

EFFECT OF AGREEMENT ON STABILIZATION AND ASSOCIATION OF IMPORT AND EXPORT OF FISH AND FISH PRODUCTS

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UTICAJ SPORAZUMA O STABILIZACIJI I PRIDRUŽIVANJU NA UVOZ I IZVOZ RIBE I PROIZVODA OD RIBE

Abstrakt

Sporazum o stabilizaciji i pridruživanju (SSP) je međunarodni ugovor, potpisan 29. aprila 2008. godine između Republike Srbije i Evropske unije (EU). Dve najvažnije obaveze koje Republika Srbija preuzima ovim sporazumom biće uspostavljanje zone slobodne trgovine i usklađivanje zakonodavstva Republike Srbije sa pravom EU. Sporazumom se stvara zona slobodne trgovine između Srbije i EU u prelaznom periodu od šest godina. Rok za liberalizaciju trgovine je određen u skladu sa sposobnošću srpske industrije i poljoprivrede da se prilagode slobodnoj trgovini ali i sa željom Srbije za što bržim završetkom reformi i pristupanjem Evropskoj uniji. Obaveza Srbije se sastoji u postepenom ukidanju carina na uvoz robe poreklom iz Evropske unije u prelaznom periodu. Sa druge strane, Evropska unija ovim ugovorom potvrđuje slobodan pristup robi iz Srbije tržištu Evropske unije. Tempo liberalizacije i stepen zaštite zavisi od stepena osetljivosti proizvoda za industriju Srbije. Definisane su tri grupe industrijskih proizvoda, prema osetljivosti, za koje će liberalizacija biti ostvarena nakon perioda od dve, pet odnosno šest godina. Za proizvode koji se ne nalaze na ovim listama carine će biti ukinute momentom stupanja na snagu sporazuma. Sporazumom o stabilizaciji i pridruživanju predviđa se i obaveza Republike Srbije da u dogovorenim rokovima uskladi domaće zakonodavstvo sa propisima koji spadaju u pravne tekovine EU. S obzirom na obim pravnih tekovina EU određena su prioritarna područja koja imaju direktan uticaj na stvaranje zone slobodne trgovine između EU i Srbije: zaštita konkurencije i kontrola dodele državnih pomoći (subvencija), pravo intelektualne svojine, javne nabavke, standardizacija i zaštita potrošača.

Narodna skupština Republike Srbije 9. septembra 2008. godine ratifikovala je Sporazum o stabilizaciji i pridruživanju (SSP) i **Prelazni trgovinski sporazum**. SSP i Prelazni sporazum potpisani su 29. aprila 2008.godine u Briselu. Od 1. februara 2009. Srbija jednostrano primenjuje prelazni trgovinski sporazum.

Zona slobodne trgovine

Zona slobodne trgovine podrazumeva trgovinu bez carina i količinskih ograničenja osim u slučaju koji su odobreni ovim Sporazumom. Sporazum predviđa da se sva ograničenja izvoza u EU ukinu odmah (uz pojedine izuzetke), dok se uvoz liberalizuje u roku od 5 godine. U tom roku će se fazno smanjivati carine industrijskih proizvoda, tako da u šestoj godini budu nula, dok će neki poljoprivredni proizvodi ostati sa određenom, ali znatno manjom carinskom zaštitom.

Svi industrijski proizvodi su podeljeni u 4 grupe: neosetljivi, osetljivi, veoma osetljivi i najosetljiviji proizvodi i svaka grupa ima svoju dinamiku liberalizacije. Grupisanje je vršeno prema stepenu dosadašnje carinske zaštite, ekonomskim, fiskalnim i socijalnim efektima liberalizacije, značaju sektora i sl. S druge strane za svaku tarifnu liniju poljoprivrednih proizvoda važi sopstvena dinamika i „pod” liberalizacije.

Damping i subvencije

Nijedna odredba ovog sporazuma ne sprečava bilo koju od strana da preduzme odbrambene trgovinske mere u skladu sa stavom 2. ovog člana i članom 41.

Ukupna vrednost izvoza ribe i proizvoda od ribe u poslednjih nekoliko godina je u porastu. U 2006 godini iznosila je 863.000 dolara, a 2010. godine 1.053.000 dolara. Izvoz ribe potencira proizvodnju i neophodno je stvoriti uslove da se dosadašnji minorni izvoz poveća. U vezi sa ovim posebno je važno određenim sistemskim merama ekonomske politike stvoriti uslove za aktiviranje izvoza ribe i proizvoda od ribe. Izvoz je skup posao i neophodna je pomoć držve. Potencijalni izvoznici suočavaju se sa nizom problema od kojih je i to da Vlada Republike Srbije prema Uredbi o korišćenju sredstava za podsticaj izvoza poljoprivrednih i prehrambenih proizvoda nije obuhvatila ribu i prerađevine od ribe.

Jednostranom primenom SSPa u poslednje četiri godine došlo je do povećanja zastupljenosti izvoza u zemlje EU sa 9% na 29%.

Uvoz iz zemalja EU za sada nema drastičnih promena u odnosu na ukupni uvoz i nalazi se u intervalu od 18-20%. Proizilazi da jednostrana primena SSP-a nije donela očekivane promene.

Sporazum o stabilizaciji i pridruživanju će svoje prave efekte doneti tek ratifikovanjem svih država članica. Oblast ribarstva je svrstana u osetljivu oblast i zaštita domaće proizvodnje je na očekivanom nivou. Međutim i dalje će biti prisutan problem konkurentnosti naših proizvoda na tržištu EU jer ribarstvo Srbije nije potpomognuto od strane države. Srbiji je neophodna uprava za ribarstvo i pripadajući fond za razvoj ribarstva kao i povoljni krediti koji će pomoći proizvođače ribe da ravnopravno nastupaju na tržištu EU. Mogućnosti za izgradnju novih toplovodnih ribnjaka su veoma velike jer postoje dovoljne količine vode prihvatljivog kvaliteta, a takođe i zemljište koje se ne koristi za ratarsku proizvodnju i može se kupiti relativno povoljno

Ključne reči: Sporazum o stabilizaciji i pridruživanju, riba, uvoz, izvoz

INTRODUCTION

The Stabilisation and Association Agreement (SAA) is an international treaty, signed on the 29th April 2008 between the Republic of Serbia and the European Union (EU). Two most important obligations for the Republic of Serbia will be establishment of free trade and harmonization of legislation of the Republic of Serbia with the EU. The agreement creates a free trade between Serbia and the EU for a transitional period of six years. The deadline for the liberalization of trade is determined in accordance with the capacity of Serbian industry and agriculture to adapt to free trade, but also with Serbia's desire for faster completion of reforms and accession to the European Union. Serbia's obligation consists in the gradual abolition of tariffs on imported goods originating in the EU for a transitional period. On the other hand, the European Union confirms with this agreement the free access of goods from Serbia to the EU market. The pace of liberalization and the degree of protection depends on the degree of sensitivity of products for industry of Serbia. Three groups of industrial products were defined based on sensitivity, for which liberalization will be achieved after a period of two, five or six years. For products that are not on the lists duty will be abolished at the moment of entry into force of agreement. SAA also foresees the obligation of the Republic of Serbia to harmonize domestic legislation according to the agreed timetable with the regulations that fall under the EU *acquis*. The priority areas that have direct impact on creating free trade zone between the EU and Serbia were determined in relation to the scope of EU legislation: protection of competition and control allocation of state subsidies, intellectual property rights, public procurement, standardization and consumer protection.

Serbian parliament ratified on 9th September 2008 the Stabilization and Association Agreement (SAA) and **Interim Agreement**. SAA and the Interim Agreement were signed on 29th April 2008 in Brussels. From the 1st of February 2009 Serbia is unilaterally implementing the Interim Trade Agreement.

With ratification of the Stabilization and Association Agreement (SAA) Serbia became an associate member of the European Union (not an EU member state!). So far, the SAA has been ratified by 17 EU member states and the European Parliament and it is expected that further 10 EU member states will ratify this Agreement. Although the content of this agreement is mixed, it is essentially a trade agreement because the greatest effects are made by creating free trade zone, that is being created through gradual elimination of all tariffs on industrial goods and almost all tariffs on agricultural products, and gradual removal of non-tariff barriers to trade. In this sense, it is important that **the agreement is indefinite**.

Free trade agreement

The free trade means trade without custom duties and quantitative restrictions except in cases authorized by this agreement. The agreement provides that all restrictions on exports to the EU are immediately abolished (with some exceptions), while imports are to be liberalized within 5 years. Within this period tariffs of industrial products will be reduced in stages, so that in the sixth year they are zero, while some agricultural products will remain with a certain tariff protection, but significantly smaller.

All industrial products are divided into four groups: insensitive, sensitive, very sensitive and the most sensitive products, and each group has its own dynamics of liberalization. The grouping was done according to the current level of tariff protection, economic, fiscal and social effects of liberalization, the importance of the sector, etc.

On the other hand, to each tariff line of agricultural products its own dynamics and the bottom liberalization are applied.

Article 33

Protection of geographical indications for agricultural, fish and food products, with the exception of wine and spirits

1. Serbia shall ensure the protection of appellations of origin community registered in the Community by Council Regulation (EC) No. 510/2006 from 20th March 2006 on the protection of geographical indications and designation of origin for agricultural products and food in accordance with the provisions of this article. Geographical indications from Serbia will be able to get registered in the Community under the terms of the above-mentioned regulation.

Dumping and Subsidies

1. Nothing in this Agreement shall prevent any party to take defensive trade measures in accordance with paragraph 2 of this article and article 41.

2. If one of the parties establishes that the trade with the other side implements dumping and/or subsidies on the basis of which it is possible to introduce compensatory measures, that party may take appropriate measures against this practice in accordance with the WTO Agreement on Implementation of Article VI of GATT 1994.

EU CONCESSIONS THE SERBIAN FISH PRODUCTS

Export the following products originating in Serbia to the EU will be subject to these concessions.

Tariff code	Nomination	Since the Agreement entry into force to 31 December of the same year (n)	From 1 January to 31 December (n +1)	For each subsequent year from 01 January to 31 December
0301 91 10 0301 91 90 0302 11 10 0302 11 20 0302 11 80 ex 0304 19 911 0304 29 15	Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , alive, fresh or chilled;	Quota: 15 tons at a rate 0% Over the Q: 90% MFN rates	Quota: 15 tons at a rate 0% Over the Q: 80% MFN rates	Quota: 15 tons at a rate 0% Over the Q: 70% MFN rates
0301 93 00 0302 69 11 0303 79 11 ex 0304 19 19 ex 0304 19 91	Carp: live, fresh or chilled, frozen, dried, salted , smoked, fillets and other fish	Quota: 60 tons at a rate 0% Over the Q: 90% MFN rates	Quota: 60 tons at a rate 0% Over the Q: 80% MFN rates	Quota:60 tons at a rate 0% Over the Q: 70% MFN rates

CONCESSION ON SERBIAN FISH PRODUCTS ORIGINATING IN THE EU

Imports of the following products to Serbia originating in the Community is subject to the following concessions.

It is characteristic that the fishery has a share of below 10 % in the GDP of agriculture and fisheries activities (Marković and Jovanović, 2010). There are large possibilities for our country to develop its fisheries. Domestic production of fish is inadequate, despite the favorable bio-ecological characteristics of our region (Mišćević, 2006).

Serbia and Montenegro participate with 0.05% in the European production of fishery products. They are at the bottom of the European scale (28th place in Europe) with more production than Belarus and less than Romania (Vlahović, 2003). For a period of ten years (1993-2003) the production recorded an increase of 9.2%.

Tariff code	Nomination	Tariff rate (% of MFN)					
		2008	2009	2010	2011	2012	2013 th and years to come
0301	Fish, alive:						
	Other live fish:						
0301 91	Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> ,						
0301 91 90	Other	90	75	60	40	20	0
0301 92 00	Eel (<i>Anguilla spp.</i>)	90	75	60	40	20	0
0301 93 00	Carp	90	85	80	75	65	60
0301 99	Other:						
	Freshwater fish :						
0301 99 19	Other	90	75	60	40	20	0
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of tariff code 0304:						
	Salmonidae, excluding livers and roes:						
0302 11	Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> ,	90	75	60	40	20	0
0302 69	Other:						
	Freshwater fish:						
0302 69 11	Carp	90	75	60	40	20	0
0302 69 19	Other	90	75	60	40	20	0
0302 70 00	Livers and roes	90	75	60	40	20	0
0303	Fish, frozen, excluding fish fillets and other fish meat of fariff code 0304:						
0303 21	Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> ,	90	75	60	40	20	0
0305	Fish, dried, salted or in brine;	90	75	60	40	20	0
1604	Prepared or preserved fish, caviar and caviar substitutes	90	75	60	40	20	0

Exports of fish and fish products

Table 2. Exports of fish and fish products

(at 000 US dollars)

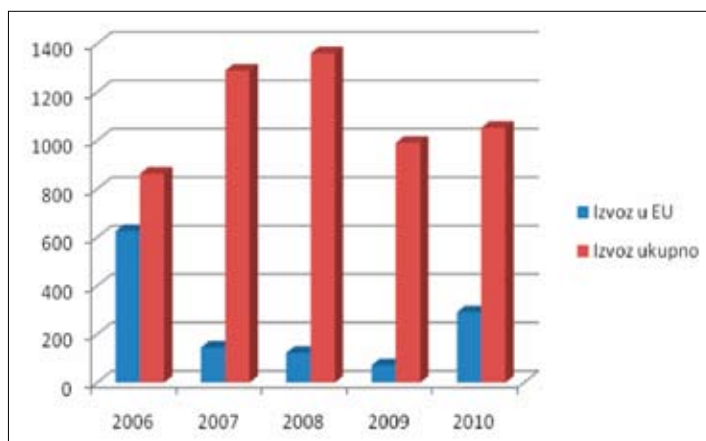
Year	Exports to EU	Index	Exports total	Index	Share of exports to EU in total exports
2006	626	100	863	100	72 %
2007	145	23	1289	149	11 %
2008	123	20	1361	158	9 %
2009	72	11	991	115	7 %
2010	291	47	1053	122	28 %

Source of data: Statistical Office of Serbia

Exports of fish emphasizes production of fish and it is necessary to create conditions to increase the previous minor export. In reaction to this it is especially important with certain systemic measures of economic policies to create the conditions for activating the export of fish and fish products. Export is an expensive affair and it is necessary that the state supports it (Mišćević, 2009). It is also necessary to conduct market research as a necessary precondition for making timely and rational marketing decisions in the market economy. It is not limited exclusively to the problems of placement of manufactured goods. It is also important in terms of the long-term orientation of producers on those products that can bring the greatest profits. It is also necessary to adapt to the consumer demand (Vlahović, 2004).

The total export value of fish and fish products has increased in recent years. In 2006 it was 863,000 US dollars and in 2010 1.053 million US dollars. Potential exporters are facing many problems. One of them is that the Serbian Government did not include fish and fish products in the Decree on the use of funds to encourage exports of agricultural and food products.

With the unilateral implementation of SAA in the last four years it came to an increased presence in exports to the EU from 9% to 29%.



Graf 1. Exports of fish and fish products

Imports of fish and fish products

Table 2. Imports of fish and fish products

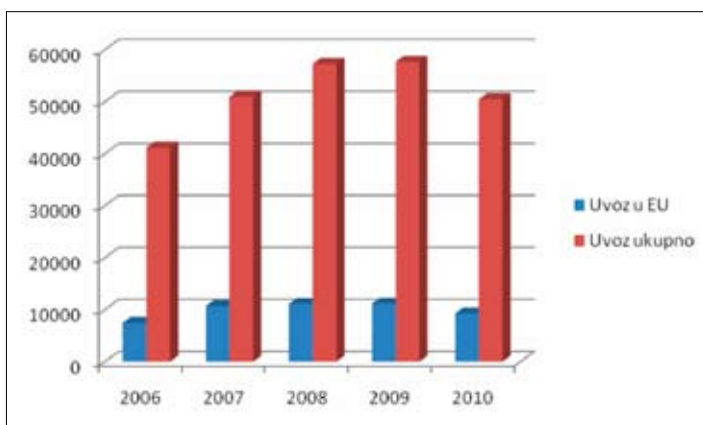
(at 000 US dollars)

Year	Imports from EU	Index	Imports total	Index	Share of imports from EU in total imports
2006	7486	100	41210	100	18 %
2007	10715	143	51024	124	21 %
2008	11133	149	57290	139	19 %
2009	11172	149	57755	140	19 %
2010	9278	124	50518	123	18 %

Source of data: Statistical Office of Serbia

The total value of imports of fresh fish and fish products in recent years is characterized by enormous growth. The total imports in 2006 were 41 million US dollars while in 2010 it was increased and was 50 million US dollars.

Almost half of the imported fish in Serbia was hake which are usually imported from Argentina and Norway (Mišćević, 2004). However, the situation has drastically changed in 2008 when our country began to intensively import fish from Vietnam. In 2010 the import of fish from Vietnam twice surpassed imports from Argentina. There are no drastic changes in imports from EU countries in relation to total imports and it is in the range of 18-20%. It follows that the unilateral application of the SAA has not brought the expected changes.



Graf 2. Imports of fish and fish products

CONCLUSION

The Stabilisation and Association Agreement will bring its real effects only when ratified by all EU member states. Fisheries is classified as a sensitive area and protection of domestic production is as expected. But the problem of competitiveness of our products on the EU market will still exist, because the fishery in Serbia is not supported by the state. Serbia needs a Department for fisheries and an associated fund for fishery development as well as favorable loans to help fish producers to perform equally in the EU market. There are very large opportunities to build new carp ponds because there are sufficient waters of an acceptable quality, as well as land that is not used for crop production and can be bought relatively favorable (Mišćević, 2008).

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