference on Business Excellence 2020 it was shown that there are overlaps in records, between state ownership and administrative-territorial units, between the right of administration of state institutions, which is clarified, but requires time and resources. This paper investigates the way in which the access to the lands afferent to the fish arrangements on the Romanian territory is realized.

## MATERIALS AND METHODS

The qualitative research method was used. As a methodology, the examination of data was used, using documents provided by NAFA, legislative documents, as well as direct observation of procedures and activities, field findings of facts.

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## RESULTS AND DISCUSSIONS

The fish farms according to GEO 23/2008 is represented by

Representation of the fishing farms	Description
Helesteu	Fish pool performed by excavation
Pond	Fish pool made by damming a valley
Artificial breeding station	
Floating cages	Floating installation
Accumulation lakes	Where aquaculture can be practiced
Other installations	
Fishery assets	Constructions specific to aquaculture

In the Register of Aquaculture Units at the level of 2019, the land areas of 80,091 ha corresponding to the 969 licenses are divided:

Number of licenses granted	Type of fish farms	Area related to licenses - ha
728	farm	72,835
241	nursery	7,256

Source: NAFA

According to the data presented in the paper Erzsebet Olariu, The economic efficiency of Romanian aquaculture in terms of resource use, CAFEE 2020 in 1989 the land area on which fish farms were located were 105,000 ha of which 61,400 ha were coordinated by the Fish Production and Industrialization Center, 43,9 ha located on the territory of the Danube Delta were in coordination with the Danube Delta Power Plant. The 61,400 ha after passing through several state institutions in 2009 end up in the administration of NAFA. The 43,900 ha of which about 39,500 ha pass into the administration of the Danube Delta Biosphere Reserves and about 4,400 ha pass into the administration of the Tulcea County Council and the Local Councils in the area. Of the 43,900 ha in 2019, about 20,500 ha were used for fishing purposes, the difference in land being used for cultivating cereals, pastures or they were invaded by reed vegetation.

As property types regarding the lands afferent to the fish arrangements at the level of 2019, there is the state property, mostly in the administration of NAFA or National Administrations Romanian Waters -NARW, the property of the administrative-territorial units and the private property different from that of the state.

In the paper Erzsebet Olariu, The need for clarity of information which are the basis of the evidence for the state-owned land in Romania, presented at ICBE 2020 showed that in 2019 there are still litigious situations, unfinished restitutions from a procedural point of view, there are overlaps in records between the ownership of the state and of the administrative-territorial units, between the land administration right of the state institutions.

Due to the difficult development of the cadastral and tabulation processes, the high costs of measurements, but also the fact that several property titles were issued on the same land administered by the state, there is no complete evidence of the heritage arranged in aquaculture. Many litigations are still in the courts, these aspects making it impossible to register the land in the land register. The lack of a clear record of all aquaculture facilities and areas that can be used for aquaculture, complicates the process of sizing financial support for the development of aquaculture in areas and fish species that can provide the best financial, social and environmental results.<sup>2</sup> Regarding the areas managed by National Agency for Fisheries and Aquaculture, the situation is as follows: 31,189 ha are areas in operation, and 27,998 ha are non-leased areas. Romania also has an important fishing potential represented by the accumulation lakes. These large areas are managed by ANAR, but the ATU's are still managed. More than 20,000 hectares of reservoirs are suitable for aquaculture, and are or can be used for extensive and semi-intensive aquaculture. At the same time, from the studies

<sup>2</sup>PSNMA 2014 - 2020 Cap. 1.1.2.

and data resulting from the multi-annual research on the most important accumulation lakes that have favorable characteristics for the development of aquaculture, a total area of 17,426 ha has been identified in which floating aquaculture can be developed. The maximum recommended area to be used for aquaculture in floating pond system is a maximum of 10% of the total area, respectively 1,743 ha. The management by various state institutions or by ATU of the land related to aquaculture, the transfer of use being regulated by different normative acts, creates uncertainty regarding the rights of users in the medium and long term, necessary to justify the investments to be made.

Legal regulations on the environment, access to space and water:

Access	Normative act
Environment- Environmental Protection Agency- Environmental authorization	Order no.1798 / 2007 and Order no.1171 / 2018
Space- National Agency for Fisheries and Aquac. Space- National Administrations Romanian Waters	Order no. 533/2019 and Order no.1093 / 365/2017
Space-Administrative-territorial units	GEO no. 57/2019
Water – National Administrations Romanian Waters - Authorization for safe operation of dams	Order no.118 / 2002
Water - National Administrations Romanian Waters - Water management authorization	Order no. 891/2019
Aquaculture License - National Agency for Fisheries and Aquaculture	Order no. 332/2008

In order to achieve the objectives of these regulations, different conditions and validity terms are provided.

According to data from the official website of the European Union Aquaculture Fisheries (@europa.eu), in 2019 at European level almost 20% of total fish production was provided by aquaculture, a percentage that has remained constant in recent years while global fish production in aquaculture has increased by 7%. One of the priority areas for action set by the European Commission on aquaculture is to improve access to space and water, in order to increase fish production at European level. In Romania, the quantity of fish for consumption obtained from aquaculture, at the level of 2019, was 12,848 tons, according to the data estimated until this date, representing about 45% of the total fish production in Romania. From the point of view of cultivated species, the aquaculture of 2019 is still dominated by the units that practice the cultivation of cyprinid species, some in combination with predatory species (catfish, pikeperch, etc.) followed by trout trout dominated by rainbow trout.

On 19 December 2019, the European Commission presented the European Green Pact, a plan to transform the EU economy into a sustainable economy. Its goal is for Europe to become the first climate-neutral continent by 2050. This goal is possible by turning climate and environmental challenges into opportunities and achieving a just and inclusive transition for all. As part of this process, the European Commission adopted on 20 May 2020 the EU Biodiversity Strategy and the Farm to Consumer Strategy. The two strategies aim to integrate biodiversity considerations into the EU's overall economic growth strategy while ensuring a healthy, fair and environmentally friendly food system. The two strategies are mutually reinforcing, bringing together nature, farmers, businesses and consumers to create a sustainable and competitive future while contributing to economic recovery. At the same time, they are designed to support and strengthen the resilience of our societies to future pandemics and threats such as climate impact, forest fires, food insecurity or disease outbreaks, including by supporting more sustainable practices for agriculture, fisheries and aquaculture and by addressing protection. wild species of fauna and flora.

## CONCLUSIONS

Currently in Romania is not fully resolved cadastral records and tabulation of land owned by the state and owned by administrative-territorial units, which has prevented the possibility of using European funds and created difficulties for fish farms to meet market requirements. Differences

between aquaculture and agricultural policies, led to the transformation of the lands of some aquaculture farms into arable land, motivated by the aid received as agri-environment payments. The double taxation provided by the Fiscal Code for the concessioned lands, namely the royalty and the local tax, created dissatisfaction among the producers. Obtaining all the necessary documents to function as a producer in aquaculture is difficult and time consuming.

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