



## Mangroves for Nature, Humans and Development

# Workshop to enhance legal capacity for mangrove management in Tanzania

## Workshop report

Dar-es-Salaam  
21-22 February 2019



An initiative by:  
Federal Ministry  
for Economic Cooperation  
and Development



## TABLE OF CONTENT

|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>CONTEXT OF THE WORKSHOP</b> .....  | <b>1</b>  |
| 1.1       | BACKGROUND AND OVERVIEW.....  | 1         |
| 1.2       | WORKSHOP OBJECTIVES.....  | 2         |
| <b>2.</b> | <b>DETAILED DESCRIPTION OF THE WORKSHOP AND ANALYSIS</b> .....  | <b>2</b>  |
| 2.1       | DAY 1 – PRESENTATION OF MANGROVES IN TANZANIA AND FIELD VISIT .....   | 2         |
| 2.1.1     | <i>Contextualisation</i> .....  | 2         |
| 2.1.2     | <i>Field visit</i> .....  | 5         |
| 2.2       | DAY 2 – DISCUSSIONS ON MANGROVE MANAGEMENT AND GOVERNANCE .....   | 6         |
| 2.2.1     | <i>Presentations on specific legal and governance issues</i> .....  | 6         |
| 2.2.2     | <i>Group activities</i> .....   | 8         |
| 2.2.3     | <i>Fictional case study</i> .....   | 13        |
| 2.2.4     | <i>Recommendations and step forwards</i> .....  | 14        |
| <b>3.</b> | <b>ANALYSIS OF THE WORKSHOP</b> .....   | <b>15</b> |
| 3.1       | WORKSHOP OUTCOMES .....   | 15        |
| 3.1.1     | <i>Increasing legal capacity</i> .....  | 15        |
| 3.1.2     | <i>Information and experience sharing</i> .....   | 15        |
| 3.1.3     | <i>Drawing policy recommendations</i> .....   | 16        |
| 3.2       | RESULTS FROM THE FEEDBACK QUESTIONNAIRE .....   | 16        |
| 3.2.1     | <i>Question 1 - How has this workshop shaped or enhanced your knowledge and understanding of legal tools to support mangrove management?</i> .....                          | 16        |
| 3.2.2     | <i>Question 2 - Are there outcomes from the workshop that you can use in your day-to-day work?...</i>   | 16        |
| 3.2.3     | <i>Question 3 - What are the key messages that you would want to convey to others about effectiveness of mangrove management?</i> .....                                     | 17        |
| 3.2.4     | <i>Question 4 – What could be done to improve the experience in future workshops? Consider methods (e.g. plenary, groups) and content (e.g. key topics left out).</i> ..... | 17        |
| 3.2.5     | <i>Question 5 - What are your thoughts on how this collaboration and learning from each other can be carried on?</i> .....  | 18        |
| <b>4.</b> | <b>ANNEX 1 - WORKSHOP AGENDA</b> .....  | <b>19</b> |
| <b>5.</b> | <b>ANNEX 2 - LIST OF PARTICIPANTS</b> .....   | <b>21</b> |



# 1. Context of the workshop

## 1.1 Background and overview

In the context of the Save Our Mangroves Now! initiative, the International Union for Conservation of Nature (IUCN) Environmental Law Centre is conducting a global review of the legal and institutional framework on mangrove management. The study focuses on mangroves globally with a review of the existing international instruments affecting mangroves and in detail thanks to seven case studies conducted by national legal consultants. Among these case studies, four countries of the Western Indian Ocean (WIO) region were selected, namely: Kenya, Tanzania, Mozambique and Madagascar. Capacity building workshops are organized in each of these countries in order to share the findings of the study and gather information to design appropriate recommendations with stakeholders from the government, communities, NGOs and private sector.

### About the Save Our Mangroves Now! initiative

Save Our Mangroves Now! is a joint commitment by the German Federal Ministry for Economic Cooperation and Development (BMZ), WWF Germany and IUCN that seeks to intensify efforts in mangrove conservation by upscaling and focusing global efforts to stop and reverse the decrease and degradation of mangrove habitats.

Fields of Action:

- 1) Embed ambitious objectives on mangrove protection and restoration in international and national political agendas
- 2) Pool leading expertise, enhance knowledge-sharing and close existing knowledge gaps on mangrove conservation and restoration
- 3) Apply and disseminate best practices in the Western Indian Ocean

Therefore, a capacity building workshop was held in February 2019 in Dar-es-Salaam, Tanzania. This workshop was co-hosted by SOMN and the Tanzania Forest Service Agency (TFS). This partner institution was selected thanks to their expertise on mangrove conservation and environmental resource management in Tanzania.

For accessibility concerns and ease of discussions, the workshop was held in Swahili.

**All presentations held during the workshop and relevant documents are available [here](#).**



## 1.2 Workshop objectives

The workshop aimed at improving implementation of existing mangrove related legal frameworks by building capacity of national and local government actors and civil society partners working at the technical level in different sectors in Tanzania. More specifically:

- ⇒ Enable the participants to have a better understanding of the legal frameworks and tools related to mangrove conservation and sustainable use.
- ⇒ Provide opportunity for participants to strengthen their capacity to face implementation challenges in their own work.
- ⇒ Foster the building of relationships and networks between participants from various sectors and institutions; and the transference of knowledge and experiences during the workshop and subsequently.

## 2. Detailed description of the workshop and analysis

### 2.1 Day 1 – Presentation of mangroves in Tanzania and field visit

The first day of the workshop was dedicated to the contextualisation of the workshop and mangrove management in Tanzania, followed by a field visit to a mangrove plantation in Mbweni area, Dar-es-Salaam.

#### 2.1.1 Contextualisation

The workshop opened on a Tour de Table where each participant expressed his concerns on the situation of mangroves in Tanzania and detailed the outcomes they expect from the workshop. The expectations expressed by participants mainly focused on learning how the legal and policy tools will be harmonized and how communities will benefit from this. Participants also want to learn from institutional coordination and how stakeholders can better cooperate.

Anouk Neuhaus from WWF Germany [presented the Save Our Mangroves Now! initiative](#) and its future ambition of making the WIO region an internationally recognised example of mangrove conservation, and explained how the different stakeholders present at the workshop could contribute to this common goal.

Following this introduction, Anne Lawuo from TFS gave a [presentation on the threats affecting mangroves and their roles in Tanzania](#). The presentation also highlighted essential legal tools such as the mangrove management plan from 1991 that was supposed to be revised five years later but has still not been revised. The management plan zones have changed a lot since then



so the plan should be updated. Also, Mrs. Lawuo noted that 17 laws in Tanzania are applicable to mangrove ecosystem, each implemented by different institutions creating an unclear institutional framework, inefficient without coordination. The fact that exportation of charcoal is allowed in Zanzibar but not in Tanzania was also mentioned as a potential gap encouraging the logging of mangroves for exportation in Tanzania.

After the break, Léa Badoz, project consultant supporting the IUCN Environmental Law Centre (ELC) described the [findings from the global assessment](#) that was earlier conducted by the ELC on mangroves legal instruments.



Finally, Rahima Njaidi, Executive Director at MJUMITA (Tanzania Network of Community Based Forestry Organizations) gave an insight into the [Tanzanian legal framework related to mangroves](#).

The presentations were followed by a plenary discussion. It was raised that we are focusing too much on policing mangroves and this is what has led us to this situation, controlling and prohibiting uses of mangroves. We can use business approach and see this as an opportunity. We should also try restoration of mangroves from a business point of view. If we can package mangroves management as a business opportunity, it might be efficient. We need better species that will be good for business, species that can be cloned.

Banning of mangrove harvesting is not working since only a few people are actually harvesting. The rest of the communities are doing fishing. Farming is also on the decrease since there is not enough land left. Harvesting of mangroves is banned, fishing is banned. The villages are surrounded by mangroves, we use mangroves for everything, we are part and parcel with mangroves. Local communities depend on mangroves. If you stop us from harvesting, they will turn to over fishing or farming.

Shifting cultivation is contributing to mangrove loss. For many communities, they cannot afford to rent land for farming which costs around 100,000 TZS per season. Many opt to shift to another area to farm rather than renting.

It is crucial for Rufiji District Council to look for more farm areas because more sand is ending up in the river. Although rice farming is destroying mangroves, communities have no choice but to do it because they need to survive. Fishing has decreased a lot.

Relocation of people cannot happen so sudden since these communities have lived in the delta all their lives. The Government need to put up a plan to facilitate proper relocation. We also need to tackle income poverty of the local communities. Other stakeholders should also participate in improving the lives of these communities. Farms should be established far away from the delta. Modern agriculture and animal keeping should be introduced and encouraged. This will help protect the mangroves.

The communities do not want to farm in the delta because of mosquitos. They are ready to shift to another place if the land is available, but their settlements will remain in the delta. The communities had identified an area which, they think, offers the possibility to establish farms. However, this area is subject to drought and floods so these obstacles must be addressed before shifting can be possible.

Another big challenge is political interference. In some areas, there are good commitments from TFS to resolve the challenges facing mangroves. But there are statements from politicians banning such initiatives. This disappoints TFS officials and makes law enforcement almost impossible. If we can implement the laws, we will be in a better position to conserve our mangroves. Many communities know how to collaborate with politicians, hence it's difficult to implement any good initiative.

There are some by laws that are really not in favor of the local communities. Some years ago, there used to be sustainable harvesting of mangroves, but later on the ban was introduced because of lack of effective management plan. No one was responsible for this failure. The government has banned harvesting of mangroves, prawns fishing, so how do we expect these communities to survive?

It is also important to have good policies. TFS fails to enforce laws. Communities call their Members of Parliament and lament to them that TFS is restricting them to use the mangroves, these politicians therefore issue statements banning such restrictions, and thus weakening TFS's efforts.

*For contextualisation, one of the questions that were asked to participants is, what are the challenges on mangrove governance in Rufiji and Kibiti?*

| Rufiji Delta   | Kibiti  |
|--|---|
| ⇒ There is need for enough farming ground  | ⇒ Need for alternative irrigation for the communities to reduce destruction             |
| ⇒ Rice farming destroys mangrove plantations                                     | ⇒ Experts should come in and give advice on the challenges on climate change and floods |
| ⇒ Fisheries has significantly reduced  | ⇒ There should be a law that allows   |
| ⇒ Relocation of people should be done step by step, because the communities have |   |



|  |   |
|--|---|
| <p>lived in this area for a long time</p> <p>⇒ There is a need for support from partner donor organizations for the communities living along the mangroves to develop an alternative economic activity</p> | <p>mangrove harvesting and sale</p> <p>⇒ Political interferences - in many places there is commitment by the community in management of the mangroves, but the politicians have more power over the communities</p> <p>⇒ There should be laws that govern the management of mangroves</p> |
|--|---|

### 2.1.2 Field visit



The workshop participants got the opportunity to visit a mangrove area in Mbweni Dar-es-Salaam. The participants visited Wanawake na Mikoko; Mikoko na Nyuki Mbweni group. This is a women group which was established in 1998. It had 25 members but only 18 members are left. The group was established as a result of a visit from Dr. Wagen who conducted research on mangrove restoration in the area. The group supported the plantation of three species of mangroves.

They use two processes in replanting the mangroves:

1. Taking the soil from one place to another
2. Planting the mangroves in their natural surroundings

From this experiment, the species that was planted in a different place (not its natural environment) did not grow well. The environment changes due to many reasons, so species can no longer tolerate their natural environment, while other species can grow better than the original ones in the same area. We need to understand what caused the destruction, this is why research is important. If we know what happened then we can determine what species can grow better. The community thinks that having a mangrove tree nursery is a good idea to grow different species but it is expensive and they have no support to facilitate this potential initiative.

This mangrove area was affected by the 1999 El Nino rains, many trees died, that is why we see the stems. The soil was moved from one place to another, and the place became full of sand. Some species do well, they usually pick up and do well later compared to the planted species. The group also has to prevent waste water from houses as this destroys the mangroves. Indeed,

some mangrove cannot stand dirty water. Some species will not die but their growth will stagnate.

This group is working on voluntary basis. The benefits they have received so far include

1. Prevention of soil erosion
2. Protection of the fish habitats
3. Increase the carbon sink
4. Trainings on mangrove management
5. Support from TFS

The community members were advised to stop destruction of mangroves since restoration is a very difficult and expensive process. It is basically a trial and error process.

Group members complained that their fellow community members are sabotaging their efforts. TFS had given them beehives but they were stolen by their fellow community members. We can deduct that more awareness raising is needed to make them understand the importance of mangroves. The patrol is done by the BMU. As a result of their work, there is no charcoal making nor tree cutting for firewood in this area. They have trained school children on mangrove management and their importance.

## 2.2 Day 2 – Discussions on mangrove management and governance

### *2.2.1 Presentations on specific legal and governance issues*

The second day started with a presentation given by Prof. Hamudi Majamba who presented on the [EIA process in Tanzania](#).

Following this presentation, Dr. Laurean Mussa presented [legal and institutional aspects of community engagement in mangrove management in Tanzania Mainland](#).

Plenary discussion followed these two presentations.

During the field visit, we saw a place where the women are planting mangroves but there is also a construction taking place. Why are we letting the women undertake mangrove management voluntarily and we are leaving some other people to cut down the mangroves for construction? This is demoralizing to the women who are doing these activities on their own free will. We need to build the capacity of the communities to be aggressive in conservation issues. We need



to instill a spirit of holding people accountable. This will help protect their resources instead of waiting for the government to take action.

The EIA process is being interfered by politicians. For example, in the Stigler Gorge project even before the EIA report was published, statements have been issued that the project should be developed implying that a forest area of the size of Dar-es-Salaam city would be cleared. This is the equivalent to 10 million trees (7 million big size trees and 3 million small size trees). This project would have a significant impact on the delta. Why are there EIA experts if the conclusions of the EIA process is going to be deviated despite of the negative impacts on the environment? Communities have good chance of making decisions. We need to build their capacity to be able to manage and conserve their natural resources.

Clarification about the EIA process for the Stiglers Gorge Project was provided. This is not a new project. It existed since 1979 and the first EIA in Tanzania was done in 1979 for this project. The 1979 EIA report did not say that the project should not go on. The project did not proceed because of lack of funds. Even this recent EIA Report did not say that the project should not proceed. The issue here is how should this project be undertaken to minimize the impacts. EIA is not being done to prevent the project from being implemented but it is done to inform the best way to implement the project and no EIA has ever denied a project from being implemented. That is why there are a lot of arguments between different stakeholders. This project has been misconstrued by many people including politicians that is why we are hearing false information. Those who are rejecting this project are the same people who allowed the uranium project to proceed. The area with uranium has now been gazetted.

The Land office issues permits to undertake development in forest areas. All plots that are in mangrove areas have been identified and processes are underway to cancel all permits. But there are statements from higher level that we should not remove people who have encroached in the mangrove areas. This poses difficulty in executing TFS mandate. In Mbweni, the Land office has given permission to undertake construction without consulting the Forest department. There is no coordination, that is why such challenges arise.

The forest sector has not been prioritized because the impacts of forest loss are not foreseen on the short term. We need infrastructure like railways, settlements, roads. There are good laws that can guide such developments but these laws are not implemented. We need to continue educating each other on these laws. In Tanga, there are houses which have been built very close to the ocean. The beach is destroyed. Mangroves have been cut because of waves. The houses have been built more than 20 years ago. The impacts come slowly that is why the relevant authorities are not making the right decisions. Those who have built their houses near water

catchment areas need to be removed. Some houses have already been demolished. Some people went to court to challenge the move. The process of removing people has been stopped.

In the Philippines, the Ministry issued a license to clear mangroves. Children organized themselves and took the matter to court. The High court gave judgement against the children. The matter was then taken to the Court of Appeal, which stated that the children have a right to bring the action to court because their future is being compromised. The children believed that every living thing has a right to exist.

Local communities are involved in environmental management. In 1998, a big project of prawns farming was introduced in Rufiji. The communities were informed of the threats and impacts of this project. They decided not to allow the project in the delta and the project could not be developed.

### *2.2.2 Group activities*

After these discussions, the participants were divided into three groups. Each group was asked to answer the following questions:

1. Identify 2 main challenges likely to be faced by agencies implementing EIA laws by engaging local communities in areas surrounding mangrove reserves.
2. Identify 2 main challenges that local communities in areas surrounding mangroves forests encounter in benefit sharing mechanisms.
3. How can the challenges identified in 1 and 2 above be addressed?

They prepared a short presentation on each subject detailing the legal framework on these issues, the challenges to mangrove conservation and potential solutions. All these documents can be found [here](#).

#### *2.2.2.1 Presentations*

##### **Group 1:**

The challenges are (1) no sufficient community engagement, (2) negative perception from the communities regarding EIA, (3) no existing guidelines on benefit sharing and fees charged by EIA experts and (4) no agreement on community engagement.

Ways to address these issues:



- Mangrove management plan should be reviewed so that communities understand how they will benefit from the mangroves
- A structure for undertaking EIA process should be established
- Awareness raising to local communities on EIA and mangroves in village assemblies should be conducted

### **Group 2:**

There is (1) no adequate community engagement in EIA, (2) corruption as investors bribe the village leaders to allow projects, (3) no law or guidelines on benefit sharing, (4) no community engagement and (5) the benefits from the process are not visible.

The challenge is the lack of guidelines on benefit sharing and a poor involvement of local communities in conservation efforts. The forest officers normally go to the villages and apprehend culprits and confiscate the mangrove products without involving the communities. This makes the communities feel like they do not own the resources. Lack of budget is also a challenge in mangrove management. The government fails to quantify the real value of mangroves. We need to undertake valuation of the delta to assess its true value. The government could then invest 10% of the value of the forest in conservation. For example, in agriculture, each government has invested 10% of its total annual budget.

Ways to address these issues:

- The communities should be part of the EIA team
- Investors should be controlled so that they cannot bribe the village leaders
- Investment projects should clearly state how the local communities will benefit from such investment (e.g. social services such as schools, dispensaries)
- There should be regulations that provide for guidance on the percentage the communities will get from mangrove conservation efforts
- Local communities should be involved in patrols to deter illegal harvesting of mangroves
- Since EIA is done at local level, there should be a simplified community EIA guideline to enable them to understand the process and make informed decision.

### **Group 3:**

There is (1) a lack of awareness from communities and poor knowledge on EIA leading to poor participation and involvement and (2) political interference that can negatively influence the EIA process.

There is no clear mechanism guiding benefit sharing between the institutions and village government. Informers are paid a small amount of money. There is also the challenge of the informers being threatened by the culprits. For instance, some informers' houses have been put on fire. There is lack of funds for the villages and the patrol committee thus making their participation in forest management almost impossible.



Ways to address these issues:

- Community awareness campaign and sensitization so that they can be aware of EIA and how they can be involved must be conducted.
- Clear benefit sharing mechanism between communities and institutions in charge of the forest must be established

### 2.2.2.2 Plenary discussions

The group presentations were followed by a plenary discussion exploring all these arguments.



We observe areas of convergence when identifying the challenges, mainly on the lack of community engagement and missing guidelines on benefit sharing.

Lack of integrity amongst the technical people is also a problem. Exposing the informer can have important consequences, including murder. From the sale of the confiscated products, the informer is given a small percentage at the discretion of the officer. He is given a mobile phone so as to allow him to keep on providing information. From the auction, 5% of the money goes to the District Council. The remaining 95% goes to TFS. Nothing goes to the village. Also, men are the ones benefiting from being informers. There is no investment guidelines in the mangrove areas and no guidelines on the benefits that should be allocated to villagers after auction of the confiscated mangrove products. It could help reduce these problems. The section 99 of the Forest Act provides the range of paying the informer. Payment is based on fines. Not more than 50% on fine imposed on apprehended products. In the Marine Park, there is an investment guideline. We should develop a 10-year management plan since it is an expensive process to be

done regularly. When the matters go to court the name of the informer is not even mentioned to protect him and his family from any harm. The incentive to informers is not supposed to be known by his friends nor relatives. There is a problem in the whole process of providing information to the authorities. Informers may hear sounds of chainsaws for even two days, but nothing is being done to go and investigate what is happening in the mangroves. The authorities intervene only once the product is transported. So, do we aim at conserving the mangroves or waiting until they get cut and confiscated so that the government can get revenue from the these products?

The Management Plan is important since it details the quantity of mangroves in the area and how harvesting can be conducted.

A good example was provided from Kibiti on fisheries. The government is collecting from the BMUs and gives 30% of the royalties to the communities. The District takes the remaining 70%. They have entered into contract with the District regarding this benefit sharing.

Benefit sharing should not aim at sharing illegal proceeds as this will encourage more cutting. The revision of the Management Plan and on that basis, benefit sharing, should depend on sustainable utilization of the resources. Deforestation is more important in Tanzania than in Kenya. Even if we have management plans, we cannot have utilization zones that would generate income. However, utilization in terms of using materials can be allowed.

TFS has the mandate to manage mangroves. TFS has an investment policy in mangroves from 2018. Guidelines are being prepared. Communities should be involved. Giving them access to poles and firewood is not enough, so an investment plan can be one of the solutions to promote conservation. VNRCs are legally established, we need to work with them. TFS has proposed that in general lands, they should work with the VNRCs and provide them with not less than 20% of the benefits. Investment in mangroves can be in ecotourism, in the production zones. Incentives can encourage communities to engage in replanting the mangroves. The investment policy should be a priority but timing is important to finalize the policy. Between September and March, tourists pass by Nyamisatai to Mafia. The communities can get income from that.

*Reflections on how participation on governance can be enhanced based on experience:*

We need a dialogue on how Joint Forest Management (JFM) can be improved in mangrove areas. Areas where ecotourism can work is Bagamoyo. An investor must see the real value of his/her investment before investing. For JFM to work, the government must invest in it. We need to know the value of the forests and how the forest sector links with other sectors for example fisheries, agriculture. For example, if the forest values 100 billion Tanzania shillings,



then the government can give 10% of that and invest in JFM. The communities should also be involved in protecting the mangroves. If the government detects any destruction in the mangroves, then it deducts a certain percentage from the funds, so this will make communities better custodians.

There is a big number of livestock compared to the available land. The livestock come into the mangrove area for fodder. This is mainly during dry seasons. In many areas outside the Rufiji delta the grass is dry during this season but the grass in the Delta is green. As a consequence, pastoralists come in many numbers in the mangroves to find pasture. Cows are transported across the mangroves. It is now an income opportunity for the communities to help in transporting the cows across the delta at 3000 TZS per cow.

However, for clarification, there is no pasture in the mangroves. There is only one type of mangrove species that goats can eat but in the mangroves, there is no pasture for the goats. Pasture for the livestock is only found in places where the mangroves have been degraded. So most of the livestock go to farms to eat the crops. So the problem is not the livestock but the problem is mangrove destruction due to other factors such as harvesting. Livestock invades farms which were once mangrove areas. The solutions to address this situation are:

- Stop mangrove destruction so that livestock does not invade the mangroves for pasture.
- Improve people's livelihoods since they can't rely on fish. Communities depend on rice farming which attracts mangrove cutting. We should develop other alternatives. The Rufiji river has changed its course. The river is now flowing to the northern part of the delta. The communities on the southern part of the river are no longer undertaking rice farming but they are still surviving. So, we can think of other alternatives.
- Local communities could be moved away from the delta since it has happened elsewhere where the flow of river changed that led to downstream people to change their lifestyles. We should think of moving them since they can survive without rice farming. Shifting is not a problem but there needs to be infrastructure to accommodate the local communities. Floods is a challenge in communities' farms. Cross-sector coordination should also be improved.

In Dar-es-Salaam, many title deeds were issued (for more than 33 years). NEMC, land office, VPO, Kinondoni District council and TFS went to each plot and they have provided a report with good recommendations. The title deeds were not issued in accordance with the law. A process of removing people from these areas and revoking their permits had begun, but this process has been stopped. Even if one has been given a title deed, the title can still be revoked no matter how many years have passed. You can never have a title deed in a forest reserve.



There needs to be comprehensive consultation with the forest department before issuing permits.

There are cases where an investor has not undertaken an EIA and instead, an environmental audit was carried out. The government admitted making a mistake on this fact. Before EMA came into existence, investors were asked to undertake environmental audit instead of EIA. But new EIA will be done if you detect any environmental destruction. A good example in the Wazo cement factory where EIA was done after the project began operations.

### 2.2.3 Fictional case study

The afternoon session started with the fictional case study exercise. This exercise was developed by the IUCN Environmental Law Centre in order to help participants understand the legal processes of project development and better apprehend other stakeholders' interests.

In this context, the participants were divided into three groups each representing a stakeholder of mangrove management:

- The National Forest Services (the Avicennia Forest Services)
- The local communities (the Kandellii community)
- The private sector/developers (the Jupiter Hotel Group)

Each of these groups were then given a text describing the situation in the fictional country of Avicennia where different projects threaten the mangroves and communities. They were also given a map to better understand the impacts of each project. These fictional projects were developed following existing situations.



Each group was then asked to prepare a position paper describing the Tanzanian legal process and tools in such situations as well as their arguments to defend their group's interests during a fictional stakeholder meeting that would be held after this preparation time. Each group was therefore also given instructions detailing what their position was.

During the fictional meeting, each group presented their arguments and concerns relating to other stakeholders' decisions.

The issue that was discussed the most is the hotel construction: the investor noted that the government has banned harvesting of mangroves. It is a problem and they have to negotiate it with government to be able to clear the area and build the hotel. TFS complains that the hotel group has no management plan. The community says they have not been consulted. They want to be guaranteed of the conservation of the mangroves for their livelihood. The government says they have no problem with investment, but they want a guarantee that the hotel will comply with EIA requirements.

The case study highlighted that the problem is the top-down system so most of issues are addressed at national level. We need conducive environment for investment which will involve the local communities and all other stakeholders.

#### 2.2.4 Recommendations and step forwards

- ⇒ Conduct a proper evaluation of the forests.
- ⇒ Pay attention to the timing of the forest investment policy currently developed by TFS taking into account the tourism seasons to ensure that we go along.
- ⇒ Benefit sharing should be included in the law.
- ⇒ Laws should be grouped together and simplified for forest officers to easily understand the legal provisions
- ⇒ We need find alternative ways of living than rice farming for communities to support their subsistence such as beekeeping.
- ⇒ Enhance coordination of all activities especially at institutional level.
- ⇒ Revise the management plan. Once the plan is finalized, then we can effectively involve the local communities and they will benefit from their participation in mangrove management. Support is needed to finalize the management plan and other instruments will follow (i.e. the agreement, guidelines).
- ⇒ The government should collaborate with local communities.
- ⇒ We can launch an international advocacy on law enforcement.
- ⇒ TFS should come to the villages and raise awareness so that every member of the communities is aware of mangrove management.
- ⇒ Look at mangroves from the business point of view and not conservation *per se*.
- ⇒ The patrols should not aim to confiscate mangrove products but they should try as much as possible to prevent harvesting and focus on the areas affected.
- ⇒ Training on how to start a mangrove plantation should be provided





## Steps forward:

- ⇒ Create a network from an existing group
  - Professor Mangora is currently developing a network. NGOs could participate. This network would be helpful to explore mangrove governance issues
  - We can look into other types of networks (Kenya – WIO; Global Alliance)
- ⇒ Set up a platform for experience sharing
- ⇒ Share contact details within the group
- ⇒ TFS expressed the will to involve the communities more, especially in the development of the forest investment policy

## 3. Analysis of the workshop

### 3.1 Workshop outcomes

#### 3.1.1 *Increasing legal capacity*

The participants developed their capacity thanks to input from various presentations that were held by Professor Majamba, Dr. Mussa and Rahima Njaidi. Following these presentations, the challenges to mangrove management in Tanzania were developed and solutions explored in plenary discussions.

The participants also took part in an exercise based on a fictional case study. The case study explores different scenarios contextualising the reconciliation between coastal development and mangrove conservation. This exercise permitted to explore the legal processes in details.

#### 3.1.2 *Information and experience sharing*

The participants participated in group activities where they shared their experience and knowledge on different topics regarding mangrove management. The whole group of participants could benefit from this input and discuss it.

Furthermore, the main next step identified is the creation of a network gathering all the stakeholders present at the workshop.

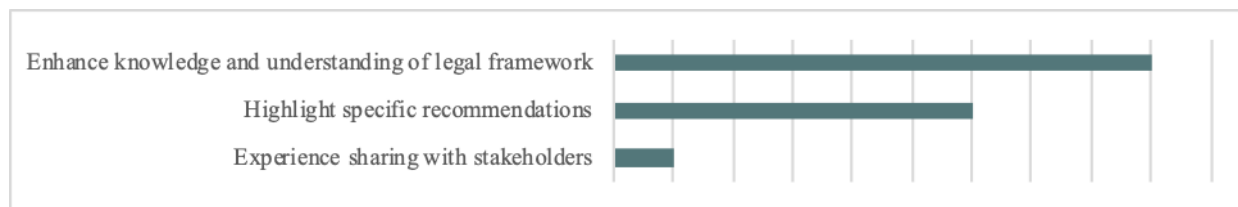
### 3.1.3 Drawing policy recommendations

At the end of the workshop, the participants elaborated a list of potential recommendations for a better management of mangroves in the country (See Section 2.2.4)

## 3.2 Results from the feedback questionnaire

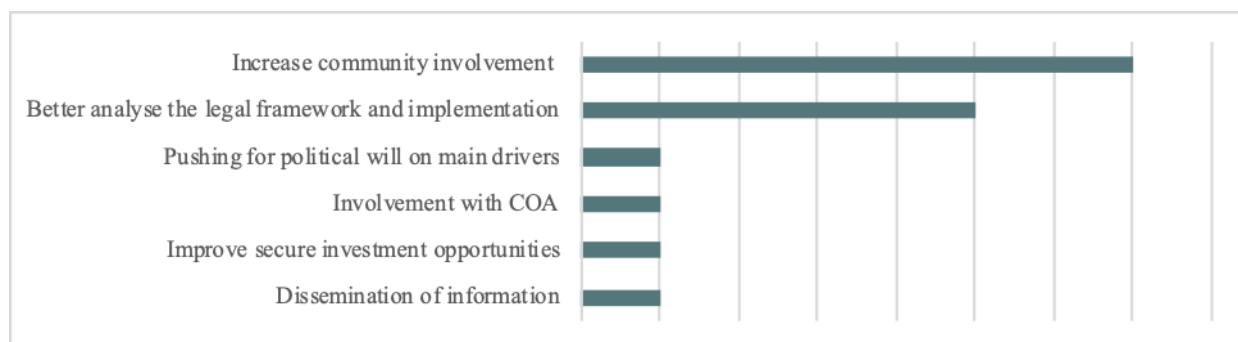
At the end of the workshop, a feedback questionnaire has been handled to participants to better understand their perception of the workshop, analyse the outcomes and improve future experiences. Below are the detailed results.

### 3.2.1 Question 1 - How has this workshop shaped or enhanced your knowledge and understanding of legal tools to support mangrove management?



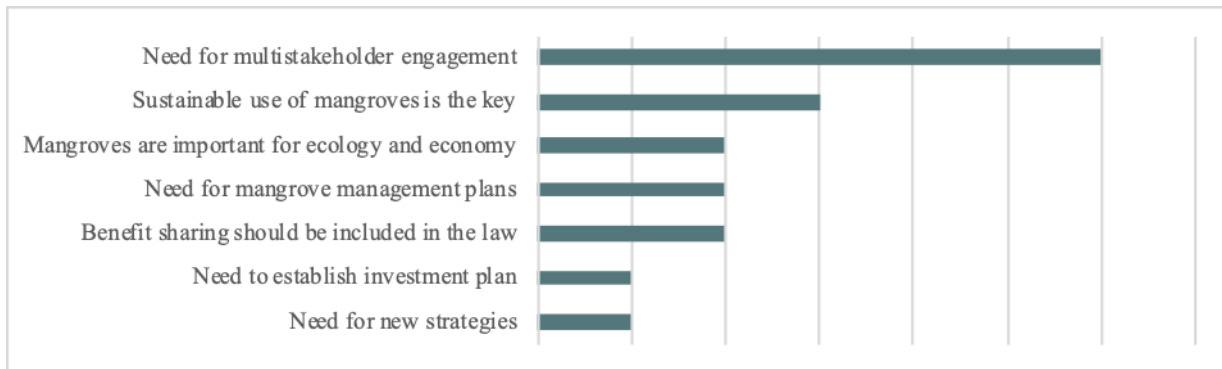
Most participants considered that they gained knowledge on the legal frameworks and that it is the main outcome of the workshops for them. Drawing recommendations has also been noted as an important outcome.

### 3.2.2 Question 2 - Are there outcomes from the workshop that you can use in your day-to-day work?



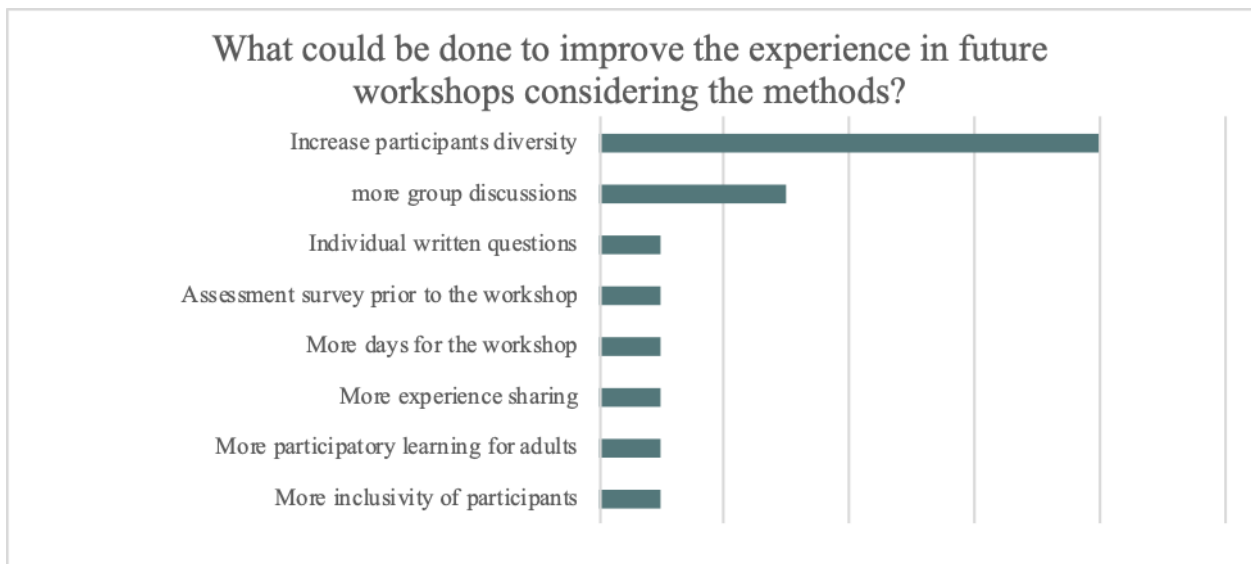
The two main outcomes from the workshops that can be used by participants are a better understanding on how to improve community involvement and the enhancement of legal capacity.

### 3.2.3 Question 3 - What are the key messages that you would want to convey to others about effectiveness of mangrove management?



The key message on mangrove conservation is the need for better inclusivity and participation of all stakeholders, in particular communities as well as the importance to promote sustainable use of mangroves. Some concrete recommendations on legal tools have also been highlighted such as the development of mangrove management plans, investment plan and new strategies as well as the inclusion of benefit sharing in the law.

### 3.2.4 Question 4 – What could be done to improve the experience in future workshops? Consider methods (e.g. plenary, groups) and content (e.g. key topics left out).



According to participants, the range of participants did not enough reflect the diversity of stakeholders engaged with mangrove management. Additional local people, in particular, should be invited. There should also been more group discussions. One interesting suggestion is

the possibility to send an assessment survey to participants prior to the workshop in order to better orientate the discussions and topics.

Regarding the topics left out, the participants mentioned the following. It is important to note that each of these topics have been mentioned only once.

- Harmonization and coordination of institutions and laws
- Facilitation of surveillance operations

### 3.2.5 Question 5 - What are your thoughts on how this collaboration and learning from each other can be carried on?



As main steps forwards identified, we should set up a platform online for experience sharing and organize additional workshops. The set-up of a network gets less attention from participants but remains a significant step.

## 4. Annex 1 - Workshop agenda

| DAY 1 – 19 February 2019   |  |                      |
|--|--|----------------------|
| 8:30-9:00  | Arrival and registration of participants   |                      |
| Session 1 – Preliminaries  |  |                      |
| 9:00 - 9:10  | Introduction and welcome remarks   | Professor Dos Santos |
| 9:10-9:20  | Tour de table and Setting the objectives of the Capacity Building Workshop   | Lydia Slobodian      |
| 9:30 – 9:45  | Presentation of SOMN   | WWF                  |
| Session 2 – Setting the context on mangrove ecosystems in Tanzania |  |                      |
| 9:45-10:45   | <ul style="list-style-type: none"> <li>Situational analysis on mangrove ecosystems: context, functions, types, threats. Placing mangroves in context of conservation and use; Valuing mangrove goods and services (30 minutes)</li> <li>Plenary discussion (30 minutes)</li> </ul>   | TFS                  |
| 10:45-11:15  | <ul style="list-style-type: none"> <li>Highlights of the Legal frameworks for mangrove governance, conservation, and use study</li> </ul>  | IUCN                 |
| 11:15–11:30  | <b>Health Break</b>  |                      |
| Session 3 – Mangrove Law and Governance                            |  |                      |
| 11:30 – 12:30  | Presentation 1: Mangrove law and governance in TZ (30 Mins) <ul style="list-style-type: none"> <li>Legal Instruments</li> <li>Institutions</li> <li>Stakeholder participation and behaviours</li> </ul> Plenary discussion (30 minutes)  | Rahima Njaidi        |
| 12:30 – 13:00  | <b>Lunch</b>   |                      |
| 13:00 - 17:00  | <ul style="list-style-type: none"> <li><b>Part 1</b><br/>Field trip to mangrove ecosystem:               <ul style="list-style-type: none"> <li>Natural and plantation mangroves</li> <li>Ecotourism site</li> <li>Aquaculture activities</li> </ul> </li> <li><b>Part 2</b><br/>Panel discussion – assessment of the impact of law and institutions participation in conservation by community members</li> </ul> | TFS                  |

| Day 2 – 22 February 2019   |   |             |
|--|---|-------------|
| Session 4: Legal Aspects for Mangrove management and community engagement in Mangrove Management in Tanzania |   |             |
| 9:00 –   | Presentation 2: legal Aspects of the EIA Process in | Prof Hamudi |



|                                   |  |                        |
|-----------------------------------|--|------------------------|
| 10:00                             | Management of Mangroves in Tanzania Mainland (30 mins)<br>Plenary discussion (30)  | Majamba                |
| 10:00 – 10:15                     | <b>Health break</b>  |                        |
| 10:15– 11:15                      | Presentation 3: Legal and Institutional aspects of community engagement in Management of Mangroves in Tanzania Mainland (30 Mins)<br>Plenary Discussion (30 Mins)  | Dr. Laurean Mussa      |
| 11.15- 12.30                      | <b>Group activities:</b><br>Small group discussions on EIA Process and community engagement in Mangrove management:<br>1. Identify 2 main challenges likely to by agencies implementing EIA laws by engaging local communities in areas surrounding mangrove reserves.<br>2. Identify 2 main challenges that local communities in areas surrounding mangroves forests encounter in benefit sharing mechanisms.<br>3. How can the challenges identified in 1 and 2 above be addressed?<br>Time for group work: 30 minutes<br>Time for reporting: 20 minutes<br>Time for plenary: 25 minutes | Prof Majamba/Dr. Mussa |
| 12.30- 13.30                      | <b>Lunch</b>   |                        |
| 13:30 – 14:30                     | Fictional case study part 1<br>• Explanation of the exercise (15 minutes)<br>• Elaboration of the arguments (45 minutes)   | IUCN                   |
| 14:30 – 16:00                     | Fictional case study part 2<br>• Fictional meeting (60 minutes)<br>• Debriefing (30 minutes)   | IUCN                   |
| 16:00- 17:00                      | Reflections on how experience in mangroves conservation can enhance governance:<br>• Part 1 - Best practices for mangroves governance<br>• Part 2 - Participants recommendations based on experiences:<br>o Strategies for impacting law and policy modification<br>o Strategies for impacting institutional behavior modification   | Rahima Njaidi          |
| 17:00- 17:30                      | <b>Final session:</b><br>• Proposals on continuation with research and collaboration on governance of mangrove ecosystems<br>• Feedback and evaluation of workshop from participants<br>• Conclusions and way forward  | IUCN                   |
| <b>End of workshop, Departure</b> |  |                        |



## 5. Annex 2 - List of participants

|   |                                   |  |
|---|-----------------------------------|--|
| Dr. Mwita Mangora                         | Institute of Marine Science, UDSM | <a href="mailto:mmangora@yahoo.com">mmangora@yahoo.com</a>   |
| Faraja Nyamwombo                          | Kibiti DC                         | <a href="mailto:fnyamwombo@gmail.com">fnyamwombo@gmail.com</a>   |
| Gidion Zakayo                             | Kibiti DC                         | <a href="mailto:gzmatwi@gmail.com">gzmatwi@gmail.com</a>   |
| Elinasi Monga                             | MJUMITA                           | <a href="mailto:e.monga@yahoo.com">e.monga@yahoo.com</a> ;<br><a href="mailto:elikoringo@gmail.com">elikoringo@gmail.com</a> |
| Bakari Salim Mohamed                      | Northern Zone (Tanga)             | <a href="mailto:rbhoza@yahoo.com">rbhoza@yahoo.com</a>   |
| Aziza Juma Mwatala                        | Rufiji community                  |  |
| Abdalla Athumani<br>Kipanga               | Rufiji community                  |  |
| Selemani Shabani                          | Rufiji community                  |  |
| Robert Kiondo                             | Rufiji DC                         | <a href="mailto:robert.kiondo@gmail.com">robert.kiondo@gmail.com</a>   |
| Jonas Nambua                              | Rufiji DC                         | <a href="mailto:nambuaj@yahoo.com">nambuaj@yahoo.com</a>   |
| Ben Sulus                                 | SHIVIMITA                         | <a href="mailto:bensulus@gmail.com">bensulus@gmail.com</a>   |
| Anna Lauwo                                | TFS                               | <a href="mailto:annalawuo@yahoo.co.uk">annalawuo@yahoo.co.uk</a>   |
| Dada Amina Akida                          | TFS                               | <a href="mailto:Amina.akida@tfs.go.tz">Amina.akida@tfs.go.tz</a>   |
| Frank Sima                                | TFS                               | <a href="mailto:francksima2005@gmail.com">francksima2005@gmail.com</a>   |
| Ismail Saidi                              | Wetlands international            | <a href="mailto:isaidi@wetlands-africa.org">isaidi@wetlands-africa.org</a>   |
| <b>Organisation and facilitation team</b> |                                   |  |
| Lydia Slobodian                           | IUCN Environmental Law Centre     | <a href="mailto:Lydia.Slobodian@iucn.org">Lydia.Slobodian@iucn.org</a>   |
| Celestine Chemorkok                       | IUCN ESARO                        | <a href="mailto:Celestine.Chemorkok@iucn.org">Celestine.Chemorkok@iucn.org</a>   |
| Rahima Njaidi                             | MJUMITA                           | <a href="mailto:rnjaidi@gmail.com">rnjaidi@gmail.com</a>   |
| Léa Badoz                                 | Project consultant                | <a href="mailto:lea.badoz@gmail.com">lea.badoz@gmail.com</a>   |
| Hamudi Majamba                            | University of Dar-es-Salaam       | <a href="mailto:hmajamba@gmail.com">hmajamba@gmail.com</a>   |
| Laurean Mussa                             | University of Dar-es-Salaam       | <a href="mailto:lmussa2003@yahoo.com">lmussa2003@yahoo.com</a>   |
| Anouk Neuhaus                             | WWF Germany                       | <a href="mailto:Anouk.Neuhaus@wwf.de">Anouk.Neuhaus@wwf.de</a>   |

*Note: all the participants agreed to share their contact information with the other participants.*

