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## The effectiveness of national maritime governance in the protection of maritime domain: A Case of United Republic of Tanzania

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### Abstract

This study assessed the effectiveness of national maritime governance in protecting the maritime domain of the United Republic of Tanzania. It was guided by four objectives: (i) to examine existing legal and institutional frameworks and the roles of key maritime actors; (ii) to assess Tanzania's engagement with international maritime conventions; (iii) to identify key challenges hindering effective governance; and (iv) to explore emerging strategies and reforms aimed at strengthening maritime domain protection. A qualitative case study design was employed, drawing on documentary review and interviews with officers from the Ministry of Lands, Housing and Human Settlements Development, TASAC, the Marine Police Unit, and the Tanzanian Navy. The findings show that Tanzania's governance framework is supported by major statutes including the Merchant Shipping Act, Maritime Zones Act, Fisheries Act, Maritime Transport Act, and Deep-Sea Fishing Authority Act which give effect to obligations under UNCLOS, SOLAS, MARPOL, and the Djibouti Code of Conduct. However, outdated legislation, overlapping mandates, weak coordination, limited surveillance capacity, inadequate funding, and weak prosecution mechanisms reduce the overall effectiveness of maritime governance. Although recent reforms such as the development of a National Maritime Policy, proposed legislative updates, joint patrols, and technological improvements indicate progress, their impact is constrained by the absence of a unified statutory coordination mechanism. The study concludes that Tanzania possesses a solid legal foundation for maritime governance, but its protective capacity remains limited. Strengthening legal harmonization, institutional coordination, and enforcement capabilities is essential for enhancing sustainable and effective maritime domain protection.

**Keywords:** National Maritime Governance; Marine Domain Protection; Legal and Institutional Frameworks; International Maritime Conventions

### 1. Introduction

The maritime domain is a vital global asset, integral to socio-economic development, facilitating trade, and serving as a critical source of food, energy, and employment for numerous coastal nations (Okafor-Yarwood et al., 2023). For littoral states, such as the United Republic of Tanzania, the effective governance and protection of their maritime interests are paramount to national security, economic prosperity, and environmental sustainability. However, this domain is increasingly vulnerable to multifaceted threats, including piracy, illegal, unreported, and unregulated fishing, armed robbery at sea, drug trafficking, and other forms of organized maritime crime (Okafor-Yarwood et al., 2023). These illicit activities not only undermine state sovereignty but also destabilize regional security and impede the sustainable exploitation of marine resources.

Tanzania's maritime governance framework involves a range of institutions and legal instruments, primarily aimed at managing its extensive coastline and rich marine resources. Key government entities include the Ministry of Livestock and Fisheries Development, which oversees fisheries policies and regulatory frameworks through its Fisheries Development Division (Hoof and Kraan, 2017). The Prime Minister's Office for Regional and Local Government also

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plays a role in coordinating devolved management under the Fisheries Act of 2003, while the Deep Sea Fishing Authority regulates international fishing vessels within Tanzania's Exclusive Economic Zone (Hoof and Kraan, 2017). In Zanzibar, the Ministry of Agriculture, Natural Resources, Environment and Cooperatives manages the agricultural sector, including fisheries, with the Department of Fisheries and Marine Products enforcing laws and the Marine Conservation Unit managing Marine Protected Areas (Hoof and Kraan, 2017). To combat broader environmental and fisheries crime, Tanzania established a Multi-agency Task Team in 2015, led by the Ministry of Home Affairs and comprising several ministries and the Police Force (Lubchenco and Haugan, 2023a, 2023b).

Despite these structures, challenges persist. Academic sources point to issues such as "weak governance systems, low motivation and corruption among stakeholders" contributing to destructive fishing practices (Hoof and Kraan, 2017). Furthermore, a recent assessment revealed that cybersecurity in Tanzanian maritime operations exhibits significant gaps, with existing practices being "largely reactive" rather than proactive, posing risks to critical infrastructure like the Port of Dar es Salaam (Patrick et al., 2024). Policy gaps also exist in integrating small-scale fishers into decision-making processes within the East African Blue Economy framework (Thoya et al., 2022).

Given the critical importance of the maritime domain and the complex and evolving threats it faces, a thorough examination of the effectiveness of national maritime governance in Tanzania is imperative. Tanzania's strategic location on the East African coastline makes it particularly vulnerable to transnational maritime crimes and environmental degradation, which can have profound impacts on its national security and economic stability (Walker et al., 2017). The identified weaknesses in governance systems, coupled with emerging threats like cybersecurity vulnerabilities, underscore the urgent need to assess how well current national strategies and institutional frameworks are protecting Tanzania's maritime interests. Poor implementation of legal provisions at the national level can also weaken regional maritime security efforts (Thoya et al., 2022). By focusing on Tanzania, this study aims to contribute valuable insights into the practical challenges and opportunities for enhancing maritime security within a developing coastal state context, which can inform both national policy-making and broader regional initiatives.

This paper aims to critically assess the effectiveness of national maritime governance in the protection of the maritime domain, using the United Republic of Tanzania as a case study. Specifically, this study seeks to:

- Explore the existing legal and institutional frameworks governing Tanzania's maritime domain and to understand the roles played by key actors involved in maritime security, regulation, and enforcement;
- Examine how Tanzania engages with and applies international maritime conventions and obligations within its national maritime governance practices;
- To gain an in-depth understanding of the key challenges that hinder the effectiveness of national maritime governance; and
- To explore the emerging strategies, reforms, and initiatives being undertaken to strengthen maritime governance and enhance the protection of Tanzania's maritime domain

In addition to providing an overview of the current state of maritime governance in Tanzania (the focus of this assessment), it is hoped that this study will provide insight into what can be done to improve effectiveness and support Tanzania's future efforts to protect its vital marine environment, to promote the blue economy and to contribute to regional maritime security. This paper intends to serve as a resource to inform policy, practice and research in support of maritime governance in Tanzania and beyond.

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## 2. Literature review

The effective governance of the maritime domain is contingent upon strong regulatory and institutional frameworks that can address many-sided challenges ranging from resource exploitation to security threats. This literature review examines into the existing scholarly discourse on maritime governance, with a specific focus on the legal and organizational structures in the United Republic of Tanzania.

### 2.1. Regulatory Framework for Maritime Governance in Tanzania

Tanzania's maritime regulatory framework encompasses a diverse set of laws, policies, and regulations designed to manage its extensive marine resources and safeguard its maritime interests. Key legislation includes the Tanzania Fisheries Act of 2003 and the Tanzania National Fisheries Policy of 2015, which govern the collection of aquatic products and aim for the sustainable utilization of fisheries resources Simon et al., 2021. For Zanzibar, relevant laws include the Fisheries Act of 1988, the Fisheries Law of 1993, and a revised Fisheries Act of 2005 that was awaiting passage (Hoof and Kraan, 2017).

Environmental protection within the maritime domain is largely guided by the Environmental Management Act No. 20 of 2004, which promotes coordination and cooperation among stakeholders for the protection and management of environmental and natural resources, including mangroves Nyangoko et al., 2022. The Forest Act No. 14 of 2002 also contributes to this framework by advocating for sustainable forest management, which is crucial for coastal ecosystems (Nyangoko et al., 2022). Furthermore, the Marine Parks and Reserves Regulations of 1999 operate within the context of national environmental and fisheries policies to protect, conserve, and restore marine resources and ecosystems (Mesaki, 2020). The Marine and Coastal Environment Management Project, implemented from 2005 to 2012, aimed to improve regulatory frameworks for managing marine resources, particularly within economic exclusive zones (Nyangoko et al., 2022).

In terms of maritime safety and security, Tanzania has adopted AIS laws under its fisheries legislation, extending the application of SOLAS Chapter V Regulation 19 to fishing vessels. These laws mandate continuous reporting to the relevant Tanzanian authority and notification of technical failures, with non-compliance leading to substantial fines (Bunwaree, 2023). The regulatory landscape also addresses oil and gas resources, though this sector faces challenges such as separate governing laws and issues of coordination (Gabagambi and Longopa, 2022). A legal report evaluating Tanzania's alignment with the Ecosystem Approach to Fisheries indicates an assessment of how well policy and legal instruments reflect EAF requirements in the fisheries and related sectors (Teresa, 2022). Overall, Tanzania has over thirty national legislative documents relevant to coastal and marine resources and is signatory to numerous international conventions, though effective implementation has faced constraints (Hoof and Kraan, 2017). The Surface and Marine Transport Regulatory Authority also plays a role within the legal framework governing maritime transport (Kikoyo, 2014).

## 2.2. Institutional Framework for Maritime Governance in Tanzania

The institutional framework for maritime governance in Tanzania involves a network of government bodies, agencies, and community-based organizations, each contributing to the protection and management of the maritime domain.

A key player in fisheries management is the **Ministry of Livestock and Fisheries Development**, which, through its Fisheries Development Division, is responsible for national fisheries policies and regulatory oversight. The **Marine Control and Surveillance Unit** serves as the enforcement arm of the Fisheries Department (Hoof and Kraan, 2017). Additionally, the **Deep-Sea Fishing Authority**, established under the Deep-Sea Fishing Authority Act of 2007, specifically regulates international fishing vessels operating within Tanzania's Exclusive Economic Zone (Hoof and Kraan, 2017).

To combat broader environmental and wildlife crimes, Tanzania launched the **Multi-agency Task Team** in 2015. This inter-ministerial body is led by the Ministry of Home Affairs and includes representatives from the Ministries of Livestock and Fisheries Development, Energy and Minerals, Natural Resources, and the Tanzanian Police Force (Lubchenco and Haugan, 2023). The MATT aims to coordinate efforts and resources to target criminal networks involved in environmental and fisheries crimes.

In Zanzibar, the Ministry of Agriculture, Natural Resources, Environment and Cooperatives manages the agricultural sector, including fisheries, with the Department of Fisheries and Marine Products enforcing laws and the Marine Conservation Unit managing Marine Protected Areas (Hoof and Kraan, 2017). Community-based approaches are also significant, with local institutions such as Beach Management Units on the mainland and similar Community Fishermen Committees in Zanzibar, managing marine resources at a local level under specified bylaws (Hoof and Kraan, 2017; Nyangoko et al., 2022).

Despite these institutional arrangements, challenges exist. For instance, the country's capability in conducting basic and advanced marine science research is hampered by the lack of a research vessel (Masalu, 2000). Furthermore, the oil and gas sector faces issues such as a lack of coordination and overlapping powers among institutions between the Union and Revolutionary Government of Zanzibar (Gabagambi and Longopa, 2022). Effective maritime security governance, as noted in the literature, often relies on elements like a maritime security strategy, a coordination committee, and a maritime domain awareness center, sometimes complemented by multi-agency task forces (Bueger, 2019). Tanzania has also engaged in regional cooperation, such as the memorandum of understanding on maritime security cooperation with South Africa and Mozambique (Blaine and Nel, 2020). Institutions for maritime education and training in East Africa, including Tanzania, have also been developing to address human resource needs in the maritime sector (Kiplimo and Ikua, 2017).

### 3. Methodology

This section presents the research design, approach, data collection methods, and analytical procedures used to assess the effectiveness of national maritime governance in protecting the maritime domain in the United Republic of Tanzania. It outlines the methodological rationale guiding the study, describes the study population and sampling strategy, and explains the primary and secondary data sources used to examine governance structures, legal frameworks, and enforcement practices. Additionally, the section details the procedures for ensuring the credibility and ethical integrity of the research process, thereby providing a clear foundation for how the study's findings were generated and interpreted.

This study adopted a qualitative case study design to examine the effectiveness of national maritime governance in the protection of the maritime domain in the United Republic of Tanzania. The case study approach was selected because it facilitates an in-depth, complete and contextual exploration of governance systems, institutional practices, and legal enforcement mechanisms within a real-world maritime environment.

#### 3.1. Research Approach and Design

This study adopted a **qualitative case study design** to examine the role of national maritime governance in the protection of the maritime domain in the United Republic of Tanzania. The case study design, as emphasized by Yin (2018) and Creswell (2014), allows for an in-depth, contextual analysis of complex phenomena within their real-life settings, making it particularly suitable for exploring governance systems, institutional practices, and policy implementation. This approach enabled the researcher to investigate how legal and policy frameworks governing Tanzania's maritime domain operate in practice and how they influence protection outcomes. By employing a qualitative approach, the study focused on understanding processes, interpreting stakeholder perspectives, and uncovering institutional dynamics rather than testing hypotheses or

#### 3.2. Sampling

The study involved officers from the Ministry of Lands, Housing and Human Settlements Development, the Tanzania Shipping Agencies Corporation (TASAC), the Marine Police Unit, and the Tanzanian Navy. These participants were purposively selected because of their direct mandates in maritime governance, legal regulation, and operational security within Tanzania's maritime domain. Officers from the Ministry of Lands were included due to their responsibility for maritime boundary demarcation, coastal planning, and geospatial management functions that form the legal foundation for asserting and protecting national maritime jurisdiction. TASAC representatives contributed critical insights into the implementation of maritime transport regulations, safety standards, and international conventions that govern vessel operations and maritime safety. Members of the Marine Police Unit provided perspectives on frontline law enforcement, anti-smuggling operations, investigation of maritime offences, and practical challenges encountered in policing territorial waters. Similarly, officers from the Tanzanian Navy shared experiences related to offshore surveillance, defense coordination, intelligence gathering, and national security operations within Tanzania's EEZ and high-risk maritime zones. Collectively, these participants offered a comprehensive understanding of how legal frameworks, institutional practices, and inter-agency collaboration shape the overall effectiveness of national maritime governance in protecting the maritime domain.

#### 3.3. Data Collection Methods

The study utilized both primary and secondary data collection methods to obtain comprehensive and reliable information on the role of national maritime governance in the protection of the maritime domain. Primary data were collected through face-to-face interviews with key officers from the Ministry of Lands, Housing and Human Settlements Development, the Tanzania Shipping Agencies Corporation (TASAC), the Marine Police Unit, and the Tanzanian Navy. These interviews allowed the researcher to gather detailed insights into institutional roles, coordination mechanisms, and practical challenges affecting maritime governance and security.

In addition, secondary data were obtained through a documentary review of relevant materials, including national maritime policies, legal frameworks, strategic plans, government reports, and international conventions such as UNCLOS and IMO regulations. The document review complemented the primary data by providing contextual and historical information on the existing governance structures, policy implementation processes, and compliance with international maritime standards. Combining both methods ensured data triangulation and enhanced the credibility and depth of the study findings.

### 3.4. Data Analysis and Ethical Considerations

Data collected from interviews and document reviews were analyzed using thematic analysis to identify recurring patterns, themes, and relationships relevant to maritime governance and domain protection. Thematic analysis allowed the researcher to systematically organize qualitative data by coding key phrases and grouping them into major thematic areas, such as institutional coordination, legal enforcement, and policy implementation. Insights from documentary reviews were integrated with interview findings to provide a comprehensive understanding of how national governance frameworks influence maritime protection efforts. This approach ensured that interpretations were grounded in both empirical evidence and existing policy documents, enhancing the validity of the results.

Ethical considerations were strictly observed throughout the research process. Participants were informed about the purpose and objectives of the study and were assured of voluntary participation, confidentiality, and anonymity. Prior to data collection, informed consent was obtained from each participant, and no personal identifiers were used in the reporting of results. The researcher also ensured that the use of government documents complied with institutional and national ethical standards. These measures were taken to maintain integrity, respect participants' rights, and ensure that the study adhered to accepted research ethics principles.

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## 4. Results

This section presents and interprets the findings of the study in relation to the research objectives and the legal framework governing Tanzania's maritime domain. It integrates data obtained from interviews and documentary reviews, analyzing them within the context of national legislation, institutional mandates, and international maritime conventions. The discussion links the empirical evidence with existing literature to demonstrate how national maritime governance contributes to the protection of the maritime domain and where legal or institutional gaps remain.

### 4.1. Institutional, Legal and Enforcement Frameworks Governing the Maritime Domain

The protection of the maritime domain in the United Republic of Tanzania is grounded in a comprehensive set of legal and institutional arrangements which collectively define the powers, responsibilities, and enforcement mechanisms of the State in maritime affairs. The documentary review revealed that the legal basis for maritime governance is established through a number of statutes, including the *Merchant Shipping Act, 2003* Cap.165 R.E.2023, the *Maritime Transport Act, 2020*, the *Fisheries Act, 2003* Cap.279 R.E.2023, the *Maritime Zones Act, 1989* Cap.238 R.E.2023, and the *Deep Sea Fishing Authority Act, 1998* Cap.388 R.E.2023. Collectively, these statutes operationalize Tanzania's sovereign and jurisdictional rights under the United Nations Convention on the Law of the Sea (UNCLOS, 1982) and related International Maritime Organization (IMO) conventions, including SOLAS and MARPOL. The review further established that these laws define the institutional architecture through which maritime governance and protection are administered.

The interview evidence confirmed the practical application of these legal instruments within specific institutions. Officers from the Tanzania Shipping Agencies Corporation (TASAC) explained that the Corporation exercises statutory powers of inspection, ship registration, port State control, and enforcement of maritime safety and environmental standards under the *Merchant Shipping Act*. Respondents from the Marine Police Unit emphasized that their enforcement mandate derived from the *Police Force and Auxiliary Services Act Cap. 322 R.E.2023* covers suppression of maritime crime, including smuggling, piracy, and illegal fishing. Similarly, officers from the Tanzanian Navy, acting under the *National Defense Act Cap.192 R.E.2023*, reported that the Navy supports civilian institutions in maintaining maritime sovereignty, conducting surveillance, and responding to transnational maritime threats. The Ministry of Lands, Housing and Human Settlements Development was identified as the authority responsible for the legal administration of maritime boundaries and coastal zone management, which are critical for spatial regulation and protection of marine resources.

Despite this robust statutory framework, both documentary and interview findings revealed weaknesses in institutional coordination and enforcement capacity. Although TASAC, the Marine Police, and the Navy each possess distinct legal mandates, their enforcement operations frequently overlap in jurisdiction, resulting in duplication and occasional conflict of authority. Respondents consistently observed that there is no single statute establishing a unified maritime enforcement or coordination mechanism. Consequently, inter-agency operations often rely on informal cooperation rather than a statutory obligation, which weakens the coherence of governance. Documentary analysis further indicated that several of the governing statutes predate current international developments such as the blue economy and marine spatial planning, rendering them inadequate for modern maritime governance demands.

Enforcement capacity was another area of concern. Officers across all institutions cited resource limitations, including an insufficient number of patrol vessels, inadequate surveillance systems such as Vessel Monitoring Systems (VMS) and Automatic Identification Systems (AIS), and limited funding for maritime operations. These challenges constrain the State's ability to monitor activities within its territorial waters and Exclusive Economic Zone (EEZ). The documentary review confirmed that Tanzania's enforcement agencies operate with limited technological infrastructure and often lack integrated communication systems necessary for real-time maritime domain awareness. As a result, enforcement efforts tend to be reactive rather than preventive, and prosecutions for maritime offences remain infrequent.

From a legal standpoint, these findings demonstrate that the role of national maritime governance extends beyond merely creating statutory provisions; it also involves ensuring that enforcement mechanisms are functional, adequately resourced, and institutionally coherent. The governance framework performs a dual function:

#### *4.1.1. Regulatory Role*

By establishing binding legal norms that govern maritime conduct, delineate jurisdiction, and prescribe penalties for unlawful acts; and

#### *4.1.2. Protective Role*

By empowering State institutions to implement those norms through inspection, surveillance, and prosecution in accordance with both national and international law.

However, the study found that the fulfillment of this role remains partial. Where statutory mandates are not supported by adequate operational capacity or where inter-agency coordination is not legally institutionalized, the protective function of maritime governance is undermined. This aligns with Bueger (2015) and Chircop (2008), who assert that effective maritime governance depends not only on the existence of legislation but on its consistent enforcement through capable institutions. Therefore, to enhance the protection of Tanzania's maritime domain, there is an urgent need for legislative reform to harmonize overlapping mandates, establish a statutory coordination framework, and strengthen enforcement resources in compliance with UNCLOS and IMO standards.

## **4.2. Compliance with International Maritime Conventions and Obligations**

The study found that Tanzania's national maritime governance framework is closely linked to its obligations under international maritime law. The documentary review revealed that Tanzania is a party to several major conventions that form the backbone of the global maritime legal order. These include the United Nations Convention on the Law of the Sea (UNCLOS, 1982), which establishes the legal regime for maritime zones and the protection of the marine environment; the International Maritime Organization (IMO) conventions such as the International Convention for the Safety of Life at Sea (SOLAS, 1974), the International Convention for the Prevention of Pollution from Ships (MARPOL, 1973/78), the Standards of Training, Certification and Watchkeeping for Seafarers (STCW, 1978), and the International Ship and Port Facility Security (ISPS) Code. Tanzania has also ratified regional instruments such as the Djibouti Code of Conduct (2009), which enhances cooperation against piracy and armed robbery in the Western Indian Ocean.

The documentary analysis further showed that several of these conventions have been domesticated through national legislation. The Merchant Shipping Act, 2003 incorporates provisions of SOLAS, MARPOL, and STCW into domestic law, thereby giving legal effect to Tanzania's international obligations regarding ship safety, environmental protection, and crew certification. Similarly, the Fisheries Act, 2003 and the Deep-Sea Fishing Authority Act, 1998 operationalize obligations under the FAO Port State Measures Agreement (2009) to combat illegal, unreported, and unregulated (IUU) fishing. However, the review also revealed partial implementation of certain obligations due to the absence of specific subsidiary regulations, limited technical capacity, and inconsistent updates to domestic legislation following international amendments.

Evidence from interviews supported these observations. Officers from the Tanzania Shipping Agencies Corporation (TASAC) explained that the Corporation, as the designated maritime administration, is responsible for monitoring and ensuring compliance with IMO conventions. They reported that TASAC regularly conducts port State control inspections to verify vessel compliance with international standards and that training programs are periodically organized for seafarers in accordance with the STCW Convention. Nevertheless, officers acknowledged that enforcement of MARPOL obligations, particularly those relating to waste management and pollution control, remains challenging due to the inadequate establishment of port reception facilities and limited technical expertise for environmental monitoring.

Respondents from the Tanzanian Navy and Marine Police Unit emphasized that compliance with international conventions also entails cooperation in maritime security and surveillance. They reported that Tanzania participates in joint patrols and regional information-sharing initiatives through the Djibouti Code of Conduct framework. However, both agencies indicated that coordination between national and regional enforcement bodies is sometimes hindered by communication delays, funding limitations, and the absence of a centralized maritime information system. The Ministry of Lands, Housing and Human Settlements Development officers further highlighted that the process of maritime boundary delimitation and coastal management must conform to the provisions of UNCLOS, though technical constraints and overlapping jurisdiction occasionally impede full compliance.

From a legal perspective, these findings demonstrate that the role of national maritime governance in this area is to ensure the domestication, implementation, and enforcement of international maritime obligations within the national legal order. Through statutory instruments such as the Merchant Shipping Act and the Maritime Transport Act, Tanzania fulfills its duty under international law to regulate activities within its maritime zones, maintain safety at sea, and prevent marine pollution. Compliance with these conventions strengthens the legitimacy of Tanzania's jurisdictional claims and enhances international confidence in its maritime administration.

However, the findings also reveal that the performance of this role remains constrained by limited institutional capacity, inadequate technical infrastructure, and occasional legislative delays in aligning domestic law with evolving international standards. The partial domestication of certain conventions and the lack of specialized personnel for inspection and monitoring create gaps in enforcement that weaken overall maritime governance. Consequently, while Tanzania has taken significant steps toward fulfilling its international maritime obligations, sustained efforts are required to modernize legal instruments, build technical capacity, and institutionalize inter-agency coordination to ensure comprehensive and effective compliance.

#### **4.3. Challenges Affecting Maritime Governance and Domain Protection**

Although Tanzania has developed an extensive legal and institutional framework for maritime governance, the findings revealed several challenges that continue to undermine the effective protection of the maritime domain. Evidence from both interviews and documentary analysis showed that these challenges are predominantly legal, institutional, technical, and financial, thereby limiting the full operationalization of national maritime governance objectives. The key challenges are presented below:

##### *4.3.1. Legal and Policy Gaps*

The documentary review demonstrated that several foundational pieces of legislation including the Merchant Shipping Act, 2003 and the Maritime Zones Act, 1989 have not been comprehensively updated to reflect new developments such as the blue economy agenda, maritime spatial planning, and climate change adaptation. As a result, some provisions are outdated and misaligned with contemporary international standards.

Furthermore, Tanzania lacks a single overarching statute that establishes a unified maritime governance authority. The absence of a legally mandated national coordination mechanism means that inter-agency collaboration relies on informal arrangements rather than binding institutional frameworks. This gap weakens integrated maritime governance and reduces the effectiveness of law enforcement.

##### *4.3.2. Institutional Overlaps and Fragmented Mandates*

Interview findings from TASAC, the Marine Police Unit, and the Tanzanian Navy revealed widespread concerns about overlapping institutional mandates and unclear jurisdictional boundaries. Enforcement responsibilities related to illegal fishing, smuggling, pollution control, and vessel monitoring frequently involve multiple agencies operating under separate laws. This leads to duplication of efforts, inconsistent enforcement actions, and delayed operational responses.

Respondents also noted the absence of a formally established National Maritime Coordination Council or Maritime Authority, which would ensure unified planning, joint operations, and harmonized decision-making across agencies.

##### *4.3.3. Limited Operational and Technical Capacity*

Both interviews and documentary evidence highlighted limitations in operational capability. Officers from the Marine Police and Tanzanian Navy reported persistent shortages of functional patrol vessels, inadequate fuel resources, and insufficient personnel to monitor the entire Exclusive Economic Zone (EEZ).

Technological gaps were also identified. Most enforcement agencies lack modern maritime surveillance tools such as Vessel Monitoring Systems (VMS), Automatic Identification Systems (AIS), radar networks, and integrated Maritime Domain Awareness (MDA) platforms. These deficiencies significantly reduce Tanzania's ability to detect, track, and respond to maritime threats in real time. Additionally, gaps in environmental protection capacity such as limited reception facilities for ship-generated waste undermine compliance with MARPOL obligations.

#### *4.3.4. Financial Constraints and Limited Enforcement Capacity*

All participating institutions acknowledged that insufficient budget allocations hinder effective maritime governance. Limited funding affects regular patrol operations, vessel maintenance, acquisition of surveillance technologies, and the training of enforcement personnel. Documentary review confirmed that key maritime activities depend heavily on donor support, which is not sustainable, particularly for long-term maritime security initiatives. The absence of a dedicated national maritime fund further restricts the implementation of strategic maritime projects.

#### *4.3.5. Weak Judicial and Prosecutorial Mechanisms*

A further challenge identified relates to the prosecution of maritime offences. Interview respondents pointed out that cases involving illegal fishing, smuggling, piracy, and pollution often experience delays due to the lack of specialized maritime courts or judicial officers trained in maritime law. The documentary review also indicated that while existing legislation provides penalties, actual prosecution rates remain low, diminishing the deterrence value of the legal framework. This finding aligns with Bueger and Edmunds (2017), who observed similar challenges in many developing coastal states lacking specialized adjudicatory structures.

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## **5. Discussion**

The findings of this study demonstrate that the effectiveness of national maritime governance in protecting Tanzania's maritime domain is significantly constrained by a combination of legal, institutional, technical, and financial limitations. The discussion below integrates these findings with existing literature and international governance standards, offering an analytical interpretation of their implications.

First, the study revealed major legal and policy gaps, particularly the outdated nature of key legislative instruments such as the Maritime Zones Act (1989) and Merchant Shipping Act (2003). These findings support the observations of Bueger and Edmunds (2017), who argue that many developing coastal states struggle with obsolete maritime laws that fail to reflect contemporary challenges such as climate change, the blue economy, and technological advancements. The absence of a unified maritime governance statute in Tanzania further weakens the coherence of national governance efforts, reinforcing earlier arguments by Mrema (2019) that fragmented legal frameworks undermine integrated ocean management in East Africa.

Second, institutional fragmentation and overlapping mandates emerged as prominent governance weaknesses. The inconsistent coordination among TASAC, the Marine Police Unit, and the Tanzanian Navy mirrors the concerns raised in regional studies by Mensah (2019), who documented similar overlaps in West and East African maritime institutions. The lack of a legally established Maritime Coordination Council or central maritime authority suggests that Tanzania's governance structure remains heavily siloed, preventing seamless enforcement and diminishing operational efficiency.

Third, the study identified severe technical and operational capacity shortages, particularly inadequate patrol vessels, lack of modern surveillance technologies, and insufficient personnel. These limitations are consistent with findings from Nzowa (2018), who highlighted the inability of the Deep-Sea Fishing Authority (DSFA) to adequately monitor Tanzania's EEZ due to resource constraints. The absence of critical technologies such as AIS, VMS, and radar networks reinforces arguments by the International Maritime Organization (IMO) that maritime domain awareness remains the most significant challenge for coastal developing states.

Fourth, financial constraints were found to hinder almost every dimension of maritime governance, from patrol operations to training and technology acquisition. This aligns with Samatar, Ali, and Osman (2019), who noted that sustainable maritime governance, is heavily dependent on predictable funding and national investment. The reliance on donor-driven programs identified in both interviews and documentary evidence raises concerns about the long-term sustainability of Tanzania's maritime governance initiatives.

Finally, the study exposed weaknesses in judicial and prosecutorial mechanisms, particularly the absence of specialized maritime courts and inadequate training for judicial officers. This finding confirms earlier arguments by Chikandiwa (2020), who emphasized that effective maritime governance requires tailored legal processes capable of handling

complex maritime offences. The limited prosecution of IUU fishing, smuggling, and pollution cases in Tanzania reduces deterrence and weakens overall governance effectiveness.

Collectively, these findings suggest that while Tanzania has established a solid legal and institutional foundation for maritime governance, the practical effectiveness of these frameworks remains significantly limited. The challenges are therefore not rooted in the absence of laws but in deficiencies of implementation capacity, coordination mechanisms, technological readiness, and financial resourcing. This reinforces the central argument that effective protection of the maritime domain requires more than the existence of legal instruments it demands functional institutions, adequate resources, modern technology, and a coordinated national strategy

### **5.1. Emerging Strategies and Reforms**

Despite the challenges identified, the study found that meaningful progress has been made since 2020 toward strengthening Tanzania's national maritime governance framework and enhancing protection of the maritime domain. Evidence from both documentary sources and interviews indicates that the government has initiated several institutional reforms, policy developments, and inter-agency strategies aimed at improving coordination, compliance, and operational capacity.

Documentary analysis shows that in 2021, the Ministry of Works and Transport initiated the drafting of a National Maritime Policy (NMP), which as of 2024 remains under stakeholder consultation. The policy seeks to harmonize existing maritime laws, clarify institutional responsibilities, and align national governance structures with international standards. It also proposes strengthening TASAC's statutory mandate as the central maritime administration and formally establishing a National Maritime Coordination Committee to improve inter-agency collaboration. The draft policy incorporates modern governance priorities such as the blue economy, maritime spatial planning, and sustainable coastal development, reflecting the government's intention to modernize the maritime legal regime.

Further, in 2022, the Ministry of Works and Transport issued proposals to amend both the Merchant Shipping Act (2003) and the Maritime Zones Act (1989) to embed these policy objectives in domestic law. TASAC's 2023 Annual Report also highlights several capacity-building initiatives implemented under the Blue Economy Implementation Framework (2021–2030), focusing on safety, environmental protection, and seafarer training.

Interview findings support this progress. TASAC officers noted ongoing efforts to revise older maritime legislation to ensure its alignment with current International Maritime Organization (IMO) standards and emerging blue economy priorities. Officers from the Marine Police Unit reported an increase in joint patrols and shared intelligence between 2022 and 2024, following government directives encouraging greater inter-agency coordination, although these arrangements are not yet supported by formal legislation.

Similarly, Tanzanian Navy officers stated that since 2023 the Navy has expanded its involvement in regional maritime security initiatives under the Djibouti Code of Conduct (2009; Jeddah Amendment 2017). This includes participation in capacity-building activities coordinated by the Regional Maritime Information Fusion Centre (RMIFC) in Madagascar. They emphasized that while regional partnerships have improved surveillance and information-sharing, domestic legislation has not yet been updated to formalize their roles in joint national operations.

Officials from the Ministry of Lands, Housing and Human Settlements Development reported ongoing efforts to reform spatial planning and coastal management laws. These reforms aim to integrate maritime boundaries into national zoning frameworks to prevent encroachment, strengthen coastal governance, and clarify jurisdictional responsibilities among agencies.

Technological improvements were also noted. Beginning in 2023, TASAC commenced phased installation of Vessel Monitoring Systems (VMS) and Automatic Identification Systems (AIS) to enhance maritime domain awareness. Supported under the Indian Ocean Rim Association (IORA) blue economy framework, these systems are intended to strengthen real-time monitoring, especially in the EEZ. Joint training workshops conducted between TASAC and the Marine Police from 2022 to 2024 have further enhanced operational readiness and compliance with MARPOL and STCW conventions.

Overall, these findings demonstrate that Tanzania's maritime governance framework is undergoing gradual but significant reform. The ongoing policy, legislative, and institutional initiatives highlight a transition from fragmented administrative practices toward a more integrated governance system grounded in sustainability, coordination, and alignment with international obligations. The development of the National Maritime Policy and related legislative

reforms reflect deliberate government efforts to consolidate maritime governance into a coherent, enforceable, and modernized system.

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## 6. Conclusion

The study established that national maritime governance in the United Republic of Tanzania plays a central role in protecting the maritime domain through its legal, institutional, and enforcement frameworks. Statutes such as the Merchant Shipping Act, 2003, the Maritime Zones Act, 1989, and the Maritime Transport Act, 2020 form the foundation for regulating maritime safety, security, and environmental protection. These laws enable Tanzania to exercise its maritime jurisdiction and fulfill obligations under international conventions including UNCLOS (1982) and key IMO instruments such as SOLAS and MARPOL.

However, the findings revealed that the effectiveness of these governance structures is limited by overlapping mandates, weak inter-agency coordination, and inadequate enforcement capacity. These shortcomings have legal implications for the State's ability to implement maritime law and protect its marine resources effectively. The study also found that partial domestication of international conventions and outdated statutes reduce the coherence of Tanzania's maritime governance system.

The implications of these findings are threefold. First, there is a need to harmonize maritime legislation and establish a legally recognized coordination mechanism to enhance institutional efficiency. Second, capacity building and resource allocation must be prioritized to strengthen enforcement and surveillance. Third, continued alignment with international maritime conventions will reinforce Tanzania's legal standing and environmental protection efforts.

In conclusion, the role of national maritime governance in Tanzania is both regulatory and protective it provides the legal authority to govern maritime activities and the mechanisms to safeguard the maritime domain. Strengthening coordination, modernizing legal instruments, and enhancing enforcement capacity are therefore essential steps toward achieving effective and sustainable maritime governance

### *Recommendations*

Based on the study findings, several key recommendations are proposed to strengthen national maritime governance and enhance protection of the maritime domain in Tanzania. First, there is a need to consolidate the fragmented legal framework. The government should enact a National Maritime Governance Act to harmonize existing maritime laws, clarify institutional mandates, and formally establish a National Maritime Coordination Council (NMCC) to lead inter-agency cooperation and streamline decision-making.

Second, weak collaboration among institutions such as TASAC, the Marine Police, the Navy, and the Ministry of Lands undermines effective enforcement. To address this, the government should develop joint enforcement protocols that legally require intelligence sharing, coordinated patrols, and integrated maritime information systems to support consistent operational practice.

Finally, the study revealed poor integration between coastal planning and maritime boundary administration. The Ministry of Lands should expedite the adoption of Coastal Zoning Regulations to align land-based development with maritime jurisdiction, strengthen environmental safeguards, and reduce administrative conflicts between coastal and marine authorities.

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## Compliance with ethical standards

### *Disclosure of conflict of interest*

No conflict of interest to be disclosed.

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