

1. INTRODUCTION

1.1. BACKGROUND AND RATIONALE

Since 2012, the emerging concept of 'blue economy' has been embraced by many coastal and island nations as a promising avenue for economic diversification and growth, embedded in fundamental principles of environmental sustainability. To this end, the government of the United Republic of Tanzania (hereafter 'the URT') has signalled its intention to mainstream the blue economy into national development planning frameworks and the economy at large. In 2012, the Africa Union (AU) endorsed the 2050 Africa Integrated Maritime Strategy (2050 AIM Strategy), which provides a broad framework for the protection and sustainable exploitation of Africa's inland waters, oceans and seas for wealth creation. The Strategy describes the Blue Economy as the "new frontier of African Renaissance." Building on this Strategy is the Agenda 2063, the African Union's long-term vision for Africa's development. Agenda 2063 envisages the African blue economy to be a "major contributor to continental transformation and growth. in the context of Africa, the blue economy covers aquatic and marine spaces, including oceans, seas, coasts, lakes, rivers, and underground water, and it comprises a range of productive sectors, such as fisheries, aquaculture, tourism, transport, shipbuilding, energy, bioprospecting, and underwater mining and related activities (UNECA, 2016).

In developing a sustainable blue economy, the increasing demand for marine space, along with the multiple pressures on marine and coastal resources, requires an integrated approach to the utilisation and management of ocean space. In recent years, marine spatial planning (MSP) has been the focus of considerable interest as a practical way to establish a more rational and integrated organisation of marine space. MSP seeks to address the interactions between different uses and users of marine space, to balance demands for development with the need to protect marine ecosystems, and to achieve social and economic objectives in an open and planned way. According to UNECA, MSP is essential for implementing the blue economy. The 2050 Africa Integrated Maritime Strategy (AIMS), a mechanism for the implementation of the blue economy in Africa, also confirms the importance of MSP as a tool for the implementation of the blue economy and proposes MSP as a mechanism to balance competing sector-based interests (African Union, 2012). MSP is, therefore, an important tool that will assist the URT in achieving its blue economy goals.

1.2. THE SCOPING STUDY

The URT has strengthened the exploitation of coastal and marine resources by putting in place legal and institutional framework that will encourage increased investment in the blue economy. The action is expected to increase pressure on the coastal and marine environment due to many uses and threats resulting from overexploitation and multi-user conflict. Thus an approach that will address the interactions between different uses of marine space, to balance demands for development with the need to protect marine ecosystem, and to achieve social and economic objectives in an open and planned way is of paramount importance. MSP has been considered as an ocean governance tool that supports creation and establishment of a more rational organisation of the use of marine space with the purpose of finding a common ground on certain ecological, economic and social development issues. As such, when considering sustainable blue economy a comprehensive MSP has to be prioritized in order to greatly improve the management of maritime space, reduce the loss of ecosystem services, help address or avoid conflict, and create economies of scale and efficiencies for enforcement and management.

In this regard, the Government of the United Republic of Tanzania and Revolutionary Government of Zanzibar have conducted a scoping study on the status of marine spatial planning in Tanzania's nearshore and offshore waters, as a preparation to implement a national-scale MSP framework. The assignment was conducted in partnership with The Nature Conservancy with financial support from the German Government-funded International Climate Initiative (IKI). The study intended to assess the current state of the country's preparedness for MSP, and to define the steps needed to design and implement a comprehensive MSP framework in the context of the existing policy, legal and institutional settings in Tanzania Mainland and Zanzibar. This study is the first in a number of steps designed to inform and prepare the

URT for the establishment of a comprehensive national-scale MSP process, which will facilitate the URT's development of a sustainable blue economy. The objectives of this study were therefore to:

- i. Undertake a study on the current status of MSP arrangements for the maritime waters of Tanzania Mainland and Zanzibar, including an analysis of the specific legal, policy and institutional arrangements for implementing MSP;
- ii. Identify gaps in the existing arrangements that constrain Tanzania's ability to develop a comprehensive MSP framework; and
- iii. On the basis of the identified gaps, recommend appropriate reforms to the existing institutional, policy and legal arrangements and existing spatial management tools to enable Tanzania to pursue the development of a comprehensive MSP framework.

The study consists of the following two core components:

Scoping Study on the Status of MSP for Mainland Tanzania and Zanzibar's Maritime Waters in the context of;

- i. (effective conservation, management and utilization of marine living and non-living resources and other competing uses for blue economy development; and
- ii. (meeting Tanzania's international obligations and national development goals relating to the protection, preservation and sustainable utilisation of its maritime space/resources; and

Legal, Policy and Administrative Analysis of Mainland Tanzania's and Zanzibar's relevant legislation, policies, plans and strategies at local, national, regional and international scales, that pertain to the management of the URT's maritime waters and specifically how it relates to MSP.

This report presents the combined output of these two components and provides a baseline of the URT's current preparedness to undertake comprehensive, marine spatial planning including EEZ. The report is intended to inform discussions on reforms to existing ocean management arrangements that will support implementation of a comprehensive marine spatial planning framework thereby contributing to the achievement of the global and URT's marine conservation goals.

1.2.1. Approach to the scoping study

Management arrangements of the scoping study

The management arrangements for this scoping study included:

- i. An Executing Agency with overall responsibility for approving and steering the study until its completion. The Executing Agency for this study was the VPO, which has convened a high level steering committee composed of relevant ministries and agencies of the government, development partners and civil societies) to work with the study team and ensure satisfactory delivery of the final scoping report;
- ii. 2. An Implementing Agency with day to day responsibility for undertaking the project and preparing the agreed project deliverables. The Implementing Agency for this study was TNC; and
- iii. 3. A Technical Team to support the implementing agency, consisting of technical experts from Tanzania Mainland and Zanzibar, TNC, CSIRO and independent experts with experience in ocean governance and MSP.

Approach

The study was conducted in the following distinct phases:

- i. **Preparation phase:** Involved technical meeting to prepare terms of reference for the consultant. This meeting was held between 16th and 17th March, 2022, in Dodoma, and attended by government stakeholders from both the Tanzania Mainland and Zanzibar. The purpose of this meeting was to improve the understanding of the technical team about the MSP process and to develop the terms of reference for the scoping study in the URT;
- ii. **Inception phase:** The inception workshops were undertaken in both Zanzibar and Tanzania Mainland on July 11, 2022, and July 13, 2022, respectively. The aim of these workshops was to enhance understanding of the MSP scoping assignment;
- iii. **Stakeholder Consultation and Data gathering phase:** This phase involved direct courtesy calls to key stakeholders, including key ministries, government technical agencies, research and academia, experts, blue economy development partners, and international and local organizations. This was held between 2nd July and 10th August 2022, involving the collation of available policy, legal, and strategies, spatial data, and other information to support the MSP process;
- iv. **Analysis and reporting phase:** gathered information and data were reviewed and analyzed between August 2022 and April 2023 to ensure that the report articulates the needs, intents, and aspirations of the Government of the URT and Revolutionary Government of Zanzibar;
- v. **Review and delivery phase:** The internal review process was undertaken by both Tanzania Mainland and Zanzibar on October 9th – 13th, 2022 in Arusha, and the subsequent meeting, organized by the Ministry of Blue Economy and Fisheries, took place in Zanzibar on October 24th and 25th, 2022;
- vi. **Validation Phase:** This involved a wide range of stakeholders, co-organized by the VPO, the Ministry of Blue Economy and Fisheries, and TNC. The validation workshop was prepared with a view to ensuring a wide range of stakeholders' engagement, encompassing ministries, government technical agencies, research and academia, experts, Blue Economy Development Partners (BE-DPG), international, and local organizations. This was held on March 17th and 18th, 2023, in Dar es Salaam, Tanzania. During this workshop, the scoping report was adopted subject to addressing the comments provided.

1.2.2. Final Review of MSP Scoping Report:

The scoping report was revised to ensure that the comments provided were fully addressed. A technical meeting was held on April 18th – 20th, 2023, to finally review the report and make it ready for submission to the government.

1.2.2.1. Geographic scope

The scope of this analysis includes the entire marine waters of the URT, as defined under the Territorial Sea and Exclusive Economic Zone Act No. 3 of 1989 (hereafter the 'Territorial Sea and Exclusive Economic Zone Act'). According to this Act Section 2, Article 3, the breadth of the territorial sea of the URT shall comprise those areas of the sea extending up to 12 nautical miles measured from the coastal waters as determined under Article 5 of this Act.

Section 4. The internal waters of the URT include any areas of the sea that are on the land ward side of the baseline of the territorial sea of the URT.

Section 5. The baseline from which the breadth of the territorial sea of the URT is measured shall be the low water line along the coast of the URT including coast of all Islands, as marked on large scale chart or map officially recognized by the government of the United Republic of Tanzania.

As noted above, the concept of the blue economy, as it applies to the URT, includes both marine and fresh water bodies. As such, any future MSP initiative for the URT should also include the various freshwater bodies as well as the URT's maritime waters.

Broadly speaking, the tools for MSP can be applied to any water body, although there are likely to be some differences in the implementation of MSP for marine waters as compared with fresh water bodies, due to the differences in the legal frameworks that govern these two resource types. The scope of the present study does not include those institutional and legal frameworks that apply to fresh water bodies. Nonetheless, it is recommended that further analysis be undertaken to ensure that freshwater bodies are comprehensively included in the final MSP framework to be developed by the URT.

1.2.2.2. Sectoral scope

The blue economy is not new to the URT, with marine uses and activities already contributing significantly to the overall socio-economic development of the URT, through direct economic activities, indirect support to service industries and the provision of environmental services. Since the economic benefits from ocean activities offer the potential for future growth, through both the expansion of existing sectors and the development of new activities, it is crucial that the full scope of activities that either are, or are planned to be undertaken under the umbrella of the blue economy, are addressed in the MSP. As such, the following activities, among others have been identified as potentially being 'in-scope' for the future development of the URT's marine space and the MSP framework.

- i. Marine biodiversity conservation and climate change adaptation;
- ii. Marine capture fisheries and aquaculture;
- iii. Ports and shipping;
- iv. Offshore petroleum exploration and production;
- v. Coastal and marine tourism;
- vi. Subsea cables – both electric transmission and telecommunications;
- vii. Coastal salt production

1.3. STRUCTURE OF THE REPORT

This report is divided into six (6) main Chapters, with additional references and Annexes. The introductory **Chapter**, provides an overview of the project and the approach taken to undertake the scoping study. To frame the analysis, **Chapter 2** presents a brief introduction to the concept and principles of marine spatial planning (MSP), and the benefits of undertaking MSP in the context of developing a sustainable blue economy. **Chapter 3** provides an overview of the national context for MSP. This includes an overview of the characteristics and governance arrangements for the URT's marine space and a brief description of the current socio-economic conditions that characterise the URT. **Chapter 4** presents a situational analysis, which provides a summary of the key marine habitats and resources and the main economic sectors that are characteristic of the URT's blue economy. This includes a brief analysis of the existing policy, legal and institutional arrangements in Tanzania Mainland and Zanzibar.

Chapter 5 represents the most important element of the analysis and presents an overview of the key gaps and challenges that were identified through this scoping study exercise. To address these identified gaps and challenges, this Chapter also proposes some key recommendations. In conclusion, **Chapter 6** of this report presents a summary of the key findings of this analysis and proposes a comprehensive Implementation Plan for each of the recommendations identified in **Chapter 5**. Although the arrangements that have been analysed in this report relate broadly to the management of marine resources and human use sectors, the core focus of this analysis is on marine spatial planning. As such, this analysis, and the corresponding recommendations, are largely focussed on those gaps and mitigations that may be necessary to enable a comprehensive MSP framework across the URT.