



POLICY BRIEF

PROTECTING TENURE RIGHTS OF SMALL-SCALE FISHERS IN TANZANIA'S EXPANDING BLUE ECONOMY



For a Just and Equitable Society

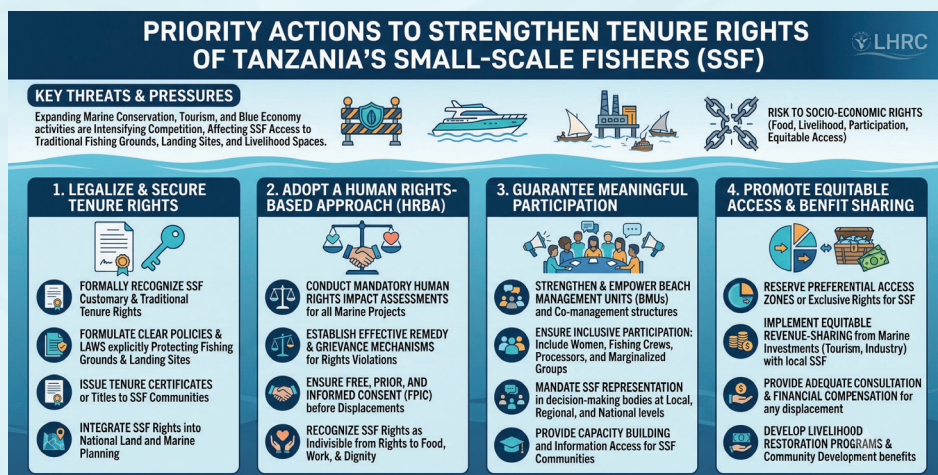


Protecting Tenure Rights of Small-Scale Fishers in Tanzania's Expanding Blue Economy

Introduction

Small-Scale Fishers (SSF) are central to coastal livelihoods, food security, and local economies in Tanzania. However, the expansion of marine conservation areas, tourism investments, and other Blue Economy activities is intensifying competition over marine resources, thus, affecting SSF access to traditional fishing grounds, landing sites, and coastal livelihood spaces. These pressures increasingly affect the enjoyment of socio-economic rights, including the rights to food, livelihood, participation, and equitable access to natural resources.

The following policy recommendations are proposed by LHRC. They are informed by the findings of the joint LHRC and CHRAGG research titled Report on Human Rights, Small-Scale Fisheries and Their Access to and Management of Marine Resources in Tanzania and are further informed by relevant national laws and policies, international frameworks, and available literature to identify priority actions for strengthening the protection of tenure rights of SSF communities.



Key Findings

Tanzania's fisheries sector largely operates under an open-access system, where fishing activities are generally permitted unless restricted by law or designated uses. In practice, however, most SSF depend heavily on nearshore marine areas due to limited fishing technology. Field findings

indicate that increasing allocation of coastal and marine areas to conservation, tourism, and other Blue Economy activities has progressively reduced practical access to these traditional fishing spaces, thus affecting livelihoods, food security, and tenure security of SSF.

Open-Access Fisheries Governance and Weak Relocation Safeguards

While Tanzania's open-access fisheries governance system formally supports broad access to marine resources for SSF communities, field findings and stakeholder consultations indicate that increasing allocation of coastal areas to tourism, conservation, and other marine uses has progressively reduced practical access to traditional fishing grounds and landing sites historically relied upon by SSF communities. The research further identified cases where coastal tourism developments occupied shoreline spaces traditionally used for fisheries-

related activities, affecting livelihood security and continued access to marine resources.

Unlike land-based sectors such as agriculture, pastoralism, or artisanal mining, where relocation frameworks often provide compensation and alternative livelihood spaces with recognized tenure arrangements, fisheries governance frameworks provide limited safeguards regarding compensation, alternative fishing grounds, continued usage rights, or livelihood continuity for affected SSF communities.

Weak Protection of Customary Fishing Rights

Customary access rights of SSF remain weakly protected despite recognition under Section 17(p) of the Fisheries Act, 2003, which requires due regard to traditional fishing practices and communities highly dependent on fisheries resources. However, the law does not establish legally protected community fishing zones or enforceable tenure safeguards. Field findings indicate that increasing allocation of coastal and marine areas to conservation and other marine uses continues to reduce access to traditional fishing grounds relied upon by SSF. This further affects livelihoods and long-standing customary use of marine resources.

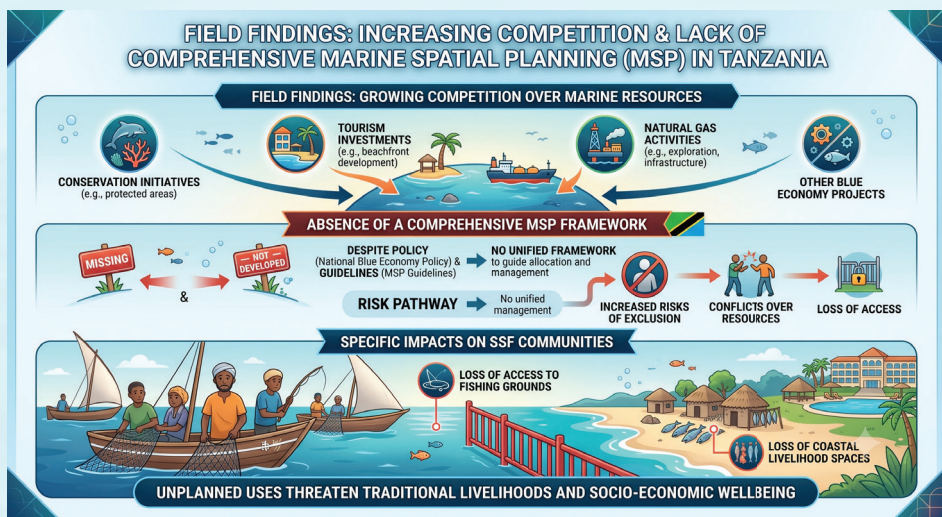
Limited Protection for Subsistence and Nearshore Fishing

Protection of subsistence and nearshore fishing remains operationally weak despite recognition under Section 22(2) of the Fisheries Act, 2003, which exempts practices such as kutanda uduvi, rod and handline fishing from the beach, and use of small cast nets from licensing requirements. However, the absence of clearly protected nearshore fishing zones limits the practical value of these protections. Field findings further indicate that declining fish stocks and increasing pressure on coastal resources continue to undermine subsistence fishing livelihoods and local food security, particularly for women engaged in nearshore fishing and fish-processing activities.

Expanding Blue Economy Activities Amid Marine Governance Gaps

Field findings indicate growing competition over marine resources arising from conservation initiatives, tourism investments, natural gas activities, and other Blue Economy projects along the coast. Despite the existence of a national Blue Economy Policy and Marine Spatial Planning (MSP) Guidelines, Tanzania has not

yet developed a comprehensive MSP framework to guide allocation and management of competing marine uses. This has increased risks of exclusion, conflicts over marine resources, and loss of access to fishing grounds and coastal livelihood spaces traditionally relied upon by SSF communities.



Weak Institutional Representation and Enforcement Gaps

While Beach Management Units (BMUs) provide localized fisheries governance structures, field findings indicate that SSF communities remain weakly organized beyond village level, limiting their effective participation in marine governance and advocacy on

tenure rights. At the same time, weak enforcement of preferential access protections for artisanal fishing areas continues to expose SSF communities to resource-use conflicts and insecure access to marine resources.

Governance and Human Rights Implications

The findings reveal significant governance gaps in the protection of tenure rights within Tanzania's fisheries sector. These gaps increase the risk of exclusion of Small-Scale Fishers from marine resources and economic opportunities associated with the Blue Economy, while

affecting the realization of rights to food, livelihood, participation, and equitable access to natural resources. Addressing these challenges will be critical for ensuring that Blue Economy development remains inclusive, sustainable, and beneficial to coastal communities.

Policy Recommendations

ESTABLISHING LEGALLY PROTECTED COMMUNITY FISHING ZONES IN TANZANIA



i. Establish legally protected community fishing zones for SSF

The Ministry for Livestock and Fisheries should amend the Fisheries Act and its enabling regulations to establish legally protected community fishing zones that recognize and protect customary fishing grounds, nearshore fishing areas, and landing sites relied upon by SSF communities, including subsistence fishing spaces used by women and other vulnerable groups.

'SAFEGUARDING SMALL-SCALE FISHERS (SSF) TENURE & LIVELIHOODS



ii. Develop safeguards for restriction or displacement from fishing areas

The Ministry for Livestock and Fisheries should develop legal and policy safeguards governing the restriction, relocation, or displacement of SSF communities from traditional fishing grounds and landing sites, including requirements for consultation, compensation, alternative fishing areas, and livelihood restoration.

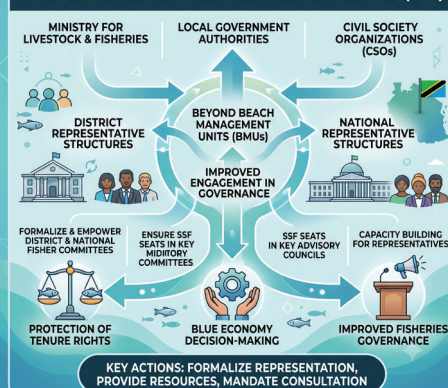
'ACCELERATING MARINE SPATIAL PLANNING (MSP) IN TANZANIA'



iii. Accelerate development of a comprehensive Marine Spatial Planning (MSP) framework

The Vice President's Office, in collaboration with the Ministry for Livestock and Fisheries, should accelerate the development and operationalization of a comprehensive Marine Spatial Planning (MSP) framework that safeguards the tenure rights, participation, and livelihoods of SSF communities while balancing fisheries, conservation, tourism, offshore energy, and other Blue Economy uses.

STRENGTHENING INSTITUTIONAL PARTICIPATION & REPRESENTATION FOR SMALL-SCALE FISHERIES (SSF)



iv. Strengthen participation and representation of SSF communities in marine governance

The Ministry for Livestock and Fisheries, Local Government Authorities, and civil society organizations (CSOs) should strengthen the institutional participation and representation of SSF communities beyond Beach Management Units (BMUs), including support for district and national representative structures to improve engagement in fisheries governance, Blue Economy decision-making, and protection of tenure rights.

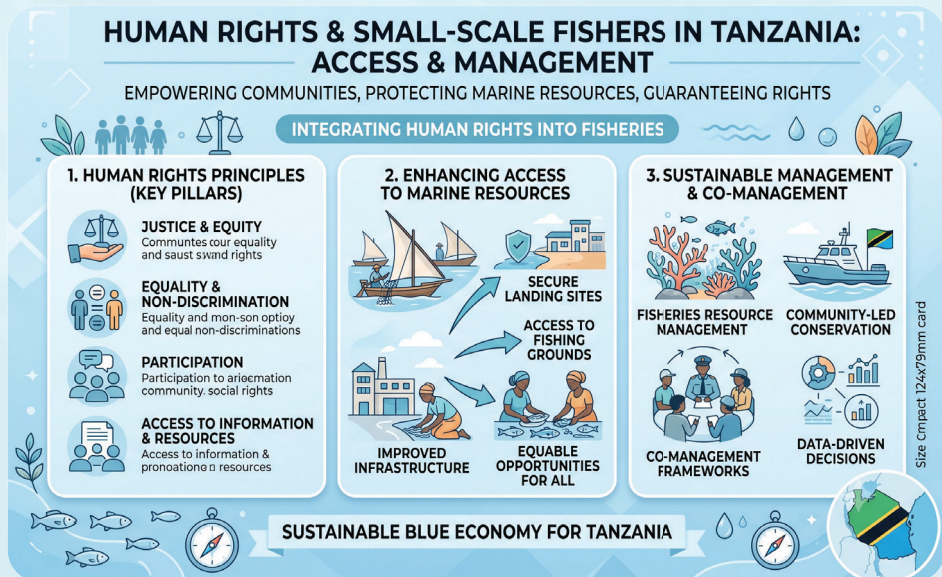
Conclusion

As Tanzania continues to advance its Blue Economy agenda, protecting tenure rights of SSF must remain a central governance priority. Strengthening tenure security, inclusive marine planning, and meaningful participation of coastal communities will be essential for ensuring that ocean-based development contributes to

economic growth while safeguarding livelihoods, food security, and human rights. A sustainable and inclusive Blue Economy requires that development, conservation, and investment initiatives protect, not diminish, the tenure rights and livelihoods of the communities that have long depended on marine resources.

KEY REFERENCES

1. Legal and Human Rights Centre (LHRC). (2026). *Human Rights, Small-Scale Fishers and their Access to and Management of Marine Resources in Tanzania*.
2. Food and Agriculture Organization of the United Nations (FAO). (2015). *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)*. Rome.
3. Food and Agriculture Organization of the United Nations (FAO). (2012). *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)*. Rome.
4. The Fisheries Act of 2003, [Cap 279, R.E. 2023]
5. United Republic of Tanzania, Vice President's Office (Union and Environment). (October 2024). *National Blue Economy Policy, 2024*. Dodoma.
6. United Republic of Tanzania, Vice President's Office (Union and Environment). (October 2023). *Guidelines for the Development of Marine Spatial Planning (MSP) in Tanzania*. Dodoma.





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