

# Ocean Governance Study

## United Republic of Tanzania

January 2025



DOALOS/Norad Programmes of Assistance to meet  
the strategic capacity needs of the developing  
States in ocean governance and the law of the sea





The United Republic of Tanzania Ocean Governance Workshop Stakeholders  
(8–9 July 2024, Dar es Salaam)

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Cover photo: Seaweed farming in Tanga City Coastal district - Sahare landing site: Photo Credit 2025

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# Ocean Governance Study: United Republic of Tanzania

## Division for Ocean Affairs and the Law of the Sea Capacity-Building Programme

The Division for Ocean Affairs and the Law of the Sea (DOALOS) of the Office of Legal Affairs of the United Nations has been providing information, advice and assistance to States and intergovernmental organizations in the field of oceans and the law of the sea since the adoption of the United Nations Convention on the Law of the Sea in 1982.

The Division's provision of assistance to States is undertaken through its Capacity-Building Programme, and through the provision of financial assistance to States through voluntary trust funds it administers. Assistance is developed on a needs-basis, working closely with beneficiaries and donors as well as relevant intergovernmental organizations and development partners. Priority is given to developing States in accordance with the terms of reference of each project or fund.

The Division's technical cooperation projects include a range of capacity-development activities at the multilateral, regional and bilateral levels. Assistance to States, upon their request and in accordance with their needs, includes activities with respect to the application and implementation of the provisions of the Convention and related agreements as well as the development and implementation of ocean governance frameworks, the ocean-related aspects of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs), and sustainable ocean-based economies (blue economy).

The Division coordinates several fellowship programmes and provides training courses on a wide range of issues relating to ocean affairs and the law of the sea, including through the United Nations – Nippon Foundation Capacity-Building Programmes, the Hamilton Shirley Amerasinghe Memorial Fellowship programme, as well as through ad hoc training courses, briefings and contributions to training programmes organized by national, intergovernmental and non-governmental organizations in the field of oceans and the law of the sea.

The Division further administers a number of voluntary trust funds and assistance funds that facilitate the work of United Nations bodies and processes in the field of oceans and the law of the sea, ensures the participation of developing countries in such bodies and processes, and supports the implementation of the Convention and related agreements by developing States. The Division also assists States with respect to their voluntary contributions to the funds, their applications for assistance under the funds and administering awards made to States, and related reporting procedures for each fund.

For more information, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

# Programmes of assistance to meet the strategic capacity needs of developing States in the field of ocean governance and the law of the sea

The Programmes of Assistance project provides capacity development and technical assistance for developing States to reinforce their capacity to implement the United Nations Convention on the Law of the Sea and related agreements and to better harness the benefits of the blue economy, including through more effective implementation of the 2030 Agenda for Sustainable Development.

Funding for the project is provided by the Government of Norway as part of its Oceans for Development programme, which is managed by the Norwegian Agency for Development Cooperation (Norad). The project activities are implemented by the Division for Ocean Affairs and the Law of the Sea (DOALOS), drawing on its long-standing experience in delivering responsive programmes of assistance in ocean affairs and the law of the sea.

The project consists of four main categories of activities:

- Regional consultations, through which the Division consults with regional intergovernmental organizations and others to gain insight in ongoing regional programmes and activities on ocean governance and to identify capacity-building needs and priorities in the region;
- Customized training courses to reinforce the capacity of government officials and relevant stakeholders in the implementation of ocean governance strategies at the regional and national levels;
- National Ocean Governance Studies (OGS) to help beneficiary States gain strategic insights about their legal and institutional frameworks relating to ocean affairs and the law of the sea and related capacity-building needs; and

- Technical assistance, to facilitate beneficiary States implement findings of their Ocean Governance Studies or related work.

The present report was produced under the third project activity. Through the OGS, States are assisted in the identification of their key national ocean governance frameworks; in enhancing their implementation of the Convention and related agreements as well as the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs); and in developing effective policies for relevant ocean sectors, including in strengthening their blue economy strategies.

The OGS provide a high-level overview of the beneficiary State's legal and institutional frameworks on ocean affairs and the law of the sea, including in priority sectors identified by the beneficiary State as well as a prioritized inventory of capacity-building needs. Gender and oceans, as well as the blue economy, are the two cross-cutting issues addressed in the studies.

Where possible, the OGS are conducted by consultants from the beneficiary State or from the region. To build capacity of local researchers, the project also seeks to involve early-career ocean academics or professionals. The work of the consultants, including ensuring broad national stakeholder engagement, is facilitated by beneficiary State National Focal Points, who also facilitate the State's review of the work undertaken by the consultants and its dissemination once complete.

Participation in an OGS is open to States included on the list of countries eligible for official development assistance maintained by the Development Assistance Committee of the Organisation for Economic Co-operation and Development.

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# Acronyms and abbreviations

<b>ABM</b>	Area-Based Management Measure	<b>LL</b>	International Convention on Load Lines
<b>AFS</b>	International Convention on the Control of Harmful Anti-Fouling Systems on Ships	<b>LGA</b>	Local Government Authority
<b>BBNJ</b>	Biodiversity beyond National Jurisdiction	<b>MARPOL</b>	International Convention for the Prevention of Pollution from Ships
<b>BMU</b>	Beach Management Unit	<b>MACEMP</b>	Marine and Coastal Environment Management Project
<b>CBD</b>	Convention on Biological Diversity	<b>MCS</b>	Monitoring, control, and surveillance
<b>CFMA</b>	Collaborative Fisheries Management Area	<b>MLC</b>	Maritime Labour Convention
<b>CITES</b>	Convention on International Trade in Endangered Species of Wild Fauna and Flora	<b>MPA</b>	Marine Protected Area
<b>CLCS</b>	Commission on the Limits of the Continental Shelf	<b>MNRT</b>	Ministry of Natural Resources and Tourism (Mainland Tanzania)
<b>CLC</b>	International Convention on Civil Liability for Oil Pollution Damage	<b>MoBEF</b>	Ministry of Blue Economy and Fisheries
<b>CORLEG</b>	International Regulations for Preventing Collisions at Sea	<b>MLF</b>	Ministry of Livestock and Fisheries
<b>DoE</b>	Division of the Environment	<b>MSP</b>	Marine spatial planning
<b>DOALOS</b>	Division for Ocean Affairs and the Law of the Sea	<b>MSR</b>	Marine scientific research
<b>DFNR</b>	Department of Forestry and Non-Renewable Natural Resources	<b>NCMC</b>	National Carbon Monitoring Centre
<b>DSFA</b>	Deep-Sea Fisheries Authority	<b>NEMC</b>	National Environment Management Council
<b>EEZ</b>	Exclusive Economic Zone	<b>OPRC-HNS</b>	Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances
<b>EWURA</b>	Energy and Water Utility Regulatory Authority	<b>PID</b>	Preliminary Information Document
<b>FAO</b>	Food and Agriculture Organization of the United Nations	<b>PURA</b>	Petroleum Upstream Regulatory Authority
<b>FAL</b>	Convention on Facilitation of International Maritime Traffic	<b>RGoZ</b>	Revolutionary Government of Zanzibar
<b>FDD</b>	Fisheries Development Department	<b>SADC</b>	Southern African Development Community
<b>FETA</b>	Fisheries Education and Training Authority	<b>SAR</b>	International Convention on Maritime Search and Rescue
<b>ICT</b>	Information, Communication and Technology	<b>SDG</b>	Sustainable Development Goal
<b>IMO</b>	International Maritime Organization	<b>SOLAS</b>	International Convention for the Safety of Life at Sea
<b>ISA</b>	International Seabed Authority	<b>STEM</b>	Science, Technology, Engineering and Mathematics
<b>ISPS</b>	International Ship and Port Facility Security	<b>SUA</b>	Suppression of Unlawful Acts (against the Safety of Maritime Navigation)
<b>IOTC</b>	Indian Ocean Tuna Commission	<b>SWIOFC</b>	Southwest Indian Ocean Fisheries Commission
<b>IORA</b>	Indian Ocean Rim Association	<b>TAFIRI</b>	Tanzania Fisheries Research Institute
<b>ISM Code</b>	International Safety Management Code	<b>TCMP</b>	Tanzania Coastal Management Partnership
<b>IUU</b>	Illegal, unreported, and unregulated (Fishing)	<b>TDA</b>	Transboundary Diagnostic Analysis

<b>TIC</b>	Tanzania Investment Centre
<b>TPDC</b>	Tanzania Petroleum Development Corporation
<b>TPDF</b>	Tanzania People's Defence Forces
<b>UNFSA</b>	United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
<b>UNEP</b>	United Nations Environment Programme
<b>UNWTO</b>	United Nations World Tourism Organization
<b>UNCLOS</b>	United Nations Convention on the Law of the Sea
<b>URT</b>	United Republic of Tanzania
<b>VMS</b>	Vessel Monitoring System
<b>VNR</b>	Voluntary National Review
<b>VPO</b>	Vice President's Office
<b>WIO</b>	Western Indian Ocean
<b>WIOMSA</b>	Western Indian Ocean Marine Science Association
<b>ZAFIRI</b>	Zanzibar Fisheries and Marine Resource Research Institute
<b>ZATI</b>	Zanzibar Association of Tourism Investors
<b>ZCT</b>	Zanzibar Centre for Tourism
<b>ZEMA</b>	Zanzibar Environmental Management Authority
<b>ZIPA</b>	Zanzibar Investment Promotion Authority
<b>ZPDI</b>	Zanzibar Petroleum Development Company
<b>ZPRA</b>	Zanzibar Petroleum Regulatory Authority
<b>ZTBI</b>	Zanzibar Technology and Business Incubator





# Executive Summary

Kilindoni Landing Site in Mafia Island Coastal District; Photo Credit Lilian J. Ibengwe, 2019

This report outlines the structure of ocean governance within the legal and institutional frameworks of the United Republic of Tanzania (URT). It describes these frameworks, maps relevant institutions, identifies gaps and capacity needs and addresses key priority sectors as identified by the Government.

The methodology involved desk research and consultations, including interviews with key ocean governance stakeholders. The study also benefited from a stakeholder workshop that gathered perspectives from various ocean sectors, validating the draft report based on initial research and interviews.

Findings reveal that ocean governance in URT is multisectoral, involving various legal frameworks and institutions with sometimes conflicting mandates. In mainland Tanzania and Zanzibar, institutions operate within specific sectors, which presents challenges in establishing a cohesive regulatory framework for ocean governance and law of the sea matters. This sectoral approach can lead to legal and operational difficulties, as there is currently no single institution or ministry designated to oversee these issues comprehensively. The Deep-Sea Fishing Authority (DSFA) is the only agency managing fisheries within the exclusive economic zone (EEZ) and high seas, while the Vice President's Office shows potential for facilitating integrated ocean governance. Additionally, a number of relevant treaties remain unratified, which hinders the ability of the country to fully engage in international ocean governance and conservation efforts. The report also addresses cross-cutting issues like gender, the blue economy, and climate change that impact ocean governance in Tanzania.

To address the challenges identified in the report, an integrated approach involving multiple stakeholders is needed. Despite significant challenges, there are promising opportunities in Tanzania's emerging focus on the blue economy. Recent developments, such as the establishment of blue economy policies in Zanzibar and mainland Tanzania, provide a pathway to improving ocean governance.

Recommendations focus on strengthening institutional capacity, improving legal and policy frameworks and promoting sustainable ocean governance. In the short to medium term, reviewing and updating policies and regulations, aligning marine conservation laws with the global biodiversity framework and developing a harmonized national ocean policy are crucial steps for better governance of shared marine resources. Key priorities include integrating sectors and institutions into a unified framework, addressing technical knowledge and human resource gaps and filling legislative and capacity gaps. By doing so, URT can achieve more sustainable and integrated management of its ocean resources.



A fish vendor displaying small pelagic fish in Tangacity at the Kasera fish market; Photo credit Kambona, 2025

# I. UNCLOS and other ocean-related multilateral frameworks in Tanzania

## 1.1 Introduction

This Ocean Governance Study (OGS), commissioned by the Division for Ocean Affairs and the Law of the Sea (DOALOS) within the Office of Legal Affairs of the United Nations, provides a high-level overview of the United Republic of Tanzania's (URT's) legal and institutional framework for ocean governance in the context of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The report analyses the implementation of UNCLOS through URT's ocean governance laws and identifies gaps in the current legal and institutional arrangements. In addition to the high-level overview, the report addresses two priority sectors of ocean governance, as identified by the Government, and two cross-cutting issues – gender and the blue economy – while outlining URT's capacity needs in developing and implementing ocean governance frameworks. In this report, ocean governance has been defined as follows: Ocean governance is a broad-stroke term that combines governing structures, processes, rules, and norms that shape how relevant actors make decisions, share power, assign responsibility and pursue accountability in the use and management of the marine environment.<sup>1</sup>

<sup>1</sup> J. Blythe and others, "The Politics of ocean governance transformations." *Frontiers in Marine Science* 8 (July 2021), pp. 634–718.



The report is structured into four main sections:

- **I:** Offers a brief overview of the core provisions of UNCLOS, its related agreements and URT's engagement with these instruments.
- **II:** Provides a comprehensive review of URT's legislative and institutional arrangements for ocean governance.
- **III:** Focuses on sectors prioritized by the URT Government: Marine Fisheries and the Conservation of Marine Resources.
- **IV and V:** Present concluding observations and recommendations to address gaps in URT's legal framework, and institutional and capacity needs for effective ocean governance in alignment with the international legal regime.

The study employs a methodology combining desktop reviews and stakeholder consultations, including the following:

1. Examining key laws, regulations and policy documents related to UNCLOS.
2. Identifying and engaging national stakeholders through consultative meetings.
3. Administering a questionnaire focused on URT's legal and institutional framework in relation to UNCLOS, including capacity needs.
4. Conducting interviews with experts and public officials.
5. Organizing a validation workshop (8–9 July 2024, Dar es Salam) with key government ministries, departments and entities involved in ocean affairs in URT.

## 1.2 UNCLOS

The United Nations Convention on the Law of the Sea (UNCLOS)<sup>2</sup> is generally regarded as a “constitution for the oceans.” It establishes the international legal order for the governance of the seas and oceans. UNCLOS divides the ocean into maritime zones and describes the basic rights and obligations of States therein. The Convention underscores that problems of ocean space are closely interrelated and need to be addressed holistically. UNCLOS is a comprehensive treaty that governs various aspects of ocean affairs, including maritime boundaries, navigation, economic rights, conservation and environmental protection. Its 320 articles and nine annexes cover a wide range of topics related to the law of the sea. UNCLOS sets out, inter alia, the rights and obligations of States regarding, among others, maritime zones, including the territorial sea, contiguous zone, the exclusive economic zone (EEZ), the continental shelf (CS) and the high seas; the Area or seabed beyond the limits of national jurisdiction; the protection and preservation of the marine environment; marine and scientific research; and the development and transfer of marine technology. The Convention also contains a comprehensive and binding system for the settlement of disputes.

UNCLOS was opened for signature on 10 December 1982 and entered into force on 16 November 1994. The Convention is accompanied by three implementing agreements:<sup>3</sup> (1) **Agreement relating to the Implementation of Part XI of UNCLOS**

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<sup>2</sup> UNCLOS, Division for Ocean Affairs and the Law of the Sea, “UNCLOS,” [https://www.Un.Org/Depts/Los/Convention\\_agreements/Convention\\_overview\\_convention.Htm](https://www.Un.Org/Depts/Los/Convention_agreements/Convention_overview_convention.Htm).

<sup>3</sup> Ibid.

(**Part XI Agreement**): This agreement was adopted in 1994 to address certain difficulties with the seabed mining provisions contained in Part XI of the Convention relating to the Area (the seabed and ocean floor and subsoil thereof beyond the limits of national jurisdiction); (2) **Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA)**: This agreement was adopted in 1995 and aims to ensure the conservation and sustainable management of straddling fish stocks and highly migratory fish stocks, as outlined in UNCLOS; and (3) **Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (commonly known as the Biodiversity beyond National Jurisdiction [BBNJ] Agreement)**. The BBNJ Agreement is intended to ensure the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. The BBNJ Agreement was adopted on 19 June 2023 and is not yet in force.

These implementing agreements help to operationalize and provide detailed frameworks for the implementation of specific provisions within UNCLOS. They address complex issues such as the regulation of activities in the international seabed area and the conservation and management of shared fish stocks. The UNFSA and BBNJ Agreement are separate agreements under UNCLOS. Joining UNCLOS does not automatically require membership in UNFSA or the BBNJ Agreement, as these agreements are separate instruments that build upon the principles established in UNCLOS. However, participation in UNFSA or the BBNJ Agreement can provide additional legal frameworks for addressing specific issues related to fisheries and biodiversity in areas beyond national jurisdiction.

## 1.3 About the United Republic of Tanzania

The United Republic of Tanzania is located in eastern Africa. It is bordered by Kenya and Uganda to the north; Rwanda, Burundi and the Democratic Republic of Congo to the west; and Zambia, Malawi and Mozambique to the south. The country's eastern border lies in the Western Indian Ocean (WIO), which has a coastline of 1,424 km. Zanzibar is a part of the United Republic of Tanzania and consists of two main islands of Unguja and Pemba and a number of small islands. The islands are located 40 km off the mainland coast in the Indian Ocean. Pemba Channel, a deep-water (800 metres [m]) separates Pemba Island from mainland Tanzania. Tanzania has a total area of 945,087 km<sup>2</sup> including 61,000 km<sup>2</sup> of inland waters. The total surface area of Zanzibar is 2,654 km<sup>2</sup>. Unguja, the larger of the two islands, has an area of 1,666 km<sup>2</sup>, while Pemba has an area of 988 km<sup>2</sup>.

The entire coastline of Tanzania, including its inner waters and major and small islands, is characterized by a relatively narrow continental shelf, with the 200-metre depth contour occurring about 4 km offshore. Exceptions to this are in the Zanzibar and Mafia Channels, where the shelf extends up to 80 km from the mainland coast. Tanzania's territorial sea covers 64,000 km<sup>2</sup>, while its exclusive economic zone (EEZ) spans an area of 223,000 km<sup>2</sup>, which includes Zanzibar's Unguja and Pemba Islands. Tanzania also has the potential to extend its continental shelf by approximately 61,000 km<sup>2</sup> beyond the 200-nautical-mile limit, pending review and approval of its submission to UNCLOS.<sup>4</sup>

As of 2022, Tanzania's population stood at 61,741,120, with a gross domestic product (GDP) per capita of \$1,229. The mainland population was 59,851,347, while Zanzibar had 1,889,773 residents, with an average annual growth rate of 3.2 per cent between 2012 and 2022.<sup>5</sup>

The Constitution<sup>6</sup> establishes URT as a union between Tanganyika and Zanzibar. All public affairs specified in article 4 of this Constitution are considered Union matters. The Constitution defines the roles and responsibilities of both the

4 URT, "Partial submission on the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf pursuant to part VI of and annex II to the UNLCOS 1982," URT-DOC-001\_18-01-2012.

5 URT, "Statistical abstract 2021" (Dodoma: National Bureau of Statistics Ministry of Finance and Planning, 2021).

6 URT, *The Constitution of the United Republic of Tanzania of 1977*.



mainland Government and the Revolutionary Government of Zanzibar (RGoZ) concerning these matters. It outlines the division of powers between the Union and Zanzibar governments. Certain matters are under the jurisdiction of the Union Government, while Zanzibar's Government manages others. Union matters<sup>7</sup> are of shared responsibility. They include the Constitution and Government of the United Republic, foreign affairs, defence and security, police, immigration, citizenship, external trade and borrowing, the public service of the United Republic, income tax, corporation tax, customs and excise duties, harbours, civil aviation, posts and telegraph. The list also includes currency, industrial licencing and statistics, higher education, hydrocarbons, the National Examination Council, and matters listed in the Treaty for the Establishment of the East African Community. The Constitution also covers the establishment of institutions to manage these matters.

## 1.4 Participation of Tanzania in multilateral ocean governance

URT signed UNCLOS on 10 December 1982 and ratified the Convention on 30 September 1985 (table 1.1). As a party to UNCLOS, URT is legally bound by its provisions and enjoys the rights and responsibilities outlined in the Convention. These rights and responsibilities include sovereignty over territorial seas; rights to an EEZ for resource exploitation, conservation and management of natural resources; rights to a continental shelf; and obligations to protect the marine environment and biodiversity, among others.

**Table 1.1 Timeline of URT's actions on UNCLOS and its implementing agreements**

	ADOPTED	ENTERED INTO FORCE	TANZANIA SIGNATURE	TANZANIA ACCESSION /RATIFICATION	REQUIRES TANZANIA ADHERENCE TO UNCLOS
UNCLOS	1982	1994	1982	1985	Yes
1994 Agreement	1994	1996	1994	1998	Yes
UNFSA	1995	2001	No	No	No
BBNJ Agreement	2023	No	2023	No	No

Source: United Nations, "Status of Treaties, chap. XXI: Law of the sea," [https://treaties.un.org/Pages/Treaties.aspx?id=21&subid=A&clang=\\_en](https://treaties.un.org/Pages/Treaties.aspx?id=21&subid=A&clang=_en).

URT has signed various instruments addressing aspects of the law of the sea at subregional, regional and international levels. Additionally, it has ratified several international conventions and protocols concerning managing marine resources, preventing pollution, shipping and maritime issues, and fisheries.

International relations are considered Union matters, giving the Union Government the authority to ratify legal instruments for ocean governance. In URT, participation in these agreements is executed through an executive act rather than a legislative act, as the country follows a dualist approach for incorporating international provisions into domestic law as stipulated under article 75(2) of the 1992 Constitution.<sup>8</sup> For URT, international or multilateral agreements ratified by the Government

<sup>7</sup> <https://www.vpo.go.tz/uploads/publications/sw-1593598783-ARTICLES%20OF%20UNION%20final.pdf>.

<sup>8</sup> URT, *The the United Republic of Tanzania of 1977*.

become binding after they are enacted through domestic legislation. Adopting these international frameworks (See annex 1) requires URT to comply with their provisions at both national and local levels to achieve international recognition and uphold its reputation in ocean governance. It is important to clarify that Tanzanian laws concerning, inter alia, fisheries, mining, petroleum and environmental management are automatically applicable to cover activities related to exploring natural resources and addressing marine pollution within territorial sea and the EEZ. Other legislation may be similarly extended by the Ministry of Foreign Affairs in consultation with Parliament and the appropriate administrative authority.

### **1.4.1 Marine environmental protection and conservation**

URT is actively involved in global and regional frameworks to protect and preserve the marine environment and is a party to several crucial international conventions and agreements related to marine conservation. In terms of protecting and preserving the marine environment, URT is a party to the following:

- The International Convention for the Regulation of Whaling – 1948
- Ramsar Convention on Wetlands – 1971
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention) – 1972
- Convention on the Protection of World Heritage – 1972
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – 1973
- International Convention for the Prevention of Pollution from Ships (MARPOL) – 1973
- Convention on the Conservation of Migratory Species of Wild Animals (CMS) – 1979
- The Nairobi Convention for the Protection, Management, and Development of Coastal and Marine Environment of the Western Indian Ocean (WIO) region – 1985 (Amended in 2010)
- Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention) – 1989
- The United Nations Framework Convention on Climate Change (UNFCCC) – 1992
- Convention on Biological Diversity (CBD) – 1992
- United Nations Convention to Combat Desertification (UNCCD) – 1994
- Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora – 1994
- Cartagena Protocol on Biosafety to the Convention on Biological Diversity – 2000
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity – 2010
- The Paris Agreement – 2015

### **1.4.2. Fisheries management and regulation**

Regarding fisheries management and regulation, the URT is a party to the following international instruments:

- Food and Agriculture Organization of the United Nations (FAO) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas – 1993

- The Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Indian Ocean – 1999
- International Plan of Action against Illegal, Unreported and Unregulated Fishing – 2001
- Southern African Development Community (SADC) Protocol on Fisheries – 2001
- Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing – 2009

While the URT is party to UNCLOS, and thus subject to its provisions on fisheries management, it is not party to UNFSA.

### 1.4.3 Maritime and shipping regulations

As a coastal State and active member of the international community, the URT has signed several key maritime and shipping conventions to regulate and govern maritime activities within its jurisdiction. These conventions include the following:

- The Convention on Facilitation of International Maritime Traffic (FAL Convention) – 1965, with amendments
- International Convention on Load Lines (LL) – 1966
- International Convention on Civil Liability for Oil Pollution Damage (CLC) – 1969
- Convention on the International Regulation for Preventing Collisions at Sea – 1972
- International Convention for the Safety of Life at Sea (SOLAS) – 1974 and the SOLAS Protocols of 1978 and 1988
- International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) – 1978, as amended in 1995
- International Convention on Maritime Search and Rescue (SAR) – 1979
- The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention) and its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (SUA Protocol) – 1988
- International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS) – 2001
- The Protocol of 1992 to amend the 1969 International Convention on Civil Liability for Oil Pollution Damage (CLC Protocol) – 1992
- International Convention for the Control and Management of Ships' Ballast Water and Sediments – 2004

While Tanzania has ratified most of the key maritime instruments, there are a few notable exceptions:

- MARPOL annex VI on the prevention of air pollution from ships has not been ratified. This annex aims to reduce the carbon and climate footprint of shipping by regulating the use of non-compliant fuels.
- The 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (as amended in 2006) remains unratified. This protocol could become increasingly significant in addressing emerging threats such as ocean fertilization, ocean carbon storage and deep seabed mining.
- The Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol) has not been ratified. This protocol focuses on preparedness and response to incidents involving hazardous and noxious substances.
- The International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunker, 2001), which addresses liability for pollution damage caused by spills of bunker oil, has also not been ratified by Tanzania.

## 1.4.4 Maritime security

Regarding maritime security, URT is participating in several international instruments, including the following:

- African **Charter on Maritime Security and Safety and Development in Africa (Lomé Charter)**, 2016: Although this charter has been signed, it has not yet been ratified or entered into force. The Lomé Charter aims to enhance maritime security, safety and development across Africa.
- International **Ship and Port Facility Security (ISPS) Code**, 2002: This is an amendment to the Safety of Life at Sea (SOLAS) Convention on minimum security arrangements for ships, ports and government agencies.

Other relevant instruments include United Nations Security Council resolutions on issues such as piracy, armed robbery at sea and other maritime threats in the Horn of Africa and the Western Indian Ocean region.<sup>9</sup>

## 1.4.5 Participation in other instruments and processes

URT also participates in other non-binding instruments/processes important for sustainable ocean management and regional cooperation. These processes offer a crucial framework for the country to develop and implement national policies, legislation, institutions and strategies for comprehensive ocean governance at the sectoral level. These include the following:

- The Indian Ocean Tuna Commission (IOTC), 1993. IOTC is an intergovernmental organization responsible for managing tuna and tuna-like species in the Indian Ocean.<sup>10</sup>
- Food and Agriculture Organization of the United Nations (FAO): Code of Conduct for Responsible Fisheries (1995).
- The Djibouti Code of Conduct provides a framework for regional cooperation to combat maritime crime, 2009.<sup>11</sup>

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<sup>9</sup> United Nations Security Council Resolution 1846 (2008), <https://main.un.org/securitycouncil/en/s/res/1846-%282008%29>.

<sup>10</sup> FAO, Indian Ocean Tuna Commission (IOTC).

<sup>11</sup> International Maritime Organization, 2009.





Small-scale fish traders transport fish in woven baskets for distribution and retail sale in local market in Tanga city – Sahare landing site.  
Photo credit Kambona , 2025

## II. Legal and institutional framework for ocean governance in Tanzania

This section provides an overview of the United Republic of Tanzania's (URT's) maritime zones, national legislation, policies and institutions implementing various international treaties, addressing multiple aspects of ocean governance within URT.

### 2.1 URT maritime zones

As a coastal State with access to the Indian Ocean, URT has established various maritime zones governed by UNCLOS. The Territorial Sea and Exclusive Economic Zone Act, No. 3 of 1989, defines the territorial sea and EEZ of URT, extending from the baseline.<sup>12</sup> The Act sets out the sovereign rights of URT for the exploration, exploitation, conservation and management of the resources within these maritime zones and addresses matters related to these purposes. The Act outlines the legal framework for the country's maritime zones, including the territorial sea and EEZ. The Act addresses both Union and non-Union matters.

Union matters include the overall sovereignty and territorial integrity of the United Republic of Tanzania, which encompasses both mainland Tanzania and Zanzibar. The establishment of the territorial sea and EEZ and the determination of rights and responsibilities within these zones are considered Union matters. The Act applies uniformly to both mainland Tanzania

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<sup>12</sup> Territorial Sea and Exclusive Economic Zone Act, No. 3 of 1989.

and Zanzibar in these areas, reflecting the united nature of the URT in international maritime law and its obligations under international treaties such as the UNCLOS.

While the Act establishes the general legal framework for the territorial sea and EEZ, specific regulatory and administrative functions within these zones may be addressed separately by mainland Tanzania and Zanzibar, especially in areas that are considered non-Union matters. For example, the management of natural resources, environmental protection and local maritime governance might involve distinct policies and regulations in Zanzibar and in mainland Tanzania, provided they do not conflict with the overarching Union legislation.

The Territorial Sea and Exclusive Economic Zone Act, No. 3 of 1989 **thus** delineates the broad maritime zones and establishes Tanzania's rights and jurisdiction over its territorial sea and EEZ as a united republic. However, within this framework, there is room for Zanzibar and mainland Tanzania to manage certain aspects independently as long as they are consistent with Union law and international obligations.

Tanzania's maritime zones as defined by the Territorial Sea and Exclusive Economic Zone Act, No. 3 of 1989<sup>13</sup> include the following:

- **Territorial sea:** The Act establishes the territorial sea of URT as extending 12 nautical miles from the coastal low-water line, as outlined in section 5 of the Act. This territorial sea encompasses an area of 64,000 km<sup>2</sup>.
- **Internal waters:** The internal waters of URT include any areas of the sea on the landward side of the baseline of the territorial sea. These waters, considered part of the State's territory, encompass rivers, lakes, bays and coastal waters located between the coast and the baseline. URT has drawn straight baselines between its islands, hence creating large internal waters. These waters fall under the jurisdiction of URT and are subject to the laws and regulations of both mainland Tanzania and Zanzibar. The Constitution defines the territorial boundaries and governance structures, including jurisdiction over internal waters.
- **Baseline of Territorial Sea:** The baseline from which the breadth of the territorial sea is measured is defined as the low-water line along the coast of the United Republic, including the coastlines of all islands, as marked on an officially recognized large-scale chart or map (annex 1) by the Government of URT.<sup>14</sup>
- **Seabed and internal waters vested in the Government:** The seabed and subsoil of submarine areas bounded on the landward side by the low-water line along the coast of Tanzania and on the seaward side by the outer limits of the territorial sea are vested in the Government of URT.
- **Exclusive Economic Zone (EEZ):** The EEZ is established as a marine zone contiguous to the territorial sea and extends up to 200 nautical miles from the baselines used to measure the breadth of the territorial sea, in accordance with the provisions outlined in subsection (3) of the Act.
- **Contiguous zone:** The contiguous zone is a maritime area adjacent to the territorial sea, extending up to 24 nautical miles from the baselines from which the breadth of the territorial sea is measured. Within this zone, URT has the authority to enforce laws related to customs, immigration, sanitation and other regulations to prevent and punish infringements occurring within its territory or territorial sea. Nevertheless, URT has not yet declared a contiguous zone.
- **Continental shelf:** In accordance with article 76 of UNCLOS, URT's continental shelf consists of the seabed and subsoil of submarine areas extending beyond the territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, up to the limits specified in paragraphs 4 to 6 of article 76, or up to 200 nautical miles from the baseline where the continental margin does not extend beyond that distance. The legal framework for

<sup>13</sup> Ibid.

<sup>14</sup> <https://www.un.org/depts/los/LEGISLATIONANDTREATIES/STATEFILES/TZA.htm>. Deposit of a chart and coordinates showing the straight baselines of the United Republic of Tanzania and list of geographical coordinates of points.

the demarcation and management of Tanzania's maritime boundaries, including the continental shelf, is provided by the Territorial Sea and Exclusive Economic Zone Act, 1989 (Act No. 3 of 1989), with specific provisions related to the continental shelf detailed in part II of the Act.

### 2.1.1. Limits of the continental shelf for the URT

Like other coastal States, the United Republic of Tanzania has the right to establish the outer limits of its continental shelf beyond 200 nautical miles if it meets the criteria set out in UNCLOS. This right is of particular significance as it allows coastal States to extend their jurisdiction over the seabed and subsoil resources, which can include valuable minerals, hydrocarbons and other marine resources.

On 7 May 2009, URT submitted a Preliminary Information Document (PID) to the Commission on the Limits of the Continental Shelf (CLCS). This submission was part of Tanzania's effort to delineate the outer limits of its continental shelf.<sup>15</sup> PID was an initial step in the process of establishing the extent of Tanzania's continental shelf beyond 200 nautical miles from its baselines.

On 18 January 2012, Tanzania submitted to the CLCS,<sup>16</sup> in accordance with article 76, paragraph 8 of UNCLOS, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.<sup>17</sup>

The URT submission is currently awaiting consideration.<sup>18</sup>

## 2.2 National legislation

Tanzania has a comprehensive legislative framework that underpins its ocean governance efforts, addressing various sectors crucial for effective coastal and marine resource management. This framework is divided into Union and non-Union matters.<sup>19</sup> Union matters are overseen by the URT Government and apply to both mainland Tanzania and Zanzibar. The framework ensures a coordinated approach to ocean governance while allowing for specific regional management under Zanzibar's jurisdiction for non-Union matters. Zanzibar, as a semi-autonomous entity, also has distinct ministries for non-Union matters, which include natural resources, oil and gas, blue economy, forestry, tourism, environment, health, education, water, fisheries and land. Mainland Tanzania and Zanzibar authorities generally collaborate closely on matters with transboundary implications (e.g., oil and gas, maritime transport and security, blue economy, fisheries, health and diseases control, as well as trade and custom regulations).<sup>20</sup>

### 2.2.1 Conservation and utilization of living resources, including fishing and mariculture

This section addresses the sectors focused on conserving living marine resources while promoting sustainable utilization practices, primarily emphasizing fisheries. Effective conservation strategies are essential for maintaining biodiversity and the health of marine ecosystems, which, in turn, support the livelihoods of communities reliant on fishing and mariculture.

<sup>15</sup> [https://www.un.org/depts/los/clcs\\_new/submissions\\_files/preliminary/tza\\_2009\\_preliminaryinfo.pdf](https://www.un.org/depts/los/clcs_new/submissions_files/preliminary/tza_2009_preliminaryinfo.pdf).

<sup>16</sup> URT, "URT, "Partial submission on the continental shelf."

<sup>17</sup> UNCLOS, Commission on the Limits of the Continental Shelf (CLCS), "Outer limits of the continental shelf beyond 200 nautical miles from the baselines: Submissions to the Commission: Submission by the URT."

<sup>18</sup> See [https://www.un.org/depts/los/clcs\\_new/commission\\_submissions.htm](https://www.un.org/depts/los/clcs_new/commission_submissions.htm).

<sup>19</sup> URT, *The Constitution of the United Republic of Tanzania of 1977*.

<sup>20</sup> RGoZ, *State of the Coast for Zanzibar*.

For a more comprehensive examination of this sector, including specific strategies and initiatives, please refer to section 3, where this is covered as one of URT's priority sectors. This section provides detailed insights into the policies and practices aimed at achieving the sustainable management of living marine resources.

### **a. Sector profile and relevance**

The conservation and sustainable utilization of living marine resources, including fisheries and mariculture, are crucial for the ecological, economic and social well-being of URT.<sup>21</sup> Ecologically, these sectors support biodiversity, marine ecosystems and the health of coastal environments. Economically, the fisheries sector contributes significantly to the GDP of both mainland Tanzania and Zanzibar, providing livelihoods for millions and generating foreign exchange through exports. Socially, fisheries are vital for food security, particularly for coastal communities where fish is a primary source of protein. The mariculture sector, while still developing, offers significant potential for economic diversification and poverty alleviation, especially in rural coastal areas.<sup>22</sup>

### **b. Regional and multilateral legal and institutional frameworks related to the sector**

URT is a signatory to various regional and international agreements that influence the governance of fisheries and mariculture. These include UNCLOS,<sup>23</sup> FAO's Code of Conduct for Responsible Fisheries<sup>24</sup> and the Nairobi Convention.<sup>25</sup> Regionally, URT is a member of the Southwest Indian Ocean Fisheries Commission (SWIOFC),<sup>26</sup> which promotes sustainable fisheries management and cooperation among member States. The country also participates in the Indian Ocean Tuna Commission (IOTC),<sup>27</sup> which regulates tuna fishing in the Indian Ocean to ensure sustainability. URT is not a signatory or party to UNFSA.

### **c. National legal framework**

Fisheries and mariculture management in mainland Tanzania and Zanzibar operate autonomously, reflecting the distinct governance frameworks of the two regions. Each region has its own policies, regulations and management strategies tailored to local ecological conditions, socioeconomic needs and development priorities. On the mainland, management is overseen by the Ministry of Livestock and Fisheries (MLF), which focuses on sustainable resource use, enforcement of fishing regulations and the promotion of both inland and coastal aquaculture. Meanwhile, Zanzibar's management falls under the Ministry of Blue Economy and Fisheries, emphasizing artisanal fisheries, mariculture development and the broader blue economy as key drivers of its economic growth.

Despite this autonomy, joint management is essential under Union matters, particularly for deeper waters beyond territorial limits, which are a shared responsibility of both mainland Tanzania and Zanzibar. Management of offshore fisheries, for example, falls under Union jurisdiction, requiring coordinated efforts between the two regions. To achieve this, collaborative structures, such as committees and task forces, have been established to ensure sustainable utilization, monitoring and protection of marine resources. This joint approach fosters unified policies and resource-sharing mechanisms that align with national priorities and international commitments, creating a coherent strategy for managing shared resources that extend beyond the exclusive control of either government.

21 URT, National Fisheries Policy of 2015; URT, Tanzania National Fisheries Sector Policy and Strategy Document; RGoZ, Zanzibar Fisheries Policy 2022.

22 Aguilhas and Somali Current Large Marine Ecosystems/Southwest Indian Ocean Fisheries Project (ASCLME/SWIOFP), *Transboundary Diagnostic Analysis of the Large Marine Ecosystems of the Western Indian Ocean, vol. 2: Diagnostic Analysis* (2012).

23 UNCLOS, United Nations Convention on the Law of the Sea.

24 FAO, 2001 FAO International Plan of Action to Prevent, Deter and Eliminate IUU Fishing.

25 Amended Nairobi Convention; FAO, Indian Ocean Tuna Commission (IOTC).

26 FAO, Southwest Indian Ocean Fisheries Commission (SWIOFC).

27 FAO, Indian Ocean Tuna Commission (IOTC).



## Mainland Tanzania

On the mainland, the National Fisheries Policy of 2015 and the Fisheries Act No. 22 of 2003<sup>28</sup> form the cornerstone of fisheries governance. The National Fisheries Policy of 2015 aims to promote sustainable management and development of Tanzania's fisheries resources, ensuring food security, economic growth and the conservation of aquatic ecosystems. Fisheries Act No. 22 of 2003 establishes the legal framework for the regulation and management of fisheries activities in Tanzania, providing guidelines for resource utilization, licencing and the enforcement of conservation measures. These legal instruments address sustainable management, resource utilization, aquaculture regulation and the protection of marine biodiversity. The Fisheries Act of 2003 was established to replace the outdated Fisheries Act of 1970, incorporating modern approaches to resource management.

Other regulations and policies for fisheries management in mainland Tanzania include the following:

**The Fisheries Sector Master Plan 2021/22–2036/37.**<sup>29</sup> The main objective of the new master plan is to provide an overall strategic framework and guidance for the long-term, sustainable management and development of fisheries and aquaculture in mainland Tanzania. The new master plan is an instrument for implementing the National Fisheries Policy of 2015 to improve the governance and management of fisheries and aquaculture for its sustainable development.

**The Marine Parks and Reserves Act No. 29 of 1994.**<sup>30</sup> This is a critical piece of legislation in Tanzania that directly impacts fisheries management by establishing marine protected areas (MPAs) and ensuring the conservation of marine biodiversity.

**The Environmental Management Act (EMA).**<sup>31</sup> The EMA provides a comprehensive legal and institutional framework for sustainable management of the environment in Tanzania. It establishes principles for sound environmental management and mandates the integration of environmental considerations into all development activities, including fisheries.

- **Tanzania Fisheries Research Institute (TAFIRI) Act No. 11 of 2016:** This Act provides for the establishment of the Tanzania Fisheries Research Institute (TAFIRI), which is responsible for conducting fisheries research activities in the country to provide advice to the Government and the private sector.
- **The National Plan of Action for Implementing the Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (NPoA-SSF Guidelines).** This aims to provide a comprehensive framework to enhance the contribution of small-scale fisheries to income generation, food security and nutrition. It also supports the progressive realization of the right to adequate food for all.
- **The National Blue Economy Policy of Tanzania, 2024.** This establishes a comprehensive framework aimed at enhancing activities across various sectors, including fisheries. It seeks to address challenges such as the lack of integrated coordination and insufficient research while promoting sustainable resource utilization to bolster economic growth. By focusing on effective management and sustainable use of blue economy resources, the policy emphasizes the importance of fisheries management as a vital component in leveraging these resources for national economic development and environmental sustainability.

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<sup>28</sup> URT, Fisheries Act, 2003.

<sup>29</sup> URT, Fisheries Sector Master Plan (2021/22–2036/37).

<sup>30</sup> URT, Marine Parks and Reserves Act, 1994.

<sup>31</sup> URT, Environmental Management Act, 2004.

## Zanzibar

The primary *legal* tool for managing fisheries in Zanzibar is currently the *Fisheries Act of 2010*.<sup>32</sup> This Act provides for the conservation of fish resources in the territorial sea and EEZ of Zanzibar. It also provides with respect to the development of the fishing industry, the protection of artisanal fishing and aquaculture. Fisheries in this Act means all marine and freshwater fishing and cultivation and related activities.

Fisheries governance in Zanzibar is also guided by various policies and strategies:

1. **The Zanzibar Fisheries Policy 2022** promotes sustainable development of the fisheries sector, contributing to blue economy development, food security, social well-being, resource management, marine conservation and climate adaptation.<sup>33</sup>
2. **Zanzibar Development Vision 2050**<sup>34</sup> emphasizes the importance of the blue economy, particularly in strengthening fisheries management and protecting the marine environment. It acknowledges the critical role of the fisheries sector in Zanzibar's socioeconomic development, aiming to promote sustainable fish production for domestic use and for export to diversify the economy and enhance the sector's contribution to GDP.
3. **Zanzibar Development Plan (ZADEP) 2021–2026**<sup>35</sup> is designed to achieve the objectives of Zanzibar Development Vision 2050 by focusing on sustainable growth. It aims to leverage Zanzibar's unique geographical advantages to boost the fishing sector and improve livelihoods.
4. **Zanzibar Blue Economy Policy (2020)**<sup>36</sup> focuses on five strategic areas, including fisheries and aquaculture. The policy aims to promote inclusive economic growth, social development and environmental sustainability by addressing challenges in these sectors and promoting the sustainable use of resources. It is closely linked to the Zanzibar Fisheries Policy, with shared goals of sustainable resource management, marine conservation and improved data management for effective planning.

### d. Enforcement and implementation

Fisheries enforcement in mainland Tanzania and Zanzibar operates under separate ministries and departments, each with its own distinct policies, regulations and management strategies. On the mainland, enforcement is led by the Department of Fisheries under the Ministry of Livestock and Fisheries. This Department focuses on sustainable resource use, enforcing fishing regulations, and promoting both inland and coastal aquaculture. In contrast, Zanzibar's fisheries enforcement falls under the Ministry of Blue Economy and Fisheries, which manages both coastal fisheries and mariculture as part of its broader blue economy strategy. This autonomous structure allows each region to tailor its enforcement and management efforts to its specific ecological, social and economic needs while adhering to overarching national and international commitments.

On both sides fisheries enforcement is supported by various mechanisms, including the establishment of Beach Management Units (BMUs)<sup>37</sup> and Marine Conservation Areas (MCAs).<sup>38</sup> These units are designed to enhance local involvement in fisheries management and ensure compliance with regulations. Additionally, enforcement mechanisms include licencing of both fishers and fishing vessels and permits. These are monitored through surveillance and compliance activities. These activities are carried out primarily by government officials from fisheries departments, often accompanied

<sup>32</sup> RGoZ, Zanzibar Fisheries Act, 2010.

<sup>33</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

<sup>34</sup> RGoZ, Zanzibar Development Vision 2050 Responsibly Transforming Livelihoods.

<sup>35</sup> RGoZ, Zanzibar Planning Commission (ZPC), "Zanzibar Development Plan (ZADEP) 2021–2026: Blue Economy for Inclusive Growth and Sustainable Development" (March 2022).

<sup>36</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

<sup>37</sup> URT, National Fisheries Policy of 2015.

<sup>38</sup> RGoZ, Zanzibar Fisheries Policy 2022.

by other government agencies responsible for enforcement. In some instances, local community members participate in these enforcement campaigns, typically drawn from BMUs, Marine Conservation Areas, or village (or *shehia*) authorities.

The Deep-Sea Fisheries Management and Development Act of 2020<sup>39</sup> provides a framework for managing deep-sea fisheries, emphasizing conservation, licencing and sustainable use. However, enforcement challenges remain, particularly in curbing illegal, unreported and unregulated (IUU) fishing, which threatens the sustainability of the sector. Strengthening the capacity of enforcement agencies and improving monitoring, control, and surveillance (MCS) systems are critical for effective governance.<sup>40</sup>

### e. Consideration of cross-cutting issues: Gender and oceans, the blue economy

Gender considerations are increasingly recognized as essential in the governance of marine resources. In Tanzania's coastal and marine fisheries, women are integral to activities such as fish processing, marketing and, in some cases, direct fishing. Recognizing their contributions, several initiatives have been implemented to enhance women's participation and address the challenges they face. Policies like the Zanzibar Blue Economy Policy (2020)<sup>41</sup> emphasize the need for inclusive growth, aiming to involve women and youth in the fisheries and mariculture sectors. Gender mainstreaming efforts are critical in ensuring equitable access to resources, participation in decision-making and benefits from the blue economy.<sup>42</sup> The blue economy itself is a central focus of Tanzania's development strategy, as outlined in the Zanzibar Development Vision 2050 and the Zanzibar Blue Economy Policy. The Zanzibar Blue Economy Gender Strategy and Action Plan aims to promote gender equality and empower women within the blue economy sector, addressing barriers to women's participation in marine and coastal resource management. These frameworks seek to harness the potential of marine resources for sustainable economic growth while protecting marine ecosystems, ensuring that the benefits are shared among all segments of society, including marginalized groups. Associations like the **Tanzania Women Fish Workers Association (TAWFA), which was established in 2019**, serve as platforms to unify women's voices in the fisheries sector. The association advocates for policy improvements and provides training to empower women economically and socially. With support from organizations like the Environmental Management and Economic Development Organization (EMEDO) and the Food and Agriculture Organization of the United Nations (FAO), TAWFA works to promote gender equality across the fisheries value chain.<sup>43</sup> However, TAWFA appears to have made more significant progress in inland fisheries compared to marine and coastal fisheries.

### f. Legislative gaps in conservation and utilization of living resources

**Coordination and integration:** Although both mainland Tanzania and Zanzibar have established legal frameworks for managing fisheries and mariculture, a lack of coordination between these frameworks can lead to inconsistent management practices and regulatory overlaps. For instance, straight licencing of fishers by a single authority has not been possible, requiring fishers to obtain separate licences for Zanzibar and mainland Tanzania, which adds administrative burdens and inefficiencies. This is due to the fact that the fisheries sector is not a Union matter. However, as part of the United Republic of Tanzania, fisher communities are free to move between Zanzibar and mainland Tanzania but are required to abide by the specific fisheries regulations of each. Regardless of this free movement, some regulations are not uniform and can conflict; for example, the harvest of sea cucumber is allowed in Zanzibar but banned on the mainland, leading to challenges in harmonizing fisheries management across the two regions. Currently, there are two distinct fisheries master plans: the Fisheries Sector Master Plan (2021/22–2036/37) for mainland Tanzania and the Zanzibar Fisheries Master Plan

39 URT, Deep-Sea Fisheries Management and Development Act, 2020.

40 Western Indian Ocean Marine Science Association (WIOMSA), *Perceptions of IUU Fishing in the Small-Scale Fisheries of the Western Indian Ocean – A Questionnaire-Based Index*, WIOMSA Series (Online) No. 2 (Zanzibar: WIOMSA, 2022).

41 RGoZ, Zanzibar Blue Economy Policy, 2020.

42 RGoZ, ZPC, "Zanzibar Development Plan (ZADEP) 2021–2026.

43 FAO, <https://www.fao.org/voluntary-guidelines-small-scale-fisheries/news/news-detail/Tanzanian-Women-Fish-Workers-Association-%28TAWFA%29-growing-strong/-en>.

(2023–2038). Improving integration between these plans is crucial for ensuring a coherent and unified approach to the conservation and utilization of fisheries resources.

**Environmental protection:** The legal frameworks governing fisheries and mariculture in Tanzania lack strong mechanisms to address emerging environmental challenges, such as climate change and habitat degradation. For example, the Environmental Management Act (EMA)<sup>44</sup> in mainland Tanzania provides a comprehensive framework for managing environmental issues, promoting sustainable resource use, and conserving the ecosystem. It supports climate resilience through activities like reforestation, sustainable agriculture and coastal protection, integrating climate change into national planning. However, in both mainland and Zanzibar the environmental laws need to be strengthened to effectively address contemporary challenges such as the increasing loss of biodiversity, pollution from plastics and e-waste, and the regulation of genetically modified organisms (GMOs), which can affect the fisheries sector. The decline in biodiversity, particularly in aquatic ecosystems, threatens fish populations and the overall health of fisheries. Overfishing,<sup>45</sup> habitat destruction and invasive species contribute to this loss, undermining the sustainability of fish stocks. The National Biodiversity Strategy and Action Plan (NBSAP) 2015–2020<sup>46</sup> highlights the importance of conserving biodiversity to support sustainable fisheries.

**Institutional capacity and oversight:** Tanzania's fisheries management and enforcement capacity faces significant challenges, including inadequate funding, insufficient human resources and limited equipment, all of which hinder effective monitoring and control.<sup>47</sup> On both mainland Tanzania and Zanzibar, enforcement agencies still experience some challenges with implementing regulations, detecting illegal fishing activities and managing vast marine areas due to these resource constraints.<sup>48</sup> Weak institutional capacity further exacerbates issues like illegal, unreported and unregulated (IUU) fishing, leading to unsustainable resource exploitation and loss of revenue.<sup>49</sup> Strengthening institutional capacity and addressing resource gaps are therefore critical steps towards improving fisheries enforcement and ensuring sustainable marine resource management in Tanzania.

**Cross-cutting issues:** Gender integration and the blue economy are areas where legislative and institutional frameworks show significant gaps. Although policies like the Zanzibar Blue Economy Policy (2020) and the Zanzibar Development Vision 2050 emphasize the importance of inclusive growth and sustainable economic development, gender considerations and blue economy principles are not fully integrated into all legal and policy frameworks. There is a need for comprehensive gender mainstreaming efforts to ensure equitable access to resources and benefits. Additionally, a more cohesive approach to integrating blue economy principles across all relevant policies and regulations is required to maximize the sustainable use of marine resources while protecting ecosystems.

## 2.2.2 Safety and security of shipping

### a. Sector profile and relevance to the State from an ecological, economic and social perspective

Tanzania's vast maritime area lies in the most strategic waters in the Indo-Pacific, which support regional economy and security. Several vital Sea Lanes of Communication (SLOCs) that connect the Western Indian Ocean region to the rest of the world pass through Tanzania's maritime waters. These SLOCs are vital for the regional economy (including

44 URT, Environmental Management Act, 2004.

45 Evidence of overfishing is drawn from the *State of the Coast for Mainland Tanzania (2024)*, which highlights the decline in catch per unit effort (CPUE) (11.2 tons/vessel/year in 1995–2004 to 6.2 tons/vessel/year in 2015–2020), overexploitation of sea cucumbers, reduced prawn stocks prompting reduced fishing efforts, and damage to seagrass and coral reefs from destructive practices like dynamite fishing.

46 URT, National Biodiversity Strategy and Action Plan (NBSAP), 2015–2020.

47 URT Ocean Governance Workshop Stakeholders, Dar es Salaam, 8–9 July 2024.

48 J. Mairi, and Y. Mgawe, "A Review of the National Fisheries Management Plans for Tanzania" (ECO, 2022).

49 Western Indian Ocean Marine Science Association (WIOMSA), *Perceptions of IUU Fishing in the Small-Scale Fisheries of the Western Indian Ocean – A Questionnaire-Based Index*, WIOMSA Series (Online) No. 2 (Zanzibar: WIOMSA, 2022).



energy security) and humanitarian and military missions.<sup>50</sup> Shipping is a vital artery for Tanzania's economy, facilitating international trade and contributing to the country's GDP. On average, over 95 per cent of Tanzania's international trade by volume is seaborne, with the seaports of Dar es Salaam and Tanga as gateways. The Dar es Salaam port, Mtwara and Tanga serve as key gateways for exports and imports, not just for Tanzania<sup>51</sup> but for landlocked neighbouring countries like Zambia, Rwanda, Burundi and Uganda.<sup>52</sup>

Tanzania's maritime domain is vulnerable to various security threats – marine terrorism and piracy; trafficking of narcotics, people and illicit goods; arms proliferation; illegal fishing; and environmental crimes.<sup>53</sup> Thus, safety and security of shipping is a crucial component of the URT maritime sector, significantly influencing its ecological, economic and social landscape. Shipping activities, when properly regulated, contribute to the sustainable use of Tanzania's marine resources.<sup>54</sup> However, unregulated shipping can lead to ecological degradation through oil spills, ballast water discharge and the introduction of invasive species. Ensuring the safety and security of shipping operations is essential to protect Tanzania's rich marine biodiversity, which includes critical habitats like coral reefs, mangroves and seagrass beds. Secure and efficient shipping lanes are vital for the transportation of essential goods, including food and medicine, to remote coastal areas.<sup>55</sup> The safety and security of shipping, therefore, have a direct impact on the quality of life for many Tanzanians.

## **b. Regional and multilateral legal and institutional frameworks related to the sector**

URT is a signatory to several regional and multilateral agreements that govern the safety and security of shipping. These frameworks play a crucial role in aligning Tanzania's maritime practices with international standards.

### **Regional frameworks:**

- **Indian Ocean Commission (IOC):** URT cooperates with other Indian Ocean States through the IOC to enhance maritime security, particularly in combating illegal fishing.
- **The Indian Ocean Tuna Commission (IOTC):** plays a crucial role in supporting Tanzania's efforts to combat illegal, unreported and unregulated (IUU) fishing. Through capacity-building initiatives, data sharing and collaborative enforcement strategies, the IOTC enhances Tanzania's ability to monitor its fisheries and ensure sustainable management practices.
- **Djibouti Code of Conduct:** URT is a participant in this regional initiative, which focuses on suppressing piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden. The code encourages information-sharing, capacity-building and operational coordination among signatory States.
- **Southern African Development Community (SADC):** URT is a member of SADC, which has established frameworks for maritime security and safety, promoting cooperation among member States to enhance the safety of regional shipping routes.<sup>56</sup>

### **Multilateral frameworks:**

- **United Nations Convention on the Law of the Sea (UNCLOS):** As a party to UNCLOS, URT adheres to comprehensive international laws governing the use of the world's seas and oceans. UNCLOS provisions cover the rights and

<sup>50</sup> Abhishek Mishra, ed., "Reflections on the Indo-Pacific: Perspectives from Africa," Observer Research Foundation (December 2021).

<sup>51</sup> National Environment Management Council (NEMC), State of the Coast for Mainland Tanzania (Dodoma, 2024).

<sup>52</sup> Kenya Ports Authority Handbook (Land and Marine Publications Ltd., 2014), [https://issuu.com/landmarine/docs/kenya\\_ports\\_2014/56](https://issuu.com/landmarine/docs/kenya_ports_2014/56).

<sup>53</sup> Hamad Bakar Hamad, "The East African community's maritime domain: An Innovative institutional framework" (PhD thesis, University of Greenwich, 2016), <https://gala.gre.ac.uk/id/eprint/23571/>.

<sup>54</sup> ASCLME/SWIOFP, *Transboundary Diagnostic Analysis*.

<sup>55</sup> RGoZ, *State of the Coast for Zanzibar*.

<sup>56</sup> Mishra, ed., "Reflections on the Indo-Pacific."

responsibilities of States in terms of maritime security, environmental protection and the sustainable use of marine resources.

- **International Maritime Organization (IMO):** URT is a member of IMO, the United Nations agency responsible for regulating shipping. The country complies with various IMO conventions, such as the International Convention for the Safety of Life at Sea (SOLAS) and the International Ship and Port Facility Security (ISPS) Code, which set international standards for the safety and security of shipping operations.

### c. National legal framework

URT has established a robust national legal framework to ensure the safety and security of shipping within its maritime boundaries. This framework is designed to regulate maritime activities, protect the marine environment and enforce compliance with international standards. There are laws that apply to both mainland Tanzania and Zanzibar and also laws that apply to each of them separately.

#### *Legislation applying to both mainland Tanzania and Zanzibar*

- **The Deep-Sea Fishing Authority Act (1998), superseded by the Deep-Sea Fisheries Management and Development Act No 5 of 2020:** This Act establishes the framework for regulating fishing activities in Tanzania's exclusive economic zone (EEZ), including measures to prevent illegal, unreported and unregulated (IUU) fishing, which is closely linked to maritime security.
- **The National Defence Act (1966)** establishes the Tanzania Peoples' Defence Forces, (TPDF).<sup>57</sup> The Act extends to Zanzibar as well as to mainland Tanzania, and, in addition, applies to the Defence Forces, military reserve forces and to persons subject to the Code of Service of Discipline both within and outside Tanzania.

#### *Mainland Tanzania*

The **Merchant Shipping Act (MSA) No. 21 of 2003**<sup>58</sup> repealed the Merchant Shipping Act of 1967 and the Inland Waters Transport Ordinance. The Act regulates ship registration and licencing, proprietary interests in ships and the terms of seafarers' engagement. It addresses maritime safety, including collision prevention, navigation safety, load line regulation and the carriage of dangerous cargoes. It also governs inland waterways, passenger ships, wreck salvage, shipowner liability, maritime casualty investigations, pollution prevention, marine environmental protection and marine security.

The **Tanzania Shipping Agencies Act, chapter 415**,<sup>59</sup> enacted in 2017, establishes the Tanzania Shipping Agencies Corporation (TASAC) to regulate and manage shipping and maritime transport services, including inland waterway transport, in Tanzania. TASAC is responsible for overseeing shipping services, including licencing, compliance monitoring and safety standards. The Act grants TASAC authority over maritime transport, port operations and vessel movements, while also emphasizing the protection of the local shipping industry and the enforcement of international maritime safety and environmental standards.

The **Ports Act of 2004** establishes the **Tanzania Ports Authority (TPA)** as the primary regulator and operator of ports in Tanzania. The TPA manages and operates all sea and inland waterway ports, regulates port services and ensures compliance with safety and security standards. It is also responsible for developing and modernizing port facilities, promoting trade by improving port services, and collecting revenues from port operations. The TPA plays a crucial role in maintaining port infrastructure, expanding facilities and ensuring the competitiveness of Tanzania's ports.

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<sup>57</sup> URT, National Defence Act, 1966.

<sup>58</sup> URT, Merchant Shipping Act, 2003.

<sup>59</sup> URT, Tanzania Shipping Agencies Act, 2017.

## *Zanzibar*

The **Zanzibar Maritime Transport Act of 2006**<sup>60</sup> provides for the registration of ships, the safety and security of shipping, the protection of the marine environment and other related matters.

The **Zanzibar Maritime Authority Act (Act No. 3 of 2009)** provides the regulatory framework for maritime activities in Zanzibar. Marine pollution management is governed by the **Zanzibar Environmental Management Act (Act No. 3 of 2015)**<sup>61</sup> and overseen by agencies like the Zanzibar Environmental Management Authority (ZEMA) and Zanzibar Maritime Authority (ZMA). These frameworks focus on broader environmental and maritime pollution issues.

### **d. Enforcement and implementation of the governance framework for the sector**

#### ***Security of shipping***

URT implements UNCLOS requirements concerning the security of shipping through various measures that address and mitigate illegal activities threatening maritime security. These include combating piracy, suppressing illicit activities and exercising the right of hot pursuit.

The Ministry of Defence and National Service (MODANS) is a fully established ministry that has been operational since 1995. Prior to its formation, its functions were carried out by the Ministry of State under the Second Vice President's Office (VPO) from 1972 to 1989 and subsequently under the President's Office until November 1995. Before the union of Tanganyika and Zanzibar, it was known as the Ministry of Defence and External Affairs. MODANS is tasked with national defence, ensuring the sovereignty of the State and safeguarding the interests of the United Republic of Tanzania. The primary implementing agencies under this ministry include (i) Tanzania Peoples Defence Forces (TPDF), (ii) National Services, and (iii) Military Research and Development Institution.<sup>62</sup>

The National Defence Act, 1966, establishes the Tanzania Peoples' Defence Forces (TPDF).<sup>63</sup> The Act extends to Zanzibar as well as to mainland Tanzania, and, in addition, applies to the Defence Forces, military reserve forces and to persons subject to the Code of Service of Discipline both within and outside Tanzania. The TPDF are the armed forces of the United Republic of Tanzania that comprise multidisciplinary forces such as the Land Forces Command, Air Forces Command and the Navy Forces Command. The TPDF Naval Command plays a pivotal role in safeguarding URT's maritime territories. The Naval Command is engaged in various maritime security operations, including the enforcement of maritime laws and the fight against illegal, unreported and unregulated (IUU) fishing. These efforts are crucial in sustaining the management of marine resources and ensuring the security of shipping lanes. The TPDF Naval Command plays a central role in maritime security operations, including deterring piracy within its territorial sea and beyond. These operations are critical in maintaining the safety of maritime navigation and protecting URT's marine resources. URT's Naval Command is also instrumental in enforcing maritime laws that target, for instance, smuggling, human trafficking and drug trafficking. Its efforts are vital in maintaining the integrity of Tanzania's maritime domain, contributing to both national and regional security. UNCLOS grants coastal States the right of hot pursuit if there is reason to believe that a foreign vessel has violated the laws and regulations of that State. URT, through its naval forces, exercises this right when necessary, ensuring compliance with national and international maritime laws.<sup>64</sup> This right is an essential tool for Tanzania in addressing violations that threaten its maritime security.

<sup>60</sup> Zanzibar Maritime Transport Act No. 5 of 2006.

<sup>61</sup> RGoZ, Zanzibar Environmental Management Act No. 3 of 2015.

<sup>62</sup> <https://www.modans.go.tz/>.

<sup>63</sup> URT, National Defence Act, 1966.

<sup>64</sup> Hamad Bakar Hamad, "Assessing Tanzania's Role as a Key Maritime Partner in the Indo-Pacific" (2022), [https://www.researchgate.net/publication/358907124\\_Assessing\\_Tanzania's\\_Role\\_as\\_a\\_Key\\_Maritime\\_Partner\\_in\\_the\\_Indo-Pacific](https://www.researchgate.net/publication/358907124_Assessing_Tanzania's_Role_as_a_Key_Maritime_Partner_in_the_Indo-Pacific).

A significant part of URT's maritime security operations includes combating destructive fishing practices, such as dynamite fishing. Initiatives like Operation "Pono" in the late 1990s and subsequent campaigns in the 2010s have successfully reduced this harmful practice.<sup>65</sup> The Naval Command's active involvement in these operations underscores its critical role in preserving the health and productivity of Tanzania's marine environment. The Tanzanian Multi-Agency Task Team, comprising the Tanzania Police Force, Tanzania Forest Services, the Wildlife Division, Fisheries Division and the Tanzania Intelligence and Security Service, plays a key role in maritime security.<sup>66</sup>

The National Service Corporation Sole (SUMAJKT)<sup>67</sup> serves as the economic wing of the Tanzania National Service, engaging in various commercial productive activities. SUMAJKT plays a crucial role in ocean governance and the security of shipping through its active involvement in coastal infrastructure development, security and community support. By guiding the construction of infrastructure related to marine activities, such as fish landing sites and port facilities, SUMAJKT enhances the stability and security of Tanzania's maritime domain. Its engagement in civil engineering and agricultural projects directly supports sustainable practices that benefit marine ecosystems and local communities dependent on ocean resources.

## Shipping

The URT Constitution<sup>68</sup> mandates the United Republic Government to be responsible for foreign relations issues on behalf of the State. This responsibility relates to negotiations, ratifications and domestication of international instruments. Thus, when a question is raised regarding compliance with established international instruments (SOLAS, MARPOL, STCW, MLC, COLREGs or ISM Code), the URT Government is to be held responsible for such non-adherence.

Despite URT being responsible for compliance of international instruments, maritime administration, including ship registration, is not a Union matter. Mainland Tanzania and Zanzibar have separate mandates to regulate maritime administration. They each have their own maritime policies, strategies and regulations, aligned with their respective jurisdictions. Thus, in Tanzania, ship registration is governed by two distinct legal frameworks:

**Mainland Tanzania:** The Merchant Shipping Act No. 3 of 2003 applies to the mainland and sets qualifications for ship ownership, registration and licencing. This Act restricts ship registration to Tanzanian nationals, requiring that owners be Tanzanian citizens or entities.<sup>69</sup>

**Zanzibar:** The Zanzibar Maritime Authority oversees ship registration under the Zanzibar Maritime Act No. 5 of 2006.<sup>70</sup> This Act allows foreign individuals and companies to register vessels under the Tanzania Zanzibar International Register of Shipping (TZIRS), enabling them to fly the Tanzanian flag.

This dual system results in different eligibility criteria for ship registration between mainland Tanzania and Zanzibar.

The Tanzania Shipping Agencies Corporation (TASAC), which is under the Ministry of Transport in mainland Tanzania, regulates and manages shipping and transport services in mainland Tanzania. TASAC is responsible for overseeing shipping services, including licencing, compliance monitoring and safety standards. The **Tanzania Shipping Agencies Act, chapter 415**<sup>71</sup> grants TASAC authority over maritime transport, port operations and vessel movements, while

65 Zanzibar Association of Tourism Investors (ZATI), <https://Zati.or.Tz/Wp/>; V.R. Kamat, "Dynamite fishing in a marine protected area in Tanzania: Why youth perceptions matter," Coastal Management, vol. 47, No. 4 (2019).

66 <https://www.seashepherdglobal.org/latest-news/tanzania-jodari-concludes/>.

67 <https://tuico.or.tz/sw/pages/sumajkt.html>.

68 URT, *The Constitution of the United Republic of Tanzania of 1977. Union matters as per art. 4 (3) read together with the first schedule, arts. 34 (1) and 102 (1)*.

69 URT, Merchant Shipping Act, 2003.

70 Zanzibar Maritime Transport Act No. 5 of 2006.

71 URT, Tanzania Shipping Agencies Act, 2017.

also emphasizing protection of the local shipping industry and the enforcement of international maritime safety and environmental standards.

The Zanzibar Maritime Authority (ZMA) oversees ship registration according to the Maritime Transport Act.<sup>72</sup> ZMA is under the Ministry of Blue Economy and Fisheries in Zanzibar.

### ***Marine pollution***

Mainland Tanzania's Merchant Shipping Act No. 21 of 2003<sup>73</sup> is the principal national legal instrument for implementing International Maritime Organization (IMO) conventions and related environmental agreements within the maritime sector.

A National Marine Oil Spill Response Contingency Plan (NMOSRCP) was approved in 2016. The Revolutionary Government of Zanzibar has a separate contingency plan, the Zanzibar Marine Oil Spill Response Contingency Plan (ZMOSRCP), which functions as an operational amendment to the NMOSRCP. Both plans include sensitivity maps to prioritize the response: TanSEA and ZanSEA Atlases, respectively, for Tanzania and Zanzibar.

Under the NMOSRCP, the Tanzania Shipping Agency Corporation (TASAC) oversees the National Marine Oil Spill Coordinating Committee (NMOSCC) and the Maritime Rescue Coordination Centre (MRCC). In the event of a spill, harbour and at-sea operations are overseen by the Marine Control Centre (MCC). The National Environment Management Council (NEMC) plays a coordinating role for all environmental matters, and the Department of Wildlife in the Ministry of Natural Resources and Tourism (MNRT) is responsible for oiled wildlife response. The Marine Parks and Reserves Unit of the Ministry for Agriculture, Livestock and Fisheries is responsible for response in marine protected areas. The Vice President's Office (VPO), through its Division of Environment (DoE), leads the enforcement and implementation of environmental compliance measures in mainland Tanzania. The President's Office Regional Administration and Local Government (PO-RALG) also coordinates the implementation of environmental policies, acts and regulations across Local Government Authorities (LGAs), and monitors the performance of LGAs. Sector ministries ensure that all activities are conducted in an environmentally sustainable manner.<sup>74</sup>

In Zanzibar, the Zanzibar Maritime Authority (ZMA) is primarily responsible for preventive and response measures against marine oil spill scenarios. The ZMA is tasked with preparing and maintaining the "annex O" of the Zanzibar Environmental Preparedness and Response Plan (ZEPRP), which addresses hazardous materials and oil spill response. Supporting agencies include the Department of Agriculture, Tanzania People's Defence Force (TPDF), and various institutions responsible for energy, health, transportation, construction, environment, the Tanzania Red Cross and special departments. The Disaster Management Commission (DMC) coordinates disaster management plans, declaring disaster situations, and addressing marine oil spills, coastal and marine emergencies, floods and climate impacts. The DMC coordinates actions among various supporting agencies, ensuring an integrated approach to managing marine oil spills and other coastal and marine emergencies.

### **Right of innocent passage in the United Republic of Tanzania**

The right of innocent passage through the territorial sea of URT is a well-established principle grounded in both international law and national legislation. URT balances its obligation to allow innocent passage with its sovereign rights to protect its peace, security and marine resources. Through robust legal frameworks and active enforcement, URT ensures that the right of innocent passage is respected while safeguarding its national interests. URT has incorporated the principles of the right of innocent passage into its national legal framework through the Territorial Sea and Exclusive Economic Zone

<sup>72</sup> Zanzibar Maritime Transport Act No. 5 of 2006.

<sup>73</sup> URT, Merchant Shipping Act, 2003.

<sup>74</sup> World Bank, "Tanzania: Country environmental analysis environmental trends and threats, and pathways to improved sustainability" (Washington, D.C: World Bank, 2019), <https://documents1.worldbank.org/curated/en/356211556727592882/pdf/Tanzania-Country-Environmental-Analysis-Environmental-Trends-and-Threats-and-Pathways-to-Improved-Sustainability.pdf>.



Act, chapter 238.<sup>75</sup> The Act allows foreign ships the right of innocent passage through the territorial sea of Tanzania. The passage is considered innocent as long as it is not prejudicial to the peace, good order or security of the United Republic of Tanzania. The right of innocent passage is covered under **section 3 (articles 17–22)** of the Act. This section outlines the conditions under which innocent passage is allowed and the circumstances under which the right can be denied or suspended, especially if the passage is deemed non-innocent or if it threatens the country's security. Foreign vessels must not engage in activities such as fishing, conducting research or survey activities, or any act that threatens the security of URT.

Military vessels and nuclear-powered ships must adhere to additional regulations and may require prior notification or authorization. These provisions are detailed in **section 3 (article 23)**, which states that nuclear-powered ships, as well as ships carrying nuclear or other hazardous substances, shall when exercising the right of innocent passage through the territorial sea, carry documents and observe special precautionary measures established for such ships by international agreement.

URT reserves the right to adopt laws and regulations relating to innocent passage to ensure the safety of navigation, the protection of navigational aids and facilities, and the preservation of its marine environment. These regulations may include specific sea lanes and traffic separation schemes. As of the preparation of this report, URT had not yet designated such sea lanes and separation schemes.

Under article 25 of UNCLOS, URT may temporarily suspend innocent passage in specific areas of its territorial sea if such suspension is essential for the protection of its security. Any suspension must be non-discriminatory and duly published. Tanzania's Territorial Sea and Exclusive Economic Zone Act, chapter 238, aligns with this provision. Article 17 of the Act grants ships of all States the right of innocent passage through Tanzania's territorial sea, subject to the conditions set forth in the Act. While the Act does not explicitly mention the suspension of innocent passage, it is understood that Tanzania, like other coastal States, reserves the right to temporarily suspend innocent passage in specific areas of its territorial sea for security reasons, in accordance with international law.<sup>76</sup>

## **e. Consideration of cross-cutting issues: Gender and oceans, the blue economy**

### ***Gender and oceans:***

Maritime transportation and operational activities in Tanzania remain predominantly male-dominated. However, thanks to initiatives by the maritime sector and the Government, there is a growing enrolment of women passionate about working in the industry. Efforts are being made to promote gender equality in maritime professions by encouraging women's participation and ensuring their safety and welfare. Promotion of gender equality in Tanzania's maritime industry is achieved through various forms of support for women including initiatives addressing safety and welfare, and scholarships and training to boost female representation in maritime careers. Tanzania has the national chapter of the Association for Women in the Maritime Sector in Eastern and Southern Africa – WOMESA.<sup>77</sup> This association was initiated by the International Maritime Organization (IMO) and launched in December 2007, in Mombasa, Kenya, under IMO's programme on the Integration of Women in the Maritime Sector (IWMS).<sup>78</sup> WOMESA's mission is to advocate gender equity, improve women's access to maritime training and technology and promote their advancement to key decision-making levels in the maritime sector in eastern and southern Africa. This network helps address challenges and advocates for the empowerment and advancement of women in maritime careers.

<sup>75</sup> URT, Territorial Sea and Exclusive Economic Zone Act, chap. 238.

<sup>76</sup> Ibid.

<sup>77</sup> Association for Women in the Maritime Sector in Eastern and Southern Africa (WOMESA), <https://Womesa.Org/>.

<sup>78</sup> IMO, <https://www.imo.org/en/ourwork/technicalcooperation/paginas/womeninmaritime.aspx>.

Women are increasingly entering fields that have traditionally been dominated by men. However, recent studies indicate that their progress is still impeded by several factors. For instance, female seafarers encounter challenges related to isolation, loneliness, safety standards, job satisfaction, pay and benefits, work-life balance and maternity rights. The shipping sector must address these issues to promote greater gender equality and inclusivity. Specific concerns, including the gender pay gap, insufficient awareness and enforcement of maternity rights, and a lack of resources and support for female seafarers in balancing work and family responsibilities, require immediate attention.

#### **f. Gaps and opportunities for improvement in safety and security of the shipping sector**

- **Strengthen inter-agency coordination and enforcement:** Tanzania has the opportunity to enhance enforcement of maritime laws through more integrated cooperation among national agencies, such as the Tanzania People's Defence Force (TPDF), the Tanzania Police Force, TASAC and the Zanzibar Maritime Authority. For instance, the lack of a centralized communication system might have hindered swift responses to security threats, such as the resurgence of piracy incidents in the Western Indian Ocean (WIO) region between 2016 and 2017. Additionally, jurisdictional conflicts between TASAC and the Zanzibar Maritime Authority have occasionally caused confusion over the regulation of vessels operating between Zanzibar and the mainland. Insufficient patrol resources, such as patrol boats and surveillance equipment, have further limited the ability to monitor illegal fishing activities in the EEZ, evidenced by reports of unlicensed foreign vessels operating undetected in Tanzanian waters. Developing a national strategy that aligns the roles and responsibilities of these agencies could bolster their collective ability to address challenges like piracy, illegal fishing and smuggling. Improved coordination would lead to more comprehensive security measures, reducing vulnerabilities in Tanzania's maritime domain.
- **Expand monitoring and surveillance capacity:** With vast maritime territories to manage, Tanzania can benefit from investing in advanced monitoring, control and surveillance (MCS) systems. For example, radar and satellite tracking systems could enable real-time monitoring of vessel movements, helping to identify and intercept unlicensed foreign fishing vessels operating illegally in Tanzania's EEZ, as reported in recent years. The use of unmanned aerial vehicles (UAVs) has proven effective in other coastal States for patrolling remote marine areas where traditional patrol boats face logistical challenges. Furthermore, implementing Automatic Identification Systems (AIS) for all vessels could enhance transparency and reduce illegal fishing activities. To complement these technologies, training programmes aimed at equipping enforcement personnel with the technical skills to operate and interpret these systems would enable faster and more effective responses to maritime security threats. Such an improved surveillance capacity would not only increase maritime security but also support sustainable fisheries, prevent habitat destruction caused by illegal fishing gear and enhance environmental protection by monitoring pollution and overfishing.
- **Harmonize legal frameworks between Mainland and Zanzibar:** The separate maritime regulatory frameworks in mainland Tanzania and Zanzibar present an opportunity to unify and streamline governance. For example, differing regulations on sea cucumber harvesting – banned on the mainland but allowed in Zanzibar – cause confusion among fishers. Harmonizing these frameworks could reduce regulatory confusion and create a more consistent enforcement landscape, benefiting stakeholders across Tanzania's maritime sector. By establishing common standards and practices, Tanzania could ensure stronger, more effective governance that meets both national and international requirements.
- **Enhance capacity for marine pollution response:** Although contingency plans exist for managing marine oil spills, such as the Tanzania National Oil Spill Contingency Plan, gaps in response capacity remain evident. For example, the delayed response to an oil spill near Mtwara Port in 2018 highlighted the need for better-equipped and specialized marine pollution units. Establishing such units with access to tools like skimmers, booms and dispersants, along with enhancing training for rapid response teams, would significantly improve preparedness. Sharing resources and expertise between mainland Tanzania and Zanzibar would ensure quicker and more coordinated responses. Strengthening pollution response capacity would protect sensitive habitats, such as coral reefs and mangroves in areas like the Rufiji Delta and enhance resilience to maritime accidents.

- **Promote gender equity and support capacity-building in maritime professions:** The predominantly male maritime sector in Tanzania presents a clear opportunity to support and advance gender inclusivity. For instance, while organizations like the Association for Women in the Maritime Sector of Eastern and Southern Africa (WOMESA) have made strides in empowering women, participation remains low – women make up less than 5 per cent of seafarers globally, and Tanzania reflects similar disparities. Expanding initiatives like WOMESA and the Women in Marine Science (WIMS) network could increase women’s access to maritime training, scholarships and career development resources. By fostering a more inclusive environment, Tanzania would not only benefit from a more diverse and skilled maritime workforce but also promote broader societal and economic gains through gender equity in this critical sector.

## 2.2.3 Exploration and exploitation of non-living resources

### a. Sector profile and relevance

Tanzania has been exploring oil and gas for more than half a century. The exploration and exploitation of non-living resources, including oil, gas and minerals, play a critical role in URT’s economic development. Key activities include onshore hydrocarbon drilling, which commenced in 1956, and offshore drilling, which began in shallow waters in 1973 and expanded to deep-water exploration from 2010 onwards.<sup>79</sup> In Tanzania, a substantial amount of natural gas has been found in recent years, but its utilization is still limited.<sup>80</sup> The first natural gas discovery was made on the Songo Songo Island in 1974, followed by another one in the Mnazi Bay in 1982. In 2004 and 2006 commercial production of natural gas on the Songo Songo Island and in the Mnazi Bay commenced, respectively. From 2010, Tanzania has witnessed further exploration and discoveries of significant quantities of natural gas both on and offshore. As of 2021, the discoveries of natural gas in the country stand at 57.54 trillion cubic feet.<sup>81</sup> Tanzania also hosts two major oil pipelines: the Tazama Pipeline, established in 1968, which runs 1,710 km from Dar es Salaam to Ndola, Zambia, and the East African Crude Oil Pipeline (EACOP), stretching 1,445 km from Kabale, Uganda, to Tanga, Tanzania.<sup>82</sup> A significant development is the ongoing oil and gas exploration off the coast of Zanzibar and in the broader East African Community (EAC) region. Preliminary data from two-dimensional seismic surveys suggest Zanzibar may have offshore gas reserves of up to 3.8 trillion cubic feet.<sup>83</sup> The extraction of these resources could lead to increased shipping traffic in the region, raising potential risks to the marine environment.<sup>84</sup>

Apart from hydrocarbons, the coastal environment of mainland Tanzania offers a diverse range of non-living resources, including construction materials like aggregates, sand and red soil/clay, as well as industrial minerals such as limestone, kaolin, heavy minerals (garnet, ilmenite, zircon) and sea salt. These resources can be categorized into two main groups: building materials and industrial minerals. Building materials, particularly aggregates, sand and red soil/clay, are primarily extracted for local use, playing a vital role in supporting the construction industry.<sup>85</sup>

The coastal mineral resources of mainland Tanzania hold significant untapped potential, particularly in minerals such as gypsum and heavy minerals. Expanding sustainable mining practices for industrial minerals, such as limestone, kaolin and salt, could enhance the sector’s economic contribution. However, challenges like illegal sand mining, driven by poverty

79 Gates and other, “Ecological considerations for marine spatial management in deep-water Tanzania,” *Ocean and Coastal Management*, vol. 210, No. 6 (2021).

80 URT, *The Project for Domestic Natural Gas Production and Supply Systems in Tanzania*, Japan International Cooperation Agency (JICA) and the Institute of Energy Economics, Japan (IEEJ) report (2022).

81 Peter Bofin, and Rasmus Hundsbaek Pedersen, “Tanzania’s oil and gas contract regime, investments and markets,” Working paper (Copenhagen: Danish Institute for International Studies, 2017).

82 URT, Ministry of Environment, *National Environmental Policy* (2021).

83 <https://www.eapce25.eac.int/index.php/exploration/exploration-tanzania>.

84 RGoZ, *State of the Coast for Zanzibar*.

85 NEMC, *State of the Coast for mainland Tanzania*.

and unemployment, are exacerbating coastal erosion and harming ecosystems.<sup>86</sup> Addressing these issues requires multifaceted measures, including policies to reduce unemployment, alternative sand sources, education on coastal erosion, legalized sand-mining associations and improved governance and research funding.

In Zanzibar, coastal mining involves the extraction of non-renewable natural resources and is expanding alongside other economic sectors. Given its scale, all mining activities in Zanzibar are classified as coastal. In 2022, a total of 1,426,436 metric tons of various minerals were extracted, generating TSh 44.9 billion in government revenue, which accounts for approximately 0.8 per cent of Zanzibar's GDP. The mining sector provides employment for approximately 20,000 individuals, representing about 1.9 per cent of the working-age population.<sup>87</sup> Despite its promise, the growth of the mining sector has also led to increased environmental impacts in Unguja and Pemba, with sand being the most commonly mined resource. Increased sand mining has resulted in some negative impacts including accelerated beach erosion, lack of plant regeneration and reported issues with mining in local communities.<sup>88</sup>

## b. Regional and multilateral legal and institutional frameworks related to the sector

Tanzania participates in several regional and multilateral frameworks that influence the exploration and exploitation of non-living resources:

- **East African Community (EAC):** As a member of the EAC, Tanzania is part of a regional bloc that aims to enhance economic integration and cooperation among East African countries. The EAC's protocols and agreements impact resource management and trade within the region. For instance, Tanzania has entered into agreements with Uganda and international oil companies under the **East African Crude Oil Pipeline (EACOP)** project, which facilitates the construction and operation of a pipeline to transport crude oil from Uganda's oil fields to Tanzania's port of Tanga.<sup>89</sup>
- **Southern African Development Community (SADC):** Tanzania's membership in SADC promotes cooperation on various issues, including resource management and environmental protection, both of which affect the exploitation of non-living resources.<sup>90</sup>
- **African Union (AU):** Through the AU, Tanzania engages in continental initiatives that focus on natural resource governance, sustainable development and environmental conservation, helping to shape its approach to resource exploitation.<sup>91</sup>
- **The African Convention on the Conservation of Nature and Natural Resources (2003):**<sup>92</sup> This Convention promotes the sustainable use of natural resources, directly impacting Tanzania's petroleum activities by encouraging the integration of environmental conservation into resource management practices.
- **United Nations Framework Convention on Climate Change (UNFCCC):** As a signatory to the UNFCCC, Tanzania is committed to sustainable resource management and environmental protection, which influence policies surrounding the exploitation of non-living resources.<sup>93</sup>

86 D.C.P. Masalu, "Coastal erosion and its social and environmental aspects in Tanzania: A Case study in illegal sand mining," *Coastal Management*, vol. 30, No. 4 (2010), 347–59, <https://doi.org/10.1080/089207502900255>.

87 RGoZ, *State of the Coast for Zanzibar*.

88 C. Ladlow, "An Assessment of the impact of sand mining: Unguja, Zanzibar," Independent Study Project Collection, Tanzania-Zanzibar: Coastal Ecology and Natural Resource Management, Lafayette College (Easton, PA, 2015).

89 <https://www.eacop.com/host-government-agreements-signed/>.

90 <https://www.sadc.int/>.

91 <https://au.int/>.

92 The African Convention on the Conservation of Nature and Natural Resources was adopted during the Second Ordinary Session of the Assembly in Maputo, Mozambique, on 11 July 2003. It officially entered into force on 23 July 2016.

93 <https://unfccc.int/process/parties-non-party-stakeholders/parties-convention-and-observer-states>.



### c. National legal framework

In Tanzania, oil and gas remain the dominant sources of energy, significantly contributing to the national economy. The country has established a comprehensive legal and regulatory framework to govern the industry, with both mainland Tanzania and Zanzibar exercising sovereign authority over their respective oil and gas resources (tables 2.1 and 2.2).

#### *Mainland Tanzania*

To facilitate the effective management of the oil and gas subsector, including environmental oversight, mainland Tanzania has developed a comprehensive range of policy and legal instruments. These include key frameworks such as the National Petroleum Policy (2015), the Mineral Policy (2009), the National Energy Policy (2015), the Environmental Management Act (2004), the Mining Act (2010), the Petroleum Act (2015) and the Natural Wealth and Resources Act (2017).

The primary legal frameworks governing oil and gas management in Tanzania include the Petroleum Act (No. 21 of 2015),<sup>94</sup> the Oil and Gas (Upstream) Act (No. 6 of 2016), the Oil and Gas Revenues Management Act (2015) and the Tanzania Extractive Industries (Transparency and Accountability) Act (2015). These instruments address critical issues such as the regulation of the supply chain from upstream to downstream operations, governance of revenues generated from oil and gas activities, and mechanisms for the sustainable utilization of these revenues. They also establish regulatory institutions and define the principles governing natural resource management.

The Petroleum Act was enacted to enhance the control and management of oil and gas resources in response to the rapid growth in natural gas exploration and discovery, which highlighted the need for a more robust legal framework. This Act covers the entire oil and gas supply chain, from upstream to downstream, and applies to both Mainland Tanzania and Zanzibar. It allows Zanzibar to enact its own laws and establish institutions for governing its resources. The Petroleum Act affirms that oil and gas resources within the territorial boundaries of the United Republic of Tanzania are under the exclusive management of the Government, acting on behalf of the people of Tanzania. The Act outlines the administration and regulation of upstream, midstream and downstream activities, detailing responsible institutions, licencing processes, safety and environmental standards, community engagement, financial management and dispute resolution mechanisms.

The Oil and Gas Revenue Management Act (2015) establishes the legal framework for managing revenues generated from the oil and gas sector, including the creation of the Oil and Gas Fund. The Fund's objectives include receiving and distributing oil and gas revenues, maintaining fiscal and macroeconomic stability, financing sector investments, promoting social and economic development, and safeguarding resources for future generations. In addition to these laws, several regulations support the legal framework, including the Petroleum (Local Content) Regulations (2017), which encourage Tanzanian citizens and businesses to participate in the oil and gas industry by promoting the transfer of skills and technology to the local workforce. Other relevant regulations include the Petroleum (Natural Gas Pricing) Regulations (2020), the Petroleum (General) Regulations (2011), the Petroleum (Natural Gas Midstream and Downstream) General Regulations (2020), the Petroleum (Reconnaissance and Tendering) Regulations (2019), the Upstream Petroleum Regulatory Authority (Annual Levy, Fees and Charges) (2019) and the Petroleum (Bulk Procurement) Regulations (2017). The Occupational Safety and Health Act (2003) emphasizes the importance of worker safety and well-being across various industries, including oil and gas.

The Mining Act of 2010 establishes the regulatory framework for mining activities and created the Mining Commission as a parastatal organization. The Act regulates various types of mining, including extraction of minerals from the seabed. It establishes the regulatory framework for mining operations, ensuring the sustainable use of mineral resources, compliance with environmental standards and the protection of marine ecosystems. This Act was later amended by the Written Laws (Miscellaneous Amendments) Act (2017). Other relevant regulations include the Environmental Management Act (2004), which focuses on environmental protection and mandates impact assessments for mining projects, ensuring

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94 URT, Act Supplement No. 21, *Gazette of the United Republic of Tanzania*, vol. 96, No. 38 (18 September 2015).

that operations are conducted sustainably. The Act requires mining companies to undertake environmental impact assessments (EIAs) and obtain environmental permits before starting mining operations, to be able prepare and implement environmental management plans to mitigate any negative environmental impacts of mining waste.

**Table 2.1. Laws and regulation on oil and gas for mainland Tanzania**

LAWS AND REGULATIONS FOR OIL AND GAS
Petroleum (Exploration and Production) Act (1980)
Environmental Management Act (2004)
Petroleum Act (2008)
Mineral Policy (2009)
Mining Act (2010)
Petroleum (General) Regulations (2011)
National Petroleum Policy of Tanzania (2015)
National Energy Policy (2015)
Petroleum Act (2015)
Oil and Gas Revenues Management Act (2015)
Tanzania Extractive Industries (Transparency and Accountability) Act (2015)
Petroleum Act (No. 21 of 2015)
Oil and Gas (Upstream) Act (No. 6 of 2016)
Natural Wealth and Resources Act (2017)
Written Laws (Miscellaneous Amendments) Act (2017)
Petroleum (Local Content) Regulations (2017)
Petroleum (Bulk Procurement) Regulations (2017)
Petroleum (Reconnaissance and Tendering) Regulations (2019)
Upstream Petroleum Regulatory Authority (Annual Levy, Fees and Charges) (2019)
Petroleum (Natural Gas Pricing) Regulations (2020)
Petroleum (Natural Gas Midstream and Downstream) General Regulations (2020)

# Zanzibar

The legal framework for oil and gas in Zanzibar is defined primarily by the Oil and Gas (Upstream) Act No. 6 of 2016, which is the principal legislation governing oil and gas resources in Zanzibar, providing the Revolutionary Government of Zanzibar (RGoZ) with the power to enact specific laws and establish institutions to manage oil and gas resources. The Act extends Zanzibar’s jurisdiction over oil and gas resources within its territorial boundaries, including land, islets, internal waters, territorial sea, contiguous zone, EEZ, and any areas recognized by international law. It grants RGoZ autonomy over the management, administration and regulation of its oil and gas resources. A key element of this framework is the transition of authority: under the Petroleum Act No. 21 of 2015, the administrative authority over oil and gas resources was transferred from the Government of the United Republic of Tanzania to RGoZ, allowing Zanzibar to create its own regulatory framework.

Like Mainland Tanzania, sand mining in Zanzibar requires a mining licence, but enforcement has often been inadequate, especially in remote coastal areas where sand extraction is rampant. The Zanzibar Environmental Management Act, 2015 also plays a crucial role in regulating the environmental impacts of mining activities. This includes the requirement for EIAs for certain mining operations. RGoZ has increasingly recognized the need for policies and regulations to tackle the environmental consequences of unregulated sand mining.

## Supporting policies and legislation:

- **Zanzibar Oil and Gas (Upstream) Policy, 2015:** This policy addresses manpower and legal gaps and supports the operationalization of Zanzibar’s oil and gas sector.
- **Zanzibar Energy Policy, 2009 and Zanzibar Utility Regulatory Authority Act No. 7 of 2013:** These provide a foundation for energy governance in Zanzibar.
- **Mines and Mineral Development Act No. 11 of 2015 and Environmental Management Act No. 3 of 2015 (part VII):** These acts govern the management of mineral resources and environmental aspects of non-renewable resources in Zanzibar.

Table 2.2. Laws and regulation on oil and gas for Zanzibar

LAWS AND REGULATIONS FOR OIL AND GAS
Petroleum (Exploration and Production) Act (1980)
Zanzibar Energy Policy (2009)
Zanzibar Utility Regulatory Authority Act No. 7 (2013)
Environmental Management Act No. 3 (2015)
Mines and Mineral Development Act No. 11 (2015)
Petroleum Act No. 21 (2015)
Oil and Gas (Upstream) Act No. 6 (2016)

## d. National institutional framework

### *Mainland Tanzania*

The Ministry of Energy in Tanzania<sup>95</sup> is responsible for formulating and overseeing the implementation of policies related to energy, oil and gas. Its key functions include managing energy and petroleum resources, enhancing the value of petroleum, developing oil and gas infrastructure, overseeing bulk procurement of oil, and implementing urban and rural electricity programmes. The Ministry also focuses on local content in the energy and petroleum sectors, the development of both renewable and non-renewable energy sources, and improving performance and human resources. Additionally, it supervises extra-ministerial departments, parastatal organizations, agencies, programmes and projects associated with its mandate.

The Petroleum Act, 2015 singles out the Tanzania Petroleum Development Corporation (TPDC) as the national oil company representing and protecting government commercial interest in the oil and gas economy.<sup>96</sup> The Act has separated institutional functions by establishing several independent institutions. It establishes the Petroleum Upstream Regulatory Authority (PURA) (section 11) charged with responsibility to manage upstream activities, and the Oil and Gas Advisory Bureau with responsibility to advise the Cabinet on very sensitive issues relating to oil and gas industry. In terms of scope, this Petroleum Act seems to be more comprehensive compared to the repealed ones. However, for controlling, governing and supervision of oil and gas operations, the Act applies to Mainland Tanzania as Zanzibar has its own system.

The EWURA Act (chapter 414),<sup>97</sup> establishes the Energy and Water Utilities Regulatory Authority (EWURA) and outlines its role and responsibilities in regulating the energy and water sectors, including the oil and gas industries. EWURA is responsible for regulating various aspects of the energy and water sectors, including electricity, natural gas, oil and water supply and sanitation services. The Act empowers EWURA to issue licences and certifications for activities within the energy and water sectors. This includes exploration, production, distribution and retail activities in the oil and gas sectors. EWURA also regulates midstream and downstream petroleum and natural gas activities under the **Petroleum Act of 2015**.

**On mining**, the Mining Commission issues mining licences, conducts inspections and ensures regulatory compliance. It also advises the Minister of Energy on mining sector matters, including offshore and oceanic activities. The 2017 amendments abolished the Tanzania Minerals Audit Agency (TMAA) and Zone Mines Offices, transferring their functions to the Mining Commission and Geological Survey of Tanzania (GST). The GST is responsible for geological mapping, mineral exploration and geo-hazard monitoring. GST provides crucial geoscientific data to support informed decision-making, including the exploration and monitoring of mineral resources in Tanzania's ocean and seas.

### *Zanzibar*

The institutional framework for managing Zanzibar's oil and gas sector is designed to promote autonomy, transparency and accountability in the exploration, production and administration of these resources.

The Ministry of Lands, Housing, Water and Energy (MWE) serves as the primary policymaking and oversight body for Zanzibar's energy resources. MWE is responsible for formulating and guiding oil and gas policies, ensuring they align with Zanzibar's broader development goals. The Ministry played a pivotal role in the creation of the Zanzibar Oil and Gas (Upstream) Policy in 2015, which identified gaps in legal, institutional and human resource capacities necessary to support the sector. As the top-level strategic body, MWE sets guidelines, strategies and policy direction to ensure that oil and gas development aligns with national economic and social objectives. The regulation for mining activities also falls under the

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<sup>95</sup> URT, Ministry of Energy, <https://www.nishati.go.tz/Pages/Ministry-Structure>.

<sup>96</sup> Petroleum Act, 2015.

<sup>97</sup> URT, Energy and Water Utilities Regulatory Authority Act, chap. 414.



MWE. The Ministry is responsible for formulating and guiding policies related to Zanzibar's natural resources, including sand mining, ensuring that such activities align with the region's development objectives and environmental standards.

Following the enactment of the Oil and Gas (Upstream) Act No. 6 of 2016, Zanzibar commenced oil and gas exploration in 2016, establishing two key institutions: the Zanzibar Petroleum Regulatory Authority (ZPRA)<sup>98</sup> and the Zanzibar Petroleum Development Company (ZPDC).<sup>99</sup> ZPRA, as the upstream sector regulator, is responsible for overseeing oil and gas exploration and production activities in Zanzibar. Its mandate includes promoting, regulating and managing these activities in accordance with the legal framework. ZPRA ensures operator compliance, monitors petroleum operations and provides oversight to ensure that activities align with Zanzibar's policies and regulations. As the primary regulatory authority, ZPRA works to safeguard Zanzibar's interests in the upstream sector by setting industry standards and ensuring sustainable and responsible resource management.

The Zanzibar Petroleum Development Company (ZPDC) was established in 2018 as the National Oil Company (NOC) of Zanzibar under section 32 of the Oil and Gas (Upstream) Act. ZPDC represents RGoZ in all commercial aspects of oil and gas development. Its responsibilities include participating in joint ventures, overseeing production-sharing agreements and engaging in exploration and production activities to advance Zanzibar's economic interests. As a state-owned entity, ZPDC is tasked with maximizing economic returns from oil and gas resources, managing commercial operations and forging partnerships to benefit RGoZ.

The management of coastal mining is controlled by the Environmental Management Act No. 3 of 2015 (part VII) and Legal Notice No. 17/2013 under the Act and Regulations. In Zanzibar, coastal mining refers to mining and quarrying of non-renewable natural resources for construction purposes.<sup>100</sup>

## e. Enforcement and implementation of the governance framework for the sector

### *Mainland Tanzania*

In Mainland Tanzania, the regulatory framework governing petroleum and gas activities operates at three levels:

- **Minister responsible for petroleum and gas:** The Minister of Minerals<sup>101</sup> oversees all petroleum affairs, supported by a dedicated division within the Ministry of Minerals to promote sustainable development of resources. The Minister collaborates closely with the Petroleum Upstream Regulatory Authority (PURA) and the Energy and Water Utilities Regulatory Authority (EWURA) to implement policies, grant licences and manage inquiries related to petroleum activities.
- **Petroleum Upstream Regulatory Authority (PURA):** As the intermediary for upstream activities, PURA manages exploration, development and production of petroleum. It grants reconnaissance permits for area surveys and ensures public awareness of petroleum areas through reference maps. PURA must be notified of any petroleum discoveries within 48 hours, and it assesses the merits of these discoveries within 90 days. It also oversees the granting of development licences and monitors compliance with environmental regulations.
- **Energy and Water Utilities Regulatory Authority (EWURA):** EWURA regulates midstream and downstream activities, including the transportation, storage and marketing of petroleum and gas. It grants licences for processing, transport and storage, ensuring that operations meet safety and quality standards. EWURA also collaborates with the Minister to develop rules governing the distribution of petroleum products, thereby ensuring compliance and efficiency within the industry.

<sup>98</sup> <https://www.zpra.go.tz/>.

<sup>99</sup> <https://zpdco.go.tz/>.

<sup>100</sup> RGoZ, *State of the Coast for Zanzibar*.

<sup>101</sup> URT, Ministry of Minerals, <https://www.madini.go.tz/about/>.

- The **Mining Commission** was established under the Mining Act 2010 as amended by the Written Laws (Miscellaneous Amendment) Act 2017. The Commission came into existence through Government Notice No. 27 issued on 7 July 2017 and mandated to carry out mining sector regulatory functions as stipulated under section 22 of the Mining Act, chapter 123.

## *Zanzibar*

In Zanzibar, the enforcement and implementation structure for oil and gas management and mining activities is undertaken by the following agencies:

### **Oil and gas management framework**

- **Zanzibar Petroleum Regulatory Authority (ZPRA)** is the primary regulatory body for the upstream sector (exploration and production) of oil and gas in Zanzibar. ZPRA is responsible for promoting, regulating and managing all upstream petroleum operations to ensure compliance with Zanzibar's policies and legal framework. It oversees licencing, enforces industry standards and ensures that petroleum operations align with national regulations. ZPRA's jurisdiction includes the territorial boundaries of Zanzibar, covering land, islets, internal waters, territorial sea and EEZ.
- **Zanzibar Petroleum Development Company (ZPDC)** is Zanzibar's National Oil Company (NOC) and represents the Revolutionary Government of Zanzibar in the oil and gas sector's commercial activities. ZPDC participates in joint ventures, manages production-sharing agreements and is actively involved in exploration and production. As a state-owned entity, ZPDC maximizes economic returns from Zanzibar's oil and gas resources and contributes to the achievement of Zanzibar's economic and social objectives within the sector.
- **Zanzibar Utility Regulatory Authority (ZURA)** regulates the downstream petroleum sector, which includes the importation, transportation, storage, transformation and sale of petroleum products. ZURA has been responsible for setting and publishing prices of petroleum products since 2015 to maintain market transparency and stability. Additionally, ZURA regulates the liquefied petroleum gas (LPG) sector, implementing safety and efficiency regulations for the import, storage and distribution of LPG products since 2017.

### **Mining management framework**

- **Department of Energy and Minerals (DoEM)**, under the Ministry of Water, Energy and Minerals, is responsible for the regulation and management of energy and mineral resources in Zanzibar, including mining activities. DoEM ensures that mining operations comply with environmental, safety and regulatory standards. It also plays a role in supporting energy policy implementation and promoting efficient management practices within the sector. This Department also oversees the management of other resources such as sand mining and ensures that these activities contribute to Zanzibar's sustainable development goals.
- **The Department of Environment in Zanzibar is responsible for identifying and authorizing excavation sites (mining locations) on both Unguja and Pemba.**<sup>102</sup> Under the Zanzibar Environmental Management Act No. 3 of 2015, the Zanzibar Environmental Management Authority (ZEMA) has been entrusted with several key functions to protect the environment. ZEMA is empowered to issue environmental certificates, permits and approvals; conduct environmental monitoring; promote environmental awareness; and enforce regulations and standards to ensure sustainable practices.

<sup>102</sup> RgoZ, Zanzibar Environmental Policy, 2011.

## **f. Consideration of cross-cutting issues: Gender and oceans, the blue economy**

While policies and legislation promote the sustainable management of marine resources, including oil, gas and minerals, gender considerations are often limited. An exception is the Zanzibar Development Plan (ZADEP),<sup>103</sup> which specifically addresses barriers affecting women and youth in the blue economy, including the oil and gas sector. ZADEP, aligned with the Zanzibar Strategy for Growth and Reduction of Poverty (ZSGRP III), focuses on fostering inclusive growth and sustainable development, in line with the aspirations of Zanzibar Development Vision 2050.

These frameworks adopt a gender-responsive approach to bridge the knowledge and skills gap between men and women, enhancing women's competitiveness across sectors. During ZSGRP III, over 21,000 young entrepreneurs were empowered, many of whom were women, through interest-free loans designed to encourage self-employment. Vocational training programs have also been introduced to equip youth, including marginalized groups, with essential skills, promoting inclusivity. The ultimate aim is to boost productive capacities, create jobs and ensure equitable distribution of benefits, thereby improving livelihoods and supporting sustainable development in Zanzibar.<sup>104</sup>

## **g. Legal gaps and opportunities in the exploration and exploitation of non-living resources in Tanzania**

In Tanzania, the exploration and exploitation of non-living resources such as oil, gas and minerals are critical for economic development. However, legal gaps hinder effective management and sustainable practices in this sector, while also presenting opportunities for improvement.

One significant gap is the insufficient regulation of illegal mining activities, particularly illegal sand mining, which exacerbates coastal erosion and poses serious environmental and social challenges. To address this, there is an opportunity to develop more comprehensive regulations that specifically target illegal extraction, coupled with policies promoting alternative livelihoods and sustainable sourcing of materials.

Additionally, while the Environmental Management Act (2004) aims to promote sustainable practices, there is a lack of comprehensive regulations specifically addressing the environmental impacts associated with coastal mining and offshore oil and gas exploration. This creates an opportunity to implement stricter environmental regulations tailored to these activities, thereby enhancing the monitoring and protection of marine ecosystems.

The current frameworks also demonstrate inadequate community engagement, with limited mechanisms for local participation in decision-making processes regarding resource extraction. This presents an opportunity to establish frameworks for meaningful community involvement, which can foster trust and collaboration, ensuring that local populations benefit from resource extraction activities.

Gender considerations remain another area of concern, as existing policies often overlook the specific needs and rights of women in the oil, gas and mining sectors. There is a notable opportunity to expand gender-responsive frameworks within these industries, empowering women and youth and promoting equitable access to resources, training and employment opportunities.

The effectiveness of regulatory bodies, such as the Zanzibar Petroleum Regulatory Authority (ZPRA) and the Mining Commission, may be compromised by insufficient resources, training and coordination among agencies, resulting in weak institutional capacity. Addressing this gap by investing in capacity-building for regulatory institutions can significantly enhance their ability to oversee and enforce compliance with laws and regulations.

Furthermore, inconsistencies between national and regional legal frameworks can lead to confusion regarding jurisdiction and responsibilities, particularly for operations that span both Mainland Tanzania and Zanzibar. This situation presents an

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<sup>103</sup> RGoZ, ZPC, "Zanzibar Development Plan (ZADEP) 2021–2026."

<sup>104</sup> Ibid.

opportunity to promote cross-sector collaboration to harmonize legal frameworks, enhancing coherence and clarity in the regulatory environment.

Lastly, leveraging international frameworks and engaging with regional and international conventions can provide Tanzania with access to best practices for sustainable resource management. This would facilitate the development of innovative solutions that effectively address social and environmental challenges.

By recognizing and addressing these legal and institutional gaps while seizing the associated opportunities, Tanzania can enhance its governance of non-living resource exploration and exploitation, ensuring a balance between economic development, environmental protection and social equity.

## 2.2.4 Coastal and marine tourism

### a. Sector profile and relevance to the State

Marine and coastal tourism is a vital sector of Tanzania's tourism industry, significantly contributing to national revenue through activities like beach holidays, diving, snorkeling and marine safaris.<sup>105</sup> The sector has seen increased interest due to growing awareness of sustainability, with investments in eco-friendly resorts and sustainable tourism practices aimed at preserving coral reefs, mangroves and marine life, thus ensuring long-term viability. Popular forms of tourism for visitors in coastal and marine areas include diving, snorkeling, sport fishing, cultural tourism (for historical, heritage and cultural sites) and beach tourism (beaches, hotels, restaurants, shops, handicrafts, etc). All five mainland Tanzania coastal regions offer a range of tourist attractions and sites for recreational activities for local and international tourists.<sup>106</sup>

In Zanzibar coastal and marine tourism is the main driver of economic growth. Zanzibar is rich in natural, historical and cultural attractions. Tourist attractions such as Zanzibar's pristine beaches and marine parks like Mafia Island and Pemba Channel draw international visitors seeking both relaxation and marine conservation experiences. Tourism is a top priority within Zanzibar's blue economy agenda and serves as a major economic engine.<sup>107</sup> In 2022, the island welcomed 548,503 international tourists, marking a 39.1 per cent increase from 2021 and a 110 per cent rise compared to 2019, before the COVID-19 pandemic. As an archipelago, Zanzibar's tourism resources are primarily its cultural sites, beaches and the Indian Ocean.<sup>108</sup> Tourism contributes about 80 per cent of the national foreign exchange earnings. The tourism sector remains a key driver of national income, with the service sector, predominantly tourism, accounting for 46.3 per cent of total GDP in 2022.<sup>109</sup>

### b. Regional and multilateral legal and institutional frameworks related to the sector

While UNCLOS does not specifically address coastal and marine tourism, part XII specifies that governments must safeguard and preserve the marine environment. This encompasses measures for preventing, reducing and controlling pollution from all sources. States are obliged to implement laws and regulations governing both land-based and ship-based pollution sources, as well as to collaborate internationally and regionally in drafting further international rules and standards for maritime environmental protection.

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<sup>105</sup> NEMC/University of Rhode Island (URI), *Tanzania Coastal Tourism Situation Analysis* (Tanzania Coastal Management Partnership, 2021).

<sup>106</sup> NEMC, *State of the Coast for Mainland Tanzania*.

<sup>107</sup> RGoZ, *Zanzibar Blue Economy Policy*, 2020.

<sup>108</sup> RGoZ, *State of the Coast for Zanzibar*.

<sup>109</sup> M.K. Mohamed and others, "Brief analysis of the Zanzibar Statistical Abstract 2022."



In addition to UNCLOS, several international treaties are relevant to coastal and marine tourism, though they may not explicitly mention it. These agreements prioritize pollution prevention, oil spill avoidance, wildlife habitat protection and pollution reduction from land-based and ship-based sources. Some agreements also cover research and training. For example, the International Convention for the Prevention of Pollution from Ships (MARPOL), particularly annex V, seeks to reduce rubbish discharge into the sea by vessels.

Recognizing coastal and marine tourism's reliance on natural resources, as well as the negative effects of excessive exploitation and pollution, new international legislation and regulatory frameworks have addressed tourism's potential environmental impact. For example, in the 2030 Agenda for Sustainable Development, Sustainable Development Goal (SDG) target 8.9 aims to "by 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products." The importance of sustainable tourism is also highlighted in SDG target 12.<sup>110</sup>

Tanzania is a party to several key international accords, including the following:

- Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (1985)
- Convention for Biological Diversity (1992)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973)
- International Convention for the Prevention of Pollution from Ships (MARPOL) (1973/1978)
- Basel Convention on the Control of Transboundary Movements and Disposal of Hazardous Wastes (1989)
- UN Framework Convention on Climate Change (1992)

Tanzania, like many other countries, recognizes the value of partnership in building the tourism industry. Regional organizations like the East African Community (EAC) and the Indian Ocean Rim Association (IORA) help to promote sustainable tourism development. International organizations such as the United Nations World Tourism Organisation (UNWTO) and the United Nations Environment Programme (UNEP) supplement regional efforts by advocating for the incorporation of environmental concerns into tourism development.

### **c. National legal framework**

Marine and coastal tourism in URT is considered a non-Union matter, meaning that it falls under the jurisdiction of the respective national Governments of mainland Tanzania and Zanzibar. The national institutional framework governing tourism involves several legislative mechanisms and key government bodies and agencies, each with specific mandates under various legal frameworks.

#### ***Mainland Tanzania***

The Tourism Act of 2008 establishes the institutional framework for the administration, regulation, registration and licencing of tourism facilities and activities, as well as related matters.<sup>111</sup>

The Tanzania Tourist Board Act, chapter 364 of 1962 and its amendment by Act No. 18 of 1992 established the Tanzania Tourist Board (TTB) to enhance the regulation and promotion of tourism in Tanzania following the disbandment of the Tanzania Tourist Corporation. This legislation provided a framework for the TTB to oversee tourism development, marketing and the coordination of tourism-related activities, thereby aiming to boost the sector's contribution to the

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<sup>110</sup> United Nations, Department of Economic and Social Affairs Sustainable Development, "The 17 Goals," <https://Sdgs.Un.Org/Goals>."

<sup>111</sup> URT, Tourism Act No. 29 of 2008.

country's economy. The Tanzania Investment Act No. 10 of 2022 supports and promotes investments in various sectors, including tourism, by streamlining the investment process and aligning projects with national economic goals.<sup>112</sup>

Other key legislation that governs tourism in mainland Tanzania includes the Tanzania Tourist Board Act, chapter 364 of 1962 and its amended version, Act No. 18 of 1992; the National Parks Act, chapter 282;<sup>113</sup> and the Marine Parks and Reserves Act of 1994.<sup>114</sup> The Local Government (Urban Authorities) Act and the Local Government (District Authorities) Act regulate tourism activities at regional and local levels, issuing permits and enforcing regulations to ensure local community benefits.<sup>115</sup>

The “Guidelines to Coastal Tourism Development in Tanzania,”<sup>116</sup> published in 2003, provide both technical and procedural guidance to tourism planners and potential investors in coastal tourism facilities, particularly accommodation establishments. They cover a wide range of relevant topics, from siting of tourist facilities relative to the fragile coastal environment to tips on how to establish and maintain strong relationships between hotels and coastal communities. They also outline the procedures for obtaining approval for new investments in tourist facilities along the coast.

The private sector also has an important role in the tourism industry. Organizations such as the Tanzania Association of Tour Operators (TATO) help to advance tourism by ensuring that it is consistent with conservation and sustainability aims.

## **Zanzibar**

The Zanzibar Tourism (Amendment) Act of 2012<sup>117</sup> serves as the primary legal framework for managing tourism in Zanzibar, aiming to enhance the regulatory environment for the sector by addressing emerging challenges and opportunities. This amendment focuses on promoting sustainable tourism practices, improving the quality of tourism services and fostering collaboration among stakeholders, ultimately seeking to maximize the economic benefits of tourism while preserving Zanzibar's cultural and natural heritage. Additionally, the Zanzibar Investment Promotion and Protection Act<sup>118</sup> serves as a crucial legal instrument designed to encourage and facilitate investments in Zanzibar. Several other significant policies also support the tourism sector, including the Zanzibar Development Vision 2050,<sup>119</sup> Blue Economy Policy and Strategy,<sup>120</sup> Zanzibar Tourism Policy and the Zanzibar Tourism Integrated Strategy Plan.

The private sector also has an important role in the tourism industry. Organizations such as the Zanzibar Association of Tourism Investors (ZATI)<sup>121</sup> help to advance tourism by ensuring that it is consistent with conservation and sustainability aims.

## **d. National institutional framework**

The Ministry of Natural Resources and Tourism (MNRT), established by Government Notice No. 144 of 22 April 2016, and amended on 7 October 2017, is responsible for managing natural and cultural resources and developing tourism in mainland Tanzania. It formulates and implements tourism policies, ensuring alignment with sustainable practices.

In Zanzibar, the Ministry of Tourism and Heritage is the central government authority responsible for formulating and implementing tourism policies, strategies and regulations. This Ministry oversees all aspects of tourism development and cultural heritage preservation in Zanzibar. Within its institutional structure, several key entities play vital roles in managing

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112 URT, Tanzania Investment Act, chap. 38.

113 URT, National Parks Act, chap. 282.

114 URT, Marine Parks and Reserves Act, 1994.

115 URT, Local Government (Urban Authorities) Act, 1982.

116 URT, “Guidelines to Coastal Tourism Development in Tanzania” (2003).

117 RGoZ, Zanzibar Tourism Act, 2012.

118 RGoZ, Zanzibar Investment Act.

119 RGoZ, Zanzibar Development Vision 2050.

120 RGoZ, Zanzibar Blue Economy Policy, 2020.

121 Zanzibar Association of Tourism Investors (ZATI), <https://Zati.or.Tz/Wp/>.

tourism: the Zanzibar Commission for Tourism (ZCT), established under the Zanzibar Tourism Act No. 6 of 2009, and the Zanzibar Investment Promotion Authority (ZIPA), operating under the Zanzibar Investment Promotion and Protection Authority Act No. 14 of 2018.

### **e. Enforcement and implementation of the governance framework for the sector**

In mainland Tanzania, the Tanzania Tourism Board's role is to promote Tanzania as a prime tourist destination and collaborate with stakeholders to market its wildlife and cultural heritage globally.<sup>122</sup> The Tanzania Investment Centre (TIC) supports and promotes investments in various sectors, including tourism, by streamlining the investment process and aligning projects with national economic goals.<sup>123</sup> The Tanzania National Parks (TANAPA) manages national parks, focusing on sustainable conservation and responsible tourism through nature-based and wildlife tourism. While primarily focused on terrestrial parks, TANAPA also oversees parks with aquatic ecosystems like Saadani National Park. The Marine Parks and Reserves Unit (MPRU), under the Marine Parks and Reserves Act of 1994, manages marine protected areas (MPAs) and promotes sustainable tourism practices to protect marine biodiversity.<sup>124</sup> Local government authorities, guided by the Local Government (Urban Authorities) Act and the Local Government (District Authorities) Act regulate tourism activities at regional and local levels, issuing permits and enforcing regulations to ensure local community benefits.<sup>125</sup>

In Zanzibar, the Zanzibar Commission for Tourism (ZCT) develops regulation and promotion of Zanzibar's tourism sector. It is responsible for formulating tourism policies, guiding investment decisions and coordinating with other entities to ensure the sector's sustainable growth. Zanzibar Investment Promotion Authority (ZIPA) is responsible for promoting and facilitating investment in Zanzibar. ZIPA ensures that tourism projects align with Zanzibar's broader development goals, advocating for sustainable and responsible investment. The Department of Environment oversees environmental conservation efforts. It ensures that tourism activities comply with environmental regulations, safeguarding the archipelago's natural resources from the potential adverse impacts of tourism.

### **f. Consideration of cross-cutting issues: Gender and oceans, the blue economy**

Tourism expansion is exerting significant pressure on Tanzania's coastal areas, altering the relationship between people and the environment and threatening sustainability.<sup>126</sup> The growth of hotels, road networks and related impacts such as sedimentation and land-use changes, along with a large influx of foreigners consuming local seafood, have dramatically transformed the local social-ecological landscape.<sup>127</sup> This rising demand for seafood has increased prices, making fish and other seafood less accessible to the poor, exacerbating food insecurity, especially among low-income households. Traditional value systems often prevent women from securing tourism jobs or selling fish directly to hotels, further marginalizing them. Environmental degradation and restricted access to beaches and to vital fishing areas for both men and women are particularly concerning, with women disproportionately affected due to their value system and other cultural barriers that hinder them from travel to distant fishing grounds.<sup>128</sup>

Gender inclusivity is being given increasing attention. For instance, Zanzibar's tourism sector has seen a notable rise in women's participation. Women are now involved in various activities, from direct employment in hotels to running small businesses such as homestays, curio shops and craft enterprises. Initiatives like the Zanzibar Technology and Business Incubator (ZTBI)<sup>129</sup> and support from the Zanzibar Association of Tourism Investors (ZATI)<sup>130</sup> have been instrumental in

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122 URT, Tanzania Tourist Board Act, chap. 364.

123 URT, Tanzania Investment Act, chap. 38.

124 URT, Marine Parks and Reserves Act, 1994.

125 URT, Local Government (Urban Authorities) Act, 1982.

126 G.M. Lange, "Tourism in Zanzibar: Incentives for sustainable management of the coastal environment," *Ecosystem Services*, vol. 11 (January 2015).

127 J. Sumich, "Looking for the 'other': Tourism, power, and identity in Zanzibar," *Anthropology Southern Africa*, vol. 25 (2002).

128 M. de la Torre-Castro and others, "Gender analysis for better coastal management – Increasing our understanding of social-ecological seascapes," *Marine Policy*, vol. 83, No. 3 (2017).

129 Zanzibar Technology and Business Incubator (ZTBI), <https://Ztbi.Go.Tz/>.

130 Zanzibar Association of Tourism Investors (ZATI), <https://Zati.or.Tz/Wp/>.

empowering women by connecting them to larger markets and promoting eco-tourism. ZTBI, an innovative initiative by the Ministry of Labour, Empowerment, Elders, Women and Children of the Revolutionary Government of Zanzibar, addresses the critical issue of youth unemployment, a central focus of Zanzibar's National Development Framework.

#### **g. Identified gaps in marine and coastal tourism governance in Tanzania**

To effectively enhance the governance framework for coastal and marine tourism in Tanzania and Zanzibar, existing gaps need be addressed:

- a) The current laws, such as the *Tourism Act of 2008* for mainland Tanzania and the *Zanzibar Tourism (Amendment) Act of 2012*, lack specific provisions on sustainable tourism practices and detailed environmental standards for mitigating tourism-related impacts on sensitive coastal ecosystems. To address this, comprehensive regulations should be developed to enforce sustainable practices, especially focusing on waste management and pollution control related to hotel and recreational activities. Tanzania's national legal framework does not adequately address pollution stemming from tourism activities like hotel waste or boating, despite guidance from broader international frameworks like MARPOL and UNCLOS. Introducing targeted marine tourism regulations at the national level would help safeguard marine biodiversity and coastal habitats from tourism-related pollution.
- b) Overlapping roles and responsibilities among various institutions in Zanzibar, such as the *Zanzibar Commission for Tourism (ZCT)*, *ZIPA* and the *Department of Environment*, and mainland agencies like *Tanzania Tourism Board (TTB)* and *TANAPA*, create challenges in harmonizing tourism management policies. Establishing cross-sectoral coordination mechanisms would improve the integration of tourism policies with environmental regulations, facilitating unified action and resource management. Agencies like *ZURA* on the mainland and *MPRU* face challenges in enforcing regulations due to resource constraints, especially in remote coastal areas. Increasing funding and enforcement capabilities for these institutions would allow for better monitoring of tourism activities and mitigation of illegal practices that can harm marine ecosystems.
- c) There is a lack of skilled personnel within institutions like ZCT and ZPRA to monitor compliance with environmental regulations in tourism projects effectively. Expanding training programmes on sustainable tourism practices, marine environmental management and regulatory enforcement will be essential in building a robust workforce capable of managing the sector's growth sustainably. Insufficient data on tourism's ecological and socioeconomic impacts hampers evidence-based policy decisions. Providing resources for modern data-collection tools and technology, including remote monitoring systems, would enhance the ability to assess tourism impacts comprehensively.
- d) Cultural and systemic barriers limit women's access to economic opportunities within the tourism sector, particularly in marine and coastal roles. Promoting gender-inclusive policies and supporting initiatives that empower women in eco-tourism and marine conservation can expand opportunities and support local communities. Strengthening initiatives like the Zanzibar Technology and Business Incubator (ZTBI) would facilitate broader participation and more equitable benefits within the sector.

## 2.2.5 Protection and preservation of the marine environment, including area-based management tools/measures

### a. Sector profile and relevance to the State

Tanzania's extensive maritime area, covering approximately 241,500 km<sup>2</sup> (about 20 per cent of the country's total area), is teeming with biodiversity and crucial for the livelihoods of millions. This area includes coastal forests, mangroves, coral reefs, seagrass beds, sandy beaches, rocky shores and numerous islets.<sup>131</sup> Out of 125,000 hectares (ha) of mangrove found in Tanzania, 18,000 ha are located in the Zanzibar Islands.<sup>132</sup> Coral reefs, which stretch across roughly 3,580 km<sup>2</sup>, support over 500 species of fish and invertebrates and are vital for artisanal fisheries. Recent surveys have updated seagrass coverage to 2,817 km<sup>2</sup>, surpassing earlier estimates.<sup>133</sup>

These ecosystems face significant threats from unsustainable practices, including deforestation, poor agricultural methods, destructive fishing, coral mining, mangrove cutting, unmanaged tourism and pollution. Climate change and infrastructure development further exacerbate these challenges, impacting productivity, biodiversity and water resources.

#### Marine area-based management measures

Marine conservation is critical for maintaining Tanzania's rich biodiversity, supporting local fisheries and preserving the natural beauty that attracts tourism. Currently, just over 2 per cent of Tanzania's EEZ is under some form of area-based management measures (ABMs):<sup>134</sup>

1. **Marine protected areas (MPAs):** Created to protect vital marine habitats and species, MPAs are essential for conserving biodiversity and supporting marine ecosystems, including those home to endangered species. On the mainland, 18 MPAs cover over 2,042 km<sup>2</sup> (0.92 per cent of its EEZ). Tanzania's MPAs fall into two main categories: **marine parks** and **marine reserves**. Marine parks are multiple-use areas where people can continue their usual activities as long as they adhere to established regulations. Marine reserves, however, are strictly no-take zones where resource extraction is prohibited.
2. **Marine Conservation Areas (MCAs):** In Zanzibar, MPAs are designated as MCAs to ensure active community involvement in decision-making processes. Currently, the officially recognized MCAs in Zanzibar encompass a total marine area of 2,281.7 km<sup>2</sup>, representing 7.36 per cent of its territorial sea and approximately 1.02 per cent of its EEZ.
3. **Collaborative Management Areas (CMAs):** In mainland Tanzania, CMAs are areas designated for the participatory management of coastal and marine resources, primarily focusing on coral reefs, which are vital for both local fisheries and tourism. Established under the Fisheries Act No. 22 of 2003 and later strengthened by the National Guidelines for Collaborative Fisheries Management Areas (CFMAs) of 2010, CMAs bring together local communities, particularly through Beach Management Units (BMUs), with government and non-government organization (NGO) partners to co-manage fisheries resources. Since 2005, 19 CFMAs have been established across 5,611.45 km<sup>2</sup> in Kibiti, Mafia, Kilwa, Kigamboni and Mtwara Districts. Additionally, six CMAs were initially formed in Tanga, covering 1,914 km<sup>2</sup>, to address declining fisheries due to illegal practices. Though some areas have since been integrated into the Tanga Coelacanth Marine Park, efforts are underway to revive inactive CMAs and incorporate others into the proposed Kenya-Tanzania Transboundary Conservation Areas (TBCAs). CMAs focus on empowering communities, enforcing sustainable practices and enhancing socioeconomic benefits for local populations.<sup>135</sup>

131 National Marine Ecosystem Diagnostic Analysis (MEDA), Agulhas and Somali Current Large Marine Ecosystems (ASCLME) Project.

132 M.K. Mohamed, E.M.I. Adam, and C. Jackson, "The Spatial and temporal distribution of mangrove forest cover from 1973 to 2020 in Chwaka Bay and Menai Bay, Zanzibar," *Applied Sciences*, vol. 13, No. 13 (July 2023).

133 B. Lugendo and others, "Seagrass mapping across the coast of Tanzania," *Ocean & Coastal Management*, vol. 253, No. 2 (July 2024).

134 United Nations Environmental Programme (UNEP)-WIOMSA, *Western Indian Ocean Marine Protected Areas Outlook: Towards Achievement of the Global Biodiversity Framework Targets* (2021).

135 Ibid.



4. **Privately managed Marine Conservation Areas:** Located exclusively in Zanzibar, these conservation areas are managed by private entities and play a supportive role in enhancing public conservation efforts, offering added protection for marine habitats. Examples include Mnemba-Chwaka Bay Marine Conservation Area (MIMCA), covering 337.3 km<sup>2</sup>, and Chumbe Island Coral Park (CHICOP), which spans 0.55 km<sup>2</sup>.<sup>136</sup>

## b. Regional and multilateral legal and institutional frameworks related to the sector

Tanzania is a party to several international and regional conventions that promote marine and coastal conservation, including the following:

- **Ramsar Convention on Wetlands (1971):** This convention encourages the conservation and sustainable use of wetlands, recognizing their ecological significance and importance for biodiversity and local livelihoods.
- **United Nations Convention on the Law of the Sea (UNCLOS, 1982):** Governing the use of oceans, UNCLOS provides a comprehensive regime for the protection and preservation of the marine environment, with a focus on combating pollution.
- **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES, 1973):** CITES regulates international trade in endangered species, aiming to prevent threats to species survival and combat illegal wildlife trade.
- **Convention on Biological Diversity (CBD, 1992) and its Protocols:** The CBD aims to conserve biodiversity, promote sustainable use and ensure fair benefit-sharing from genetic resources. Its **Cartagena Protocol on Biosafety (2000)** safeguards the handling and transport of living modified organisms (LMOs) to protect biodiversity and human health, while the **Nagoya Protocol on Access and Benefit-Sharing (2010)** ensures fair sharing of benefits from genetic resources, supporting conservation and sustainable development.
- **Convention on the Conservation of Migratory Species of Wild Animals (CMS, 1979):** CMS promotes international collaboration for the conservation and sustainable management of migratory species across their habitats.
- **Amended Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (2010):** This convention emphasizes regional cooperation for the conservation and sustainable management of marine and coastal environments in the Western Indian Ocean region.

## c. National legal framework

### Mainland Tanzania

Relevant national legislation governing the conservation and management of Tanzania's mainland coastal and marine resources includes the following:

1. **Fisheries Act (1975):** This Act initially regulated fisheries by designating several marine areas as reserves, although specific management mechanisms were introduced in later revisions.
2. **Fisheries Act (2003):** This Act provides a framework for the management and conservation of fisheries resources, including provisions to protect aquatic habitats, control fishing practices and prevent overfishing. It supports sustainable fisheries through licencing, enforcement and conservation measures.<sup>137</sup>

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<sup>136</sup> Ibid.

<sup>137</sup> URT, Fisheries Act, 2003.

3. **Marine Parks and Reserves Act No. 29 (1994):** Enacted to oversee the management and administration of MPAs, specifically marine parks and reserves (MPRs). It also established the Marine Parks and Reserves Unit (MPRU) under the Ministry of Livestock and Fisheries for effective area management.<sup>138</sup>
4. **Environmental Management Act (2004):** Serving as a foundational framework for environmental conservation, this Act addresses biodiversity protection, pollution control and sustainable resource use. It also establishes mechanisms for environmental impact assessments and natural resource management.<sup>139</sup>
5. **Environmental Policy (2012):** This policy framework supports environmental conservation, focusing on the sustainable use and protection of coastal and marine resources.<sup>140</sup>
6. **Fisheries Policy (2015):** This policy framework aims to promote sustainable fisheries management, including marine and coastal fisheries, to address overfishing and ensure ecosystem health.

## **Zanzibar**

The relevant national legislation for the conservation and management of Zanzibar's coastal and marine resources includes the following:

1. **Fisheries Act No. 7 of 2010:** This Act provides the legal framework for managing fisheries resources in Zanzibar, including provisions for establishing marine parks and conservation areas to protect critical habitats and ensure sustainable resource use.
2. **Environmental Management Act No. 3 of 2015:** This Act guides overall environmental management, including marine and coastal conservation. It also empowers the Minister responsible for natural resources, in consultation with the Minister for Environment, to declare ecologically important areas as protected marine biodiversity zones.
3. **Zanzibar Forest Act No. 10 of 1996:** This Act addresses the conservation of forest resources, including mangrove ecosystems, which play an essential role in protecting coastal habitats and supporting marine biodiversity.
4. **Marine Conservation Unit (MCU) Regulations of 2014:** These define the boundaries and management guidelines for Marine Conservation Areas (MCAs) in Zanzibar, enabling accurate monitoring and updated calculations of protected area coverage.
5. **Misali Forest Order (related to PECCA, 1998):** This order maintains Misali Island as a protected forest area within the Pemba Channel Conservation Area, focusing on biodiversity preservation and sustainable resource utilization.
6. **Legal Notice establishing PECCA (2005):** This Notice created the Pemba Channel Conservation Area, incorporating areas of high biodiversity such as Misali Island, and outlining the management framework under the Department of Marine Conservation.<sup>141</sup>

## **d. National institutional framework**

In mainland Tanzania, key institutions involved in marine and coastal management play vital roles in coordinating national, regional and international environmental policies, regulations and agreements. The Marine Parks and Reserves Unit (MPRU) is responsible for managing MPAs under the Marine Parks and Reserves Act of 1994,<sup>142</sup> ensuring the conservation of marine biodiversity. The Vice President's Office (VPO) and the National Environment Management Council (NEMC) are

<sup>138</sup> URT, Marine Parks and Reserves Act, 1994.

<sup>139</sup> URT, Environmental Management Act, 2004.

<sup>140</sup> URT, National Fisheries Policy of 2015.

<sup>141</sup> UNEP-WIOMSA, *Western Indian Ocean Marine Protected Areas Outlook*.

<sup>142</sup> URT, Marine Parks and Reserves Act, 1994.

pivotal in coordinating national environmental policies and regulations. The Ministry of Livestock and Fisheries (MLF) focuses on the sustainable management of fisheries resources, while the Ministry of Natural Resources and Tourism (MNRT) oversees broader environmental and tourism-related conservation efforts. Past initiatives, such as the Tanzania Coastal Management Partnership (TCMP)<sup>143</sup> and the Marine and Coastal Environment Management Project (MACEMP) have contributed significantly to coastal management and conservation.

In Zanzibar, the Department of Marine Conservation manages Marine Conservation Areas (MCAs) and collaborates with other State departments to coordinate marine conservation efforts. The Zanzibar Environmental Management Authority (ZEMA) is responsible for environmental management, enforcement and ensuring compliance with environmental regulations. Additionally, the Department of Forestry and Non-Renewable Natural Resources (DFNR) manages coastal and terrestrial forests, contributing to the protection and sustainable use of these vital ecosystems.

#### **e. Enforcement and implementation of the governance framework for the sector**

Enforcement of marine and coastal regulations is managed by different agencies in mainland Tanzania and Zanzibar, each with distinct roles and responsibilities.

In mainland Tanzania, MPRU is tasked with overseeing MPAs. This includes monitoring compliance with marine conservation laws, conducting patrols, inspections and surveillance to address any violations.<sup>144</sup> MLF and NEMC collaborate with MPRU to ensure effective enforcement of marine regulations. This coordination among national institutions, along with partnerships with NGOs and community-based organizations, is crucial for implementing and strengthening marine conservation efforts.

In Zanzibar, the Department of Marine Conservation is responsible for managing Marine Conservation Areas (MCAs). Similar to MPRU, this Department oversees compliance with marine conservation laws, conducts patrols and performs inspections. The Zanzibar Environmental Management Authority (ZEMA) works closely with the Department of Marine Conservation to support and enforce marine conservation initiatives. Coordination between national and local authorities, as well as collaboration with NGOs and community groups, enhances the effectiveness of enforcement in Zanzibar.

Community involvement is key to effective marine governance in both regions. The establishment of Collaborative Fisheries Management Areas (CFMAs)<sup>145</sup> and MCAs<sup>146</sup> incorporates local communities into decision-making and management processes. Local fishers and community members actively participate in monitoring and reporting illegal activities, patrolling, and enforcing regulation. This engagement fosters a sense of ownership and responsibility towards marine resources, thereby improving compliance and stewardship.

#### **f. Consideration of cross-cutting issues: Gender and oceans, the blue economy**

Gender considerations in marine and coastal management are evolving. Women are integral to small-scale fisheries, seaweed farming and fish processing but face challenges such as undervaluation of their work and limited access to resources. Initiatives like the National Strategy for Gender Development (2008)<sup>147</sup> aim to address these disparities by promoting gender equality in marine governance. Programmes such as the Zanzibar Development and Employment Plan (ZADEP) empower women and youth in marine sectors traditionally dominated by men. CFMAs also encourage women's participation in fisheries management, utilizing their traditional knowledge for sustainable resource use. Despite progress, challenges persist, including limited access to capital and decision-making platforms. Efforts to integrate gender considerations into marine management continue, focusing on education, training and resource access to promote

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143 Tanzania Coastal Management Partnership (TCMP), *Tanzania State of the Coast Report 2003: The National ICM Strategy and Prospects for Poverty Reduction*.

144 URT, Marine Parks and Reserves Act, 1994.

145 URT, National Fisheries Policy of 2015.

146 RGoZ, Zanzibar Fisheries Policy, 2022.

147 URT, National Strategy for Gender Development, 2008.

equitable and effective marine governance. Mainland Tanzania has already established Tanzania Women Fish Workers Association (TAWFA), and it has been noted that a similar platform has recently been established in Zanzibar.

#### g. Gaps in legislation and governance of marine conservation areas

While Tanzania is a signatory to several international conventions, there is a need for better integration of these frameworks into national policies and practices. Gaps exist in translating international commitments into effective on-the-ground conservation actions. For instance, the Marine Parks and Reserves Act does not incorporate recent global biodiversity targets, limiting its alignment with current international conservation priorities. Currently, less than the targeted 10 per cent of Tanzania's EEZ is under formal MPA designation, limiting progress towards conservation goals. To address this, establishing additional MPAs and no-take zones is essential to achieve the conservation goals that Tanzania has committed to,<sup>148</sup> reinforcing habitat and biodiversity protection and helping meet the Global Biodiversity Framework Targets.

Several national policies and laws address environmental and marine conservation, but gaps remain in their application and enforcement.<sup>149</sup> For example the Environmental Management Act (2004) and National Environmental Policy (1997) provide a broad framework for environmental management, but practical challenges in enforcing pollution control and sustainable resource use persist.<sup>150</sup>

Zanzibar's legal framework for biodiversity and marine conservation, including the Marine Conservation Unit Regulations (2014), Zanzibar Fisheries Act No. 7 (2010) and Zanzibar Environmental Management Act (2015), establishes important conservation measures. However, there are gaps in enforcement, coordination among agencies and integration with broader environmental management strategies. Issues such as inadequate infrastructure and limited resources for effective management could hinder the implementation of these regulations.<sup>151</sup>

Governance of marine resources is divided across various acts and authorities, leading to potential overlaps and gaps in enforcement. Strengthening inter-agency coordination between mainland and Zanzibar agencies is crucial to harmonize legislation, reduce legal fragmentation and align conservation efforts with the national targets. Key institutions like the Marine Parks and Reserves Unit (MPRU), Vice President's Office (VPO) and Ministry of Livestock and Fisheries (MLF) play crucial roles, but there are gaps in their coordination and resource allocation. Previous initiatives, such as the Tanzania Coastal Management Program (TCMP) and the Marine and Coastal Environment Management Project (MACEMP), have significantly enhanced coordination in marine resource management and contributed to marine conservation efforts. However, it is essential to establish mechanisms to sustain the outcomes of these projects beyond their timelines, ensuring long-term impact and continuity in marine conservation efforts.<sup>152</sup>

Both mainland Tanzania and Zanzibar face challenges with limited resources for patrolling and enforcing marine conservation laws.<sup>153</sup> Expanding funding, technical resources and personnel for key agencies, such as the Marine Parks and Reserves Unit (MPRU) and the Department of Marine Conservation in Zanzibar, is essential to manage and protect the expanding conservation areas effectively.

Women play a significant role in small-scale fisheries and marine resource management but face barriers to participation in decision-making and access to resources. Expanding gender-focused initiatives, such as the Tanzania Women Fish

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148 <https://tz.chm-cbd.net/en/implementation/targets>.

149 R. Chevallier, "Marine and coastal EbA for enhanced resilience in Southern Africa: Country review: Tanzania" (South African Institute of International Affairs, 2019).

150 Pascal Kany Prud'ome Gamassa, "Legal protection of the marine environment from vessel-source oil pollution: Progress and challenges in Tanzania," *Journal of African Law*, vol. 66(1) (2022).

151 UNEP-WIOMSA, *Western Indian Ocean Marine Protected Areas Outlook*.

152 T.R. McClanahan and others, "What happens after conservation and management donors leave? A Before and after study of coral reef ecology and stakeholder perceptions of management benefits," *PLoS One*, vol. 10, No. 10 (2015), e0138769, <https://doi.org/10.1371/journal.pone.0138769>.

153 M.E. Machumu, and A. Yakupitiyage, "Effectiveness of marine protected areas in managing the drivers of ecosystem change: A Case of Mnazi Bay Marine Park, Tanzania," *mBio*, vol. 42, No. 3 (2013), pp. 369–80, <https://doi.org/10.1007/s13280-012-0352-8>.

Workers Association (TAWFA), and enhancing gender-focused training and resource access would help integrate women into marine governance, contributing to inclusive and effective conservation practices.

## 2.2.6 Marine scientific research

### a. Sector profile and relevance to the State

Marine scientific research is a cornerstone of ocean governance in URT, underpinning the management and conservation of its diverse coastal and marine ecosystems. This research is crucial for understanding marine biodiversity, monitoring ecosystem health and supporting sustainable resource management, which are essential for Tanzania's economic development and social well-being. The country's extensive coastline and rich marine environments, including coral reefs, mangroves and fisheries, are vital to the livelihoods of millions, contributing significantly to food security, tourism and the burgeoning blue economy. Marine research ensures that the exploitation of these resources is done sustainably, safeguarding ecological balance and supporting the socioeconomic development of coastal communities.

### b. Regional and multilateral legal and institutional frameworks

URT is actively engaged in regional and international frameworks that govern marine research and management. The country is a signatory to UNCLOS, which provides a comprehensive legal framework for marine scientific research, particularly within a state's territorial sea. Tanzania also participates in the Indian Ocean Rim Association (IORA),<sup>154</sup> Southwestern Indian Ocean Fisheries Commission (SWIOFC) and the Western Indian Ocean Marine Science Association (WIOMSA),<sup>155</sup> which facilitate regional cooperation in research, data sharing and capacity-building. IORA is a dynamic intergovernmental organization aimed at strengthening regional cooperation and sustainable development within the Indian Ocean region through its 23 member States and 12 dialogue partners. WIOMSA is a regional organization that supports all educational and scientific aspects of marine science in 10 countries of the Western Indian Ocean that are party to the Nairobi Convention. These partnerships are crucial for advancing scientific knowledge, fostering collaboration and promoting effective management of marine resources across the Western Indian Ocean region.

### c. National legal and institutional framework

#### *Mainland Tanzania*

Mainland Tanzania's marine scientific research is governed by the National Research and Development Policy of 2010, which emphasizes the integration of environmental considerations and sustainable development principles into research activities. This policy guides the formulation of laws and regulations that govern marine research, ensuring the protection of marine environments and promoting the sustainable use of marine resources.<sup>156</sup>

The Ministry of Education, Science and Technology (MoEST) is mandated to coordinate research and development activities in the country. However, there are ministries that oversee research and development activities in their respective sectors. On the other hand, the Tanzania Commission for Science and Technology (COSTECH), which was established by Act No. 7 of 1986 (chapter 226 rev 2002),<sup>157</sup> is the principal advisory organ to the Government on all matters pertaining to scientific research, technological development and coordination of research activities in the country.

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<sup>154</sup> Indian Ocean Rim Association (IORA), <https://www.iora.int/Indian-Ocean-Rim-Association>.

<sup>155</sup> Western Indian Ocean Marine Science Association (WIOMSA), [www.wiomsa.org](http://www.wiomsa.org).

<sup>156</sup> URT, The National Research and Development Policy.

<sup>157</sup> URT, Tanzania Commission for Science and Technology, "National Research Registration and Clearance Guidelines."



Compliance with part XIII of UNCLOS requires that all foreign marine scientific research (MSR) conducted within Tanzanian waters obtain national consent, a process managed primarily by COSTECH. The ministries responsible for fisheries in both mainland Tanzania and Zanzibar, as well as the Deep-Sea Fishing Authority for the EEZ, are also involved in granting research permits, depending on the specific area and focus of the research. NEMC also ensures compliance with environmental laws and regulations, promoting sustainable practices in the management of marine resources. The multi-agency approach to permitting and oversight ensures that research activities align with national priorities and contribute to the sustainable management of Tanzania's marine environments.

Marine and coastal research is primarily conducted by public research institutions, higher learning institutions and a few private research organizations. Public research institutions, such as the Tanzania Fisheries Research Institute (TAFIRI), Institute of Marine Science (IMS) and the School of Aquatic Sciences and Fisheries (SoAF) of the University of Dar es Salaam, the Tanzania Wildlife Research Institute (TAWIRI), and the Tanzania Forestry Research Institute (TAFORI), operate under their respective ministries but are typically organized under autonomous umbrella bodies. These institutions are central to advancing scientific knowledge in marine and coastal ecosystems.

There is also the Women in Marine Science (WIMS) initiative, which focuses on supporting and promoting the participation of women in marine science fields, emphasizing their contributions to research, conservation and the sustainable management of marine resources. WIMS was established to tackle the gender equality challenges faced by women marine scientists in the Western Indian Ocean region. The mainland and Zanzibar chapters of WIMS unite women scientists to discuss shared interests and identify priority issues for action. These chapters also serve as a platform for planning activities and allowing women to advocate collectively on issues that matter to them.

In recent years, private organizations have increasingly engaged in research, primarily within the social sciences. Notable institutions include the Economic and Social Research Foundation (ESRF), the Research for Poverty Alleviation (REPOA) and the Tanzania Gender Networking Programme (TGNP), alongside private universities. A smaller number of private institutions are involved in scientific research, such as the Tanzania Technology Development Organization (TaTEDO). Research conducted outside formalized institutions also contributes to Tanzania's growing body of knowledge, though on a more limited scale.

## **Zanzibar**

In Zanzibar, marine research is primarily overseen by the Ministry of Blue Economy and Fisheries.<sup>158</sup> This Ministry is responsible for the management and sustainable use of marine resources, including conducting and facilitating marine research. Key institutions involved in marine research in Zanzibar include the following:

1. **Zanzibar Fisheries and Marine Resources Research Institute (ZAFIRI):** ZAFIRI is the main institution dedicated to conducting research on marine and fisheries resources in Zanzibar. It plays a crucial role in providing scientific data and advice for the sustainable management of marine resources.
2. **Institute of Marine Sciences (IMS):** Part of the University of Dar es Salaam, the IMS is a prominent research institution in Zanzibar that focuses on various aspects of marine science, including oceanography, marine biology and coastal management. The IMS also hosts the Tanzania National Oceanographic Data Centre, which is central to managing and sharing oceanographic data.
3. **State University of Zanzibar (SUZA):** SUZA is involved in marine research and education, contributing to the training of marine scientists and conducting research projects that address local and regional marine and coastal issues.

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<sup>158</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

These institutions collaborate with the Ministry of Blue Economy and Fisheries to ensure that research efforts align with national priorities and contribute to the sustainable management of Zanzibar's marine and coastal resources.

#### **d. Consideration of cross-cutting issues: Gender and oceans, the blue economy**

Tanzania places a strong emphasis on gender equality in marine scientific research and the broader blue economy framework. Initiatives such as research grants and fellowships provided by WIOMSA, as well as the activities of the Network of Women in Marine Sciences (WIMS), specifically support female researchers, enhancing their visibility and opportunities in the marine science field.<sup>159</sup> Additionally, efforts to increase the enrolment of female students in marine science programmes at universities and colleges are key to ensuring gender diversity in ocean governance. These initiatives ensure that women are actively involved in research and decision-making processes related to marine resource management, providing diverse perspectives and equitable benefits. The blue economy policy,<sup>160</sup> recently adopted by Zanzibar,<sup>161</sup> integrate economic growth with environmental sustainability and social inclusivity, making marine scientific research critical for informing sustainable practices. Zanzibar recognizes the role of the blue economy in promoting socioeconomic development through better stewardship of the sea and related resources. This involves the utilization of maritime and marine resources to support inclusive and sustainable economic growth as well as creating employment opportunities.<sup>162</sup>

### **2.2.7 Governance frameworks for other key maritime sectors**

In addition to the well-established maritime sectors, other vital sectors in the URT's ocean governance include marine biotechnology, underwater cultural heritage and marine renewable energy. These sectors present untapped opportunities for innovation, sustainable development and economic diversification, aligning with the broader objectives of the blue economy.

#### **Marine biotechnology**

Marine biotechnology has significant potential in URT due to the country's rich marine biodiversity, which could lead to advancements in pharmaceuticals, nutraceuticals and bioproducts. This sector holds promise for transforming healthcare and industry by offering new treatments and sustainable biobased products. Despite its potential, marine biotechnology in Tanzania is currently underdeveloped, with limited activities compared to the agriculture sector, which is more dominated by private initiatives.

There is an urgent need to establish comprehensive legal, administrative and policy frameworks to mitigate the risks associated with modern biotechnology. Tanzania has responded to this need by developing a National Biosafety Framework (NBF).<sup>163</sup> This framework addresses crucial aspects such as national biosafety policies, regulatory regimes, administrative mechanisms, monitoring processes, and public awareness and participation. It also focuses on building capacity for risk assessment, management and detection of genetically modified organisms (GMOs), which are essential for safely advancing biotechnology.

While Tanzania is a party to the Nairobi Protocol, which governs the handling of GMOs and biosafety, there is a need for more robust implementation of related legislation to fully support and regulate marine biotechnology. Strengthening research partnerships with universities and international bodies can help catalyse growth in this sector, leading to substantial economic and health benefits. The Tanzanian government has shown a commitment to sustainable marine

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<sup>159</sup> WIOMSA, [www.Wiomsa.Org](http://www.Wiomsa.Org).

<sup>160</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

<sup>161</sup> <https://leap.unep.org/en/countries/tz/national-legislation/national-blue-economy-policy-2024>.

<sup>162</sup> Zanzibar Investment Promotion Authority (ZIPA), <https://www.zipa.go.tz/sectors/blue-economy/>.

<sup>163</sup> Vice President's Office (VPO), The National Biosafety Framework for Tanzania, 2004.

resource management, and while there are no explicit indications of imminent ratification of the BBNJ Agreement, the enactment of legislation related to marine genetic resources (MGR) could bolster efforts towards compliance with international frameworks, potentially facilitating future ratification. This legislative alignment would support the capacity of Tanzania to engage effectively in global biodiversity governance and enhance its conservation efforts in the context of the BBNJ discussions.

### Underwater cultural heritage

Underwater cultural heritage, including shipwrecks, submerged settlements and artefacts, offers unique opportunities for cultural tourism and education. These underwater sites, which are common along the Tanzanian coastline<sup>164</sup> such as in Kilwa,<sup>165</sup> Mafia, Zanzibar and Mtwara can enhance local economies through tourism while preserving and promoting Tanzania's rich maritime history.<sup>166</sup> The current legal framework in Tanzania for protecting underwater cultural heritage is still in its infancy, with limited resources dedicated to its preservation. Strengthening this framework, possibly through collaboration with UNESCO's Convention on the Protection of the Underwater Cultural Heritage, could provide the necessary support and international recognition, promoting sustainable tourism and cultural heritage conservation. Antiquities, Monuments and Museum (Underwater Cultural Heritage) Regulations, 2012 (No. 23 of 2012) regulates the sector. These regulations implement provisions of the Antiquities, Monuments and Museum Act, 1998, with respect to exploration and recovery licences concerning underwater cultural heritage. Considering new development in this industry, review of this legislation is necessary. The Antiquities, Monuments and Museum (Underwater Cultural Heritage) Regulations, 2012 may require revision to address contemporary challenges such as advancements in underwater exploration technologies, the need for clearer guidelines on public-private partnerships in heritage management, and the integration of community involvement in the protection and promotion of underwater cultural heritage. Updates are essential to align the regulations with international standards and best practices, ensuring comprehensive protection and sustainable use of these valuable resources.

### Marine renewable energy

Marine renewable energy,<sup>167</sup> particularly offshore wind and tidal energy, represents a sustainable solution to meet the growing energy demands while mitigating climate change impacts. Tanzania's coastal regions have significant potential for developing these renewable energy sources, contributing to the national grid and reducing reliance on fossil fuels. While the country has made strides in onshore renewable energy,<sup>168</sup> the offshore<sup>169</sup> segment remains underdeveloped. Establishing legal and regulatory frameworks to encourage investment and development in marine renewable energy, alongside international cooperation and technological transfer, could transform Tanzania into a regional leader in sustainable energy production.<sup>170</sup> The primary energy legislation includes Electricity Act of 2008 and electricity rules of 2019, the Energy and Water Utilities Act, chapter 414 and Environmental Management Act, chapter 191. On the other hand, the policies that regulate the energy sector include the National Energy Policy (NEP) of 2021, which among other things, allows multiple energy producers to generate power from various sources such as wind and solar. The policy also mentions tidal and waves as among the energy resources in Tanzania. Currently there is no specific legislation that covers marine renewable energy.

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164 R.L. Pouwels, "Eastern Africa and the Indian Ocean to 1800: Reviewing relations in historical perspective," *International Journal of African Historical Studies*, vol. 35, No. 2/3 (2002).

165 E.A. Englong and others, "Unveiling 4500 years of environmental dynamics and human activity at Songo Mnara, Tanzania," *Quaternary Science Advances*, vol. 14 (2024).

166 J. Fleisher, "The Complexity of public space at the Swahili town of Songo Mnara, Tanzania," *Journal of Anthropological Archaeology*, vol. 35 (September 2014).

167 Y. Cui and H. Zhao, "Marine renewable energy project: The Environmental implication and sustainable technology," *Ocean & Coastal Management*, vol. 232 (1 February 2023).

168 T.E. Kibona, "Application of WRF mesoscale model for prediction of wind energy resources in Tanzania," *Scientific African*, vol. 7 (March 2020).

169 C.R. Sherakata and others, "Basin development and petroleum prospectivity of the hybrid turbidite-contourite system in the east Pande area, offshore Tanzania," *Journal of African Earth Sciences*, vol. 208 (December 2023).

170 A. Barlow, "The Temporalities of extractive frontiers: The promises of booms and going bust in the Tanzanian gas sector," *Geoforum*, vol. 138 (January 2023).

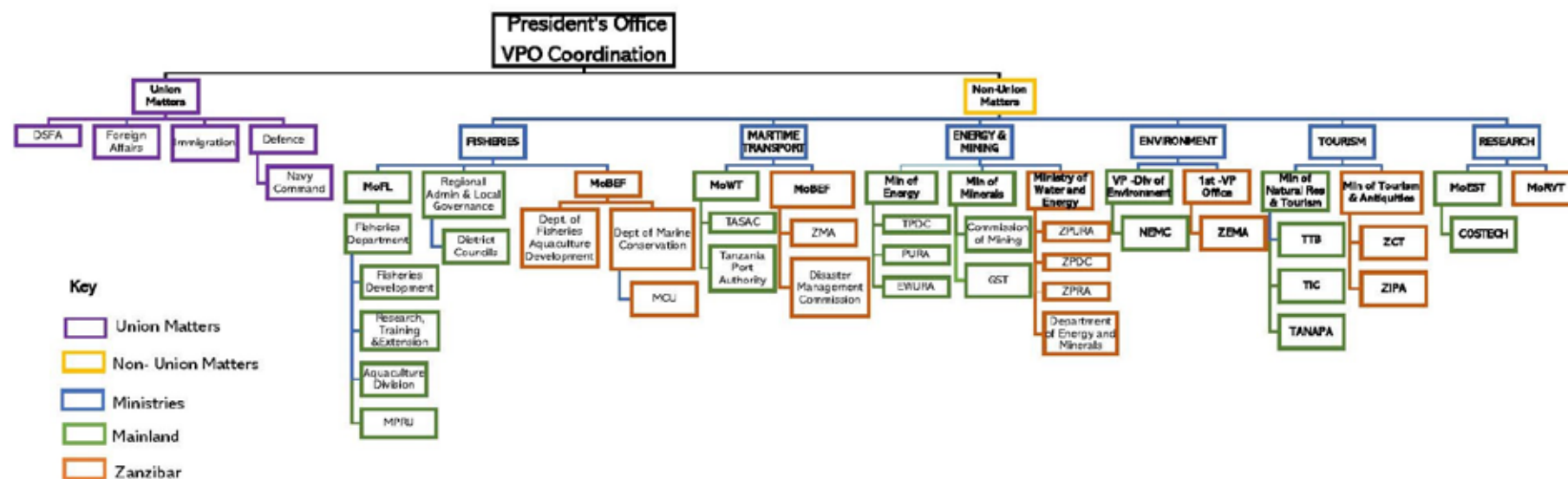
These emerging sectors highlight the potential for innovation and sustainable development within the blue economy framework. Addressing gender disparities by promoting inclusivity and equitable opportunities in these industries is crucial. Women, who are already significant contributors in traditional sectors like small-scale fisheries and seaweed farming, can play pivotal roles in these new industries, enhancing household incomes and overall community welfare.

The evolution of ocean governance in Tanzania, supported by legal reforms and institutional development, is key to unlocking these sectors' potential. As global attention increasingly focuses on sustainable ocean use for wealth generation, Tanzania is well-positioned to harness these opportunities, ensuring long-term benefits for both mainland Tanzania and Zanzibar. Through strategic investments, capacity-building and international collaboration, Tanzania can enhance its ocean governance framework, driving economic growth, environmental sustainability and social inclusion.

### **2.2.8 Integrated approaches to the management of the sectors (including cross-cutting legislation and institutions)**

Ocean governance in URT is coordinated by multiple government ministries and agencies, each responsible for different aspects of marine and coastal management (figure II.i). Key institutions involved include the Ministry of Livestock and Fisheries, the Vice President's Office (responsible for environmental management), the Ministry of Natural Resources and Tourism and the Ministry of Blue Economy and Fisheries in Zanzibar, among others. These institutions often operate under sectoral mandates but are increasingly being encouraged to collaborate to address cross-cutting issues such as marine pollution, habitat conservation and sustainable fisheries management. Some institutions are dedicated exclusively to ocean-related affairs, while others incorporate marine and coastal management into their wider functions. Despite the breadth of these institutions, there is currently no single entity with a comprehensive trans-sectoral mandate specifically for ocean governance.

Figure II.i. Chart of ocean governance institutions in the United Republic of Tanzania



*Abbreviations:* VPO = Vice President's Office; DSFA = Deep-Sea Fisheries Authority; MoLF = Ministry of Livestock and Fisheries; MPRU = Marine Parks and Reserves Unit; MCU = Marine Conservation Unit; MoWT = Ministry of Works and Transport; TASAC = Tanzania Shipping Agencies Corporation; MoBEF = Ministry of Blue Economy and Fisheries; ZMA = Zanzibar Maritime Authority; TPDC = Tanzania Petroleum Development Corporation; PURA = Petroleum Upstream Regulatory Authority; EWURA = Energy and Water Utility Regulatory Authority; GST = Geological Survey of Tanzania; ZPDC = Zanzibar Petroleum Development Company; ZPRA = Zanzibar Petroleum Regulatory Authority; NEMC = National Environment Management Council; ZEMA = Zanzibar Environmental Management Authority; TTB = Tanzania Tourist Board; TIC = Tanzania Investment Centre; TANAPA = Tanzania National Parks Authority; ZCT = Zanzibar Centre for Tourism; ZIPA = Zanzibar Investment Promotion Authority; MoEST = Ministry of Education, Science and Technology; COSTECH = Tanzania Commission for Science and Technology; MoEVT = Ministry of Education and Vocational Training.



The interconnected nature of the ocean and the extensive sharing of resources between mainland Tanzania and Zanzibar require that the governance and management of ocean resources in URT be treated as a shared responsibility. This approach is in line with UNCLOS, which underscores the interrelatedness of all issues within the ocean space. While certain sectors demand specialized expertise and distinct governance arrangements, a unified approach remains essential.

Feedback from stakeholders in Tanzania highlights that the current governance framework and capacity for managing coastal zones are inadequate. This insufficiency can lead to increased mismanagement of resources, unclear responsibilities, conflicting uses and degradation of the marine environment. The situation is further complicated by the absence of a singular ocean governance body through which different sectors can cohesively manage ocean and coastal areas, thereby reducing overlaps from competing interests and ensuring the long-term flow of ecosystem goods and services.

Given the outdated nature – and in some cases, the absence – of relevant legislative and policy instruments in Tanzania, the immediate priority is to enhance existing policies while developing new ones that promote sectoral integration. Currently, there are many overlapping laws, policies and strategies with good intentions but differing scopes and objectives for the URT ocean space. URT has significant experience with integrated coastal zone management, exemplified by the National Integrated Coastal Management Strategy<sup>171</sup> launched in mainland Tanzania in 2003, and Zanzibar's Integrated Coastal Zone Management Strategy<sup>172</sup> developed in 2009. However, the lack of a common ocean governance regime between Zanzibar and mainland Tanzania remains a challenge, despite the policy priority and supporting legislation like the Deep-Sea Fishing Authority Act.<sup>173</sup>

The Deep-Sea Fishing Authority Act, while establishing a framework for governing fisheries in the EEZ, focuses primarily on deep-sea fishing activities and does not address all coordination issues. It neglects other crucial aspects of ocean governance, such as marine environmental protection, biodiversity conservation and the sustainable use of marine resources beyond fisheries. Effective ocean governance requires a holistic and integrated approach that considers various marine and coastal activities, including fishing, tourism, conservation and mineral extraction. The Act does not sufficiently address the need for coordination between different sectors and stakeholders involved in ocean management. Moreover, ocean governance in URT involves multiple institutions and legal frameworks, leading to potential overlaps in jurisdiction and responsibilities. The Act does not fully resolve these overlaps, resulting in conflicts or inefficiencies in marine resource management. Additionally, the Act is not designed to address issues like marine pollution, climate change impacts or the conservation of marine ecosystems, which are critical components of comprehensive ocean governance. Since Tanzania's ocean governance is divided between mainland Tanzania and Zanzibar, the Act's effectiveness in coordinating efforts between the two regions is limited, particularly concerning transboundary issues.

In the mainland, efforts are underway to address legislative gaps, as seen in recent initiatives to amend the Fisheries Act of 2003. The government has initiated revisions to the Fisheries Act No. 22 of 2003 and its regulations to remove trade barriers, enhance productivity and establish stable markets for fisheries. These changes aim to secure fishery resources, regulate the import and export of fish products, and address illegal fishing activities. The revisions also seek to incorporate advancements in science and technology to improve fisheries and the cultivation of aquatic organisms in response to market demands. Additionally, amendments to the Marine Parks and Reserves Act No. 29 of 1994 and its 2009 regulations are part of ongoing efforts by the Ministry of Agriculture and Fisheries to strengthen marine resource management.<sup>174</sup>

However, to elevate ocean governance, a mechanism for enhanced coordination and cooperation is necessary. The marine spatial planning (MSP) framework offers a pathway to better coordinate ocean planning and implement blue economy strategies. The Government of Tanzania plans to develop a Marine Spatial Plan to guide all economic activities within

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171 URT, National Integrated Coastal Environmental Management Strategy.

172 K. Gustavson and others, "A Process framework for coastal zone management in Tanzania," *Ocean & Coastal Management*, vol. 52, No. 2 (February 2009).

173 URT, Deep-Sea Fisheries Management and Development Act, 2020.

174 <https://stopillegal fishing.com/press-links/tanzania-fisheries-act-for-amendment/>.

the Indian Ocean, aiming to reap greater benefits from a more sustainable blue economy.<sup>175</sup> The Marine Spatial Plan will encompass all ocean activities, including fishing (both small-scale and deep-sea), aquaculture, seaweed farming, strategic infrastructure for ports and sea transport, seafood and fish processing, oil and gas extraction, beach tourism and water sports. To address the current coordination challenges, the MSP should aim to do the following:

1. Enhance coordination between the Vice President's Office, Ministry of Blue Economy and Fisheries in Zanzibar and Ministry of Livestock and Fisheries on the mainland.
2. Facilitate the development of a national vision for ocean and coastal sustainability.
3. Inform the review of current and future policies and regulations affecting ocean governance and coastal issues, ensuring that synergistic sustainable blue economy opportunities are integrated into these policies.
4. Motivate the periodic review of the application and implementation of international conventions related to ocean governance that apply to Tanzania.

## **2.2.9 Other relevant ministries in ocean governance in URT**

In addition to the ministries previously discussed, several other ministries and agencies play a crucial role in the national coordination of ocean matters (table 2.3).

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<sup>175</sup> URT, "Guidelines for the Development of Marine Spatial Plan in the United Republic of Tanzania."

**Table 2.3. Other ministries that contribute to ocean governance in the United Republic of Tanzania**

MINISTRY/AGENCY	ROLE IN OCEAN GOVERNANCE
Immigration Department (Ministry of Home Affairs)	Monitors and regulates movement across national boundaries, including maritime borders. Enhances border security, prevents illegal fishing, human trafficking and smuggling within marine territories. Collaborates with law enforcement and other agencies to enforce marine regulations, safeguarding marine resources and ensuring adherence to maritime laws.
Ministry of Home Affairs	Enforces policies and regulations pertinent to ocean governance through various departments, including the police. Coordinates with sectoral agencies to ensure compliance with ocean governance policies and facilitates legal processes for violations such as illegal fishing. Addresses border issues, including human trafficking and smuggling, which can impact marine resource management.
Planning Commission (President's Office)	Oversees national planning, research, innovation and performance evaluation. Supports ocean governance by developing long-term plans that incorporate the blue economy and marine resource management. Provides insights and recommendations for policy development in ocean governance and assesses the effectiveness of ocean-related policies and strategies.
Ministry of Finance	Manages economic activities, including taxation and funding. Promotes sustainable practices in maritime industries through taxation policies and allocates resources for research and development in marine conservation technologies. Supports sustainable management of marine resources and livelihoods dependent on them.
Ministry of Foreign Affairs and East Africa Cooperation	Handles international relations and diplomacy. Engages in negotiations and forums to promote marine biodiversity protection and sustainable fisheries. Collaborates with other States and organizations to manage shared marine resources and combat illegal, unreported and unregulated (IUU) fishing. Advocates for global and regional marine conservation efforts.
Local government and regional administration	Local governments and regional administrations play a significant role in ocean governance in Tanzania. For example, they contribute to managing marine resources through initiatives such as the development of Integrated Coastal Zone Management (ICZM) strategies and ensuring community involvement in marine spatial planning. These administrations also support enforcement activities at the local level, such as issuing permits for coastal activities and monitoring compliance with environmental regulations



A seaweed farmer harvesting mature seaweeds in Tanga city - Sahare landing site: Photo credit: Kambona , 2025

## III. Priority areas: Fisheries sector and conservation of marine resources

The Government of the United Republic of Tanzania (URT) has identified two priority areas for this study: (1) the conservation and utilization of living resources, including fishing and mariculture; and (2) the protection and preservation of the marine environment, which encompasses area-based conservation tools and measures. The legal and institutional frameworks governing these sectors are detailed below, along with potential actions to enhance ocean governance.

An extensive literature review, stakeholder consultations and input from experts were conducted to gather key perspectives on the adequacy of the relevant legal and institutional frameworks, as well as the challenges and gaps in their implementation. Insights on how ocean governance could be improved, particularly in relation to fisheries and conservation, were collected from a wide range of stakeholders. Surveys were also conducted to identify capacity gaps in fisheries and conservation governance. Stakeholders provided specific suggestions for improving governance and fostering collaboration among government, industry and civil society.

### 3.1. Priority sector 1: Marine fisheries

Tanzania is home to a rich diversity of tropical marine ecosystems and associated organisms, offering significant economic opportunities that can benefit both the local populations living in or near these areas and the entire country. The fisheries resources of Tanzania have long been a cornerstone of the national economy. As mentioned above, Tanzania is a republic comprising two entities: mainland Tanzania (Tanganyika) and Zanzibar. Together, they form the United Republic

of Tanzania (URT). However, the Union does not extend to fisheries management, so both mainland Tanzania and Zanzibar have their own fisheries legislation (table 3.3).

Internationally, legally binding and non-binding instruments relevant to fisheries are managed as Union matters. As a party to various multilateral conventions and agreements, URT is obligated to align its national policy and legal frameworks with the requirements of these international and regional instruments.

### 3.1.1 Sector profile and relevance

Tanzania’s marine territory includes approximately 64,000 km<sup>2</sup> of territorial sea and 223,000 km<sup>2</sup> of EEZ. Coastal and marine ecosystems occupy an area of about 241,500 km<sup>2</sup>, equivalent to about 20 per cent of total land area of the country.<sup>176</sup> The fisheries sector is vital to the national economy, contributing to food security, nutrition, employment, income generation, recreation and tourism. It is integral to achieving sustainable national development goals. Marine fisheries, as a crucial subsector, has significant social, ecological and economic impacts. It contributes notably to growth of the blue economy, providing livelihoods, income, food security and cultural identity.<sup>177</sup>

In URT, marine fisheries are divided into artisanal and industrial fisheries (table 3.1). Artisanal fisheries take place in the territorial sea (12 nautical miles stretch). The catch mostly consists of finfish and, to a small extent, cephalopods and shellfish (shrimps/prawns, octopus, cuttlefish, lobsters and crabs). Semi-industrial/industrial fisheries are done in both territorial sea and EEZ, targeting shellfish (prawns/shrimps – white prawns (*Fenneropenaeus indicus*), giant black prawns (*Penaeus monodon*), tiger prawns (*P. semisulcatus*), brown shrimp (*Metapenaeus monoceros*), lobsters, cephalopods and crabs and finfish species belonging to the families of *Lutjanidae*, *Lethrinidae*, *Pomacentridae*, *Scombridae*, etc., in the territorial sea; and tuna as well as tuna-like species, including marlin, swordfish, yellowfin tuna, skipjack tuna, bigeye tuna and sharks in the EEZ.<sup>178</sup>

The fisheries sector has substantial potential for driving national economic growth. It contributes about 1.7 per cent to the GDP each year and has been growing at an average rate of 1.5 per cent annually.<sup>179</sup> In Tanzania, fish production from marine waters has seen a rise over the past decade, with marine capture fisheries accounting for roughly 14 per cent of the total fisheries catch (see figure III.i).<sup>180</sup>

**Table 3.1. Overview of Tanzania’s marine and coastal fisheries**

**Artisanal vs. industrial fishing**

ASPECT	ARTISANAL FISHING	INDUSTRIAL FISHING
<b>Area of operation</b>	Territorial sea	Territorial sea and EEZ
<b>Vessel size</b>	3 to 11 metres	Larger vessels
<b>Techniques used</b>	Gillnets, longlines	Various, focusing on shellfish and tuna-like species
<b>Primary targets</b>	Finfish, some shrimps	Shellfish (including prawns and shrimps), finfish, tuna-like species

<sup>176</sup> URT, Fisheries Sector Master Plan (2021/22–2036/37).

<sup>177</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

<sup>178</sup> URT, Fisheries Sector Master Plan (2021/22–2036/37).

<sup>179</sup> URT, National Plan of Action for Implementation of Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (NPoA-SSF Guidelines).

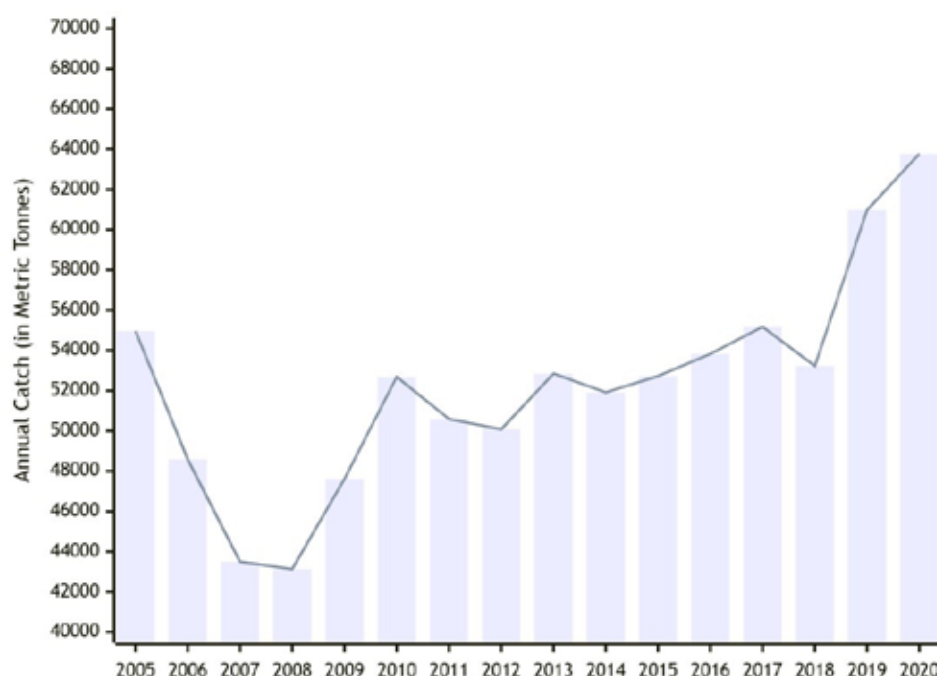
<sup>180</sup> URT, Fisheries Sector Master Plan (2021/22–2036/37).



## Fisheries sector contribution

PARAMETER	DETAILS
Marine fisheries area	241,500 km <sup>2</sup> (20% of the country's land area)
Total fisheries production	473,592 tonnes (2021)
Marine capture fisheries	50,000 to 80,000 tonnes annually
Artisanal fishing contribution to capture fisheries	14% of the total fish catch (on average 2005–2020)
GDP contribution	1.8% to 3.1% of national GDP
Employment	53,000 fishers; ancillary activities: boat building, fish processing
Seaweed farming	21% of Zanzibar's exports, 34% of cash crop exports. 80% of seaweed farmers are women

Figure III.i. Fish production in offshore fisheries (waters under the sovereignty and sovereign rights) from 2005 to 2020



Note: Redrawn from Fisheries Sector Master Plan (2021/22–2036/37).

The sector also provides significant employment in fishing and related activities such as boat building and fish processing, deeply integrating fishing into the cultural identity of coastal communities. Seaweed farming, predominantly managed by

women (who are 80 per cent of seaweed farmers), is a significant livelihood. The seaweed sector contributes 21 per cent to Zanzibar's exports and 34 per cent to cash crop exports.<sup>181</sup>

Despite its importance, the fisheries sector's contribution to national GDP remains relatively low, consistently ranging from 1.8 to 3.1 per cent annually over the past decade (table 3.1). This modest contribution suggests that Tanzania has not fully harnessed the economic potential of its fisheries. Factors contributing to this may include more rapid growth in other sectors and the significant portion of catch consumed locally before reaching formal markets, which may not be accurately reflected in official GDP statistics.<sup>182</sup> To boost the contribution of the fisheries sector to Tanzania's GDP, improving post-harvest management practices is crucial to reduce local consumption losses and enhance fish quality for export. Investing in market access and infrastructure will help integrate local fisheries into formal markets. Also, promoting sustainable fishing practices and supporting small-scale fishers can enhance productivity and foster economic growth in the sector.

### 3.1.2 Regional and international legal framework

At the international level, the fisheries sector adheres to key international and regional protocols and conventions, including UNCLOS, the FAO Code of Conduct for Responsible Fisheries (CCRF 1995), the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and the Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing (2009) (table 3.2). However, the country is not a signatory to the United Nations Fish Stocks Agreement (1995).

Tanzania is actively involved in several regional and international organizations, such as the Southwest Indian Ocean Fisheries Commission (SWIOFC), the International Whaling Commission (IWC), the SADC Fisheries Protocol, the Memorandum of Understanding on Conservation Measures for Marine Turtles of the Indian Ocean (1999), and the Indian Ocean Tuna Commission (IOTC) (table 3.2). The National Plan of Action for Small-Scale Fisheries Guidelines (NPoA-SSF) aligns with international instruments including CCRF; the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests; and the Sustainable Development Goals.

**Table 3.2. Summary of the international and regional instruments that the United Republic of Tanzania is party to related to the fisheries sector**

CATEGORY	DETAILS
International protocols & conventions	<ul style="list-style-type: none"> <li>- United Nations Convention on the Law of the Sea (UNCLOS 1982)</li> <li>- FAO Code of Conduct for Responsible Fisheries (CCRF 1995)</li> <li>- FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas</li> <li>- Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing (PSMA 2009)</li> </ul>
Regional & international organizations	<ul style="list-style-type: none"> <li>- Southwest Indian Ocean Fisheries Commission (SWIOFC)</li> <li>- International Whaling Commission (IWC)</li> <li>- SADC Fisheries Protocol</li> <li>- Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Indian Ocean (1999)</li> <li>- Indian Ocean Tuna Commission (IOTC)</li> </ul>

*Abbreviations:* SADC = Southern African Development Community.

<sup>181</sup> United Nations, *An Ocean of Opportunities: The Potential of Seaweed to Advance Food, Environmental and Gender Dimensions of the SDGs* (2024).  
<sup>182</sup> RGoZ, *Zanzibar Fisheries Policy* 2022.

### 3.1.3 National legal framework

The fisheries sector in URT is governed by separate legal frameworks for mainland Tanzania and Zanzibar (table 3.3). These frameworks are designed to regulate fishing activities, ensure sustainable management of fisheries resources and promote the development of the fisheries sector.

In mainland Tanzania, the Fisheries Act No. 22 of 2003<sup>183</sup> is the primary legislation regulating fisheries in mainland Tanzania. It aims to ensure the sustainable management, conservation and development of fisheries resources. Key provisions include the licencing and registration of all fishing activities – commercial, artisanal and recreational. The Act also mandates the protection of fish habitats, the establishment of MPAs, and measures to prevent overfishing. It imposes penalties for illegal fishing practices, such as using prohibited gear and fishing in restricted areas. Additionally, the Act promotes research, data collection and information dissemination to support sustainable fisheries management. The Fisheries Regulations, 2009,<sup>184</sup> provide detailed guidelines to implement the Fisheries Act, 2003. They regulate permissible and prohibited fishing gear and methods, specify periods and areas where fishing is restricted or banned to allow fish stocks to replenish, and set minimum size limits for certain fish species to ensure they reach maturity before being harvested. The Marine Parks and Reserves Unit Act No. 29 of 1994 provides for the establishment and management of marine parks and reserves in mainland Tanzania. It allows for the designation of specific marine areas for conservation and sustainable use, and the development and implementation of management plans for these marine parks and reserves.

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183 URT, Fisheries Act, 2003, chap. 279.

184 URT, The Fisheries Regulations, 2009.

**Table 3.3. Legal frameworks for marine fisheries governance for mainland Tanzania and Zanzibar**

JURISDICTION	LEGISLATION/POLICY	KEY FOCUS	DESCRIPTION	YEAR
Mainland Tanzania	Marine Parks and Reserves Act No. 29 of 1994	Marine protected areas (MPAs)	Establishes MPAs and ensures the conservation of marine biodiversity, impacting fisheries management.	1994
	Fisheries Act No. 22 of 2003	Legal framework for fisheries	Establishes modern approaches for sustainable fisheries management, replacing the outdated Fisheries Act of 1970.	2003
	Environmental Management Act (EMA)	Environmental governance	Provides a comprehensive legal framework for sustainable environmental management, including fisheries.	2004
	Fisheries Regulations No. 308	Regulations	Detailed regulations under the Fisheries Act No. 22 of 2003.	2009
	National Fisheries Policy of 2015	Fisheries governance	Guides sustainable management and utilization of fisheries resources in mainland Tanzania.	2015
	Tanzania Fisheries Research Institute (TAFIRI) Act No. 11 of 2016	Fisheries research	Establishes TAFIRI to conduct research and provide advice on fisheries management.	2016
	Fisheries (Amendment) Regulations	Amendments	Updates the Fisheries Regulations for improved management practices.	2020
	Fisheries Sector Master Plan 2021/22–2036/37	Strategic framework	Provides a long-term strategic framework for sustainable management and development of fisheries and aquaculture.	2021
	Tanzania Five Year Development Plan (2021/22–2025/26)	Development planning	Strategic plan for national development, including fisheries and aquaculture.	2021
	Fisheries Sector Master Plan (2021/22–2036/37)	Strategic framework	Provides a long-term strategic framework for sustainable management and development of fisheries and aquaculture.	2021
	National Plan of Action for Implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (VGSSF)	Small-Scale Fisheries	Guides implementation of VGSSF for improving small-scale fisheries' sustainability and food security.	2021

JURISDICTION	LEGISLATION/POLICY	KEY FOCUS	DESCRIPTION	YEAR
Zanzibar	Zanzibar Fisheries Act 2010	Legal framework for fisheries	Provides a framework for managing and regulating fisheries in Zanzibar.	2010
	Zanzibar Draft Fisheries Policy	Policy development	Draft policy outlining future directions for fisheries management in Zanzibar.	2014
	Zanzibar Environmental Management Act 2015	Legal framework for environmental management	Conservation, protection and enforcement and management of environment.	2015
	Zanzibar Blue Economy Policy 2020	Blue economy	Focuses on sustainable blue economy initiatives, including fisheries.	2020
	Zanzibar Fisheries Master Plan 2019–2033	Strategic framework	Outlines long-term strategies for fisheries development and management in Zanzibar.	2022

In Zanzibar, the Fisheries Act, 2010 (Act No. 7 of 2010),<sup>185</sup> is the primary legislation regulating fisheries in Zanzibar. It aims to promote the sustainable use of fisheries resources by mandating licences and permits for all fishing activities, including aquaculture. The Act includes measures for conserving fish stocks, establishing fisheries management areas and enforcing penalties for illegal fishing activities. It also provides for monitoring and surveillance to ensure compliance. The Zanzibar Fisheries Regulations, 2011, offer detailed operational guidelines for implementing the Fisheries Act, 2010. They specify permissible fishing gear and techniques, regulate closed seasons and no-take zones to protect breeding populations, and set limits on fish catches to prevent overexploitation. The Act prohibits fishing by foreigners, except with the consent in writing of the Minister. The Marine Conservation Unit is responsible for coordination towards sustainable management of controlled areas established under this Act. Fish conservation measures prescribed by this Act concern, among other things, use of fishing gear, and minimum size of fish. The Zanzibar Environmental Management Act, 2015, addresses broader environmental management, including the protection of marine and coastal environments in Zanzibar. It requires environmental impact assessments (EIAs) for projects that may affect the marine environment and outlines measures to prevent and control marine pollution.

The management of the EEZ fishery is overseen by the Deep-Sea Fishing Authority (DSFA) under the Deep-Sea Fisheries Management and Development Act No. 5 of 2000, along with its regulations. Additionally, international legal frameworks like UNCLOS 1982, FAO Compliance Agreement 1993, United Nations Fish Stocks Agreement (UNFSA) 1995, IPOA – IUU Fishing 2001, and Agreement on Port State Measures (PSMA) 2009, as well as regional bodies such as IOTC and SWIOFC, also guide this management.

### 3.1.4 National institutional framework

Marine fisheries within 12 nautical miles are managed separately by mainland Tanzania and Zanzibar. Mainland Tanzania's fisheries are overseen by the Ministry of Livestock and Fisheries, guided by the National Fisheries Policy of 2015 and the Fisheries Act No. 22 of 2003. Zanzibar's fisheries are managed by the Ministry of Blue Economy and Fisheries under the Fisheries Policy of 2000 and Act No. 7 of 2010. The Deep-Sea Fishing Authority (DSFA), established in 2010, is responsible for fisheries in the EEZ under the DSFA Act of 1998 and its 2007 amendments.

<sup>185</sup> RGoZ, Zanzibar Fisheries Act, 2010.



At the central government level, fisheries policies, regulations and acts are developed and overseen to ensure effective implementation. In mainland Tanzania, the Ministry of Livestock and Fisheries is responsible for policy formulation, regulation and management of fisheries.<sup>186</sup> In Zanzibar, the Ministry of Blue Economy and Fisheries performs similar functions tailored to the region.<sup>187</sup>

Local Government Authorities (LGAs) in Tanzania play a pivotal role in implementing national fisheries policies at the local level. They support community-based fisheries management by coordinating with Beach Management Units (BMUs) and Shehia/Village Fishermen Committees (S/VFCs) to develop and enforce Area-Specific Management Plans (ASMPs) and ensure compliance with regulations. BMUs are legally recognized management bodies composed of elected fishers and other local stakeholders. In mainland Tanzania, BMUs are established along the marine coastline in collaboration with relevant village governments, as mandated by the Fisheries Regulations of 2009.<sup>188</sup> BMUs are responsible for managing, protecting and conserving fishery resources, biodiversity and the environment. In Zanzibar, Shehia Fishermen Committees (SFCs), also known as Village Fishing Committees (VFCs), serve a similar function. They are village-based bodies responsible for local decision-making in fishery management. These committees operate under the legal framework provided by the Fisheries Act No. 7 of 2010.<sup>189</sup> The Act empowers local communities to engage in the management and sustainable utilization of marine resources. Specifically, it authorizes the establishment of community-based organizations, like SFCs, to oversee local fisheries activities, enforce regulations and implement management plans. This legislation underscores the government's commitment to decentralizing fisheries management and promoting collaborative governance with local communities.

Capacity-building initiatives have been undertaken to strengthen the collaboration between SFCs in the management of fisheries, following FAO guidelines, and to enhance their knowledge in the development and enforcement of sustainable management practices. LGAs collaborate with these community-based organizations to develop and enforce ASMPs, ensuring that fisheries management is tailored to the specific needs and conditions of each area. This collaborative approach enhances compliance with regulations and promotes sustainable fisheries management. However, challenges remain, including the need for effective enforcement mechanisms and adequate resources to support these initiatives.<sup>190</sup>

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186 URT, Fisheries Sector Master Plan (2021/22–2036/37).

187 Zanzibar Fisheries Policy 2022.

188 Fisheries Regulations, 2009 (G.N. No. 308 of 2009).

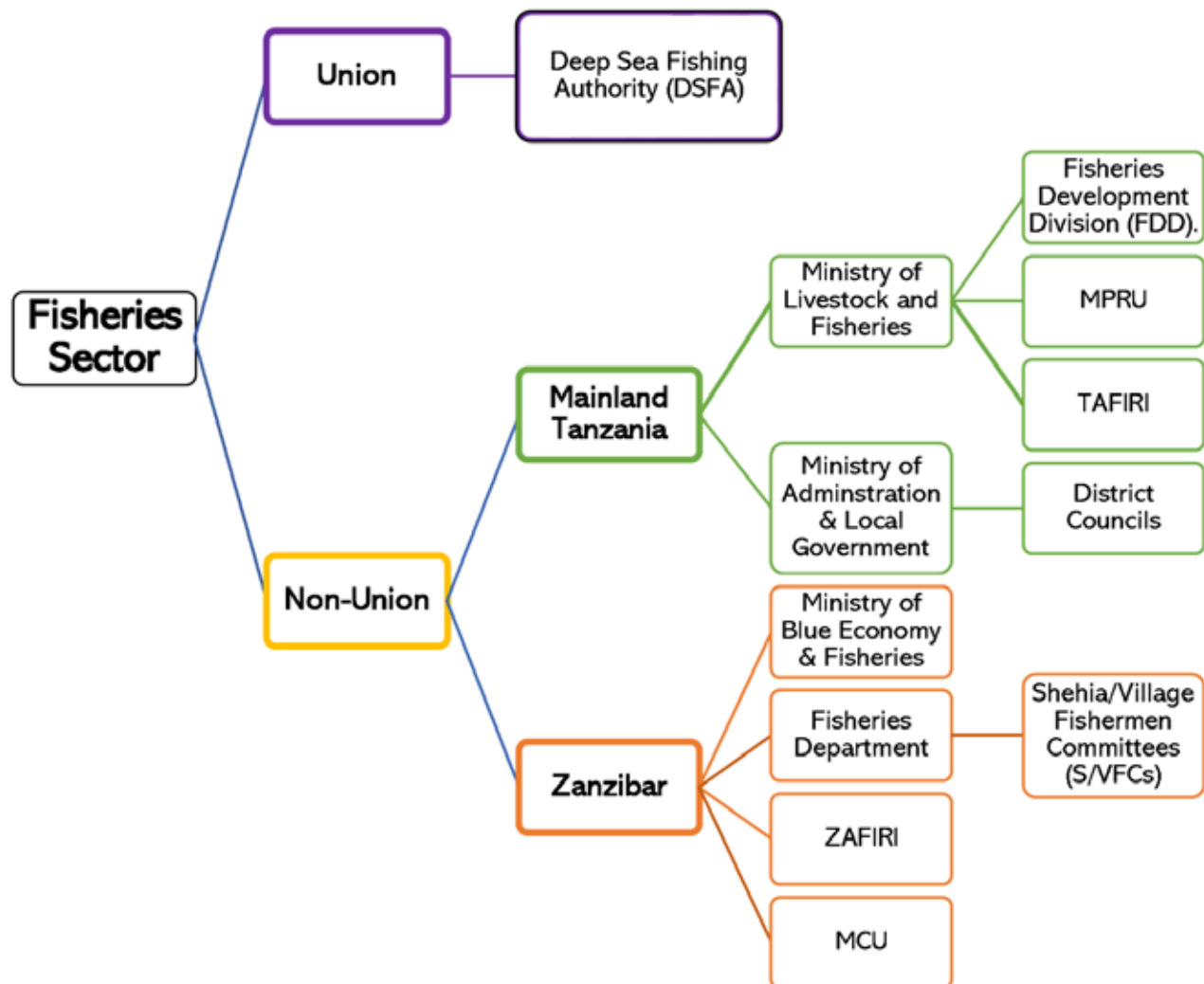
189 RGoZ, Zanzibar Fisheries Act, 2010.

190 G. Kakama, "Assessing performance of decentralized fisheries management in artisanal marine waters of Tanzania: A Case study of Tanga, Coast, Dar es Salaam and Lindi regions" (Reykjavik: UNESCO GRÓ Fisheries Training Programme, 2020), <http://www.grocentre.is/ftp/static/fellows/document/Grace19prf.pdf>.

### 3.1.5 Enforcement and implementation of the governance framework for marine fisheries

In URT, marine and coastal fisheries are governed separately in mainland Tanzania and Zanzibar, each with distinct enforcement frameworks (figure III.ii).

Figure III.ii. Enforcement and implementation of the governance framework for marine fisheries in the United Republic of Tanzania



*Abbreviations:* MPRU = Marine Parks and Reserves Unit; TAFIRI = Tanzania Fisheries Research Institute; ZAFIRI = Zanzibar Fisheries and Marine Resource Research Institute; MCU = Marine Conservation Unit.

In mainland Tanzania, the Ministry of Livestock and Fisheries (MLF), through the Fisheries Development Division (FDD), is responsible for enforcing and implementing marine fisheries regulations. The FDD oversees the development of national fisheries management laws, such as the National Fisheries Policy of 2015 and the Fisheries Act No. 22 of 2003, and provides guidance to district-level fisheries officers. Key components of this framework include the Beach Management Units (BMUs), which facilitate the co-management of fisheries between the government and local communities, and the Tanzania Fisheries Research Institute (TAFIRI), which conducts essential research and provides scientific data for

fisheries management, though its jurisdiction does not extend to Zanzibar. Additionally, the National Plan of Action (NPoA)<sup>191</sup> Guidelines for mainland Tanzania focus on ensuring voluntary fisheries compliance for the sustainability of small-scale fisheries, enhancing food security, reducing poverty and promoting social equity, environmental stewardship and climate resilience.

In contrast, Zanzibar operates under the exclusive jurisdiction of the Revolutionary Government of Zanzibar (RGoZ) through the Ministry of Blue Economy and Fisheries (MoBEF), which enforces fisheries regulations and manages marine resources sustainably. The Department of Fisheries within the MoBEF in Zanzibar is responsible for regulating and managing fisheries to ensure sustainable use of marine resources. This Department enforces fisheries regulations, oversees the management of marine resources and implements policies that promote sustainable fishing practices. It also plays a key role in the development and enforcement of management plans for Marine Conservation Areas (MCAs) and no-take zones, working closely with local communities and other stakeholders to preserve fish stocks and protect marine biodiversity. Additionally, the Department collaborates with research institutions like the Zanzibar Fisheries and Marine Resources Research Institute (ZAFIRI) to incorporate scientific data into fisheries management and ensure ethical utilization of marine resources. The Zanzibar National Plan of Action (ZNPoA)<sup>192</sup> aligns with the FAO Voluntary Guidelines for Securing Small-Scale Fisheries and focuses on sustainable resource management, social development, gender equality and improving small-scale fisheries and food security.

Despite these separate governance structures, mainland Tanzania and Zanzibar collaborate on managing fisheries in the EEZ through the Deep-Sea Fishing Authority (DSFA). This joint effort ensures the sustainable exploitation of deep-sea resources by overseeing activities such as licencing, and monitoring, control and surveillance (MCS). DSFA provides for administration, management and development of fisheries conservation and related activities in all areas where URT exercises jurisdiction, for the exercise of effective control of fishing and related activities of nationals of the United Republic in areas beyond national jurisdiction.

### 3.1.6 Impacts of illegal, unreported and unregulated fishing on Tanzania

Illegal, unreported, and unregulated (IUU) fishing poses severe threats to Tanzania's food security and results in substantial financial losses. Fishers are still using illegal and destructive fishing gear such as under mesh size, monofilament nets, beach seines and currently, to a very small extent, blast fishing as a way of killing fish. Destructive gear and practices have greatly contributed to resource and environmental destruction.<sup>193</sup> These activities exacerbate ongoing human development challenges and undermine efforts to improve livelihoods.

IUU fishing in Tanzania, by both artisanal and industrial fleets, including deep-sea operations, accounts for an estimated 20 per cent of the country's fish catch, costing the economy approximately \$400 million annually.<sup>194</sup> Many vessels operate illegally or under false identities, with unrecorded catch transfers at sea and inaccurate fish landings data. Destructive methods like blast fishing, which has been illegal since the 1970s, persist in regions such as Bagamoyo, Tanga and Zanzibar.<sup>195</sup> This practice, using explosives often sourced from the mining and construction industries, causes significant damage to marine habitats like coral reefs. Factors contributing to the continuation of blast fishing include poverty, low enforcement, corruption, inconsistent fisheries management and unresolved tensions between local authorities and fishers.<sup>196</sup>

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191 URT, NPoA-SSF Guidelines.

192 RGoZ, Zanzibar National Plan of Action (ZNPoA) towards Implementation of FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries.

193 Western Indian Ocean Marine Science Association (WIOMSA), *Perceptions of IUU Fishing in the Small-Scale Fisheries of the Western Indian Ocean – A Questionnaire-Based Index*, WIOMSA Series (Online) No. 2 (Zanzibar: WIOMSA, 2022).

194 URT, The Fisheries Sector Master Plan (2021/22–2036/37).

195 L.M. Slade and B. Kalangahe, "Dynamite fishing in Tanzania," *Marine Pollution Bulletin*, vol. 101, No. 2 (2015), pp. 491–96.

196 V.R. Kamat, "Dynamite fishing in a marine protected area in Tanzania: Why youth perceptions matter," *Coastal Management*, vol. 47, No. 2 (May 2019), pp. 1–19.

A study analysing the potential extent and economic impacts of IUU fishing on shrimp/prawn and tuna species within the EEZs of five countries in the Southwest Indian Ocean (SWIO) – Kenya, Madagascar, Mozambique, South Africa and Tanzania – revealed significant losses due to IUU fishing by distant water fishing nations (DWFNs), particularly within UN FAO Area 51. Among these countries, Tanzania experiences the highest potential losses, with an estimated resource potential loss of approximately \$65.4 million. The higher losses in Tanzania are likely due to the greater export value of species from the area and a significant level of suspected unreported catch. Tanzania's losses, estimated at about \$37.1 million, are notably higher than those of other SWIO countries, largely due to substantial discrepancies in reported catches.<sup>197</sup>

The catch per unit effort (CPUE) for Tanzanian fisheries indicates a steady decline in shrimp and prawn catches since the early 1990s, leading to the full closure of the trawl fishery in 2008 to allow for stock recovery. The analysis found that potential economic losses from IUU fishing for shrimp/prawn species amount to approximately \$47 million annually across the SWIO region. Tanzania is the most affected, with an estimated \$25.7 million in potential losses, primarily based on catch reconstruction analyses.<sup>198</sup>

Tanzania, as a party to the FAO Port State Measures Agreement (PSMA) and committed to UN Sustainable Development Goals (SDGs) 14 and 16, has actively contributed to combating IUU fishing. Specifically, Tanzania implements the PSMA by strengthening its legal framework, enhancing capacity-building for port officials and improving inter-agency cooperation to monitor and control IUU fishing. The country has established surveillance systems at key ports and conducts public awareness campaigns to promote compliance with PSMA regulations. Both mainland Tanzania and Zanzibar's fisheries ministries have taken numerous steps to deter, eliminate and reduce IUU fishing at local and national levels, including deploying onboard vessel observers and increasing marine patrols where feasible.<sup>199</sup> For example, strict enforcement through government patrols, naval actions and the efforts of the National Multi-Agency Task Team (NMATT), established in 2015, have led to a significant reduction in blast fishing, with levels at their lowest since mid-2018. Despite this progress, other illegal fishing methods, such as using spear guns and small-eye nets, remain common.<sup>200</sup> The effectiveness of these enforcement efforts depends on the capacity of fisheries authorities in mainland Tanzania and Zanzibar to enforce national laws and regional fisheries mechanisms adequately.

### 3.1.7 Consideration of cross-cutting issues: Gender and oceans, the blue economy

Tanzanian women encounter numerous barriers that hinder their full participation in the fisheries sector, including cultural norms, economic constraints, limited access to fisheries resources and a lack of supportive policy frameworks. Cultural expectations often restrict women to household roles, limiting their involvement in decision-making processes and access to productive resources. Economic barriers such as limited access to credit and capital further inhibit women's ability to invest in and benefit from fisheries-related activities. Additionally, access to fisheries resources remains unequal, with women often relegated to low-value activities in the value chain.<sup>201</sup>

However, national policies are beginning to recognize the importance of gender mainstreaming within the sector. Efforts are underway to create more inclusive policies that emphasize equitable resource distribution, capacity-building and the active participation of women in fisheries management. For instance, policies like the National Fisheries Policy<sup>202</sup>

197 WWF, "The Missing millions from shrimp and tuna fisheries in the Southwest Indian Ocean" (WWF 2023), [https://wwf-eu.awsassets.panda.org/downloads/wwf\\_iuu\\_fishing\\_of\\_shrimp\\_and\\_tuna\\_in\\_the\\_south\\_west\\_indian\\_ocean\\_may\\_2023.pdf](https://wwf-eu.awsassets.panda.org/downloads/wwf_iuu_fishing_of_shrimp_and_tuna_in_the_south_west_indian_ocean_may_2023.pdf).

198 Ibid.

199 URT, The Fisheries Sector Master Plan (2021/22–2036/37).

200 C.E. Muir, "The Status of marine turtles in the United Republic of Tanzania, East Africa," Sea Sense Report (WWF, 2005); URT, Fisheries Sector Master Plan (2021/22–2036/37).

201 K. Bradford, and R.E. Katikiro, "Fighting the tides: A Review of gender and fisheries in Tanzania," Fish & Fisheries, vol. 20, No. 5 (2019), pp. 821–35, <https://doi.org/10.1111/faf.12392>.

202 National Fisheries Policy of 2015.

and the Blue Economy Policy<sup>203</sup> are evolving to address gender disparities and promote women's empowerment through targeted strategies, such as increasing access to markets, enhancing training opportunities and supporting women's roles in decision-making processes. Despite these positive steps, there remains a critical need for sustained efforts to ensure that gender considerations are fully integrated into all aspects of fisheries governance, from resource management to market access.

In mainland Tanzania, gender equality in the fisheries sector is supported by national strategies and policies that emphasize women's empowerment and participation. Key initiatives include the Five-Year Development Plan (2021/22–2025/26), the National Beach Management Unit (BMU) Guidelines mandating at least 30 per cent female representation in BMU executive committees, and the development of a National Plan of Action (NPoA) for Small-Scale Fisheries (SSF, which promotes women's involvement in decision-making). Organizations like the Tanzanian Women Fish Workers Association (TAWFA) and the Ministry of Livestock and Fisheries' "Gender Desk" further enhance gender sensitivity. These efforts are aligned with the Fisheries Sector Master Plan to ensure inclusive fisheries management.

Zanzibar has made strides in addressing gender inequalities through initiatives like the Zanzibar Fisheries Policy 2022, which is designed to be gender-sensitive, and the Zanzibar Blue Economy Gender Strategy and Action Plan, which prioritizes women's economic activities and food security. However, disparities persist in the fish value chain, where women traders have less access to social and economic resources, profitable markets and high-value fish, resulting in lower incomes. These inequalities are often linked to traditional gender roles, such as childcare and household duties.<sup>204</sup> Despite progress, formal fisheries management still lacks a gender-sensitive approach. The Zanzibar Blue Economy Policy (2020) marks a shift by explicitly targeting the empowerment of women and youth in blue economy activities, with strategies to enhance the equitable participation of all groups – men, women, youth and elders – in governance and management. The Third Zanzibar Strategy for Growth and Poverty Reduction (MKUZA III) also integrates gender equality and women's empowerment across all five Key Result Areas (KRAs), specifying outcomes, strategic actions and gender-sensitive monitoring indicators. Additionally, the Revolutionary Government of Zanzibar, in partnership with UN Women, has developed a Gender Strategy and Action Plan to promote gender mainstreaming in blue economy sectors, including fisheries. This plan, created through a consultative process, emphasizes the need to address the invisibility and underrepresentation of women in fisheries. Collecting sex-disaggregated data and incorporating women's needs into policies are critical steps towards achieving gender equity and empowerment in the sector.

The governance of marine fisheries in Tanzania is currently undergoing a transformative phase spearheaded by changing socioeconomic conditions, policy, technology and innovations. These changes are intersecting with critical issues such as gender equality, the blue economy and climate change, albeit at a different pace with each of these cross-cutting sectors. There is significant potential in advancing gender dynamics, particularly through the empowerment of women within the fisheries value chain and governance structures. Increasingly, women are assuming pivotal roles in local institutions such as village government natural resource committees, Beach Management Units (BMUs) and Collaborative Fisheries Management Areas (CFMAs), while also actively engaging in investment ventures and participating in policy decision-making processes.<sup>205</sup> Female fisheries collectives can empower women through bottom-up initiatives.

### 3.1.8 Overview of legislative development opportunities

Tanzania's fisheries legislation demonstrates a solid foundation but presents opportunities for further alignment with international standards and protocols of Regional Fisheries Management Organizations (RFMOs). These improvements could enhance its compatibility with key international frameworks like UNCLOS, which provides comprehensive guidelines

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203 RGoZ, Zanzibar Blue Economy Policy, 2020.

204 S. Fröcklin and others, "Fish traders as key actors in fisheries: Gender and adaptive management," *Ambio*, vol. 42, No. 8 (2013), pp. 951–62, <https://doi.org/10.1007/s13280-013-0451-1>.

205 R. Mwaipopo, "Gender and Power in the Use and Management of Coastal Space and Resources in Saadani Village, Tanzania", *Bulletin de l'APAD*, vol. 20 (2000).



for sustainable marine resource management. Strengthening the national legal framework in this way would support more effective fisheries resource management.

1. While both mainland Tanzania and Zanzibar have made significant strides in adopting binding resolutions within RFMOs for sustainable fisheries management, there is room for clearer provisions regarding Total Allowable Catch (TAC) and Maximum Sustainable Yield (MSY). Integrating advanced management approaches, such as the precautionary principle and harvest control rules, would help prevent overfishing and ensure the sustainability of fish stocks. Additional stock assessments would also contribute to a better understanding of the marine fish resource base.
2. The Deep-Sea Fisheries Development Act of 2020 has marked substantial progress in regulating foreign fishing activities within Tanzania's EEZ. By aligning with the Indian Ocean Tuna Commission (IOTC) and the United Nations Fish Stocks Agreement (UNFSA), the Act incorporates critical measures to combat illegal, unreported and unregulated (IUU) fishing. Provisions for port State measures, vessel monitoring systems (VMS) and electronic monitoring systems reflect the country's commitment to strengthening oversight and enforcement of foreign fishing operations in its waters.
3. Provisions related to marine scientific research could benefit from more consistent implementation. Strengthening this area would enable more comprehensive research efforts, supporting sustainable management practices and conservation measures. This would ultimately contribute to a more informed and adaptive approach to fisheries management in Tanzania.

### Strengthening international commitments

Tanzania has made notable strides in aligning its fisheries management with international commitments, including the FAO Compliance Agreement, the Southern African Development Community (SADC) Fisheries Protocol, and measures from the Indian Ocean Tuna Commission (IOTC). These efforts underscore Tanzania's dedication to sustainable fisheries, though opportunities remain for further enhancement:

1. **Flag State responsibilities:** While oversight as a flag State has room to grow, Tanzania has incorporated all IOTC resolutions into its national regulations, ensuring that vessels fishing in the Indian Ocean – both within its EEZ and on the high seas – comply with set standards. Tanzania has achieved full compliance in areas like Authorization to Fish (ATF), licencing and catch reporting. With deep-sea fishing activities expected to expand, the focus is shifting towards training additional qualified observers to bolster oversight and effective management.
2. **Record-keeping for high seas fishing vessels:** Tanzania has established foundational mechanisms for tracking and recording high seas fishing vessels, which are critical for monitoring and control. As fishing activities grow, efforts to further enhance the accuracy and thoroughness of these records will support robust fisheries management and align Tanzania with global best practices.
3. **International cooperation:** Tanzania's commitment to international conservation is reflected in its compliance rating with IOTC, which exceeded 80 per cent in both 2022 and 2023 – an impressive performance among member States. This level of compliance speaks to Tanzania's proactive approach to international conservation measures. Expanding designated ports for foreign vessels could further improve Tanzania's collaboration with the IOTC, enabling smoother regulation of vessel entry and inspections.
4. **Vessel registration improvements:** Tanzania operates two separate vessel registries, each with distinct benefits and challenges for fisheries management:
  - **Tanzania Mainland Registry:** This registry is limited to Tanzanian nationals, reinforcing domestic ownership and management of fishing activities within Tanzania's waters.

- **Zanzibar Open Registry:** Operating an open registry, Zanzibar permits foreign-owned vessels to register under its flag, offering international accessibility. To enhance oversight, Tanzania is working to strengthen the registry's regulatory framework, addressing challenges posed by "flags of convenience" and ensuring foreign-registered vessels adhere to Tanzanian standards for sustainable fishing.

## Proposed solutions for strengthening Tanzania's fisheries management

Tanzania has a tremendous opportunity to enhance its fisheries legislation and strengthen sustainable management practices by implementing the following proactive strategies:

1. **Enhancing transparency in vessel registry:** By increasing the transparency and oversight of the vessel registry, Tanzania can ensure that all fishing activities are thoroughly monitored and reported, particularly for vessels not listed in the Register of Authorized Vessels (RAV). This improvement will help mitigate risks associated with flags of convenience and strengthen fisheries management.
2. **Strengthening trade reporting and auditing:** Developing robust trade reporting mechanisms, alongside regular audits of trade figures, will enhance the accuracy of catch and trade data. This approach will help detect and address discrepancies, leading to more reliable reporting of fishing activities and support for sustainable trade.
3. **Implementing Port State Measures Agreement (PSMA) Measures:** Fully embracing PSMA will prevent illegally caught fish from entering Tanzanian ports, reinforcing Tanzania's commitment to combating IUU fishing. This step will further align Tanzania with international best practices and contribute to sustainable fisheries.
4. **Increasing onboard vessel observation:** Expanding the deployment of onboard observers to monitor fishing activities will ensure accurate reporting and improve transparency. Observers play a key role in recording vessel logbook entries and promoting accountability across fishing operations.
5. **Enhancing monitoring, control and surveillance (MCS):** Strengthening MCS efforts, particularly for foreign fishing fleets, will provide greater oversight of reported catches and fishing activities. Expanding observer coverage and increasing logbook auditing will ensure consistency in reporting and bolster enforcement efforts.
6. **Promoting research and data sharing:** Facilitating collaboration between TAFIRI and ZAFIRI to conduct joint research and share data on fish stocks and marine ecosystems will enable a coordinated approach to managing shared marine resources across mainland Tanzania and Zanzibar. Such partnerships will build a stronger foundation for sustainable management practices.
7. **Harmonizing policy frameworks:** Developing a unified national maritime policy will align the efforts of mainland Tanzania and Zanzibar, promoting shared objectives in combating illegal fishing, preventing overfishing and managing marine resources sustainably. A cohesive policy framework will streamline enforcement and enhance conservation outcomes.
8. **Capacity-building initiatives:** Implementing joint training programmes for fisheries officers and community leaders will strengthen enforcement and build capacity for best practices in sustainable fisheries management. Empowering communities through training will foster a culture of compliance and stewardship.
9. **Accession to the United Nations Fish Stocks Agreement (UNFSA):** Prioritizing Tanzania's accession to the UNFSA will fortify its legal framework for conserving shared fish stocks. This action will elevate Tanzania's commitment to international standards and foster regional cooperation in fisheries management.

## 3.2 Priority sector 2: Protection and preservation of the marine environment, including area-based management tools/measures

### 3.2.1 Sector profile and relevance to the State

URT is renowned for its biodiversity-rich maritime region, which plays a crucial role in supporting the livelihoods of millions of people. According to the World Bank,<sup>206</sup> Tanzania's coastal and marine resources are vital for food security, income generation and employment, particularly for communities relying on fishing and tourism. These resources are not only integral to the local economy but also to the country's overall socioeconomic development. The sustainability of these marine ecosystems is essential for maintaining the livelihoods of these populations and ensuring long-term economic stability. However, the overexploitation and mismanagement of these resources have resulted in significant declines, threatening the ecosystems and habitats that support them. The Transboundary Diagnostic Analysis (TDA),<sup>207</sup> conducted by the United Nations Development Programme, underscores the significant threats facing Tanzania's marine resources, particularly due to overfishing and climate change impacts. Developed jointly by the Agulhas and Somali Current Large Marine Ecosystems (ASCLME) Project and the Southwest Indian Ocean Fisheries Project (SWIOFP), TDA served as a regional synthesis report, detailing the current status of the ASCLME. It assessed the ecosystem's health and identified threats to the long-term sustainability of coastal and marine processes and resources. The report evaluated the immediate and root causes of these challenges, aiming to pinpoint potential preventive and remedial actions.

Since the initial TDA in 2012, both mainland Tanzania and Zanzibar have conducted other marine environment status reports, with the most recent being the State of Coast reports for mainland Tanzania<sup>208</sup> and Zanzibar.<sup>209</sup> These reports reveal a significant deterioration of the coastal and marine environment, primarily due to human activities such as unsustainable fishing practices, coastal mining, competing demands from tourism and mariculture, and increased ship-based marine pollution. They also highlight issues stemming from poorly planned coastal development, waste disposal challenges, rising marine litter and microplastics, and the impacts of climate change, including sea-level rise, saltwater intrusion, and coastal erosion.

These threats present not only environmental challenges but also significant economic and political implications. The high reliance on coastal and marine resources, coupled with a growing population, has intensified pressure on these resources, leading to conflicts among users with competing interests.

### 3.2.2 International and regional frameworks relevant to marine and coastal protection

Tanzania is a signatory to several key international and regional conventions and agreements that are pivotal for the protection and sustainable management of its marine and coastal environments (table 3.4). These frameworks provide the legal and cooperative basis for national efforts in conservation, aligning Tanzania with global and regional standards.

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<sup>206</sup> World Bank, *Tanzania: Country Environmental Analysis – Environmental Trends and Threats, and Pathways to Improved Sustainability* (Washington, DC: World Bank, 2019).

<sup>207</sup> ASCLME/SWIOFP, *Transboundary Diagnostic Analysis*.

<sup>208</sup> RGoZ, *State of the Coast for Zanzibar*.

<sup>209</sup> Ibid.

Internationally, Tanzania has ratified several international instruments such as UNCLOS, Convention on the Conservation of Migratory Species of Wild Animals (CMS)<sup>210</sup> and the Convention on Wetlands (Ramsar),<sup>211</sup> which offer a comprehensive legal framework for the governance of the world's oceans, ensuring the conservation and sustainable use of marine resources. Additionally, its participation in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) underscores Tanzania's commitment to ensuring that international trade in wildlife does not endanger species survival. Tanzania is also party to the Convention on Biological Diversity (CBD), which mandates the conservation of biodiversity, sustainable resource use and the equitable sharing of benefits arising from genetic resources.

Regionally, Tanzania actively participates in the Nairobi Convention for the Protection, Management, and Development of the Marine and Coastal Environment of the East African Region.<sup>212</sup> This convention enhances cooperation among East African nations to safeguard their marine and coastal environments. Protocols under the Nairobi Convention, such as those concerning protected areas, wildlife and emergency responses to marine pollution, provide a robust framework for regional collaboration in conservation efforts.

Moreover, Tanzania engages with initiatives like the World Commission on Protected Areas (WCPA) to promote marine conservation and sustainable management practices globally. The country is also involved in regional frameworks aimed at protecting specific marine species, including dugongs, sea turtles, whales and sharks, highlighting its commitment to preserving marine biodiversity. Tanzania is a signatory State to the Indian Ocean and South-East Asia Marine Turtle Memorandum of Understanding (IOSEA Marine Turtle MoU),<sup>213</sup> developed under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). The IOSEA Marine Turtle MoU is an intergovernmental agreement that aims to protect, conserve, replenish and recover marine turtles and their habitats of the Indian Ocean and South-East Asian region, working in partnership with a range of organizations.

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<sup>210</sup> <https://www.cms.int/>.

<sup>211</sup> <https://www.ramsar.org/>.

<sup>212</sup> <https://www.nairobiconvention.org/CHM%20Documents/COP%20Decisions/COP%201%20Decisions.pdf>.

<sup>213</sup> <https://www.cms.int/iosea-turtles/>.

**Table 3.4. International and regional conventions, agreements and initiatives that Tanzania has ratified or participates in for marine and coastal protection**

CONVENTION/Framework	YEAR	SCOPE	KEY FOCUS
<b>Ramsar Convention on Wetlands</b>	1971	International	Conservation and wise use of wetlands, recognizing their ecological importance and role in biodiversity conservation.
<b>Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</b>	1973	International	Ensures that international trade in wild animals and plants does not threaten their survival.
<b>United Nations Convention on the Law of the Sea (UNCLOS)</b>	1982	International	Comprehensive legal framework for the use and conservation of the world's oceans and their resources.
<b>Nairobi Convention</b>	1985	Regional (East African region)	Cooperation among East African countries to protect marine and coastal environments.
<b>Protocol concerning Protected Areas and Wild Fauna and Flora in the East African Region</b>	1985	Regional (East African region)	Establishment and management of specially protected areas for wildlife and habitats.
<b>Protocol concerning Co-operation in Combating Marine Pollution in Cases of Emergency</b>	1985	Regional (East African region)	Regional collaboration in responding to marine pollution emergencies.
<b>Convention on Biological Diversity (CBD)</b>	1992	International	Conservation of biodiversity, sustainable use, and equitable sharing of benefits from genetic resources.
<b>Indian Ocean and South-East Asia Marine Turtle Memorandum of Understanding (IOSEA Marine Turtle MoU)</b>	2001	Regional (Indian Ocean and South-East Asia)	Regional collaboration to protect, conserve, and recover marine turtle populations and their habitats.

### 3.2.3 National legal framework

There are a number of legal and policy frameworks governing marine and coastal resource management in mainland Tanzania and Zanzibar, including the relevant authorities responsible for enforcement and administration (table 3.5).

#### *Mainland Tanzania*

The primary policy guiding environmental protection and management in Mainland Tanzania is the National Environmental Policy (NEP) of 2021.<sup>214</sup> Following this, the government is in the process of developing a National Biodiversity Strategy and Action Plan (NBSAP) to align with the requirements of the Convention on Biological Diversity (CBD). Although this has yet to be completed, progress is underway.

A major step towards managing marine and coastal biodiversity was the creation of the National Integrated Coastal Environment Management Strategy (NICEMS) in 2003. This Strategy was developed to promote conservation and the

<sup>214</sup> URT, Ministry of the Environment, National Environmental Policy (2021).



sustainable use of coastal biodiversity. However, as it was established nearly two decades ago, it may now need updating to reflect recent changes and challenges affecting coastal systems in Tanzania.

In response to severe degradation of coastal and marine ecosystems, the Government of Mainland Tanzania enacted the Marine Parks and Reserves Act No. 29 in 1994. This legislation aimed to address local human pressures on coastal fisheries and marked a shift towards more sustainable marine resource management practices. Since its enactment, various innovative strategies have been implemented along the coast, many emphasizing community involvement. Recognizing the importance of effective management, Tanzania has launched several coastal and marine resource management initiatives over recent decades. These include marine area-based management measures (ABMs), such as marine protected areas (MPAs) and collaborative fisheries management areas (CFMAs), all designed to address the interconnected challenges facing marine ecosystems and coastal communities.

There are other policies and laws governing the conservation and management of marine and coastal resources in mainland Tanzania, including **Fisheries Policy (2015)**,<sup>215</sup> **Environmental Policy (2021)**, **Forest Policy (2014)**, and **Wildlife Policy (2007)**. Additionally, the Marine Parks and Reserves Act of 2009, chapter 146<sup>216</sup> was enacted by the National Assembly to guide the management and administration of marine protected areas (MPAs), specifically Marine Parks and Reserves (MPRs). This Act also legislated the establishment of the Marine Parks and Reserves Unit (MPRU), which is responsible for managing MPRs. The MPRU, under the Division of Fisheries, manages Marine Parks and Reserves. Other relevant authorities include the Vice President's Office (VPO)/National Environment Management Council (NEMC), Ministry of Livestock and Fisheries (MLF, and the Ministry of Natural Resources and Tourism (MNRT).

The current legal framework established by the Marine Parks and Reserves Unit Act of 1994 requires significant revision due to several gaps and outdated provisions. Despite ongoing review processes, the Act still falls short in addressing critical issues. For instance, the Act does not adequately account for the overlapping responsibilities of institutions, nor does it address emerging needs such as the management of beaches and small islands. The MPRU Strategic Plan<sup>217</sup> has highlighted several ambiguities: the MPRU lacks sufficient autonomy; section 15 suggests extending MPRs to include fresh waters, but definitions for "marine parks," "marine reserves," and "marine" are still inadequate; responsiveness to international treaties on MPRs is insufficient; and there is a need for a network of MPAs and transboundary MPAs, which will depend on agreements with Kenya and Mozambique.

## **Zanzibar**

In Zanzibar the primary legal tool for MPAs<sup>218</sup> is the Marine Conservation Unit **Regulations of 2014, established under the Fisheries Act No. 7 of 2010**.<sup>219</sup> The MCU, now the Department of Marine Conservation, manages Marine Conservation Areas (MCAs) and coordinates with other marine managed areas (MMAs) such as privately managed sanctuaries. The **Zanzibar Environmental Management Act of 2015**<sup>220</sup> allows for the declaration of protected areas with ecological importance. The Zanzibar Environmental Management Authority (ZEMA) oversees environmental management, enforcement and compliance. Coastal protected areas in Zanzibar, including mangrove and terrestrial forests, are managed by the Department of Forestry and Non-Renewable Natural Resources (DFNR). These areas do not fall under the MCU Regulations.

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215 URT, "Tanzania National Fisheries Sector Policy and Strategy Document."

216 URT, Marine Parks and Reserves Act, chap. 146 of 2009.

217 Marine Parks and Reserves Unit (MPRU) Strategic Plan 2023, [https://www.marineparks.go.tz/uploads/documents/sw-1684841451-Final%20SP%20Document%2023.04.2023%20MPRU%20\(1\).pdf](https://www.marineparks.go.tz/uploads/documents/sw-1684841451-Final%20SP%20Document%2023.04.2023%20MPRU%20(1).pdf).

218 The terms MPA and MCA in Zanzibar are interchangeable and are used to describe what is generally known as Marine Conservation Areas (MCAs).

219 RGoZ, Zanzibar Fisheries Act, 2010.

220 RGoZ, Environmental Management for Sustainable Development Act 1996 (No. 2 of 1996) – Repealed.

**Table 3.5. Key legal frameworks, policies and management structures for marine and coastal resource management in mainland Tanzania and Zanzibar**

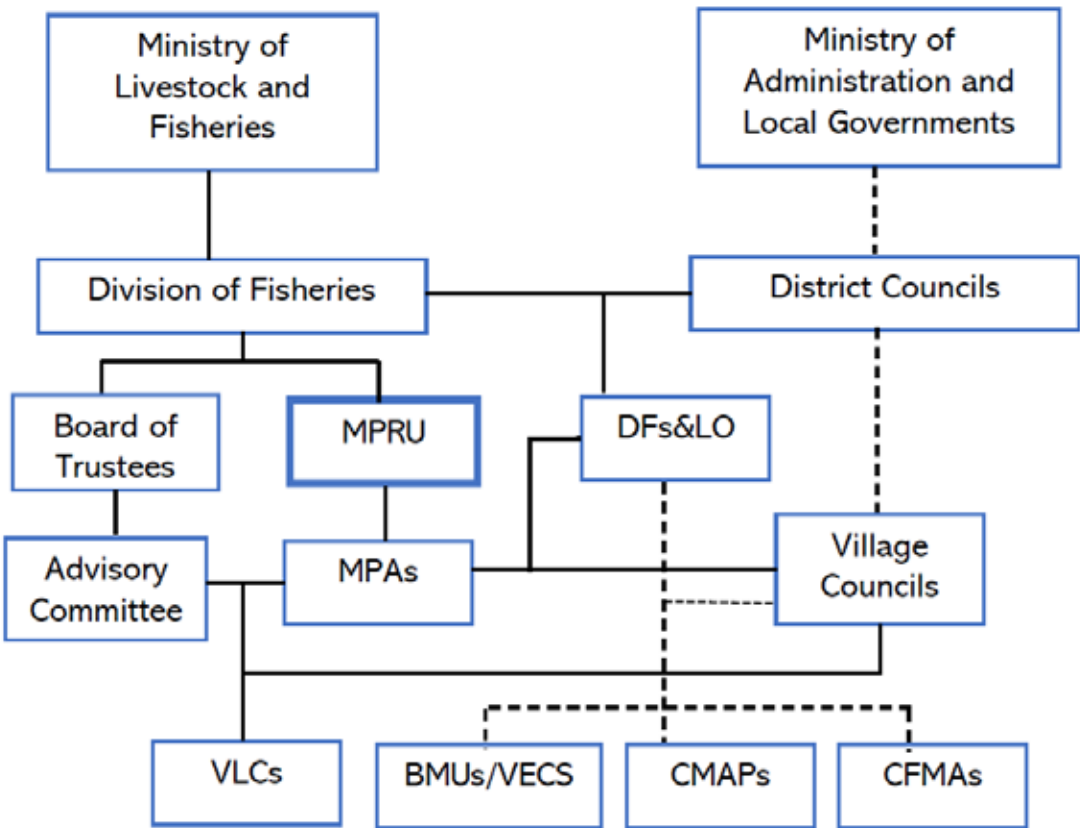
REGION	LEGISLATION/POLICY	YEAR	SCOPE/FOCUS	RESPONSIBLE AUTHORITY
Mainland Tanzania	Marine Parks and Reserves Act No. 29	1994	Establishes Marine Parks and Reserves (MPRs) to address local anthropogenic pressures on coastal fisheries.	Marine Parks and Reserves Unit (MPRU), Division of Fisheries
	Marine Parks and Reserves Act, chap. 146 of 2009	2009	Guides the management and administration of marine protected areas (MPAs) and establishes the MPRU.	Marine Parks and Reserves Unit (MPRU)
	Fisheries policy	2015	Provides guidelines for sustainable fisheries management.	Ministry of Livestock and Fisheries (MLF)
	Environmental policy	2021	Focuses on environmental protection and sustainable management of natural resources.	National Environment Management Council (NEMC)
	Forest policy	2014	Addresses forest conservation and management, including coastal forests.	Ministry of Natural Resources and Tourism (MNRT)
	Wildlife policy	2007	Covers conservation and management of wildlife, including marine species.	Ministry of Natural Resources and Tourism (MNRT)
	Strategic Plan for Marine Parks and Reserves Unit (MPRU)	N/A	Highlights gaps and ambiguities in the Marine Parks and Reserves Act; calls for expanded management and network of MPAs.	Marine Parks and Reserves Unit (MPRU)
	National Biodiversity Strategy and Action Plan (NBSAP)	1998	Aligns with the international Convention on Biological Diversity (CBD); focuses on conserving biodiversity and promoting sustainable use.	Ministry of Natural Resources and Tourism (MNRT)
	National Integrated Coastal Environment Management Strategy (NICEMS)	2003	Safeguards the conservation and sustainable use of coastal biodiversity; outdated and may need updating.	National Environment Management Council (NEMC)
Zanzibar	MCU Regulations under the Fisheries Act No. 7	2010	Regulates marine protected areas (MPAs) and establishes the Marine Conservation Unit (MCU).	Department of Marine Conservation (formerly MCU)
	Zanzibar Environmental Management Act	2015	Allows for the declaration and management of protected areas with ecological importance.	Zanzibar Environmental Management Authority (ZEMA)

### 3.2.4 Institutional framework for marine biodiversity conservation

#### Mainland Tanzania

Marine biodiversity conservation on Tanzania’s mainland is managed by a multi-tiered institutional system (figure III.iii). At the national level, the Ministry of Livestock and Fisheries is responsible for regulating marine resources, such as fisheries and marine parks, and enforcing the Marine Parks and Reserves Act No. 29 of 1994. The Marine Parks and Reserves Unit (MPRU) of the Ministry oversees marine protected areas (MPAs) and enforces the Marine Parks and Reserves Act. Furthermore, the Tanzania National Parks Authority (TANAPA) oversees several maritime and coastal regions under its control. NEMC also has an important function at the national level, monitoring environmental management and enforcing compliance with environmental legislation, especially those governing marine biodiversity.

**Figure III.iii. Institutional framework for marine managed area in mainland Tanzania**



*Abbreviations:* MPRU = Marine Parks and Reserve Unit; MPAs = Marine Protected Areas; VLCs = Village Liaison Committees; BMUs = Beach Management Units; VECs = Village Environment Committees; CMAPs = Collaborative Management Area Plans; CFMAs = Collaborative Fisheries Management Areas.

District Councils and Village Liaison Committees are responsible for local governance and resource management. Beach Management Units (BMUs) encourage community participation in resource management and decision-making, whereas Collaborative Fisheries Management Areas (CFMAs) manage fisheries in partnership with local communities. Individual marine park advisory committees provide local expertise and recommendations for their respective parks.

## Zanzibar

In Zanzibar, marine biodiversity conservation is managed within a well-defined institutional framework. At the national level, the Department of Marine Conservation (DMC), formed in 2005 and recognized by Fisheries Act No. 7 of 2010, is in charge of maintaining Marine Conservation Areas (MCAs). The Department of Fisheries Development and Marine Resources (DFDMR) is responsible for overall fisheries and marine resource management. The Department of Forestry and Non-Renewable Natural Resources (DFNR) oversees coastal protected areas that are not subject to MCU Regulations, including mangrove forests. The Marine Conservation Areas (MCAs), which operate under the MCU Regulations of 2014, prioritize community involvement in marine conservation initiatives.

### 3.2.5 Enforcement and implementation of the governance framework for the sector

URT's marine conservation is also characterized by overlapping responsibilities between national enforcement mechanisms (tables 3.6 and 3.7).

In mainland Tanzania, the Marine Parks and Reserves Act No. 29 (1994) serves as the legislative foundation for maintaining MPAs and establishing the Marine Parks and Reserves Unit (MPRU). The Fisheries Act No. 22 (2003) and Fisheries Regulations (2009) describe the management of fisheries resources and the responsibilities of Beach Management Units (BMUs). BMUs are community-based organizations that manage and monitor fishery resources in their specific beach zones. They serve as liaisons between the community and government officials, promoting local participation in resource management, implementing conservation measures and ensuring regulatory compliance.

In terms of enforcement, the Marine Parks and Reserves Unit (MPRU) is in charge of enforcing restrictions within MPAs, as well as developing resource use rules and guidelines. District Councils and Village Liaison Committees aid with local enforcement and monitoring of conservation legislation, while BMUs founded by fisher groups help enforce fishing regulations and manage local fisheries resources.

**Table 3.6. Summary of enforcement mechanisms in mainland Tanzania**

MECHANISM	RESPONSIBILITIES	KEY CHALLENGES	PROPOSED SOLUTIONS
<b>Marine Parks and Reserves Unit (MPRU)</b>	Enforces MPA regulations, manages MPAs	Limited resources, insufficient personnel	Increase funding, enhance training
<b>District Councils &amp; Village Liaison Committees</b>	Local enforcement, community liaison	Jurisdictional overlaps, lack of coordination	Strengthen inter-agency collaboration
<b>Beach Management Units (BMUs)</b>	Local management of fisheries resources, enforcement of fishing regulations	Illegal fishing, inadequate support	Enhance community involvement, provide technical support

In Zanzibar, marine biodiversity protection is overseen by a structured system that includes several major regulatory authorities and community procedures (table 3.7). The Department of Marine Conservation (DMC), founded in 2005 and recognized by the Fisheries Act No. 7 of 2010, manages Marine Conservation Areas (MCAs). The Department of Fisheries Development and Marine Resources (DFDMR) is responsible for overall fisheries and marine resource management. The Zanzibar Environmental Management Act of 2015 gives the authorities the right to declare protected sites of ecological interest.

The Marine Conservation Areas (MCAs) are governed by the MCU Regulations of 2014, which are the key legal tools for regulating marine conservation. These regulations establish precise standards for the conservation and sustainable use of maritime resources. The Department of Marine Conservation (DMC) is in charge of enforcing these restrictions within MCAs, which includes monitoring and compliance efforts. The Department of Forestry and Non-Renewable Natural

Resources (DFNR) oversees coastal forests and mangroves that are not covered by MCU Regulations, and it implements appropriate conservation measures.

Beach Management Units (BMUs) and Shehia Fisher Committees (SFCs) are critical components of the conservation framework. SFCs operate at the shehia (neighbourhood) level and play an important role in local fishery management. They collaborate closely with BMUs to address local concerns, encourage sustainable fishing techniques and aid community-based enforcement operations. SFCs also monitor resource usage, report infractions, and promote conservation education and awareness.

Enforcement and implementation encounter a number of obstacles, including jurisdictional overlaps between the DMC and DFNR, which can result in conflicts between protected areas and limitations in local enforcement capacity. Effective management necessitates improved agency cooperation, increased community participation through BMUs and SFCs, and a clear delineation of management tasks. Communities play an important role in these processes by giving local insights, participating in monitoring operations and assisting with enforcement initiatives. Engaging local communities not only contributes to conservation aims but also ensures that management plans are practical and culturally relevant.

**Table 3.7. Summary of enforcement mechanisms in Zanzibar**

MECHANISM	RESPONSIBILITIES	KEY CHALLENGES	PROPOSED SOLUTIONS
<b>Department of Marine Conservation (DMC)</b>	Manages Marine Conservation Areas (MCAs), enforces regulations, coordinates with other marine areas	Jurisdictional overlap, limited resources	Improve inter-agency coordination, increase funding
<b>Department of Forestry and Non-Renewable Natural Resources (DFNR)</b>	Manages mangrove and coastal forests not covered by MCU Regulations	Overlaps with MCAs, potential conflicts	Clarify boundaries, enhance collaboration
<b>Beach Management Units (BMUs)</b>	Manage local fisheries resources, facilitate community involvement in conservation, implement local regulations	Limited resources, inconsistent enforcement	Increase support and training, enhance resource allocation
<b>Shehia Fisher Committees (SFCs)</b>	Manage fisheries at the shehia level, support sustainable practices, monitor resource use	Limited capacity, lack of coordination with BMUs	Strengthen capacity-building, improve coordination with BMUs

### 3.2.6 Consideration of cross-cutting issues: Gender and oceans, the blue economy

Beach Management Units (BMUs) and Collaborative Fisheries Management Areas (CFMAs) on mainland Tanzania strive to encourage equitable participation and benefit-sharing in marine resource protection and management. BMUs and CFMAs are community-based frameworks that incorporate fisher, local authority, and conservationist involvement to improve local governance and fisheries management. These units and areas encourage local participation in decision-making, resource allocation and regulation enforcement, making marine resource management more inclusive.

Despite these attempts, gender equality remains difficult. Limitations on decision-making and resources in BMUs and CFMAs often prevent women from participating equally. Cultural norms, social expectations and economic differences can limit women's marine resource management contributions and benefits. Women may have trouble getting training, funding and leadership roles, which are essential for active involvement and influence in these management structures.



These gender discrepancies demand focused efforts to provide women equitable access to resources and decision-making. This could include gender equality policies in BMUs and CFMAs, women-specific training and capacity-building, and an environment that encourages women's maritime resource management leadership. Including men as allies in gender equity and in reducing cultural barriers can also improve management. Addressing these problems can improve marine resource management to better represent community needs and contributions, resulting in more sustainable and equitable results.

### **3.2.7 Summary of key gaps in legislation and enforcement for marine and coastal protection in mainland Tanzania**

#### **Outdated and inadequate legal frameworks**

The Marine Parks and Reserves Act (1994) and the National Integrated Coastal Environment Management Strategy (NICEMS, 2003) do not address contemporary issues, including global biodiversity targets. The Marine Parks and Reserves Act lacks robust provisions for the autonomy of the Marine Parks and Reserves Unit (MPRU) and does not support the creation of interconnected MPA networks. NICEMS also needs updating to better tackle current coastal and marine challenges.

#### **Overlapping jurisdictions and coordination issues**

Conflicts and inefficiencies in enforcement arise due to overlapping responsibilities among national and regional agencies, including MPRU, Deep-Sea Fishing Authority, and District Councils. In Zanzibar, jurisdictional overlaps between the Departments of Marine Conservation and Forestry and Non-Renewable Natural Resources brings confusion over the management of protected areas and coastal forests.

#### **Limited resources and capacity**

The MPRU and Beach Management Units (BMUs) face significant challenges due to inadequate resources, training, and personnel. Similarly, local governance bodies, including District Councils, Village Liaison Committees, and BMUs, struggle with insufficient support and inconsistent enforcement of regulations.

#### **Gender inequality in marine resource management**

Cultural norms and a lack of training and leadership opportunities hinder women's equitable participation in BMUs and Collaborative Fisheries Management Areas (CFMAs), affecting the overall effectiveness of marine resource management.



Octopus fishers celebrating octopus reef opening after a seasonal closure, from Mafia Islands District at Jojo landing site; Photo Credit; Egno G. Ndunguru-WWF Tanzania Country Office.

## IV. Observations and capacity-building needs

The United Republic of Tanzania (URT) has a comprehensive framework of laws, policies, institutions, and regulations that address ocean governance. The blue economy paradigm is highlighted in the Blue Economy Policies of both mainland Tanzania and Zanzibar. This section outlines key findings on capacity gaps and priorities for URT, based on the Voluntary National Reviews (VNRs) framework.<sup>221</sup> VNRs are designed to promote the sharing of experiences, including successes, challenges and lessons learned, with the goal of accelerating the implementation of the 2030 Agenda. They also aim to strengthen governmental policies and institutions while mobilizing multi-stakeholder support and partnerships for the achievement of the Sustainable Development Goals.

This section emphasizes capacity gaps and priorities critical to the national implementation of the United Nations Convention on the Law of the Sea (UNCLOS) and the advancement of the blue economy. Stakeholder consultations and feedback from the legal and institutional priorities sections of the ocean governance survey have pinpointed specific areas needing improvement.

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<sup>221</sup> United Nations Department of Economic and Social Affairs (UN DESA), *Handbook for the Preparation of Voluntary National Reviews*.

## 4.1 Observations

The analysis of capacity gaps and priorities in this report has been organized into six main areas:

1. Policy and legislative capacity for implementing UNCLOS
2. Institutional capacity
3. Monitoring and reporting capacity
4. Human resource and leadership capacity
5. Financial capacity
6. Information and technology

### 4.1.1 Policy and legislative capacity

URT has signed various international conventions, treaties and protocols related to ocean governance (annex 2) and has implemented many of these through national legislation and the establishment of institutions to enforce these obligations (annex 3). Key examples include the Merchant Shipping Act, 2003, which incorporates MARPOL regulations into Tanzanian law, setting standards for preventing marine pollution from ships, and the National Environmental Management Act, 2004, which provides a framework for managing and protecting the marine environment. However, URT has yet to ratify several maritime conventions and protocols.<sup>222</sup> Some of the national maritime laws in Tanzania may be outdated, absent or not fully compliant with the provisions outlined in UNCLOS. For example, Tanzanian legislation has several gaps in relation to its commitments under legally binding instruments, especially concerning fisheries (table 4.1).

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<sup>222</sup> <https://www.un.org/oceancapacity/unfsa>.

**Table 4.1. Gaps in Tanzanian maritime laws in relation to UNCLOS**

ISSUE	UNCLOS PROVISION	STATUS IN TANZANIAN LEGISLATION
Total Allowable Catch (TAC) and EEZ management	Article 61	Tanzanian laws do not align with article 61, which requires TAC determination and management in the EEZ.
Fishing by non-nationals	Article 62(4)(a)–(k)	Partially covered; not fully comprehensive in regulating non-national fishing as per UNCLOS.
Management of shared stocks	Article 63	Tanzanian legislation does not address guidelines for managing shared fish stocks.
Highly migratory species (HMS)	IOTC	Participates in IOTC but does not fully implement all binding conservation and management measures.  In Tanzania, the <b>Deep-Sea Fisheries Management and Development Act of 2020</b> governs the management of highly migratory species (HMS) within its EEZ, incorporating principles from the <b>United Nations Fish Stocks Agreement (UNFSA)</b> despite Tanzania not being a signatory. However, the <b>Fisheries Act</b> and <b>environment legislation</b> do not adequately address HMS management. Key requirements from UNCLOS and related international agreements, particularly on enforcement, surveillance and transboundary cooperation, remain underdeveloped in domestic law.
Control of nationals on the high seas	Articles 116–119	Lacks control over nationals and vessels in areas beyond national jurisdiction.
Marine scientific research	Articles 245 & 246	Laws do not incorporate the requirements for marine scientific research as outlined in UNCLOS.

This misalignment can result in regulatory gaps and inefficiencies in the governance of maritime activities. Ensuring that national legislation is up-to-date and harmonized with international standards is crucial for effective ocean governance and the sustainable management of marine resources. Without such alignment, efforts to protect marine environments and regulate maritime activities effectively may be undermined. The absence of national legislation to implement these conventions can have several implications. For example, without domestic laws aligning with international conventions, Tanzania may struggle to enforce its obligations and commitments under these agreements. The absence of national legislation may result in inconsistencies between Tanzania’s domestic legal framework and its international obligations. In the absence of specific laws addressing key marine issues, regulatory gaps may exist, leaving marine resources and ecosystems vulnerable to exploitation, pollution and degradation.

## 4.1.2 Institutional capacity

UNCLOS provides a framework for integrated ocean governance, but URT has not fully institutionalized it. Ocean governance in URT is multisectoral and fragmented, involving multiple institutions and stakeholders operating under different frameworks at various levels. Developing and effectively implementing an integrated multisectoral approach to address ocean governance challenges remains a significant hurdle for URT. This fragmentation is evident in the division of marine resource management and regulation across multiple authorities, leading to inefficiencies, overlapping jurisdictions, and

gaps in oversight. The fragmentation largely stems from historical legacies, such as the dual government system,<sup>223</sup> as well as differing political and administrative priorities carried over from colonial and post-colonial periods. Additionally, conflicting mandates, institutional challenges, and capacity constraints contribute to the issue. Stakeholder consultations have identified several manifestations of this fragmentation in URT's ocean governance (table 4.2).

**Table 4.2. Issues raised by stakeholders as causing fragmentation in URT ocean governance**

ISSUE	DESCRIPTION
<b>Multiple agencies</b>	In Mainland Tanzania and Zanzibar, different government agencies are responsible for various aspects of ocean governance, such as fisheries management, marine conservation, shipping regulation, and coastal development. These agencies operate independently, leading to duplication of efforts and inconsistencies in decision-making.
<b>Sectoral approach</b>	Agencies in both mainland Tanzania and Zanzibar primarily focus on their specific sectors without considering the broader ecosystem or the interconnectedness of marine activities. This approach results in suboptimal outcomes for marine conservation and sustainable development.
<b>Mandate overlaps</b>	There are overlaps in mandates among different government agencies and between mainland Tanzania and Zanzibar institutions, particularly in fisheries resource management in coastal areas where multiple stakeholders have interests. The Fisheries Act of 2003 and the Marine Parks and Reserves Act of 1994 may have overlapping mandates, particularly in areas where marine conservation zones overlap with fishing zones.
<b>Inadequate coordination</b>	Poor coordination among government agencies and between government and non-governmental stakeholders leads to ineffective ocean governance. Lack of communication and collaboration may result in missed opportunities for synergistic approaches to marine management.
<b>Legal and policy frameworks</b>	Inconsistencies or gaps in the legal and policy frameworks governing marine activities exist. For example, regulations under the National Environmental Management Act, 2004 may conflict with those under the Merchant Shipping Act, 2003, particularly regarding pollution control from ships. For instance, while one act may emphasize strict pollution control, another may allow certain activities that could lead to pollution, creating a legal grey area. Conflicting laws, regulations and policies can create confusion and hinder compliance.

Institutional fragmentation weakens the effectiveness of coastal and marine management, as agencies often operate in isolation, leading to uncertainty and inconsistency in law enforcement.<sup>224</sup> The lack of coordination and cooperation among government institutions hampers the integrated management of fisheries, coastal and marine resources, frequently causing conflicts among stakeholders. Stakeholders agreed that there are prevalent power struggles and competing sectoral interests.

<sup>223</sup> URT, *The Constitution of the United Republic of Tanzania of 1977*.

<sup>224</sup> M. M. Mangora and others, *Legal and Institutional Framework for Effective Management of Marine Managed Areas in Tanzania – Mainland Tanzania* (2012), [https://www.researchgate.net/publication/249469922\\_Legal\\_and\\_Institutional\\_Framework\\_for\\_Effective\\_Management\\_of\\_Marine\\_Managed\\_Areas\\_in\\_Tanzania\\_-\\_Mainland\\_Tanzania](https://www.researchgate.net/publication/249469922_Legal_and_Institutional_Framework_for_Effective_Management_of_Marine_Managed_Areas_in_Tanzania_-_Mainland_Tanzania).



Another institutional capacity gap identified during stakeholder engagements is the lack of a framework for non-State actors, including the private sector, which hampers the full implementation and inclusivity of UNCLOS. Non-State actors are essential for long-term marine resource management, technological innovation, and enforcing maritime regulations. While NGOs and other non-State actors already play a significant role in ocean governance in the United Republic of Tanzania (URT), their exclusion from formal decision-making processes results in missed opportunities for collaboration, investment and the adoption of best practices. Additionally, the absence of an established participatory framework limits the diversity of perspectives and expertise, leading to less effective and comprehensive ocean governance. To fully realize the potential of UNCLOS, mechanisms must be created to actively involve non-State actors in maritime governance.

Technical forums can be established to bring together stakeholders from both mainland Tanzania and Zanzibar, serving as coordination bodies to address these challenges and resolve sectoral legal conflicts among various authoritative institutions at all administrative levels.

While relevant, the multiple sectoral policies in URT have often lacked consistency, hindering effective ocean governance. The recently approved Zanzibar Blue Economy Policy (2020)<sup>225</sup> and Marine Spatial Planning Guidelines<sup>226</sup> aim to address these coherence and coordination issues by harmonizing governance frameworks, improving inter-agency coordination, and rationalizing institutional mandates. These measures are expected to lead to more effective implementation of the blue economy agenda in the country.

Addressing fragmented ocean governance in Tanzania requires concerted efforts to enhance coordination, streamline institutional structures, and promote integrated approaches to marine management. Capacity development to reduce fragmentation should focus on the following:

- Establishing mechanisms for inter-agency coordination and cooperation, such as joint planning processes and information-sharing platforms.
- Strengthening institutional capacity through training and resource allocation to ensure that relevant agencies have the necessary expertise and resources to fulfil their mandates effectively.
- Developing integrated ocean management plans that consider the ecological, social and economic dimensions of marine resources and activities.
- Enhancing stakeholder engagement and participation in decision-making processes to foster greater accountability and transparency in ocean governance.
- Reviewing and harmonizing existing legal and policy frameworks to address inconsistencies and regulatory gaps.
- Increasing investment in human resource development to efficiently and effectively manage the maritime sector.
- Building strong international relationships to improve maritime safety, marine environmental protection, and marine oil spill contingency and response plans.

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<sup>225</sup> RGoZ, Zanzibar Blue Economy Policy, 2020.

<sup>226</sup> URT, "Guidelines for the Development of Marine Spatial Plan in the United Republic of Tanzania."

### 4.1.3 Monitoring and reporting capacity

URT is grappling with significant challenges in safeguarding its marine resources, particularly in the areas of illegal, unreported and unregulated (IUU) fishing; environmental monitoring; and pollution control. Persistent IUU fishing by both small-scale<sup>227</sup> and foreign offshore vessels<sup>228</sup> undermines sustainable fisheries management. Additionally, the capacity to monitor threats to marine biodiversity, such as climate change and ocean acidification, remains inadequate, compounded by limited expertise in fisheries stock assessments across mainland Tanzania and Zanzibar.<sup>229</sup> These gaps extend to the monitoring and reporting of MPAs, impeding progress towards achieving global conservation targets. In the oil and gas subsector, insufficient national capacity to manage pollution, alongside inadequate monitoring, compliance and enforcement mechanisms, further hampers effective environmental management. Stakeholders gave a number of recommendations aimed at addressing these challenges (table 4.3).

**Table 4.3. Recommendations to strengthen monitoring and reporting capacity**

ISSUE	CURRENT CHALLENGES	RECOMMENDATIONS
Logistics	Inadequate logistical support for patrolling, monitoring and enforcing fishing regulations. Low enforcement capabilities, especially in small-scale fisheries.	Improve logistical support by providing necessary vessels and infrastructure for efficient operations and enforcement. Enhance coverage of maritime areas and response times.
Modern technology	Lack of advanced technologies for monitoring and enforcement. Current technologies are insufficient for real-time data and accurate detection.	Invest in satellite surveillance, drones, electronic monitoring systems and GPS tracking, as well as open access platforms such as Global Fishing Watch to enhance capabilities for detecting and tracking IUU fishing activities.
Trained personnel	Insufficiently trained personnel for implementing IUU fishing prevention and enforcement.	Develop and implement training programmes for fisheries officers, marine biologists, data analysts and enforcement agents focusing on surveillance techniques and data analysis.
Capacity-building for TAFIRI and ZAFIRI	Limited use of modern technologies and techniques for marine environmental monitoring.	Invest in remote sensing, satellite imagery, autonomous underwater vehicles, and drones. Expand expertise in electronic monitoring systems, marine data management, GIS, and environmental DNA sampling. Strengthen overall capacity for effective marine resource management.

### 4.1.4 Human resource and leadership capacity

While URT has made significant progress in strengthening institutional and management capacities for ocean matters, there remains a substantial shortage of trained personnel with expertise in maritime law, policy and management. This gap impedes the effective implementation of UNCLOS and results in insufficient capacity to monitor and enforce maritime laws, leading to issues such as illegal fishing and unregulated maritime operations. Additionally, there is limited awareness among the public and key stakeholders about UNCLOS and its significance, complicating efforts to sustainably protect

<sup>227</sup> Western Indian Ocean Marine Science Association (WIOMSA), *Perceptions of IUU Fishing in the Small-Scale Fisheries of the Western Indian Ocean – A Questionnaire-Based Index*, WIOMSA Series (Online) No. 2 (Zanzibar: WIOMSA, 2022).

<sup>228</sup> WWF, “The Missing millions from shrimp and tuna fisheries in the Southwest Indian Ocean” (WWF 2023), [https://wwfeu.awsassets.panda.org/downloads/wwf\\_iuu\\_fishing\\_of\\_shrimp\\_and\\_tuna\\_in\\_the\\_south\\_west\\_indian\\_ocean\\_may\\_2023.pdf](https://wwfeu.awsassets.panda.org/downloads/wwf_iuu_fishing_of_shrimp_and_tuna_in_the_south_west_indian_ocean_may_2023.pdf).

<sup>229</sup> ASCLME/SWIOFP, *Transboundary Diagnostic Analysis*.

and manage marine resources. Addressing these human capacity gaps is essential for enhancing maritime governance and ensuring the long-term health and productivity of Tanzania's marine environments.

### 4.1.5 Finance capacity

Limited financial resources significantly hinder the development and enforcement of maritime policies and legislation in URT. This financial shortfall impacts the government's ability to invest in critical areas such as maritime infrastructure, monitoring systems, and enforcement mechanisms – key components for effective maritime governance. Inadequate funding has weakened the capacity to combat illegal activities like illegal fishing and to sustain robust maritime surveillance and response capabilities. For instance, the budgets allocated for the management of marine protected areas (MPAs) fall short of what is needed for their effective management. Consequently, the lack of financial resources undermines efforts to address ongoing challenges, such as illegal fishing.

One issue raised by stakeholders is that while key sectors and ministries have received substantial funding from international donors, aimed at enhancing maritime surveillance and management capabilities, this support is not evenly distributed, leading to notable differences in the effectiveness of maritime governance. While some areas benefit from robust funding and advanced infrastructure, others struggle with inadequate resources due to lower prioritization in national and regional budgets. This disparity in financial resources and priorities affects the uniformity of policy implementation and enforcement, complicating efforts to achieve integrated and effective ocean governance.

### 4.1.6 Information and technology

Both mainland Tanzania and Zanzibar face significant gaps in information and technology that hinder effective ocean governance. Essential technologies for monitoring, management and scientific research are lacking or insufficiently developed. For example, the absence of advanced satellite monitoring systems limits the ability to track IUU activities and manage marine resources effectively. Similarly, outdated data management systems impede the integration and analysis of critical information for marine spatial planning and resource management.

These technological disparities are evident in various ministries and agencies related to the ocean sector in both sides of the Union. While some agencies might have made strides in adopting some digital tools for their sectoral activities such as fisheries monitoring and marine research equipment, others often struggle with outdated systems and less coordinated technological infrastructure. This lack of coherence affects the overall efficiency of ocean governance efforts. Recently, the government released a Digital Economy Policy, which has the potential to address these gaps and improve technological capacities. However, the integration of modern technologies for exploration of minerals and scientific research remains inconsistent across regions, highlighting a need for more unified and effective solutions.

Nevertheless, recent initiatives by the Government, including the formulation of the Information and Communication Technology (ICT) Policy<sup>230</sup> of 2023 and various frameworks to support digital platform and services,<sup>231</sup> offer promising opportunities for change. These policies could help bridge the technological gaps and improve capacities in ocean governance. If effectively implemented, they may enable the adoption of modern technologies for monitoring, exploration of minerals, and scientific research, leading to more integrated and effective management of marine resources in URT.

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230 National ICT Policy, <https://www.mawasiliano.go.tz/uploads/documents/sw-1691814917-FINAL%20DRAFT%20VERS%204%2013TH%20JULY%20NICTP%202023.pdf>.

231 Digital Tanzania Project, [https://www.mawasiliano.go.tz/uploads/documents/sw-1616059071-Digital\\_Tanzania\\_Program\\_%20SEP\\_March\\_2021.pdf](https://www.mawasiliano.go.tz/uploads/documents/sw-1616059071-Digital_Tanzania_Program_%20SEP_March_2021.pdf).



Fish processor at Mlingotini landing site- Bagamoyo Coastal District – in 2018, Photo Credit: Hillary Smith – Duke University, USA

## V. Observations and prioritized inventory of capacity-building needs

### 5.1 Inventory of capacity-building needs

The prioritized inventory of capacity-building needs, as evidenced from stakeholder feedback and review of the existing legal and institutional frameworks for enhancing ocean governance in URT, are captured in tables 5.1 (short-term needs), 5.2 (medium-term needs) and 5.3 (long-term needs).

**Table 5.1. Short-term needs**

PRIORITY	OBSERVATION	CAPACITY NEEDS
Policy and legislative capacity	Outdated laws and gaps in alignment with UNCLOS provisions.	<ul style="list-style-type: none"> <li>Financial and technical capacity to review outdated laws and update to align national legislation with UNCLOS standards.</li> <li>Build capacity of agencies and sectoral ministries through training in UNCLOS to improve compliance with key international conventions.</li> </ul>
Institutional capacity	Fragmented governance and overlapping mandates.	<ul style="list-style-type: none"> <li>Improve inter-agency coordination and cooperation. Enhance stakeholder engagement and clarify mandates.</li> <li>Create an inventory of initiatives related to the blue economy and the ocean in URT to reduce areas of duplication and enhance the use of available resources.</li> <li>A need for a URT body to govern the EEZ activities other than fisheries.</li> </ul>
Monitoring and reporting capacity	<p>Immediate need to address IUU fishing and pollution monitoring challenges.</p> <p>No regular fish stock assessments.</p>	<ul style="list-style-type: none"> <li>Invest in advanced monitoring technologies (e.g., satellite, drones). Improve logistical support and training in fish stock assessment.</li> <li>Build technical capacity to use monitoring systems like those provided by global Fishing Watch.</li> </ul>
Human resource and leadership capacity	Shortage of trained personnel and limited public awareness about UNCLOS.	<ul style="list-style-type: none"> <li>Increase training for maritime law and policy. Raise public awareness about UNCLOS.</li> </ul>
Financial capacity	Financial constraints affecting development and enforcement.	<ul style="list-style-type: none"> <li>Secure and allocate immediate funding for key maritime infrastructure and enforcement mechanisms.</li> </ul>
Information and technology	Gaps in essential technologies and outdated systems.	<ul style="list-style-type: none"> <li>Invest in modern monitoring and data management technologies. Initiate updates to outdated systems.</li> </ul>



**Table 5.2. Medium-term needs**

PRIORITY	OBSERVATION	CAPACITY NEEDS
Policy and legislative capacity	Inconsistent and inadequate legislation affecting effective ocean governance.	<ul style="list-style-type: none"> <li>Educate policymakers about the urgency to address gaps in key Tanzanian maritime laws in relation to UNCLOS</li> <li>Revise the National Biodiversity Strategy and Action Plan to include new targets for preserving and managing marine resources consistent with the Global Biodiversity Framework.</li> </ul>
Institutional capacity	Need for improved coordination and integrated ocean management plans.	<ul style="list-style-type: none"> <li>Develop integrated ocean management plans and streamline the marine spatial plans into institutional structures.</li> <li>Institutionalize the creation of a standing committee on ocean governance comprising government representatives, the private sector, NGOs, academia, and other relevant stakeholders to progress the blue economy.</li> </ul>
Monitoring and reporting capacity	Limited expertise and capacity in environmental monitoring and pollution management.	<ul style="list-style-type: none"> <li>Expand expertise and use of modern tools for environmental monitoring. Enhance overall marine monitoring capacity for TAFIRI and ZAFIRI</li> </ul>
Human resource and leadership capacity	Continued need for capacity-building and leadership development in maritime sectors.	<ul style="list-style-type: none"> <li>Develop leadership programmes and build human resource capacity for ocean governance.</li> </ul>
Financial capacity	Disparities in funding across regions affecting uniform policy implementation.	<ul style="list-style-type: none"> <li>Address financial disparities and increase investments in maritime governance across regions.</li> </ul>
Information and technology	Inconsistent implementation of recent technological policies and frameworks.	<ul style="list-style-type: none"> <li>Implement recent policies to enhance technological capabilities and integrate modern tools.</li> <li>Transition to use smart technology to enhance patrol of maritime areas to guard against trafficking, illegal fishing, and crimes related to the marine environment.</li> </ul>



**Table 5.3. Long-term needs**

PRIORITY	OBSERVATION	CAPACITY NEEDS
Policy and legislative capacity	Need for ongoing updates and alignment with evolving international standards.	<ul style="list-style-type: none"> <li>Continuously review and update legislation to remain aligned with international standards.</li> </ul>
Institutional capacity	Long-term need for sustained improvements in governance coherence and stakeholder participation.	<ul style="list-style-type: none"> <li>Promote sustained efforts in institutional reforms and stakeholder engagement.</li> </ul>
Monitoring and reporting capacity	Long-term improvements required for comprehensive environmental and pollution monitoring.	<ul style="list-style-type: none"> <li>Invest in and maintain state-of-the-art monitoring systems. Develop long-term capacity for effective management.</li> </ul>
Human resource and leadership capacity	Long-term capacity-building required for maritime law and management expertise.	<ul style="list-style-type: none"> <li>Continue long-term investment in training and development programmes for maritime professionals.</li> </ul>
Financial capacity	Ongoing financial support needed for comprehensive maritime governance and infrastructure.	<ul style="list-style-type: none"> <li>Develop sustainable funding mechanisms and ensure long-term financial stability for maritime governance.</li> </ul>
Information and technology	Long-term investment needed for technological advancements and consistent integration.	<ul style="list-style-type: none"> <li>Ensure ongoing investment and integration of advanced technologies for effective ocean governance.</li> </ul>

## 5.2 Conclusion

### Enhanced institutional coordination

In Tanzania, a big opportunity for strengthening ocean governance lies in creating a unified body to oversee all ocean resources and maritime services. Right now, there's no single organization bringing together all the key government entities involved in managing ocean-related activities. Setting up a central coordinating authority could make a huge difference by promoting teamwork, simplifying decision-making, and ensuring a more integrated approach to managing our oceans. This body could also help identify and fix any gaps, overlaps or inconsistencies in policies and regulations. Currently, the Deep-Sea Fishing Authority (DSFA) handles fishing in Tanzania's EEZ, but URT may benefit from an overarching body to coordinate all ocean activities – not just fisheries.

An integrated mechanism for ocean governance is essential to prioritize the development of cohesive national policies, enhance coordination among various sectors and stakeholders, and align national efforts with regional and international commitments. Such a mechanism would ensure the sustainable management of Tanzania's marine resources and foster education and awareness about the importance of ocean governance and the role of gender in the blue economy.

## Policy coherence

In Tanzania, while some critical policies are in place, there is a clear need for a comprehensive national ocean policy framework that outlines the country's vision, goals and priorities for sustainable ocean governance and management. This policy should integrate and harmonize the mandates and responsibilities of the various agencies involved and provide clear guidance on the roles and responsibilities of different actors.

Stakeholder institutions have highlighted policy gaps and outdated amendments, which make it challenging to implement international best practices for the conservation and sustainable use of ocean and marine resources. They also hamper Tanzania's ability to meet international obligations as a coastal, flag and port State and to fully participate in regional ocean-related initiatives. Addressing these issues involves reviewing and updating existing laws and regulations related to ocean governance and maritime services to ensure consistency and alignment with the national ocean policy.

## Emerging opportunities in the blue economy

Tanzania is taking inspiring steps towards sustainable maritime practices, demonstrating a commitment to reducing greenhouse gas emissions across shipping and other maritime sectors. With major ports and maritime agencies exploring innovative strategies to enhance energy efficiency and minimize emissions, Tanzania is aligning with the global movement towards decarbonization. The country is also making impressive strides in building a cleaner, more sustainable energy system, with a focus on broadening access to modern energy services and promoting renewable energy. In 2021, Tanzania underscored its dedication to climate action by publishing its Nationally Determined Contribution (NDC),<sup>232</sup> showcasing its proactive approach to climate adaptation and mitigation under the Paris Agreement.

Tanzania is endowed with diverse renewable energy resources, ranging from biomass and hydropower to geothermal, solar and wind. Much of this potential has not been fully exploited.<sup>233</sup> If properly utilized, such renewable resources would contribute significantly to Tanzania's energy supply, thus moving the country closer to achieving middle-income status, as envisioned in the Tanzania National Development Vision 2025. Recognizing the potential contribution of renewable energy to the country's future energy mix, the Government of the United Republic of Tanzania is committed to fostering the development of low-carbon energy initiatives, by harnessing the country's renewable energy resource base. Renewable sources of energy, which are environmentally benign, can be utilized to improve access to sustainable, modern and cleaner energy services. Deployment of renewable energy technologies has the potential to contribute to job creation, income generation and the improved livelihoods of marginalized social groups, particularly women and children in rural areas. These initiatives align with the broader goal of achieving a holistic decarbonization agenda and contributing to the international aim of reducing greenhouse gas (GHG) emissions from shipping.

Tanzania is increasingly recognizing the potential of bioprospecting as a sustainable practice within its maritime operations, viewing it as a pathway to support both conservation and sustainable development efforts.<sup>234</sup> By investigating the biodiversity of its marine resources for pharmaceutical and industrial applications, Tanzania can harness marine biodiversity while aligning with its goals for decarbonization and sustainable development. This approach not only promotes marine conservation by valuing and protecting biodiversity but also integrates well with national policies aimed at achieving the United Nations Sustainable Development Goals (SDGs), particularly SDG 14 on life below water and SDG 13 on climate action.

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232 URT, "Nationally Determined Contribution" (July 2021), [https://unfccc.int/sites/default/-/files/NDC/2022-06/TANZANIA\\_NDC\\_SUBMISSION\\_30%20JULY%202021.pdf](https://unfccc.int/sites/default/-/files/NDC/2022-06/TANZANIA_NDC_SUBMISSION_30%20JULY%202021.pdf).

233 African Development Bank Group, *Renewable Energy in Africa: Tanzania Country Profile* (Abidjan, Côte d'Ivoire, 2015).

234 NEMC, *State of the Coast for mainland Tanzania*.

## **Building capacity**

Several consulted institutions in Tanzania have identified the need for enhanced capacity to implement ocean governance initiatives and enforce compliance with relevant laws and regulations. There is a strong need to invest in capacity-building and training programmes for government staff and other stakeholders involved in ocean governance and maritime services. By focusing on developing priority sectors such as maritime services and coastal and marine tourism and addressing cross-cutting issues through targeted capacity-building initiatives, Tanzania can maximize the potential benefits of the blue economy. This approach will contribute to a more inclusive, resilient and sustainable future, enhancing the effectiveness and sustainability of ocean governance and maritime services management in the country.

## Annex 1. Deposit of a chart and coordinates showing the straight baselines of the United Republic of Tanzania



**GEOGRAPHICAL COORDINATES OF  
TANZANIA BASE POINTS (WGS84)**

POINTS ID	Latitude (South)			Longitude (East)		
	Deg	Min	Sec	Deg	Min	Sec
KIU4	04	53	12.90	39	51	56.80
KIU3	04	53	23.20	39	52	08.50
KIU2	04	53	59.20	39	52	33.40
KIU1	04	55	05.90	39	52	55.70
MZNG	04	59	03.30	39	52	45.30
KOJA	05	05	26.18	39	52	25.26
VITO	05	13	17.60	39	51	08.90
ZANZ	06	21	18.90	39	35	00.80
LATH	06	54	15.26	39	55	42.37
MAFI	07	38	42.16	39	54	52.55
MFE3	07	40	46.10	39	54	53.24
MFE2	07	42	48.61	39	54	37.41
MFE1	07	45	59.35	39	53	56.52
MFSE	07	48	08.99	39	53	19.64
NJOV	08	34	12.42	39	35	15.44
SONM	09	03	59.96	39	37	46.18
LIND	09	48	50.19	39	48	50.19
MSI2	10	17	22.23	40	24	33.17
RMAT	10	21	38.40	40	27	38.30
RMWA	10	27	54.40	40	25	53.30

## Annex 2. Table of international and regional instruments related to ocean governance in URT

This table provides a detailed overview of the various international and regional instruments related to ocean governance, along with their status of signature, ratification, entry into force and current action.

CONVENTION	SIGNED	RATIFICATION	ENTRY INTO FORCE	STATUS
International Whaling Commission	2 December 1946	23 June 2008	23 June 2008	Party
Convention on the International Maritime Organization	1948	8 January 1974	6 March 1958	Party
International Convention for the Prevention of Pollution of the Sea by Oil	12 May 1954		26 July 1958	Not Party
Ramsar Convention on Wetlands	2 February 1971	13 August 2000	21 December 1975	Party
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention)	29 December 1972	9 April 1975	30 August 1975	Party
International Convention for the Prevention of Pollution from Ships (MARPOL)	17 February 1973	30 March 1981	2 October 1983	Party
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	30 April 1973	29 November 1979	27 February 1980	Party
Convention on the Conservation of Migratory Species of Wild Animals (CMS)	6 November 1979	1 April 1999	1 November 1983	Party
United Nations Convention on the Law of the Sea (UNCLOS)	10 December 1982	30 September 1985	16 November 1994	Party
The Vienna Convention on the Protection of the Ozone Layer	22 March 1985	7 April 1993	22 September 1988	Party
The Nairobi Convention for the Protection, Management and Development of Coastal and Marine Environment of the Western Indian Ocean (WIO) Region	21 June 1985	1 March 1996	1 June 1996	Party
Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities (LBSA Protocol)	31 March 2010	1 April 2010	1 April 2010	Party
Montreal Protocol on Substances that Deplete the Ozone Layer	16 September 1987	16 April 1993	1 January 1989	Party
Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention)	22 March 1989	7 April 1993	5 May 1992	Accession



<b>International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC)</b>	30 November 1990	30 April 2003	13 May 1995	Party
<b>Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movements of Hazardous Wastes within Africa</b>	January 1991	7 April 1993	22 April 1998	Party
<b>Convention on Biological Diversity (CBD)</b>	12 June 1992	8 March 1996	6 June 1996	Party
<b>United Nations Framework Convention on Climate Change</b>	12 June 1992	17 April 1996	21 March 1994	Party
<b>Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora</b>	9 September 1994	11 October 1996	10 December 1996	Party
<b>United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa</b>	14 October 1994	19 June 1997	26 December 1996	Party
<b>Cartagena Protocol on Biosafety to the Convention on Biological Diversity</b>	16 May 2000	24 April 2003	11 September 2003	Accession
<b>Stockholm Convention on Persistent Organic Pollutants</b>	23 May 2001	30 April 2004	17 May 2004	Party
<b>SADC Protocol on Fisheries</b>	14 August 2001	16 March 2003	8 August 2003	Party
<b>Kyoto Protocol to the United Nations Framework Convention on Climate Change</b>	11 December 1997	26 August 2002	16 February 2005	Accession
<b>Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade</b>	11 September 1998	26 August 2002	24 February 2004	Party
<b>Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity</b>	29 October 2010	19 January 2018	12 October 2014	Accession
<b>Paris Agreement</b>	26 April 2016	18 May 2018	4 November 2016	Accession
<b>Minamata Convention on Mercury</b>	10 October 2013	5 October 2020	16 August 2017	Party
<b>Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction</b>	19 June 2023	20 September 2023		Signatory

## Annex 3. Legislation, policies, strategies, plans and institutions related to ocean governance in URT

### 1. URT legislation

Deep-Sea Fishing Authority Act (2020)

Territorial Sea and Exclusive Economic Zone Act (1989)

### 2. Legislation in mainland Tanzania and Zanzibar

Mainland Tanzania	Zanzibar
National Environmental Management Act (2004)	Environmental Management Act (2015)
Fisheries Act No. 22 (2003)	Zanzibar Fisheries Act (2010)
Marine Parks and Reserves Act (1994)	Zanzibar Marine Conservation Unit Regulations (2014)
Deep-Sea Fishing Authority Act (2020)	Zanzibar Maritime Authority Act (2009)
Territorial Sea and Exclusive Economic Zone Act (1989)	Zanzibar Maritime Transport Act (2006)
National Forest Act (2002)	Zanzibar Tourism Act (2009)
Wildlife Conservation Act (2008)	Local Government Authority Act (2014)
Tourism Act (2008)	Zanzibar Forest Resources and Conservation Act (1996)
Merchant Shipping Act (2003)	Town and Country Planning Decree (1955)
Tanzania Shipping Agencies Act (2017)	Occupational Safety and Health Act (2005)
Tanzania Ports Act (2004)	Zanzibar Standards Act (2011)
The Petroleum Act (2015)	Zanzibar Public and Environmental Health Act No.11 (2012)
Disaster Management Act (2015)	Zanzibar Disaster Management Act (2015)
Tanzania Meteorological Authority Act (2019)	Development Control Unit Regulations (2015)
Water Supply and Sanitation Act (2019)	
Water Resources Management Act (2009)	
Land Act (1999)	
Urban Planning Act (2007)	
Land Use Planning Act (2007)	
Public Health Act (2009)	

### 3. Policies, strategies and plans in mainland Tanzania and Zanzibar

National Fisheries Policy (2015)	Zanzibar Fisheries Policy (2014)
National Development Vision 2025	Zanzibar Fisheries Governance Strategy (2014)
Third National Five-Year Development Plan (2016–2021)	Zanzibar Environment Policy (2013)
Fisheries Sector Master Plan (2021)	Zanzibar Land Policy (2018)
Energy Policy (2015)	Zanzibar Local Government Policy (2012)
Natural Gas Policy (2013)	Zanzibar Tourism Policy (1998)
Biotechnology Policy (2010)	Zanzibar Investment Promotion Policy (1998)
Environment Policy (2021)	Zanzibar Disaster Management Policy (2011)
Science and Technology Policy (1996)	Zanzibar Climate Change Strategy (2014)
State of the Coast for mainland Tanzania (2024)	Zanzibar Energy Policy (2019)
National Biodiversity Strategy and Action Plan (2015)	Zanzibar Integrated Solid Waste Management Strategy (2018)
National Integrated Coastal Environment Strategy (2003)	Zanzibar Oil and Gas Policy (2016)
The Sixth National Report for Convention on Biological Diversity (2019)	Zanzibar Development Vision 2050
National Fisheries and Aquaculture Research Agenda (2019)	Third Zanzibar Strategy for Growth and Poverty Reduction (MKUZA III)
Marine Parks and Reserve Units Strategic Plan (2014–2019)	Zanzibar Maritime Strategy for International Maritime Organization (IMO) Instrument (2019)
National Marine Oil Spill Response Contingency Plan (2016)	Zanzibar Maritime Authority Strategic Plan (2016–2021)
State of the Environment Report (2019)	Zanzibar Marine Oil Spill Response Contingency Plan (2019)
National Solid Waste Management Strategy (2018)	State of the Coast Report (2024)
National Energy Policy (2015)	

### 4. Institutions in mainland Tanzania and Zanzibar

Mainland Tanzania	Zanzibar
Ministry of Livestock and Fisheries	Ministry of Blue Economy and Fisheries
Marine Parks and Reserves Unit	Zanzibar Fisheries and Marine Resources Research Institute (ZAFIRI)
Tanzania Fisheries Institute (TAFIRI)	Zanzibar Maritime Authority (ZMA)
Vice President's Office (Division of Environment, National Environment Management Council, NEMC)	Zanzibar Ports Corporation

Tanzania Commission for Science and Technology (COSTECH)	Zanzibar Petroleum Regulatory Authority (ZPRA)
Tanzania Ports Authority	Zanzibar Utility and Regulatory Authority (ZURA)
Tanzania Meteorological Authority	Disaster Management Commission (DMC)
Petroleum Upstream Regulatory Authority (PURA)	President's Office – Regional Administration, Local Government
Tanzania Petroleum Development Corporation (TPDC)	Department of Energy and Minerals (DoEM)
Energy and Water Utilities Regulatory Authority (EWURA)	
Geological Survey of Tanzania	
Mining Commission	Zanzibar Commission of Tourism (ZCT)
Ministry of Lands, Housing, Human Settlements & Development	Department of Forestry & Non-Renewable Natural Resources
National Land Use Planning Commission	Ministry of Finance and Economic Planning
Ministry of Water	Commission of Lands (COLA)
Ministry of Foreign Affairs and East African Cooperation	
Planning Commission	
Ministry of Finance	
Prime Minister's Office (PMO)	
Disaster Management Department	
Local Government Authority and Regional Administration	
Ministry of Natural Resources and Tourism	
Tanzania Forest Services Agency (TFS)	
Wildlife Division	
Tanzania National Parks Authority (TANAPA)	
Tanzania Wildlife Management Authority (TAWA)	
Tanzania Wildlife Research Institute (TAWIRI)	
Tourism Division	

## Annex 4. Ratification status of various maritime conventions and protocols by URT as of 24 July 2024

CONVENTION/PROTOCOL	RATIFIED BY THE UNITED REPUBLIC OF TANZANIA
IMO Convention 48	Yes
SOLAS Convention 74	Yes
SOLAS Protocol 78	No
SOLAS Protocol 88	No
SOLAS Agreement 96	No
LOAD LINES Convention 66	Yes
LOAD LINES Protocol 88	No
TONNAGE Convention 69	Yes
COLREG Convention 72	Yes
CSC Convention 72	No
CSC amendments 93	No
SFV Protocol 93	Yes
Cape Town Agreement 2012	No
STCW Convention 78	Yes
STCW-F Convention 95	No
SAR Convention 79	Yes
STP Agreement 71	No
Space STP Protocol 73	No
IMSO Convention 76	Yes
INMARSAT OA 76	Yes
IMSO amendments 2006	No
IMSO amendments 2008	Yes
FACILITATION Convention 65	Yes
MARPOL 73/78 (Annex I/II)	Yes
MARPOL 73/78 (Annex III)	Yes
MARPOL 73/78 (Annex IV)	Yes
MARPOL 73/78 (Annex V)	Yes
MARPOL Protocol 97 (Annex VI)	No
London Convention 72	Yes
London Convention Protocol 96	No
INTERVENTION Convention 69	Yes

INTERVENTION Protocol 73	No
CLC Convention 69	Yes
CLC Protocol 76	Yes
CLC Protocol 92	Yes
FUND Protocol 76	Yes
FUND Protocol 92	Yes
FUND Protocol 2003	No
NUCLEAR Convention 71	Yes
PAL Convention 74	Yes
PAL Protocol 76	No
PAL Protocol 90	No
PAL Protocol 02	Yes
LLMC Convention 76	No
LLMC Protocol 96	Yes
SUA Convention 88	Yes
SUA Protocol 88	Yes
SUA Convention 2005	No
SUA Protocol 2005	No
SALVAGE Convention 89	Yes
OPRC Convention 90	Yes
HNS Convention 96	No
HNS PROT 2010	No
OPRC/HNS 2000	No
BUNKERS CONVENTION 01	Yes
ANTI FOULING 2001	Yes
BALLASTWATER 2004	No
NAIROBI WRC 2007	Yes
HONG KONG CONVENTION	No



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