



Summary Report

KEY FINDINGS AND RECOMMENDATIONS



**REPORT ON
HUMAN RIGHTS,
SMALL-SCALE
FISHERS AND THEIR
ACCESS TO AND
MANAGEMENT OF
MARINE RESOURCES
IN TANZANIA**

April, 2026



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The report was developed and published with financial support from the Swedish International Development Cooperation Agency (Sida), <https://www.sida.se/en>

TITLE AND PUBLISHER

Title: Summary Report: Human Rights, Small-Scale Fishers, and Their Access to and Management of Marine Resources in Tanzania.

Publisher: CHRAGG and LHRC, April 2026.

ACKNOWLEDGMENT

CHRAGG and LHRC extend their heartfelt gratitude to all stakeholders who contributed information and data that made the preparation of this report possible. These stakeholders include: the Ministry of Livestock and Fisheries (MLF); Local Government Authorities (LGA) in the regions of Mtwara, Lindi, and Tanga; the Tanzania Fisheries Research Institute (TAFIRI); the National Task Team for the Implementation of the Voluntary Guidelines for Small-Scale Fisheries (NTT - SSF Guidelines); the Marine Parks and Reserves Unit (MPRUs); the Tanzania Women Fishers Association (TAWFA); as well as fishers, processors, and traders of fishery products.

In addition, CHRAGG and LHRC sincerely thank the team of experts who participated in the collection of information and data, including Ms. Bigeyo Kuboja, a fisheries expert from the Tanzania Fisheries Research Institute (TAFIRI), for her professional advice during the review of documents and the preparation of stakeholder consultations for this report.

Furthermore, CHRAGG and LHRC express their appreciation to government institutions (the Ministry of Livestock and Fisheries - MLF, the Ministry of Constitution and Legal Affairs, Local Government Authorities - MoCCLA, and the Marine Parks and Reserves Unit – MPRU), small-scale fishers, BMUs, CFMAs, TAWFA, civil society organizations, non-governmental organizations (WWF; Seasence; MWAMBAO Network); and development partners (the Food and Agriculture Organization of the United Nations - FAO). These stakeholders participated and provided their professional insights during the national fisheries stakeholders' workshop organized by CHRAGG in July 2025. Their contributions helped refine and validate the findings of this report.

Finally, CHRAGG and LHRC extend special thanks to the Danish Institute for Human Rights - DIHR for funding this work and for providing expert guidance on the integration of human rights considerations for small-scale fishers in the management and access to marine resources.

1. INTRODUCTION

This summary report presents the key findings and recommendations of “Human Rights, Small-Scale Fishers, and Their Access to and Management of Marine Resources in Tanzania” report (hereafter, the Report).

1.1 Background

Small Scale Fishers, both women and men working in the full range of activities along the small-scale fisheries value chain, play a vital role in supporting livelihoods, food security, local economies, cultural identity and social fabric of coastal communities in Tanzania. Along the Indian Ocean coastline, many households depend directly or indirectly on SSF. Despite their importance, SSF face growing challenges that threaten both marine ecosystems and their livelihoods. Environmental degradation, declining fish stocks, marine pollution, and climate change are increasingly affecting the sustainability of fisheries. At the same time, the expansion of blue economy initiatives, marine conservation areas, tourism, and industrial fishing has intensified competition for coastal and marine spaces. These developments may restrict access to land and traditional fishing grounds and increase the risk of displacement or livelihood insecurity for SSF communities.

These challenges highlight the importance of examining small-scale fisheries from a human rights perspective. Access to marine resources, participation in decision-making processes, and the ability to maintain sustainable livelihoods are closely linked to human rights, including the right to work, food, participation in public affairs, an adequate standard of living, and to equality and non-discrimination. A Human Rights-Based Approach (HRBA) to Ocean Governance helps ensure that policies and governance frameworks affecting marine resources respect principles such as participation, equality, accountability, and access to justice. Applying such an approach can strengthen the protection of SSF’ rights while promoting inclusive and sustainable management of marine resources in Tanzania.

Who are the Small Scale Fishers

The report uses the term “small-scale fishers” (hereafter SSF) in an inclusive way, describing SSF as encompassing both women and men working in the full range of activities along the small-scale fisheries value chain, including pre- and post-harvest activities, in both marine and inland waters, in line with the SSF Guidelines. This includes fishers, fish processors, and traders, consistent with the definition of “fisherfolk” in Fisheries Regulation No. 308 of 2009.

1.2 Objectives and Scope of the Report

Objectives for the report were to:

1. Provide an overview and analysis of the key human rights issues affecting SSF communities in their access to and management of marine resources (including those particularly at risk).
2. Identify the key legal, policy and institutional frameworks governing their access to and management of marine resources and the degree to which these comply with Tanzania's human rights obligations.
3. identify good practices, upcoming opportunities, and threats to SSF communities in terms of new policies or approaches to the management of marine and coastal ecosystems.

Due to resource limitations, this report focused exclusively on Mainland Tanzania's SSF and marine and coastal ecosystems along the Indian Ocean. The selected regions for the report included Msimbati and Msangamkuu Wards (Mtwara District, Mtwara), Somanga Ward (Kilwa District, Lindi), as well as Moa Ward (Mkinga District) and Kigombe Ward (Muheza District, Tanga).

2. A HRBA TO OCEAN GOVERNANCE: KEY COMPONENTS

Human rights principles are the overarching principles, drawn from international human rights law, that are to be applied in the operationalization of the HRBA to development. There is no standard formulation of these principles. For the purposes of the report, we follow the five principles, known by the acronym APNAT¹

THE FIVE HRBA PRINCIPALS



When promoting and implementing a HRBA to Ocean Governance, these five principles translate into the following key components:

- Respecting and promoting human rights, aligning ocean-related governance and policy frameworks and processes with human rights standards, and addressing structural barriers to the enjoyment of rights for marginalised groups.
- Meaningful participation of SSF in the Blue Economy sector development, Marine Spatial Planning (MSP), conservation and fisheries management. This is not only a right of SSF communities. It is also a means to secure more effective management and shared ownership of sustainability initiatives.
- Upholding the principle of equality and non-discrimination in ocean-related governance and policy frameworks and processes. This is essential to addressing the different human rights impacts that SSF groups experience in relation to the access and management of marine resources. Migrant workers, women, youth and children are among the groups facing exploitation and marginalisation in the fisheries sector.
- Increasing accountability and access to justice by ensuring that SSF can claim their rights and seek justice, redress, or compensation for violations of their human rights through accountability mechanisms and justice systems, is imperative. SSF are experiencing infringements of their tenure rights and excessive use of force by authorities while facing barriers to accessing justice.
- Enhancing transparency and access to information in ocean-related governance and policy frameworks and processes. This is a pre-condition for effective participation of SSF communities. Information on policies, plans and interventions related to ocean governance and fisheries management must be understandable and accessible to all stakeholders.

A HRBA is also about addressing power imbalances and building capacity of duty-bearers (national and local state actors) to fulfil human rights, and to build the capacity of rights-holders (SSF) to effectively claim their rights.

3. GOVERNANCE OF TENURE

SSF have human rights to land and natural resources (including marine resources). Tenure rights to land and marine resources directly impact SSFs livelihood and enjoyment of economic, social, and cultural rights, such as the right to food, to an adequate standard of living and to their cultural identity. Legal recognition of the tenure rights of SSF is important from a human rights perspective. Tenure rights are human rights.

In addition, the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) stipulate that small-scale fishing communities need to have secure tenure rights to the resources that form the basis for their social and cultural wellbeing, livelihoods, and sustainable development²

In the context of small-scale fisheries, the concept of tenure rights represents a combination of rights covering both land and water.³ Without secure access to land through which fishing grounds may be accessed, where boats, nets and other gear may be parked, and where vital post-harvest activities may be carried out, the right to access marine resources may be infringed.

Key Human Rights

- **Right to an adequate standard of living, including food and housing** (International Covenant on Economic, Social, and Cultural Rights (ICESCR), Art. 11).
- **Rights to land and natural resources** (including marine resources) (Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Art. 14.2.g, and United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) Art. 4.2.h, 5.1, 7.3 and 17).

Key Human Rights Standards

- Peasants and other people working in rural areas (including SSF) have the right to have access to and to use in a sustainable manner the natural resources present in their communities that are required to enjoy adequate living conditions, in accordance with Art. 28 of the present Declaration. They also have the right to participate in the management of these resources (UNDROP Art. 5.1).

- Peasants and other people working in rural areas (including SSF) have a right to land which includes “the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures (UNDROP Art. 17).
- Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats (CESCR General Comment No. 4 (1991).
- States must ensure SSF rights to secure tenure of and equitable access to land and marine resources natural resources critical for their livelihoods (CESCR General Comment No. 27 (2025), para. 84).
- States are required to take special measures for the most marginalized groups in rural areas, such as SSF and rural women, as they often face systemic discrimination in accessing land and marine resources (CESCR General Comment No. 27 (2025), para. 85).
- States must respect and, as far as possible, protect the customary rights of SSF communities to seas, rivers, lakes and aquatic resources, while promoting alternative income-generating opportunities (CESCR General Comment No. 27 (2025), para. 85).

3.1 Strong recognition of SSF tenure rights, but gaps in legal security of tenure

The Fisheries Act Cap 279, section 17(p) gives recognition of the traditional fishing practices, needs and interests of local fishing communities who depend on the resource. It emphasises the need for ensuring that traditional practices, which are consistent with responsible fisheries, needs and interests of local fishing communities which are highly dependent of fisheries resources for their livelihood are “given due regard”.

The decentralised system of fisheries management where SSF co-manage the fishery resources through Beach Management Units (BMUs) is a good practice of an inclusive “bottom-up” mechanism for ensuring access to and use of marine resources.

Despite recognition and good institutional mechanisms, legal gaps persist, and infringements of tenure rights continue to occur. One such gap is the absence of a clearly defined zone, such as an exclusive or preferential access area for SSF under the law. Although the 2009 Fisheries Regulation (Section 20(3)) prohibits prawn trawlers from operating within a two-nautical-mile zone, this provision does not constitute a general, dedicated SSF zone. The report also identified gaps in the enforcement of existing rules and regulations at both local and national levels. For example, prawn trawlers have been observed operating within the prohibited two-nautical-mile zone. Additionally, limited capacity for Monitoring, Control, and Surveillance (MCS) at both levels further undermines effective regulation and compliance.

Other infringements of tenure rights occur when the development of hotels, ports and other infrastructure leads to displacement or restrictions of SSF activities in the sea and on land⁴. Increased legal clarity on what constitutes the SSF zone and their rights in this regard would help protect SSF tenure rights in a context characterised by increased competition over marine and coastal resources.

3.2 Special attention needed to SSF tenure rights in conservation efforts

Conservation initiatives may be lawful and necessary to preserve the marine ecosystem. From a human rights perspective, healthy ecosystems are a part of the right to a clean and healthy environment. However, top-down conservation approaches sometimes fail to respect the rights and livelihood needs of SSF communities, leading to displacement, loss of customary tenure rights and conflict over access and use of resources. To align with human rights obligations, all actors should apply a HRBA to fisheries management and conservation, both outside and inside Marine Protected Areas (MPAs).

With the introduction of MPAs, Marine Parks in Tanzania have allocated areas, besides the no-take zones, where SSF can fish. Many of nearshore areas have been closed off for conservation purposes, and traditional fishing methods have been limited.

When applying a HRBA in the context of MPAs, it is important to conduct consultation, engagement and consider tenure rights of all affected fishers, before creating access restrictions. In several cases, SSF groups are left with few livelihood alternatives after their access to their usual coastal fishing grounds have been limited⁵. SSF in Mafia Island claim that more than 60% of their traditional fishing grounds have been taken over by MPAs, pushing them into alternative areas that may already be occupied. Fishers outside the MPA boundaries (mobile or migrant SSF groups) are often excluded from these MPAs, even if they historically used these fishing areas before their formal designation as protected spaces.⁶

It is important that the process of establishing marine parks and conservation areas adopts a HRBA which will facilitate adherence to human rights standards through adequate participation, consultation and compensation for lost access and income-earning potential where relevant. This is not only important in terms of human rights compliance but also central to ensuring effective conservation with local support and preventing pushing SSF into deeper poverty.

3.3 Gaps in recognition and compensation for dispossession of marine tenure rights

The Marine Parks and Reserves Act, Cap. 146 Section 41 allows the government to acquire land for marine park purposes under the Land Acquisition Cap. 118. While land compensation follows existing land law, there is a legal gap regarding compensation for loss of marine tenure rights. Fisheries law lacks clear procedures for relocation or dispossession of SSF marine tenure rights and provides no compensation for reduced access or catches.

In some areas, SSF communities are often evicted from traditional coastal lands and fishing grounds by tourism, hotel, gas, or mining projects without compensation or resettlement.

The state has a responsibility to protect the rights of SSF including their access to remedy and to regulate activities by private sector actors. Responsible business conduct requires Human Rights Due Diligence (HRDD) through identifying and mitigating risks and providing remedial measures in their operations affecting communities and the environment at large.

As MPAs, coastal development, and ocean-based blue economy investments expand, SSF risks further exclusion, as competition over marine space intensifies.

While these initiatives may aim to promote sustainability or economic growth, they often result in displacement and infringements of SSF' tenure rights, even when fishers are not physically relocated. These cases are not only governance issues, but also human rights concerns linked to tenure rights, food, work, adequate standard of living, cultural, participation and protection against arbitrary displacement. Examples from Mozambique⁷, Kenya⁸, and the Philippines⁹ illustrate how inclusive, transparent, and participatory approaches can balance conservation with human rights of SSF communities.

3.4 Recommendations

1. The Government, through the MLF should strengthen the legal security of land and marine tenure rights, including issues of preferential access, demarcation of exclusive areas for SSF in ways that are consistent with human rights and the implementation of the SSF Guidelines.
2. The Government through the MLF and Vice President's Office (VPO) collaborate to revise and adopt national legal frameworks in Tanzania Mainland to formally incorporate direct financial compensation, livelihood restoration programs, and community development benefits for SSF as mandatory provisions when establishing marine parks and reserves, investment in tourism, extractives in sea and conservation or undertaking other activities that may restrict tenure rights and negatively impact human rights enjoyment.
3. MLF collaboration with CHRAGG and NGOs to promote a HRBA to fisheries management and conservation inside and outside MPAs, and the implementation of the SSF Guidelines, including raising public awareness on responsible governance of tenure and tenure rights of SSF.
4. The MPRU should adopt a more inclusive MPA design process, consult widely with SSF communities in a way that adheres to human rights standards for meaningful participation before establishing marine parks, consider the rights of SSF by documenting historical use, engaging these SSF groups in participatory zoning discussions, and potentially allowing seasonal or regulated access based on negotiated agreements.

4. SOCIAL PROTECTION FOR SSF

Access to social security, healthcare and social services for SSF is essential for reducing vulnerability and inequality, and enhancing their resilience when facing environmental degradation, declining fish stocks, marine pollution, and climate change risks and impacts.

Key Human Rights

The right to social security is a universal human right and a constitutional right as per the Constitution of Tanzania, 1977:

“The state authority shall make appropriate provisions for the realization of a person’s rights to work, to self-education and social welfare at times of old age, sickness or disability and in other cases of incapacity, without prejudice to those rights, the state authority shall make provisions to ensure that every person earns his livelihood” (Art. 11(1) of the Constitution of Tanzania, 1977.

The right to social security is also enshrined in several international and African regional human rights instruments, including in ICESCR Art. 9.

The terms “**Social protection**” or “**social security**” are often used interchangeably to cover the same concept. The African Charter on Human and Peoples’ Rights (ACHPR) understands social security to be included in the “social protection” concept, which refers to a broad range of measures designed to protect individuals against risks.

Key Human Rights Standards

- States shall recognize the rights of peasants and other people working in rural areas (including SSF) to social security, including social insurance, and, in accordance with national circumstances, should establish or maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security (UNDROP Art. 22.3).
- States should take deliberate and targeted steps to progressively realize the right to social security, paying particular attention to those who remain unprotected, including women, workers in precarious employment relationships, and those in the informal economy, such as SSF (CESCR General Comment No. 27 (2025), para. 56).

- States must ensure that social security systems are adequately funded, resilient to future shocks, and designed to meet long-term needs, using the maximum available resources. Where national resources and capacity are insufficient to ensure sustainable social protection systems, states must seek international assistance and cooperation (CESCR General Comment No. 27 (2025), para. 57).

4.1 Gaps in social security for SSF, with some positive developments

The report found a lack of formal social security systems for SSF. Many SSF communities, particularly in Moa, face economic vulnerability due to low catches, illness, or injury, and there are no safety nets in place to support them during these times. This lack of social protection undermines the resilience of SSF communities and exacerbates their reliance on often-depleting marine resources.

The National Social Security Fund (NSSF) and banks are in the process of establishing special schemes for SSF. SSF in Mtwara and Lindi expressed willingness to join the schemes and recommended a meeting with NSSF to learn more about social security and schemes suitable to them.

4.2 Recommendations

1. The Government, through the Prime Minister Office, Labour, Youth, Employment and Persons with Disability should ensure that SSF, including fish workers and those in informal and seasonal employment, are covered by appropriate social security mechanisms.
2. The MLF through the NSSF to conduct community-level consultations to co-design accessible social security packages that reflect SSF-specific working conditions and risks (e.g. weather-related shocks, gear loss, or health crises) and have specific focus on women and marginalized SSF groups.

5. SUSTAINABLE FISHERIES MANAGEMENT

The sustainable management of marine resources is essential to ensure healthy marine ecosystems. SSF have rights to have healthy marine ecosystems as part of their right to a clean, healthy and sustainable environment, their right to food, to an adequate standard of living and to their cultural identity. Overfishing, illegal fishing and pollution threaten the realization of these human rights.

Key Human Rights

- **Right to a clean, healthy and sustainable environment** (the Human Rights Council (HRC) resolution 48/13 in 2021 and the UN General Assembly (UNGA) resolution 76/300 in 2022), a similar right is in the ACHPR Art. 24, Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) Art. 18.1).
- **Rights to the conservation and protection of the environment, and the conservation and sustainable use of biodiversity** (UNDROP Art. 18 and 20)
- **Right to an adequate standard of living, including food and housing** (ICESCR Art. 11).

Key Human Rights Standards

- Peasants and other people working in rural areas (including SSF) have the right to the conservation and protection of the environment and the productive capacity of their lands, and of the resources that they use and manage (including marine resources) (UNDROP Art. 18.1).
- States shall take appropriate measures, in accordance with their relevant international obligations, to prevent the depletion and ensure the conservation and sustainable use of biodiversity in order to promote and protect the full enjoyment of the rights of peasants and other people working in rural areas (including SSF) (UNDROP Art. 20.1).
- States must ensure the meaningful participation of SSF communities in the design, implementation, and monitoring of environmental measures, including policies affecting marine resource governance (CESCR General Comment No. 27 (2025), para. 84).
- Recognizing the crucial contribution of SSF to the sustainable use and management of natural resources and ecosystems, states must protect and promote their traditional knowledge, innovations and practices (CESCR General Comment No. 27 (2025), para. 84).

5.1 Risk of overexploitation of marine resources

Tanzania is seeing an increase in fishing capacity and overexploitation of the fisheries resource as reported by multiple researchers.¹⁰ Government reports to FAO, SSF, CSOs and NGOs report declining fish stocks, reduced catches, lost income, rising fish prices and fish processing factory closures.

The report highlights several legal and policy initiatives that have been implemented to address overcapacity and overexploitation. These include the establishment of governance frameworks like BMUs, and Collaborative Fisheries Management Areas (CFMAs) aimed at promoting community-based fisheries management. Additionally, MPRUs have been created to establish marine reserves and restricted areas, alongside initiatives for zoning and spatial planning within MPAs. Other efforts include monitoring and enforcement mechanisms like regular patrols and cooperation with NGOs for community-based environmental actions. Tanzania has Management Control Measures in form of regulation of the number of fishing vessels, the type of fishing gear used, and the seasons for fishing, all of which aim to prevent overfishing by controlling the fishing effort by restricting the use of destructive fishing methods like dynamite fishing, beach seines, and undersized nets.

The analysis identified several challenges in sustainable management and curbing of overfishing. Reasons include limited enforcement of laws and policies, limited number of fisheries officers, insufficient resources for enforcement, and corruption; unregulated fisheries; cross-border fish trade creating economic disparities which indirectly leads to overexploitation¹¹, lack of trade monitoring¹², and lack of effective feedback mechanisms where SSF can report on implementation of policy measures, report illegal practices or raise concerns about enforcement¹³ and limited knowledge on the available state based non judicial grievance mechanisms like CHRAGG.

5.2 Illegal fishing

There are illegal fishing practices in Tanzania's coastal regions, such as small-mesh nets, beach seines, fish poisoning, "Juya la Kojani," and dynamite fishing. This illegal fishing contributes to the depletion of marine resources and undermine the long-term sustainability of SSF livelihoods. Enforcement efforts to tackle these practices are insufficient, and illegal fishing remains a significant issue in some regions.

Tanzania has legal provisions that makes certain fishing practices illegal such as the use of explosives, poisons and fishing without a registration and license. Moreover, Tanzania has legal measures for MCS to ensure compliance with fishing regulations and address illegal fishing. The Fisheries Act has strong provisions for penalties against illegal fishing, such as fines and imprisonment for offenses related to unlicensed foreign vessels and the use of banned fishing methods. Despite the legal frameworks in place, the report found that enforcement mechanisms are weak.

Different authorities are addressing illegal fisheries. At the national level, the Fisheries Act establishes a surveillance unit to actively monitor and take action against illegal fishing. At local level, outside MPAs, the BMUs, CFMAs and LGA have mandates to tackle illegal fishing. There is no documentation that adequately addresses the effectiveness of LGAs in tackling illegal fishing, with a few exceptions, such as BMUs that implement voluntary closures for certain species. However, for the BMU efforts to be effective, they require significant financial and technical support. Without support for LGAs and BMUs they are unable to effectively conduct regular patrols. Additionally, there are issues of poor coordination between different government departments.

The report highlights the government's partial success in addressing dynamite fishing yet stresses the shortcomings in curbing other forms of illegal fishing due to gaps enforcement and corruption. Regional differences exist in enforcement of fishing regulations and the persistence of illegal fishing practices. BMUs have been instrumental in reducing illegal fishing. Non-state actors, such as NGOs like Mwambao Coastal Community Network, Wildlife Conservation Society (WCS), Sea Sense, and World-Wide Fund for Nature (WWF) have played a crucial role in addressing illegal fishing by supporting co-management approaches and bolstering law enforcement.

5.3 Lack of data to monitor fish stocks

Absence of accurate fish stock assessment data leads to ineffective fisheries management, which hinders the ability to make informed decisions on fisheries management and adequately prevent depletion of stocks. SSF communities have local knowledge of the fish stock vital for data collection and analysis in monitoring of fish stocks.

Depletion of stocks used by SSF is important from a human rights perspective, as SSF have tenure rights to fishery resources and depletion of fish stocks directly impacts their enjoyment of economic, social, and cultural rights. Many BMUs lack the means to adapt to declining stocks leaving communities vulnerable to continued resource depletion and further compounding the economic and social hardship in SSF communities.

5.4 Pollution of the marine environment

Marine pollution remains a pressing concern in Tanzania's coastal regions. Perceptions of its severity vary among stakeholders. CSOs highlight significant threats posed by plastic waste and industrial waste. Sources of pollution and degradation of the marine environment is coming from activities within and outside the fisheries sector. In fisheries, specific fishing gear like dynamite fishing and shrimp trawlers is causing marine pollution and degradation. Land-based sectors like farming pesticides, plastic and waste management contribute to pollution and degradation of the marine environment.

The legal and policy measures to prevent pollution and degradation of the marine environment in Tanzania is found in the National Environmental Management Act Cap. 191 as well as sector specific laws and policies like the Marine Parks and Reserves Act Cap. 146 and Fisheries Act Cap. 279. The report highlights the urgent need to reassess the legal and policy frameworks and enforcement of existing regulations to ensure comprehensive protection of the marine environment, and uphold the right to a clean, healthy and sustainable environment.

5.5 Recommendations

1. The Government, through the MLF and LGAs, should follow a HRBA when enforcing fisheries laws, policies and regulations to address illegal fishing practices to avoid destroying marine eco-system and tenure rights infringement for seaweed farmers, for example Juya la Kojani.
2. The Government, through MLF and LGAs to strengthen the capacity of BMUs to assist in collecting data and monitoring fish stocks and ecosystems, and include local knowledge, for example, to verify data analysis.

6. PARTICIPATION OF SSF COMMUNITIES

Meaningful participation of SSF in fisheries management, the Blue Economy sector development, MSP and marine conservation is not only a right of SSF communities. It is also a means to secure more effective management and shared ownership of sustainability initiatives.

Key Human Rights

- **Right to take part in the conduct of public affairs** (ICCPR Art. 25, Tanzania Constitution Art. 21).
- **Right to freedom of expression and information** (ICCPR Art. 19, ACHPR Art. 9, Tanzania Constitution Art. 18).
- **Women's rights to participation in the political and decision-making process** (Maputo Protocol Art 9) and **women's rights to participate in the management and use of natural resources** (Maputo Protocol Art. 18.2).
- **Right to participate in the management of fisheries resources** (UNDROP Art. 5.1 and 17, and other relevant rights in relation to the **right to participation** and **access to information** are also included in UNDROP Art. 2.3, 5.2, 10, 11, 15.4, and 15.5).

Key Human Rights Standards

- Women shall have the right to live in a healthy and sustainable environment (Maputo Protocol Art. 18.1). States Parties shall take all appropriate measures to: a) ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels (Maputo Protocol Art. 18.2.a).
- States must ensure the meaningful participation of affected individuals and groups throughout all stages of the decision-making, this includes SSF communities dependent on marine resources. They must be effectively consulted and able to influence environmental and development decisions affecting their livelihoods (CESCR General Comment No. 27 (2025), para. 77).
- Meaningful participation and consultation (including for SSF communities) must: be conducted in good faith, be an on-going process (before, during, after decisions) and conducted with legitimate representatives of the concerned rights-holders. There must be sufficient and transparent information in relevant languages and formats. There must be a genuine opportunity to influence decisions, and consultation must be free of pressure (no fear of retaliation) (OHCHR Guidelines on the effective implementation on the right to participate in public affairs (2018)).

6.1 Strong frameworks, but gaps in practice for some SSF groups

There is generally a supportive legal and policy environment and good structures in place to facilitate SSF participation in policy and decision-making at different levels, and in marine resource management specifically, in line with international human rights standards. Yet challenges to effective and meaningful participation in practice persist especially for women at all levels but also for SSF as a stakeholder group in national level policymaking. Enhancing transparency and access to information in fisheries management and other ocean-related governance and policy frameworks and processes is a pre-condition for effective participation of SSF communities. Information on policies, plans and interventions must be understandable and accessible to all stakeholders.

National laws, policies, and regulations, such as the Fisheries Act Cape. 279, the Fisheries Regulations of 2009, and the Marine Parks and Reserves Act Cap. 146 operationalize this right in the fisheries and ocean governance context.

The National Plan of Action for Small-Scale Fisheries (NPoA-SSF Guidelines) fully integrates HRBA principles into fisheries governance, ensuring that SSF, including women and marginalized groups, are included in decision-making and resource management. At the national level, the NPoA-SSF Guidelines presents a valuable opportunity to enhance SSF-participation in policy formulation and decision-making processes.

The Fisheries Act (section 9 and 18) requires involvement of stakeholders in the planning, development and management of fishery resources and use of participatory approaches. The Marine Parks and Reserves Act, Cape. 146(section 8(5) and 14 (3)) recognizes the right of SSF to be represented in the management of Marine Park Areas through Village Liaison Committees (VLCs), and Village Enforcement Units (VEUs). National Fisheries Policy of 2015 and the Fisheries Sector Master Plan (2021/22-2036/37) also recognize and promote SSF role in co-management of marine resources.

Despite the supportive policies and structures in place, several actors and SSF interviewed point to weak SSF participation at national policy level. The absence of strong fisher unions or similar structures is cited as a key barrier to inadequate representation and disorganization among SSF.¹⁴

Although gender equity is a priority in the NPoA-SSF Guidelines, there is still limited gender-sensitive policy implementation in the fisheries sector.

The report notes the inadequate involvement of women in policymaking processes, especially at the national level, suggesting a gap in fully addressing their needs. The establishment of the TAWFA in 2019 MLF in collaboration with FAO and NGOs and the Fisheries Gender Desk in 2021 at the MLF holds potential to boost SSF women's participation in policymaking at the national level.¹⁵

The decentralization of fishery management through involvement of Local Government Authorities and establishment of BMUs and CFMAs help facilitate participation of SSF in marine resource management and policymaking, particularly at the local level. The functioning of this management of fisheries resources varies and while some are considered effective, many others are under-resourced and have ineffective leadership.

The role of women in decision-making remains limited due to social and cultural norms despite provisions to ensure a minimum percentage of women in leadership roles within BMUs (30%). The Tanzania Fisheries Sector Master Plan acknowledges existing gaps in stakeholder inclusion, particularly concerning youth, women, and marginalized communities. The plan prioritizes developing strategies that enhance their participation in fisheries management and sector development, ensuring that SSF benefits are equitably distributed.

6.2 Recommendations

1. The Government, through MLF, should collaborate with SSF stakeholders, including CSOs, to strengthen women's leadership and representation in decision-making processes both within BMUs and national level.
2. The Government, through the Ministry of Development, Gender and Special Group, should facilitate the establishment of a national platform or federation of SSF to serve as an advisory body on fisheries policies and MSP processes. Such a platform or federation to be inclusive of women and marginalized groups such as fish processors and fishing crews.
3. The Government, through the VPO and the MLF, should develop guidelines for effective consultation of SSF communities prior to any development initiative that could impact their human rights, including their tenure rights. The Guidelines to be aligned with the right to access information and the right to participate in decision-making processes, and SSF Guidelines

7. GENDER EQUALITY

Human rights guarantee equal rights for men and women to the enjoyment of all economic, social, and cultural rights.

Key Human Rights

- **Right to equality before the law** (ICCPR Art. 26).
- **Right to non-discrimination** (ICCPR Art. 2, ICESCR Art. 2) and elimination of all forms of discrimination against rural women and to promote their empowerment (UNDROP Art. 4).
- **CEDAW**, including rights on temporary special measures for Women, (CEDAW Art. 4), elimination of discrimination against women in the political and public life of the country (Art. 7), specific dimensions on rights of rural women (Art. 14).
- **Women's rights to participation in the political and decision-making process** (Maputo Protocol Art 9) and **women's rights to participate in the management and use of natural resources** (Maputo Protocol Art. 18.2).

Key Human Rights Standards

- Achieving equality between men and women in the enjoyment of economic, social, and cultural rights across all policy areas is a precondition for sustainable development (CESCR General Comment No. 27 (2025), para. 42)
- States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: (a) To participate in the elaboration and implementation of development planning at all levels; (c) To benefit directly from social security programmes; (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment; (f) To participate in all community activities; (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes; (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications (CEDAW Art. 14).
- Special measures are required for the most marginalized groups in rural areas, such as SSF and rural women, as they often face systemic discrimination in accessing land and marine resources (CESCR General Comment No. 27 (2025), para. 85.).

7.1 Cultural norms and gendered access to marine resources

Cultural norms play a significant role in shaping the governance of tenure, particularly in terms of gendered access to marine resources. In many SSF communities, such as Moa Ward in Tanga's Mkinga District, fishing remains predominantly a male dominated, while women are more actively engaged in nearshore activities including seaweed farming and octopus harvesting. This gendered division of labour affects women's access to marine resources and their ability to participate in governance processes related to resource management. These cultural practices impact the governance of tenure by reinforcing male-dominated decision-making structures in fisheries, excluding women from more resource-intensive fishing activities and from leadership roles in local governance structures, such as BMUs. This is contrary to several human rights standards applicable to SSF women, including the SSF Guidelines. Ensuring women's participation in the governance of tenure is essential for more equitable and sustainable management of marine resources, as they contribute unique perspectives and practices, particularly in nearshore resource management.

As regards tenure rights, women SSF are disproportionately impacted by developments along the coast affecting landing and processing sites as reported on Mafia Island.¹⁶

National legal and policy frameworks promote gender equality and women's empowerment, including in natural resource governance. The National BMU Guideline has attention to the participation of women in BMUs. However, the role of women in decision-making remains limited in BMUs despite the 30% minimum percentage of women in leadership roles within BMUs. Cultural barriers and limited opportunities for leadership, training and mentoring often prevent women from effectively participating and voicing their concerns in BMU structures and leadership.¹⁷ issues are acknowledged by the National Fisheries Policy of 2015 and the Fisheries Sector Master Plan (2021/22–2036/37), which call for gender mainstreaming¹⁸ It is positive that some fisheries governance initiatives promote women's participation in BMUs and community-level decision-making structures. The establishment of TAWFA in 2019 by the MLF in collaboration with FAO and NGOs, and the establishment of the Fisheries Gender Desk in 2021 at the MLF holds potential to boost SSF women's participation in policymaking at the national level.¹⁹

7.2 GBV, sexual exploitation and harassment is common

Overfishing and related hardship in SSF communities is felt differently between men and women. There are important gender dimensions to the effect of the reduced catches and loss of income. In some cases, women who have no other income than picking marine resources or selling fish are forced to engage in transactional sex despite strong legal protection against sexual exploitation and harassment in Tanzania.

Gender-based violence (GBV) is a one of the human rights challenge in Tanzania²⁰ and women SSF face various forms of GBV, sexual exploitation and harassment in SSF communities and in small-scale fisheries sector value chains. It takes place in many ways, including the ‘fish for sex’ or ‘sex for fish’ practice, whereby women are forced to provide sex to engage in fishing and fish trading, and to access boats for transportation.

The Fishers Union Organisation (FUO), an NGO operating in Mainland Tanzania, notes that women in fishing communities are often treated as sex objects and ‘fish for sex’ is highly practiced in these communities, adding that rape and forced sex are becoming normalized in some communities²¹ Cases of ‘fish for sex’ have also been reported by the media. For instance, in August 2024, women fish traders and processors around Lake Tanganyika in Uvinza, Kigoma, lamented prevalence of sexual corruption perpetrated by some fishermen, who demand sex a condition for accessing fish.²² Group Discussions with women and men in Mtwara, Lindi, and Tanga also revealed cases of ‘fish for sex.’ They reported that some SSF men refuse to sell to fish to women unless they include sex in the trade. This was also confirmed by fisheries officers, particularly in Mtwara and Lindi and stakeholders who attended the national stakeholder workshop in July 2025 organised by CHRAGG.

Tanzania has strong legal protections against sexual exploitation and harassment, including the Penal Code (Cap. 16), the Prevention and Combating of Corruption Act (2007), and the Employment and Labour Relations Act (2004). These laws provide general safeguards that also extend to women in SSF communities.

7.3 Recommendations

1. MLF and SSF stakeholders should continue strengthening SSF organizations representing women, including TAWFA, to perform their roles at all levels, including human rights awareness raising and leadership training.
2. MLF to revise the BMU Guidelines to increase the 30 % of elected positions designated for women in BMUs to 50 %, and develop training and mentoring for women in BMUs, for example, via national leadership mentorship programs for women in fisheries.
3. MLF and BMU to strengthen women’s tenure rights and access to marine resources, and design actions to prevent sexual exploitation and harassment and child abuse in SSF communities.

4. MLF, through its Gender Desk and BMUs, to collaboratively work with CHRAGG to address gender-related human rights issues affecting women in SSF communities. This collaboration should include establishing a mechanism for reporting gender-based human rights incidents or violations, conducting joint capacity building initiatives and implementing annual monitoring, research, case studies to inform targeted assessments and policy responses.

8. ACCESS TO REMEDY

SSF have rights to seek justice, redress, or compensation for human rights violations through accountability mechanisms and via judicial and non-judicial justice systems.

Key human rights

- **Right to remedy** (ICCPR Art. 2.3)
- **Right to equality before the law** (ICCPR Art. 26).
- **Right to non-discrimination** (ICCPR Art. 2, ICESCR Art. 2).
- The Constitution of the United Republic of Tanzania, 1977 guarantees the right of Tanzanians, including SSF, to equality before the law, which includes the **right to access to justice** and **right to effective remedy**.

Key human rights standards

- States have obligations to provide an effective and enforceable remedy for violations of the rights and freedoms in the Covenant by competent judicial, administrative, or legislative authorities or any other competent authority provided for by the legal system of the State (ICCPR Art. 2.3).
- States shall provide for non-discriminatory access, through impartial and competent judicial and administrative bodies, to timely, affordable and effective means of resolving disputes in the language of the persons concerned, and shall provide effective and prompt remedies, which may include a right of appeal, restitution, indemnity, compensation and reparation (UNDROP Art. 12.2).
- Where economic, social or cultural rights are violated due to environmental degradation, States must ensure access to timely, affordable and effective judicial and non-judicial remedies, providing victims with access to reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition (CESCR General Comment No. 27 (2025), para. 87).

8.1 Barriers to access to remedy for SSF

Tanzania has a strong legal, policy, and institutional framework guaranteeing the right to remedy. In the context of the SSF sector, the Fisheries Act, Cap. 279 and the Fisheries Regulations (2009) set out dispute resolution mechanisms. The legal and policy framework also provides for Alternative Dispute Resolution (ADR), which allows people, including SSF, to settle their disputes out of courts of law through methods such as conciliation, mediation and arbitration.

The types of conflicts documented in the SSF communities include fishers versus seaweed farmers, SSF versus hotel and other coastal developers (restricting access to their traditional fishing grounds); threats to ecosystems and resource access due to gas and oil exploration; and SSF versus industrial shrimp trawlers.²³ The emerging measures like MPAs may exacerbate conflicts if consultations and compensation are inadequate.

Several barriers hinder the access to justice through the formal legal system, including corruption, shortage of justice actors, costs of legal representation, lengthy proceedings, limited access to legal aid, low awareness about laws, regulations and available remedy mechanisms, as well as delays in the dispensation of justice. These barriers create limited access to convenient, affordable, and effective ways of resolving tenure rights and other disputes for SSF. Dispute resolution mechanisms for SSF-related disputes are rarely settled in courts of law, possibly due to these barriers to accessing justice in judicial dispute resolution mechanisms.

Local-level conflict resolution mechanisms play a critical role in managing resource disputes. Disputes can be taken to BMUs and CFMAs and local authorities such as village, ward, and district authorities also have powers to resolve disputes without the need to go to court. Marine Parks and Reserves Act allow for appeals to the Minister responsible for marine parks and reserves in the event of rights violations.

The report has discovered that most SSF find ADR more effective than judicial mechanisms involving courts of law. However, concerns have been raised about the informality of dispute resolution measures, characterized by lack of written procedures and legal authority to award damages, and an issue related to limited enforcement capacity of BMU decisions.

CHRAGG is established as an autonomous government entity functioning as a National Human Rights Institution and an Ombudsman Office in Tanzania, responsible for promoting, within the country, the protection and preservation of human rights. As part of its mandate, CHRAGG has a role to receive and investigate complaints on human rights violations and contravention of principles of good governance and conduct mediation and reconciliation. This allows rights-holders to lodge complaints to CHRAGG via phone, web-based reporting, writing letters/e-mails and in-person deliver of complaints to CHRAGG offices in the country (Dodoma, Zanzibar, Mtwara, Pemba, Mwanza and Dar Es Salaam). Yet most of the fishers and local leaders interviewed indicated that they had not engaged or been engaged by the Commission. Most fishers were not aware of CHRAGG and its mandate, while local leaders claimed they knew the institution existed.

8.2 Recommendations

1. The Government, through MLF and SSF stakeholders to conduct capacity building on available remedy mechanisms, both judicial, and CHRAGG as a state-based non-judicial mechanisms.
2. The MLF to build the capacity and encourage BMUs to report human rights incidents to CHRAGG headquarters, Zanzibar office, and branch offices in Mtwara, Pemba, Mwanza and Dar es Salaam. Reporting should be conducted quarterly, using a harmonized template, and include details on the nature of incidents, affected groups, and follow-up actions taken.
3. Government, through MLF and the Prime Minister's Office (Labour, youth, Employment and Persons with Disability) to enforce labour laws and standards relating to employment contract to enhance the ability of SSF to claim remedies through legal or administrative channels.
4. The Government, through the MLF, the VPO, and other Ministries, Departments, and Agencies to collaborate to ensure due process and adequate reparation (including compensation) when undertaking activities that may restrict tenure rights, involve displacement, or other ways negatively impact the enjoyment of human rights of SSF communities.

9. BLUE ECONOMY AND MSP

Aligning policy frameworks for the development of the Blue Economy and MSP processes with human rights, and drawing on human rights guidance, is essential to ensure that coastal communities and future generations benefit from the Blue Economy. This can be achieved by applying a HRBA in the development and implementation of Blue Economy plans, initiatives, and MSP processes.

Key Human Rights

- **Right to an adequate standard of living, including food and housing** (ICESCR Art. 11).
- **Rights to land and natural resources** (including marine resources) (CEDAW Art. 14.2.g, and UNDROP Art. 4.2.h, 5.1, 7.3 and 17)
- **Right to a clean, healthy and sustainable environment** (HRC resolution 48/13 in 2021 and UNGA resolution 76/300 in 2022, a similar right is in the ACHPR Art. 24, Maputo Protocol Art. 18.1).
- **Rights to the conservation and protection of the environment, and the conservation and sustainable use of biodiversity** (UNDROP Art. 18 and 20)
- **Right to take part in the conduct of public affairs** (ICCPR Art. 25, Tanzania Constitution Art. 21).
- **Right to freedom of expression and information** (ICCPR Art. 19, ACHPR Art. 9, Tanzania Constitution Art. 18).
- **Women's rights to participation in the political and decision-making process** (Maputo Protocol Art 9) and **women's rights to participate in the management and use of natural resources** (Maputo Protocol Art. 18.2).

Key Human Rights Standards

- CESCR General Comment No. 27 (2025) generally emphasizes that environmental governance and development initiatives must respect, protect, and fulfil economic, social, and cultural rights, particularly for communities that depend on natural resources for their livelihoods, such as SSF communities.

- States must ensure that exploitation of natural resources, whether by national or foreign entities, is adequately regulated, so that the benefits are fairly and equitably shared in ways that advance human rights (CESCR General Comment No. 27 (2025), para. 46).
- States have obligations to uphold procedural safeguards in all decision-making related to the exploitation of natural resources, including ensuring meaningful public participation, access to timely and comprehensible information, and adherence to human rights principles throughout the licensing and concession processes (CESCR General Comment No. 27 (2025), para. 47).
- The issuance of licences or permits must be preceded by independent and participatory environmental and human rights impact assessments, aimed at identifying potential harm to international human rights law and local ecosystems. These assessments should inform decision-making and be accompanied by effective mechanisms for redress, particularly for affected communities (CESCR General Comment No. 27 (2025), para. 47).

9.1 A HRBA in Blue Economy and MSP is essential for SSF and the Protection of Marine Environment

The report warns that Blue Economy and MSP processes may deepen exclusion of SSF and intensify competition over marine space.

Tanzania adopted the National Blue Economy Policy of 2024, which highlights MSP as a key tool for balancing competing priorities like conservation, livelihood activities, and economic development. Though Tanzania has yet to establish a formal MSP process, it has conducted a scoping report and adopted the Guidelines for the Development of Marine Spatial Plans (2023). The guidelines emphasize the importance of community participation, particularly that of SSF, throughout the MSP process, which is led by the VPO.

The MSP process poses opportunities for SSF, for example rights recognition, livelihood and economic development, but also risks, for example violations of tenure rights, the right to participate in decision-making and the right to a clean, healthy and sustainable environment. The phenomenon of “coastal squeeze” where SSF are ‘squeezed out’ by competing interests (tourism, mining, industrial fishing, etc.) is a risk in Tanzania as elsewhere.

Tanzania has strong policy frameworks and bottom-up mechanisms for participatory management through BMUs. It is essential to build on these in the MSP process and BMU to be part of the processes and increase their awareness and capacity to advocate for SSFs' tenure rights and human rights to access information and participate in decision-making in MSP process. This includes designating marine zones in consultation with SSF, creating multi-use zones for small-scale fishing alongside industrial activities.

The scaling up of industrial fisheries, seaweed farming (mariculture), mining, and energy production could heighten competition for resources and increase the risk of conflicts implicating SSF. SSF also risks displacement due to the expansion of MPAs, tourism, industrial and other development projects. In this context, it is essential that SSF are effectively involved and consulted and that compensation mechanisms are well managed. It is also essential to ensure small-scale fishers' access to remedy if their rights are infringed.

Without a legally secured and recorded SSF tenure rights, and preferential access via recognized exclusive SSF zones, and low awareness on HRBA practices, and the absence of a national platform or federation representing all SSF, there is an increased risk that SSF tenure rights and the voice of SSF will not be effectively represented when it comes to key decisions regarding resource allocation and access in the MSP process.

9.2 Recommendations

1. The Government, through VPO and MLF, should apply a HRBA to MSP processes to safeguard SSF tenure rights, participation and other rights, and ensure formal role for women and marginalized SSF groups in MSP processes.
2. The VPO and MLF to develop alternative livelihoods programmes in marine conservation, the MPS process and fisheries initiatives to be informed by climate change risks and their human rights, and be ecologically sustainable, culturally appropriate, and not undermine SSF tenure rights. These initiatives should be paired with training, access to markets, and alignment with MSP efforts.
3. The VPO, MLF, and non-state actors to conduct Human Rights Sector Wide-Impact Assessment in the Blue Economy to identify human rights impact on SSF and mitigation measures, also informing human rights due diligence.
4. The VPO and MLF to respond to the strategic actions in the National Action Plan on Business and Human Rights on 'Land Rights and Natural Resources', like MSP, and human rights due diligence.

10. CLIMATE CHANGE AND DISASTER RISKS FOR SSF

SSF have rights to a clean, healthy and sustainable environment, as well as rights to food, livelihood, and an adequate standard of living, all of which may be affected by climate-related impacts on marine ecosystems.

Key Human Rights

- **Right to life** (ICCPR Art. 6)
- **Right to an adequate standard of living, including food and housing** (ICESCR Art. 11)
- **Right to health** (ICESCR Art. 12)
- **Right to contribute** to the design and implementation of national and local **climate change adaptation and mitigation policies** (UNDROP Art. 18.3)

Key Human Rights Standards

- SSF communities have the right to contribute to the design and implementation of national and local climate change adaptation and mitigation policies, including through the use of practices and traditional knowledge (UNDROP Art. 18.3).
- CESCR General Comment No. 27 (2025) emphasizes that States must protect communities whose livelihoods depend on natural resources from the adverse impacts of climate change, environmental degradation, and biodiversity loss.
- State must address structural and systemic discrimination and inequality and safeguard such individuals and communities from human rights risks arising both from environmental harm and from measures taken in response. States must identify and prioritize the needs of individuals and groups in vulnerable or marginalized situations, taking into account intersectionality CESCR General Comment No. 27 (2025), para. 39).

10.1 Climate change is disrupting SSF livelihoods, with human rights implications

Tanzania's SSF are highly vulnerable to climate-related hazards such as storms, strong winds, flooding, and rising sea temperatures. Increased intensity of storms can make fishing more dangerous.

Changing water temperatures and currents can lead to changes in where the fish breed and migrate which can also have implications for the catch and the sector as a whole.²⁴ Also, the rising sea temperatures, ocean acidification, and erratic weather patterns are reducing seaweed yields.²⁵ Consultations with SSF communities for the report, confirm that climate change is disrupting SSF livelihoods. These disruptions also have human rights implications.

Tanzania has adopted several climate change and disaster risk management frameworks, including the NCCRS and related national adaptation initiatives. Government institutions such as the VPO-DoE, the Disaster Management Agency (DMA), and the Tanzania Meteorological Agency (TMA) play roles in coordinating climate adaptation and disaster preparedness efforts. Climate adaptation policies often lack targeted measures specifically addressing the needs and vulnerabilities of SSF. More can be done to integrate human rights considerations or the livelihoods of SSF communities in climate and environmental policies.

The Tanzania Fisheries Sector Master Plan (2021/2022–2036/2037) addresses SSF livelihoods, but no concrete adaptation measures address disaster and climate change resilience. The Disaster Management Act of 2015 and other general disaster management frameworks do not specifically target the SSF fisheries sector. This lack of sector-specific focus means that SSF, which is highly vulnerable to climate risks, remains inadequately addressed in national disaster management plans.²⁶ There is limited awareness of DMA and its initiatives among SSF communities, for example early warnings to SSF about strong winds from TMA.

This suggests a communication gap between disaster management authorities and SSF communities. Limited access to climate information, early warning systems, and financial resources reduces the ability of SSF communities to adapt to climate-related risks.

While some disaster risk reduction strategies, such as early warning systems (e.g., WhatsApp alerts in Mkinga), have been implemented, these initiatives are not widespread. The national adaptation or disaster preparedness plan do not have a specific focus and action for SSF.

The lack of a more systemic approach to address SSF-specific needs, including funding and institutional support, limits the impact of these actions.

While some disaster preparedness and adaptation initiatives are in place, they are largely funded by NGOs, with minimal financial support from the government.

This raises concerns about the sustainability of these initiatives, particularly in light of shifting donor priorities. SSF communities have rights to be protected against human rights risks arising both from environmental harm and from measures taken in response.

10.2 Recommendations

1. MLF to respond gaps for SSF in the VPO plans and strategies on climate adaptation and disaster risks and ensure the development of targeted actions for SSF communities in line with human rights and NPoA-SSF Guidelines.
2. DMA and TMA to strengthen their direct collaboration with BMUs for local implementation of early warning systems.
3. MLF to ensure any blue or green carbon credit projects must include human rights safeguards, meaningful participation, equitable benefit-sharing, and other key principles to ensure rights realization for SSF and avoid harm to rights from climate projects.

11. POLICY INTEGRATION AND COORDINATION FOR SSF

Effective Ocean governance and the sustainable use of marine resources require institutional coordination across government ministries and agencies, as well as collaboration with civil society, SSF communities, and independent oversight institutions.

Sectoral policies, such as fisheries management, environmental protection, climate adaptation, and Blue Economy initiatives can contribute to the realisation of human rights in SSF communities.

Key Human Rights Standards

- CESCR General Comment No. 27 (2025) emphasizes that States must adopt coherent and coordinated policies to ensure that environmental governance and development initiatives respect and protect economic, social, and cultural rights, particularly for communities dependent on natural resources.
- States should integrate a gender-responsive and whole-of-government approach into all sustainable development policies, especially relating to disaster risk reduction, climate change, pollution, biodiversity protection and natural resource management (CESCR General Comment No. 27 (2025), para. 45).

11.1 Extending Human Rights Protections for SSF Beyond Fisheries Governance

There are numerous good policies and frameworks, but their implementation is not harmonised. Human rights of SSF are not always included in the planning, implementation, and monitoring of these policies.

As the Blue Economy sector develops there will be a need for addressing coordination challenges between government ministries for ensuring that the rights of SSF are integrated in the respective policies, plans and initiatives and that these are implemented in a coordinated and consistent way. The NPoA–SSF calls for “policy coherence, institutional coordination and collaboration...” and “Reviewing and harmonizing regulations on investments, fisheries, and tourism” is one of the actions.

Institutional structures involving the MLF, the VPO, and other government bodies provide a basis for coordination on marine resource governance and sustainable fisheries management. The CHRAGG provides an important oversight mechanism for promoting and protecting human rights in Tanzania, including rights related to land and natural resource, including marine resources.

The NPoA-SSF Guidelines, like the SSF Guidelines, explicitly adopts a HRBA to fisheries governance, and it has actions related to gender and SSF livelihood and links with policies and regulatory frameworks from other sectors and mentions policy coherence, institutional coordination and collaboration. The NPoA-SSF mentions actions to economic, social and cultural rights of SSF and links with policies and regulatory frameworks from other sectors such as National Women and Gender Development Policy (2000), Employment and Labour Relations Act (2004), National Development Vision 2025, and the National Poverty Eradication Strategy (MKUKUTA II). This reflects an attempt to align fisheries sector objectives with broader national development and sectoral priorities, indicating policy coherence. However, human rights considerations and obligations are not consistently integrated into sectoral policies and implementation processes, including fisheries management and MSP. Limited awareness and capacity among sectoral institutions may hinder the effective implementation of a HRBA to fisheries governance.

Ultimately, limited human rights awareness and capacity, and gaps in coordination between government institutions and stakeholders may reduce the effectiveness of policies aimed at protecting the livelihoods and rights of SSF communities.

11.2 Recommendations

1. Government, through relevant ministries mentioned in the NPoA-SSF Guidelines to respond on actions for the realization of human rights of SSF communities and enhance coordination and collaboration with CHRAGG in this regard.
2. The Government to enhance the capacity of state fisheries and conservation actors, including MLF, MPRU, TARIFI, VPO and LGAs by conducting targeted training on human rights, and HRBA to fisheries and conservation. This should include annual workshops, integration of HRBA modules into institutional training curricula, and development of monitoring tools to assess uptake and application in policy and practice.

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