

Annex 1: On Council Regulation fixing for 2012 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required (COM(2011)586)

At the upcoming meeting on 15–16 December, the Fisheries Council will agree on fishing possibilities for 2012 for EU stocks in Atlantic waters, based on the European Commission's proposal (COM(2011)586). Due to the large number of stocks covered by this proposal, we only provide detailed recommendations on a few species which in our opinion require particular attention.

OVERALL COMMENTS ON THE PROPOSAL

We would like to state our general support for the Commission's proposal, which overall is ambitious. It is based on management plans, where in place, follows scientific advice for stocks where advice is provided and contains reductions for stocks for which there is a lack of scientific advice. If adhered to, it would take the EU some steps on the way to more sustainable fisheries and attainment of international targets.

For a large number of stocks, advice on how to achieve MSY is still not available – and this is worrying. However, for stocks where advice is available, the Commission is advocating the achievement of MSY by 2015 in line with the commitments made at the World Summit on Sustainable Development in Johannesburg 2002, and we support that.

We particularly appreciate that the Commission is finally adhering to scientific advice regarding the cod stocks in the West of Scotland, the Irish Sea and Kattegat that are in particular dire situations. These stocks have been overfished for years and the Commission is now proposing zero TACs.

However, the Commission did not follow the scientific advice of zero catch for some stocks, such as Norway lobster in the Iberian Peninsula and haddock in the Faeroes grounds. For the latter, an increase in TAC is even proposed as it is jointly managed together with haddock in the west of Scotland – a stock which is doing comparatively well.

On data poor stocks, the Commission outlined a new approach in its policy paper on fishing opportunities published in the spring (COM(2011)298). This new, more precautionary approach to stock management when facing scientific uncertainty could be considered a 'stick and carrot approach', as significant reductions in fishing opportunities (-25%) were to be suggested for data poor stocks, until data deficiencies were addressed. Although it has not been consistently applied in the tabled proposals, the Commission has chosen to propose precautionary fishing opportunities for many data poor stocks, resulting in cuts in TACs for a number of species such as cod, anglerfish, megrim, sprat and whiting. We welcome this move.

We also support the Commission's overall ambition to address the issue of how to better manage 'data poor' stocks. However, further distinctions between the different categories of 'data poor' stocks that exist would be useful; for some no data are available, for others the available data

indicates a stable trend, and finally for some stocks the available data indicate a negative trend. Regardless of category, no increases in TACs should be agreed for data poor stocks.

DETAILED SPECIES RECOMMENDATIONS

Cod (*Gadus morhua*)

The Spawning Stock Biomass (SSB) of several of the cod stocks covered by this proposal is below the precautionary level. Cod stocks in the Western waters (Irish Sea, West of Scotland and Kattegat) are currently only a fraction of their virgin biomass. For these stocks, ICES has recommended a total allowable catch (TAC) of zero for several years now. Last year, the Commission recommended TACs below the agreed management plan, as it appears to be largely ineffective, and proposed 50% cuts for these cod stocks. The Council responded by agreeing 25% cuts in accordance with the management plan.

Cod is targeted directly in fisheries using fixed gear, as well as by towed gear in mixed demersal fisheries. Immediate challenges are the high levels of bycatch of juveniles and subsequent discarding of cod in targeted trawl fisheries. Large amounts of cod are also taken by vessels targeting other species such as haddock, whiting, plaice, sole and nephrops. When the annual quota for cod for these fisheries is exhausted, the discarding of cod is likely to increase. Merely reducing the TAC will therefore not sufficiently reduce cod mortality. Complimentary measures, such as mandatory use of the best available selective gears like the eliminator trawl and sorting grids, are urgently needed in order to achieve a greater consistency between the actual catch and the TAC. Other options such as real-time closures, closure of the mixed fisheries as soon as one of the TACs is reached and a discard ban should also be considered.

Division IIIa East (Kattegat)

This stock has seen a fivefold reduction in SSB since the 1970s and has remained at a historical low since 2000, despite the existence of a long-term management plan since 2005¹. The management measures in the plan and the implementation of them therefore appear to be largely ineffective. According to the management plan, fishing mortality shall be reduced by 25% per year, as long as the stock is estimated to be below the minimum spawning stock biomass level². The plan also stipulates that the Council shall apply stricter measures if the STECF advice shows that the cod stocks are not recovering properly (Article 10(2))³, which it explicitly does⁴.

The current fishing mortality for the stock cannot be reliably estimated, but ICES considers the SSB to be far below the limit for risk of depletion and classifies the stock as suffering from reduced reproductive capacity. ICES is also of the opinion that the measures in the management plan are insufficient to guarantee recovery, as unaccounted removals may be as high as five to eight times the TAC⁵, and mentions discarding and high-grading as possible sources of unallocated removals. Several Danish vessel owners were caught last year conducting illegal

¹Council Regulation (EC) No 1342/2008, repealing Regulation (EC) No 423/2004.

²Council Regulation (EC) No 1342/2008, article 7.

³Council Regulation (EC) No 1342/2008, article 10(2).

⁴Scientific, Technical and Economic Committee for Fisheries (STECF) REVIEW OF SCIENTIFIC ADVICE FOR 2012 Part 2 (STECF-11-09), p 29.

⁵ICES Advice 2011, book 6, p 2.

fishing in protected areas near the Swedish coast⁶ possibly explaining parts of the unallocated removals.

Based on the above, the ICES advice for 2012 is that catches should be zero. Moreover, tagging studies conducted in 2006 suggest that the Kattegat may function as a nursery area for North Sea cod, adding further reasons to drastically cut fishing pressure in this area⁷. The STECF agrees with the ICES assessment and its advice for 2012⁸.

The Commission states that the lack of good data continues to hamper the management of this stock and that there are no signs of recovery despite successive cuts in TAC in recent years, and is proposing a zero TAC for 2012. Already last year, the Commission announced that it is of the opinion that this fishery should be phased out and that it would propose a zero TAC for 2012.

Cod in this area is mostly caught as bycatch in other fisheries, such as the Danish and Swedish nephrops fisheries. A selection grid which eliminates almost 100% of the bycatch of cod is used in some parts along the Swedish west coast⁹. Considering the state of the Kattegat cod stock, we believe it should be mandatory to use the most selective fishing gear available, ensuring little or no bycatch of cod.

Considering the critical state of the stock and very high levels of unaccounted removals, we urge you to set the TAC for 2012 at zero for Kattegat cod (area IIIa East). In addition, we urge you to advocate that the use of selective gear, such as grids in trawls targeting nephrops, is made mandatory. Any fisheries in that area not able to reduce bycatch of cod to a minimum level should be closed until other measures are agreed.

Division VIIa (Irish Sea)

According to ICES, this stock has seen a tenfold reduction in SSB since the 1980s. ICES has classified the stock as suffering from reduced reproductive capacity since the mid-1990s. The SSB is about four times lower than the estimated limit for risk of depletion. According to the current management plan, fishing mortality shall be reduced by 25% per year as long as the stock is estimated to be below the minimum spawning stock biomass level¹⁰. The plan also stipulates that the Council shall apply stricter measures if STECF advice shows that the stocks are not recovering¹¹.

Since 2000, ICES has advised that this fishery should be closed until a substantial improvement in SSB has been documented. Moreover, when performing an evaluation in 2009, ICES found the management plan to be inconsistent with the precautionary approach¹². Moreover, the TAC does not appear to be restrictive since landings were 30% below it in 2010.

⁶See for example a recent article in Swedish media:

<http://www.sydsvenskan.se/opinion/aktuellafragor/article1561412/Riskfritt-for-danska-tjuvfiskare.html>

⁷Svedäng, H., Righton, D., and P. Jonsson (2006). Return migrations of Atlantic cod (*Gadus morhua* L.) to the North Sea evidenced by archival tagging of cod off the eastern Skagerrak coast. ICES CM 2006/Q: 06.

⁸Scientific, Technical and Economic Committee for Fisheries (STECF) REVIEW OF SCIENTIFIC ADVICE FOR 2012 Part 2 (STECF-11-09). P 29.

⁹Valentinsson, D. and M. Ulmestrand (2008). Species-selective *Nephrops* trawling: Swedish grid experiments. Fisheries Research. Volume 90, issues 1–3. Pp 109–117.

¹⁰Council Regulation (EC) No 1342/2008, article 7.

¹¹ Council Regulation (EC) No 1342/2008, article 10(2).

¹²ICES advice 2011, book 5, p 1.

In this area cod is caught in mixed demersal fisheries. ICES has no accurate discard data¹³; however recent estimates available for some fleets indicate a potential shift from discarding mostly younger cod, age 0 and 1, to discarding also age 2 fish in 2010¹⁴.

ICES is of the opinion that a zero catch should be set for this stock in 2012¹⁵ and STECF concludes that the stock is not recovering¹⁶, so stricter measures than a 25% reduction in fishing mortality is warranted under the recovery plan. This advice is endorsed in the Commission's proposal to set a zero TAC for 2012.

We urge you to close the targeted cod fisheries in the Irish Sea (area VIIa) in 2012. Any fisheries taking cod as bycatch also need to be closed, unless other measures are agreed to reduce bycatch and discarding of cod. We therefore ask you to advocate mandatory use of selective gears in this area, such as the eliminator trawl for fisheries targeting whitefish and sorting grids in trawls targeting nephrops.

Division VIa (West Scotland) and Vb_{1&2} (Faroe Plateau and Faroe Bank)

For this area, ICES provides separate advice for each of the three stocks, while the EU is managing it as a single unit covered by one TAC. Cod in area VIa is mostly caught as bycatch in other fisheries, while there are directed fisheries in area Vb. Discard rates are very high in area VIa – five times higher than landings according to ICES¹⁷.

In **VIa (West Scotland)**, ICES has not been able to accurately separate fishing mortality from natural mortality, but mortality is high. The SSB has increased from an all-time low in recent years, but is still far below the estimated limit for 'risk of depletion'¹⁸. The 2005 and 2008 year classes are considered to be more abundant than the recent average, but still well below the historical average. It is important to protect the 2008 year class to ensure that it contributes to rebuilding the stock¹⁹.

The management plan for this stock stipulates that the TAC shall be reduced by 25% each year as long as the stock remains below the minimum spawning stock biomass level²⁰. ICES has not been able to evaluate if the plan is consistent with the precautionary approach and its advice is to reduce catches to the lowest possible level, according to both MSY and the precautionary approach²¹. ICES also states that all sources of fishing mortality should be reduced to as close to zero as possible in order for this stock to recover and reach a SSB above precautionary limits.

In **Vb₁ (Faroe Plateau)**, cod is mainly taken in a targeted longline fishery for cod and haddock, in an automatic jigging fishery and as bycatch in the trawl fishery for saithe. There is no management plan in place for this stock, but an effort system with the aim of keeping fishing mortality at around 0.45, which is above the estimated precautionary level.

ICES states that the stock is overfished in relation to both MSY and the precautionary approach. The spawning stock biomass is increasing after reaching a historical low in 2007 and is now

¹³ICES advice 2011, book 5, p 2.

¹⁴ICES advice 2011, book 5, p 4.

¹⁵ICES advice 2011, book 5, p 1.

¹⁶Scientific, Technical and Economic Committee for Fisheries (STECF) REVIEW OF SCIENTIFIC ADVICE FOR 2012 Part 2 (STECF-11-09), p 119.

¹⁷ICES Advice 2011, Book 5, p 131.

¹⁸ICES Advice 2011, book 5, p 130.

¹⁹ICES Advice 2011, book 5, p 132.

²⁰Council Regulation (EC) No 1342/2008, article 7.

²¹ICES Advice 2011, book 5, p 129.

estimated to be above the level of risk of depletion but below the precautionary level²². ICES is of the opinion that a cod fishery could still be allowed in this area, but that measures should be taken to protect haddock, which is in a very poor state, by closing areas with high abundance of haddock. The advice is to reduce fishing mortality by 30% in line with the MSY approach, which translates to a TAC of less than 10,000 tonnes, international waters included.

The Commission's proposal, on the other hand, only concerns the part of the stock in waters east of 12 degrees W, as the EU is managing this stock along with areas VIa and Vb₂.

Cod in **Vb₂ (Faroe Bank)** has reached a very low level and the ICES advise since 2008 is to close the fishery. A closure of the cod fisheries is likely to lead to high levels of discard, as cod is often caught as bycatch in other fisheries. It is therefore important to ensure that any fisheries in these areas which cannot demonstrate very low levels of bycatch are also closed.

The Commission's proposal is a zero TAC for 2012 for the entire management unit, including all three stocks.

Taking into account the poor state of these stocks we advise you to follow the Commission's proposal. We also ask you to advocate the mandatory use of selective gears for fisheries targeting other species in this area, such as the eliminator trawl for fisheries targeting whitefish and sorting grids in trawls targeting nephrops. Moreover, we urge you to advocate a better match between EU management areas and ICES areas. In this particular case, it is evident that some stocks are in a really bad condition and fishing closures are needed, while others could still sustain a small fishery.

Hake (*Merluccius merluccius*)

The management of hake in European waters distinguishes between the northern hake stock (divisions IIIa, IV, VI, VII and VIIIa,b,d) and the southern hake stock (divisions VIIIc and IXa). We limit our comments to the southern hake stock.

Divisions VIIIc (North and North-west Spain) and IXa (Portuguese coast)

The southern hake stock is targeted in a mixed fishery together with anglerfish and nephrops. It has been managed under a recovery plan since 2006²³, which aims for a SSB above 35,000 tonnes by 2016 and a reduction of fishing mortality to 0.27. The measures in the plan include annual reductions in fishing mortality of 10% as long as fishing mortality remains above 0.3. Associated reductions in days at sea and TACs are limited to 15% annually.

ICES has not evaluated the plan in relation to the precautionary approach and the stock lacks reference points in terms of precautionary and MSY levels for SSB. However, the STECF concluded in 2011 that it had not been effective²⁴, stating that "while regulated fishing effort has declined, effective effort has increased as effort was transferred to gears that catch more hake"²⁵.

²²ICES Advice 2011, book 4, p 1.

²³Council Regulation (EC) No 2166/2005 of 20 December 2005 establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula and amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms.

²⁴COM(2011)260: REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Application of the southern hake and Norway lobster recovery plan.

²⁵Scientific, Technical and Economic Committee for Fisheries (STECF) Report of the Sub Group on Management Objectives and Strategies (SGMOS 10-06). Part d) Evaluation of Multi-Annual Plan for hake and Nephrops in areas VIIIc and IXa.

The recovery plan is currently under review and options to widen the scope of the plan both in terms of fleets (including vessels <10m) and in terms of species are being considered.

According to ICES, this stock has seen a positive development lately, after having been in a very poor state for a long time. Fishing mortality has been very high and stable throughout the last decade – about three times MSY – but is estimated to have decreased substantially between 2009 and 2010 (by 37%). ICES reports that the SSB has increased in the last five years, probably as a result of successful recruitment. ICES also estimates that the SSB increased considerably in 2011. However, there is still substantial overfishing, a considerable amount of discard, and the TAC has been consistently overshoot since 2004²⁶.

Recent discoveries indicate that this species is faster growing and has a higher natural mortality than previously assumed. This implies fast population dynamics, which makes the species more sensitive to fishing mortality and dependent on recruitment success²⁷. It is therefore important to keep fishing mortality low and not deviate from the recovery plan.

ICES advice for transition to MSY is that landings should not be above 14,300 tonnes – which is equivalent to a 34% increase in TAC. The recovery plan stipulates a maximum increase of 15% in TAC from year to year, which translates into 12,299 tonnes, and is expected to take the SSB to a level very near the target of the recovery plan in 2012.

The Commission's proposal follows the recovery plan, resulting in a TAC of 12,299 tonnes.

Considering that this stock is finally showing signs of recovery, we urge you to follow the recovery plan and support the Commission's proposal for a 15% increase of the TAC to 12,299 tonnes.

Anglerfish (*Lophiidae* sp.)

Anglerfish mature late and spawning seems to mostly occur in deep water off the continental shelf. Any commercial catch is therefore likely to contain a high proportion of immature fish, making the stock susceptible to what is called recruitment overfishing²⁸. In order to ensure the future survival of the stock, it is therefore crucial that management measures ensure that sufficient numbers survive to reach spawning size.

There is a minimum selling weight for anglerfish of 500 g, solely to ensure marketing standards and with no ecological considerations. A significantly larger minimum size is required to guarantee that only adult fish, which has had a chance to reproduce, are included in catches. Anglerfish are targeted or caught in mixed fisheries with trawls and as bycatch in gillnets, as well as by artisanal fisheries. The stocks are also affected by ghost fishing and high levels of discarding due to long soaking times in offshore gillnet fisheries, which target anglerfish in parts of the North Sea and of the North East Atlantic²⁹.

Some advice for anglerfish is presented by ICES but without any analytical assessment for the proposed management areas, due to the major uncertainties in catch and effort data and the limited knowledge about population dynamics. The status of the stocks is largely unknown and no reference targets have been defined for the majority of management areas. Although some advice is provided by species, a joint TAC is usually set for both European anglerfish species

²⁶ICES advice 2010, book 7 p 1.

²⁷ICES advice 2011 book 7 p 5.

²⁸ICES advice 2011, book 5, p 181.

²⁹ICES advice 2011, book 5, p 182.

(*Lophius piscatorius* and *L. buldegassa*). Due to poor reporting regulations, the species are often not separated in landings, leading to poor quality landing data.

In addition to these imprecisions, landings indicate that anglerfish in most European waters are in worrying state and the Commission proposes reductions in TAC. In areas VIIIc, IX and X (North and North-West Spain, Portuguese Coast, West Portugal, and Azores) fishing mortality for *L. buldegassa* has been below F_{MSY} since 2009, while *L. piscatorius* has just reached F_{MSY} . The Commission proposes an increase of TAC by more than 100% which does not reflect the different status of the two species that are targeted in the same fishery.

Due to the uncertainty in data of European anglerfish stocks and the vulnerable nature of these species we ask you to ensure that the 25% reduction in TACs proposed by the Commission for several areas is followed. For areas VIIIc, IX and X, a rollover – not exceeding 1,571 tonnes – is more appropriate in order to safeguard the weaker species within a fishery targeting both.

Nephrops (*Nephrops norvegicus*)

Various fisheries target nephrops using trawls or creels, or catch them together with other target species in mixed fisheries. While the creel fishery for nephrops has hardly any bycatch and very limited impact on bottom habitats, the nephrops trawl fishery in some areas has significant bycatch and discard of undersized fish, including small nephrops, cod, haddock and whiting. The impact of nephrops trawl fisheries on the stocks of these species can be reduced by promoting a shift towards creel fishing and by improving trawl selectivity through gear adaptations. Examples include square mesh panels and the Swedish grid (an adaptation of the Nordmøre grid), which was recently trialed in other European nephrops fisheries³⁰. Moreover, demersal trawling is known for its high fuel consumption, adding to environmental degradation and the need for a shift towards fishing gears with less environmental impact³¹.

No reference points are defined for nephrops and assessment relies on trends from survey and landing data. Most stocks show signs of decline but in some cases there are indications that exploitation is at sustainable levels. It is important to note that nephrops stocks can fluctuate significantly due to environmental conditions and this adds an additional level of uncertainty to long-term stock assessment³².

Nephrops are restricted to muddy habitat and often separated by physical barriers, such as hard bottoms, and the individual exchange between areas can be very limited. ICES recommends that different areas, or functional units, should be managed separately. The management areas used by the Commission when setting fishing possibilities, however, include several functional units. In several cases, the state of nephrops of different functional units varies considerably, even though they belong to the same management area. In the future, STECF recommends that a full match between management and functional areas should be adopted, to enable better application of scientific information to management.

³⁰Drewery, J. *et al.* (2010). The selectivity of the Swedish grid and 120mm square mesh panels in the Scottish Nephrops trawl fishery. *Fisheries Research* 106: 454–459.

³¹Moving Towards Low Impact Fisheries in Europe – Policy Hurdles & Actions. *Seas At Risk* report 2009, p 94. Available online at: http://www.seas-at-risk.org/1images/SAR_LIF.pdf

³²Gonzalez Herraiz *et al.* (2009). The NAO index and the long-term variability of *Nephrops norvegicus* population and fishery off West of Ireland. *Fisheries Research* 98: 1–7.

We therefore urge you to consider the weakest functional unit within a management area in your deliberations about the fishing possibilities and ensure that future management is based on the functional units used in the scientific assessments.

Reductions are proposed by the Commission for most nephrops stocks, except for **areas VI and EU and international waters of Vb** (West of Scotland, Rockall, and Faroes) for which the Commission proposes a slight increase. The state of the stocks in these areas is almost completely unknown due to a lack of analytical data.

In **subarea VII**, which covers a large and diverse area west of the United Kingdom and around Ireland, the state of different functional units varies considerably. The Commission proposes a 19% reduction but given the poor data.

In **areas VIIIa and b** (South Brittany and South Biscay), as well as **areas VIII d and e** (Central Biscay and West Biscay), the nephrops stocks seem to be stable. However, due to a lack of sufficient data, the Commission proposes a 15% TAC reduction.

For **area VIII c** (North and North-West Spain), the Commission proposes a moderate reduction of 10%. However, this stock has been in decline for a long time, although a recovery plan is in place, and according to scientific advice a 10% reduction is insufficient to safeguard it.

In **areas IX, X, CECAF 34.1.1** (Portuguese coast, West Portugal, and Azores), some of the functional units are at a critical state and for West Galicia and North Portugal (FU 26 and FU 27) ICES proposes a zero TAC. For the other functional units within this area, there is insufficient information. The stock in area IX, X and CECAF 34.1.1 is included in the southern hake recovery plan³³ that was adopted in 2006. Reductions have been applied according to the Harvest Control Rule (HCR) in the plan. However, as mentioned earlier, this plan is not considered effective³⁴.

We ask you to support the Commission's proposals for 15% reduction in areas VIIIa, b, and e. For the areas VI, Vb, VII we ask for a 25% cut in accordance with the precautionary approach. For areas IX, X, CECAF 34.1.1 (EU) we urge you to set a zero TAC because of the critical state of nephrops in functional units 26–27 of area IX. However, if these functional units could be managed separately, a 25% reduction could be applied to the rest of the area. We further ask you to follow scientific advice and apply a zero TAC in area VIIIc.

Sole (*Solea solea*)

Sole is a soft-bottom habitat flatfish mostly targeted in trawl fisheries, often beam trawls. Bycatch in the sole trawl fisheries often contain other demersal species such as nephrops, plaice and cod. In some areas there is also a directed gillnet fishery (using trammel nets).

In most European waters sole has been overexploited during the last decades and the majority of stocks are currently weak, although signs of recovery have been detected. Of the nine regions for which different quotas are set, sole stocks in IIIa (Skagerrak and Kattegat), VIIa (Irish Sea) VIIh–k (Celtic Sea and West of Scotland) are of particular concern.

³³Recovery plan for Southern hake and Norway lobster. Council Regulation (EC) No 2166/2005 of 20 December 2005

³⁴COM(2011)260 REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Application of the southern hake and Norway lobster recovery plan.

In **Division VIIa**, the Commission proposes that the 2012 TAC should be 220 tonnes, which is somewhat higher than what is recommended by ICES (200 tonnes). Data on both Spawning Stock Biomass and recruitment indicate that the stocks are at alarmingly and historically low levels, despite the fact that fishing mortality has gradually been reduced during the last decades.

Also in **Divisions VIIh–k**, the sole biomass is still decreasing despite a reduction in fishing pressure. The data for this stock is very poor and landing statistics show clear downward trends since the early 1970s. In 2009, for example, landings were only about a quarter of the sole landings in the early 1970s. It is evident that much larger cuts are needed than what is proposed by the Commission (15% TAC reduction).

For several areas, stock assessments are based solely on landing data. For **Divisions VIIb** (West Ireland) and **VIIc** (Porcupine Bank), landing data shows that the stocks are stable. The Commission's proposal is that TACs should be reduced with 15% until sufficient survey data have been collated.

In other areas, such as **VI, XIV, EU and international waters of Vb and XII, VIIIc–e and IX** (West of Scotland, Rockall, Greenland, Faroes, North Azores, North and North-West Spain, Central Biscay, West Biscay, Portuguese Coast, and West Portugal), the information on stock status is very poor and, if anything, indicates downward trends. The Commission, however, is not following its own policy for data poor stocks and proposes 15% cuts.

For **areas VIIIa and b** (South Brittany and South Biscay) the scientific advice which aims to achieve MSY by 2015 is a TAC of 4,000 tonnes. . The Commission is taking a more restrictive approach, proposing a TAC of 3,755 tonnes.

Regarding division IIIa, subdivision 22–24, the Commission is proposing a TAC of 520 tonnes, a reduction much more severe than the scientific advice provided by ICES³⁵.

We advocate a total ban of sole fishing in VIIa and a 25% reduction in the TAC for divisions VIIb–k. Regarding division IIIa, subdivision 22-24, we ask you to follow scientific advice and reduce TAC to 610 tonnes in line with scientific advice. Also for areas VIIIa and b we recommend that scientific advice is followed resulting in a TAC of 4,000 tonnes. We support the Commission's proposal regarding Divisions VIIb and VIIc of reducing the TAC by 15%. For the areas VI, XIV, EU and international waters of Vb and XII, VIIIc–e and IX, a 25% cut in TAC would be appropriate.

³⁵ICES Advice 2011, Book 6, p 83