

REPUBLIC OF KENYA



**MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND IRRIGATION
STATE DEPARTMENT FOR FISHERIES AND THE BLUE ECONOMY**

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When replying please quote;

REF: MOALFI/SDF/KeFS/IOTC/2

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20th May, 2019

The Executive Secretary,
Indian Ocean Tuna Commission,
P.O. Box 1011,
VICTORIA
SEYCHELLES

RE: LETTER OF FEEDBACK FROM KENYA

Reference is made to IOTC Reference 6939 dated 25th May 2018 on the feedback regarding compliance issues, I'd wish to reply as follows;

Concerns that Kenya has not fully implemented the requirement on documents listed in this resolution on board, as requested by Resolution 15/04, the country has instructed the skippers of Kenyan vessels to keep a bound logbook on board the fishing vessels with consequently numbered pages for a period of at least 12 months. The same is photocopied and returned to the fisheries authorities at the end of each fishing year.

On implementation requirement for Marking of gears, as required by Resolution 15/04, all fishing gears on board the vessels are currently marked and inspection regularly undertaken on the vessels to ensure so. The gear marking with private marks is supported by the Fisheries Regulation 2012 which are still operation as we develop new ones under the New Fisheries Management and Development Act 2016.

Official authorisation to fish outside National Jurisdictions, the vessels fish outside the EEZ after official letter of authorisation from the Director General. A regulation to this effect has been included in the proposed new fisheries regulations.

On the official fishing logbooks, as required by Resolution 15/01, the official logbook has been included in the proposed new fisheries regulations.

On the ban on large-scale driftnets, as required by Resolution 17/07, Kenyan fishers have been using small scale driftnets with a maximum number of 25 panels, each 60 m long and have never fished in the high seas. The ban of large-scale driftnets has also been included in the proposed new fisheries regulations.

On the requirement on prohibition of surface or submerged artificial lights to attract fish, as required by Resolution 16/07 and the requirement for prohibition of aircrafts and unmanned aerial vehicles, as required by Resolution 16/08, the Kenyan skippers have been instructed not to use artificial lights to attract fish and Kenyan vessels have not been using aircrafts and unmanned aerial vehicles during their fishing activities. However, the same have also been included in the proposed new fisheries regulations.

On reporting of nominal catches, Catch and Effort and size frequency for coastal fisheries, as per Resolution 15/02, Kenya has been working with the IOTC data team and has finalised the work this year and will now be reporting as per the Resolution.

On the reporting of nominal catches, Catch and Effort and size frequency for sharks Kenya has ensured that observers are put on board the fishing vessels to collect data and ensure reporting as per Resolution 17/05.

On prohibition on thresher sharks of all the species of the family Alopiidae, as required by Resolution 12/09, and oceanic whitetip sharks, as required by Resolution 13/06 the skippers have been prohibited from fishing the species and the same has been included in the proposed new fisheries regulations.

On the reporting of the bigeye 1st and 2nd semester reports as per the Resolution 01/06, Kenya has ensured that the reports are availed to IOTC.

On inspection of at least 5% of Landing or Transshipment, as required by Resolution 16/11, all landings and transshipments at port are inspected.

The list of foreign fishing vessels licensed in Kenya will in future include all the details as required by Resolution 14/05.

The mandatory VMS report on implementation and technical failures, as required by Resolution 16/03 will in future be supplied.

During the year under review, no marine turtle was reported from the fishing exhibition. Reports on marine turtle as per the 12/04 resolution will in future be reported. Requirements on the marine turtles and obligation to carry line cutters and de-hookers on board are part of the special conditions in the licenses and will also be included in the new regulations under review.

During the year 2017, the longliner operated far from Kenyan EEZ and hence no observer report was available. The matter has been resolved in 2018 and the vessels have observers on board. In future, sea bird interactions will be availed as required by 12/06.

On cetacean and whale sharks interactions as required by resolution 13/05 and 13/06, there were no incidences of the two recorded in 2017.

On transshipments in port report, as required by Resolution 17/06, all transshipments must be authorised and inspected, two inspections were carried out in Mauritius in 2017.

On ROP contribution in 2012, as required by Resolution 17/06, the payment for observation was paid by the vessels owners for the amount requested by the IOTC.

On not implemented- the 5% Mandatory coverage at sea (All vessels), as required by Resolution 11/04, the operations in 2017 were not covered as the vessel was operating far away from the Kenyan EEZ but from 2018, the vessels has been operating with an observer on board.

On not implemented-the 5 % Artisanal landings coverage, as required by Resolution 11/04, the landings coverage for Kenya is above 10% and has been reported so in the scientific reports yearly.

On Nominal Catch, Catch and Effort and size frequency reports on longline catches as required by Resolution 15/02, this was due to lack of observers on board but will be rectified as from 2018.

Yours Sincerely,



Susan Imende, HSC
Ag. Director General