

**THE UNITED REPUBLIC OF TANZANIA**

**RORYA DISTRICT COUNCIL**



**LAND TENURE IMPROVEMENT PROJECT (LTIP)**

**ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR RURAL  
CERTIFICATION PROCESS IN RORYA DISTRICT COUNCIL**



**Prepared by:  
RORYA DISTRICT COUNCIL**

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## LIST OF ABBREVIATIONS AND ACCRONYMS

CBO	-	Community Based Organization
CCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CCRO	-	Certificate of Right of Occupancy
DED	-	District Executive Director
DEMO	-	District Environmental Management Officer
DLHT	-	District Land and Housing Tribunal
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
EIAR	-	Environmental Impact Assessment Report
EIS	-	Environmental Impact Statement
EHSG	-	Environmental Health and Safety Guidelines
EMA	-	Environmental Management Act 2004
EMO	-	Environmental Management Officer
ES	-	Environmental Screening
ESCP	-	Environmental and Social Commitment Plan
ESMT	-	Environmental and Social Management Team
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social Management Plan
ESF	-	Environmental and Social Framework
ESS	-	Environmental and Social Standard
FPIC	-	Free, Prior and Informed Consent
GDP	-	Gross Domestic Product
GBV	-	Gender Based Violence
GoT	-	Government of Tanzania
GRM	-	Grievance Redress Mechanism
HIV/AIDS	-	Human Immunodeficiency Virus/Acquired Immune- Deficiency Syndrome
ILMIS	-	Integrated Land Management Information System
LGAs	-	Local Government Authorities
LTAP	-	Land Tenure Assistance Project
LTIP	-	Land Tenure Improvement Project
LTSP	-	Land Tenure Support Project
M&E	-	Monitoring and Evaluation
MLHHSD	-	Ministry of Land, Housing and Human Settlement Development
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
NSC	-	National Steering Committee
OHS	-	Occupational Health and Safety
OM	-	Operational Manual
PCU	-	Project Coordinating Unit
PLUM	-	Participatory Land Use Management
PO-RALG	-	President's Office Regional Administration and Local Government

RL	-	Residential License
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP	-	Stakeholder Engagement Plan
TNA	-	Training Needs Assessment
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
VEO	-	Village Executive Officer
VLUM	-	Village Land Use Management (Committee)
VLUP	-	Village Land Use Plan
VG	-	Vulnerable Groups
VGPF	-	Vulnerable Groups Planning Framework
WB	-	World Bank
WEO	-	Ward Executive Officer



## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.1 Background**

The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHHSD) is implementing the Land Tenure Improvement Project (LTIP). The Project Development Objective (PDO) is to strengthen the national land administration system and increase tenure security in selected areas for both men and women. LTIP promotes land-based investments and ensures inclusion for social economic development in both urban and rural areas. Key project results indicators related to the PDO to increase tenure security include the registration 610,000 Certificates of Customary Rights of Occupancy (CCROs). At least 40 percent of the land certificates should be registered under the name of women, as sole owners, or co-owners. Project investments are also expected to support a reduction of at least 30 percent in the number of land conflicts, as well as an increase in perception of tenure security. Results indicators related to the PDO to strengthen the national land administration system include an increase of 20 percent in the number of CCRO transactions, a reduction of the average time to issue CCROs (first registration) from 180 days to 60 days.

#### **1.2.1 LTIP Project Scope in Rorya District Council**

The Rorya District Council is one of beneficiaries of LTIP activities. In Rorya the project is expected to support the preparation of Village Land Use Plans (VLUP) and Detail Settlement Plan (DSP) covering the settlement part of the villages, as well as the issuance of CCROs, renovation/construction of district and village land offices. This ESMP is prepared specifically to guide the preparation of VLUP, DSP, and issuance of CCROs activities covering all 61 villages (see table 1) while the ESMPs for the renovation or construction of district and village land offices will be developed later before commencement of the renovation activities.

**TABLE 1: RORYA DISTRICT COUNCIL- PROJECT COVERAGE VILLAGES**

<b>Ward</b>	<b>Village</b>
Mirare	Mirare,Sudi,Marongo,Nyagolo
Kitembe	Kitembe,Sakawa,Nyanbogo
Roche	Osiri
Bukura	Bubombi,Nyambori,Bwiri,Thabache,Kirongwe
Tai	Masonga,Nyamagongo,Nyahera,Shirati Sota,
Nyahongo	Minigo,Manyanyi,Nyamkongwe,Ryagati
Kinyeche	Lolwe,Nyamirende,Omoche,Nyabikondo
Nyamtinga	Nyarombo,Manila,Rwang'enyi,Busanga
Nyamagaro	Nyang'ombe,Bugendi,Muharango
Kyangasaga	Kyangasaga,Gabimori
Kigunga	Randa,Masike,Bukama,Luanda
Kirogo	Wamaya
Nyaburongo	Deti,Mori
Nyanthorogo	Kowak,Omuga,Nyasoko
Koryo	Nyanduga,Mangore
Bukwe	Mika,Buganjo,Nyasoro
Kisumwa	Kisumwa,Marasibora,Nyanjage
Komuge	Komuge,Kyamwame
Nyamunga	Kibuyi
Nyang'ombe	Muhundwe,Ruhu,Nyihara
Baraki	Baraki,Bitiryo,Kyanyamsana

In Rorya District Council, the preparation of VLUPs, DSPs and the issuance of CCROs is expected to involve the following activities:

### **A. Village Land Use Plans (VLUP)**

There are 61 villages formally registered in Rorya district, of which 45 already have a VLUP. LTIP is expected to support the preparation of VLUP of 61 villages and DSPs for the 61 villages reached by LTIP in the district, as this is a prerequisite for the issuance of CCROs. The preparation of VLUPs will involve awareness creation and capacity building for the Participatory Land Use Management Team (PLUM); conduct village assembly and formulation of Village Land Use Management Council (VLUM); preparation of baseline information which include resource assessment, existing land use and existing environmental and social issues; preparation of draft Village Land Use Plan (VLUP); validation and approval of the proposed VLUP and respective by-laws by the village assembly; endorsement of the VLUP by the district council; gazettment of the approved VLUP by the National Land Use Planning Commission. For each VLUP and DSP, LTIP will support an adequate assessment of E&S implication and the formulation of advice for addressing these in ways that are consistent with the World Bank's Environmental and Social Framework (ESF).

### **B. Issuance of CCROs**

The process of issuance of CCROs is detailed in the LTIP CCRO Manual and shall involve five (5) major activities namely:

- i. Public awareness and engagement of marginalized groups (for example people with disabilities and old people);
- ii. Employing and Training of Para- surveyors;
- iii. Parcels adjudication;
- iv. Preparation of DSP (regularization layout);
- v. Block Planning and Negotiation of Road Accessibility
- vi. Printing and issuing CCROs.

The aforementioned activities involved in the issuance of CCRO have potential to cause environmental and social (E&S) risks and impacts. To address the potential E&S risks and impacts the Project has prepared this Environmental and Social Management Plan (ESMP) for Rorya District Council. The preparation of the Rorya VLUPs, DSPs and issuance of CCRO have potential to cause E&S risks and impacts. The Rorya ESMP is a tool for identifying, mitigate, and monitoring the E&S impacts associated with these activities. Specifically, it depicts how the

organizational capacity and resources will be utilized to assess these impacts, define mitigation measures, and implement them when appropriate. Therefore, the Government's implementation team, as well as Non-Governmental Organizations (NGOs) that are expected to be hired under LTIP to support rural land certification, will implement project activities in accordance with this ESMP.

### **1.2 General Objectives**

The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF) and aims at attaining the following objectives:

- i. Identify potential E&S risks and impacts associated with land use planning and rural certification activities support by LTIP;
- ii. Develop mitigation/enhancement measures to minimize E&S risks and impacts
- iii. Define implementation arrangement and organization structure of ESMP implementation including assessment of the implementation capacity of the implementing agencies (LGA)
- iv. Identify the parameters to be monitored and the respective tools that are used in monitoring and reporting.

### **1.3 Methodology for Preparation of ESMP**

This ESMP has been prepared by the district Participatory Land Use Management Team (PLUM) of Rorya District Council in collaboration with the LTIP-ESMT through the following activities.

- v. Undertake an Environment & Social screening to determine risks and impacts associated with certification process using: (i) Annex 4 of ESMF on Screening Checklists for environmental and social issues; (ii) Annex 6: Environmental and Social Safeguards Criteria for selecting project specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP. Annex 1 for this ESMP on villages with existing VLUP
- vi. Define mitigation, enhancement and monitoring measures for the identified impacts;
- vii. Validation of mitigation, enhancement and monitoring measures through stakeholders' engagement.

- viii. Finalization of ESMP report, and sharing with wider stakeholders, including ESMP publication on the LTIP website.

## **1.4 Screening results**

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Rorya District Council, Tanzania. The screening was conducted using the screening form attached in Annex 6, which assessed potential environmental and social impacts of the project, implemented by the LTIP.

### **1.4.1. Screening Methodology**

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Songwe District Council, Tanzania. The screening was carried out using the E&S Safeguard Criteria established by the project for selecting specific project areas. This was done using the screening form found in the ESMF guiding document (attached in Annex 6), which assessed the potential environmental and social impacts of the LTIP in the selected Songwe area.

## **CHAPTER TWO**

### **BASELINE ADMINISTRATIVE, ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA**

#### **2.1: Introduction**

The baseline environmental and social conditions of Rorya district describe biophysical and social issues which are likely to be affected, trigger conflicts or are of biological importance in the district. The biophysical and social issues in Rorya necessitates for the project to ensure that mitigation measures are put in place to avoid risks and impacts to the communities. The main and indigenous ethnic group in Rorya is Luo. They constitute almost 70 percent of the entire population in the district. Other ethnic groups are Kurya, Sukuma and Chaga. Religious groups available in Rorya are mainly Christians, Muslims and few adhere to traditional beliefs. The majority of residents produce both food and cash CCROs where food CCROs are Maize and Cassava, and cash CCROs are cotton and sunflower. The dominant economic activity in the district is agriculture being practiced by majority of the community. Other economic activities are trade, fishing.

#### **2.2: Administrative Condition of Rorya District Council**

Rorya District is one of the nine Council in Mara Region namely Tarime District, Serengeti District, Bunda District, Musoma District, Butiama District, Tarime Town, Bunda Town and Musoma Municipal, the district lies between latitudes  $1^{\circ}00'' - 1^{\circ}45''$  south of the equator and longitudes  $33^{\circ}30' - 35^{\circ}00'$  east of meridian. According to the 2022 Population and Housing Census Rorya District Council has a population of 354490 people (169,913 Males and 184,577 Females) and 73 689 households. 371,836 people (184,842 Males and 186,994 Females) and 68,279 households. Administratively Rorya District Council administratively has three (3) divisions, 26 wards and 87 villages and 508 sub villages. Among the 87 villages, 21 villages of Rorya DC have village land use plans.

#### **2.3 Land use Pattern**

Rorya district council has a total area of 9,345.496 kms (3,781,987.66 ha) of which 932,136 ha is ideal for crop production 2,801,163.7ha is under forest reserve, 860,000ha is under Game

Reserve 168,400 ha is water bodies and the rest is used for other activities such as agriculture in which the district has 291,375ha, livestock and water bodies which covers 161,874km square.

## **2.4 Environmental Baseline Information in Rorya District Council**

Physiography provides an analysis of existing physical conditions found within the Council. It covers environmental context analysis including climate, soils, geological condition, land and vegetation cover, topography and agro-ecological zones.

### **2.4.1 Climate**

Climate involves a long-term pattern of temperature and precipitation averages and extremes at a location. It also contains two ecological zone that are midlands and lowlands, in which midlands have an area of 2,2235km while lowlands have an area of 1101 km the current meteorological components including temperature, wind direction and speed, amount and type of precipitation, humidity and sun shine hours.

### **2.4.2 Rainfall**

Rorya District Council, mean annual rainfall ranges from 700 mm to 1,200mm a year with Rainfall pattern in the district is unimodal with an average annual rainfall of 1224mm.

### **2.4.3 Temperature**

Rorya District Council experienced a moderate temperature of 14<sup>0</sup>C to 17<sup>0</sup>C with a maximum temperature of 17<sup>0</sup>C in October and November. While a minimum temperature of 13<sup>0</sup>C is experienced in June, July and August.

### **2.4.4 Humidity**

Rorya Council is within proximity of an overcast and light in saturated relative humidity. It experiences high humidity in September and November and less humidity in December and August. The average annual humidity is 89 %.

## **2.5 Topography**

Rorya Council has an altitude ranging between 800 and 1200 meters above sea level

characterized by, highlands, mountains peaks, lowlands and plains. The lowlands are found in the northern part of the district in her boundary with Tarime, Butiama and Musoma districts with the altitude ranging between 534 and 847 meters above sea level. This is followed by the area found in the central and eastern part of the district with the altitude ranging between 848 and 1,160 meters above sea level.

## **2.5 Rorya District Council Social Baseline Information**

### **2.5.1. Population**

The population of Rorya District according to the 2022 Population and Housing Censuses is 354,490 females 184,577 males 169,913.

### **2.5.2. Project Workforce Requirements**

VLUPs, and the rural land certification process in Rorya District Council will require workforce. This situation is likely to attract influx of people in search of employment from within and from outside the country since Rorya is located near to the border with Kenya before Tarime district. The presence of internal and external movement of people necessitates for the LTIP to pay attention on labor management and eligibility for land rights during issuance of CCRO.



## **CHAPTER THREE**

### **LEGAL AND INSTITUTIONAL FRAMEWORK**

#### **3.1 Introduction**

This chapter describe relevant legal and institutional framework governing the preparation of VLUP, DSPs and issuance of CCRO in Rorya district. The focus has been made on legislations which provide environmental and social provisions and requirements relevant for the Project. The legislation described in this chapters are those which provide guidance to the project and can be made actionable to assist the project on the management of E&S risks and impacts.

#### **3.2 Tanzania's Legal Framework to Guide Land Use Planning and Rural Certification Processes in Rorya District**

##### **The Environmental Management Act (EMA) 2004**

The Act provide guidance for regulation process in sensitive areas such as rivers, lakes, wetlands, forest areas, and wildlife resource among others. The Act provides a legal framework for coordinating harmonious and conflicting activities by integrating those activities into overall sustainable environmental management system by providing key technical support to Sectoral Ministries. The EMA will be applicable by the LTIP team in Rorya during identification of national parks and preparation of DLUPF and VLUP. Specifically, LTIP project in Rorya District Council will adhere to 60m buffer zone requirements when issuing CCROs.

##### **The National Land Act, No. 4 and 5 of 1999**

The Land Act (1999 recognize that all land in Tanzania belongs to the public, and the President acts as the trustee of the land for the benefit of the people (Land Act, 1(1)(a)). The Land Act classifies all land in Tanzania into three categories: (1) Reserved Land, (2) General Land, and (3) Village Land (4(4)). The first two categories are governed under the provisions of the Land Act and its regulations. About 68% of all land is Village Land; 30% is Reserved Land and only 2% is General Land in the Country.

These Acts among other things outlines, procedure for land administration, allocation, acquisition, schemes of regularization, land registration and certification, compensation and

resource management in both urban and rural areas. The Land Acts contain provisions of critical environmental importance and modalities for stakeholders' engagement through meeting and public hearing. Both Acts translates the fundamental principles of land policy into the body of the law. One of these fundamental principles is to ensure that land is used productively and that any such use complies with the principles of sustainable development. The preparation of VLUP and the issuance of CCRO will be conducted in accordance with the provisions and requirement stipulated in Land Act. Section 32 (1) and section 33 of the land use planning Act No. 6 of 2007 provides directives and requirements for the preparation of both DLUFP and VLUPs.

### **The land use planning Act, 2007**

LTIP shall prepare the VLUP in accordance to this Act, the act provides that the village must have defined boundaries and gazetted under the GN and described in Village Certificate issued by Commissioner of Land; This act is making reference to other acts especially the Land Act No 4 and 5 to guide the entire process of Land use planning practice in Tanzania.

### **The Employment and Labor Relations Act, No. 6 of 2004**

The Act provide labour rights and protections particularly on Child labour, forced labour and discrimination in the working place and freedom of association. The act prohibits child labour it provides that no child under the age of 14 shall be employed. LTIP will ensure equality in employment, forbid child labour and provide valid employment contracts to direct and indirect workers. The employment contracts for direct and indirect teams will ensure compliance to basic employment standards which include: i) Wage determination that stipulates a minimum term and condition of employment (ii) An employment standard constitutes a term of a contract with an employee unless -a term of the contract contains a term that is more favorable to the employee; and a provision of an agreement alters the employment standard to the extent permitted by the provisions and iii) a provision of any collective agreement, a written law regulating employment, wage determination or exemption granted under section 100. The law also requires provision for health insurance and joining to National compensation funds for labour on employment beyond six months.

### **The HIV and AIDS (prevention and Control) Act, No. 28, 2008**

Made under section (9) every employer in consultation with the ministry shall establish and coordinate a workplace programme on HIV and AIDS for employees under this control and such programme shall include provision of gender responsive HIV/AIDS and education, Distribution of Condoms and support to people living with HIV/AIDS.

LTIP project team shall be responsible for providing education, Condoms and awareness on HIV and AIDS for the purpose of control the spread of HIV to workers and communities around the project area.

### **The Urban Planning Act of 2007**

This is the principal legislation which govern urban planning. The LTIP will prepare detailed planning schemes; undertake public and other stakeholder's engagement; and subsequent facilitate approval of scheme of regularization as stipulated in this Act. The project will also spearhead preparation of environmental and social assessment of the proposed scheme of regularization.

### **The Occupational Health and Safety Act, No. 5 of 2003**

The law requires employers to provide a good working environment to workers in order to safeguard their health. The LTIP will ensure the implementation of this Act through training to drivers to eradicate incidences and accidents, provide appropriate Personal Protective Equipment (PPE) and welfare facilities such as tents, drinking water and toilet to the direct and indirect implementing teams during preparation of DLUPF, VLUP and the issuance of CCRO.

### **Public Health Act of 2012**

The act stipulates need to consolidate public health through prevention of disease, promotion, safeguard, maintain and protect the health of humans and animals. The presence of LTIP workers may result in the risk of disease transmission and will be addressed through conducting HIV/Aids campaign, provision of handwashing facilities, condoms and dustbins.

### **The Agriculture and Livestock Policy of 1997**

Main objective is to promote and ensure a secure land tenure system to encourage optimal use of land resources and facilitate broad-based social and economic development without upsetting or endangering the ecological balance of the environment. The LTIP implementation in Rorya will have adhere to this policy so as to protect the rights of livestock keepers, and specific use endowed to the VGs.

### **Water Resources Management Act No. 11 of 2009**

Water Resource Management Act No. 11 of 2009 is the principal legislation governing the utilization and pollution control of the water resources. Specifically, the objective of this Act is to ensure that, water resources are protected, used, developed, conserved, managed and controlled for sustainable development. The LTIP will identify boundaries of streams, rivers and other water sources in Rorya District Council and ensure that such uses are included during preparation of DLUPF and VLUP and will not issue CCRO in such areas to enhance management of water resources.

### **3.2 World Bank Environmental and Social Framework**

Project ESMF has identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10 to be applicable to the LTIP. However, for Rorya District Council the following ESSs are applicable and this ESMP describe how specific ESSs will be complied with during preparation of DLUPF, VLUM and the issuance of CCROs:

#### *ESS1 Assessment and Management of Environmental and Social Risks and Impacts:*

- Screening and of environmental and social risks and impacts, to determine level and magnitude of risks and impacts.
- Prepared ESMP for Rorya for mitigating identified risk and impacts; monitoring effectiveness of proposed mitigation measures as well as enhancing project benefits.

*ESS2 Labor and Working Conditions;* Provision of Valid Employment Contractors to workers for both direct and indirect teams;

- Provide Occupational Health and Safety (OHS) measures to workers, including PPE and welfare facilities to workers;

- Training HIV/Aids to project workers of direct and indirect team;
- Provision of occupational and safety awareness and services to workers

*ESS4 Community Health and Safety:*

- Sensitization of community about the project and associated health risks and impacts; and
- Training on HIV/Aids to project workers of direct and indirect team;
- Training on community and road safety
- Awareness on accident risks and community safety.

*ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement*

- Sensitization of community about the project and land requirements for access roads, community facilities such as schools, health facilities, markets, cemetery; reactional and open areas; and
- Land donation/acquisition requirements and procedures as stipulated in Resettlement Policy Framework (RPF)

*ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources*

- Use of Annex 6 to ensure that no certification will be undertaken in reserved or conservation land or ecological resources of biodiversity
- Identification of boundaries of reserve land, water bodies and

*ESS10 Stakeholders Engagement and Information Disclosure*

- Sensitization of community about the project
- Formulation and operationalization of Grievance Redress Mechanism (GRM)
- Implementation of District Stakeholders Engagement Forum (DSEF) and National Stakeholders Engagement Forum (NSEF).

A legal gap analysis between the national laws and the applicable ESSs has been provided in the Project ESMF. Wherever there are differences between the national laws and ESSs, the more stringent applies

## CHAPTER FOUR

### ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

#### 4.1 Introduction

Based on environment and social (E&S) baseline condition of the project area, the E&S assessment has identified the following likely project benefits, risks and impacts:

#### 4.2 Project Social Benefits

In Rorya District the LTIP will create the following benefits:

*Security of Tenure:* Issuance of CCROs will enhance security of tenure to the individual, community member and institutions. For instance, issuance of CCROs to the group of people owning jointly grazing lands will protect such resources from individual encroachment and appropriation.

*Capital Creation:* Individuals and communities have potential to use CCROs as collateral to access capital from financial institutions because have legal representation. This will help to accumulate capital which will be invested in other productive economic activities which will stimulate development within Rorya District.

*Reduction of Cost Associated with Informal Land Transaction:* The provision of CCROs to Rorya communities will enhance reliability in land transaction. CCROs serve as evidence of ownership of land with clear size and boundaries. Equally, it will discourage the practice of multiple sales of the same land to different buyers thus reducing land related conflicts.

*Employments Opportunities:* Rural certification activities in Rorya district will require workforce to perform different activities. In total the project will employ approximately over 50 People both skilled and unskilled.

#### 4.2 Negative Social Risks and Impacts of Land Use Planning and Rural Land Certification

The following are identified negative social risks and impacts associated with LTIP regularization activities in Rorya District Council.

- 1 **VLUP:** LTIP will ensure that the villages have no contradicting GN before preparation of VLUP failure to do so is likely to cause conflicts between community and other institutions. Some decisions made as part of the VLUP preparation may also have E&S

impacts. These will be assessed, and mitigation measures will be proposed as part of the VLUP preparation process.

2. Crosscutting Impacts due to Land use planning and rural land certification

***Conflict over land ownership and rights:*** In project areas people live without proper identification of their areas, land size and boundaries with neighbors. During adjudication process the chances of not agreeing to the boundaries might lead to conflict over land use and the conservation authorities. In addition, some conflicts might involve proving evidence on who are legal owner of the land parcels to be issued with CCROs. Such cases are likely to happen especially in bouldering land parcels, extended and polygamous families, inherited land parcels and on land parcels which people have contested interest and ownership rights.

Similarly, individuals and communities residing close or who have encroached conservation areas might require CCROs on such land thus leading to conflict with authorities.

***Ineligibility to CCROs:*** According to the **Annex 6** of the ESMF and the CCRO Manual guiding certification process, communities residing within road reserves, protected areas and other sensitive areas are not eligible for CCROs. Such areas are reserve lands and are restricted from human settlements and other social economic activities. Considering that land use restriction may be defined or formalized as part of the VLUP process (e.g., establishment of village forest reserves and/or village grazing land), there is a possibility that some individuals using these areas may lose access rights and/or may find out that they are ineligible for CCROs. Community members falling under such circumstances might consider having been denied project benefits related to CCROs. Some may also question the criteria used to establish land use restrictions as part of the VLUP process.

***Inequalities for Women and other Marginalized Group:*** Marginalized groups such as elders, chronically ill people and the youth have less chances to get CCROs due lack of project information, and this could formalize inequalities between men and women regarding access to CCROs.

***Gender Based Violence and Sexual Exploitation and Abuse (SEA):*** In Rorya, community members with access to project resources such as employment, income and power over others might subject subordinates, children, spouses, and people from low-income status to GBV and SEA.

***Influx of Laborers:*** Mass rural certification will involve large number of workers from within and outside the project areas. Interactions of project workers among themselves and local community are likely to accelerate the spread of STI, crimes as well as over burdening of available social services.

***Inaccessibility of Project Sites/Traffic accidents:*** Large section of Rorya district is served with gravel and dirty roads which limits transportation especially during rainy season. Land certification process is likely to delay during rainy seasons and the issue of health and safety due to accidents

***Possibility of Issuing CCROs to Non-nationals:*** Rorya district is neighboring Kenya country which its nationals have much interaction to Rorya community thus putting risk of issuing CCROs to non-citizens due to demand of land.

***Physical and Economic Displacement:*** The certification and registration process may require land. This land may already be used by the community or households for a range of uses (housing, economic activities, grazing land, businesses etc). Where land is acquired or donated this may result in the economic resettlement of households with associated impacts to livelihood activities and household incomes. Physical resettlement for land regularisation will not be undertaken.

#### **4.3 Project Positive Environmental Impacts of Land Use Planning and Land Certification**

The following are positive environmental impacts of this project in Rorya District Council:

***Enhancement of protection of sensitive areas and minimization of Conflicts:*** Rorya district plays an important role in conservation. VLUPs and the issuance of CCROs will recognize all protected areas which will reduce their encroachment and conflicts between local community and conservation authorities.

#### **4.4 Negative Environmental Impacts of Land Use Planning and Land Certification**

The major negative environmental impacts of regularization process in Rorya District Council are:

***Encroachment of Sensitive Areas:*** Important conservation areas such as major ecosystems water source reserves and forest reserves require to be protected. Inadequate and failure to recognize such areas during rural certification might lead to their encroachment.



*Soil Erosion and Solid Waste Generation:* Installation of the beacons may result in localized soil erosion due to the presence of loose soil around the beacon. Also, fabrication of beacons activities will involve sourcing materials from quarries and borrow pits such as gravel, sand, which may result in land degradation and soil erosion. This includes OHS risks of workers of primary suppliers. In addition, during certification process project workers will generate solid and liquid wastes such as plastic, food and human waste leading to land pollution such as oil spill during car maintenance.

*Health and Safety Hazards:* Fabrication, transportation and subsequent installation of beacons might lead to incidences and accidents causing injuries and fatalities to workers and community members.

#### **4.5 Mitigation Measures of the Identified Impact**

This section describes mitigation measures for the project adverse risk and impacts and proposed measures for enhancing positive one as well as associated costs. **Table 2** is the impacts and mitigation matrix for rural certification for Rorya District. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP project implementation team.

**TABLE 2: MITIGATION MEASURES OF IDENTIFIED IMPACTS**

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
<b>Negative Project Social Risks and Impacts</b>						
1	Negative economic and social impacts relating to restrictions on land use resulting from VLUP processes	<ul style="list-style-type: none"> <li>Undertake adequate E&amp;S assessment of the proposed VLUP to determine the magnitude of impacts.</li> <li>Devise mitigation measures to address risks and impacts related to the proposed VLUP in accordance with the World Bank's ESF (following the exact process described in the Project Resettlement Policy Framework)</li> </ul>	1,000,000	<ul style="list-style-type: none"> <li>-Rorya District Council E&amp;S Team</li> <li>-Ward and village leaders</li> <li>-CSOs</li> </ul>	ESMT	During preparation of VLUP.
2	Deepening of insecurity on the fate of lands among Rorya communities.	<ul style="list-style-type: none"> <li>Provide communities with correct project information.</li> <li>Strategize engagement of traditional leaders.</li> <li>Ensure present and future village land use needs are taken into consideration during formulation of VLUPs without prejudice the need of other land uses and conservation of the environment.</li> </ul>	30,000,000	<ul style="list-style-type: none"> <li>- Participatory Land Use Management (PLUM) Team.</li> <li>- E&amp;S Team</li> <li>- CSO</li> </ul>	ESMT	During preparation of VLUP and issuance of CCROs
3	Confusion of communities with incorrect information about the project.	<ul style="list-style-type: none"> <li>Map NGOs/CSOs and understand their mission and objectives.</li> <li>Provide NGOs/CSOs with project information and where necessary engage them to create sensitization to the community.</li> </ul>	5,000,000/=	<ul style="list-style-type: none"> <li>- E&amp;S Team</li> <li>- Participatory Land Use Management (PLUM) Team.</li> <li>- WEOs, CDOs and VEOs</li> <li>- Traditional and religious leaders</li> </ul>	ESMT	During preparation of VLUP & throughout the project.

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Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
4	Conflict over land ownership and rights	<ul style="list-style-type: none"> <li>- Formulation and operationalization of GRM</li> <li>- Capacity building and awareness creation to local leaders on conflict resolution.</li> <li>- Sensitization on the importance of joint land titling.</li> <li>- Educate men on the importance of including their wives on CCROs.</li> </ul>	30,000,000/=	<ul style="list-style-type: none"> <li>- Rorya District Council E&amp;S Team</li> <li>- Ward Executive Officer (WEO),</li> <li>- Ward Community Development Officer (CDO)</li> <li>- Village Leaders</li> </ul>	ESMT	During preparation of VLUP and issuance of CCROs.
5	Ineligibility to CCROs	<ul style="list-style-type: none"> <li>- Identification of all household's ineligible to receive CCROs and formulation of advice on how to address their situation.</li> <li>- Identification of households and parcels close and within conservation and sensitive areas.</li> <li>- Awareness on ineligibility for CCROs.</li> <li>- Liaise with TFS, NEMC Ruvuma River and Southern Cost Water Body (RSCBWB) and Lake Nyasa Water Body for further guidance, and the Ministry of Natural Resources and Tourism</li> <li>- TANROADS and TARURA</li> <li>- Signage informing potential new settlers that those areas cannot be titled and should not be occupied - to avoid further occupation, including by those that would like to be compensated.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>- Rorya District E&amp;S Team</li> <li>- Participatory Land Use Management Team (PLUM)</li> <li>- National Environmental Management Council (NEMC)</li> <li>- TANROADS&amp; TARURA</li> <li>- TFS</li> <li>- Water Basin Authority</li> <li>- Ministry of Natural Resources and Tourism for further guidance</li> </ul>	ESMT	During identification of Parcels.

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Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
6	The CCRO issuance process formalize land access inequalities for Women and other Marginalized Group	<ul style="list-style-type: none"> <li>Identification of marginalized groups such as people with disabilities, women, elders, chronically ill persons and youth</li> <li>Sensitization on importance of CCROs and other project benefits.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>Rorya District E&amp;S Team</li> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> <li>CSOs.</li> </ul>	ESMT	During Project Sensitization and identification
7	Gender Based Violence / SEA	<ul style="list-style-type: none"> <li>Engage Police Gender Desk to train Project staff on GBV/SEA.</li> <li>All LTIP staff to sign a code of conduct which include GBV/SEA issues.</li> <li>Develop and operationalize GBV Action Plan for the District.</li> <li>Disseminate information about the GRM and encourage population to report misconducts</li> <li>Engage relevant government agencies and/ or NGOs in the district who provide support to survivors on GBV and SEA such as assistance for medical care, psychosocial support, legal redress, safety, etc. where necessary.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>Rorya District E&amp;S Team</li> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> </ul>	ESMT	Before placement of employees and during rural certification process.
8	Influx of Laborers	<ul style="list-style-type: none"> <li>Community awareness on STIs transmission and basic hygiene practice and crimes</li> <li>Give employment priority to unskilled laborers from within project areas.</li> <li>Provision of welfare facilities</li> </ul>	5,000,000/=	<ul style="list-style-type: none"> <li>Rorya District Council Certification Office (CUCO)</li> <li>Rorya District E&amp;S Team</li> </ul>	ESMT	During Rural Certification Process.

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Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		such as water, toilets and food vending to project workers.		- Village Leaders - Private Companies involved in rural certification activities.		
9	Inaccessibility of Project Sites	- Target implementation of rural certification of villages not accessible during rainy season during dry season. - Provide suitable transport facilities.		- Rorya District Rural Certification Office (DRCO): - Rorya District Council E&S Team - Participatory Land Use Management (PLUM) Team	ESMT	During Rural Certification Process
10	Possibility of Issuing CCROs to Non-nationals	- Make use of National IDs during issuance of CCROs - Rural formalization team to work closely with local leaders to confirm citizenship of Project beneficiaries.	10,000,000/=	- Rorya District Council Rural Certification Office (CUCO) - Rorya District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders - Migration Teams		During Rural Certification Process

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Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
	Physical and Economic Impacts	<ul style="list-style-type: none"> <li>The project will address all physical and economic displacement in line with the requirements of the Resettlement Policy Framework (RPF) and the Vulnerable Groups Planning Framework (VGPF) where relevant.</li> <li>Adjudication to try to minimise land take and loss of assets from any given household through negotiated agreements.</li> <li>Surveying will ensure all the plots are viable and of acceptable sizes to enable their continued use after land take.</li> </ul>	Costs of implementing voluntary land donations/RPF?	<ul style="list-style-type: none"> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> <li>Migration Teams</li> </ul>	ESMT	Prior to project activity
Total Cost			120,000,000			
Negative Project Environmental Risks and Impacts						
1	Negative environmental impacts relating to land use classification adjustments resulting from Review of the GN	<ul style="list-style-type: none"> <li>Undertake adequate E&amp;S assessment of the proposed VLUP to determine the magnitude of impacts.</li> <li>Devise mitigation measures to address risks and impacts related to the proposed VLUP in accordance with the World Bank's ESF.</li> </ul>	5,000,000	<ul style="list-style-type: none"> <li>PLUM E&amp;S Team</li> </ul>	ESMT	During preparation of VLUP.
2	Encroachment of Environmental Sensitive Areas	<ul style="list-style-type: none"> <li>Make use of Annex 6 of the ESMF to ensure that boundaries between national parks, reserve and grazing land are made clear during preparation of DLUPF, VLUP and before issuance of CCRO issuance.</li> </ul>	5,000,000/=	<ul style="list-style-type: none"> <li>PLUM E&amp;S Team</li> <li>National Environmental Management Council (NEMC)</li> <li>TANROADS&amp; TARURA</li> <li>TFS,</li> </ul>	ESMT	Before placement of employees and during rural certification process.

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Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				- Lake Nyasa Water Basin Board - Ruvuma River and Southern Coast Basin Water Board (RSCBWB)		
3	Soil Erosion, oil spills and Solid Waste Generation	- Undertake tree and grass planting - Provision of dustbins in all project areas - Use of welfare facilities such as toilets and water - No refuse, waste oils should be discharged into drains or onto site grounds.	5,000,000/=	- Rorya District Council E&S Team - Private Companies involved in certification activities. - Village Leaders	ESMT	During Rural Certification Process.
4	Health and Safety Hazards	- Provision of PPEs (Mask, Boots, Gloves and Helmet) to workers. - Implementing Institution (LGA/Private/CSO) must make due diligence on OHS risk management, including primary suppliers' workers. - Training drivers of direct and indirect teams on road safety - Implementing agencies to enforce rules for drivers and passengers. - Provide Health and safety Training to project workers	30,000,000/=	- Rorya District Council E&S Team - Private Companies involved in certification activities. - Village Leaders	ESMT	During Rural Certification Process.
	OHS risks for primary supplier workers	- Contractor to conduct OHS due diligence assessment of primary supplier		- Contractor	ESMT	During contracting

## CHAPTER FIVE

### MONITORING OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS

#### 5.0 Introduction

Monitoring establishes benchmarks which are used to assess the level of compliance with ESMP. Monitoring will involve the continuous or periodic review of mitigation activities to determine their effectiveness. The monitoring plan in this report specifies the institution arrangement for execution of ESMP. In particular, it clarifies type of monitoring, who will carry out monitoring and what other inputs such as training are necessary.

The objectives of Environmental and Social monitoring plan are:

- i. To monitor the effectiveness and implementation of ESMP during planning and CCROs issuance phases of proposed mitigation measures;
- ii. To confirm compliance with environmental, social and safety legislation/regulations during certification as well as safeguards tools and instrument in pace;
- iii. To control the risks and ecological/social impacts;
- iv. To ensure best practices management as a commitment for continuous improvement in environmental and social performance;
- v. To provide environmental information to community/stakeholders;
- vi. To provide early warning signals on potential environmental degradation for appropriate actions to be taken so as to prevent or minimize environmental consequences;

The **Table 3** below summarizes monitoring plan for rural certification in Rorya District Council.



**TABLE 3: SOCIAL AND ENVIRONMENTAL MONITORING PLAN**

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
<b>Land Use Planning</b>							
1.	E&S impacts of land use planning	Compliance of the ESS 1-8 and ESS 10	100%	Reports on Implementation of ESMP	Quarterly	ESMT & PIT	6,000,000/=
<b>Enhancement of Social Benefits</b>							
2.	Security of Tenure	No. of CCROs issued in each Village	50,000	ILMIS data	Quarterly	ESMT & PIT	4,000,000/=
3.	Capital Creation	No. of Beneficiaries using CCROs to secure capital.	10	Project report	Quarterly	ESMT & PIT	1,000,000/=
4.	Reduction of land conflicts	No. of land conflicts identified and resolved as part of the CCRO issuance process	20	Project report	Quarterly	ESMT & PIT	1,000,000/=
5.	Employments Opportunities	No. of people employed	50	Report	Quarterly	ESMT & PIT	1,000,000/=
<b>Enhancement of Environmental Benefits</b>							
6.	Enhancement of protection of sensitive areas and minimization of	Number of CCRO issued in sensitive areas	0	Report	Quarterly	ESMT & PIT	1,000,000/=

7.	Conflicts	Number and hectares or village land declared as forest reserve	100 Ha	VLUP Reports	Six Months	ESMT & PIT	1,000,000/=
8.	Protection of Common resources	Presence of group of people owning jointly grazing lands issued with CCROs	5	Scheme of regularization & Reports	Annually	ESMT & PIT	1,000,000/=
<b>Social Negative Risks and Impacts</b>							
1.	Lack of communities understanding of LTIP activities	2. Acceptance of the LTIP activities by the communities in the Rorya district 3. Participation of traditional leaders in LTIP activities.	50,000	Reports	Quarterly	ESMT & PIT	1,000,000/=
4.	Ineligibility to CCROs	No of parcels identified as ineligible for rural land certification	10	Report	Quarterly	ESMT & PIT	500,000/=
5.	Inequalities for Women and Other Marginalized Group	Tailored local information campaigns organized with the support of NGO-CSOs	1000	Report	Quarterly	ESMT & PIT	1,000,000/=

6.		No od Project staff trained on women land rights and how to encourage the registration of women’s land rights as part of the CCRO process	100	Report	Quarterly	ESMT & PIT	1,000,000/=
		Percentage of Women with CCROs.	30%	Report	Quarterly	ESMT & PIT	0
7.		Marginalized Group with CCROs.	10%	ILMIS Report	Quarterly	ESMT & PIT	1,000,000/=
8.	Gender Based Violence	Percentage of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	500,000/=
9.	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	500,000/=
10.	Inaccessibility of Project Sites	No of Village identified as not accessible	0	Report	Quarterly	ESMT & PIT	500,000/=
11.	Land conflicts	Number of resolved land disputes	tbd	Report/GRM	Quarterly	ESMT & PIT	500,000/=
Total							22,500,000/=
Environmental Negative Risks and Impacts							

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12.	Waste Management	No. of dustbins provided in three streets	150 dustbins @ village 3	Report and observation	Quarterly	ESMT & PIT	15,000,000/=
13.	Health and Safety Hazards	No. of incidence and accidents reported.	0	Report	Quarterly	ESMT & PIT	1,000,000/=
14.	Greenhouse gas emissions	No. Service Conducted	Service at every 5000 Km	Maintenance Report	Quarterly	ESMT & PIT	12,000,000/=
15.	Monitoring of oil spills	No of drums (100 liters) distributed for collect dirty oil	1 Drums in each LGA	Report	Quarterly	ESMT & PIT	4,000,000/=
16.	OHS risks for primary supplier workers	Percentage of primary suppliers that have undergone an OHS due diligence assessment by contractors	100%	Report	Quarterly	ESMT & PIT	4,000,000
Total							10,800,000/=

## CHAPTER SIX

### INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP

#### 6.1 Institutions

**Rorya District Council Rural Certification Office (DURCO):** This will be responsible for daily certification activities which will involve support to Rorya District Council E&S Team

**Participatory Land Use Management Team (PLUM):** This will be responsible for identification of households residing along road reserve, gullies and river streams.

**National Environmental Management Council (NEMC) and Lake Victoria Basin Authorities:** Will provide further guidance on households residing along, gullies and river streams.

**Tanzania Wildlife Management Authority (TAWA) and Tanzania FOREST Agency (TFS): Lake Victoria Water Basin Board;** Will provide further guidance on households residing along forest reserved, animal corridors.

**Ward and Village Leaders:** These will be involved in conflict resolutions through operationalization of project GRM, identification of marginalized groups such as women, elders, chronically ill persons and youth, and sensitization on importance of CCROs, waste management, GBV/SEA matters, health and safety and other project related benefits.

**Civil Society Organization (CSOs):** They will be responsible for ensuring all this project. Sensitization on importance of CCROs and other project benefits, importance of joint titling and GBV/SEA matters.

#### 6.2 Supervision and Monitoring Roles

**Project Environment and Social Management Team (ESMT):** shall be responsible for ensuring compliance with ESMPs. In particular, the team will conduct regular audits and prepare the reports that demonstrate the suggested ESMP are being implemented accordingly. The team will be required to submit monthly reports to MLHHSD. The MLHHSD through PCU then will be required to submit quarterly reports on ESMP implementation to the World Bank.

#### 6.4 Capacity Development and Training

Capacity development training for LTIP is stipulated in ESMF. For Rorya District council the following training have been provided to E&S Team at LGAs levels to enhance their capacity during preparation of DLUPF (**Table 4**). Several awareness raising meetings were also conducted with different stakeholders during preparation of DLUPF.

**TABLE 4: TRAINING CONDUCTED TO MBINGA E&S TEAM**

S/N	Name of Training	Training Institution	Date
1.	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13 <sup>th</sup> – 14 <sup>th</sup> December 2023
2.	Workshop for Review of the ESMPs	ESMT	February 2024

Other E&S trainings are planned for Rorya District Council to enhance their capacity to implement this ESMP will be as follow.

1. Health and safety training to project drivers and field teams.
2. Training on implementation of ESMP to private firms to be conducted prior to certification process;
3. Training of code of conducts for GBV/SEA and ethics practice to ESMT and Rorya District Council E&S Team.

## **CHAPTER SEVEN**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **7.1 Introduction**

This ESMP is specifically for Rorya District Council LTIP activities. It proposes mitigation measures to minimize the adverse impacts, while enhancing the positive ones. The assessment and evaluation process of the proposed project activities indicates that the project will bring net social benefits within the project area. Negative implications of this project have been identified, and need to be mitigated, in order to make this project environmental and socially sound.

#### **7.2 Conclusions**

Given the importance of multiple land uses in Rorya, ESMP shall be an important tool for facilitation of stakeholder's engagement and sensitization so as to affirm with proposed land uses, village boundaries and access to CCRO.

Furthermore, there is no identification of any VGs group as per VGPF guiding document hence VGP will not be prepared.

The social benefits of this project to include enhanced security of tenure, capital creation, effective land control and management, reduction of cost associated with informal land transaction, and employments opportunities. Apart from the positive impacts, this ESMP also identified some negative implications associated with the proposed interventions, which need to be mitigated in order to ensure project acceptability and sustainability. Among the negative impacts are: Conflict over land use and land rights, ineligibility for some people to obtain CCROs, inequalities for women and other marginalized group, likely of emergence of gender-based violation, influx of laborers, soil erosion and dust, generation of waste, and health and safety hazards.

To address the aforementioned risks and impacts, the ESMP include a comprehensive Environmental and Social Management Plan (ESMP) and a Monitoring Plan for proper implementation of the project and reduction of the negative effects from the project. The MLHHD is committed to effect this ESMP through ensuring that enough budget, human resources and logistics are available.

### **7.3 Recommendations**

1. All Villages where the project is implemented should have the copy of this ESMP,
2. NGOs to be hired to conduct certification process in Rorya District Council should be given this ESMP as part of the contract to ensure its implementations team in Rorya District Council with Support from ESMT
3. PLUM (ES TEAM) shall ensure meaningful consultation of all key and relevant stakeholders
4. Adequate budget should be allocated to facilitate implementation of the mitigation measures to avoid project impacts to the environment and the community and enhance project benefits.
5. Training to all stakeholder on E&S issues is key for achieving the objectives of this ESMP. All key stakeholders identified in this ESMP must be trained to facilitate smooth implementation of the E&S issues during project implementation.



**ANNEX 1: DUE DILIGENCE IN THE VILLAGES WHERE THERE IS EXISTING VLUP**

Sn	Checklist	Description
1	Is the village land uses approved through village Assembly	<p>Conduct environmental and social assessment of the proposed land use plan basing on ESMF, ESCP, VGPF, SEP and RAP</p> <p>Basing on 1 above, confirm if the plan complies with ESF</p> <p>Check on supporting documents used to approve the VLUP (Entry Meeting Minutes and Approval of VLUP Meeting minutes)</p> <p>Check on engagement of women, youth and other minority community members</p>
2	Is the proposed land use compactible with the GN	<p>Check in the issues related to Reserve land and Village land</p> <p>Check if there are land uses conflicts between different land users (Environmental Conservation vs land uses)</p>
3	Is the VLUP endowed by District Council	<p>Check on District Statement on Regards to proposed land use (Normally written in a minute which are submitted to approval authorities for gazettelement)</p>
4	Is the VLUP Gazetted	<p>Confirm on gazettelement status and if does not conflicting with other gazettelement</p>

**ANNEX 2: E&S SAFEGUARD CRITERIA FOR SELECTING SPECIFIC PROJECT AREAS**

<b>SN</b>	<b>Area / issue of concern</b>	<b>Criteria</b>	<b>Applicability (Yes/No)</b>	<b>Guiding Remarks</b>
1	Area/village bordering reserved areas such as forest, National parks, game reserves	-Boundaries of the reserved area and the village are clear and well identified	NO	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		-There is encroachment between the village and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the villagers, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		-There is encroachment between village and the reserved area although the boundary is well known to all the parties	YES <sup>2</sup>	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/village bordering rivers and lakes	-Settlement is found 60m away from the bank of the lake/river as per the Environmental Management Act of 2004	YES	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification

		-Settlement is found within 60m from the banks of the river/lake but no floods or any other risk is associated	NO	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should proceed. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		-Settlement is found within 60m from the banks of the river/lake and are associated with floods and other risks	YES <sup>3</sup>	The area is considered hazardous and no certification should be conducted. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/village/ settlements bordering wetlands and water catchment	-Village/area is found close to or bordering wetlands and/or watershed areas. The area/village boundary should maintain a 60m distance as per the	YES <sup>4</sup>	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the

	areas	national laws		conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	-Villages borders wildlife areas, wildlife corridors or migratory routes	NO	No such kind of wildlife areas within the project areas of Rorya District Council
5	Livestock grazing areas and stock routes	-Village has communal land reserved for livestock grazing only or for established stock routes	YES	These areas should be given certificates in the name of the village for communal use. No one within the village should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	-Boundaries of the registered cultural heritage area and the village are clear and well identified	No	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas

				determine whether the area should be considered or not
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		-There is encroachment between the village and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		-There is encroachment between village and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The village contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the village land use plan, bylaws for use agreed and should be certified for communal use in the name of the village
7	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	Yes	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will

8	High density informal settlements	-High density informal settlements in urban settings which are not aligned with planning requirements.	NO	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.
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1. The encroached reserved areas include village forests, district forest reserves, wildlife corridor and water sources catchment areas
2. Settlement within 60m are found in the villages of Manyanyi, Bugendi, , and Kyangasaga.
3. The villages of Manyanyi, Bugendi, Muharango, Shirati Sota and Kyangasaga borders wetlands
4. Villages with flood prone areas includes Minigo and Manyani