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**Our Ref: H.4/LWC/CP/RF/AV**

16 June 2023

Subject: Data call for ICES advisory work related to bycatch of protected species (WGBYC-2023)

Dear Reader,

Please find enclosed a document describing the rationale, scope and technical details of the data call for ICES advisory work by the Working Group on Bycatch of Protected Species (WGBYC).

ICES has a standing request from the European Commission (DG MARE) to advise and inform on the impact of fisheries on the ecosystem. ICES currently provides advice on bycatch of protected, endangered, and threatened species and the requested data will be used by the ICES advisory groups involved in the provision of such advice.

ICES has an ongoing special request for advice from the North East Atlantic Fisheries Commission (NEAFC) to assess seabird bycatch rates in the NEAFC regulatory area. Data gathered through this data call will be used as part of a scoping exercise of data availability related to this request.

For countries which are also EU members this data call is under Commission Implementing Regulation (EU) 2020/967, Regulation (EU) 2019/124, the DCF regulation (EU) No 2017/1004, and Commission Delegated Decision (EU) 2019/910).

For questions about the content of the data call, please contact: [advice@ices.dk](mailto:advice@ices.dk). For questions on data submission, please contact: [data.call@ices.dk](mailto:data.call@ices.dk).

Sincerely,



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# **WGBYC-2023: Data call 2023 related to bycatch of protected species for ICES advisory work**

## **1. Scope of the Data Call**

This data call aims to collate data describing fishing effort, monitoring/sampling effort, and bycatch event records of protected and sensitive species from **2022**. These data will be used by WGBYC to support the provision of ICES advice on the wider effects of fishing activity. The data may be used by other ICES or Joint ICES Expert Groups when the work of those expert groups contributes to ICES advisory processes and is in line with the [Roadmap for ICES bycatch advice on Protected Endangered and Threatened Species](#).

## **2. Rationale**

This data call aims to improve consistency and completeness in the reporting of bycatch data at a regional scale.

ICES has a standing request from the European Commission to advise and inform on the impact of fisheries on the ecosystem and to give warnings of any serious threats from fishing activities alone or in conjunction with any other relevant activity to local ecosystems or species as soon as ICES is aware of such threats. ICES currently provides advice on the effects of fishing on a variety of protected and sensitive species (marine mammals, seabirds, sea turtles and fish) and the requested data will be used by the ICES advisory groups involved in the provision of such advice.

ICES also has an ongoing special request for data appraisal and advice development from the North East Atlantic Fisheries Commission (NEAFC) to assess seabird bycatch rates in the NEAFC regulatory area. Data gathered through this data call may be used to support that request.

The data will be used to provide summaries of bycatch rates by species, gear type and area and will inform estimates of bycatch mortality and risk which are designed to provide insights into the potential effects of fisheries on protected and sensitive species. Data on fishing effort, monitored/sampling effort, and bycatch of protected species will be aggregated as appropriate by ICES Division/Subdivision and Ecoregion, by GSA areas in the Mediterranean and Black Sea, and by statistical Division in the NAFO area. These data will be shown in maps and tables within ICES WGBYC reports and in ICES Advice\*. Aggregated data will be visible and accessible in the [ICES Publications Library](#).

## **3. Legal framework**

All governments or intergovernmental commissions that request and receive advice from ICES, and all contracting parties to OSPAR and HELCOM, have signed international agreements under UNCLOS 1995 Fish Stocks agreement articles 5 and 6, as well as WSSD 2002 article 30. By signing, they agree to incorporate the effect of fisheries on other components of marine ecosystems, and to implement an ecosystem approach to oceans policy that includes fisheries. These agreements also include an obligation to support assessments of the effects of fisheries on protected and endangered species, and on the environment (UNCLOS FSA art 6).

For EU Member States this data call is under Regulation (EU) 2019/1241, Commission Implementing Regulation (EU) 2020/967, the DCF Regulation ((EC) No 2017/1004, and Commission Delegated Decision

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\* ICES (2022). Bycatch of protected, endangered, and/or threatened species of marine mammals, seabirds and marine turtles, and selected fish species of bycatch relevance. ICES Advice: Recurrent Advice. Report. <https://doi.org/10.17895/ices.advice.21695375.v1>

(EU) 2019/910, and in particular Article 17(3) of regulation (EC) No 2017/1004 which states that regarding “...requests made by end-users of scientific data in order to serve as a basis for advice to fisheries management, Member States shall ensure that relevant detailed and aggregated data are updated and made available to the relevant end-users of scientific data within the deadlines set in the request...”

For non-EU ICES member states, there is a requirement to make fisheries data available to support fisheries management under OSPAR, HELCOM, and UNCLOS.

These data are made available to facilitate the scientific basis for advice in support of marine policies. ICES has an established license on data use for this type of data, which governs decisions on who is given access and what they can do with the data; see <https://doi.org/10.17895/ices.pub.22188157>

This data call follows the principles of personal data protection as referred to in paragraph (9) of the preamble in Regulation (EU) 2017/1004, and repealing Council Regulation (EC) No 199/2008.

#### 4. Deadlines

ICES request that the data for the year 2022 be uploaded to the ICES bycatch monitoring database by the **11<sup>th</sup> of August 2023**, to provide enough time for additional quality assurance and data handling procedures before the upcoming WGBYC meeting in September 2023. **Data submitted after this date cannot be processed and will not be used at the WGBYC 2023 meeting.**

#### 5. Data to report

**Please NOTE:** there have been some minor changes to the data to report in relation to the previous WGBYC data call. The main change is:

- Updated ecoregion species reference lists, that can be found in “Annex 1 WGBYC\_Species\_per\_Ecoregion” (available at: <https://doi.org/10.17895/ices.pub.23530935>).
- Priority fish species, as described in the EU action plan: *Protecting and restoring marine ecosystems for sustainable and resilient fisheries*, have been added in 2023 for the Mediterranean and Black Sea.

##### 5.1 Temporal and geographic scope

The temporal scope is for data collected specifically in **2022**. Please refer to the ICES bycatch data portal for guidance on the data submission process, format, data fields, and definitions; <https://www.ices.dk/data/data-portals/Pages/Bycatch.aspx>

The geographic scope of this data call covers the Northeast Atlantic and adjacent areas including:

- Northwest Atlantic Fisheries Organisation (NAFO) Fishing Areas <http://www.fao.org/fishery/area/Area21/en>
- ICES Areas ([https://www.ices.dk/data/Documents/Maps/ICES\\_Areas\\_maps.zip](https://www.ices.dk/data/Documents/Maps/ICES_Areas_maps.zip)) with the adjustments included in Table 5.1.1 to report for the North East Atlantic Fisheries Commission (NEAFC) Regulatory Area [https://www.neafc.org/managing\\_fisheries/measures/ra\\_map](https://www.neafc.org/managing_fisheries/measures/ra_map)
- Geographical Subareas (GSA) of the General Fisheries Commission for the Mediterranean (GFCM), including the Black Sea. <http://www.fao.org/gfcm/data/maps/gsas>

**Please NOTE:** Data from ICES Divisions containing both National EEZ and NEAFC Regulatory Area waters should be reported with the appropriate ICES/NEAFC Subdivision code (e.g., 27.7.k.1 or 27.7.k.2 not just 27.7.k) as specified in Appendix 2 under “Area code”. See Table 5.1.1 for a list of NEAFC areas. This is required in relation to an ongoing special request from NEAFC to ICES on seabird bycatch.

Table 5.1.1. NEAFC area codes and description.

ICES Code	Description
27.1.a	Barents Sea - NEAFC Regulatory Area
27.10.a.1	Azores Grounds - Parts of the NEAFC Regulatory Area
27.10.b	Northeast Atlantic South
27.12.a.1	Subdivision XIIa1 - NEAFC Regulatory Area
27.12.a.2	Subdivision XIIa2 - NEAFC Regulatory Area
27.12.b	Western Hatton Bank
27.12.c	Central Northeast Atlantic - South
27.14.b.1	Southeast Greenland - Parts of NEAFC Regulatory Area
27.2.a.1	Norwegian Sea - NEAFC Regulatory Area
27.2.b.1	Spitsbergen and Bear Island - NEAFC Regulatory Area
27.5.b.1.a	Faroe Plateau - Part of NEAFC Regulatory Area
27.6.b.1	Rockall Bank – Part of NEAFC Regulatory Area
27.7.c.1	Porcupine Bank – Part of NEAFC Regulatory Area
27.7.j.1	Southwest of Ireland - East - Parts of the NEAFC Regulatory
27.7.k.1	Southwest of Ireland - West - Part of the NEAFC Regulatory Area
27.8.d.1	Bay of Biscay - Offshore - Parts in NEAFC Regulatory Area
27.8.e.1	West of Bay of Biscay - Parts in NEAFC Regulatory Area
27.9.b.1	Portuguese Waters - West Parts in NEAFC regulatory Area

## 5.2 Data types

Data covered by this data call are:

**For ICES Member Countries (except the United States and Canada) with fisheries operating in ICES area waters:**

- A) *all fishing effort (for all gear types even if no at-sea monitoring has occurred in the relevant period),*
- B) *all at-sea monitoring/sampling effort (for all gear types whether or not incidental bycatch has been recorded during the relevant time period),*
- C) *all recorded incidental bycatches of relevant species of marine mammals (cetaceans, phocids), seabirds, sea turtles and protected/sensitive fish species. Annex 1 (WGBYC\_Species\_per\_ecoregion; <https://doi.org/10.17895/ices.pub.23530935> ) contains Ecoregion specific species lists of mammals, birds, turtles and fish.*

**For ICES Member Countries (except the United States and Canada) with fisheries operating in NAFO area waters:**

- A) *all fishing effort (for all gear types even if no at-sea monitoring has occurred in the relevant period),*
- B) *all at-sea monitoring/sampling effort (for all gear types whether or not incidental bycatch has been recorded during the relevant time period),*
- C) *all recorded incidental bycatches of relevant species of marine mammals (cetaceans, phocids), seabirds and sea turtles (Please do NOT submit data related to protected/sensitive fish species from NAFO waters).*

**For all EU Member States with fisheries operating in GFCM area waters:**

- A) *all fishing effort (for all gear types even if no at-sea monitoring has occurred in the relevant period),*
- B) *all at-sea monitoring/sampling effort (for all gear types whether or not incidental bycatch has been recorded during the relevant time period),*
- D) *all recorded incidental bycatches of marine mammals (cetaceans, phocids etc), seabirds and sea turtles. For protected/sensitive fish species, report data for the species described in Annex 1 (WGBYC\_Species\_per\_ecoregion; <https://doi.org/10.17895/ices.pub.23530935>). Priority fish species have been added in 2023 for GFCM waters.*

## **6. Data submission**

Data submissions must conform to the present structure of the WGBYC format definition (<https://datsu.ices.dk/web/selRep.aspx?Dataset=128>). To facilitate the submission of the data, ICES has developed an Excel template. The template can be downloaded from the bycatch data portal: <https://www.ices.dk/data/data-portals/Pages/Bycatch.aspx>

Once the Excel data submission template is completed, go to the “Export\_data” sheet and press the “Export data to XML” button to create a data file in XML format, then save it onto your computer or network. **Please NOTE:** do not use the Excel automatic XML conversion function, as it will not produce the correct file.

Press the ‘Submit data’ link the bycatch data portal and log in with your ICES SharePoint user credentials. If you do not have access to ICES SharePoint, please contact [data.call@ices.dk](mailto:data.call@ices.dk) for assistance.

If errors are found in your file, you can re-upload and overwrite previously entered data. If you have no success with your data upload, please contact ICES Data Centre ([data.call@ices.dk](mailto:data.call@ices.dk)). After successful upload, you can check the summary of records entered by clicking on the Summary of the data in database or Submission Status.

Due to possible disruptions caused by the Covid pandemic, which may have affected national data collection programs during 2022, ICES would like to give the opportunity for data submitters to provide additional information/caveats on the data submitted (e.g., reductions in sampling effort, insufficient spatial or temporal coverage or any other information that is thought to be relevant). This information will be passed directly to WGBYC which will consider it when assessing bycatch risk.

Please use this [link](#) to provide all

## **7. Contact information**

For support concerning any issues about the data call content please contact the ICES Secretariat at [advice@ices.dk](mailto:advice@ices.dk) or the WGBYC chairs Allen Kingston ([ark10@st-andrews.ac.uk](mailto:ark10@st-andrews.ac.uk)) and Gudjon Sigurdsson ([gudjon.mar.sigurdsson@hafogvatn.is](mailto:gudjon.mar.sigurdsson@hafogvatn.is)). For support concerning data submission please contact [data.call@ices.dk](mailto:data.call@ices.dk).