

Rules of Procedures 2023 - Appendix V

Compliance Questionnaire for the year 2024 (CoC22)

Deadline for submission: 23/1/2025

READING NOTES:

- The questionnaire is composed of 5 sections reporting on the implementation of IOTC Resolutions.
- Answers provided by CPCs are presented in **blue text**.
- A red dash ("–") indicates that no answer was provided.
- Some requirements have submission(s) deadline post CQ submission date. At the time of submission of the CQ, they may have not been submitted as individual requirement and they will appear blank in the CQ. However, the assessment will be available in the Compliance Report CoC22.

All sections/questions applicable of the Compliance Questionnaire (CQ) Report must be completed.

Consult the Assessment criteria at the end of the Compliance Questionnaire report (For C, P/C, NC1, NC2).

Reporting CPC: Kenya

Date of submission: 08 February 2025 - 10:11

You can consult your previous Compliance questionnaire for CoC 21 in e-MARIS Campaign CoC21 Assessment.

User Manual

[e-MarIs Quick Start series: e-MARIS REPORTS: Compliance Questionnaire](#)

Section 1 – Implementation obligations

1.1 Scientific committee



Report of the Scientific Committee SC04 – National scientific report

Information required: National Scientific Report in 2023 - Deadline: 17/11/2024

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The 2024 national scientific report for the annual session of the Scientific Committee in 2024 provided to the IOTC Secretariat ?

- YES - CPC scientific report is submitted

in –

3. The 2024 national scientific report for the annual session of the Scientific Committee in 2024 completed using the latest template report as directed by the Circular ?

–

National scientific report ?

Yes 17 November 2024 - 09:18

Comments/remarks about the submission and the implementation of this requirement ?

From: stephen ndegwa <ndegwafish@yahoo.com> **Sent:** Saturday, 16 November 2024 20:08:00 (UTC+04:00) Port Louis **To:** IOTC-Secretariat <IOTC-Secretariat@fao.org> **Subject:** KENYA NATIONAL SCIENTIFIC REPORT 2024. Dear Secretariat, Attached please find the national scientific report from Kenya. Regards,

Any additional information(s) / remark(s) on the completion of Section 1 of the Compliance Questionnaire ?

None

Section 2 – Flag State Controls

2.1 Authorised vessels

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence



Information required: List of authorised vessels 24 metres in length overall or more in 2024 - Deadline: 23/1/2025

1 . Did you submit the data/report/information of this reporting obligation ?

YES - Submitted

2. A list of authorised vessels exists - vessels 24 metres in length overall or more ?

- YES

3. All the mandatory information have been provided in the e-RAV application for all authorized vessels 24 metres in length overall or more ?

- YES – Complete

4. Mandatory information not fully provided or missing:

<u>Mandatory parameter</u>	<u>Number of field(s) missing</u>
Name of vessel	0
IMO number	0
National register number or EU registration (CFR) number	0
International radio call sign	0
Port of Registration	0
Type of vessel	0
Length overall (m)	0
Gross tonnage (GT)	0

Total volume of fish hold(s) (in m3)	0
Name of owner(s)	0
Address of owner(s)	0
Name of operator(s)	0
Address of operator(s)	0
Name of beneficial owner(s)	0
Address of beneficial owner(s)	1
Name of company operating the vessel	0
Address of company operating the vessel	0
Company registration number	2
Gear(s) used	0
Time period(s) authorised for fishing and/or tranship- ping - FROM	0
Time period(s) authorised for fishing and/or tranship- ping - TO	0
Colour photographs of the vessel showing the star- board side of the vessel showing the whole structure	3
Colour photographs of the vessel showing the port- side of the vessel showing the whole structure	3
	2

Colour photographs of the vessel showing the bow of the vessel

Specify the reasons for not fully provided or missing requirement:

-

5. Vessels on the Record of Authorized Vessels in 2024 :

INTEGRATION E-MARIS - E-RAV

The below figures are automatically sourced from Kenya reporting in the e-RAV 2024

The fields are restricted to the e-RAV - Integration.

Number of vessels ≥ 24 m
on the record of authorized vessel:

6

Number of vessels < 24 m
on the record of authorized vessel :

0

Information required: Template of the official authorisation to fish outside national jurisdictions in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. National flag vessels registered on the IOTC Record of Authorised Vessels are issued authorisations to fish (ATF) outside National Jurisdiction for species managed by the IOTC:

- YES - National flag vessels registered on the IOTC Record of Authorised Vessels are issued authorisations to fish (ATF) outside National Jurisdiction - both for high sea and for EEZs of other countries only

3. The template of the official authorisation to fish outside National Jurisdictions, with associated information required, has been reported to the IOTC Secretariat:

- Reasons: -

- Reasons: -

- YES - Complete

Last date reporting: 04/11/2022

4. The information concerning the official authorisation to fish outside National Jurisdictions has been updated/changed in 2024 and we submit the updated information to the IOTC Secretariat:

- YES - We submit the updated information below

5. All the mandatory information on the template of the official authorisation to fish outside National Jurisdictions have been provided to the IOTC Secretariat:

- YES - Complete

Mandatory information are not fully provided or missing :

NONE Reasons: NONE

2.2 Chartering agreements

Resolution 19/07 On Vessel Chartering in the IOTC Area of Competence



Information required: Start, suspension, resumption and termination of the fishing operations under the chartering agreement in 2024

1. Did you submit the data/report/information of this reporting obligation ?

–

2. Reporting on start, suspension, resumption and termination of charter agreements signed in 2024 : –

Charter 1

CPC involved: –

Start date: –

Suspension date FROM: – - Suspension date TO: –

Resumption: – - Termination date: –

Charter 2

CPC involved: –

Start date: –

Suspension date FROM: – - Suspension date TO: –

Resumption: – - Termination date: –

Information required: Information on the particulars of the charter agreements and detail of vessels (chartering CP) in 2024

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. You have chartering agreements signed in 2024 ?

- Yes as chartering CP

3. The information of the charter agreements signed in 2024 , (as Chartering CP) reported to the IOTC Secretariat ?

- Yes

4. The information of the charter agreements signed in 2024 is reported within 15 days, or, in any case, prior to 72 hours before commencement of fishing activities under a Charter agreement ?

- Yes

Date of signature of the agreement(s): 06/03/2024

Date of commencement of fishing: 14/08/2024

Date of reporting: 12/08/2024

5. Chartering agreements have been signed with the following countries ?

- European Union

6. For the chartered vessel(s) in 2024 under the charter agreement(s) :

Number of charter agreements ? 1

Number of charter vessels ? 1

Information required: Consent, measures, agreement implementation of IOTC CMMs (flag CPC) in 2024

1. Did you submit the data/report/information of this reporting obligation ?

–

2. The information of the charter agreements signed (as Flag CP) reported to the IOTC Secretariat ? –

–

3. The information of the charter agreements signed is reported within 15 days, or, in any case, prior to 72 hours before commencement of fishing activities under a Charter agreement ?

- Date of signature of the agreement(s) ? -
Date of commencement of fishing ? -
Date of reporting ? -

4. Chartering agreements signed with the following countries ?

- **5. For the chartered vessel(s) under the charter agreement(s):**
Number of charter agreements ? -
Number of charter vessels ? -

2.3 Active vessels

Resolution 10/08 Concerning a Record of Active Vessels Fishing for Tunas and Swordfish in the IOTC Area



Information required: List of active vessels in 2024 - Deadline: 15/2/2025

1. Did you submit the data/report/information of this reporting obligation ?

- **2. List of vessels active provided to the IOTC Secretariat ? -**
What criteria/information you are using to establish the List of Active Vessels? -
The List of Active Vessels includes the following categories of vessels ? -

3. For national vessels - number of active vessels ?

- Number of active vessels \geq 24m: -
Number of active vessels $<$ 24m: -
Additional information on the implementation of this obligation:
-

2.4 List of vessels fishing for yellowfin tuna

Resolution 21/01 on an interim plan for rebuilding the Indian ocean yellowfin tuna stock in the IOTC area of competence



Information required: List of vessels having fished for yellowfin tuna in the preceding year in 2024 - Deadline: 15/2/2025

- 1. Did you submit the data/report/information of this reporting obligation ?**
-
2. The list of vessels which have fished yellowfin tuna (YFT) provided to the IOTC Secretariat and attached ?
-

Criteria/information used to establish the List of vessels fishing YFT?

3. For national vessels - number of vessels ?

- a. For vessels registered on the IOTC Record of Authorised Vessels (RAV):
Number of vessels \geq 24m on the RAV fishing for yellowfin tuna ? -
Number of vessels $<$ 24m on the RAV fishing for yellowfin tuna ? -
b. For vessels **NOT** registered on the IOTC Record of Authorised Vessels (RAV):
Number of coastal/artisanal vessels fishing for yellowfin tuna ? -
Additional information on the implementation of this obligation ?
-

2.5 Control of domestic vessels

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence



Information required: Vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the obligation for valid certificates of vessel registration and valid authorisation to fish and/or tranship to be on board national vessels:

- YES - CPC has systems / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The procedures are provided for in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence

Describe: The procedures are provided for in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The above actions are provided for in the FMDA 2016, either explicitly or implicitly.

3. All documents, valid certificates of vessel registration and valid authorisation to fish and/or tranship, were found to be on board national vessels inspected in 2024 ?

- Reasons -
- Reasons -

- YES - Complete - Implemented by :

For

- National legislation, obliges national vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration
- Authorisation to Fish (ATF) outside national jurisdictions, obliges national vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration

National legislation with provision of documents onboard ?

Yes the 21 January 2025 - 16:20

Reference of laws, regulations and administrative instructions in force related to this requirement:

Fisheries Management and Development Act 2016 - Section 90 and 100 of the FMDA

Comments/remarks about submission and implementation of this requirement:

NONE

Information required: Fishing vessels to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance, by persons/vessels, with the obligation for national vessel marking ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The procedures are provided for in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: [The above actions are provided for in the FMDA 2016](#)

c. Actions in relation to potential infringements

- [Suspend/cancel/revoke a licence/ATF](#)
- [Prohibition of fishing for a determined period](#)
- [Forfeiture of property such as vessel, gear, and fish](#)
- [Fine](#)

Describe: [The above actions are provided for in the FMDA 2016](#)

3. All national fishing vessels are marked (e.i FAO Standard Specification for the Marking and Identification of Fishing vessels) ?

- Reasons -
- Reasons -
-

- YES - Complete - Implemented by :

4. National legislation obliges vessels to be marked with ?

-

National legislation with provision of documents onboard ?

[Yes the 23 January 2025 - 18:04](#)

Reference of laws, regulations and administrative instructions in force related to this requirement ?

[Fisheries Management and Development Act \(FMDA\), 2016 - 98 \(1\)](#)

Comments/remarks about submission and implementation of this requirement ?

NONE

Information required: Passive fishing gears to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance, by persons/vessels, with the obligation to mark passive fishing gears ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- [IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented](#)
- [Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction](#)
- [Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations](#)
- [Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers](#)
- [Control & enforcement regime over vessels include flag State inspection regimes at sea & in port](#)
- [Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag](#)
- [Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators](#)
- [System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations](#)
- [At sea inspection procedures \(SOP\) implemented by National MCS agencies include verification of IOTC obligations](#)
- [In port inspection procedures \(SOP\) implemented by National MCS agencies include verification of IOTC obligations](#)

Describe : [All the above procedures are provided for explicitly or implicitly in the Fisheries Management and Development No. 35 of 2016 \(FMDA 2016\)](#)

b. System or procedures to respond to instances of non-compliance

- [Established in national law implemented by Government](#)
- [Established by national regulation implemented by Government](#)
- [Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements](#)

- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe:

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The actions mentioned above are provided for in the FMDA 2016

3. All passive fishing gears used by national fishing vessels are marked ?

- Reasons -
- Reasons -
-

- YES - Complete - Implemented by :

4. National legislation obliges gears to be marked with ?

- Other identifier of the vessel

Other: Private Mark

National legislation with provision of gears marked ?

Yes the 21 January 2025 - 16:10

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act (FMDA) 2016 - Section 94(1)(b)(iii)

Comments/remarks about submission and implementation of this requirement ?

NONE

Information required: Vessels to carry on board bound national fishing logbook with consecutively numbered pages in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures to monitor and to ensure persons/vessels compliance with the obligation for fishing vessels/persons to keep fishing national logbook on board, bound, with consecutively numbered pages and original kept on board at least 12 months ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : All the above procedures are provided for in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: The actions outlined above are provided for in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The actions described above are provided for in the FMDA 2016

3. All national fishing logbooks were found to be bound on board national fishing vessels ?

- Reasons: -
- Reasons: -

- YES - National fishing vessels use electronic fishing logbooks onboard
- YES - National fishing vessels use electronic fishing logbooks onboard
- YES - Complete - The national legislation obliges national fishing vessels to carry on board national fishing logbooks

4. All national fishing logbooks were found to be on board with consecutively numbered pages ?:

- Reasons: -
- Reasons: -

- YES - Complete
- YES - National fishing vessels use electronic fishing logbooks
- YES - Complete - The national legislation obliges national fishing vessels to carry on board national fishing logbooks, with consecutively numbered pages.

5. All national fishing logbook were found to be on board with the original recordings contained in the fishing logbooks for a period of at least 12 months ?

- Reasons : -
- Reasons : -

- YES - Complete

National legislation with provision for: i) Logbooks to be carried onboard and bound? ii) Logbooks with consecutively numbered pages? iii) Logbooks with original recordings for at least 12 months on board ?

Yes the 21 January 2025 - 16:14

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act (FMDA) 2016 - Section 100 (1)

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence**Information required: Template of official fishing logbooks in 2024 - Deadline: 23/1/2025****1 . Did you submit the data/report/information of this reporting obligation ?**

- NO - Not submitted
- YES - Submitted

2. The information concerning the official fishing logbook has been updated/changed and submit the updated information:

- NO - We have NOT updated the official fishing logbook in 2024

4. CPCs with paper official fishing logbook:

a. If paper fishing logbook is not in one of the two languages of the IOTC, the complete field description of the logbook in one of the two languages of the IOTC is reported to the IOTC Secretariat:

- YES

Additional information:

The paper based logbook is presented on a hardcopy A3 sheet book for both Purse Seine and Longline vessels

5. CPCs with electronic fishing logbook system:

a. The copy of the applicable regulations implementing the electronic logbook system is reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

Fisheries Management and Development Act Cap 378; Section 99 (1) (a) and Section 141 (1) (a)

b. The set of screen captures of the electronic logbook system is reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

There is no system with a built-in electronic logbook but a Microsoft Excel Template

c. The name of the certified software of the electronic logbook system has been reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

There is no system with a built-in electronic logbook but a Microsoft Excel Template

d. If electronic fishing logbook is not in one of the two languages of the IOTC, the complete field description of the logbook in one of the two languages of the IOTC is reported to the IOTC Secretariat:

- No

Additional information:

NA

Information required: Data recording system for vessels below 24m operating inside the EEZ in 2024 - Deadline: 23/1/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The data/catch recording systems for vessels less than 24 metres of developing CPCs operating inside the EEZ is implemented at the standard of the Resolution 15/01:

- Reasons: -
- Reasons : -
- The -
- Information: -
- Remarks: -
- Remarks: -
- Remarks: -

3. Implementation of the data recording system for coastal fisheries (EEZ), for which coastal fisheries/fishing gears, the system is implemented (since 2016):

-
Other types of coastal fisheries/fishing gears:

4. Describe your coastal data recording system for the fisheries/fishing gears checked above:

-
Other: -

Resolution 24/02 On management of drifting fish aggregating devices (FADs) In the IOTC Area of Competence – Marking of drifting fish aggregating devices



Obligation: DFADs to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the obligation for vessels to mark DFADs?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies

- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers

Describe : Fisheries Management and Development Act Cap 378, Section 81: Sub-section (1) (g), Sub-section (5), Sub-section (6)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing

Describe: Fisheries Management and Development Act Cap 378, Section 32: Sub-section (1) (a),(b),(c),(d). Section 81: Sub-section (1) (e),(f)

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: Fisheries Management and Development Act Cap 378, Section 81: Sub-section (1) (e). Section 159: Sub-section (1). Section 160: Sub-section (1) (c) (d). Section 173 (i)

2. All drifting Fish Aggregating Devices used by purse seine vessels / supply vessels are marked?

- Reasons: -
- Number DFAD marked : -

- YES - Complete

Number DFAD marked : 372

-

3. Drifting Fish Aggregating Devices (DFADs) marked with?

- Instrumented buoy attached to the dFAD contains a physical, unique reference number marking (ID provided by the manufacturer of the instrumented buoy).
- IOTC Number of the vessel
- International Radio Call Sign (IRCS) of the vessel
- Name of vessel

Format of the marking: Vessel Name; IOTC Registration Number; Vessel Call Sign (IRCS), Bouy Code; FAD Identification Number

4. Drifting Fish Aggregating Devices used by purse seine vessels / supply vessels are marked, the national legislation obliges dFADs to be marked with?

- YES – All CPC drifting Fish Aggregating Devices are required to be marked by national legislation.

DFAD marked provision in national legislation / ATF T&C ?

Yes the 21 January 2025 - 08:00

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act Cap 378, Section 84 (5) (e); Section 98 (1) (a) and Section 110 (1) (a)

Comments/remarks about your submission and the implementation of this requirement ?

Submission for implementation are based on the Fisheries Law (Fisheries Management and Development Act Cap 378) alone but Fisheries Regulations have not been included as there are still draft awaiting Gazettement by the Parliamentary Committee

Resolution 23/01 - On management of anchored fish aggregating devices (AFADs)
- Marking of anchored fish aggregating devices.



Obligation: AFADs to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation?

- NIL Report / Not Applicable - CPC has NO AFADs fishery fishing for tuna and tuna like species under the IOTC mandate in 2024 .

2. A system or procedures exist to monitor and to ensure compliance with the obligation for vessels to only use AFADs permanently marked with a Unique National Identification (UNI) number : ?

a. System or procedures to monitor compliance with IOTC binding measure

Describe : -

b. System or procedures to respond to instances of non-compliance

Describe: -

c. Actions in relation to potential infringements

Describe: -

2. All anchored Fish Aggregating Devices are marked ?

- Reasons : -

- Number of AFADs marked: -

- Number of AFADs marked: -

3. Anchored Fish Aggregating Devices are marked, the national legislation obliges AFADs to be marked clearly and permanently with a Unique National Identification (UNI) number that identifies either the CPC or the vessel(s) that the AFAD belongs to ?

- Format of the Unique National Identification (UNI): -

AFAD marked provision in national legislation / ATF T&C ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Comments/remarks about your submission and the implementation of this requirement ?

2.6 Vessel Monitoring System

Resolution 15/03 On the vessel monitoring system (VMS) programme



Information required: Adoption of VMS for all vessels ≥ 24 m and < 24 m fishing on the high seas / VMS report on implementation and technical failure in 2023 - Deadline: 30/6/2024

1. A system or procedures exist to monitor and to ensure compliance with the obligation for persons/vessels to install & operate a satellite-based vessel monitoring system (VMS):

- YES - CPC has ONLY systems to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

Describe : -

b. System or procedures to respond to instances of non-compliance

Describe: -

c. Actions in relation to potential infringements

Describe: -

Adoption VMS for all vessels ≥ 24 m and < 24 m fishing high seas

2. The national satellite-based vessel monitoring system has been adopted by law:

- Yes – Adopted by law.

Year : 2016

Report on the progress of implementation of VMS

3. VMS Reporting - Report on the progress of implementation and technical failures ?

- YES - Report submitted and data provided below

4. Total number of national vessels equipped with VMS ?

Vessels 24 m in length overall or above: 5

Vessels less than 24 m operating outside the flag State EEZ: 0

National Fisheries Monitoring Centre (FMC) exists?

- Yes

Technical failures recorded ?

- NO - No technical failures in 2023
number 0

National legislation with provision of requirements/obligation under Resolution 15/03 ?

Yes the 30 June 2024 - 23:14

Reference of laws, regulations and administrative instructions in force related to this requirement:

Fisheries Management and Development Act (FMDA) CAP 378

Comments/remarks about your submission and the implementation of this requirement ?

None

2.7 Transshipment

Resolution 24/05 On establishing a programme for transshipment by large-scale fishing vessels



2.8 Compliance of flag vessels

Resolution 16/07 On the use of artificial lights to attract fish



Prohibition to: Use surface or submerged artificial lights to attract fish in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition i) from using/installing/operating surface/submerged artificial lights beyond territorial waters and ii) from intentionally conducting fishing activities around/near any vessel/DFAD equipped with artificial lights :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements
- a. System or procedures to monitor compliance with IOTC binding measure
- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
 - Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
 - Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
 - Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
 - Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
 - Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
 - Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators

- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The procedures are provided for in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: The procedures are provided for in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Prohibition of fishing for a determined period
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The procedures are provided for in the FMDA 2016

2. The use of submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters ?

- Is implemented (ban) by national legislation

Since: 2020

- Since : -

- Reasons: -

Information :

NONE

Provision for Prohibition to: Use surface or submerged artificial lights to attract fish in national legislation / ATF T&C ?

Yes the 23 January 2025 - 18:03

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3415 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids



Prohibition to: Use aircrafts and unmanned aerial vehicles in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition from using aircrafts and unmanned aerial vehicles as fishing aids:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System for planning/funding/undertaking MCS operations that maximize compliance by vessels /persons for IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The procedures are provided for in the FMDA 2016

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: The procedures are provided for in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Prohibition of fishing for a determined period
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The actions are provided for in the FMDA 2016

3. The use of aircrafts and unmanned aerial vehicles as fishing aids ?

- Is implemented (ban) by national legislation

Since: 2020

– Since : –

– Reasons: –

Information :

NONE

Provision for Prohibition to: Use aircrafts and unmanned aerial vehicles - National legislation & ATF T&C ?

Yes the 23 January 2025 - 18:04

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3407 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 11/02 Prohibition of fishing on data buoys



Prohibition from: Intentionally fish within 1 nautical mile of or interact with data buoy in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

-

2. A system or procedures exist to monitor and to ensure compliance with the prohibition of fishing vessels from intentionally fishing/interacting with data buoy:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The procedures are provided for in the FMDA 2016

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established in administrative orders implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations

- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: [The procedures are provided for in the FMDA 2016](#)

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: [The actions above are provided for in the FMDA 2016](#)

3. Intentionally fishing within 1 nautical mile of or interacting with data buoy:

- Is banned by national legislation

Since: 2020

- Since: -

- Reasons: -

Additional information on the implementation of this obligation :

NONE

National legislation and ATF T&C with provision to prohibit fishing vessels from intentionally fishing within one nautical mile of or interacting with a data buoy in the IOTC area of competence - Resolution 11/02 (2) ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

[The CMM is not transposed on national legislation](#)

Comments/remarks about your submission and the implementation of this requirement ?

None

Prohibition from: Taking on board a data buoy in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

-

2. A system or procedures exist to monitor and to ensure compliance with the prohibition of fishing vessels to take onboard data buoy :

-

a. System or procedures to monitor compliance with IOTC binding measure

-

Describe: -

b. System or procedures to respond to instances of non-compliance

-

Describe: -

c. Actions in relation to potential infringements

-

Describe: -

3. Taking on board a data buoy:

- Since -

- Since -

- Reasons -

Additional information on the implementation of this obligation :

-

National legislation and ATF T&C with provision to prohibit fishing vessels from taking on board a data buoy while engaged in fishing for tuna and tuna-like species in the IOTC area of competence - Resolution 11/02 (3) ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

-

Comments/remarks about your submission and the implementation of this requirement ?

-

Prohibition to: set a purse seine net around a Cetacean in 2024 - Deadline: 23/1/2025

Resolution 23/06 On the conservation of cetaceans



1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition from intentionally setting purse seine net around a cetacean:

- **YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements**

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers

Describe :

1. Regulatory framework (FMDA Cap 378)
2. Monitoring systems like the VMS Tracks vessel positions in real-time to detect suspicious activity in areas known for cetacean populations. and onboard Observer document interactions with cetaceans, including accidental encirclement or intentional setting.
3. reporting and documentation - Captains must document all fishing operations, including interactions with cetaceans in the logbook

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing

Describe: -**c. Actions in relation to potential infringements**

- Suspend/cancel/revoke a licence/ATF
- Fine

Describe: enforce mechanisms like port inspections - Inspect vessels upon docking for compliance with regulations and to verify logbooks and onboard footage and At-sea Patrols.

3. The Prohibition from intentionally setting purse seine net around a cetacean ?

- Is implemented (ban) by national legislation

Since 2016

- Since -

- Reasons -

Additional information on the implementation of this obligation :

The provisions are implemented pursuant to **Section 46. Prohibitions and requirements for marine mammals**

(1) Subject to subsection (3), no person shall engage in fishing for marine mammals in Kenya fishery waters or use any port in Kenya for the purpose of equipping or supplying a vessel intended to be used for fishing for marine mammals.

(2) Any marine mammal caught either intentionally or unintentionally shall be released immediately and returned to the waters from which it was taken with the least possible injury.

(3) The Director General may give written authorization to fish for marine mammals in a limited manner for research purposes.

(4) A person who contravenes subsection (1) or (2) commits an offence and shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to a term of imprisonment not exceeding three years or to both.

National legislation and ATF T&C with provision to prohibit flagged fishing vessels from intentionally setting a purse seine net around a cetacean in the IOTC area of competence - Resolution 23/06 (2) ?

No the –

Reference of laws, regulations and administrative instructions in force related to this requirement ?

The CMM is not transposed on national legislation

Comments/remarks about your submission and the implementation of this requirement ?

None

Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)



Prohibition to: set a purse seine net around a whale shark in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

–

2. A system or procedures exist to monitor and to ensure compliance with the *Prohibition of intentionally setting purse seine net around a whale shark*:

–

a. System or procedures to monitor compliance with IOTC binding measure

–

Describe : –

b. System or procedures to respond to instances of non-compliance

–

Describe: –

c. Actions in relation to potential infringements

–

Describe: –

3. The Prohibition from intentionally setting purse seine net around a whale shark:

– Since: –

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since 2016

– Reasons: –

National legislation and ATF T&C with provision to prohibit flagged fishing vessels from intentionally setting a purse seine net around a whale shark in the IOTC area of competence - Resolution 13/05 (2) ?

No the –

Reference of laws, regulations and administrative instructions in force related to this requirement ?

–

Comments/remarks about your submission and the implementation of this requirement ?

–

Resolution 19/03 On the conservation of Mobulid rays caught in association with fisheries in the IOTC Area of Competence



Prohibition to: intentionally setting any gear type on Mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the *Prohibition of intentionally setting any gear type on Mobulid rays*:

–

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies

- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System for planning/funding/undertaking MCS operations that maximize compliance by vessels /persons for IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe: The above procedures are found in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: The procedures above are provided in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Prohibition of fishing for a determined period
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: The actions above are provided in the FMDA 2016

3. The Prohibition of intentionally setting any gear type on Mobulid rays:

- Since: -

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 2016

- Reasons: -

National legislation and ATF T&C with provision to prohibit all flagged vessels from intentionally setting any gear type for targeted fishing of mobulid rays in the IOTC Area of Competence - Resolution 19/03 (2) ?

Yes the 23 January 2025 - 18:06

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3413 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by IOTC



Prohibition to: fin sharks in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the *Prohibition of shark finning* :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

–

Describe : –

b. System or procedures to respond to instances of non-compliance

–

Describe: –

c. Actions in relation to potential infringements

–

Describe: –

3. Sharks landed fresh: the removal of shark fins on board vessels, the landing, retention on-board, transhipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing:

- Is implemented (ban) by national legislation

Since: 08/05/2020

– Since: –

– Reasons: –

Additional information on the implementation of this obligation :

None.

4. Sharks landed frozen: CPCs that do not apply sub-paragraph 3 a) for all sharks shall require their vessels to not have on board fins that total more than 5% of the weight of sharks on board, up to the first point of landing:

- Is implemented (ban) by national legislation

Since: 08/05/2020

– Since: 08/05/2020

– Reasons: –

Additional information on the implementation of this obligation :

None.

National legislation and ATF T&C With provision for Prohibition of shark finning ?

Yes the 23 January 2025 - 18:07

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act 2016,

Gazette Notice No. Vol. CXXII–No. 83.

Resolution 12/09 On the conservation of thresher sharks (family *Alopiidae*) caught in association with fisheries in the IOTC area of competence



Prohibition to: retain onboard, tranship, land, store, sell thresher sharks of all the species of the family *Alopiidae* in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?1. Avez-vous mis en œuvre l'obligation ?

–

2. A system or procedures exist to monitor and to ensure compliance of flag vessels with the prohibition from retaining on board, transhipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family *Alopiidae*:

–

a. System or procedures to monitor compliance with IOTC binding measure

Describe : -

b. System or procedures to respond to instances of non-compliance

Describe: -

c. Actions in relation to potential infringements

Describe: -

3. Retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family *Alopiidae* ?

- Is implemented (ban) by national legislation

Since: 08/05/2020

- Since: -

- Raisons: -

National legislation and ATF T&C With provision for the prohibition from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family *Alopiidae* ?

Yes the 23 January 2025 - 18:10

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act 2016, Gazette Notice No. Vol. CXXII—No. 83

Resolution 13/06 On a scientific and management framework on the conservation of shark species caught in association with IOTC managed fisheries



Prohibition to: retain onboard, tranship, land, store, sell oceanic whitetip sharks in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Kenya flag vessels with the prohibition on oceanic whitetip sharks :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations

Describe : All the procedures are to be found in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: All the procedures are to be found in the FMDA 2016

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Prohibition of fishing for a determined period
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe: All the actions are to be found in the FMDA 2016

3. Retaining onboard, transhipping, landing or storing any part or whole carcass of oceanic whitetip sharks:

– Since: –

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 2016

- Is not banned and is not implemented

Raisons: –

National legislation and ATF T&C With provision for prohibition on oceanic whitetip sharks ?

No the –

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Not transposed in Kenya legislation

Additional information on the implementation of this obligation ?

The provision can be implemented by **Section 45**

(Declaration of endangered species of fish) of the FMDA 2016

(1) The Cabinet Secretary may, by notice in the Gazette, declare any species of fish to be endangered or threatened with extinction, and shall, to the extent possible, include those species relevant to Kenya that have been declared endangered or threatened under any international agreement or instrument to which Kenya is party.

(2) Unless otherwise provided by the Cabinet Secretary, no person shall engage in fishing for, catch, possess, transport, process, buy or sell any species of

fish declared endangered or threatened with extinction pursuant to subsection (1).

(3) A person who contravenes sub-section (2) commits an offence and shall be liable on conviction to—

(a) a fine not exceeding two hundred and fifty thousand shillings or to a term of imprisonment not exceeding three years or to both in respect of industrial fishing; or

(b) a fine not exceeding fifty thousand shillings or a term of imprisonment not exceeding six months in respect of artisanal fishing.

(4) Where a species of fish has been declared as endangered under subsection (1), the Cabinet Secretary shall take special measures for its protection.



Resolution 19/03 On the conservation of mobulid rays caught in association with fisheries in the IOTC area of competence

Prohibition to: retain onboard, tranship, land, store mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Kenya flag vessels with the prohibition of retaining onboard, transhipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System for planning/funding/undertaking MCS operations that maximize compliance by vessels /persons for IOTC obligations
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : All the procedures are as per the provisions of the Fisheries Management and Development Act No. 35 of 2016 and subsequent Gazette Notice Vol CXXII no. 83 of May 2020

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Maintain compliance/infringement records
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: All the procedures are as per the provisions of the FMDA 2016 and subsequent Gazette Notice Vol CXXII no. 83 of May 2020

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Fine
- Other sanctions (specify below)

Describe: All the above actions are as per the provisions of the FMDA 2016 and subsequent Gazette Notice Vol CXXII no. 83 of May 2020

3. Retaining onboard, transshipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence:

- Is implemented (ban) by national legislation

Since: 2020

– Since: –

– Reasons: –

National legislation and ATF T&C With provision for the prohibition of retaining onboard, transshipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence ?

Yes the 22 January 2025 - 15:45

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3413 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES.

Additional information on the implementation of this obligation ?

NONE.

Prohibition to: gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Kenya flag vessels with:

- The prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays
- The obligation to release alive, implement of live release handling procedures of mobulid rays
- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators
- System & procedures to ensure that persons subject to CPC jurisdiction, including beneficial owners/owners/operators comply with IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- System / procedures to monitor compliance with IOTC binding measure are not listed above, we specify and describe them in the below section

Describe : The above procedures are provided for in the Fisheries Management and Development Act No 35 of 2016 and Gazette Notice No. CXXII No. 83 of 2020

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures
- Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Maintain compliance/infringement records
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence
- System of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities

Describe: The above procedures are provided for in the FMDA No 35 of 2016 and Gazette Notice No. CXXII No. 83 of 2020

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Prohibition of fishing for a determined period
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe: The above actions are provided for in the FMDA 2016 and Gazette Notice No. CXXII No. 83 of 2020.

3. Gaffing, lifting by the gill slits/spiracles, punching holes through the bodies of mobulid rays:

- Is implemented (ban) by national legislation

Since: 08/05/2020

– Since: –

– Reasons: –

Additional information on the implementation of this obligation:

NONE

4. The obligation to release alive, implement live release handling procedures of mobulid rays:

- Is required by national legislation

Since: 08/05/2020

– Since: –

– Reasons: –

Additional information on the implementation of this obligation:

NONE

National legislation and ATF T&C With provision on :

- **The prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays**
- **The obligation to release alive, implement of live release handling procedures of mobulid rays ?**

Yes the 22 January 2025 - 15:44

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3413 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES

Additional information on the implementation of this obligation ?

NONE

Resolution 12/04 On the conservation of marine turtles

Obligation: Longline vessels to carry and employ line cutters and de-hookers on board in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?**2. A system or procedures exist to monitor and to ensure compliance of Kenya longline vessels with the obligation to carry and employ line cutters and de-hookers on board:**

a. System or procedures to monitor compliance with IOTC binding measure

Describe : -

b. System or procedures to respond to instances of non-compliance

Describe: -

c. Actions in relation to potential infringements

Describe: -

3. The obligation for all Kenya flag longline vessels to carry and employ line cutters and de-hookers on board:

- Is required/implemented by national legislation

Since: 08/05/2020

- Since: -

- Reasons: -

National legislation and ATF T&C With provision of the obligation to carry and employ line cutters and de-hookers on board ?

Yes the 23 January 2025 - 18:09

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act, Gazette notice Vol. CXXII—No. 83

Additional information on the implementation of this obligation ?

NONE

Obligation: Purse seine vessels to carry on board dip nets in 2024 - Deadline: 23/1/2025**1. Did you implement the obligation ?**

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance by all Kenya flag purse seine vessels to carry and employ dip nets on board:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers

Describe : The vessels always have an observer on board overseeing the fishing operations

b. System or procedures to respond to instances of non-compliance

- Established in administrative orders implemented by Government

Describe: Supervision undertaken by the observers

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF

Describe: In case of any non adherence, the authorisation to fish is withdrawn

2. The obligation for all Kenya flag purse seine vessels to carry and employ dip nets on board:

- Since: -

- Since: -

- Reasons: -

National legislation and ATF T&C With provision of the obligation Purse seine vessels to carry on board dip nets ?

Yes the 23 January 2025 - 17:55

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act 2016, Gazette Notice No. Vol. CXXII—No. 83

Additional information on the implementation of this obligation ?

NONE



Resolution 23/07 On reducing the incidental bycatch of seabirds in longline fisheries

Obligation: Longline vessels to use mitigation measures south of 25°S in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the obligation, for all longline vessels and persons, to use at least two of the three mitigation measures ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers

Describe: [Seabirds mitigation measures gazetted](#)

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe: [Monitored by observers on board the vessels](#)

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF

Describe: [If a vessel infringes, then it's brought to port for disciplinary action](#)

3. The obligation for all longline vessels to use at least two of the three mitigation measures ?

- Is required/implemented by national legislation

Since: 08/05/2020

- Since: -

- Reasons: -

National legislation and ATF T&C ?

Yes the 22 January 2025 - 21:37

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries \Management and Development Act 2016, Gazette Notice No. Vol. CXXII—No. 83

Additional information on the implementation of this obligation ?

NONE

Resolution 18/05 On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish



Prohibition to: Retain on board, tranship, land, striped marlin, black marlin, blue marlin, indo-pacific sailfish smaller than 60 cm lower jaw fork length in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of flag vessels with the prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Implemented according to FAO Voluntary Guidelines for Flag State Performance to effectively exercise jurisdiction and control over vessels flying my flag
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : The Fisheries Management and Development Act No. 35 of 2016 has adequate provisions to implement this CMM requirement

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
- Sanction schemes prevent vessels from non-compliance behaviour & from engaging in IUU fishing or fishing related activities in support of such fishing
- Authority & capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations
- Appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence

Describe: The Fisheries Management and Development Act No. 35 of 2016 has adequate provisions to implement this CMM requirement

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe: The sanctions and actions provided in the FMDA 2016 are adequate to implement this CMM requirements

3. The prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length:

- Is implemented (ban) by national legislation

Since: 08/05/2020

– Since: dd/mm/yyyy

– Resaons: –

National legislation and ATF T&C With provision for Prohibition to: Retain on board, tranship, land, striped marlin, black marlin, blue marlin, indo-pacific sailfish smaller than 60 cm lower jaw fork length ?

Yes the 23 January 2025 - 18:09

Reference of laws, regulations and administrative instructions in force related to this requirement ?

GAZETTE NOTICE NO. 3408 THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT (No. 35 of 2016) RECOGNITION OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES

Additional information on the implementation of this obligation ?

NONE

2.9 Regional Observer Scheme

Resolution 22/04 On a Regional observer scheme



Obligation: Mandatory 5% observer coverage at sea (all vessels) in 2023 - Deadline: 17/11/2024

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement the at sea observer scheme, and the binding obligation of minimum observer coverage of 5% as defined by the number of operations/sets ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : The system is provided in the Fisheries Management and Development Act No. 35 of 2016

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government

Describe : The system is provided in the Fisheries Management and Development Act No. 35 of 2016

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Other sanctions (specify below)

Describe : The actions to be take in case of non-compliance are provided in the Fisheries Management and Development Act No. 35 of 2016

Any documents on system/procedures ?

No the -

3. The number of vessels monitored and the coverage achieved by gear type, have been reported to the IOTC Secretariat & the IOTC Scientific Committee ?

- 2023 Coverage is = or > 5 % (all fishing gear/fishing vessels)

If coverage is below 5 %, please explain and provide additional information ?

Type of fishing gear	No of fishing vessels observed/monitored	Fishing effort observed/monitored	Coverage in (%)	Secretariat estimated coverage
Purse seine	0	0	0	-
Longline	-	-	-	-
Gillnet	-	-	-	-

Pol & Line	-	-	-	-
Handline	-	-	-	-
Other fishing gear -	-	-	-	-

Report - number of vessels monitored & coverage achieved by gear type for the observer programme at sea ?

No the -

Comments/remarks about your submission and the implementation of this requirement:

-

National legislation with provisions to implement the at sea observer programme, and to implement the minimum coverage of 5% for observer programme at sea ?

Yes the 23 January 2025 - 17:56

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act 2016 - 99 & 144. Conditions for industrial fishing vessels

Information required: Mandatory 5% coverage of artisanal landings in 2023 - Deadline: 17/11/2024

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement the coastal sampling scheme (monitoring coastal fishing vessels landings), and the binding obligation of minimum coverage of 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of active vessels) ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to implement this binding obligation ?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations

Describe : Compulsory presence of a fisheries observer onboard industrial fishing vessels.

b. System or procedures to respond to non-compliance with this binding obligation ?

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Established in administrative orders implemented by Government
- Analysis of infringements findings to identify opportunities to improve compliance controls & monitoring procedures
-

Promoting industry knowledge/understanding of the need for & cooperative participation in MCS activities to comply & prevent/deter/ eliminate IUU fishing

Describe : Once infringements are identified, the criminal procedure code and the rules of evidence are applied as per domestic (Kenyan) law

c. Action to be taken in relation to non-compliance with this binding obligation ?

-

Describe : Court process or administrative judicial action are applicable

Any documents on system/procedures ?

No the -

3. The coverage is at least 5 % of artisanal fishing vessels landings for all fishing gears ?

- Coverage is = or > 5 % (all fishing gear/artisanal fishing vessels)

If coverage is below 5 %, please explain and provide additional information ?

-

Sampling schemes (coastal/artisanal vessel landings):

Type of fishing gear	Total number of vessel trips sampled	Total number of active vessels	Coverage achieved in (%)	Secretariat coverage estimated in (%)
Coastal purse seine	0	0	0	-
Coastal longline	-	-	-	-
Coastal Gillnet	-	-	-	-
Coastal Pol-and-Line	-	-	-	-
Coastal Handline	-	-	-	-
Coastal Line Trolling	-	-	-	-
Coastal Beach seine	-	-	-	-
Coastal Encircling gillnet	-	-	-	-
Coastal Ring net	-	-	-	-
Other fishing gear (Trawl etc...)	-	-	-	-

Report - number of vessels monitored & coverage achieved by gear type for sampling scheme coastal fisheries ?

No the -

Comments/remarks about your submission and the implementation of this requirement ?

-

National legislation with provision to implement the coastal sampling scheme (monitoring coastal fishing vessels landings), and to implement the minimum coverage of 5% for the coastal sampling scheme ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Fisheries Management and Development Act No. 35 of 2016

Information required: At sea Observer reports in 2023 - Deadline: 17/11/2024

1. Did you submit the data/report/information of this reporting obligation ?

-

2. All observer reports have been provided to the IOTC Secretariat:

- - Total of vessel trips observed by fishing gear: - - Total number of observer reports provided by fishing gear: -

- - Total of vessel trips observed by fishing gear: - - Total number of observer reports provided by fishing gear: -

- Reasons: -

3. Observer reports submitted ?

No the -

2.10 Bigeye tuna Statistical Document Programme

Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme



Information required: 1st Semester 2024 report on import of frozen bigeye tuna - Deadline: 1/10/2024

1. Did you submit the data/report/information of this reporting obligation ?

-

2. A system for monitoring import, export, re-export of frozen BET exists:

- YES - A system exists for monitoring import, export, re-export of frozen BET.

3. Frozen Bigeye tuna were imported in the 1st semester 2024:

- NO – NO frozen bigeye tunas were imported in the 1st semester 2024

Total quantity of frozen bigeye tunas imported in the 1st semester (kg): null

Specify from which country' vessels the frozen bigeye tuna were imported:

-

If country not in the list above, provide: -

1st semester import report submitted?

Yes the 24 September 2024 - 14:24

Information required: 2nd Semester 2023 report on import of frozen bigeye tuna - Deadline: 1/4/2024

1. Did you submit the data/report/information of this reporting obligation ?

- NIL Report / Not Applicable - CPC did not import frozen bigeye tunas during the 2nd semester 2023

2. Frozen Bigeye tuna were imported in the 2nd semester 2023:

- NO – NIL report/not applicable, no frozen bigeye tuna were imported in the 2nd semester 2023

Total quantity of frozen bigeye tunas imported in the 2nd semester (kg): -

Specify from which country' vessels the frozen bigeye tuna were imported:

-

Other Country?

2nd semester import report submitted ?

Yes the 02 April 2024 - 16:49

Information required: information on validation of statistical documents - national authorities and authorized officers in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. A system for validating export and re-export of frozen bigeye tunas exists:

- YES - A system exists for validating export and re-export of frozen bigeye tunas.

3. The Information on validation of statistical documents, the National authorities and authorized officers, is reported/updated in 2024 ?

2.1 REPORTING ON NEW INSTITUTIONS AND/OR NEW OFFICERS

- YES - The update for 2024 is provided in the table below for new institution(s) and / or officer(s).

2.2 REPORTING ON INSTITUTION AND/OR OFFICER NOT ANYMORE AUTHORISED

- YES - The update for 2024 is provided in the table below for institution(s) and / or officer(s) that are not anymore autorised.

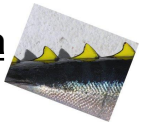
2.3 REPORTING ON CHANGE OF SEAL INSTITUTION

- NO - No update to report in 2024 for for change of seal institution.

Comments/remarks about your submission and the implementation of this requirement ?

2.11 Interim plan for rebuilding the Yellowfin tuna stock

Resolution 21/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence



Information required: Purse seiners served by supply vessels in 2025 - Deadline: 1/1/2025

Objections received:

- Not applicable to India: Resolution 18/01 remains binding.
- Not applicable Indonesia, the Islamic Republic of Iran, Madagascar, Oman and Somalia: Resolution 19/01 remains binding.

1. Did you implement the obligation ?

2. CPC has purse seiners (PS) / supply vessels (SP) on the IOTC Record of authorised vessels?

3. The information on purse seiners served by each supply vessel is provided to the Secretariat ?

No the -

Any additional information(s) / remark(s) on the completion of Section 2 of the Compliance Questionnaire ?

None

Section 3 – Control by IOTC coastal States of activities of foreign vessels involved in IOTC fishery

3.1 Port inspection programme

Resolution 05/03 Relating to the establishment of an IOTC programme of inspection in port



Information required: List of foreign vessels landings in 2023 - Deadline: 1/7/2024

1. Did you submit the data/report/information of this reporting obligation ?

2. The list of foreign fishing vessels which have landed in 2023 and the details of catch composition submitted to the IOTC Secretariat ?

- NO – No landing of IOTC Species in my ports in 2023

Report on the list of foreign vessels & the quantities landed in your ports submitted ?

Yes the 30 June 2024 - 23:20

No	Vessels Flag	Species	Quantity Landed (kg)
1	-	-	-
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-

Resolution 16/11 On Port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing



Information required: List of designated ports, Designated competent Authority, Prior notification periods in each port State CPC in 2024 - Deadline: 23/1/2025

1 . Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding reporting obligation ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- IOTC binding measures, for vessels/persons, monitored and controlled by another government administration (eg. Customs, Maritime authority, Police) with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- System for planning/funding/undertaking MCS operations that maximize compliance by vessels /persons for IOTC obligations
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators

Describe : The provisions of the above procedures are in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government
- Established by national regulation implemented by Government
- Established in administrative orders implemented by Government
- Implementation of corrective/preventative actions to prevent recurrence of non-compliance & infringements
- Implementation of responses to non-compliance & infringements to ensure prompt control and remediation

Describe : The provisions of the above procedures are in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe : The actions of the above procedures are in the Fisheries Management and Development Act No. 35 of 2016 (FMDA 2016)

3. The list of designated ports have been submitted to the IOTC Secretariat?

4. The list of designated ports has been updated/changed in 2024 and we submit the updated information on the designated ports for:

4.1. NEW DESIGNATED PORTS

NEW	WDP name	UN-LOC	Nom Competent Authority	Adress Competent Authority	Tel Competent Authority	Fax Competent Authority	3 e-MAILS Competent Authority	Remark
1								

2								
3								
4								
5								
6								

4.2. UPDATE OF ALREADY DESIGNATED PORTS

NEWDP name	UN-LOC	Nom Competente Authority	Adress Competente Authority	Tel Competente Authority	Fax Competente Authority	3 e-MAILS Competente Authority	Remark
1							
2							
3							
4							
5							
6							

4.3. PORTS NOT ANY MORE DESIGNATED

NEWDP name	UN-LOC	Nom Competente Authority	Adress Competente Authority	Tel Competente Authority	Fax Competente Authority	3 e-MAILS Competente Authority	Remark

1								
2								
3								
4								
5								
6								

5. CPC ports where foreign vessels can request entry are designated by national legislation ?

- YES – CPC ports are designated by national legislation.

National legislation with provision for designation of port, designated competent authority, prior notification periods ?

Yes the 23 January 2025 - 18:00

Reference of laws, regulations and administrative instructions in force related to this requirement?

Fisheries Management and Development Act No. 35 of 2016

50. (1) The Cabinet Secretary may, on the recommendation of the Director-General as endorsed by the Board establish by a notice in the Gazette— (a) fish landing stations, (b) designated fishing ports, and (c) protected fish breeding grounds.

50. Fish landing stations, etc

(1) The Cabinet Secretary may, on the recommendation of the Director-General as endorsed by the Board establish by a notice in the Gazette—

- (a) fish landing stations,
- (b) designated fishing ports, and
- (c) protected fish breeding grounds.

(2) Notwithstanding subsection (1), the areas specified in the Second Schedule are declared to be designated fishing ports, with effect from the date of the commencement of this Act.

(3) No person other than a sport fisherman shall land any fish at any point except at a fish landing station or port.

SECOND SCHEDULE [Section 50 (2).]

DESIGNATED FISH LANDING STATIONS

- . Shimoni
- . Lamu
- . Mombasa

Information required: Port inspection reports AND Report of vessels engaged in IUU fishing following an inspection in 2024 - Deadline: 23/1/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. Number of calls made by foreign vessels ?

- Fishing vessels: 0 - Source e-PSM: -
- Carrier (reefer) vessels: 0 - Source e-PSM: -
- Supply vessels: 1 - Source e-PSM: -

3. Number of foreign vessels denied entry into CPC port(s) ?

- Fishing vessels: 0 - Source e-PSM: -
- Carrier (reefer) vessels: 0 - Source e-PSM: -
- Supply vessels: 0 - Source e-PSM: -

4. Number of foreign vessels denied use of CPC port(s) ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

5. Number of foreign vessels inspected ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 1

6. Number of inspection reports of foreign vessels submitted by e-PSM to the Secretariat ?

- Fishing vessels: 0 - Source e-PSM: -
- Carrier (reefer) vessels: 0 - Source e-PSM: -
- Supply vessels: 0 - Source e-PSM: -

7. Number of inspection reports of foreign vessels submitted by e-mail to the Secretariat ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

PIRs submitted: No the -

8. Number of cases brought against foreign vessels for undermining the coastal CPCs Fisheries Law and/or Fisheries Regulations ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

9. Number of cases reported to the IOTC Secretariat ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

10. There was clear grounds for believing that vessel(s) has engaged in IUU fishing or fishing related activities following an inspection in port ?

- NO - NO CLEAR GROUND for believing that vessels have engaged in IUU fishing or fishing related activities following an inspection in port

11. Following an inspection, we have communicated the findings to ?

- : -
- : -
-
- : -
- : -
- : -
- : -
-
- - e-PSM vessel file: -

Information required: at least 5% inspection of LAN or TRX in 2024 - Deadline: 23/1/2025**1 . Did you implement the obligation ?**

- NIL Report / Not Applicable - No call in port for the purpose of landing/transshipment in 2024

2. A system or procedures exist to implement this binding obligation of monitoring/inspection of 5% of landings/transhipments of foreign vessels ?

a. System or procedures to monitor compliance with IOTC binding measure?

Describe : -

b. System or procedures to respond to non-compliance with this binding obligation?

Describe : -

c. Action to be taken in relation to non-compliance with this binding obligation ?

Describe : -

3. Number of foreign vessels callings in port(s) for the purpose of :

- Landing: 0 - Source e-PSM: -
- Transhipment: 0 - Source e-PSM: -
- Landing & transhipment: 0 - Source e-PSM: -

4. Number of foreign vessels offloading monitored into your port(s) for:

- Landing: 0 - Source e-PSM: -
- Transhipment: 0 - Source e-PSM: -
- Landing & transhipment: 0 - Source e-PSM: -

Have you monitored at least 5 % of the offloading?

- NO – No call in port for the purpose of landing / transhipment in 2024

Coverage of offloadings inspected / monitored : - - Source e-PSM: -

Landing/transhipment monitoring forms submitted ?

No the -

5. The monitoring of landing and transhipment is implemented/conducted by:

- The designated competent authority of the Port State
- - : -
- - : -
- - : -
- - : -

Information required: Report on denial of entry into port in 2024 - Deadline: 23/1/2025

1 . Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding obligation - to deny entry in port for foreign vessels ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- System / procedures to monitor compliance with IOTC binding measure are not listed above, we specify and describe them in the below section

Describe : Kenya implements all the provisions of the 2009 FAO Port State Measures Agreement

b. System or procedures to respond to non-compliance with this binding obligation?

- System/procedure to respond to instances of non-compliance are not listed above, we specify and describe them in the below section

Describe : A compliance enforcement mechanism and structure exists, through a coordinated approach with the Fisheries Authority, Ports Authority, Coast Guard and Police

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe : [Enforcement action by the Fisheries Authority or Coast Guard](#)

3. Foreign vessels were denied entry into CPC port(s) in 2024 ?

–

4. Number of foreign vessels denied entry into CPC port(s) in 2024 ?

CPC

e-PSM

CPC

CPC

	Number	From	Number	Vessel(s) name	Flags of vessels denied entry
Fishing vessels	-	e-PSM	-		-
Carrier vessels	-	e-PSM	-		-
Supply vessels	-	e-PSM	-		-

5. Reason(s) for denial of entry in port(s) ?

– Specify: –

5. The denial of entry was communicated to ?

- – Flag: –
- – Country: –
- – Date: –

6. The denial of entry in port for foreign vessels requesting entry in ports is established/required by national legislation:

- YES - Denial of entry in port is established/required by national legislation.

National legislation ?

Yes the 23 January 2025 - 18:02

Reference of laws, regulations and administrative instructions in force related to this requirement ?

159. (1) Authorization to enter a port shall be denied where there is sufficient proof that a vessel seeking entry into port has engaged in illegal, unreported and unregulated fishing, or in fishing-related activities in support of illegal, unreported and unregulated fishing, or appears on a list of vessels which have engaged in such fishing or fishing related activities adopted by a regional fisheries management organization in which Kenya is a member or cooperating non-member, in accordance with the rules and procedures of such organization and in conformity with international law.

160. (1) Where a foreign fishing vessel has entered one of its ports, the Director-General shall deny that vessel the use of the port for the landing, transshipping, packaging or processing of fish which have not been previously landed, or for refuelling, resupplying, maintenance, dry-docking and other port services where –

(a) the vessel does not have a valid and applicable authorization to engage in fishing or fishing-related activities required by its flag State;

(b) the vessel has not been granted a valid and applicable licence to engage in fishing or fishing related activities required under this Act;

(c) there is clear evidence that the fish on board was taken in contravention of applicable requirements of any coastal State in respect of areas under the national jurisdiction of that coastal State;

(d) the flag State of any foreign fishing vessel does not confirm within a reasonable period of time on the request of the Director-General that the fish on board was taken in accordance with applicable requirements of a relevant regional fisheries management organization; or

(e) there are reasonable grounds to believe that the vessel was otherwise engaged in illegal, unreported or unregulated fishing or fishing-related activities in support thereof unless the operator of the vessel can establish-

(i) that it was acting in a manner consistent with relevant conservation and management measures; or (ii) in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not at the time of provisioning a vessel referred to in subparagraph (e);

(2) Notwithstanding subsection (1), a vessel shall not be denied the use of port services essential to the safety and health of the crew and the safety of the vessel, provided these needs are duly proven, or, where appropriate, for the scrapping of the vessel.

(3) The operator of a vessel which uses a port where such use has been denied pursuant to subsection (1) commits an offence and shall be liable on conviction to a fine not less than fifty million shillings or to imprisonment for a term not less than ten years or to both.

(4) Any person who, knowing or having reasonable cause to believe which a vessel has been denied the use of port, takes any action in assisting such vessel to use the port, or to provide it with goods or services which have been denied, commits an offence and shall be liable on conviction to a fine not exceeding two million shillings or to imprisonment for a term not exceeding ten years or to both.

Information required: Report on denial of use of port AND report on withdrawal of a denial of use of port in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding reporting obligation - to deny use of port ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : The systems and procedures are provided in the Fisheries Management and Development Act 2016

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government

Describe : The systems and procedures to respond to non-compliance are provided in the Fisheries Management and Development Act 2016

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe : The actions in case of non-compliance are provided in the Fisheries Management and Development Act 2016

3. Foreign vessels were denied use of port(s) in 2024 ?

- NO - NIL report - Foreign vessels were NOT denied use of port.

If YES, the denials of use were withdrawn ?

-

4. Number of foreign vessels denied use of ports in 2024 ?

	Num-ber	Vessel(s) name	Vessel flags de-nied use	Reasons denials use port	With-draw	Reason with-drawal denial use of ports
Fish-ing ves-sels	0	-	-	-	YES	-
Carri-er ves-sels	0	-	-	-	YES	-

~~YES~~

Sup- 0
ply
ves-
sels

NO

Additional information - specify reason(s) for denial of use of port ?

5. The denial of use and/or the withdrawal was communicated to ?

- Flag: -
- Country: -
- Date: -
- : -
- : -

6. The denial of use of port and withdrawal for foreign vessels requesting entry in ports are established/required by national legislation:

- YES – Denial of use in port AND withdrawal are established/required by national legislation.

National legislation submitted ?

Yes the 23 January 2025 - 18:03

Reference of laws, regulations and administrative instructions in force related to this requirement?

Fisheries Management and Development Act (FMDA), 2016 - Section 159 and 160

3.2 Foreign vessels licensed

Resolution 14/05 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC area of competence and access agreement information

Information required: list of foreign vessels licensed in EEZ in 2024 - Deadline: 15/2/2025

1 . Did you submit the data/report/information of this reporting obligation ?

2. Foreign vessels were licensed in 2024 ?

3. The list of licensed foreign fishing vessels (in 2024) has been reported to the IOTC Secretariat ?

- Reasons: -
- No vessels missing: -
- No Vessels issued licenses: -

Specify to which foreign vessels flag country you have issued license:

4. All the mandatory information is provided to the IOTC Secretariat for all foreign fishing vessels licensed by Kenya in 2024?

5. Number of licenses issued to foreign fishing vessels in 2024 ?

Foreign fishing vessels \geq 24m:

- Number of licenses issued: -
- Number of vessels: -

Foreign fishing vessels $<$ 24m:

- Number of licenses issued: -
- Number of vessels: -

Information required: foreign vessels denied a license in 2024 - Deadline: 15/2/2025

1 . Did you submit the data/report/information of this reporting obligation ?

2. Foreign vessels were denied a license in 2024 ?

3. Number of licenses denied to foreign fishing vessels ?Foreign fishing vessels \geq 24m:

- Number of licenses denied: -

Foreign fishing vessels $<$ 24m:

- Number of licenses denied: -

Information required: Official coastal State fishing License in 2024 - Deadline: 23/1/2025**1 . Did you submit the data/report/information of this reporting obligation ?**

-

2. The template of the official coastal State fishing License with information required concerning these licenses submitted to the IOTC Secretariat ?

-

If No or Partially, please specify the reasons; if Yes or Partially, specify the date of last declaration:

-

3. The information concerning the official coastal State fishing License has been updated/changed and we submit the updated information to the IOTC Secretariat ?

-

Template official coastal State fishing license submitted?

No the -

4. All the mandatory information on official coastal State fishing License have been provided to the IOTC Secretariat ?

-

Any additional information(s) / remark(s) on the completion of Section 3 of the Compliance Questionnaire ?

None

Section 4 – Responsibility of all CPCs

4.1 Control of nationals

Resolution 24/09 To promote compliance by nationals of contracting parties and cooperating non-contracting parties with IOTC conservation and management measures



Information required: Compliance by nationals at previous session in 2024

1 - Vessels have been listed on the IOTC IUU vessels list at the previous session of the Commission with natural or legal persons under my jurisdiction?

- **NO - No vessels have been listed on the IOTC IUU vessels list at previous sessions of the Commission.**

Consult the Implementation Report for more information

Any additional information(s) / remark(s) on the completion of Section 4 of the Compliance Questionnaire ?

None

Section 5 – Flag State Controls (Data)

Mandatory statistical reporting requirements for IOTC CPCs - All Mandatory statistical requirements - Flag State CPCs in 2023 - Deadline: 30/6/2024

Resolution 18/07 on Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC.

Information required: Zero Catch Matrix (Species presence in the catch)

1. Submit in e-MARIS (IOTC statistical data management system) the zero catches matrix data for the following species?
IOTC SPECIES:

- YES - Complete for all IOTC fisheries for IOTC SPECIES

SHARK SPECIES:

- YES - Complete for IOTC fisheries for SHARKS SPECIES.

Data forms submitted ? Yes the 30 June 2024 - 23:15

Comments/remarks about submission zero catches matrix data - ALL FISHERIES, and the implementation of this requirement ?

Based on data landed by both small scale and industrial vessels

Resolution 12/04 13/05 23/06 23/07 – Interactions with Endangered, Threatened and Protected species (ETP) – Surface & Longline fisheries



Information required: Interactions with Endangered, Threatened and Protected (ETP) species – Surface & Longline Fisheries

1. Submit in e-MARIS (IOTC statistical data management system) Interactions with ETP species for the following species ?

1.1 For interactions ETP species - Surface fisheries

- NO - NIL Report / Not Applicable - No fishing vessel registered on the IOTC Record of Authorised Vessel in 2023.
- NO – NIL Report / Not Applicable - No fishing vessel active in the IOTC Area of Competence in 2023

for –

1.2 For interactions ETP species - Longline fisheries

- YES - Complete for all longline fisheries.
- Nil Report for fishing logbook - No interactions with seabirds reported by longline flag vessels through fishing logbooks in 2023.
- Nil Report for fishing logbook - No interactions with marine turtles reported by longline flag vessels through fishing logbooks in 2023.
- Nil Report for fishing logbook - No interactions with whale sharks reported by longline flag vessels through fishing logbooks in 2023.
- Nil Report for fishing logbook - No interactions with cetaceans reported by longline flag vessels through fishing logbooks in 2023.
- Nil Report for observers - No interactions with marine turtles reported by longline flag vessels through observers in 2023.
- Nil Report for observers - No interactions with seabirds reported by longline flag vessels through observers in 2023.

for

- Whale shark

Data forms submitted ? No the -

Comments/remarks about data submission and the implementation of this requirement ?

-

Resolution 15/02 – Nominal catches / Retained catches – All Fisheries



Information required: Annual retained catches on board – Coastal/surface/longline fisheries

1. Submit in e-MARIS (IOTC statistical data management system) annual retained catches for the following species ?

1.1 For annual retained catches onboard - Coastal fisheries

IOTC SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES
- NO – NIL Report / Not Applicable - No coastal fisheries active in the IOTC Area of Competence in 2023

- For :

- BET-Bigeye tuna Thon obèse(=Patudo)
- BLT-Bullet tuna BonitouAuxis rochei
- COM-Narrow-barred Spanish mackerel Thazard rayé indo-pacifique
- KAW- Kawakawa Thonine orientale
- SFA Indo-Pacific sailfish Voilier indo-pacifique
- YFT-Yellowfin tuna Albacore

SHARK SPECIES :

- NO (Explain the reasons in the free text box comments/remarks, below)

- For -

1.2 For annual retained catches onboard - Surface fisheries

IOTC SPECIES :

- NO – NIL Report / Not Applicable - No fishing vessel active in the IOTC Area of Competence in 2023

- For -

SHARK SPECIES :

- NO (Explain the reasons in the free text box comments/remarks, below)

- Pour -

1.3 For Retained catches onboard - Longline fisheries

IOTC SPECIES :

- YES - Complete for all longline fisheries (LL) and all fishing gears (LL) for IOTC SPECIES

- For -

SHARK SPECIES :

- YES - Complete for all longline fisheries (LL) and all fishing gears (LL) for SHARKS SPECIES

- For -

Data forms submitted ? Yes the 30 June 2024 - 23:17

Comments/remarks about data submission and the implementation of this requirement ?

-



Resolution 15/02 – Nominal catches / Discarded catches – All Fisheries

Information required: Catch discarded – IOTC species, sharks, turtles, seabirds, cetaceans, whale sharks, mobulids - All fisheries

1. Submit in e-MARIS (IOTC statistical data management system) discarded catches data for the following species ?

IOTC SPECIES :

- YES - Partially for IOTC fisheries for IOTC SPECIES

- For :

- BET-Bigeye tuna Thon obèse(=Patudo)
- BLM-Black marlin Makaïre noir
- MLS-Striped marlin Marlin rayé
- SFA Indo-Pacific sailfish Voilier indo-pacifique
- SKJ Skipjack tuna Listao
- SWO-Swordfish Espadon
- YFT-Yellowfin tuna Albacore

SHARK SPECIES :

- YES - Partially for IOTC fisheries for SHARKS SPECIES

- For

- OCS - Oceanic whitetip shark
- AVL - Thresher
- SMA - Shortfin mako
- LMA - Longfin mako
- SPK - Great hammerhead
- SPL - Scalloped hammerhead
- SPZ - Smooth hammerhead
- BSH - Blue shark
- POR - Porbeagle
- FAL - Silky shark

MARINE TURTLE SPECIES :

- YES - Complete for IOTC fisheries and all fishing gears.

- For

- DKK-Leatherback turtle
- TUG-Green turtle

SEABIRDS SPECIES :

- NO – NIL Report / Not Applicable - Nil Report for observers - No interactions with seabirds reported by flag vessels through onboard observers in 2023 .
- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with seabirds reported by flag vessels through fishing logbooks in 2023 .

- For –

CETACEANS SPECIES :

- YES - Partially - ONLY interactions reported by onboard observers in 2023 .
- HAS national and state legislation for protecting cetaceans we have provided the information for the IOTC Scientific Committee, Compliance Committee and Working Party on the Implementation of Conservation and Management Measures consideration.

- For

- KIW-Killer whale

WHALE SHARK:

- YES - Partially - ONLY interactions reported by onboard observers in 2023 .
- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with whale sharks reported by flag vessels through fishing logbooks in 2023

MOBULID :

- YES - Partially - ONLY interactions reported by onboard observers in 2023 .
- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with mobulid rays reported by flag vessels through fishing logbooks in 2023

- For

- RMB-Giant manta
- RMO-Smoothtail mobula
- PLS-Pelagic stingray

Data forms submitted ? No the –

Comments/remarks about data submission and the implementation of this requirement ?

–

Resolution 15/02 – Catch and Effort Geo-referenced – All Fisheries**Information required: Catch and effort – Coastal/surface/longline Fisheries**

1. Submit in e-MARIS (IOTC statistical data management system) Catch and Effort data for the following species/fisheries ?

1.1 Catch and Effort Geo-referenced - Coastal fisheries**IOTC SPECIES :**

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES

- For :

- BET-Bigeye tuna Thon obèse(=Patudo)
- BLM-Black marlin Makaïre noir
- BLT-Bullet tuna BonitouAuxis rochei
- COM-Narrow-barred Spanish mackerel Thazard rayé indo-pacifique
- KAW- Kawakawa Thonine orientale
- YFT-Yellowfin tuna Albacore

SHARK SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES

- For : –

1.2 Catch and Effort Geo-referenced - Surface fisheries**IOTC SPECIES :**

- NO – NIL Report / Not Applicable - No fishing vessels active in the IOTC Area of Competence in 2023

- For –

SHARK SPECIES :

– - For –

1.3 Catch and Effort Geo-referenced - Longline fisheries**IOTC SPECIES :**

- YES - Complete for all longline fisheries (LL) for IOTC SPECIES

- For

- BET-Bigeye tuna Thon obèse(=Patudo)
- SWO-Swordfish Espadon
- YFT-Yellowfin tuna Albacore

SHARK SPECIES :

- YES - Complete for all longline fisheries (LL) for SHARKS SPECIES
- For
- BSH - Blue shark
 - FAL - Silky shark

Information required: FAD – Days at sea (Effort) by support vessels

1. Submit in e-MARIS (IOTC statistical data management system) Catch and Effort data for the following species/fisheries ?

1.4 FAD – Days at sea (Effort) by supply vessels

–

Number of supply vessel(s) registered on the IOTC Record of Authorised Vessels in 2024 ?

7

Data forms submitted ? Yes the 30 June 2024 - 23:33

Comments/remarks about data submission and the implementation of this requirement ?

Data georeferenced according to fishing area

Resolution 15/02 – Size frequencies Geo-referenced – All Fisheries



Information required: Size Frequencies Geo-referenced – Coastal/surface/longline fisheries

1. Submit in e-MARIS (IOTC statistical data management system) Size Frequencies data for the following species/fisheries ?

1.1 Size Frequency Geo-referenced - Coastal fisheries

IOTC SPECIES

- YES - Partially for coastal fisheries and fishing gears for IOTC SPECIES
- For –

SHARKS SPECIES

- YES - Partially for coastal fisheries and fishing gears for SHARKS SPECIES
- For –

1.2 Size frequency Geo-referenced - Surface fisheries

IOTC SPECIES

– - For –

SHARKS SPECIES

- YES - Partially for Surface fisheries for SHARK SPECIES
- For –

1.3 Size frequency geo-referenced - Longline fisheries

IOTC SPECIES

- YES - Partially for Longline fisheries for IOTC SPECIES
- For –

SHARKS SPECIES

- YES - Partially for Longline fisheries for SHARKS SPECIES

- For -

Data forms submitted ? Yes the 30 June 2024 - 23:19

Comments/remarks about data submission and the implementation of this requirement ?

Kenya fisheries development and management act

Resolution 19/02 – FAD – Set on DFAD by type - Drifting floating objects (DFOB) related activities



Resolution 15/02 – FAD – Number & characteristics of supply vessels



Resolution 23-01 - Anchored Fish Aggregating Devices (AFADs) - AFAD related activities



Information required: Data collection for AFADs

1. Submit in e-MARIS (IOTC statistical data management system) AFAD related activities data ?

- NO – NIL Report / Not Applicable - CPC has NO AFADs fishery fishing for tuna and tuna like species under the IOTC mandate in 2023.

Data forms submitted ? Yes the 30 June 2024 - 23:19

Comments/remarks about data submission and the implementation of this requirement ?

-

Resolution 19/02 – Number of active FADs



Information required: Number of active FADs at any one time (from November 2023 to October 2024)

1. Submit in e-MARIS (IOTC statistical data management system) Fish Aggregating Devices for the requirement Number of active FADs at any one date for the month of ?

- YES - Complete for all months.

Number of purse seine vessel(s) registered on the IOTC Record of Authorised Vessels in 2024 ? 2

Number of supply vessel(s) registered on the IOTC Record of Authorised Vessels in 2024 ? 0

Months submitted ?

- August 2024
- September 2024
- October 2024

Data forms submitted? Yes the 19 November 2024 - 12:45

Comments/remarks about data submission and the implementation of this requirement ?

Submission of active FADs data for the months of August, September and October 2024

VOLUNTARY

UN Fish Stocks Agreement (UNFSA) - Fishing Craft Statistics

Information required: Fishing Craft Statistics

1. Submit in e-MARIS (IOTC statistical data management system) the fishing craft statistics ?

- YES - Complete for all vessels.

Data forms submitted ? Yes the 30 June 2024 - 23:16

Comments/remarks about data submission and the implementation of this requirement ?

-

VOLUNTARY

Articles V of the IOTC Agreement - Fish prices

Information required: Fish prices

1. Submit in e-MARIS (IOTC statistical data management system) the fish prices ?

- YES - Complete for all fisheries.

Data forms submitted ? Yes the 30 June 2024 - 23:16

Comments/remarks about data submission and the implementation of this requirement ?

-

Any additional information(s) / remark(s) on the completion of Section 5 of the Compliance Questionnaire ?

None