



REGIONAL CHARTER OF THE MEMBER STATES OF THE LAKE TANGANYIKA AUTHORITY PROVIDING FOR MEASURES FOR THE SUSTAINABLE MANAGEMENT OF FISHERIES IN LAKE TANGANYIKA AND ITS BASIN

PREAMBLE

The Governments of the Republic of Burundi, the Democratic Republic of the Congo, the United Republic of Tanzania and the Republic of Zambia hereinafter referred to as the "Parties or member states";

RECOGNIZING that the parties share a common interest in the conservation, protection, use and sustainable management of the shared natural resources of Lake Tanganyika and its basin;

REAFFIRMING the objectives of the Convention on the Sustainable Management of Lake Tanganyika, signed between the four riparian States in 2003, as well as to the orientations of the Strategic Action Programme of the Lake Tanganyika Authority;

COMMITTING to ensure the long-term conservation, protection, management and sustainable use of the fisheries resources of Lake Tanganyika and, in so doing, to preserve the aquatic ecosystems in which the resources are found, in accordance with the Framework Fisheries Management Plan for the Transboundary Fisheries Resources of Lake Tanganyika 2020 -2025;

RECALLING the convention of 5th June 1992 signed during the summit of Rio on the Biological Diversity Declaration on the Environment and Development adopted by the United Nations Conference on environment and development in 1992, the 1992 United Nations Framework Convention on Climate Change, international and regional agreements and instruments relating to shared water bodies;

RECOGNIZING relevant international and regional standards and policies, including those set out in the Code of Conduct for Responsible Fisheries of 1995 of the Food and Agriculture Organization of the United Nations (FAO) and the policy framework and reform strategy of May 2014 for fisheries and aquaculture of the African Union;

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TAKING INTO ACCOUNT that international obligations and standards call on States to cooperate to conserve, protect and sustainably manage transboundary natural resources and their environment;

REAFFIRMING that States have the right to exploit the resources of their territory, in accordance with their policies, laws, regulations, to ensure that activities, within their jurisdiction or under their control, do not cause harm to the environment of other states or areas beyond the limits of their jurisdiction;

DETERMINED to cooperate effectively to eliminate threats to fisheries resources and the ecosystems in which they occur, including harmonized and joint actions;

CONVINCED that the long-term conservation and sustainable use of fisheries resources in Lake Tanganyika and the protection of the aquatic ecosystem can be better achieved by the strict application of this Regional Charter between the Member States;

CONVINCED that the adoption of appropriate fisheries management measures in Lake Tanganyika and its basin, through which the Parties can cooperate, will promote better understanding of aquatic ecosystems, as well as the sustainable development and equitable use of their common fisheries resources;

CONSIDERING the results of the study on the socio-economic impact of the massive capture of immature fish in Lake Tanganyika, the results of the scientific studies carried out in 2021 on the sizes at sexual maturity and the size at first capture for the three main commercial species of fish in Lake Tanganyika: *Lates stappersii*, *Stolothrissa tanganyicae* and *Limnothrissa miodon*, as well as all the technical fisheries management measures that were proposed in the two studies;

RESOLVED to strengthen monitoring, control and surveillance of fisheries in Lake Tanganyika, in order to implement effective fisheries management measures adapted to the specific contexts of each Party.

THEREFORE, THE PARTIES HAVE AGREED AS FOLLOWS

CHAPTER I – GENERAL PROVISION

Article 1: Purpose

This Charter provide provisions for the framework for joint adoption of legal, administrative, and technical measures to manage fisheries resources and regulate fishing efforts in pursuant to the provisions of article 7 of the Convention on the sustainable management of Lake Tanganyika.



Article 2: Scope

Charter applies to all Member states or legal persons fishing, processing, transporting or trading in fisheries resources and fish products from Lake Tanganyika.



This Charter is also applicable for national fisheries agencies, and member states who are called upon to apply the provisions of this Charter in order to ensure effective and sustainable management of Lake Tanganyika fisheries.

Article 3: Definitions of terminologies

For the purposes of this Charter and the measures taken for its implementation, except otherwise provided, the following terms are taken to mean:

- **Beneficiaries:** Means fisher communities, fish processors, national authorities, regional authorities, researchers, fish consumers, local and central governments of the respective countries in general.
- **Breeding grounds:** place where fisheries resources, namely fish, molluscs or crustaceans, reproduce.
- **Centropomids:** family of fishes comprising the species *Lates mariae*, *Lates stappersii*, *Lates angustifrons* and *Lates microlepis*, which are found in Lake Tanganyika.
- **Coastal fishing:** any fishing activity targeting coastal species *or* any fishing activity occurring in the area defined under article 16 of this charter, paragraph 1, of this Charter.
- **Coastal species:** kind of fish which spend most of their life in coastal waters
- **Competent authority:** the director or any other officer delegated by director to perform function under the act of a respective country
- **Drifting net:** a gill net that is hang vertically in the water column without being anchored.
- **Ecosystem:** functional unit made up of communities of plants, animals (including humans) and microorganisms, as well as their non-living environment.
- **Fisher:** any person practicing fishing, for professional, subsistence or recreational purposes.
- **Fisheries resources:** any organism of animal or plant origin, whose normal or most frequent living environment is water, and which is either the target and objective of fishing or is collaterally affected by fishing activities.





- **Lamparo:** source of light, lighthouse to attract fish.
- **Monitoring, Control and Surveillance:** a set of measures intended to ensure the optimal management of a fisheries along two axes: scientific information and compliance of the fishing effort with the need for sustainable management.
- **Monofilament net:** a net made out of one ply glass cotton.
- **Offshore fishing:** any fishing activity targeting coastal species or any fishing activity occurring in the area defined under article 16, paragraph 2, of this Charter.
- **Offshore species:** Fish that lives in the pelagic zone of the lake, they include *Lates stappersii*, *Stolothrissa tanganyicae*, *Limnothrissa miodon*.
- **Total length (TL):** is the length of a fish measured from the tip of the snout to the tip of the longer lobe of the caudal fin, usually measured with the lobes compressed along the midline.
- **Member states:** a county that belongs to Lake Tanganyika Authority.
- **Secretariat:** means secretariat of the authority described in Article 26 of the convention on sustainable management of Lake Tanganyika and its basin.

CHAPTER II – FISHERIES RESOURCES CONSERVATION AND MANAGEMENT MEASURES

Article 4: Requirements for fishing

Fishing in Lake Tanganyika is subject, as the case may be, obtain a fishing license or a fishing permit issued by the Competent Authority of each respective parties.

Article 5: Minimum catch sizes

The minimum sizes required for catching the three main commercial fish species of Lake Tanganyika are as follows:

Lates stappersii: 260 millimeters (10.2 inches) in total length

Limnothrissa miodon: 110 millimeters (0.43 inches) in total length

Stolothrissa tanganyicae: 100 millimeters (0.39 inches) in total length

The capture of fish smaller than the sizes indicated in the previous paragraph is prohibited.

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Article 6: Mesh sizes for fishing nets

The authorized dimensions for the mesh are fixed as follows:

Not less than 12 millimeters (0.47 inches) of stretched mesh (6 millimeters (0.24 inches) knot to knot) for any net, including the bunt, aimed at the capture of *Stolothrissa tanganicae* and *Limnothrissa miodon*. This applies in particular to lift nets and encircling nets;

Not less than 63 millimeters 2.5 inches) stretched, so 31.5 millimeters (1.2 inches) knot-to-knot for capture of *Lates stappersii* by gillnets.

Article 7: Fishing gears, techniques and practices

The use of the following gears are prohibited in the waters of Lake Tanganyika:

- driftnets of all kinds,
- monofilament nets of all kinds,
- beach seines of all kinds or any gear scraping the physical substrate at the bottom of the lake or in estuaries,
- any net lying flat on the bottom of the lake,
- any net or braided material of which the stretched mesh is less than 6 millimeters (0.24 inches)
- encircling gillnets

Article 8: It is prohibited to fish with electric gear, explosives or any substance, natural or of chemical origin, liable to immobilize or kill fish.


The possession and transport on board fishing boats of electric devices, toxic substances or explosives are prohibited.

Article 9: Height and length of nets

The maximum authorized height for a gillnet is 2 meters (2.2 yards) for nets used in coastal fishing and targeting coastal species. The maximum authorized height for a gillnet is 4 meters (4.4 yards) for nets aimed at capturing Centropomids in the authorized offshore fishing area, as defined in Article 17 of this Charter.

Article 10: The maximum authorized length of net for a gillnet crew is 1000 meters (1093.6 yards), or 1 kilometer (621.2 miles) (all the nets of one fishing units).

Article 11: Longline length and hook size



The length of a longline or hook line must not exceed 300 meters (328.1 yards), with a maximum number of hooks set at 150 pieces. Fishing unit shall have three operational lines at the same time, each of which must meet the above criteria.

Article 12: The minimum authorized size for any hook is set at 7 millimetres (0.28 inches) opening in the widest part of the hook handle, a size commonly known as "number 10".

To encourage compliance with the provision in paragraph 1 above, the Parties will ensure that the hooks offered for sale in their territory labelled as numbers 1 to 10 measure at least 7 millimeters (0.28 inches) of opening in their widest part.

Article 13: Areas and seasons where fishing is prohibited

Breeding grounds in Lake Tanganyika are considered as protected aquatic areas, where fishing is prohibited.

The Parties commit to cooperate with and through the Lake Tanganyika Authority to identify and mark those areas and ensure appropriate monitoring, control and surveillance of fishing activities targeting those areas

Article 14: A biological rest period for the reconstitution of the fish stock will be observed each year by all riparian countries of Lake Tanganyika from 15th May 15th August.

In the first three (3) years of the closed fishing season, the LTA member states should intensify data collection in fish stocks, biology and impacts on social economics of people so as to evaluate impacts of enforcing this charter.

Article 15: Distance from shore for the use of encircling nets or lift nets

The minimum distance from the shore for the use of encircling or lifting nets using light and aimed at capturing offshore species (*Lates stappersii*, *Stolothrissa tanganyicae*, *Limnothrissa miodon*) is set at 2 kilometers (1.2 mile) in the waters of Lake Tanganyika.

The minimum distance from the shore for the use of gillnets to capture Centropomids is set at 2 kilometers (1.2 mile) in the waters of Lake Tanganyika.



Article 16: Untargeted or accidental captures

The proportion of fish smaller than the minimum sizes described in Article 5 of this Charter must be less than 20 percent of the total catch in a fishing trip.

Beyond this limit, the fishing trip is considered fraudulent as a whole and all the catches are considered illegal.

CHAPTER III – MONITORING, CONTROL AND SURVEILLANCE OF FISHING ACTIVITIES

Article 17: Enforcement

Violations of provisions of this Charter are considered as offences under applicable national legislation and sanctioned by national legislation for non-compliance of the standards.

Article 18: Offenses

Constitute offences within the meaning of the provisional of this Charter:

- a. the exercise of a commercial fishing activity without a license or fishing permit;
- b. the exercise or attempted exercise of a prohibited fishing practice or technique;
- c. failure to comply with any restrictions on access to fishing;
- d. the capture, possession, transport, processing, marketing and trading of fish for which fishing is prohibited, in particular fish whose sizes are smaller than the authorized sizes, as set out in this Charter;
- e. the introduction of fishing techniques that are not present in Lake Tanganyika without having previously notified the national fisheries agency, even if this fishing technique does not appear to violate the law;
- f. the possession, transport or use on board of fishing boats of electrical devices, toxic substances or explosives, prohibited products and equipment, in particular devices for which all or part of the specifications are prohibited;
- g. the dumping or discharge into the waters of Lake Tanganyika of toxic substances or any other substance that may be harmful to the quality of the water and the habitat of fisheries resources;



- h. the discard or destruction by individuals of all or part of a fishing catch, with the exception of specimens showing indisputable signs of advanced decomposition (rotting);
- i. violation of any other requirement relating to fishing provided under this Charter or under applicable national legislation.

Article 19: Such offences are investigated and detected by the following persons, as well as any other person designated by applicable national legislation, as the case may be (hereinafter collectively referred to as 'monitoring, control and surveillance officers):

- a. authorized officers of the national fisheries agency of each Party;
- b. judicial police officers of each Party;
- c. fish inspectors and veterinary and sanitary inspectors accredited by the national fisheries agency of each Party;
- d. members of fishers' organizations accredited by the national fisheries agency of each Party;
- e. officers of the naval forces of each Party and their subordinates, assigned by name to the task, during monitoring, control and surveillance of fisheries;
- f. authorized officers of the national environment agency of each Party;
- g. staff accredited by the Lake Tanganyika Authority for fishing monitoring, control and surveillance operations [accompanied by authorized officers from the relevant Party, as appropriate].

Article 20: The mentioned agent in the preceding article may:

- a. arrest individuals in the waters of Lake Tanganyika or on the shore and who are likely to fish or trade in fisheries products;
- b. if necessary, immobilize the fishers and their boats on site or at an appropriate landing point;
- c. inspect all fishing vessels, whether docked or in the waters of Lake Tanganyika;
- d. check the fishing authorization for all crews when the fishing activity is demonstrated or the presumption of fishing activity is reasonable;
- e. inspect fishing gear and examine catches made, transhipped, transported or landed.
- f. inspect products in closed containers of any type when there is a reasonable suspicion of the presence of products of criminal fishing activity;
- g. inspect the point of sales and fishery equipment

If an offense is committed, the monitoring, control and surveillance officers may, in accordance with applicable national legislation, seize as a precautionary measure any fishing gear that appears to have been used in the offense and all catches that appear to have been made in violation of this charter. In the event of seizure, a custodian of the seized goods is appointed, if so, provided under national legislation.

Article 21: Offences are documented in a report drawn up by the monitoring, control and surveillance authorized officers. The report contains a statement of the facts, all the circumstances, as well as the information to validate the identities and statements of the persons who provided the information. Where identification documents that comply with regulations are not available, monitoring, control and surveillance authorized officers may take a photograph of the alleged offenders and attach these photographs to the file [jointly with the declaration of a person who is acquainted with the offenders].

The reports are signed by the monitoring, control and surveillance officers, by any witnesses and by the alleged offenders. In the event of refusal of signature or absence of the perpetrator of the offense, this is mentioned in the report.

Article 22: Where a person gives an authentic information that leads to an arrest of a person involved in an illegal activity, his/her identity will not be disclosed, except if that person authorizes it voluntarily and in writing.

Article 23: Anyone who obstructs, or opposes the action of a monitoring, control and surveillance officer in the exercise of his or her functions, or threatens the said officer with violence, commits an offense punishable under national legislation that applies to authorized officers of the state.

Article 24: penalties

Any offence under this Charter shall be sanctioned by the competent authority of each member state. In case an offense is committed, the sanctions established in this Charter apply in accordance with any provisions made by applicable national legislation.

Article 25: All offences committed against this charter shall be dealt with according to the national legislation of each member state.

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Article 26: Transitional and final provisions

National fisheries agencies, with the support of the Lake Tanganyika Authority, shall notify the provisions of this Charter to all fishers in Lake Tanganyika and in particular to applicants for fishing licences or permits.

Lake Tanganyika Authority secretariat shall inform the beneficiaries on the launching of the awareness campaigns for fishers and ensure training of officers from fisheries agencies according to the needs of each Party.

Article 27: This Charter is adopted at the 9th the Conference of Ministers of the Lake Tanganyika Authority on the sixteen of December, 2021

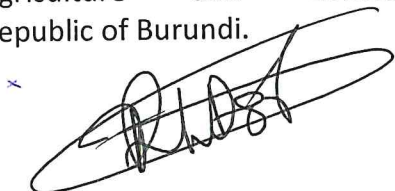
Article 28: This Charter shall come into effect three months after its signature by the parties.

In witness where of the undersigned, duly authorized as representatives of their respective governments, whose names appear below, have signed this Charter in English and in French, both texts being equally authentic.

Done in Kigoma, the United Republic of Tanzania this sixteenth Day of December, twenty-one;

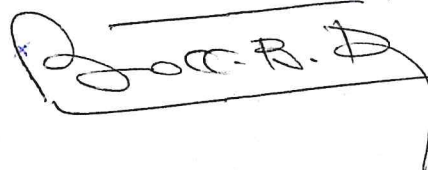
For the Republic of Burundi

H.E. Dr. Deo-Guide RUREMA
(PhD)
Minister of the Environment,
Agriculture and Livestock,
Republic of Burundi.



For the Democratic Republic of Congo

H.E. Adrien Bokele Djema
Minister of Fisheries and Livestock,
Democratic Republic of Congo.



For the United Republic of Tanzania

Hon. Hamad H. Chande (MP)
Deputy Minister of State (Union and
Environment) Vice-President's
Office, United Republic of Tanzania



For the Republic of Zambia

Hon. Eng. Collins Nzovu, (PhD), MP
Minister of Green Economy and
Environmental Protection

