

N°	Source	Information required	Deadline/ Remark	Previous Status <sup>1</sup>		Current Status		Observations	CoC Remarks
				Timeliness	Content	Timeliness	Content		
1. Implementation obligations									
1.1.	Art. X Agreement	Report of Implementation	Session - 60 ds (02.04.2014)	L	C	L	C	Received 09.04.14	
1.2.	Res. 10/09	Compliance Questionnaire	17.03.2014	L	C	C	C	Received 14.03.14	
1.3.	SC04	National Report	17.11.2013			C	C	Received 15.11.13	
1.4.	S17	Feedback letter	02.04.2014			C	C	Received 02.04.14	
2. Management Standards									
2.1.	Res. 13/02	Documents listed in this resolution on board <sup>2</sup>	02.04.2014	N/C	N/C	N/A	N/A	No vessels in the record of authorised vessels.	
		Marking of vessels <sup>2</sup>		N/C	N/C	N/A	N/A		
		Marking of gears <sup>2</sup>		N/C	N/C	N/A	N/A		
		Marking of FADs <sup>2</sup>		N/A	N/A	N/A	N/A		
		Logbook on board <sup>2</sup>		N/C	N/C	N/A	N/A		
		Official authorisation to fish outside National Jurisdictions	15.02.2014			N/A	N/A		
2.2.	Res. 13/03	Official fishing logbooks	15.02.2014			N/A	N/A		
2.3.	Res. 12/12	Ban on large-scale driftnets <sup>2</sup>	02.04.2014	N/C	N/C	N/A	N/A		
2.4.	Res. 13/08	FADs management plan	31.12.2013			N/A	N/A		
2.5.	Res. 12/13	Legal and administrative measures to implement the area Closure	For LL 18.12.2013	N/C	N/C	N/A	N/A		
2.6.			For PS 17.09.2013	N/A	N/A	N/A	N/A		
3. Reporting on Vessels									
3.1.	Res. 10/08	List of Active vessels	15.02	C	C	N/A	N/A	No vessels in the record of authorised vessels.	
3.2.	Res. 12/11	Fleet Development Plan (FDP)	By 31.12.2010 (10 years)	N/A	N/A	P/C	P/C	Has indicated a FDP is under development.	
3.3.	Res. 12/11	List of vessels <sup>3</sup> for Tropical Tuna during 2006	31.12.2009	N/C	N/C	L	C	Has reported one vessel active in 2007, targeting SWO/ALB (CAP).	
		List of vessels <sup>3</sup> for SWO and ALB during 2007		N/C	N/C	L	C		
3.4.	Res. 13/02	List of Authorized vessels 24	Since	N/A	N/A	N/A	N/A	No vessels in the record of authorised	

<sup>1</sup> C = Compliant; N/C= Non-compliant; N/A = Not Applicable; P/C = Partially Comply; L = Late; 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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	3.5.	metres in length overall or more	01.07.2003					vessels.		
		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			
3.6.	Res. 13/07	List of foreign vessels licensed in EEZ	15.02	N/C	N/C	C	P/C	Mandatory information missing: IOTC Number, LOA, Name of Owner.		
3.7.		List of foreign vessels denied a licence	15.02			C	C	1 LL denied a license.		
3.8.		Access Agreement information	07.03.2013	N/C	N/C	C	C	No access agreement.		
3.9.		Official coastal State fishing license	14.01.2014			L	C	Received 15.04.14		
4. Vessel Monitoring System										
4.1.	Res. 06/03	Adoption VMS for all vessels greater than 15 metres in length overall	Since 01.07.2007	C	C	C	C			
4.2.		VMS report on the progress and implementation	30.06 Vessels > 15 m	N/C	N/C	C	C	NIL report - no vessels in the record of authorised vessels.		
4.3.	Res. 12/13	Summary of VMS record <sup>2</sup>	02.04.2014	N/A	N/A	N/A	N/A	No vessels in the record of authorised vessels.		
5. Mandatory statistical requirement– Flag State CPCs										
5.1.	Res. 10/02	Nominal Catch								
		• Coastal fisheries		30.06	L	C	L	C		
		• Surface fisheries		30.06	N/A	N/A	N/A	N/A	No purse seiner ever authorised.	
		• LL	Provisional	30.06	N/A	N/A	N/A	N/A	No activity (Reported in IOTC-2012-SC15-NR13)	
Final			30.12	N/A	N/A	N/A	N/A			
5.2.		Catch & Effort								
		• Coastal fisheries		30.06	N/C	N/C	N/C	N/C	Mandatory report not submitted.	
		• Surface fisheries		30.06	N/A	N/A	N/A	N/A	No purse seiner ever authorised.	
		• LL	Provisional	30.06	N/A	N/A	N/A	N/A	No activity (Reported in IOTC-2012-SC15-NR13)	
			Final	30.12	N/A	N/A	N/A	N/A		
		5.3.	Size Frequency							
• Coastal fisheries			30.06	N/C	N/C	N/C	N/C	Mandatory report not submitted.		
• Surface fisheries			30.06	N/A	N/A	N/A	N/A	No purse seiner ever authorised.		
• LL			Provisional	30.06	N/A	N/A	N/A	N/A	No activity (Reported in IOTC-2012-SC15-NR13)	
			Final	30.12	N/A	N/A	N/A	N/A		
5.4.		Fish Aggregating Devices (FAD)								
		Supply vessels		30.06	N/A	N/A	N/A	N/A	No supply vessel.	
		Days at sea by supply vessels		30.06	N/A	N/A	N/A	N/A		
		FADs set by type		30.06	N/A	N/A	N/A	N/A		
6. Mandatory statistical requirement – Coastal State CPC										

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6.1.	Res. 10/02	Catch & Effort								
		• Surface fisheries		30.06		N/C	N/C	No information provided		
		• LL	Provisional	30.06		N/C	N/C			
			Final	30.12		N/C	N/C			
7. Implementation of mitigation measures and bycatch of non-IOTC species										
7.1.	Res. 05/05	Submission of data regarding Sharks		30.06	L	C	L	P/C	Aggregated by species	
7.2.	Res. 12/09	Prohibition on thresher sharks of all the species of the family <i>Alopiidae</i>		Since 07.07.2010	N/C	N/C	N/C	N/C	Currently no management measures in place for sharks (Reported in IOTC-2013-SC16-NR13)	
7.3.	Res. 13/06	Prohibition on oceanic whitetip sharks ( <i>Carcharhinus longimanus</i> )		Since 14.08.2013			N/C	N/C		
7.4.	Res. 12/04	Sea turtles report <sup>2</sup>		02.04.2014	L	C	L	C	Has reported implementation of action plan for sea turtles 2010- 2014.	
7.5.		Carry line cutters and de-hookers on board (Longliners)		Since 06.08.2009	N/A	N/A	N/A	N/A	No vessels in the record of authorised vessels.	
7.6.		Carry dip nets (Purse seiners)		Since 06.08.2009	N/A	N/A	N/A	N/A		
7.7.	Res. 10/06	Seabirds report <sup>2</sup>		02.04.2014	N/A	N/A	N/A	N/A		
7.8.		Implementation of mitigation measures south of 25°S		Since 01.11.2010	N/A	N/A	N/A	N/A		
7.9.		Res. 13/04	Instances of Cetaceans encircled <sup>2</sup>		For PS 02.04.2014	N/A	N/A	N/A		N/A
7.10.	Res 13/05	Instances Whale Sharks encircled <sub>2</sub>		For PS 02.04.2014	N/A	N/A	N/A	N/A		
8. Illegal, Unreported and Unregulated (IUU) Vessels										
8.1.	Res. 11/03	IUU listing		Session - 70 ds (23.04.2014)	C	C	C	C	No vessel or national identified in IUU fishing activities. Previously assessed as N/A.	
8.2.	Res. 07/01	Compliance by nationals		02.04.2014	C	C	C	C		
9. Transshipments										
9.1.	Res. 12/05	At sea transshipments – CPC report		Before15.09	N/A	N/A	N/A	N/A	No vessels in the record of authorised vessels.	
9.2.		Transshipments in port report <sup>2</sup>		02.04.2014	N/A	N/A	N/A	N/A		
9.3.		List of Authorised carrier vessels		Since 01.07.2008	N/A	N/A	N/A	N/A		
9.4.		Report on results of investigations on possible infractions		24.02.2014	N/A	N/A	N/A	N/A		
9.5.		ROP fee		15.08.2013	N/A	N/A	N/A	N/A		
10. Observers										

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10.1.	Res. 11/04	Regional Observer Scheme <sup>2</sup> (No. of vessels monitored and coverage by gear type)	02.04.2014	N/A	N/A	N/A	N/A	No vessels in the record of authorised vessels.	
10.2.		• 5% Mandatory, at sea (> 24m) <sup>2</sup>	Since 01.07.2010	N/A	N/A	N/A	N/A		
10.3.		• 5% Phasing in, at sea (< 24m)	2013	N/A	N/A	N/A	N/A		
10.4.		• 5 % Phasing in Artisanal landings <sup>2</sup>	02.04.2014	N/C	N/C	N/C	N/C	Has reported a sampling program commenced in 2 <sup>nd</sup> half of 2013 and data shall be sent to IOTC secretariat.	
10.5.		Observer reports	150 days after trip	N/A	N/A	N/A	N/A	No vessels in the record of authorised vessels.	
11. Statistical document programme									
11.1.	Res. 01/06	1 <sup>st</sup> Semester report	01.10	N/C	N/C	N/A	N/A	Does not import BET	
11.2.		2 <sup>nd</sup> Semester report	01.04	N/C	N/C	N/A	N/A		
11.3.		Annual report <sup>2</sup>	02.04.2014	N/C	N/C	N/A	N/A	No vessels in the record of authorised vessels.	
11.4.		Information on authorised institutions and personnel	01.07.2002	L	P/C	C	P/C	Mandatory information missing: Sample Organisation Seal. Last update: 03.01.14	
12. Port inspection									
12.1.	Res. 05/03	Port inspection programme	01.07	N/C	N/C	L	C	Report on landing of foreign vessels for 2011 & 2012 received 10.01.14.	
12.2.	Res. 10/11	List of designated ports	By 31.12.10	N/C	N/C	C	C	Has designated one port.	
12.3.		Designated competent Authority		N/C	N/C	C	C		
12.4.		Prior notification periods		N/C	N/C	C	C		
12.5.		Inspection report	3 days after inspection	N/C	N/C	L	C	2 inspection reports submitted	
12.6.		At least 5% inspection of LAN or TRX	Since 01.03.2011			L	C	2 inspections conducted 100 % inspection LAN/TRX	
12.7.		Denial of entry in port	Since 01/03/2011	N/C	N/C	C	C	Has indicated no denial of entry report.	
13. Market									
13.1.	Res. 10/10	Report on import, landing, transhipment of tuna and tuna-like fish products in ports <sup>2</sup>	02.04.2014			L	C	Received 12.04.14.	

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**Feedback to Kenya on the level of implementation of IOTC Conservation and Management Measures identified by the CoC10 in 2013.**

**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 10<sup>th</sup> May, 2013.

<ul style="list-style-type: none"><li>• Resolution 12/11 (Fleet Development Plan): Noting that Kenya has not verified and reported a final list of active vessels for 2006 (tropical tunas) and 2007 (swordfish, albacore), the CoC <b>URGED</b> Kenya to submit the information as early as possible.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 10/11 (On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing): Noting that Kenya has not provided the list of the designated ports, the name of the competent authority and the notification periods notice, the CoC <b>ENCOURAGED</b> Kenya to provide this information as early as possible.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 06/03 (VMS report on the progress and implementation): Noting that Kenya has not provided the mandatory report on VMS, the CoC <b>URGED</b> Kenya to provide the mandatory VMS report on the progress and implementation as required by this resolution.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 10/02 (Minimum reporting requirements): While noting the progress that Kenya has made over the past year in implementing and improving upon data collection and reporting systems, the CoC <b>NOTED</b> that Kenya has not provided size frequency data for the coastal fishery and has no sampling scheme for the artisanal fishery, as required by this resolution. The CoC <b>ENCOURAGED</b> Kenya to make further improvements in data collection and reporting during the intersessional period.</li></ul>
<ul style="list-style-type: none"><li>• Response to the letter of feedback: Noting that Kenya has not provided a response to the letter of feedback, the CoC <b>ENCOURAGED</b> Kenya to provide a response to the letter of feedback of 2012.</li></ul>

**Response:** Kenya provided its response to the letter of the Chair of the Commission on 2<sup>nd</sup> April 2014.

**Current issues on the level of implementation by Kenya of IOTC Conservation and Management Measures identified for discussion in the CoC11 in 2014.**

Having reviewed the 2014 Compliance Report for Kenya, the Chair of the Compliance Committee has identified the following significant non-compliance issues for discussion.

<ul style="list-style-type: none"><li>• Has not provided catch &amp; effort data of foreign vessels (PS &amp; LL), as required by Res. 10/02.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided catch &amp; effort data for coastal fisheries, as required by Res. 10/02.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided size frequency data for the coastal fishery, as required by Res. 10/02.</li></ul>
<ul style="list-style-type: none"><li>• Has not implemented the prohibition on thresher sharks of all the species of the family <i>Alopiidae</i> and on oceanic whitetip sharks (<i>Carcharhinus longimanus</i>), as required by Res. 12/09 and 13/06.</li></ul>
<ul style="list-style-type: none"><li>• No sampling scheme for the artisanal fishery, as required by Res. 11/04.</li></ul>