

IOTC REPORT OF IMPLEMENTATION FOR THE YEAR 2012

REPORTING CPC : KENYA

Date 15/04/2013

Part A: Describe the actions taken under legislation, in the previous year to implement conservation and management measures adopted by the commission at its sixteenth session

1. Resolution 12-01 on the implementation of precautionary approach

There are no specific legislative measures taken in the year 2012 to implement resolution 12-01. The current Fisheries act allows for the prescribing such measures such as harvest control rules (both input and output controls) through a gazette notice by the cabinet secretary responsible for fisheries. Since no specific harvest control rules have been spelled out by IOTC Kenya has not yet made any legislative measures regarding this resolution on any of the IOTC species

2. Resolution 12-02 Data confidentiality policy and procedures

This resolution does not require any legislative input for implementation. The current national fisheries policy on data is congruent with the IOTC resolution 12-02. Generally all data that is in public domain is aggregated catch and effort data. Any finer level data on any specific fishing vessel is held under strict confidence. This applies to logbook data.

3. Resolution 12-03 on the recording of catch and Effort by fishing vessels in the IOTC area of competence

This resolution is to be implemented on a pilot basis for the Kenyan fleet targeting Tuna and tuna like species and with vessels less than 24 meters operating within the Kenyan EEZ. Considering that all current Kenyan fleet is artisanal and not possible enforce a logbook system, Kenya is implementing on a pilot basis a Catch Assessment surveys for these vessels based on an agreed sampling strategy.

For recreational trolling line fishery, a pilot logbook data collection system will be implemented beginning this year. Depending on the lessons learnt from these pilot initiatives the necessary legislative measures will be prescribed for enforcement incorporating the lessons learnt during the pilot phase.

4. Resolution 12-04 on the conservation of marine turtles (including in accordance with article X of the IOTC agreement, their progress of implementation of the FAO guidelines and this resolution)

Kenya continues to implement the national sea turtle conservation strategy and action plan for sea turtles 2010- 2014. The implementation involves multiple agencies including Government agencies, Civil society and Community based organisations. The strategy is very comprehensive with the aim of reducing and mitigating threats reverse declining sea turtle populations and enhance ecological, social, and cultural benefits of sea turtles.

Through community initiatives turtle nesting sites have been protected and enforced by the relevant state agency.

Data on turtles caught by local artisanal fishing vessels involved in tuna fishing is unavailable due to the difficulty of enforcing a logbook system for an artisanal fishing fleet.

5. Resolution 12-05 On Establishing Programme For Transhipment By Large-Scale Fishing Vessels

Kenya does not have on its vessel registry any Large Scale Tuna Longline Fishing Vessel (LSTLV). No transhipment at sea occurs that involves a Kenyan flagged vessel. There was no transhipment at the Kenyan Port of Mombasa in the year 2012. There are clear procedures in place to be enforced and followed by Kenyan observers whenever transhipment at the Port of Mombasa occurs.

6. Resolution 12-06 On Reducing The Incidental Bycatch Of seabirds In Longline Fisheries In force in July 2014

There are no commercial large scale longline fishing vessels in Kenya. Incidental bycatch of sea birds by longline fisheries is not reported by Kenyan artisanal line fisheries vessels.

7. Resolution 12-07 concerning A Record Of Licensed Foreign Vessels Fishing For IOTC species In The IOTC Area of Competence and Access Agreement Information

Kenya grants licenses to foreign fishing vessels to fish in its EEZ upon payment of access fees. The list of licensed vessels is forwarded to the IOTC secretary with the requisite details

Resolution 12-08 Procedures On A Fish Aggregation Devices (FADS) Management Plan

Commercial fishing on FADs by Kenyan vessels has not taken off with the Kenyan fleet. Experimental/ pilot fishing using anchored FADs was done by Kenyan researchers under the SWIOFP project. However no adoption of this fishing method by the local fleet has been witnessed.

8. Resolution 12-09 On The Conservation Of Thresher Sharks (Family alopiidae) Caught In association With Fisheries In The IOTC Area Of Competence

No incident of thresher sharks has been reported by the Kenyan fleet. However in the current year efforts are being made to develop a NPOA sharks and provide legislation for its implementation.

9. Resolution 12-10 To Promote Implementation Of conservation And Management Measures Already Adopted By IOTC

This resolution doesn't require any legislative input by CPCs for implementation. However Kenya Notes that it wishes to be supported in future initiatives for capacity building with respect to data collection of artisanal tuna fisheries, Shark bycatch mitigation measures in artisanal fisheries and trainings that have been organised by IOTC

10. Resolution 12-11 On The Implementation Of a Limitation Of Fishing capacity Of Contracting Parties And Cooperating Non-Contracting Parties

There is no regulation in place

11. Resolution 12-12 To Prohibit The Use Of Large-Scale Driftnets On The High Seas In The IOTC

Large scale drifting nets are not in use by the Kenyan fishing fleet

12. Resolution 12-13 For The Conservation And Management Of Tropical Tuna Stocks In the IOTC Area Of Competence (Including a summary of VMS records related to their fleet operation in the previous year for the consideration of the compliance Committee)

This resolution does not apply to current Kenyan fishing fleet. The local fleet is restricted within the Kenya territorial waters and have no capacity to venture in the area referenced under this resolution

13. Recommendation 12/15 On The Best Available Science

Kenya supports the implementation of this resolution by providing to the secretariat catch and effort data for its fleet

Part B. Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous sessions, and which have not been reported previously.

The current national fleet structure consisting of artisanal vessels of less than 24 meters long and most of the measures adopted do exempt the local fleet. However where necessary Kenya will endeavour to make the necessary legislative changes to ensure that it is in accord with its regional obligations

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the section March 2013 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties).

- **Resolution 01/06 Concerning the IOTC bigeye statistical document programme**

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually.

Not Applicable

- **Recommendation 05/07 Concerning a management standard for the tuna fishing vessels**

The CPC flag states which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their “authorised fishing vessels.”

This information is incorporated in the National Report to the IOTC secretariat every year.

- **Resolution 10/06 On Reducing the incidental Bycatch of seabirds in Longline Fisheries**
CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of competence.

Even though Kenya does not have a Longline vessels this information is incorporated in the National Report to the IOTC secretariat every year.

- **Resolution 10/10 concerning market related measures**

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report, a range of information (e.g. information on vessels/owners, product data (species, weight, point of export) annually.

This information is incorporated in the National Report for the processing and export of tuna products from the Mombasa based cannery and is submitted to the IOTC secretariat every year

- **Resolution 11/04 On a Regional observer scheme**

CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

The current fleet structure of artisanal vessels can not allow for accommodating an observer on board. However observers have been trained by the SWIOFPO project. The state of the observer program in Kenya is also included in the National report