



Case Study

Open Competition

EUIPO/AD/01/23

Administrators (AD 6)

in the field of intellectual property

Time allowed: 45 minutes

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This exercise may only be administered and interpreted by persons trained and authorised by EPSO and only under the conditions stipulated by EPSO.

Assignment

ASSIGNMENT

IMPORTANT NOTICE

This document presents a fictitious scenario. It has been produced solely for the purpose of this exercise. All references to existing countries, international organisations, private companies, departments and their representatives, etc. have been invented purely as examples. Any views expressed should not be taken to represent the opinions of those bodies or persons. When dealing with this assignment, participants should therefore rely solely on the information presented in the exercise and not on any prior expertise in the field.

For this exercise, you will take on the role of Kim, an Advisor working for the European Commission's Department of Marine Affairs. All the necessary information is provided. It comprises a number of emails, reports and other documents that you will have to analyse in order to be able to deal properly with the assignment given to you. This is your first day in your new job.

It is important that you accept the scenario as it is presented. Although in real life you would have access to other sources of information and would be able to consult your colleagues, in this exercise you are limited to the information provided. You are, however, allowed to make logical assumptions where information is missing or incomplete.

This case study is designed to assess the following competency: Communication. No previous knowledge is required to deal with the assignment.

Your task will be to present solutions to a number of problems based on the information given by various parties (and available for you to read in the following pages). On the day of the test, you will be given a specific task and then 45 minutes to take the test. Make sure you explain the reasoning behind your ideas and include all the information on which you wish to be evaluated.

Please note that it is strictly prohibited to refer to any notes you have prepared in advance or to take notes during the test.

**Please note:
today is Thursday 20 April 20XX
Last year was 20XX-1, next year will be 20XX+1**

Abbreviations

ABBREVIATIONS USED

BRD	Bycatch Reduction Device
CDS	Catch Documentation Scheme
DEPMA	Department for Marine Affairs
EEZ	Exclusive Economic Zone
EU	European Union
IUU	Illegal, Unreported and Unregulated
MS	Member State
SFPA	Sustainable Fisheries Partnership Agreements
SORA	The Sustainable Ocean Resources Accord
VMS	Vessel Monitoring System

Background Information

BACKGROUND INFORMATION

The Sustainable Ocean Resources Accord

To protect fish stocks and promote the efficient management of European fishing fleets, the Sustainable Ocean Resources Accord (SORA) establishes rules for conserving living aquatic resources, limiting the environmental impact of fisheries and managing fleet capacity. The SORA also lays down the conditions of access to waters and resources and stipulates that stocks should be fished at sustainable levels and not be overexploited.

Every Member State (MS) is obliged to adhere to the SORA and must therefore have the administrative capacity to monitor and enforce the policy. Ardentia, a new member of the European Union (EU) (accession in 20XX-2), has yet to bring itself fully into line with the SORA requirements and still has several steps to take in order to reach full compliance.

Sustainable Fisheries Partnership Agreements with Hakonland

The EU has already concluded a number of international agreements — Sustainable Fisheries Partnership Agreements (SFPAs) — with non-EU countries. The Department for Marine Affairs (DEPMA) is currently in talks with the non-EU country Hakonland with a view to concluding an SFPA.

Whenever the EU concludes such an agreement with a non-EU country, both parties must take the required action and make the necessary structural changes at various levels in order to bring their respective regulations into line with each other, where possible. Hakonland's fisheries, however, currently face several issues that the Hakonland authorities need to address in order to establish sustainable and mutually beneficial cooperation with the EU.

One such issue is illegal, unreported and unregulated (IUU) fishing, i.e. fishing activities that are carried out in violation of (inter)national laws and regulations, for example, operating without the proper licences or in an unsustainable manner.

A second issue facing many fisheries in Hakonland is the problem of bycatch, which occurs whenever a vessel unintentionally catches a non-target species (dolphins, turtles, sea birds, different species of fish, etc.). These non-target species are often injured or killed in the fishing process and thrown back into the sea, a practice known as discarding, with almost all bycatch usually being discarded. Another cause of discards is the practice of high grading, where a proportion of the target species is discarded and only the highest-grade and most valuable specimens are kept.

Email 1



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WELCOME TO DEPMA



From Emanuella Bernardi, Manager, DEPMA

Date Thursday 20/04/20XX

To Kim, Advisor, DEPMA

Dear Kim,

Welcome to DEPMA. We have been eagerly awaiting your arrival. As you know, you will be replacing our previous advisor, Saoirse Byrne, who will be taking on a new challenge elsewhere.

To get you started, I wanted to provide you with some information on a few topics.

First of all, almost every country has to deal with some form of IUU fishing practices taking place in its Exclusive Economic Zone (EEZ), and Hakonland is no different. Sadly, IUU fishing in Hakonland is a rather lucrative business: given the many rare species of marine life found in Hakonland's waters, fortunes can be made from illegal catches of these species.

Secondly, you need to be aware that Ardentia's Ministry of Fisheries currently has no idea of how many vessels already have a vessel monitoring system (VMS) on board, as there has never been any formal procedure for checking for the existence of such systems. To comply with the SORA, all MSs must establish a VMS across their entire fishing fleet to provide authorities with data on the location, course, speed and catches of vessels at regular intervals. Each MS can then monitor its own fleet's compliance with SORA regulations. However, installing a VMS can be a complex process that requires specialist knowledge and expertise that many fishermen do not have. Ideally, all VMS systems should be installed by an officially recognised contractor to ensure that all systems work as intended and to avoid abuse.

Lastly, DEPMA's recent survey on consumer choice revealed that, across the EU, consumption of endangered fish is high, while consumption of fish from more abundant stocks is low. Therefore, DEPMA is setting up a key focus project for 20XX to optimise seafood consumer attitudes and reduce the overconsumption of endangered fish.

Kind regards,

Emanuella Bernardi

Info Booklet: EU Fishery Agreements and Regulations

15/03/20XX

Sustainable Fisheries Partnership Agreements

When concluding a fisheries agreement with a non-EU country, the EU can usually formalise one of two types of such an agreement:

- **Financial compensation agreements** under which non-EU countries grant EU fleets a share in the exploitation of resources in their own EEZ* (in the form of fishing rights). In return, they receive fees from private shipowners and financial support from the EU to invest in the sustainable development of their fisheries sectors but do not receive rights to access fish in EU waters.
- **Reciprocal agreements** (i.e. rights swapping) involve exchanges of fishing rights between EU fleets and the fleets of non-EU countries. Both parties to a reciprocal agreement can exploit fish in the other's EEZ and exchange fishing quotas for certain species.

Any non-EU country that wishes to re-evaluate its agreement (perhaps following a change in its needs, for example) has the possibility to do so at fixed intervals set out in the SFPA.

SORA Regulations

The SORA sets out several requirements to which every MS must adhere. For example, all MS fishing vessels must be recorded in a fishing fleet register to allow fisheries authorities to identify vessels easily and to measure total fleet capacity accurately. Also, any software used by an MS for inspections and other control activities must be up to date with the latest security standards. To find out more about your MS's compliance with SORA, please visit the DEPMA website!

*A sea zone over which a state has special rights regarding the exploration and use of marine resources.

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SOME SUGGESTIONS ON HAKONLAND AND ARDENTIA



From Marek Kačer, Unit Manager, Marine Ecological Risk Management Unit, DEPMA

Date Monday 13/02/20XX

To Emanuella Bernardi, Manager, DEPMA

Dear Emanuella,

Our unit has several suggestions that we would like to share regarding Hakonland and Ardentia.

To start with, regarding the suggestion about introducing protected areas for the endangered Roundtail Krakul in Hakonland, because the Krakul is a migratory fish, we believe that introducing protected areas might not be an effective enough measure to guarantee healthy stock regeneration. In addition, Roundtail Krakul frequently move between numerous feeding grounds and therefore can be difficult to pin down to fixed areas.

On a related note, of the many different species of sea animals inhabiting Hakonland's waters, some are of higher commercial value than others. Since most fisheries aim to maximise their catch of the most valuable species, a lot of fishermen have grown used to discarding less valuable species. Bycatch and discards can have many negative implications, both for the health and sustainability of marine ecosystems and for the economic and social viability of fisheries.

The next point we would like to make is that concluding a reciprocal agreement with Hakonland could be helpful, as both the EU and Hakonland rely rather heavily on catches of migratory species. Both partners could swap quotas for certain fish stocks that can be found in each other's waters at certain times of the year.

Finally, when it comes to bringing its fisheries sector into line with the SORA, Ardentia needs to strengthen its inspection and control services at its Ministry of Fisheries, which has informed us that it does not currently have the workforce capacity to manage the increased number of inspections that it will have to carry out.

Kind regards,

Marek Kačer

Website 1

Sustainability x

http://www.aqualifecouncil.org/Sustainability/EN

Aqualife Council: certified sustainable seafood

Home Sustainable Management of Fisheries About the Aqualife Eco-Label

SEARCH RESULTS FOR: 'HAKONLAND' 10/03/20XX

Roundtail Krakul: an endangered species

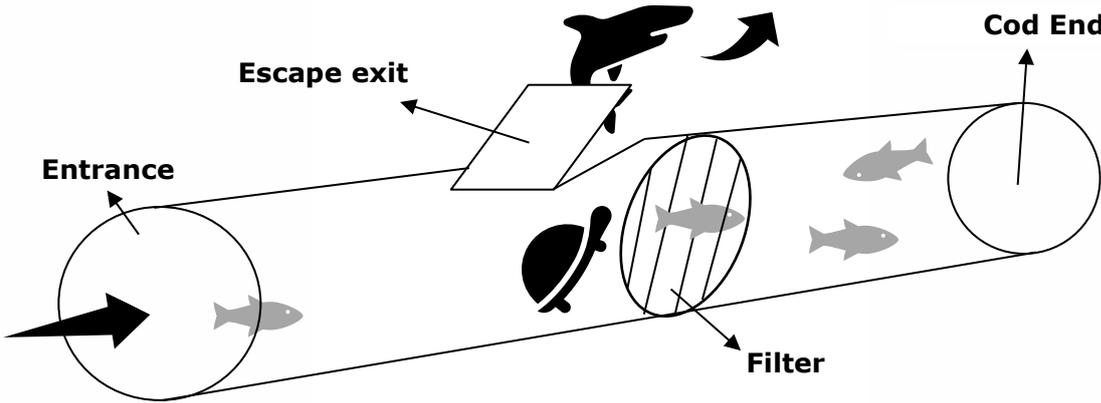
Roundtail Krakul live exclusively in Hakonland's EEZ. Recent scientific research recommends setting the total allowable catch at 64 tonnes a year to allow the species to reach healthy stock levels again, as Roundtail Krakul stocks are currently at the warning level. The majority of the overall Roundtail Krakul catch is landed by large industrial fisheries. Imposing restrictions on these fisheries' catch rates would significantly lower the total catch of Roundtail Krakul.

Fish stocks in Hakonland

<ul style="list-style-type: none"> • ± 7 tonnes caught a year • Level: SAFE <p style="text-align: center;">●</p> <p>Black Torky</p>	<ul style="list-style-type: none"> • ± 82 tonnes caught a year • Level: WARNING <p style="text-align: center;">●</p> <p>Roundtail Krakul</p>
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Bycatch Reduction Devices (BRDs)

A fishing tool that greatly helps reduce the amount of bycatch a fishing vessel normally generates, BRDs usually take the form of a net outfitted with a special filter that allows smaller target species through to the cod end of the net but stops and redirects larger, non-target species towards an escape exit. Countries whose fishing vessels produce a lot of bycatch, such as Hakonland, could benefit from adopting such devices.



The diagram illustrates the operation of a Bycatch Reduction Device (BRD). It shows a net with an 'Entrance' on the left where fish enter. A 'Filter' is positioned in the middle of the net, allowing smaller target fish to pass through to the 'Cod End' on the right. Larger, non-target species (bycatch) are blocked by the filter and are redirected towards an 'Escape exit' at the top of the net. The diagram also shows a shark and a turtle being redirected towards the escape exit, while smaller fish continue to the cod end.

IUU fishing

The costs associated with IUU practices in Hakonland amount to almost 55 million euros per year. These costs include the damage to marine habitats, the depletion of stocks, and opportunity costs for legitimate fishermen. To reduce these costs, high-risk IUU vessels can be identified using risk assessment criteria such as previous compliance records, vessel history, and flag state*, and subsequently inspected.

*The country in which a ship is registered or licensed.

Email 3



**Hakonland Small
Fisheries Association**

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CONCERNING HAKONLAND'S SFPA



From Frida Sturluson, Chairwoman, Hakonland Small Fisheries Association

Date Monday 13/03/20XX

To Emanuella Bernardi, Manager, DEPMA

Dear Ms Bernardi,

Following our country's recent clearly stated intention to form a partnership with the EU, our association offered some suggestions to our own Ministry of Agriculture and Fisheries, which we would now like to share with you as well.

First of all, we fear that financial agreements will increase the risk of fishing rights becoming concentrated in EU hands, thereby creating a corporate structure that can destroy small-scale fishermen and fishing communities. We hope you take our concern into consideration.

Secondly, to protect the Roundtail Krakul, our native, endangered fish species, we propose decreasing the size of the zones in which vessels can fish for Krakul by introducing protected areas that prohibit vessel access. This would reduce the catch rate and give stocks a chance to reach a sustainable level in a protected habitat.

Regarding the issue of bycatch, we would like to point out that, in comparison with other countries, Hakonland actually has lower than average bycatch rates for sea animals such as dolphins, sharks and turtles. We therefore feel it would be better to focus on combating issues other than bycatch and discards, as these are not currently pressing problems.

Finally, in recent years, Hakonland's sea patrol has substantially increased the number of inspections it carries out at sea. While this has not yet completely eliminated IUU fishing practices from Hakonland's waters, it has certainly led to a significant reduction. However, if the goal is to restrict IUU fishing even further, Hakonland could take steps to introduce a Catch Documentation Scheme (CDS), which would require every batch of caught fish to be accompanied throughout every step of the supply chain by a mandatory set of documentation that details where the fish comes from, how it was caught and under what licence. IUU vessels would be unable to acquire such documentation and therefore be prevented from continuing their practices.

We are happy to discuss these matters further with the DEPMA at any time.

Kind regards,

Frida Sturluson

Online Newspaper Article



EU Times x

http://www.eutimes.eu/latestnews/EN

EUTIMES | EU AFFAIRS | POLICY | **NEWS**



Published 17:52, 28/03/20XX

Can the EU reconcile social, economic and environmental interests in its partnership with Hakonland?

The EU is planning on entering into a fishery agreement with Hakonland – but the process is not going very smoothly. There is much concern about Hakonland’s management of its fisheries, which poses a legitimate threat to establishing a mutually beneficial and, most importantly, sustainable partnership.

Over the past ten years, there has been extensive IUU fishing activities in Hakonland’s waters. To deter IUU fishing, several parties have suggested that the Hakonlandian inspection authorities should increase the number of port inspections (i.e. a thorough inspection of a vessel when it requests access to a port, before it can offload its catch or refuel) carried out. Port inspections usually consist of a rigorous review of the required licences and documentation, the vessel itself and its onboard catch. However, just increasing the number of inspections carried out at ports will not combat the extensive discarding practices that also take place. To prevent discards altogether, a discard ban could be introduced to oblige fisheries to (a) land any and all bycatch they produce and (b) process it in the correct manner (i.e. by finding an application or use for the non-target species and selling it). However, it is not clear what Hakonland’s and the EU’s current stances on a discard ban is.

At the same time, catch rates for Hakonland’s Roundtail Krakul are at alarmingly high levels. Measures should be taken – for example, by imposing catch restrictions and/or introducing protected areas from which vessels that fish for Krakul are prohibited – to reduce the catch rate and give fish populations a chance to regenerate. However, many stakeholders also point out the responsibility of large retailers: supermarkets should be urged to be more selective about the types of fish they stock, as many of them still carry overfished species, which therefore remain easily accessible to the public. Some believe their part in this issue cannot be neglected.

Just as with various types of fish, it is also best to avoid eating certain fruit and vegetables during certain months. The year-round production and cultivation of most fruit and vegetables requires many additional resources (energy, water, labour, etc.) that are needed to a much lesser extent during the months in which these plants grow naturally. [Read the full article here!](#)

MOST POPULAR:
Atlantic Halibut on the brink of extinction – unveiling the mechanisms behind the black market.
23 reader comments

Email 4



OCEAN GOVERNANCE INSTITUTE

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OUR STANDPOINT ON THE SFPA WITH HAKONLAND



From Henry Dickens, Chairman, Ocean Governance Institute

Date Wednesday 01/03/20XX

To Emanuella Bernardi, Manager, DEPMA

Dear Ms Bernardi,

We would like to share our opinion regarding the recent developments concerning Hakonland.

Firstly, we have heard that some people are opposed to a financial SFPA between the EU and Hakonland, as it could lead to Hakonland EEZ fishing rights becoming concentrated among EU-based fleets. To prevent this from happening, any financial SFPA should set specific quota levels for each species to be reserved exclusively for small-scale fishermen.

Secondly, at present, once a vessel manages to pass through the port access checks and land its IUU-caught fish in Hakonland, there is nothing to stop this catch from being sold. We believe a CDS could be an effective method to track the movement of legally caught fish from their point of capture to their point of consumption, all the while preventing IUU-caught fish from entering the supply chain, as the documentation required to sell it would not be obtainable.

Thirdly, there have also been suggestions about imposing catch restrictions on large fisheries. However, Hakonland's large fisheries employ a lot of people, so such restrictions might result in job losses and a crisis in the sector: this cannot possibly be the best solution to protect the Roundtail Krakul.

Fourthly, there is currently much debate around how best to reduce bycatch and discard rates in Hakonland. We think it would be very helpful to fit fishing vessels out with BRDs, which studies have shown can reduce bycatch of small fish species by up to 75% when targeting shrimp – a commonly fished-for species in Hakonland waters.

On an entirely different note, we have also heard that the EU intends to make efforts to change people's seafood consumption habits. This will definitely have a positive impact on overfishing levels. However, influencing consumer eating patterns is not easy: research shows that people are more likely to make a permanent change in their eating habits if they are presented with intelligible, scientifically based arguments for doing so.

We hope that you take our views into consideration.

Kind regards,

Henry Dickens

Minutes 1



DEPMA Meeting Minutes

Date and time:	07/03/20XX – 10:00–12:00
Attendees:	Emanuella Bernardi, Manager, Marek Kačer, Unit Manager, Marine Ecological Risk Management Unit, Antonia Almeida, Unit Manager, Fisheries Control and Inspections Unit, Beatriz Oliveira, Unit Manager, Oceanographic Research Unit, Linde Arthurson, Unit Manager, Sustainable Development Unit, Saoirse Byrne, Advisor

HAKONLAND COOPERATION

- ◆ Introducing a discard ban in Hakonland would finally put an end to high grading, which has been a very wasteful practice historically. Over the years, a great many fish that were perfectly fine for human consumption have been discarded – either dead or injured – only because they were not the preferred shape or size.
- ◆ Given that Hakonland exports 70% of its fish to the EU, introducing a CDS and requiring a paper trail would greatly impact the market for illegally caught fish, as fishermen would not be able to export or sell illegal catches.
- ◆ A reciprocal agreement with Hakonland could be a viable option: the EU could make use of any additional quotas for Red Gillyfish that Hakonland could potentially provide.

CONSUMER ATTITUDES TO SEAFOOD

- ◆ Retailers can play a pivotal role in influencing consumer attitudes, e.g. by promoting substitute fish types. DEPMA could urge international retailers to do so; however, given that retailers' primary goal will always be profits, they would probably be unwilling to offer fish alternatives unless doing so improved their corporate image.
- ◆ To convince retailers to play their part in optimising consumer attitudes, DEPMA should inform them in different ways (meetings, information brochures, presentations, webinars, etc.) about the added value this would generate.

ARDENTIA'S COMPLIANCE WITH THE SORA

- ◆ The Ardentian fishing fleet register is missing details of many fishing vessels and does not contain all the information required by SORA regulations. Until this register is filled in completely, the country will not be in a position to manage its fishing capacity properly.
- ◆ As part of the process of bringing itself into line with the SORA, Ardentia received financial support to invest in more sustainable management of its fisheries.
- ◆ Compounding the problems caused by the lack of VMSs and incomplete fishing fleet register, is the current outdated software used by Ardentia's Ministry of Fisheries, which lacks some of the functionalities needed to handle inspection cases correctly. DEPMA has heard that Ardentia has been intending to make the necessary change to a newer, more modern software program for some time now.
- ◆ Ardentia's Ministry of Fisheries is considering bolstering its workforce by recruiting additional staff. This would mean a significant investment of resources by the Ministry but would help manage the increased workload caused by the SORA compliance process.

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Ardentian Ministry of Fisheries

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REGARDING PARTNERSHIP AGREEMENTS WITH THE EU



From Ingrid Kempf, Policy Officer, Ministry of Fisheries of Ardentia

Date Monday 10/04/20XX

To Saoirse Byrne, Advisor, DEPMA

Dear Saoirse,

We are currently engaged in huge efforts to bring ourselves into line with the SORA. However, with procedures growing ever lengthier and more complex as a result of the backlog of verification activities that now have to be conducted to ensure compliance with the SORA, Ardentia's Ministry of Fisheries (which is responsible for compiling the registers and inspecting vessels and fleets) does not have sufficient resources to maintain its current pace of registration and inspections for much longer. We are looking into how we can tackle this problem but remain open to suggestions.

As we became a member of the EU only recently, we also have some relevant experience to share regarding the SFPA with Hakonland. Firstly, we are keen advocates of financial agreements. Ardentia can attest to the benefits of receiving financial support, which has enabled us to upgrade our fishing infrastructure significantly (new docks, fishing gear, research vessels, enforcement vessels, processing plants, etc.). Secondly, discard bans are notoriously hard to enforce: they have to be accompanied by a raft of new legislation to cover exceptions and loopholes, which is often confusing for fishermen but does not actually form an airtight policy. We believe that better ways to prevent discarding exist. Take our native Dogfish, for example, which enjoyed a surge in popularity when it became European Fish of the Year in 20XX-1. This species, abundant in Ardentian waters, was a typical bycatch product but is now being commercially exploited instead of being thrown back overboard with no chance of survival. Thirdly, just as was the case with sea patrols, the number of random port inspections in Hakonland should be greatly increased. This will deter fishing vessels not only from carrying out illegal activities at sea but also from trying to land their catch. For Ardentia, this has proven to be a very effective method!

Finally, we advise DEPMA to communicate its commitment to sustainability more intensively to its press and media contacts. This has already proven very helpful to us and could be an effective way to change consumer behaviour.

Kind regards,

Ingrid Kempf

Email 6



**Ministry of Agriculture and
Fisheries of Hakonland**

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ADVICE ON OUR SFPA AND ON SUSTAINABLE CONSUMER BEHAVIOUR



From Tor Rundstrom, State Secretary, Ministry of Agriculture and Fisheries of Hakonland
Date Thursday 23/03/20XX
To Emanuella Bernardi, Manager, DEPMA

Dear Ms Bernardi,

Below are some matters that our Ministry wishes to bring to your attention.

First of all, as far as we know, the revised partnership that the EU agreed with New Auckenland eight months ago was based on a part financial, part reciprocal contract. While this is somewhat exceptional, such an option should not be ruled out for Hakonland. It could combine all the advantages and mitigate the disadvantages of both a financial and a reciprocal agreement.

Secondly, the Roundtail Krakul is performing badly on several overfishing indicators: an overall declining population, reduced average size and age of caught Krakul and increased efforts to catch the same volume of Krakul. This has led to suggestions about introducing protected areas for this species. However, this will be beneficial only if areas can be identified in which the species in question reside quite stably and for long enough periods to spawn and replenish their stocks. Unfortunately, the Krakul is a highly migratory fish, so imposing catch restrictions would work much better. Given that the Krakul is just one of many species being fished for in our waters, we feel that opponents of this measure – who claim that restrictions on one stock will result in an economic crisis – are being slightly overdramatic.

Thirdly, some parties have argued for an increase in random port inspections in Hakonland. However, a port can perform only so many inspections without significantly delaying and impeding the everyday activities that take place there. For Hakonland's smaller ports, in particular, where docking space is limited, bringing activities to a standstill to carry out thorough inspections could severely hinder productivity and discourage legitimate fishing vessels from using that port. For this reason, mostly limited port access checks are carried out.

Lastly, we understand that DEPMA wants to steer consumer behaviour towards the more sustainable consumption of fish. We believe that DEPMA could make it easier for retailers to offer sustainable fish products by, for example, bringing them into contact with sustainable fisheries, helping build the supply chain, aiding in negotiations – this is something that Hakonland has also done successfully in the past. We note that our retailers have made efforts to make sustainable alternatives available, but customers are often still put off by the high-end prices charged for them – perhaps this is something to take into account as well.

Tor Rundstrom

Report 1**Report extract
28/02/20XX****Extract:****Results of the public consultation on Hakonland's fisheries**

[...]

2.1 SFPA with Hakonland

A number of smaller-scale Hakonland fisheries expressed concern about the prospect of concluding a reciprocal-type agreement with the EU, as they fear that big (EU) fisheries would benefit more than Hakonland from swapping quotas because they use much more modern equipment and advanced fishing gear.

[...]

3.4 Hakonland's Roundtail Krakul

Hakonland fish stocks are currently measured based on the quantity of fish landed, which is not the most accurate way to monitor individual vessel catch rates. Equipping fishing vessels with a VMS would be a much more accurate alternative, although fitting vessels out with such expensive equipment might not be feasible for small-scale fisheries. In this context, Hakonland's customs authorities strongly disagreed with the proposal to introduce Krakul catch restrictions on large fisheries, as the current lack of VMS to monitor catches accurately will render the imposition of catch restrictions ineffective.

[...]

5.1 IUU fishing

Hakonland's Fishing Alliance noted that since the introduction of consistent and continuous sea patrols, many IUU fishing vessels have either been caught or been incentivised to stop fishing in Hakonland's EEZ. IUU fishing is no longer the problem it is made out to be.

[...]

The Hakonland Federation of Fish Exporters explained that widely implementing a CDS would create an administrative burden for fishers and processors and consequently lead to delays in the export and sale of fish products throughout the supply chain.

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REGARDING HAKONLAND, ARDENTIA AND CONSUMER BEHAVIOUR



From Antonia Almeida, Unit Manager, Fisheries Control and Inspections Unit, DEPMA

Date Thursday 02/03/20XX

To Saoirse Byrne, Advisor, DEPMA

Dear Saoirse,

I wanted to get back to you on a number of matters concerning Hakonland and Ardentia.

Firstly, financial agreements are too rigid: EU vessels get access to exclusive zones, but this is not always beneficial. For example, the EEZ around non-EU country New Auckenland contains stocks of many highly migratory fish species that frequently move away from the waters accessible to the EU fleet, thereby drastically reducing fishing opportunities at particular times of the year. This should be taken into account for the SFPA with Hakonland as well.

Secondly, regarding efforts to reduce bycatch, please be informed that BRDs are notorious for their negative impact on catch efficiency: it takes significantly longer to catch the same amount of shrimp with a BRD than with a traditional net.

On a related note: our unit is aware of the problems with IUU vessels illegally landing and/or discarding rare fish species. However, I do not think that increasing random port inspections significantly is the ideal response to this problem. Perhaps current port inspections can be carried out in a more selective and targeted manner?

With regard to Ardentia, registering a vessel with the Ardentian authorities is a long and protracted process that provides few benefits, giving fisheries little incentive to register. This incentive could be created by subsidising registered vessels to update their fishing gear. However, such a measure would take a significant chunk out of the Ministry of Fisheries's budget. On the other hand, non-registered fishing vessels could be punished with heavier fines. However, this approach might be met with significant public resistance and opposition. Either way, Ardentia needs to speed up its registration process quickly to come into line with the SORA.

Lastly, I think that shaping consumer attitudes towards sustainability is an honourable cause; however, it is not yet clear what the best channels are for reaching the target population in order to meet this goal. TV and social media often reach the widest audience; however, radio and newspapers are used most by people from the older segment of the population, who have also been shown to be big consumers of fish.

Kind regards,

Antonia Almeida

Forum



DEPMA

DEPMA Internal Discussion Forum

> HAKONLAND	
Lena	11/04/20XX
	Two years ago, the European Commission launched Batch, the EU's response to an increased need for a digital and corruption-proof CDS. MSs and non-EU countries alike can use this system on a voluntary basis. Maybe Batch could be recommended to Hakonland as a way to combat IUU fishing?
QUOTE REPLY	
Albin	11/04/20XX
	<p>Relying on Batch would reduce Hakonland's ownership over its fishery inspection and control services. Any updates or changes to the system would be made entirely at the whim of the EU, leaving Hakonland with very little autonomy. I do not think it will see this as a good way forward.</p> <p>On a related note, if Hakonland opts to enter into a financial agreement with the EU, I believe that once it has extensively upgraded its fishing infrastructure using the financial support it receives, the need for financial support might decrease over time, making this less beneficial than a reciprocal agreement.</p>
QUOTE REPLY	
> CONSUMER ATTITUDES	
Yrsa	12/04/20XX
	Scientific advisory bodies in MS Ruritania developed a fish calendar indicating the months during which specific fish species are abundant and therefore can be bought and eaten sustainably. This calendar was then distributed among consumers. Perhaps this might be a useful step in the EU's latest initiative to change consumer attitudes. Although, of course, compiling a fish calendar would require some logistics: the time needed to design, print and distribute a calendar needs to be taken into consideration.
QUOTE REPLY	
Mihai	13/04/20XX
	<p>Good idea! However, we should not forget that no subsequent evaluation survey was conducted to check whether consumers actually changed their buying behaviour, so it is unclear whether the calendar had any effect or not.</p> <p>Similarly, have you heard about the "meat-free" days in MS Sylvestria? This initiative prompted many supermarkets to stock a wider range of substitute foods and to promote vegetarian dishes in their advertisement mailshots. Other supermarkets, however, saw less value in the initiative and did not make any changes to the range of meat they offer. Unfortunately, the effect of the meat-free days was monitored in only one medium-sized city. Therefore, whether this type of initiative would work on a more representative sample is currently still unclear, but it's still worth looking into.</p>
QUOTE REPLY	

Blog

EuroDigest x

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EURO DIGEST | Your weekly insight into EU policies. By Clio Afroudakis: former Member of the European Parliament, turned activist.

Fishy business: sustainable solutions to unsustainable practices in Hakonland

31/03/20XX



Hakonland and the EU are currently working on reaching a cooperative agreement regarding their fishing industries. This is proving to be quite a challenge, especially as Hakonland's fishing sector is not yet at the level of maturity and sustainability that the EU typically expects of its partners. EuroDigest took a deep-dive into Hakonland's fishing waters.

The Roundtail Krakul is Hakonland's favourite fish species, so much so that there are not many left in Hakonland's EEZ (the Krakul's only natural habitat). Change needs to take place quickly, and imposing catch restrictions on large fisheries for the Roundtail Krakul just might do the trick, especially as this measure would not jeopardise the continued existence of the more vulnerable small-scale fisheries that already face enough difficulties ensuring their livelihoods.

At the same time, Hakonland's fisheries sector could reap major economic rewards if it shifted its focus to its many other fish species. For example, if Hakonland vessels switched to using state-of-the-art pulse trawls (a catching method that uses electrical pulses and limits the environmental impact on the seabed), Hakonland fisheries would be able to fish for Black Trorky, a deep-sea species that is well within safe stock limits. However, as most ships in the country's fleet are not equipped for pulse trawling, the current Black Trorky catch rate is very low.

However, just implementing preventative measures is not enough. A study conducted in the EU showed that different measures to protect endangered species in MS EEZs have different levels of efficacy, depending on the species of fish and the prevailing legal and social circumstances. Therefore, the effectiveness of any implemented protective measure should be thoroughly evaluated.

Another sustainable practice is the use of BRDs. Recent innovations in these nets have managed to reduce loss of catch efficiency, while still to a great extent preventing bycatch. Has Hakonland considered this potential solution to its bycatch and discard issues?

Finally, there is the problem of IUU fishing and the potential use of a CDS. Recent advances that allow fully digital implementation of a CDS should do much to allay concerns related to potential delays and fraud. In such cases, the CDS connects to a digital database in which documentation and licences can automatically be shared and cross-checked by any international stakeholder in the supply chain, while the falsification of documents becomes almost impossible.

In conclusion, Hakonland would benefit from considering all its options in detail, because some solutions might be much more attainable than they seem at first sight!

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SOME IDEAS AND SUGGESTIONS



From Linde Arthurson, Unit Manager, Sustainable Development Unit, DEPMA
Date Tuesday 04/04/20XX
To Saoirse Byrne, Advisor, DEPMA

Dear Saoirse,

As a follow-up to our previous talk, I have some more insights to share.

Regarding the idea of making the use of BRDs mandatory in Hakonland, bear in mind that buying specialised BRDs can be very expensive. Hakonland's local fishermen are already struggling with reduced profits, so it will be hard to convince them to invest in specialised gear from which they will not receive any direct benefit in return.

Combined with the fact that a substantial part of its fleet is outdated, this is exactly why Hakonland may be interested in an arrangement based partly on financial support and partly on reciprocal quotas. Financial support (for non-migratory stocks) could pave the way for the gradual upgrading of fishing equipment, which would enable Hakonland's small-scale fisheries to remain competitive when swapping quotas (for migratory stocks).

While it is true that fewer IUU vessels now actively fish in Hakonland's EEZ, the country's ports remain notoriously easy places to land fish illegally caught outside Hakonland's EEZ. Given the limited port access checks currently conducted in Hakonland – where only a vessel's licence but not its onboard catch is inspected – many IUU vessels manage to land illegally caught fish under a legitimate licence. On a related note: requiring fishermen to keep a logbook is a good way of keeping track of the species, location and quantity of fish caught. An electronic logbook allows such data to be stored and structured easily, so that it can be integrated with a CDS and used as part of the required documentation.

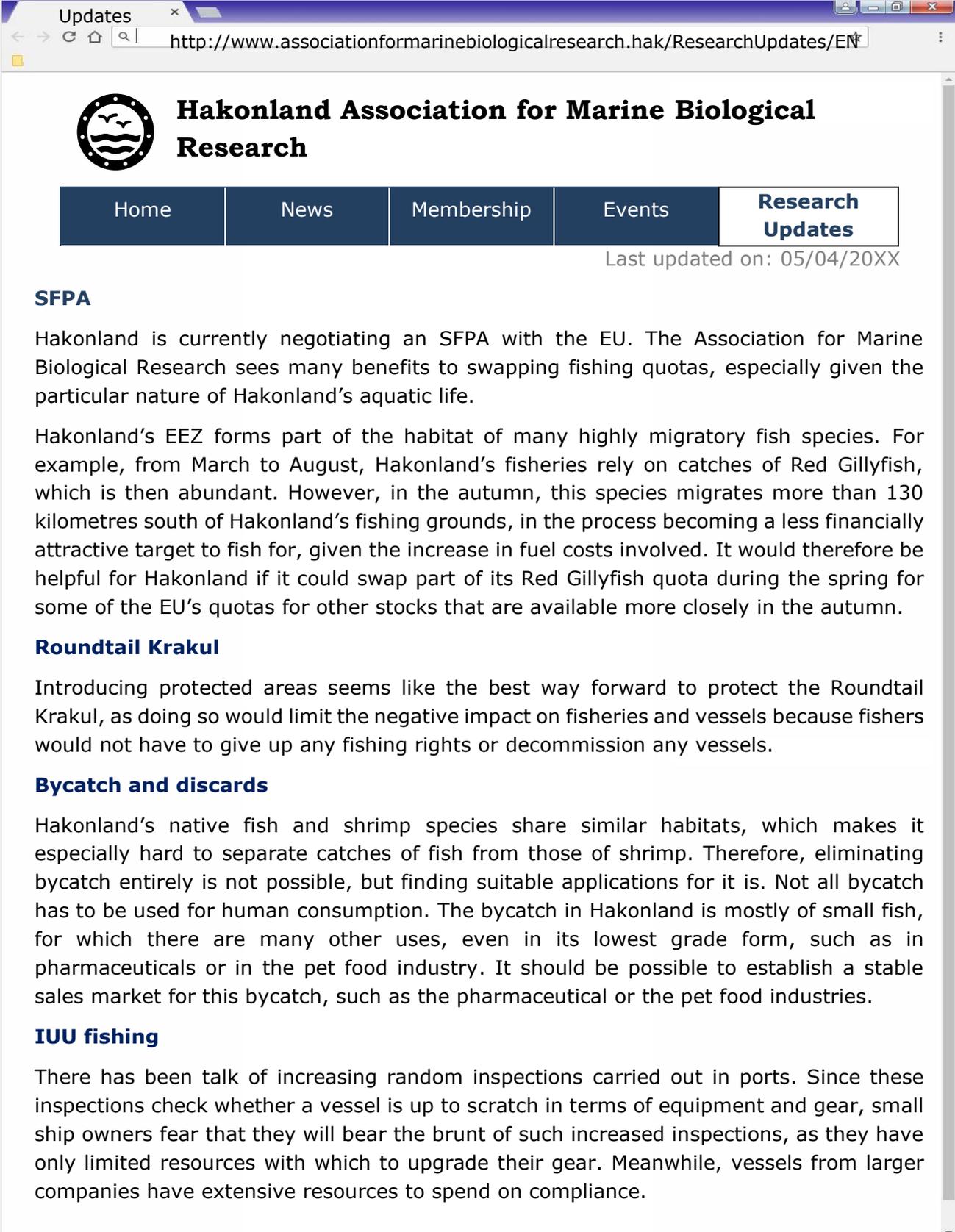
The budget for DEPMA's focus project to inform the public about endangered fish should be carefully considered: not all press channels can be used, as it would be too expensive. Also, a slogan can make or break an information campaign and finding the right one can be difficult, so again, this is something that needs to be thought out carefully.

Lastly, Ardentia should not assume that all data will be migrated from its old to its new inspection software without complications. During these busy times in particular, such complications could lead to delays later in the SORA requirements compliance process (e.g. for fleet registrations).

Kind regards,

Linde Arthurson

Website 2



Updates x

http://www.associationformarinebiologicalresearch.hak/ResearchUpdates/EN



Hakonland Association for Marine Biological Research

Home News Membership Events **Research Updates**

Last updated on: 05/04/20XX

SFPA

Hakonland is currently negotiating an SFPA with the EU. The Association for Marine Biological Research sees many benefits to swapping fishing quotas, especially given the particular nature of Hakonland's aquatic life.

Hakonland's EEZ forms part of the habitat of many highly migratory fish species. For example, from March to August, Hakonland's fisheries rely on catches of Red Gillyfish, which is then abundant. However, in the autumn, this species migrates more than 130 kilometres south of Hakonland's fishing grounds, in the process becoming a less financially attractive target to fish for, given the increase in fuel costs involved. It would therefore be helpful for Hakonland if it could swap part of its Red Gillyfish quota during the spring for some of the EU's quotas for other stocks that are available more closely in the autumn.

Roundtail Krakul

Introducing protected areas seems like the best way forward to protect the Roundtail Krakul, as doing so would limit the negative impact on fisheries and vessels because fishers would not have to give up any fishing rights or decommission any vessels.

Bycatch and discards

Hakonland's native fish and shrimp species share similar habitats, which makes it especially hard to separate catches of fish from those of shrimp. Therefore, eliminating bycatch entirely is not possible, but finding suitable applications for it is. Not all bycatch has to be used for human consumption. The bycatch in Hakonland is mostly of small fish, for which there are many other uses, even in its lowest grade form, such as in pharmaceuticals or in the pet food industry. It should be possible to establish a stable sales market for this bycatch, such as the pharmaceutical or the pet food industries.

IUU fishing

There has been talk of increasing random inspections carried out in ports. Since these inspections check whether a vessel is up to scratch in terms of equipment and gear, small ship owners fear that they will bear the brunt of such increased inspections, as they have only limited resources with which to upgrade their gear. Meanwhile, vessels from larger companies have extensive resources to spend on compliance.

Minutes 2



DEPMA MEETING MINUTES

Date and time:	05/04/20XX – 10:00–12:00
Attendees:	Emanuella Bernardi, Manager Marek Kačer, Unit Manager, Marine Ecological Risk Management Unit Antonia Almeida, Unit Manager, Fisheries Control and Inspections Unit Beatriz Oliveira, Unit Manager, Oceanographic Research Unit Linde Arthurson, Unit Manager, Sustainable Development Unit Saoirse Byrne, Advisor

HAKONLAND

- ◆ The EU would benefit from being able to access Hakonland's EEZ. Both parties could jointly manage certain shared fish stocks and could swap quotas based on the needs of their fishing fleets and the conditions of stocks. A 'non-classic' combined fisheries agreement, on the other hand, has been signed only once before. It is difficult to predict whether this will be a suitable type of agreement for the EU and Hakonland, as DEPMA has no best practices to base its decision on.
- ◆ Research has uncovered the existence of hotspots where juvenile Krakul reside for relatively long periods of time. Protecting such hotspots would give stocks the best chance of growing to sustainable levels.
- ◆ Since the public is slowly becoming more aware of the issue of bycatch, the pressure on legislators to take preventative measures and encourage more sustainable fishing practices is increasing. However, monitoring whether vessels are actually landing their bycatch under a discard ban can become an endless and costly battle. A better way to incentivise fisheries would be to subsidise them temporarily for landing their bycatch and for taking concrete steps towards finding applications for it, until such a time that a stable sales market is established.
- ◆ While updates or changes to Batch are decided by the EU, before any such changes there are clear processes that allow participating countries to provide their input. Therefore, Hakonland would still have a say in the Batch decision-making process, and its autonomy over its CDS would be only partly limited.

CONSUMER ATTITUDES

- ◆ Making species caught in a sustainable manner available at the same price as the products currently being sold would considerably reduce profit margins for vendors, as their purchase price for the sustainable species would be higher as well.
- ◆ However, vendors could start using the Aqualife Council Eco-label and sell fish from certified fisheries. This would not only improve their image as a sustainable retailer but also maintain their profits, as studies prove that consumers are willing to pay more for eco-labelled products.

ARDENTIA

- ◆ Regarding the initiative to recruit additional staff to manage the increased workload in the Ardentian Ministry of Fisheries, it is not yet clear whether such additional staff should be hired on a temporary or a permanent basis. While extensive human resources are currently needed, it could very well be that once the initial backlog of registrations and inspections is cleared, everything will start to fall back into place, leaving the

	ministry with an unnecessary surplus of staff. On the other hand, longer and more complex procedures might indeed call for permanent additions to the workforce.
◆	Although similar data migration projects have gone smoothly in the past, Ardentia might be better advised to play it safe and update its current inspection system (by installing additional software packages) just to what is strictly necessary to comply with the SORA requirements. Granted, this might not be the most elegant solution, but it could potentially prevent delays.

Report 2**Report extract
07/04/20XX****Extract: Internal DEPMA report on the SFPA with Hakonland****SFPA**

Signing a 'non-classic' agreement with Hakonland will prompt many current EU partners to insist on taking a closer look at their own agreements to evaluate whether such an arrangement would suit them better too. It would be better not to prompt too many questions about the agreements that are currently in force.

[...]

Hakonland's fisheries and vessels are less diversified than the EU fleet and are very specifically adapted to the species they usually catch. Swapping quotas does not mean that Hakonland's fishermen will actually be able to catch species that they are not accustomed to fishing for.

[...]

Bycatch and discards

It is true that bycatch of large sea animals is rather low in Hakonland. However, this can be explained mostly by the fact that only a small percentage of large sea animals (such as dolphins and turtles) frequent Hakonland's waters. Bycatch of small fish species when the target species is shrimp, on the other hand, is above average compared with that of other countries.

[...]

The long-term benefits of BRDs will most likely outweigh their initial cost: reduced bycatch will lead to healthier marine ecosystems, which in turn will lead to a more sustainable supply of target species. Without BRDs, profits will be far lower over the longer term.

[...]

Temporary subsidies for landing bycatch would reduce the need for endless sea patrols and could give the industry the boost it needs to explore bycatch applications and trigger innovation.

[...]

IUU fishing

It seems that illegal fishermen catch fish in neighbouring countries and bring them ashore in Hakonland, following routes that circumvent popular fishing grounds, thereby bypassing most sea patrols.

[...]

While increased port inspections can lead to delays and thereby hinder legitimate business as well, illegally caught fish can sell at lower prices and constitute unfair competition, which hurts legitimate business just as much, if not more. Increased port inspections would level the playing field for everyone.

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University of Bernst

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ARDENTIA, SUSTAINABLE CONSUMPTION AND HAKONLAND



From Ulrik Larsen, Professor in Marine Biology, University of Bernst

Date Friday 24/03/20XX

To Emanuella Bernardi, Manager, DEPMA

Dear Emanuella,

As both an Ardentian citizen and an academic with 15 years' research experience in the fishing sector, I feel that I am particularly well qualified to provide input on DEPMA's recent endeavours.

Firstly, there are only so many contractors specialised in installing VMSs. Consequently, mandating that only official contractors can install a VMS could affect the speed at which vessels are equipped with such systems, thereby slowing Ardentia's compliance process down as a whole. Allowing fishermen to do this themselves might not always lead to perfectly installed systems, but at least it will not slow down compliance with the SORA.

Secondly, regarding suggestions to make use of eco-labels to change consumer behaviour across the EU, I would just like to point out that eco-labels are notoriously hard to enforce, leading to all kinds of misuse such as excessive price markups by retailers and greenwashing (i.e. spending money on advertising a sustainable image instead of investing in actual sustainable practices). If they are not well monitored and enforced, eco-labels could end up having the opposite effect to what was initially intended!

Thirdly, I have heard that a CDS might be introduced to combat IUU fishing in Hakonland. However, in a lot of the countries in which a CDS was implemented, it has quickly led to all kinds of abuse and manipulation of the system, due mainly to the paper-based format used in many countries, which allows easy falsification of required documents and fraud (forging signatures, altering documents or creating fake ones, photocopying licenses, etc.). The ease with which such falsifications can be made effectively provides illegal fishermen with the means to continue their practices.

Fourthly, SFPAs are always specific in nature and are drawn up based on the distinct needs of both the EU and the non-EU country. There is little risk of current partners asking to review their agreements, as the specifics of their fisheries sectors differ too greatly from those of Hakonland.

Lastly, juvenile Roundtail Krakul originate from a relatively small number of locations, known as 'reproduction hotspots', which can and should be protected. Conversely, introducing catch restrictions would drastically increase the risk of illegal fishing and black market trade in the Krakul, which would make matters even worse than they currently are for this species.

Ulrik Larsen

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DEPMA

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ADDITIONAL INSIGHTS ON PARTNERSHIPS AND CONSUMER BEHAVIOUR



From Beatriz Oliveira, Unit Manager, Oceanographic Research Unit, DEPMA

Date Wednesday 12/04/20XX

To Saoirse Byrne, Advisor, DEPMA

Dear Saoirse,

I have some additional things to pass on regarding our discussion last week.

Firstly, while there are autonomy concerns regarding working with Batch, the EU-based CDS, this system has its positives too: its use is already supported by many EU countries (i.e. Hakonland's largest export market), which will make it easier to implement, maintain and enforce the system in Hakonland. Meanwhile, increasing port inspections to combat IUU fishing could actually generate the opposite effect in Hakonland: since it takes less time to inspect a legitimate vessel, small ports could start targeting vessels known to be legitimate in order to reach inspection quotas while limiting the impact on port productivity. This would essentially reverse the incentive to be a responsible vessel owner.

Secondly, processing bycatch is just not economically viable. There is simply no consumer demand for certain species of fish. For the species for which there is a demand, the consumer expects only the highest grade. It will be very hard to find a use or sales market for all bycatch that is produced. The best thing to do would be to minimise bycatch as much as possible by using BRDs, which can also increase profitability, as they allow better targeted fishing of more desirable, valuable species. Though a little less efficient than traditional nets, BRDs make up for this by significantly reducing the time and effort expended on continuously filtering out and discarding non-target species.

Thirdly, while the use of eco-labels to steer consumers towards more sustainable seafood consumption could be effective in a well-enforced environment, the existence of so many different kinds of these labels can potentially make things very confusing for the consumer. When it comes to sustainable products, we should take care to provide a unified message to consumers.

Lastly, there are many practical considerations that Ardentia should not overlook when bringing itself into line with the SORA. For example, once it has been decided who will install the VMSs, Ardentia's fishermen will need to be informed of this new requirement and how to adhere to it. Similarly, once a viable course of action has been decided on for Ardentia's inspection software, the roll-out of any updates or new software has to happen without impacting the ongoing inspection and control services taking place.

Kind regards,

Beatriz Oliveira