

KEY POINTS ON DYNAMITE FISHING FOR MWANZA MEETING

1. Dynamite fishing is currently rampant along the Tanzanian coast, particularly in Tanga Region and the 3 DSM municipalities, but also Bagamoyo, Rufiji, Kilwa and Mtwara Districts. The nearshore marine environment is being destroyed on a daily basis, with huge negative implications for fisheries and coastal tourism revenues in future. It also raises very serious national security concerns.
2. The Fisheries Act of 2003 (Article 48) provides for a sentence of not less than **5 years in jail** for either possession of dynamite or related materials with intent to kill fish, or for possession of fish killed by dynamite, as verified by an authorized fisheries officer.
3. Analysis of 37 dynamite-related court cases from Tanga and DSM from 2006-09 shows:
 - Only 1 case where one defendant was jailed for 3 years
 - 21 cases where defendants were conditionally discharged or set free or case dismissed, most likely where cases/evidence not properly presented
 - 6 cases where fines were imposed, therefore magistrate not following minimum sentence under Fisheries Act
 - 9 cases still under process
4. This clearly indicates there are serious weaknesses in the preparation and prosecution of court cases relating to dynamite fishing in Tanga and DSM.
5. It indicates that successful action against dynamite fishing cannot be taken by the Ministry of Livestock Development & Fisheries alone. It is not just a matter of enforcement and patrolling. **Co-ordination with the Police and the Ministry of Justice is essential** in order to secure effective prosecutions in court.
6. WWF calls upon the Office of the Prime Minister to co-ordinate a concerted programme of action to ensure more effective judicial prosecution of dynamite fishing offences.