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Maritime Zones and Blue Economy in Bangladesh: A Legal and Policy Analysis

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Abstract

This research article critically evaluates the legal and policy framework governing Bangladesh's maritime zones and explores their implications for sustainable development through the blue economy by the use of legal statutes such as the Territorial Waters and Maritime Zones Act, 1974; the Marine Fisheries Act, 2020; and the Wildlife (Conservation and Protection) Act, 2012, the study focus Bangladesh's sovereign rights and responsibilities in its territorial waters, contiguous zone, exclusive economic zone (EEZ), and continental shelf. The article incorporates case studies such as the Hilsa fishery, the Swatch of No Ground Marine Protected Area, and international maritime boundary disputes. The findings reveal that while Bangladesh has developed a comprehensive legal framework aligned with international law, enforcement capacity, ecological vulnerabilities, and regional cooperation remain pressing challenges. The study concludes that strategic reforms, institutional strengthening, and multilateral collaboration are essential for Bangladesh to fully harness its blue economy while preserving ecological integrity.

Keywords **— Bangladesh, Maritime Law and policy, Maritime Zones, Blue Economy, Ocean Governance**

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I. INTRODUCTION

The oceans, covering more than 70 percent of the Earth's surface, constitute a vital component of the global commons, underpinning climate regulation, facilitating international trade, and ensuring food and livelihood security for billions of people worldwide. The United Nations Convention on the Law of the Sea (UNCLOS, 1982) provides the normative framework governing the use, conservation, and management of maritime spaces by recognizing distinct legal zones such as the territorial sea, the exclusive economic zone (EEZ), and the continental shelf. For Bangladesh, a geographically strategic coastal state situated at the apex of the Bay of Bengal, maritime zones are not merely geographical extensions but crucial domains for asserting sovereignty, securing resources, and ensuring long-term economic resilience. The landmark judgments of the International Tribunal for the Law of the Sea (ITLOS) in the *Bangladesh/Myanmar Maritime Delimitation Case* (2012) and the Permanent Court of Arbitration (PCA) in the *Bangladesh/India Maritime Delimitation Case* (2014) collectively established Bangladesh's sovereign rights over approximately 118,813 square kilometers of maritime space (Huang & Liao, 2014), significantly altering its geostrategic and economic landscape. This legal recognition opened extraordinary opportunities for

fisheries, hydrocarbon exploration, shipping, and marine tourism, thus foregrounding the concept of a "blue economy" as a central policy paradigm (Hussain et al., 2018). Yet, the governance of these maritime spaces is fraught with challenges. Illegal, unreported, and unregulated (IUU) fishing, piracy, marine pollution, and climate change pose multidimensional threats to both economic prospects and ecological sustainability (Shamsuzzaman & Islam, 2020). Simultaneously, the degradation of critical marine ecosystems such as coral reefs and Hilsa fisheries underscores the tension between economic exploitation and environmental stewardship (Shovon, Hannan, & Rahman, 2021). Furthermore, institutional fragmentation, inadequate surveillance technology, and weak enforcement capacity hinder Bangladesh's ability to translate legal sovereignty into effective ocean governance and to fulfill its commitments under Sustainable Development Goal 14 (Life Below Water). Against this backdrop, the broad objective of this study is to critically analyze the legal and policy framework of Bangladesh's maritime governance, evaluate its strengths and limitations in light of international law and sustainable development imperatives, and propose recommendations for enhancing blue economy development in a manner that harmonizes national interests with global environmental obligations.

II. LITERATURE REVIEW

The governance of maritime zones and the development of the blue economy in Bangladesh have been increasingly discussed in scholarly and policy-oriented literature. Hussain et al. (2018) emphasized the vast opportunities offered by Bangladesh's maritime domain, particularly in fisheries, aquaculture, shipbuilding, and offshore energy exploration, situating these within the broader framework of the blue economy. Their analysis underscores the potential of Bangladesh's exclusive economic zone (EEZ) to contribute to national development if managed sustainably. Islam et al. (2014), focusing specifically on the Hilsa fishery, examined the legal and institutional framework regulating one of the country's most important marine resources. They highlighted weak enforcement mechanisms, overfishing, and socio-economic pressures on fishing communities as major challenges, recommending stricter compliance measures and community-based fisheries management.

Marine biodiversity conservation has also been the subject of considerable academic attention. Shovon, Hannan, and Rahman (2021) analyzed the legal aspects of coral reef conservation in Bangladesh, arguing that although relevant laws exist, their implementation is weak, leaving ecosystems vulnerable to degradation. Their findings resonate with Beare et al. (2017), who examined the Marine Protected Area (MPA) Atlas of the Bay of Bengal, demonstrating that MPAs are critical for sustaining fish stocks and protecting biodiversity but face enforcement challenges due to inadequate surveillance. Bari (2017) contributed to this discourse by highlighting the untapped potential of marine tourism, shipbuilding, and aquaculture in driving Bangladesh's blue economy, stressing that effective governance is essential for these sectors to thrive.

Beyond resource exploitation, scholars have analyzed broader policy frameworks. Iqbal and Kutubuddin (2021) explored the Bangladesh Delta Plan 2100, which integrates coastal and ocean governance with national development goals, linking maritime security, disaster resilience, and sustainable resource use. Their work reflects a growing consensus that maritime governance cannot be isolated from wider socio-economic and environmental policy. Similarly, Shamsuzzaman and Islam (2020) examined marine fisheries governance, emphasizing the importance of strategic reforms for balancing resource exploitation with conservation, while Nazma (2020) underscored the need to protect the rights of small-scale fishers to ensure equitable benefit-sharing within the blue economy.

Comparative perspectives further illuminate Bangladesh's position. Huang and Liao (2014) analyzed the *Bangladesh/Myanmar Maritime Delimitation Case* and argued that Bangladesh's legal success provided critical opportunities but that

institutional weaknesses may hinder effective utilization of newly acquired maritime rights. In comparison, India has invested heavily in advanced surveillance systems and marine research institutions, enabling better monitoring of fisheries and maritime boundaries, while Myanmar has expanded regional cooperation mechanisms despite its own governance challenges (Huang & Liao, 2014). These comparisons suggest that Bangladesh's institutional capacity in enforcement and surveillance remains relatively weak, limiting the effectiveness of existing laws.

Additional contributions highlight the intersection of global frameworks and national strategies. Shamsuzzaman et al. (2017) noted that Bangladesh's blue economy ambitions are strongly tied to achieving Sustainable Development Goal 14 (Life Below Water), but the country's progress is hampered by climate change impacts, including ocean acidification, sea-level rise, and extreme weather events. Hossain (2022) argued that strengthening the legal framework for marine pollution control is essential to safeguard fisheries and tourism. At the same time, Ahmed and Mannan (2022) examined policy gaps in managing minority communities' access to coastal resources, highlighting the importance of inclusive governance for equitable blue economy growth.

Overall, the literature reveals three broad themes: (i) significant economic opportunities exist in fisheries, offshore energy, and marine tourism; (ii) conservation of biodiversity and protection of marine ecosystems remain critical but under-enforced; and (iii) institutional and technological weaknesses undermine effective governance, particularly in surveillance and law enforcement. While Bangladesh has made notable progress in legal recognition of its maritime rights and in policy planning through instruments like the Delta Plan 2100, the gap between law and implementation persists. The literature thus points to the need for stronger institutional capacity, enhanced regional cooperation, and integration of environmental sustainability into economic policy if Bangladesh is to fully realize the promise of its blue economy.

III. METHODOLOGY

This research adopts a doctrinal legal research approach combined with comparative and case study analysis.

A. **Primary Sources**

Territorial Waters and Maritime Zones Act, 1974; Marine Fisheries Act, 2020; Wildlife (Conservation and Protection) Act, 2012; UNCLOS (1982); ITLOS and PCA decisions.

B. **Secondary Sources**

Academic articles, policy reports, government documents, and newspaper articles.

The methodology is normative and qualitative, evaluating whether Bangladesh's maritime framework meets international legal standards and contributes to sustainable development.

IV. FINDINGS

A. **Territorial Sea and Contiguous Zone**

Bangladesh exercises full sovereignty over its 12-nautical-mile territorial sea, including rights over natural resources, environmental protection, and enforcement of customs regulations (Territorial Waters and Maritime Zones Act, 1974). The contiguous zone extends up to 24 nautical miles, enabling enforcement of customs, immigration, and sanitary laws. This zone plays a critical role in preventing smuggling, human trafficking, and unauthorized entry, highlighting its strategic importance for national security and maritime governance.

A.1. Case Study: Maritime Security

Maritime security challenges such as piracy, armed robbery, and trafficking remain prevalent. Bangladesh has strengthened naval patrols and participates in the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). However, its naval capacity remains limited compared to regional neighbors, emphasizing the need for further investment in surveillance and enforcement (Sayyed, 2022).

B. Exclusive Economic Zone (EEZ)

The Bangladeshi EEZ extends 200 nautical miles, granting sovereign rights for the exploration and exploitation of both living and non-living resources. The Marine Fisheries Act (2020) provides the framework for fisheries management, licensing, and conservation. Despite seasonal bans, overfishing—particularly of Hilsa (*Tenualosa ilisha*)—remains a significant concern (Islam et al., 2014). Compared to India, Bangladesh's fisheries monitoring and surveillance technologies are underdeveloped, indicating the need for modernization and capacity building.

B.1. Case Study 1: Hilsa Fishery

The Hilsa fishery contributes significantly to national GDP and nutrition. Seasonal bans aim to protect spawning periods, but weak enforcement and socio-economic vulnerabilities of small-scale fishers reduce their effectiveness. Lessons from community-based management in Sri Lanka offer potential strategies for improving compliance and sustainability (Islam et al., 2014).

B.1. Case Study 2: ECOFISH-BD Project

Implemented between 2015 and 2019 by the Department of Fisheries in collaboration with WorldFish and USAID, ECOFISH-BD promoted sustainable practices and community awareness in Hilsa fisheries. While it improved local conservation practices, enforcement gaps and limited socio-economic support persisted, highlighting the importance of integrating policy with community participation for long-term sustainability (Mohammed et al., 2025).

C. **Continental Shelf**

Bangladesh's continental shelf extends up to 350 nautical miles, offering access to hydrocarbons and mineral resources. Production-sharing contracts with international oil companies provide potential economic benefits, but also raise environmental and equity concerns (Nazma, 2020). Effective regulatory oversight and environmental safeguards are essential to balance economic development with ecological protection.

D. Marine Protected Areas (MPAs) and High Seas

Bangladesh has established MPAs to preserve biodiversity and support sustainable fisheries. Compliance with international law, including UNCLOS, ensures freedom of navigation, overflight, and legal dispute settlement via ITLOS and PCA (Huang & Liao, 2014).

D.1. Case Study 1: Swatch of No Ground (SoNG)

Declared in 2014, SoNG is Bangladesh's first marine protected area and hosts diverse marine species including dolphins and whales. Despite its legal designation, enforcement against illegal fishing remains inadequate, demonstrating the need for strengthened monitoring and community engagement (Beare et al., 2017).

D.2. Case Study 2: Shibsha Dolphin Sanctuary

Established in 2020 in the Shibsha River, the sanctuary protects endangered Ganges (*Platanista gangetica*) and Irrawaddy (*Orcaella brevirostris*) dolphins. Challenges include local fishing activities, insufficient patrolling, and limited enforcement, highlighting the need for integrated conservation strategies balancing ecological preservation and socio-economic livelihoods (Hassan, 2019).

D.3. Case study 3: Cox's Bazar Marine Turtle Conservation Program

This program focuses on Olive Ridley (*Lepidochelys olivacea*) and Green turtles (*Chelonia mydas*) along the southern coast. Threats include poaching, coastal development, and light pollution. Community participation, patrol enforcement, and awareness campaigns have improved hatchling survival, demonstrating how conservation can be integrated with marine tourism and local livelihoods (Rahman & Hossain, 2021).

E. Blue Economy and Sustainable Development

Bangladesh's blue economy encompasses fisheries, aquaculture, shipbuilding, renewable energy, and marine tourism (Hussain et al., 2018). The National Blue Economy Policy (2018) aligns with SDG 14, emphasizing marine pollution reduction, ecosystem conservation, and sustainable fisheries. Climate change, environmental degradation, and governance gaps continue to challenge these objectives.

E.1. Case Study 1: Cox's Bazar Marine Turtle Conservation Program

As described above, this program not only

conserves endangered species but also demonstrates sustainable marine tourism and community engagement.

E.2. Case Study 2: Chittagong Shipbuilding Industry

Shipbuilding in Chittagong contributes significantly to GDP and employment. The sector has begun incorporating sustainable practices such as waste management and cleaner production techniques, demonstrating the integration of industrial growth with Blue Economy principles (Hussain et al., 2018).

F. Delta Plan 2100 and Ocean Governance

The Delta Plan 2100 integrates water resource management, disaster resilience, and maritime governance. It emphasizes deep-sea port development, special economic zones, and renewable energy projects. Successful implementation requires inter-ministerial coordination, international funding, and regional collaboration (Iqbal & Kutubuddin, 2021).

F.1. Case Study 1: Matarbari Deep-Sea Port Project

The Matarbari project exemplifies the Delta Plan's objectives by combining economic development with climate resilience. The port is designed to withstand cyclonic events and rising sea levels, demonstrating integration of disaster-resilient infrastructure with ocean governance.

F.2. Case study 2: Payra and Rampal Renewable Energy Initiatives

Coastal renewable energy projects aim to harness wind and solar energy for sustainable development in coastal communities. These projects highlight regional collaboration, international funding, and environmental sustainability under the Delta Plan framework.

V. DISCUSSION

Bangladesh's maritime governance and blue economy development present significant opportunities alongside persistent challenges. The country possesses extensive maritime resources, but realizing their full potential depends on effective governance, sustainable resource management, and community participation.

The exercise of sovereignty over Bangladesh's territorial sea and contiguous zone underscores the country's legal authority in maritime affairs (Territorial Waters and Maritime Zones Act, 1974). However, maritime security challenges such as piracy, trafficking, and illegal fishing remain prevalent. Despite regional cooperation frameworks like ReCAAP and strengthened naval patrols, surveillance and enforcement capabilities lag behind neighboring countries (Sayyed, 2022; Huang & Liao, 2014). These findings highlight the need for enhanced inter-agency coordination, investment in modern surveillance technologies, and regional collaboration to strengthen maritime governance.

Bangladesh's Exclusive Economic Zone (EEZ) and continental shelf offer substantial economic potential, particularly in fisheries, offshore energy, and mineral resources. Case illustrations from the Hilsa fishery and ECOFISH-BD project demonstrate that seasonal bans and community-based initiatives aim to protect spawning periods and promote sustainable practices, yet weak enforcement and socio-economic vulnerabilities of small-scale fishers reduce their effectiveness (Islam et al., 2014; Mohammed et al., 2025). This aligns with the literature emphasizing that economic growth from fisheries and aquaculture must be coupled with regulatory enforcement and community engagement for long-term sustainability (Hussain et al., 2018; Bari, 2017).

Marine biodiversity conservation remains a critical concern. Swatch of No Ground, Shibsha Dolphin Sanctuary, and Cox's Bazar Marine Turtle Conservation Program demonstrate legal recognition of MPAs and species protection, but enforcement gaps and local resource pressures persist (Beare et al., 2017; Hassan, 2019; Rahman & Hossain, 2021). The literature similarly points to weak implementation of coral reef and fishery protection laws (Shovon, Hannan, & Rahman, 2021). These findings indicate that legal frameworks alone are insufficient; effective conservation requires monitoring, community

participation, awareness campaigns, and technological support.

Bangladesh's blue economy encompasses fisheries, aquaculture, shipbuilding, renewable energy, and marine tourism (Hussain et al., 2018). Sustainable practices in the Chittagong shipbuilding sector and community-based marine conservation programs demonstrate the potential for harmonizing economic growth with environmental stewardship. Nevertheless, governance gaps, pollution, and climate change—including sea-level rise and ocean acidification—pose significant challenges (Shamsuzzaman et al., 2017; Hossain, 2022). Adaptive strategies, environmental enforcement, and inclusive participation are essential for sustainable development in the maritime sector.

The Delta Plan 2100 provides a framework for integrating maritime governance with national development goals, including port development, renewable energy, and disaster resilience (Iqbal & Kutubuddin, 2021). Projects such as the Matarbari Deep-Sea Port and Payra and Rampal renewable energy initiatives illustrate how economic development can be combined with climate resilience and environmental sustainability. Successful implementation requires inter-ministerial coordination, international funding, and regional collaboration, alongside inclusive governance to ensure equitable access to coastal resources for local and minority communities (Ahmed & Mannan, 2022; Nazma, 2020).

Overall, the synthesis of literature and findings highlights three interrelated insights: first, Bangladesh's maritime zones offer substantial economic opportunities in fisheries, energy, and tourism, but governance and enforcement constraints limit full utilization; second, biodiversity conservation and sustainable resource use remain critical yet under-enforced priorities; and third, institutional and technological capacity gaps hinder effective maritime management. Addressing these gaps through community-based management, technological monitoring, climate adaptation, and inclusive policy frameworks is essential for realizing the full potential of Bangladesh's blue economy and ensuring sustainable development of its maritime domain.

VI. CHALLENGES

A. Limited Enforcement and Surveillance

Bangladesh's maritime governance and blue economy development face significant constraints due to limited enforcement and surveillance capacities. Inadequate monitoring of territorial waters, exclusive economic zones, and marine protected areas allows illegal fishing, smuggling, and other maritime crimes to persist, undermining both economic and ecological objectives.

B. Overexploitation of Marine Resources

Overexploitation, particularly in fisheries, threatens the sustainability of key species and marine ecosystems. Legal measures such as seasonal bans and resource quotas are often insufficient to prevent overfishing, largely due to enforcement gaps and socio-economic pressures on coastal communities.

C. Institutional Fragmentation

Effective governance is hampered by institutional fragmentation. Multiple agencies are responsible for different aspects of maritime management, leading to coordination gaps and inefficiencies in policy implementation.

D. Climate Change and Environmental Degradation

Rising sea levels, ocean acidification, cyclones, and marine pollution pose severe risks to the blue economy. These factors threaten coastal infrastructure, fisheries, and biodiversity, compromising both livelihoods and long-term development goals.

E. Socio-Economic Vulnerabilities

Small-scale fishers and minority communities face socio-economic vulnerabilities that limit their capacity to comply with conservation measures and participate fully in the benefits of the blue economy. Inequitable access to resources exacerbates these vulnerabilities and undermines inclusive development.

F. Legal-Implementation Gap

although national legislation and international commitments provide a solid legal foundation, their translation into effective governance remains inconsistent, weakening the overall effectiveness of maritime management and conservation efforts.

VII. RECOMMENDATIONS

A. Strengthen Enforcement and Surveillance
Modernization of naval and coast guard capabilities, enhanced patrolling, and the use of advanced monitoring technologies are essential. These measures will improve compliance with fishing regulations and prevent illicit activities in maritime zones.

B. Promote Sustainable Fisheries Management
Community-based co-management systems should be established to provide incentives for compliance and support small-scale fishers. Strict implementation of seasonal bans and quotas, combined with alternative livelihood programs, can enhance ecological sustainability while addressing socio-economic vulnerabilities.

C. Improve Institutional Coordination
A centralized maritime governance authority should be created to harmonize policy across fisheries, conservation, port development, and renewable energy sectors. Inclusion of local governments and community representatives in decision-making will ensure more integrated and participatory governance.

D. Integrate Climate Change Adaptation
Maritime planning must incorporate climate-resilient infrastructure, renewable energy projects, and ecosystem-based adaptation strategies to protect coastal and marine environments.

E. Strengthen Legal and Regulatory Frameworks
National legislation should be continuously updated to align with international standards. Enforcement mechanisms must be enhanced to ensure compliance within marine protected areas and against marine pollution.

F. Promote Inclusive Development
equitable access to resources should be ensured for coastal and minority communities. Capacity-building programs and socio-economic support will empower these communities to participate in conservation and benefit-sharing under the blue economy framework.

G. Leverage Regional and International Cooperation
Collaboration with neighboring states and international organizations should be utilized to enhance maritime security, resource management, and sustainable development. Technical expertise, funding, and policy guidance from these partnerships are critical for long-term sustainability.

VIII. CONCLUSION

Bangladesh's consolidation of maritime jurisdiction through international adjudication and national legislation has created unprecedented scope for advancing its blue economy. The legal and policy architecture, largely consistent with UNCLOS, establishes normative coherence for managing fisheries, offshore energy, marine biodiversity, and maritime trade. Yet, persistent enforcement deficits, institutional fragmentation, ecological degradation, and climate-induced vulnerabilities underscore a continuing gap between law and implementation. Case studies of the Hilsa fishery, marine protected areas, and emerging shipbuilding initiatives highlight both progressive developments and structural limitations, particularly in safeguarding ecological integrity and ensuring equitable benefit-sharing. Realizing the transformative potential of Bangladesh's maritime domain requires strengthening surveillance and regulatory capacity, fostering inter-agency coordination, and embedding climate adaptation within ocean governance strategies. Equally vital is the empowerment of coastal communities through inclusive governance mechanisms that balance conservation imperatives with socio-economic resilience. Enhanced regional cooperation and multilateral engagement will be indispensable for addressing trans boundary ecological challenges and securing sustainable resource management. Ultimately, by aligning maritime governance with principles of ecological stewardship, distributive justice, and sustainable development, Bangladesh can transform its blue economy into a resilient and equitable driver of long-term national prosperity.

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