



Kenya Marine Fisheries Socioeconomic Development (KEMFSED) Project
P.O. Box 58187-00200
NAIROBI

MINISTRY OF MINING, BLUE ECONOMY AND MARITIME AFFAIRS
STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES

TERMS OF REFERENCE

FOR

CONTRACT TITLE: REVIEW THE KENYA TUNA FISHERIES
DEVELOPMENT AND MANAGEMENT STRATEGY 2013-2018 AND THE
DEVELOPMENT OF AN ALL-INCLUSIVE SUSTAINABLE TUNA FISHERIES
DEVELOPMENT AND MANAGEMENT STRATEGY FOR KENYA

PROJECT: **KEMFSED**
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1.0. BACKGROUND

1.1. Project Background

The Government of Kenya (GoK), through the State Department for Blue Economy and Fisheries, (SDBE&F) and with support from the World Bank, is implementing the Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, which aims at supporting the country in its efforts to leverage emerging opportunities in the Blue Economy. The development project's overall goal is to improve management of priority fisheries and mariculture and increase access to complementary livelihood activities in coastal communities. The KEMFSED project, which is implemented in Kenya's coastal counties namely Mombasa, Kwale, Kilifi, Tana River, and Lamu, aims to strengthen the management of fisheries that are priority to coastal livelihoods, thereby securing stocks at sustainable levels of harvesting. At the same time, the project purposes to strengthen coastal households' access to complementary livelihood activities toward diversifying sources of household income to reduce dependence on capture fisheries. By better managing and conserving marine and inland water resources, reducing illegal fishing activity, and enhancing the value of the fish products in the value chains, the sector is expected to enhance its contribution to the overall economy.

The project comprises of the following three components:

- a) **Component 1: Governance and Management of Marine Fisheries** focusing on improving the management of marine fisheries in Kenyan waters. Fisheries governance interventions will be promoted through strengthened co-management of near shore fisheries, and **infrastructure development** to support the management of fisheries at both the national and county level.
- b) **Component 2: Coastal Community Empowerment and Livelihoods** contributing to the Project Development Objective (PDO) by strengthening livelihoods in coastal communities through a combination of technical and financial support for the implementation of livelihood, social welfare, and environmental subprojects; provision of scholarship grants and complementary capacity-building and mentoring of beneficiaries.
- c) **Component 3: Project Management** that support financially the project management at both national and county levels to ensure coordinated and timely execution of project activities.

1.2. Rationale for consulting services

The State Department for Blue Economy and Fisheries is mandated to lead the development, management, exploitation, utilization and conservation of fisheries in Kenya. The State Department emphasizes the sustainable development and utilization of Kenya's Exclusive Economic Zone (EEZ) fisheries resources. The Tuna Fishery Management and Development Strategy is a step towards the full realization of the economic benefits from the offshore pelagic tuna fisheries resources. The need for a comprehensive strategy for tuna fisheries in the country is premised on the country's desire to transit from traditional artisanal-based fisheries to modern commercially oriented coastal and oceanic fisheries. This will accelerate economic growth of the marine fisheries with direct positive impacts to employment, wealth creation, improved incomes, food security and foreign exchange earnings.

The strategy seeks to build effective governance system of the marine fisheries sector by providing for adequate institutional frameworks taking into account national, regional and international laws and agreements on the sustainable management of tuna resources. Effective governance systems shall ensure compliance with relevant national laws and international standards and agreements. The strategy will promote the maintenance of productive capacities of shared and migratory tuna stocks at sustainable levels and minimize negative fishing impacts on marine fisheries ecosystem. It is in harmony with the Kenya Vision 2030 that seeks to transform the country to a globally competitive middle-income country, with a high quality of life for Kenyans by the year 2030; the Agriculture Sector Development Strategy (ASDS); and the Ministry of Mining, Blue Economy and Maritime Affairs- State Department for Blue Economy and Fisheries, and the 2018-2022 Strategic Plan.

Kenya's marine fishery waters comprise of the coastal near shore waters extending over a 640 km shoreline stretching from 5° 25'S at the Tanzanian border to 1° 30'S at the Somali border and the 200 nautical miles EEZ. The continental shelf area is approximately 6500 km². The northern banks support rich populations of pelagic fisheries resources due to the year-round upwelling in this region and the unique features such as seamounts that support high productivity. The main species in the EEZ are the highly valued tropical tuna and tuna-like fish species, which form the most important resource of the offshore pelagic fishery. The principal tuna species occurring in the EEZ and adjacent high seas are *Thunnus albacares* (Yellowfin tuna), *Katsuwonus pelamis* (Skipjack tuna), and *Thunnus obesus* (Bigeye tuna). The coastal fisheries comprise of crustaceans such as shrimps, lobsters and crabs; mollusks such as octopus, squids and cuttlefish; demersal species such as snappers; and Neritic tunas such

Kawakawa (*Euthynnus affinis*), little tunny (*Euthynnus alleteratus*) and frigate tuna (*Auxis thazard*). Wahoo, Mackerels and kingfish found along the continental shelf also constitute tuna-like species that are important to the artisanal fisheries. There is also a thriving recreational fisheries industry with the target species being the marlins (*Makaira* spp.), sailfish (*Istiophorus* spp.), and swordfish (*Xiphias gladius*).

Kenya is a Contracting Party to the Indian Ocean Tuna Commission (IOTC) which is responsible for the management of tuna and tuna-like species in the Indian Ocean. In the IOTC area of competence, there are over 8,000 authorized Tuna fishing vessels (IOTC, 2012). Kenya's tuna supply chain is largely underdeveloped, with production being done by rudimentary artisanal vessels not capable of going beyond 20 nautical miles. The country, accounts for only 5% of the Western Indian Ocean's processing capacity. The only tuna company in the country relies on supplies from distant water fishing nations (DWFN). In 2021 the artisanal tuna and tuna-like fisheries production was 3 244 mt with tuna species accounting for 18% of the tuna and tuna-like fish production. To attain middle-income status as envisioned in Kenya Vision 2030, review and implementation of the Tuna Fishery management and Development Strategy is expected to increase economic benefits to the Country.

To derive sustainable benefits from the tuna resources within the region, Kenya has to transit from traditional artisanal-based fisheries to modern commercially oriented coastal and oceanic high sea fisheries; enhance its fisheries management institutional capacity; and provide an enabling regulatory and infrastructural environment to spur sustainable development of the tuna industry. Therefore, it is critical to review the Kenya Tuna Fisheries Development and Management Strategy 2013-2018, to determine the progress made so far and what can be done better.

2.0. OBJECTIVES OF THE ASSIGNMENT

The main objective of this consultancy is to review and develop an all-inclusive Sustainable Tuna Fisheries Development and Management Strategy for Kenya.

3.0. SCOPE AND SPECIFIC TASKS OF THE ASSIGNMENT

3.1 Scope of Assignment

The thematic scope of Tuna Fishery Development and management Strategy for Kenya covers tuna and tuna-like coastal and offshore fisheries, putting into consideration national and collective regional approaches to sustainable development and management of tuna and

other highly migratory species in the Indian Ocean region. The strategy is expected to provide a comprehensive framework to consolidate the national efforts and provide strategic guidance to harness and maximize the exploitation and exploration of tuna fisheries in Kenya to spur socio-economic growth and development and taking into consideration the provisions of the Constitution 2010

3.2 Specific Tasks

Key tasks attached to this assignment

1. Review the Kenya Tuna Fisheries Development and Management Strategy 2013-2018 with a view to identify the gaps in relation to the *Fisheries Development and Management Act 2016*, and other strategies and lessons-learned publications from other countries to inform on the new developments within the region;
2. Gather, collate, review and synthesize relevant data and information (baseline assessment) with respect to tuna fishery resource, development and management and climate risks including strategic and development plans, policy and legal documents at national, regional and global level;
3. Identify key national institutions in the blue economy sectors and propose an appropriate institutional framework and or coordination mechanism for the effective and efficient implementation of the tuna strategy;
4. Conduct stakeholder consultative meetings at all levels to gather views and input from the different stakeholders to inform the review of the strategy and agree on commitments and timelines to achieve the necessary steps, including the Inter-governmental Sector Working Group on Policy, Legislation and Standards;
5. To contextualise the role of tuna, conduct a review on the blue economy public expenditure, including a stocktaking of financial mechanisms to support the implementation of the tuna strategy;
6. On the basis of data, information and views gathered from 3 to 5 above, synthesize and compile a comprehensive Tuna Fishery Development and Management Strategy with the commitments, work plans, budgets and timelines to reach the agreed targets;
7. Present the draft Tuna Fishery Development and Management Strategy to the State Department for Blue Economy and Fisheries, Kenya Fisheries Service, Kenya Marine and Fisheries Research Institute, Kenya fishing Industries Cooperation, Kenya Fish Marketing Authority among others for further input;

8. Present the revised Tuna Fishery Development and Management Strategy to the national stakeholders for validation and incorporate comments / input from the national stakeholder validation workshop;
9. Submit a final version to the KEMFSED National Project Coordinator and State Department for Blue Economy and Fisheries for onward adoption and implementation;

4.0. DURATION AND LOCATION OF THE ASSIGNMENT

The assignment is expected to be completed within in a period not exceeding **Four (4) months** from contract commencement date. The location of the assignment will be at Mombasa with frequent travel to all project operating areas and other counties as need be to ensure the strategy covers inputs from the country.

5.0. REPORTING REQUIREMENTS AND TIMELINES FOR DELIVERABLES

The consultant is expected to provide technical support and guidance to deliver the following:

Table 1: Deliverables and reporting and submission format

No.	Deliverables/Reports Tasks	Timelines after contract commencement	Format of submission
1	Inception report with methodology and clear workplan for the assignment	0.5 Months	3 hard copies and a soft copy
2	Baseline assessment report of the tuna fishery highlighting; <ol style="list-style-type: none"> i. current status of the of the fishery and ii. its contribution to sustainable blue economy, iii. budgetary and time requirements; iv. Key national institutions in blue economy and framework including proposed coordination mechanism 	1.5 months	2 hard copies and soft copy
3	Stakeholder consultations meeting/ Workshop report: consultative, sensitization and scoping meeting with selected stakeholders in consultation with the SDBE&F and project team	2 months	soft copy
4	Interim progress report	2 months	Soft copy

5	First draft Tuna Fishery Development and Management Strategy (based on consultations with stakeholders and input)	2.5 months	soft copy
5	National stakeholder validation report	3months	soft copy
6	Draft Revised Tuna Fishery Management and Development Strategy and (including the commitments, work plans, budgets and timelines to reach the agreed targets)	3.5 months	3 hard copies and a soft copy
7	Final Technical report: includes stakeholder input and feedback and a record of all meetings, and any other reports deemed relevant;	4 months	3 hard copies and a soft copy

6.0. PAYMENT SCHEDULE

The consulting assignment is **4 months with** payment of deliverables as follows:

Table 2: Proposed payment deliverable.

No.	Deliverables/Reports Tasks	Timelines after contract commencement	Percentage of the contract amount
1	Inception report with methodology and clear workplan for the assignment	0.5 Months	10%
2	Baseline assessment report of the tuna fishery highlighting; v. current status of the of the fishery and vi. its contribution to sustainable blue economy, vii. budgetary and time requirements; viii. Key national institutions in blue economy and framework including proposed coordination mechanism	1.5 month	20%
3	Stakeholder consultations meeting/ Workshop report: consultative , sensitization and scoping meeting with selected stakeholders in consultation with the SDBE&F and project team	2 months	10%
4	Interim progress report	2 months	

5	First draft Tuna Fishery Development and Management Strategy (based on consultations with stakeholders and input)	2.5 months	20%
5	Second stakeholder workshop: validation report	3months	10%
6	Draft Revised Tuna Fishery Management and Development Strategy and (including the commitments, work plans, budgets and timelines to reach the agreed targets)	3.5 months	20%
7	Final Technical report: includes stakeholder input and feedback and a record of all meetings, and any other reports deemed relevant;	4 months	10%

7.0 . MINIMUM QUALIFICATIONS & EXPERIENCE REQUIREMENTS

The Consultant should have the following minimum qualifications and experience:

- i) A minimum of a Master's degree in the fields of natural resources management including fisheries, marine and wildlife, environment, conservation from a university recognized in Kenya.
- ii) At least ten (10) years of general experience working in a fisheries and/ or natural resources environment.
- iii) At least Six (6) Years of Specific experience in fisheries and/ or natural resources environment; with Three similar assignments in the last six years.
- iv) Registration and/licensing by professional body recognized in Kenya (where applicable)

8.0 CONSULTANT'S OBLIGATIONS:

The Consultant shall be responsible for the provision of own computer, with requisite software to perform the assigned duties. The Consultant shall be responsible for submitting progress reports, documenting activities, and maintaining clear records of project-related developments, challenges, and successes. This documentation aids in tracking project milestones and provides a historical record.

9.0 CLIENT'S OBLIGATIONS:

The Client will provide the following support to the Consultant:

- a) Transport services for official use in delivery of the assignment

- b) All available relevant documentation to the consultant, such as the Project Appraisal Document, Periodic reports, Implementation Manual, etc.
- c) Contacts of key stakeholders
- d) Introductory letters to key stakeholders to facilitate communication.
- e) Facilitate review and dissemination meetings with key stakeholders; and
- f) Facilitate liaison with other program implementing partners.

10.0 CONTRACT ADMINISTRATION AND SUPERVISION

The State Department Blue Economy and Fisheries is the Client for these services.

The Principal Secretary, State Department Blue Economy and Fisheries has appointed a National Project Coordinator (for KEMFSED) to whom the Consultant will report on all contractual matters. The consultant will work under the overall supervision of the National Project Coordinator. The Project coordinator will assign a focal point for the consultant to work together in this assignment.

11.0. FACILITIES, EQUIPMENT AND DATA

11.1 Ownership of Data and, Third-Party Usage

The confidentiality and proprietary rights of the Client, including all data, reports, and information developed or acquired during the course of the consultancy, are of paramount importance to the success and integrity of the project. To ensure the protection of sensitive information and the preservation of proprietary rights, the following terms shall apply:

11.2. Ownership of Reports and Information:

All reports, data, and information generated, collected, or obtained from the implementing agencies, the Client, and other institutions during the consultancy shall be the exclusive property of the Client. No unauthorized use, reproduction, distribution, or disclosure of these materials shall be made by the Consultant.

11.3. Written Authorization Requirement:

The Consultant shall not use, disclose, or make any form of utilization of the reports, data, and information without obtaining prior written authorization from the Client. This

includes any sharing, dissemination, or utilization of the materials for purposes other than those explicitly agreed upon in the consultancy arrangement.

11.4 Relinquishing of Materials:

Upon the completion of the consultancy services, the Consultant is obligated to relinquish all data, manuals, reports, and information, including any databases, codes, and related documentation, to the Client. The Consultant shall not retain or use any of these materials for any other assignment or purpose without obtaining explicit written authority from the Client.

11.5. Non-Compete and Non-Disclosure:

The Consultant shall commit to a non-compete and non-disclosure arrangement regarding any proprietary information, trade secrets, or sensitive data acquired during the course of the consultancy. This obligation extends beyond the conclusion of the consultancy and prohibits the Consultant from engaging in activities that may compromise the Client's interests.

11.6. Security Measures:

During the consulting services, the Consultant shall implement appropriate security measures to protect the confidentiality of the Client's information. This includes safeguarding against unauthorized access, loss, theft, or unauthorized dissemination of any proprietary materials.