

N°	Source	Information required	Deadline/ Remark	Previous	Status <sup>1</sup>	Current	Status	Observations	CPC Remarks	
				Timeliness	Content	Timeliness	Content			
<b>1. Implementation obligations</b>										
1.1.	Art. X Agreement	Report of Implementation.	Session - 60 ds (17.03.2017)	L	C	L	C	Received 09.05.17		
1.2.	Rules Of P.	Compliance Questionnaire.	01.03.2017	L	C	L	C	Received: 06.05.17		
1.3.	SC	National Scientific Report.	16.11.2016	L	C	C	C	Received 18.10.16		
1.4.	Commission	Feedback letter.	17.03.2017	N/C	N/C	L	C	Received: 06.05.17		
<b>2. Management Standards</b>										
2.1.	Res. 15/04	Documents listed in this resolution on board <sup>2</sup>	17.03.2017	N/A	N/A	N/C	N/C	Has indicated documents are not onboard, vessels and gears are not marked, source IOTC-2017-CoC14-CQ12		
		Marking of vessels <sup>2</sup>		N/A	N/A	N/C	N/C			
		Marking of gears <sup>2</sup>		N/A	N/A	N/C	N/C			
		Marking of FADs <sup>2</sup>			N/A	N/A	N/A	N/A	Does not have PS vessel on the IOTC RAV.	
		Logbook on board <sup>2</sup>			N/A	N/A	L	P/C	Has indicated logbook and ATF not onboard, source IOTC-2017-CoC14-CQ12. No legal reference provided.	Compulsory
		Official authorisation to fish outside National Jurisdictions.		Since 15.02.2014	N/A	N/A	L	P/C		Vessel not allowed to fish outside Kenyan EEZ
		IMO number for eligible vessels.		Since 01.01.2016	N/A	N/A	C	C	Has one vessel in the RAV and one with IMO number.	
2.2.	Res. 15/01	Official fishing logbooks.	Since 15.02.2016	N/A	N/A	L	P/C	No information provided. No legal requirement in place currently.	To be incorporated in the new fisheries regulations.	
2.3.	Res. 12/12	Ban on large-scale driftnets <sup>2</sup>	17.03.2017	N/A	N/A	N/C	N/C	No legal requirement in place currently.	Kenya has no large scale driftnets.	
2.4.	Res. 15/08	FADs management plan.	31.12.2013	N/A	N/A	N/A	N/A			

<sup>1</sup> C = Compliant; N/C= Non-compliant; N/A = Not Applicable; P/C = Partially Comply; L = Late; CAP = Compliance Action Plan; CQ = Compliance Questionnaire.

<sup>2</sup> Information is to be provided in the Report of Implementation.

<sup>3</sup> 24 meters overall length and over, and under 24 meters if they fished outside their EEZ.

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		Report of progress on implementation of FADs management plan.	17.03.2017	N/A	N/A	N/A	N/A	Does not have PS vessel on the IOTC RAV.	
2.5.	Res. 16/07	Prohibition of surface or submerged artificial lights to attract fish.	27.09.2016			N/C	N/C	No legal requirement in place currently	To be regulated
2.6.	Res. 16/08	Prohibition of aircrafts and unmanned aerial vehicles.	27.09.2016			L	P/C	Has indicated use have to be authorized by the Director-General of the Kenya Fisheries Service, Kenya's new Fisheries Act 2016, source IOTC-2017-CoC14-IR22	
2.7.	Res. 16/01	Report on methods for achieving the YFT catch reductions.	17.03.2017			N/A	N/A	Catch reductions does not apply to Kenya.	
2.8.	Res. 16/06	Report actions taken to implement reporting obligations & improve data collection of catches.	17.03.2017			L	C	Received 09.05.17. Actions are related to Catch assessment survey, VMS, observer, database development.	
<b>3. Reporting on Vessels</b>									
3.1.	Res. 10/08	List of Active vessels	15.02	N/A	N/A	C	C	Received 15.02.17	
3.2.	Res. 15/11	Fleet Development Plan (FDP).	By 31.12.2010 (10 years)	L	C	L	C	Received 16.03.16 & 13.04.16.	
Reference Capacity									
3.3.	Res. 15/11	List of vessels <sup>3</sup> for Tropical Tuna during 2006.	31.12.2009	N/A	N/A	N/A	N/A	No vessels fishing for tropical tunas in 2006..	
		List of vessels <sup>3</sup> for SWO and ALB during 2007		C	C	C	C	Received 12.02.14	
3.4.	Res. 15/04	List of Authorized vessels 24 metres in length overall or more	Since 01.07.2003	N/A	N/A	C	C	Last Update 10.06.16	
3.5.		List of Authorized vessels (less than 24m, operating in waters outside EEZ of the flag state)	Since 01.07.2006	N/A	N/A	N/A	N/A	No vessels <24 in the IOTC RAV.	
3.6.	Res. 14/05	List of foreign vessels licensed in EEZ	15.02	C	C	L	C	Received 16.02.17: has licensed 6 LL and 46 PS in 2016.	
3.7.		List of foreign vessels denied a licence	15.02	C	C	L	C	Received 06.05.17; has licensed 52 FFV in 2015.	No vessels denied license
3.8.		Access Agreement information	26.02.2015	N/A	N/A	L	N/A	Does not have CPC-CPC Agreement..	No access agreement

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				Timeliness	Content	Timeliness	Content		
3.9.		Official coastal State fishing License	14.01.2014	C	C	C	C	Received 15.04.14	
<b>4. Vessel Monitoring System</b>									
4.1.	Res. 15/03	Adoption VMS for all vessels > 24 m and < 24 m fishing high seas	Since 01.07.2007	C	C	C	C	VMS adopted in 2012. Legal Reference: Fisheries (General) Regulations 2012.	
4.2.		VMS report on implementation and technical failures	30.06	N/A	N/A	N/A	N/A	Did not have vessel on the IOTC RAV in 2015..	
4.3.		VMS implementation plan	30.04.2016			N/C	N/C	No implementation plan submitted.	Installation of VMS undertaken this year and the implementation plan is under preparation.
<b>5. Mandatory statistical requirement – Flag State CPCs</b>									
5.1.	Res. 15/02 & Res 15/05	Nominal Catch							
		• Coastal fisheries	30.06	C	P/C	L	P/C	Data received 01-12-2016. Source: IOTC-2016-SC19-NR13. Has provided NC but aggregated by species	Being updated in conjunction with the IOTC data staff.
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Provisional	30.06	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Final	30.12	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
5.2.		Catch & Effort							
		• Coastal fisheries	30.06	N/C	N/C	N/C	N/C	No data provided	To be reported in this years' report to the IOTC following

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				Timeliness	Content	Timeliness	Content		
									consultation with IOTC staff.
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Provisional	30.06	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Final	30.12	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		Size Frequency							
		• Coastal fisheries	30.06	N/C	N/C	N/C	N/C	No data provided	To be reported in this years' report to the IOTC following consultation with IOTC staff.
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Provisional	30.06	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		• LL - Final	30.12	N/A	N/A	N/A	N/A	No LL vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ active in 2015.	
		Fish Aggregating Devices (FAD)							
		Supply vessels	30.06	N/A	N/A	N/A	N/A	No supply vessels in the IOTC RAV or active in 2015	
		Days at sea by supply vessels	30.06	N/A	N/A	N/A	N/A		
5.3.									
5.4.									

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				Timeliness	Content	Timeliness	Content		
		FADs set by type	30.06	N/A	N/A	N/A	N/A	No purse seiner and supply vessel on the IOTC RAV or active in 2015.	
<b>6. Implementation of mitigation measures and bycatch of non-IOTC species</b>									
6.1.	Res. 05/05	Submission of data regarding Sharks – Nominal catch	30.06	C	P/C	L	P/C	Data received 01-12-2016. Source: IOTC-2016-SC19-NR13. Has provided NC but aggregated by species	Improvement of the species identification in progress.
		Submission of data regarding Sharks – Catch & effort	30.06	N/C	N/C	N/C	N/C	No data provided	To be reported in this years' report to the IOTC following consultation with IOTC staff
		Submission of data regarding Sharks – Size frequency	30.06	N/C	N/C	N/C	N/C	No data provided	
6.2.	Res. 12/09	Prohibition on thresher sharks of all the species of the family <i>Alopiidae</i>	Since 07.07.2010	N/A	N/A	L	P/C	No legal requirement in place currently.	To be included in the fisheries regulation in progress
6.3.	Res. 13/06	Prohibition on oceanic whitetip sharks	Since 14.08.2013	N/A	N/A	L	P/C		
6.4.		Sea turtles report <sup>2</sup>	17.03.2017	C	C	C	C	Source - IOTC_2016-SC19-NR13: a National Strategy exists and is implemented by multiple agencies.	
6.5.	Res. 12/04	Carry line cutters and de-hookers on board (Longliners)	Since 06.08.2009	N/A	N/A	L	P/C	Has indicated equipments not on board, source IOTC-2017-CoC14-CQ22. No legal requirement in place currently.	No legal requirement in place currently
6.6.		Carry dip nets (Purse seiners)	Since 06.08.2009	N/A	N/A	N/A	N/A	No PS operating in the IOTC RAV.	
6.7.	Res. 12/06	Seabirds report <sup>2</sup>	17.03.2017	N/A	N/A	L	C	Received 06.05.17. No interactions reported in 2016.	No interaction with sea birds noted.
6.8.		Implementation of mitigation measures south of 25°S	Since 01.11.2010	N/A	N/A	N/A	N/A	No LL operating operating south of 25°S.	

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				Timeliness	Content	Timeliness	Content		
6.9.	Res. 13/04	Data on interactions with Cetaceans	30.06 (All gears)	N/A	N/A	N/C	N/C	No information provided.	
		Instances of Cetaceans encircled <sup>2</sup>	For PS 17.03.2017	N/A	N/A	N/A	N/A	No PS operating in the IOTC RAV.	
6.10	Res 13/05	Data on interactions with Whale Sharks	30.06 (All gears)	N/A	N/A	L	C	Received 06.05.17.	No interaction with whale sharks encountered.
		Instances Whale Sharks encircled <sup>2</sup>	For PS 17.03.2017	N/A	N/A	N/A	N/A	No PS operating in the IOTC RAV.	
<b>7. Illegal, Unreported and Unregulated (IUU) Vessels</b>									
7.1.	Res. 11/03	IUU listing	Session - 70 ds (07.03.2017)	C	C	C	C	No vessel listed on IOTC IUU list in 2016.	
7.2.	Res. 07/01	Compliance by nationals	17.03.2017	C	C	C	C	No nationals on board vessel listed on IOTC IUU list in 2016.	
<b>8. Transhipments</b>									
8.1.	Res. 14/06	At sea transhipments – CPC report	Before 15.09	N/A	N/A	N/A	N/A	Not participating in the IOTC ROP.	
8.2.		Transhipments in port report <sup>2</sup>	17.03.2017	N/A	N/A	N/A	N/A		
8.3.		List of Authorised carrier vessels	Since 01.07.2008	N/A	N/A	N/A	N/A		
8.4.		Report on results of investigations on possible infractions	15.02.2017	N/A	N/A	N/A	N/A		
8.5.		ROP fee	17.08.2016	N/A	N/A	N/A	N/A		
<b>9. Observers</b>									
9.1.	Res. 11/04	Regional Observer Scheme <sup>2</sup> (No. of vessels monitored and coverage by gear type)	17.03.2017	N/A	N/A	N/A	N/A	No vessel in the IOTC RAV 2015.	
9.2.		• 5% Mandatory, at sea (> 24m) <sup>2</sup>	Since 01.07.2010	N/A	N/A	N/A	N/A		
9.3.		• 5% Phasing in, at sea (< 24m)	2013	N/A	N/A	N/A	N/A		
9.4.		• 5 % Phasing in Artisanal landings <sup>2</sup>	17.03.2017	C	C	C	P/C	Has not provide level of coverage.	
9.5.		Observer reports	150 days after trip	N/A	N/A	N/A	N/A	No vessel in the IOTC RAV 2015.	
<b>10. Statistical document programme</b>									
10.1	Res. 01/06	1 <sup>st</sup> Semester report	01.10	N/A	N/A	N/C	N/C	Has provided copies of completed Statistical Documents. Mandatory reports not provided.	
10.2		2 <sup>nd</sup> Semester report	01.04	N/A	N/A	N/C	N/C		
10.3		Annual report <sup>2</sup>	17.03.2017	N/A	N/A	N/A	N/A		No vessel in the IOTC RAV 2015.

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				Timeliness	Content	Timeliness	Content		
10.4		Information on authorised institutions and personnel	Since 01.07.2002	C	C	C	C	Last Update 08.09.16	
<b>11. Port inspection</b>									
11.1	Res. 05/03	Port inspection programme	01.07	N/C	N/C	C	C	Has designated one port.	
11.2	Res. 16/11	List of designated ports	Since 31.12.10	C	C	C	C	Report received 24.07.13	
11.3		Designated competent Authority		C	C	C	C	Report received 24.07.13	
11.4		Prior notification periods		C	C	C	C	Report received 24.07.13	
11.5		Inspection report	3 days after inspection	C	C	N/C	N/C	No inspection report provided.	
11.6		At least 5% inspection of LAN or TRX	Since 01.03.2011	N/C	N/C	N/C	N/C	No information provided.	
11.7	Denial of entry in port	C		C	L	C	No foreign vessel was denied entry in port.	No tuna vessel denied.	
<b>12. Market</b>									
12.1	Res. 10/10	Report on import, landing and transshipment of tuna and tuna-like fish products in ports <sup>2</sup>	17.03.2017	N/C	N/C	L	P/C	Has indicated no landing in port in 2016. No information provided on transshipment & import, source IOTC-2017-CoC14-IR12.	

**Feedback to Kenya on the level of implementation of IOTC Conservation and Management Measures identified by the CoC13 in 2016.**

**Feedback:** With regards to the level of compliance by Kenya to the decisions of the Commission, the Compliance Committee noted certain issues that required attention. These concerns were communicated to Kenya by the Chair of the Commission in a letter dated 27<sup>th</sup> May, 2016.

• Has not reported Catch & effort and size frequency for the coastal fisheries, as required by Resolution 15/02.
• Has not reported Catch & effort and size frequency on sharks, as required by Resolution 05/05.
• Response to the Letter of Feedback not provided.
• Has not provided the mandatory report on port inspection, as required by Resolution 05/03.
• Has not monitored at least 5% of landing or transshipment, as required by Resolution 10/11.
• Has not provided mandatory report on import, landing and transshipment of tuna and tuna-like fish products in ports, as required by Resolution 10/10

**Response:** The response to the letter of the Chair of the Commission was provided by Kenya on 6 May 2017.

**Current issues on the level of implementation by Kenya of IOTC Conservation and Management Measures identified for discussion in the CoC14 in 2017.**

Having reviewed the 2017 Compliance Report for Kenya, the Chair of the Compliance Committee has identified the following significant non-compliance issues for discussion.

<b>Compliance issues</b>	<b>Current status (2017)</b>	<b>Previous Status (2016)</b>
<b>Repeated compliance issues</b>		
• General lack of compliance with IOTC measures and response from Kenya.		
• Has not presented reports and information as required by IOTC Resolutions and the Commission.		