

THE UNITED REPUBLIC OF TANZANIA



**LAND TENURE IMPROVEMENT PROJECT (LTIP)
ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN
RURAL CERTIFICATION PROCESS IN NGARA DISTRICT COUNCIL**



Prepared by:

NGARA DISTRICT COUNCIL

P.O. BOX 30

KAGERA, TANZANIA

Tel: +255 282 226 016

Fax: +255 282 226 152

Email: ded@ngaradc.go.tz

Website: www.ngaradc.go.tz

February 2024

ACKNOWLEDGEMENTS

The Environmental and Social Safeguard team for Ngara District is indebted to all those who met and devoted their time to have discussions or meetings with them to support this ESMP document's development. The team is specifically thankful to the Land Tenure Improvement Project (LTIP) Management and Environmental Social Management Team for their guidance, criticism, and directives, significantly improving this ESMP. The Chamwino District Council Environmental and Social Team also wishes to recognize the technical assistance provided by the World Bank Consultants team of the government of Tanzania for their input and support in developing this ESMP report. Since the number of people who participated in this ESMP is large, it will be difficult to mention all of them.

We sincerely dedicate our appreciation to all of them and say thank you very much.

WORKING TEAM

NAME	PROFESSION/POSITION	ORGANIZATION
Athanasio Namshukuru Andrew	Environmental Officer	Ngara District Council
Avelina Nichoraus Kabyazi	Social Development Officer	Ngara District Council
Alpha P. Mangula	Environmental and Social Coordinator, -LTIP	MLHHSD
Tumaini Setumbi	Social Development Officer –LTIP	MLHHSD
Robert Kishiki	Social Development Specialist – LTIP	MLHHSD
Regina Kabwogi	Environmental Specialist – LTIP	MLHHSD

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	i
WORKING TEAM	ii
LIST OF TABLES.....	v
LIST OF FIGURES.....	vi
LIST OF ANNEX	vii
LIST OF ABBREVIATIONS AND ACRONYMS.....	viii
CHAPTER ONE.....	1
INTRODUCTION	1
1.1 Background information.....	1
1.2: LTIP Project Scope in Ngara District Council.....	1
1.3 General Objectives of ESMP	3
1.4 Methodology for Preparation of ESMP	4
1.5 Screening results.....	4
CHAPTER TWO.....	5
BASELINE ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA.....	5
2.1: Administrative Condition of Ngara District Council	5
2.2: Environmental Baseline Information in Ngara District Council	7
2.3: Major Land Use Patten in Ngara District:.....	10
2.4: Ngara District Council Social Baseline Information	11
CHAPTER THREE	13
LEGAL AND INSTITUTIONAL FRAMEWORK	13
3.1: World Bank Environmental and Social Framework	15
CHAPTER FOUR	17
ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES.....	17
4.1: Introduction	17
4.2: Project Social Benefits:.....	17
4.3: Negative Social Risks and Impacts	18
4.5: Negative Environmental Impacts of Land Certification.....	19
4.6 Mitigation Measures of the Identified Impact	20
CHAPTER FIVE.....	28
ENVIRONMENTAL AND SOCIAL MONITORING PLAN (ESMP)	28
5.1: The objectives of Environmental and Social monitoring plan	28
CHAPTER SIX.....	31

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN NGARA DISTRICT COUNCIL	31
6.1 Institutions	31
6.2: Supervision and Monitoring Roles	32
6.3: Capacity Development and Training	32
CHAPTER SEVEN	33
CONCLUSIONS AND RECOMMENDATIONS	33
ANNEXES	34

LIST OF TABLES

Table 1:Ngara District Council- Project Coverage Villages.....	2
Table 2: Categories of Land in Ngara District by Size and Percentage.....	10
Table 3: Mitigation Measures of Identified Impacts.....	21
Table 4: Monitoring of Environmental and Social Management Plan	29
Table 5: Capacity Development and Training	32

LIST OF FIGURES

Figure 1: Administrative Map of Ngara districts	7
---	---

LIST OF ANNEXES

Annex 1: Due Diligence in the Villages where there is Existing VLUP34
Annex 2: Status of Identified Villages for VLUP’s34
Annex 3: E &S criteria for selecting specific project areas.38

LIST OF ABBREVIATIONS AND ACRONYMS

CBO	-	Community Based Organization
CCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CRO	-	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
EHS	-	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 Immuno- 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
MLHSD	-	Ministry of Land, Housing and Human Settlement Development
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
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
RI	-	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
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 information

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 and economic development in both urban and rural areas. Key project results indicators related to the PDO to increase tenure security include the registration of 1 million Certificates of Rights of Occupancy (CROs), one million Residential Licenses (RL), and 500,000 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 the 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 CRO transactions and a reduction of the average time to issue CROs (first registration) from 180 days to 60 days.

1.2: LTIP Project Scope in Ngara District Council

The Ngara District Council is one of beneficiaries of LTIP activities. In Ngara the project is expected to support the preparation of Village Land Use Plans (VLUP), issuance of CCROs and renovation/construction of village land offices. This ESMP is prepared specifically to guide the preparation of VLUP issuance of CCROs and Detailed Settlement Plan (DPS) activities covering all 75 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:Ngara District Council- Project Coverage Villages

Ward	Village
Rusumo	Kasharazi, Rusumo and Mshikamano.
Kasulo	Kasulo, Nyakariba, Rwakalemela
Nyamiaga	Nyamiaga and Nterungwe
Murukurazo	Mrukurazo, Bulengo, Nyakiziba, Kgari, Kyenda
Ntobeye	Ruzenze, Chivu, Kigina, Ntobeye
Kibimba	Mayenzi, Ruganzo, Kumutana, Buhororo
Kanazi	Mkibogoye, mukalehe, Katelele, Kanazi, Kabalenzi,
Mugoma	Mugoma, Shanga, Muruvyagila, Muhenge, Mukikomelo,
Kirushya	Murutabo, Kasange, Kirushya, Mwivuza
Mabawe	Mukariza, Murugarama, Muhweza, murugina, Kumwuzuza,
Kabanga	Nyabisindu, Ibuga, Dijululigwa, Kabanga, Murukukumbo, Ngundusi
Murusagamba	Murusagamba, Ntanga, Magamba,
Nyamagoma	Murubanga, Umubuga, Kititiza
Muganza	Muganza, Mukubu, Mukalizi
Nyakisasa	Kumugamba, Kashinga, Nyamahwa, Kigoyi,
Mbuba	Kanyinya, Mbuba, Ruhuba, Kumwendo,
Bukilolo	Bukilolo, Nyabihanga, Mururama, Mumuhamba,
Bugarama	Bugarama, Mumilamila, Rwinyana,
Kibogora	Kihinga, Nyarulama
Keza	Keza and Kazingati

Preparation of Village Land Use Plans (VLUP) and issuance of CCROs in Ngara District Council shall involve the following activities:

a. Village Land Use Plans (VLUP)

Preparation of Village land use Plans (VLUP) will involve conducting village council and General meetings with the aim of creating awareness in the community and capacity building for the PLUM, VC VLUM, and BLAK 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 VLP by the district council; gazettment of the approved VLUP by the National Land Use Planning Commission.

b. Issuance of CCROs

The issuance of CCRO processes shall five (5) major activities Namely;

- i. Public awareness and engagement of VG
- ii. Formulation and Training of Para-surveyors
- iii. Parcels adjudication
- iv. Printing and issuing CCROs

The aforementioned activities involved in the issuance of CCROs have the 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 Ngara District Council.

1.3 General Objectives of ESMP

The general objective of the ESMP is to manage and monitor the environmental and Social impacts associated with the proposed project activities; it shows how the organizational capacity and resources will be utilized to implement the mitigation measures proposed. Therefore, the Government implementation experts and private firms will implement the project in accordance with the ESMP.

The preparation of ESMP depends on the Project's Environmental and Social Management Framework (ESMF). This ESMP is designed to attain the following objectives:

- i. Identification of potential E&S impacts associated with urban certification;
- ii. To develop mitigation/enhancement measures to minimize Environmental and Social impacts;
- iii. To define the implementation arrangement and organization structure of ESMP;
- iv. To identify the parameters to be monitored and the respective tools that are used in monitoring and reporting.

1.4 Methodology for Preparation of ESMP

This ESMP is prepared by Ngara District Council in collaboration with ESMT through the following activities.

- i. Undertaking environmental and 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.
- ii. Identification of mitigation, enhancement and monitoring measures for the identified impacts;
- iii. Validation of mitigation, enhancement and monitoring measures by involving stakeholders and engagement meetings.
- iv. Finalization of ESMP report and sharing with wider stakeholders.

1.5 Screening results

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Ngara 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 Ngara District area.

CHAPTER TWO

BASELINE ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

Ngara District Council is among of the eight councils found in Kagera Region in North Tanzania. The Council is among the oldest councils in Tanzania as it was established on 1 st January 1984 under the local Government Act No.7 of 1982 with Local Government Notice No 87 after being sub-divided from Biharamulo District.

The name Ngara originated from Hangaza word “Mnyinya wingara” which is a tree with mushrooms. These trees when are old enough are characterized by hosting mushrooms on their stems. Those spices of mushrooms in Hangaza language are known as ‘ingara’ so it leads to the words ‘Mnyinya Wingara’ meaning the tree with mushrooms. That type of big tree was found in the district headquarters. This tree was used by the chiefs as their meeting place and the Germans failed to pronounce the words Mnyinya Wingara, and pronounced the named as Ngara, hence the name Ngara. Ngara District Council lies on the very west of the mainland Tanzania. It is bordering the Republics of Rwanda in northwest and Burundi in the southwest. Ngara District Council also borders Kakonko District Council in the south, Biharamulo District Council in the east while Karagwe District Council is found in the north.

2.1: Administrative Condition of Ngara District Council

Ngara District Council is among the eight district councils in Kagera Region. It was established on 1st January 1984 under the Local Government Act No. 7 of 1982, with Local Government Notice No.87 after being subdivided from Biharamulo District. The name Ngara originated from a Hangaza word “Mnyinya wingara” which is a tree with mushrooms. These trees when are old enough are characterized by hosting mushrooms on their stems. Those spices of mushrooms in Hangaza language are known as ‘ingara’ so it leads to the words ‘Mnyinya Wingara’ meaning the tree with mushrooms. That type of big tree was found in the district headquarters. This tree was used by the chiefs as their meeting place and the Germans failed to pronounce the words Mnyinya Wingara, and pronounced the named as Ngara, hence the name Ngara. Ngara District Council lies on the very west of the mainland Tanzania. It is bordering the Republics of Rwanda in northwest and Burundi in the southwest. Ngara District Council also borders Kakonko District Council in the south, Biharamulo District Council in the east while Karagwe District Council is found in the north

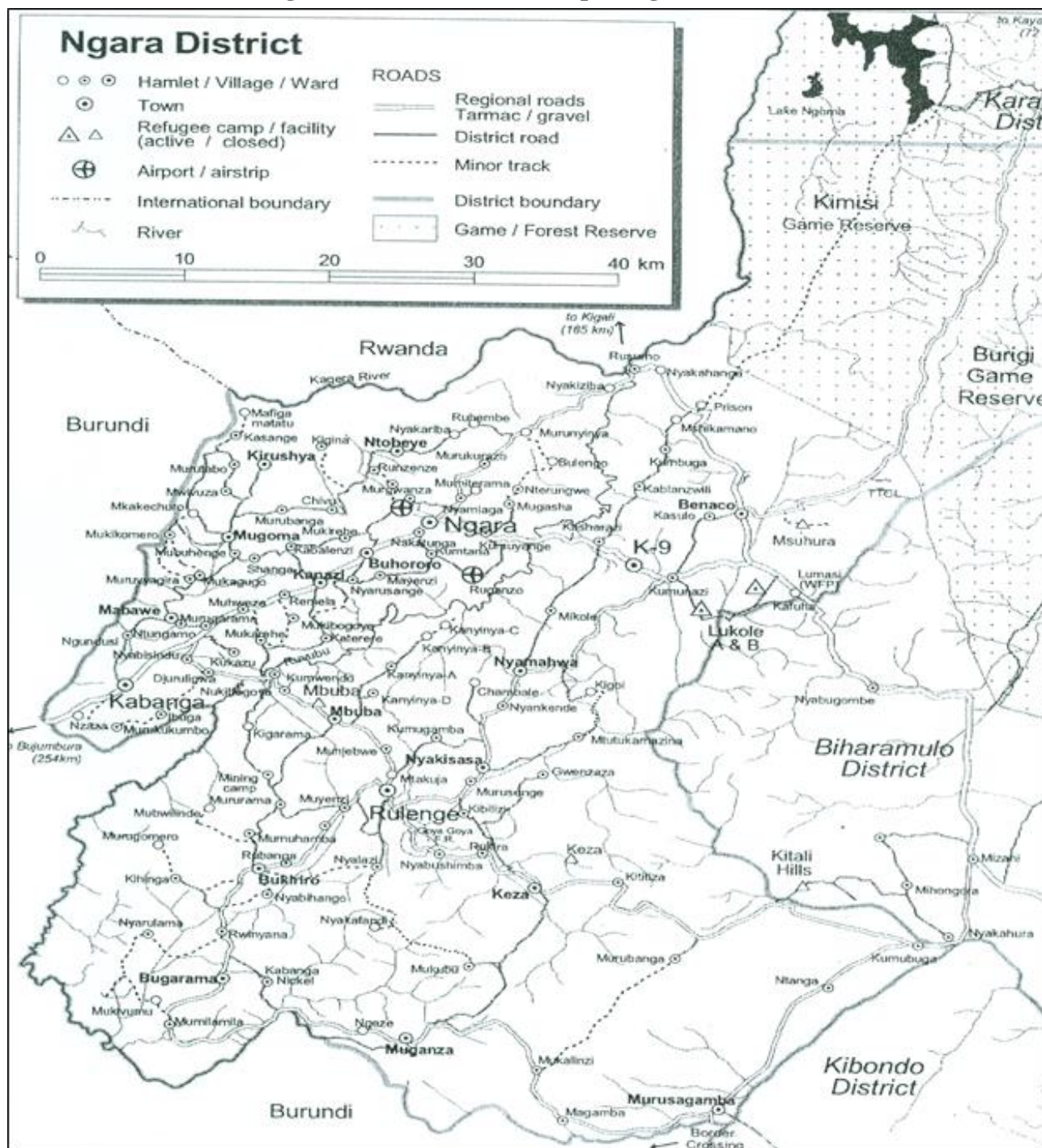
Ngara district is one of the eight districts in the Kagera Region found in the lake zone of Tanzania. Ngara District has a size of 3,744 Square Kilometers which is a hundred percent, whereas 16.1% is reserved for Game Reserve, 0.4% for Forest, 16.5% arable land, 22.6% for settlement, and 44.3% for grazing land. The District Headquarters is located at Ngara Towns, which is about 69 kilometers from Kagera Municipality

Administratively, Ngara District is divided into (4) divisions (Kanazi, Ruulenge, Nyamiaga and Murusagamba. twenty (22) wards, 75 villages, and 389 hamlets. The district headquarters is located at Ngara Town, which has recently been upgraded into a township authority.

Ngara District Council has a total of 75 registered villages. Part of 9 villages (Djululigwa, Muhweza, Rwakalemela, Rusumo, Bugarama, Kabanga, Mugoma, Kasulo, and Murusagamba) being upgraded to the Urban Planning Area. Therefore, the Land Tenure Improvement Project (LTIP) in Ngara District will be conducted in all 75 villages.

Ngara District Council has 22 wards and 75 villages; 20 wards were selected in the Land Use Program, and two wards Ruulenge and Ngara Mjini, have risen in status to become the Authority of the Township, so they will not be involved in the project of LTIP.

Figure 1: Administrative Map of Ngara districts



2.2: Environmental Baseline Information in Ngara 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.

Climate

Climate involves a long-term pattern of temperature and precipitation averages and extremes at a location. It also contains a combination of the current meteorological components including temperature, wind direction and speed, amount and type of precipitation, humidity and sun shine hours.

Rainfall

Ngara District receives adequate annual rainfall. The rainfall pattern is bimodal, which occurs between September/October and March/May. Rainfall averages between 800 mm in Bushubi (in Rulenge and Murusagamba Divisions) and 1,400 mm annually in Bugufi (Nyamiaga and Kanazi Divisions) areas. Rwakalemela village, which falls in the Nyamiaga Division, has four climatic seasons: two dry seasons from June to September and January to February, with two rainy seasons from October to December and from March to May. During dry seasons, there are sometimes strong winds/hazy air, and temperatures vary between 18°C and 30°C depending on the time of day or night. During the rainy seasons, sudden and heavy downpours may occur daily, lasting from a few minutes to several hours. The rain is sometimes associated with strong winds, floods, mud, and fog, and temperatures may range between 12°C and 28°C.

Temperature

Temperatures range between 12°C to 28°C. The region consists of a series of hilly areas running North-South and parallel to the lakeshore. September and October are the hottest months, with temperatures reaching as high as 28°C, while July is the coldest month, with a minimum temperature of 14°C (Ngara District Profile, 2018).

Wind Patterns

Many areas of Ngara District were cool, with wind speed being less than 10KPH. Wind speed across the Ngara District was between 2.0KPH to 9KPH. The wind direction was from East to West. Much of the Ngara District is experiencing slight winds of less than 10 km/hr with the cores of minimum speeds, and the northeastern highlands depicted low to medium NDVI due to dry conditions that have persisted over the areas.

Topography

The topography of Ngara district is mainly flat, with rolling and undulating terrain in some

sections. The altitude fluctuates between 1300 and 1400 meters above mean sea level. Some areas are relatively flat, followed by a stretch with rolling terrain, some characterized by hills, and some are terrain.

Drainage Pattern

Ngara District Council has four water bodies that were observed: Midalo Stream, which is seasonal; Kikukumbo Stream, which is seasonal; Benako Dam, which has a huge quantity of water; and Rusumo River, which is perennial. The rivers that supply water originate from mountains with no industrial pollution, and the quality of groundwater is assumed to be good.

Geological Features

Ngara District Council is made up of coarse-grained basement rocks and quartzites. Most parts of the district are characterized by yellowish-red clay soil, although there are some parts with black cotton soil, especially near rivers to some small extent.

Soil type

In Ngara district, the soils range from shallow (less than 50 cm) to very deep (more than 120 cm). Most of them have either dark red to red or brown to yellowish red clay subsoil. They are deeply weathered, medium to strongly acidic, and have a low natural reserve of nutrients. Their capacity of retaining nutrients is also low. In most areas, deep soils that are good or productive are found in the low lands where most of the crops are grown.

Vegetation

The vegetation in the district is naming the tree species by their vernacular names. The project area is dominated with scattered trees, short grasses and shrubs. The areas are surrounded by variety of vegetation covers such as native trees like Miombo woodland such as *pericopsis angolensis*(mwanga), *Brachystegia speciformis*(mpilipili), *combretum mole*(mlama), *Terminalia kilimandscharice*(mkalakala) *argarteria spp*(mpalanyonga) *Arundinaria alpine*(bamboo), wooded grassland like *combretum species* and *Acacia species*, Exotic strip trees like *Grevillea robusta*(silk oak) *mgiveria* *Azadiraratcha india* (cassian or yellow cassia) *mjohoro* *Mangifera indica*(mango) *miembe*) Banana like *Musa acuminata* (matoke) and Timber plantation like *Eucaliptus spp*, and *Pine-Pinus patula*, *P. elliotti* and *P. caribe*. Also the grassland like Weeping Cassia trees (*Senna Spectabilis*), Jacaranda trees (*Jacaranda mimosifolia*) Southern Silky Oak trees (*grevillea robusta*) Broad-Leaved Croton trees (*Croton*

macrostachyus), Sugar Apple trees (*Annona Squamosa*), Thorn apple trees (*Solanum incanum*) and Bunga (*Lantana Camara*), while there are areas dominated by Banana trees (*Musa Paradisiaca*), Pine (*Pinus Patula*), eucalyptus trees (genus *Eucalyptus*), Coffee trees (genus *Coffea*).

Districts and other areas bordering Ngara District: It borders the Republics of Rwanda in the northwest and Burundi in the southwest. Ngara District Council also borders Kakonko District Council in the south, Biharamulo District Council in the east, and Karagwe District Council in the north.

2.3: Major Land Use Patten in Ngara District:

In Tanzania, all land is public and is vested in the President of the United Republic as the trustee on behalf of all citizens. The management of public land in Tanzania, including Ngara district, is mainly governed by Land Laws (Acts No. 4 and 5) of 1999; In addition to that there are other laws, regulations, guidelines, and policies that altogether affect the administration of land matters in the country to mention few are Urban Planning Act, 2007; Land Use Planning Act, 2007; Land Survey Act, 1969; Valuation and Valuers Registration Act, 2016; Land Policy, 1995 and Human Settlements Development Policy, 2000.

Land use partners in Ngara District are divided into arable land, which is suitable for crop production, and forest reserves, while normal forests are used for grazing. Some areas are reserved for game reserves, and the remaining area is high lands with rocks, stones, and gravel, which are not fertile for crop production. Ngara District has a size of 3,744 Square Kilometers which is a hundred percent, whereas 16.1% is reserved for Game Reserve, 0.4% for Forest, 16.5% arable land, 22.6% for settlement, and 44.3% for grazing land.

Table 2: Categories of Land in Ngara District by Size and Percentage

No.	Land Category	Area in square kilometers	Percentage
1.	Reserved land for Game reserve	602.8	16.1
2.	Arable land	617.8	16.5
3.	Settlement land	846.1	22.6
4.	Forest land	15	0.4
5.	Grazing	1,658.6	44.3
	Total	3,744	100

Source: Ngara Dc February, 2024.

2.4: Ngara District Council Social Baseline Information

People and Population

Based on the population census reports of 2022, Ngara District Council has a population size of 383092 (181,133 males and 201,959 females) with a growth rate of 0.9%. Ngara District Council ranks third in population compared to other Districts in the region.

Project Workforce Requirements:

VLUPs and the rural land certification process in Ngara District Council will require workforce. This situation is likely to attract influx of people in search of employment from within and from outside the 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.

Economic Activities:

The Ngara district economic structure is based on crop production, livestock keeping, natural resources, tourism, manufacturing, fishing and mining as the source of livelihood for the majority of residents. The district is also endowed with wildlife resources which plays the major role in socioeconomic development of the district through ecological, aesthetic, spiritual, and research values.

Social Services:

Ngara district council has primary and secondary schools, health facilities like hospital, health centers and dispensaries, churches, mosques and market which are located in all 22 wards, owned by the government, private sector and religious institution. Provision of land parcels for social services such schools, health centers, churches, mosques and markets is critical for the LTIP and necessitate the project to ensure that these facilities are identified and provided with the CCRO to improve their tenure security. Source of energy is electricity supplied by TANESCO. The main source of drinking water includes piped water, protected boreholes, dug wells and springs.

Road Infrastructure:

Road transportation is the main means of transportation of people and various goods within and outside Ngara District Council. It is one of the key sub-sectors which are responsible for sustainable development and poverty reduction in the council. Ngara District Council is well

linked with a trunk-roads from Ngara to Burundi and Rwanda to Dar es Salaam, Ngara to Karagwe and Kakonko, the roads that are maintained by Tanzania National Roads Agency (TANROADS) are classified as trunk/ regional roads, while feeder roads are maintained by Tanzania Rural and Urban Roads Agency (TARURA), the agency under District Council. Most district roads are gravel while some are constructed with aggregates. On the other hand, the district council is experiencing poor road networks especially roads connecting wards and village centers, a situation resulting in high transportation costs for goods and services which in turn contribute to increasing cost of living.

2.5: GBV/SEA and Diseases Transmission:

The introduction of LTIP in Ngara District especially for 75 villages selected and to allocate various uses will increase interaction between project workers and local community which are likely to trigger social issues such as GBV/SEA and spread of HIV/AIDS. Given the traditional practices of Hangaza and Shubi ethics found at Ngara District tribe who are dominant community in Ngara district, women will be isolated from owning land. Similarly, elders, chronically sick people and youth such as boda-boda are likely to access project benefits. The villages have main road constructed by TARURA, TANROAD and footpath that go to the hamlet. In seventy-five villages selected for the LTIP found in 20 wards have basic social services such schools, health centers, religious sites, markets and some communication towers which will be identified and provided with CCROs where required.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORK

This chapter describe relevant legal and institutional framework governing this ESMP. The focus has been made on legislations as they provide environmental to social requirements relevant for the Project.

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 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.

The Employment and Labour 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 of health insurance and joining to National compensation funds for labour on employment beyond six months.

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. Specifically, LTIP project in Ngara District will adhere to 60m buffer zone requirement when issuing LTIP and CCROs along the rivers and streams in three project sites.

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. In issuing CCROs, LTIP project in Ngara District will comply to the specified provisions in land acts.

The Urban Planning Act of 2007:

This is the principle 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.

Public Health Act of 2012:

The act among other stipulate 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 will be

addressed through CSOs by conducting HIV/Aids campaign, provision of handwashing facilities, condoms and dustbins.

Water Resources Management Act No. 11 of 2009:

Water Resource Management Act No. 11 of 2009 is the principle 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 streams, rivers and other water sources areas in Ngara district and will not issue CCRO in such areas to enhance management of nature water resources.

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 NGARA will have adhere to this policy so as to protect the rights of livestock keepers, and specific use endowed to the VGs.

Wildlife Conservation Act, 2009:

This Act makes provision with respect to management of biodiversity and wildlife i.e. any wild and indigenous animals and plants and their habitats and ecosystem found on or in land or water and provides for establishment and management of protected areas in mainland Tanzania. It also provides rules relative to trade in wildlife products and to breeding of wildlife.

3.1: World Bank Environmental and Social Framework

Project implementation will consider Environmental and social standards (ESS) as identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10 to be applicable to the LTIP. However, for Ngara District Council the following will be applied: -

ESSs are applicable and this ESMP describe how specific ESSs is operationalized during issuance of Program:

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 Ngara District 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 PPE and welfare facilities to workers;
- Training HIV/Aids to project workers of direct and indirect team;

ESS3 Resource efficiency and pollution Prevention

- To address the health, safety, security risks and impacts on the projects.

ESS4 Community Health and Safety

- Sensitization of community about the project and associated health risks and impacts; and
- Training HIV/Aids to project workers of direct and indirect team;

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; recreational and open areas; and
- Land donation requirements and procedures as stipulated in Resettlement Policy Framework (RPF);

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).

CHAPTER FOUR

ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

4.1: Introduction

Based on baseline environment and social conditions of the project area, the environmental and social assessment has identified the following likely project benefits, risks and impacts:

4.2: Project Social Benefits:

In Ngara district the LTIP will create the following benefits:

Security of Tenure:

VLUP will enhance security of tenure to the individual, community member and institutions such as farms owners and religious institutions.

Capital Creation:

Individuals and communities will use CCROs as collateral to access capital from financial institutions which will stimulate and land-based investments.

Effective Land Control and Management:

During rural certification processes different land uses will be identified and prescribed their uses. This will reduce conflicts over land and provide land for road infrastructures, social services, residential, and commercial uses. Also, the plan will identify the hazardous areas which will not be suitable for human activities.

Reduction of Cost Associated with Informal Land Transaction:

The provision of CCRO to community members 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 Ngara District will require workforce to perform different activities. In total the project will employ approximately 174 people: 34 skilled, 68 semi-skilled and 72 unskilled. Duties and responsibilities of each category of workers are detailed in CCRO Manual.

4.3: Negative Social Risks and Impacts

The following are major negative social impacts associated with LTIP activities in Ngara District.

a) Conflict over land use and land rights

In project areas people are living 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. Similarly, rearrangement of access roads might require neighbors to negotiate for road access and land donation which might lead to misunderstanding among residents. In addition, some conflicts might involve the legal owner of the land especially in the extended families, polygamous and inheritance cases.

b) Ineligibility to CCROs

Based on Annex 6 of ESMF and CCRO's Manual communities residing within road reserve, gullies and seasonal streams in 75 villages will not be eligible for CCROs because such as areas are protecting by Road Act of 2007 and EMA of 2004.

c) Inequalities for Women and Other Marginalized Group

Given the existing of *Hangaza and Shubi* ethnic traditional practice women has less access to the rights to own land. In addition, marginalized groups such as Elders, Long time Patient, and the youth have less chances to get CCROs due to lack of project information.

d) Gender Based Violation

In 75 villages, community members with access to project resources such employment, income and power over others might subject subordinates, children, spouses, and people from low-income status to GBV and SEA.

e) Influx of Laborers

Mass land certification will involve a large number of workers from within and outside the project areas. Interactions of project workers among themselves and the local community are likely to accelerate the spread of STIs, crimes as well as over-tasking of available social services

4.4: Project Positive Environmental Impacts of Land Certification

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

- a) **Enhancement of protection of sensitive areas:** The project areas have gullies, river streams, and road reserves which will be identified. The provision of CCROs in such areas will be restricted from such areas in accordance with EMA (2004) and the Road Act (2007).

- b) **Livable Settlements:** The regularization process in Ngara District will create a safe and conducive environment through the provision of green structures and enhancement of mobility.

4.5: Negative Environmental Impacts of Land Certification

The major negative environmental impacts of the process in Ngara District council are:

a) Soil Erosion and Dust

Installation of the beacons during CCRO may result in localized soil erosion and dust due to the loose soil around them. However, these impacts are considered to be minor. Additionally, the fabrication of beacons will involve sourcing materials from quarries and borrowing pits, such as gravel and sand, which may result in land degradation, soil erosion, and dust. However, this impact will be minor if the project leverages the use of iron pins to earmark plot boundaries.

b) Waste management

During the certification process, project workers generate solid and liquid wastes such as plastic, food, and human waste, which leads to land pollution.

c) Health and Safety Hazards

Fabrication of cars, transportation, and subsequent installation of beacons might lead to incidents and accidents causing injuries and fatalities.

4.6 Mitigation Measures of the Identified Impact

This sub-section contains a description of mitigation measures for adverse impacts, measures for enhancing the beneficial effects, and the cost of mitigation against the impacts. Ngara District and the Ministry of Land will implement an Environmental and Social Management Plan (ESMP), which has been developed for the LTIP project. The ESMP will also ensure compliance with applicable environmental standards during both the land use and certification process.

Table 2 Is the impacts and mitigation matrix for Land Certification for Ngara District Council. It detailed the proposed impacts, mitigation measures, responsible party, timeframe, and costs that will be overseen and managed by the LTIP project implementation team.

Table 3: Mitigation Measures of Identified Impacts

S/No	Impacts	ESS and Legislation	Country	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
Environmental Impacts and Social Impacts						
<i>Inception Meeting</i>						
1.	Community Grievances	- ESS10 - Land Use Planning Act No. 6 (2007) - Village Land Act No. 5 (1999)		- Ensuring peace, security and harmony - Raising awareness in the community concerning project goals through village meetings - Training will be conducted for village council members, village Land tribunals, and the VLUM Team,	- District Defense and Security Committee (DC Office) - LGA (Council Chairperson, DED) - PLUM - Safeguard team - CSOs	Inception Meeting phase
2.	Loss of biodiversity	- ESS6 - Village Land Act No. 5 (1999) - EMA No. 20 (2004)		- Community will be educated on proper ways to acquire land as stated in Village Land Act No. 5 of 1999 - To insist Village Council Members protect the village land and enforcement of By-laws - Raise awareness in the community on the importance of environmental conservation	- District Defense and Security Committee (DC Office) - PLUM - Safeguard team - Village council - NGOs,	Inception Meeting phase
3.	Gender-Based Violence	- ESS 5, ESS 10 - Village Land Act No. 5 (1999)		- To educate the community on gender equality concerning land ownership - Raise awareness among religious and cultural leaders on the importance of gender equality - To educate men on the importance of including their wives in CCROs	- District Defense and Security Committee (DC Office) - PLUM - Safeguard team - Village council - CSOs - NGOs	Inception Meeting phase
4	Refusal of the project	ESS 5, ESS 8 Village Land Act No. 5 (1999) Antiquities Act 10 (1964)		<ul style="list-style-type: none"> To raise awareness to the community on importance of a village land use plan To review Government Notice No.186 (1937) so as to allow the land not covered with Ruins to be owned by the community 	<ul style="list-style-type: none"> District Defense and Security Committee (DC Office) PLUM Safeguard team 	Inception Meeting phase

				<ul style="list-style-type: none"> • Village council 	
5	Political interference	ESS10 Village Land Act No. 5 (1999) Land Use Planning Act No. 6 (2007)	<ul style="list-style-type: none"> • Ensure the involvement of political leaders from the beginning of the project • Create awareness and sensitization to political leaders 	<ul style="list-style-type: none"> • District Defense and Security Committee (DC Office) • PLUM • Safeguard team • Village council • CSOs 	Inception Meeting phase
6	Schedule delay	ESS10 Village Land Act No. 5 (1999) Land Use Planning Act No. 6 (2007)	<ul style="list-style-type: none"> • Ensure all meetings are announced in a timely manner and are scheduled to allow all community to participate 	<ul style="list-style-type: none"> • PLUM • Safeguard team • Village council 	Inception Meeting phase

S/No	Impacts	ESS and Country Legislation	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
Environmental Impacts and Social Impacts					
<i>Field works</i>					
1.	Land use conflict	ESS 10 Land Use Planning Act No. 6 (2007)	<ul style="list-style-type: none"> - Enable stakeholders' views to be considered in the project - Provide stakeholders with a means to raise issues and grievances and receive a response - Raise community awareness on the importance of different land uses - Ensure Land use allocation is based on its nature/ physical characteristics 	<ul style="list-style-type: none"> - PLUM - Safeguard team - CSO - Village council - - 	Field works stage

2.	Occurrence of unpredictable incidents	ESS 2, ESS 4 OHS Act No. 5 of (2003)	<ul style="list-style-type: none"> - Provision of PPE to PLUM, VLUM, and Village Council. - Provision of first aid service in case of any incident (First Aid kit and First Aiders) - Presence of Game and VGS to provide Escort to the teams involved - 	<ul style="list-style-type: none"> - PLUM - Safeguard team - 	Field works stage
3.	Spread of diseases	ESS 2, ESS 4 OHS Act No. 5 of (2003)	<ul style="list-style-type: none"> - Health care education should be provided to adhere to basic rules regarding the protection of public health, including hygiene and disease prevention. - Ensure environmental Cleanliness - Provision of Condoms 	<ul style="list-style-type: none"> - PLUM - Safeguard team - CSOs 	Field works stage
4.	Inadequate land for public uses	ESS 5 Land Use Planning Act No. 6 (2007) Village Land Act No. 5 (1999)	<ul style="list-style-type: none"> - Raise awareness in the community on voluntary land donation for public uses 	<ul style="list-style-type: none"> - PLUM - Safeguard team - CSOs 	Field works stage
5.	Loss of Biodiversity	ESS 6 EMA No. 20 of (2004)	<ul style="list-style-type: none"> - educate the community on sustainable use of land (Sustainable agriculture, improvement of pastures, improvement of animal husbandry) - Restoration of land by planting trees - Clearance will be done to areas that are intended 	<ul style="list-style-type: none"> - PLUM - Safeguard team - CSOs - NGOs 	Field works stage
6.	Contamination of surfaces due to poor sanitation and hygiene	ESS2, ESS 3, ESS4 OHS Act No. 5 of (2003) EMA No. 20 of (2004)	<ul style="list-style-type: none"> - Provide adequate and proper cleanliness of sanitary facilities 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village Council 	Field works stage
7	Poor solid waste management	ESS2, ESS 3, ESS4 OHS Act No. 5 of (2003) EMA No. 20 of (2004)	<ul style="list-style-type: none"> - Proper collection and disposal of waste - Ensure environmental Cleanliness 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village Council 	Field works stage

S/No	Impacts	ESS and Country Legislation	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
Environmental Impacts and Social Impacts					
<i>Approval of Village Land use Plan</i>					
1.	Rejection of some land use or plan in general	ESS 6, ESS 10 EMA No. 20 of (2004)	<ul style="list-style-type: none"> - Provision of education to community on the importance of allocating the land use compatible with the use of neighboring village/ Agency - Participatory review of new Selous Game Reserve GN - Ensure District Boundaries identification and conflict resolution - Ensuring peace, security and harmony 	<ul style="list-style-type: none"> - District defense and Security Committee (DC Office) - PLUM - Safeguard team - Village council - CSOs - NGOs 	Approval Phase

S/No	Impacts	ESS and Country Legislation	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
Environmental Impacts and Social Impacts					
<i>During the Preparation and Installment of Beacons</i>					
1.	Emission of dust	ESS 2, ESS 4 OHS Act No. 5 of (2003) EMA Act No. 20 of (2004)	<ul style="list-style-type: none"> - Provision of PPE to Workers - Use of water sprinklers to suppress excessive dust. - 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Preparation and Installment of Beacons phase
2.	Land degradation	ESS 2, ESS 4 EMA Act No. 20 of (2004)	<ul style="list-style-type: none"> - Ensure decommission plan including planting trees on sand quarries. 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Preparation and Installment of Beacons phase
3	Occurrence of unpredictable incidents	ESS 2, ESS 4 OHS Act No. 5 of (2003) EMA Act No. 20 of (2004)	<ul style="list-style-type: none"> - Provision of PPE to PLUM, VLUM and Village Council - Provision of first aid service in case of any incident (First Aid kit and First Aiders) 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Preparation and Installment of Beacons phase
4	Child labour	ESS2, ESS4 Employment and labour law No 6 (2004)	<ul style="list-style-type: none"> - Ensure Child under 18-year-old should not employed on site in accordance with National Labor laws and ESS2 (No pupils should be engaged in fetching water for beacon construction works or otherwise providing community contributions - All workers should be able to demonstrate their age by use of national identity cards or other documentation - Inform communities and stakeholders that the use of child labor/ students (including for community Contributions) is not permitted on the project. - 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM - 	Preparation and Installment of Beacons phase

S/No	Impacts	ESS and Country Legislation	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
5	Noise pollution	ESS 2, ESS 4 OHS Act No. 5 of (2003) EMA Act No. 20 of (2004)	<ul style="list-style-type: none"> - Provision of PPE. - Preparation of beacon will be done during normal working hours 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Preparation and Installment of Beacons phase
6	Loss of vegetation	ESS 6 EMA Act No. 20 of (2004)	<ul style="list-style-type: none"> - Clearance will be done to areas that are intended for the installation of beacons - Appropriate clearing technique will be used, especially hand clearing 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Preparation and Installment of Beacons phase

S/No	Impacts	ESS and Country Legislation	Mitigation Measures	Responsible Organization	Timeframe/ Project Stage
Environmental Impacts and Social Impacts					
<i>During Land Certification and Registration Processes</i>					
1.	Conflict over land rights	ESS 10 Land Use Planning Act No. 6 (2007) Village Land Act No.5 (1999)	<ul style="list-style-type: none"> - Create awareness and sensitization - Use of village land tribunals 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Land Certification and Registration Processes
2.	Boundaries conflict	ESS 10 Land Use Planning Act No. 6 (2007) Village Land Act No.5 (1999)	<ul style="list-style-type: none"> - Engagement of land owners from the beginning and adjudication process - Ensure the boundary confirmation form is signed and submitted 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM 	Land Certification and Registration Processes.
3	Gender inequality	ESS 5, ESS 10 Village Land Act No. 5 (1999)	<ul style="list-style-type: none"> - To educate the community on gender equality concerning land ownership - Raise awareness to religious and cultural leaders on the importance of gender equality - To educate men on the importance of including their wives on CCROs 	<ul style="list-style-type: none"> - PLUM - Safeguard team - Village council - VLUM - CSOs 	Land Certification and Registration Processes

CHAPTER FIVE

ENVIRONMENTAL AND SOCIAL MONITORING PLAN (ESMP)

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.

5.1: The objectives of Environmental and Social monitoring plan are:

- To monitor the effectiveness and implementation of ESMP during planning and CCROs issuance phases of proposed mitigation measures;
- To confirm compliance with environmental, social and safety legislation/regulations during certification as well as safeguards tools and instrument in pace;
- To control the risks and ecological/social impacts;
- To ensure best practices management as a commitment for continuous improvement in environmental and social performance;
- To provide environmental information to community/stakeholders;
- 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 4 below summarizes monitoring plan for rural certification in Ngara District

Table 4: Monitoring of Environmental and Social Management Plan

Environmental/ Social Aspect	Parameters	Indicator	Measurement Units	Method	Target level/ Standard	Monitoring frequency	Responsibility for monitoring	Annual costs estimate (TZS)
Community Grievances	Grievances	Grievances resolved	Number	Records/ Focus group discussion	Minimum number of grievances	Every week	Safeguard team	25,000,000
Loss of biodiversity	Trees/Wild animal	Number of trees planted	Acres	Measurement	Minimum number of encroachment cases/reduced impact on biodiversity	Monthly	Safeguard team	7,000,000
Gender Based Violence (GBV)	Gender equality	Cases reported	Number	Records/Focus group discussion	Reduce gender-based violence	Monthly	Safeguard team	2,700,000
Occurrence of unpredictable incidents	Prevention, Personal Protective equipment (PPE) and sign	Number of accidents Number of PPE provided	Number	Records		Monthly	Safeguard team	6,000,000
Spread of diseases	Diseases	Number of victims	Number	Records	Control/reduce the spread of diseases	Monthly	Safeguard team	4,000,000
Contamination of surfaces due to poor sanitation and hygiene	Sanitary facilities	Number of latrines/hands washing facilities	Number	Observation	Ensure proper sanitation and hygiene	Monthly	Safeguard team	12,000,000
Poor solid waste management	Waste disposal facilities	Number of trash bins/ collection points	Number	Observation	Ensure Proper waste management	Monthly	Safeguard team	3,000,000
Emission of dust	Dust (PM ₁₀)	Number of PPE provided	Ppm	Measurement	Control of airborne diseases and nuisance	Daily	Safeguard team	14,000,000

Environmental/ Social Aspect	Parameters	Indicator	Measurement Units	Method	Target level/ Standard	Monitoring frequency	Responsibility for monitoring	Annual costs estimate (TZS)
Noise pollution	Noise level/vibration	Noise level	DbA	Measurement	Control/ minimize noise to allowable standard	Daily	Safeguard team	10,000,000
Total monitoring cost	83,700,000							

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN NGARA DISTRICT COUNCIL

6.1 Institutions

The implementation of ESMP will follow the plan stipulated in ESMF. For Ngara District Council, the following institutions shall be involved in the implementation of this ESMP

Ngara District Council Rural Certification Office: This will be responsible for daily certification activities which will involve support to Ngara District Council E&S Team.

Ngara District Council E&S Team: This will be responsible for implementation of the E&S activities including the proposed mitigation and enhancement measures with the support from DURCO.

District Land Use Plan Framework (DLUPF) Team: This will be responsible for identifying different uses within the district.

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

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

Lake Victoria Water Basin: To oversee sustainable use of water resources and provide guidance whenever needed during land certification activities done by LTIP.

Tanzania Wildlife Management Authority: this helps to conserve wildlife and biodiversity.

Tanzania Rural and Urban Road Agency (TARURA) and Tanzania Road Agency (TANROADS), Ruvuma Region: Will provide further guidance on households residing along the roads including payment of compensation where applicable.

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.

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 MLHHSO. The MLHHSO through PCU then will be required to submit quarterly reports on ESMP implementation to the World Bank.

6.3: Capacity Development and Training

Capacity development training for LTIP is stipulated in ESMF. For Ngara District council the following trainings have been provide to ESMP Team at National to LGAs levels and Village leaders to enhance their capacity to implementation of environmental and social risk management issues during certification process.

Table 5: Capacity Development and Training

S/N	Name of Training	Training Institution	Date
1.	Environmental and Social Framework Training to ESMP Teams.	MLHHSO	December 2023

Other ESMP trainings planned for Ngara District to enhance their capacity to implement ESMP are: -

- a) Health and safety Training to project drivers and field teams to be conducted in March 2024.
- b) Training of code of conducts for GBV/SEA and ethics practice to ESMT and Ngara District Council E&S Team to be conducted on July 2024; -

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

The ESMP team is suggesting that the project will lead to both positive and negative social, environmental and economic impacts. Sincerely, the project will bring a very significant realm for improving land tenure in Ngara district.

Some environmental and social impacts will not rise as projected, but during the project has figured out some threats might happen but this ESMP has provided a detail solution for each threat. Negative implications or threats of this project have been identified and need to be mitigated, in order to make this project of environmental and socially successful.

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, soil erosion and dust, generation of waste, and health and safety hazards.

Overall, more support on technical advice from institutions responsible, financial supports and frequent training to Safeguard teams to build their working capacity. All these are recommended to be done to enhance the successful implementation of the project.

ANNEXES

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	<ul style="list-style-type: none"> • Conduct environmental and social assessment of the proposed land use plan basing on ESMF, ESCP, VGPF, SEP and RAP • Basing on 1 above, confirm if the plan complies with ESF • Check on supporting documents used to approve the VLUP (Entry Meeting Minutes and Approval of VLUP Meeting minutes) • Check on engagement of women, youth and other minority community members
2	Is the proposed land use compactible with the GN	<ul style="list-style-type: none"> • Check in the issues related to Reserve land and Village land • Check if there are land uses conflicts between different land users (Environmental Conservation vs land uses)
3	Is the VLUP endowed by District Council	<ul style="list-style-type: none"> • Check on District Statement on Regards to proposed land use (Normally written in a minute which are submitted to approval authorities for gazettelement)
4	Is the VLUP Gazetted	<ul style="list-style-type: none"> • Confirm on gazettelement status and if does not conflicting with other gazettelement

Note: The results from this table shall open a room for further discussion basing on different cases for proceeding with other rural certification process

Annex 2: Status of Identified Villages for VLUP's, Boundary resurvey and preparation of Village Land Certificates by July, 2024

NA	DISTRICT	WARD	VILLAGE	MAIN ECONOMIC ACTIVIY
1	Ngara	Mbuba	Kanyinya Kumwendo Mbuba Ruhuba	Pastoralism and Agriculture
2	Ngara	Kasulo	Nyakariba Rwakalemela	Pastoralism and Agriculture

			Kasulo	
3	Ngara	Rusumo	Kasharazi Rusumo Mshikamano	Pastoralism and Agriculture Fishing
4	Ngara	Nyamiaga	Nyamiaga \Nterungwe	Pastoralism, and Agriculture
5	Ngara	Murukulazo	Bulengo Nyakiziba Murukulazo Kagari Kyenda	Agriculture and Pastoralism
6	Ngara	Ntobeye	Runzenze Chivu Ntobeye Kigina	Pastoralism and Agriculture
7	Ngara	Kibimba	Kumtana Ruganzo Mayenzi Buhororo	Pastoralism and Agriculture
8	Ngara	Kanazi	Mukibogoye Mukarehe Katerere Mikirehe Kabalenzi Kanazi	Pastoralism and Agriculture
9	Ngara	Mugoma	Shanga Muruvyagila Mubuhenge Mukikomero Mugoma	Agriculture and pastoralism
10	Ngara	Kirushya	Murutabo Kasange Mwivuza	Pastoralism and Agriculture

			Kirushya	
11	Ngara	Mabawe	Mukaliza Murugina Muhweza Kumwuzuza	Pastoralism and Agriculture
12	Ngara	Kabanga	Nyabisindu Ibuga Djululigwa Kabanga Murukukumbo Ngundusi	Fishing and Agriculture
13	Ngara	Murusagamba	Murusagamba Ntanga Magamba	Agriculture and pastoralism
14	Ngara	Nyamagoma	Murubanga Kumubuga Kititiza	Agriculture and pastoralism
15	Ngara	Muganza	Mukubu Muganza Mukalinzi	Agriculture and pastoralism
16	Ngara	Nyakisasa	Kumugamba Kashinga Nyamahwa Kigoyi	Agriculture and pastoralism
17	Ngara	Bukiro	Nyabihanga Bukiro Murulama Mumuhamba	Agriculture and pastoralism
18	Ngara	Bugarama	Mumiramira Rwinyana Bugarama	Agriculture and pastoralism
19	Ngara	Kibogora	Kihinga Nyarulama	Agriculture and pastoralism

20	Ngara	Keza	Kazingati Keza	Agriculture and pastoralism
----	-------	------	-------------------	--------------------------------

Annex 3: E &S criteria for selecting specific project areas.

SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
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	YES ¹	Boundaries of Burigi Chato wick is located along Kasulo,Rwakaremela,Rusumo and Kasulo Villages were clearly identified by respective authority which is Tanzania National Park Authority, (TANAPA).
		-There is encroachment between the village and the reserved area and the boundary is not clearly known	NO	All boundaries were identified by involving villagers and respective authorities.
		-There is encroachment between village and the Park area although the boundary is well known to all the parties	NO	There are neither economic nor social activities done in the park area because communities around the land owned by Authority are aware of their boundaries.
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	NO	No any settlement within 60 meters but activities like agriculture, animal grazing and construction materials are extracted around River Ruvubu and Akager. This also is done along the streams and wetland area which are found in each village. however, conservation of water sources under the Environmental Management Act of 2004 has been in practical under supervision of local leaders in hamlets and villages. Other economic activities and settlements found to be in the 60m from shore line/ bank cannot 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	The MLHHSD 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	NO ³	No settlement found because the area is considered hazardous and no certification should be conducted. The MLHHSD 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 ⁴	Water catchment areas to Ruvubu, Akagera river and springs and wetland are considered as areas with high environmental and biological importance and are protected by national and international laws and agreements.

	areas	national laws		Conservation 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 ⁵	No such kind of wildlife areas within the project areas of Ngara district council.
5	Livestock grazing areas and stock routes	-Village has communal land reserved for livestock grazing only or for established stock routes	YES	In Ngara district there is communal grazing area owned by villages in some villages, either other villages apply mixed farming where the area used for agriculture is the area used for pasturing so everyone has his/her own land for pasturing his/her livestock. To those who have no land for grazing hires land to graze his/her animals. Individual CCRO should 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	The cultural heritage areas are not available in the project area of 75 villages Ngara district.
		-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	NO ⁶	These are considered as hazardous land and no certification process should proceed, as per NEMC who is responsible to determine the area if should get certificate or no.