

THE UNITED REPUBLIC OF TANZANIA

MKINGA DISTRICT COUNCIL



LAND TENURE IMPROVEMENT PROJECT (LTIP)

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



Prepared by:

MKINGA DISTRICT COUNCIL

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ESMP PRERARATION TEAM

NAME	PROFESSION/POSITION	ORGANIZATION
Mamboya k. Buge	Environmental Officer	Mkinga District Council
Amina H. Selemani	Social Development Officer	Mkinga 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

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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
DSP	-	Detail Settlement Plan
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
MLHSD	-	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
RSCBWB	-	Tanga and Southern Coast Basin Water Body
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

1.0 Background Information

The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHSD) 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 is 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 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, a reduction of the average time to issue CROs (first registration) from 180 days to 60 days.

1.1 LTIP Project Scope in Mkinga District Council

The Mkinga District Council is one of the beneficiaries of LTIP activities. In Mkinga 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 40 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 Mkinga District Council- Project Coverage Villages

Ward	Village
Bwiti	Bwiti, Magati, Mavovo, Kiumbo
Kigongoi mashariki	Vuga, Hemsambia
Daluni	Ng'ombeni, Kisiwani A, Mtoni Bombo, Kisiwani B,
Mapatano	Bantu, Mtakuja, Mapatano
Maramba	Mbambakofi, Matemboni
Kigongoi Magharibi	Kidundui, Bombo Mbuyuni
Muhinduro	Bamba Mavengero, Muheza, Mhinduro Majengo, Churwa
Mwakijembe	Mwakijembe, Mkota, Perani
Gombero	Vunde Manyinyi, Jirihini, Kichangani
Kwale	Kizingani, Monga Vyeru
Bosha	Bosha Kwemtindi, Kuze Kibago, Kwamtili, Muzi Kafishe
Doda	Bamba Mwarongo
Mnyenzani	Mnyezani, Machimboni
Parungu Kasera	Mzingi Mwagogo
Sigaya	Sigaya, Kibewani
Mtimbwani	Msimbazi

In Mkinga 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 85 villages formally registered in Mkinga district. LTIP is expected to support the preparation of VLUP of 40 villages. The preparation of VLUPs will involve awareness creation and capacity building for the Participatory Land Use Management Team (PLUM); conducting village assembly and formulation of Village Land Use Management Council (VLUM); preparation of baseline information which includes 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; gazettelement 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 the potential to cause environmental and social (E&S) risks and impacts. To address these potential risks and impacts, the project has prepared this Environmental and Social Management Plan (ESMP) for the Mkinga District Council.

1.2 General Objectives of ESMP

The preparation of the Mkinga VLUPs, DSPs, and issuance of CCRO have the potential to cause E&S risks and impacts. The MKINGA ESMP is a tool for identifying, mitigating, 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. 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 supported by LTIP;
- ii. Develop mitigation/enhancement measures to minimize E&S risks and impacts
- iii. Assess the capacity of the implementation agencies and develop plans for training and other capacity-building activities
- iv. Define implementation arrangement and organization structure of ESMP implementation, including assessment of the implementation capacity of the implementing agencies (LGA)
- v. 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 Mkinga District Council in collaboration with the LTIP-ESMT through the following activities.

- i. Undertake an E&S screening to determine risks and impacts associated with the 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
- ii. Define mitigation, enhancement, and monitoring measures for the identified impacts;
- iii. Validate mitigation, enhancement, and monitoring measures through stakeholder engagement.
- iv. Finalization of the ESMP report and sharing with wider stakeholders, including publication of the ESMP on the LTIP website.

1.4 Screening results

This section presents the methodology and results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Mvomero District Council, Tanzania. The screening was conducted using the screening form attached in Annex 2, which assessed the project's potential environmental and social impacts implemented by the LTIP.

CHAPTER TWO

BASELINE ADMINISTRATIVE, ENVIRONMENTAL, AND SOCIAL CONDITIONS OF THE PROJECT AREA

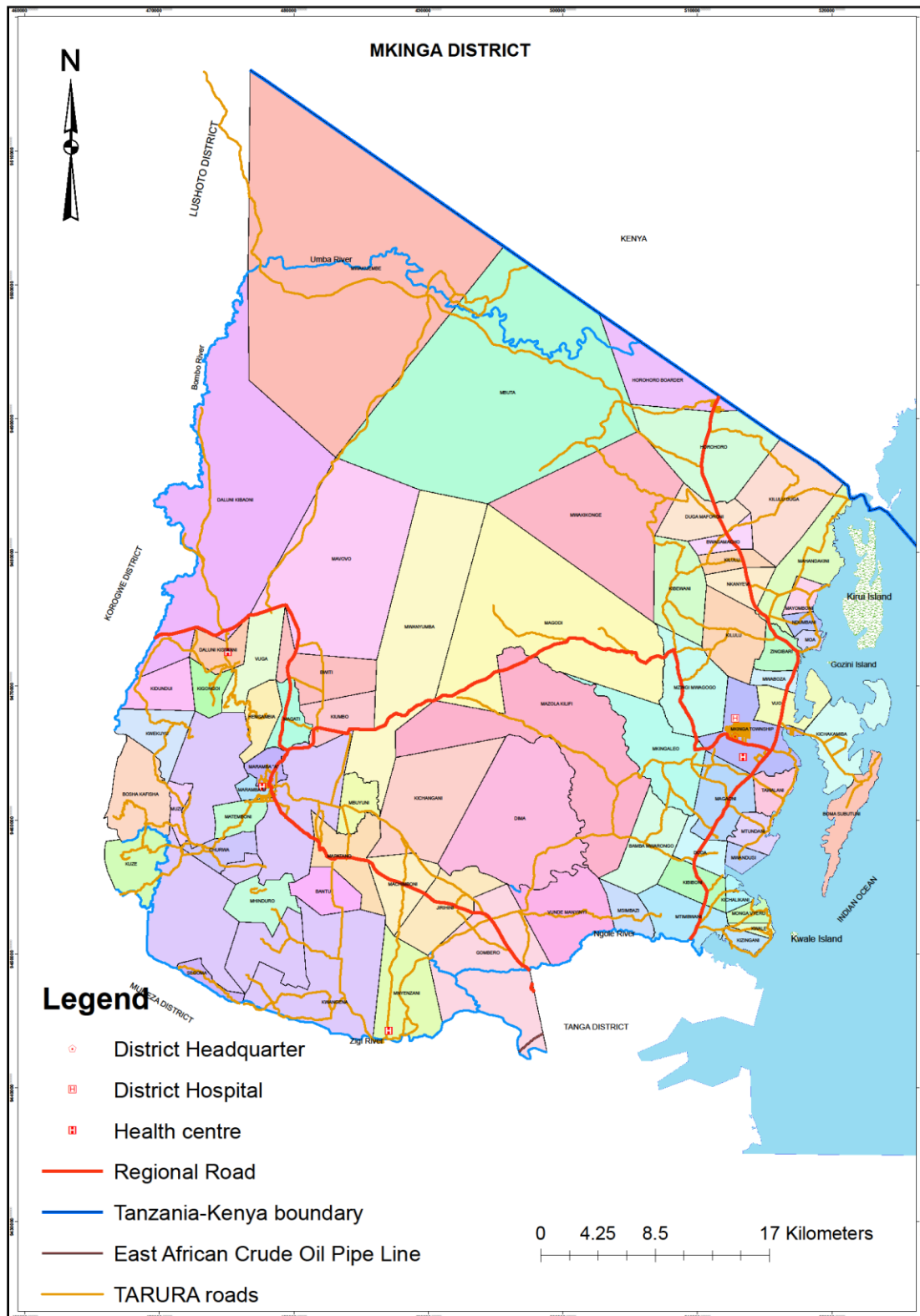
2.1 Introduction

The baseline environmental and social conditions of Mkinga district describe biophysical and social issues that are likely to be affected, trigger conflicts, or are of biological importance in the district. These issues necessitate the project to implement mitigation measures to avoid risks and impacts to the communities. The main indigenous ethnic group in Mkinga is Sambia and Digo, who constitute about 92% of the entire population. Other ethnic groups in the Mkinga District are Masai, Segeju, and Duruma, who constitute about 8%.

Religious groups available in Mkinga are mainly Muslims and Christians, and few adhere to traditional beliefs. The majority of residents produce both food and cash crops, where food crops are maize, cassava, legumes, bananas, and Vegetables/Fruits. Cash crops are cashew nuts, coconuts, groundnuts, oranges, mangoes, spices, and sisal in larger-scale plantation investment. The district's dominant economic activity is agriculture, practiced by the majority of the community, followed by livestock keeping. Other economic activities include fishing, trade, and mining.

2.2 Administrative Condition of Mkinga District Council

Mkinga district is one of the eleven districts in the Tanga Region found in the northeastern part of Tanzania. Mkinga District is 2948 square kilometers in size. The District Headquarters is located at Parungu Kasera ward, about 40 kilometers from Tanga City Council along Kwasongoro-Maramba Road. Mkinga District is situated in North Eastern Tanzania; It lies between altitudes 00 and 1200m above sea level, latitude 4.30 and 4.90 south of the Equator, and Longitude 38.80 and 39.30 East Greenwich Administratively, Mkinga DC has two (2) divisions, 22 Wards, and 85 villages. The divisions are Mkinga and Maramba. The responsible authorities register all 85 Villages. The council has one electoral Constituency and one Member of Parliament.



Map 1: Administrative Map of Mkinga District Council showing 22 Wards

2.3 Environmental Baseline Information in Mkinga 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

Mkinga District Council, mean annual rainfall ranges from 450 mm to 1,000mm a year with Rainfall pattern in the district is bimodal with an average annual rainfall of 750mm. There are two wet season (rainy season) in Mkinga District which extends from March to May and Octoba to Desember leaving the rest of the year dry. The onset of the rains is reliable and normally begins at the end of march. The driest months are January and February with an average of 0 mm of precipitation

Temperature

Mkinga District Council experienced a moderate temperature of 22⁰C to 29⁰C with a maximum temperature of 30⁰C in January and February. While a minimum temperature of 21⁰C is experienced in June and July.

Humidity

Mkinga Council is within proximity of an overcast and light in saturated relative humidity. It experiences high humidity in November and December and less humidity in January and February. The average annual humidity is 60 %.

Topography

Mkinga Council has a variety of topographic features. The coastal lowlands extends about 20 to 30 kilometres inland from the india Ocean and rises to about 100 metres above the sea level. The rest of the District rises gradually from the east towards the Northern and mid-southern areas to about 400 metres above the sea level. The Northern areas rise graduly towards the umba hills (about 800 metres) that extend into Kenya.

Drainage Pattern

The Zigi River in the southern part of Mkinga forms the main drainage of the District, it flows southeast into the Indian Ocean and forms the boundary between Muheza and Mkinga districts. In the Northern part of the Mkinga District the umba River is the major drainage which flow East into Kenya and then into the Indian Ocean.

Geological Features

Mkinga District Council is covered with sedimentary rocks, metamorphic rocks, and intrusive (plutonic) rocks. Intrusive rocks were formed and solidified from a melt of magma at great depth. Magma rises, bringing minerals and precious metals such as gold, silver, molybdenum, and lead with it and forcing its way into older rocks. It cools slowly (tens of thousands of years or longer) underneath Earth's crust, which allows the individual crystals to grow large by coalescing where the rock is later exposed to erosion. Sedimentary rocks are also common rock types in Mkinga District Council and are freely exposed on the earth's surface. They formed from other rock materials made up of the buildup of weathered and eroded pre-existing rocks. Weathering, erosion, and the eventual compaction of igneous, metamorphic, or formerly structured sedimentary rocks, among other biological sedimentations, lead to the formation of sedimentary rocks. Metamorphic rocks are also part of the geological features found in the area. They formed from other rocks because of extreme pressure and heat. Thus, changes in the physical pressure and temperature alter the mineral composition and texture of the pre-existing plutonic and sedimentary rocks to form metamorphic rocks.

Soil type

1. ***A Chromi-Ferralic Cambisols*** in the World Reference Base for Soil Resources (WRB) is a soil at the beginning of soil formation. The horizon differentiation is weak. This is evident from weak, mostly brownish discoloration and/or structure formation in the soil profile.
2. ***Eutric Leptosols*** are very shallow soil over a hard rock or in unconsolidated gravely material. Leptosols are unattractive soils for rainfed agriculture because of their inability to hold water, but may sometimes have the potential for tree crops or extensive grazing.

3. ***Humi-Umbriac Acrisols*** form on old landscapes that have an undulating topography and a humid tropical climate. This soil type has strongly weathered acid soils with low base saturation.
4. ***Eutri-Pellic Vertisols*** is a Churning heavy clay soil A vertisol or vertosol. It is a soil type in which there is a high content of expansive clay minerals, many of them known as montmorillonite, that form deep cracks in drier seasons or years. In a phenomenon known as argilli-pedoturbation, alternate shrinking and swelling causes self-plowing, where the soil material consistently mixes itself, causing some vertisols to have an extremely deep A horizon and no B horizon. A soil with no B-horizon is called an A/C soil). This heaving of the underlying material to the surface often creates a microrelief known as gilgai. Vertisols typically form highly basic rocks, such as basalt, in climates that are seasonally humid or subject to erratic droughts and floods, or that impede drainage.

Agro Ecological Zone

Mkinga DC constitutes four Agro Ecological zones which are; coastal zone, Middle zone, Highland zone and plain zone.

The coastal zone is the area with 200 meters above the sea level, it is characterised with low fertile soil and low holding water capacity. The crops grown in this zone are Cashewnuts, coconuts, cassava, sorghum, passion fruits and pineapples.

The Middle zone is the area between 400 - 500 meters above the sea level. In this zone pastoral activities are conducted, the fertility of the soil is relatively low because of overstocking and soil erosion.

The Highland zone is located between 500 - 1200 meters above the sea level, it is very productive area with high level of organic matter. Loamy and clay soil are highly available. Crops produced in this area are spices, banana, fruits and Maize

The plain Zone is located between 150 – 500 meters from the sealevel. In this area the crops grown are sisal, cashewnuts, maize, coconuts, legumes and fruits.

Vegetation

Mkinga district has a large area of forest reserves which constitute the natural vegetation. Also there are original natural vegetation of mangrove trees which are found along the Indian ocean, Miombo woodland situated along the Zigi river in

Mnyenzani ward and other natural trees found in along Uмба river. Shrubs and scattered trees are found in plain areas where livestock keeping is the main activity. Despite the presence of various forest reserves in Mkinga District, there is a high deforestation rate where trees are cut down, and fires are often set to clear land for agriculture and charcoal making.

Land use Pattern

Mkinga District Council has a total of 2,948 Km². The land use pattern of Mkinga District is classified into six categories which are Agriculture and Livestock land which covers 2,024.49 Km² which is equivalent to 68.07% of the total district area, forest and wildlife which covers 613 Km² equivalent to 2.1% of the total area, Mangrove covers about 77.70 Km² equivalent to 2.63% of the total land, Ocean and Beach which covers about 123.60 Km² equivalent to 4.2% of the total land, Township area cover the total area of 273.24 Km² which is equivalent to 10% percent of the total district land and reserve land covers 387.97km² equivalent to 3% of the total land. See table bellow

Table 2 : Land use patterns in Mkinga District

No.	Land Categories	Area Km ²	Percent (%)
1.	Agriculture and Livestock	2,024.49	68.07
2.	Forest and Wildlife	61.00	2.1
3.	Mangrove	77.70	2.63
4.	Ocean and Beach	123.60	4.2
5.	Township/planned area	273.24	10
6.	Reserve Land	387.97	13
	Total	2,948	100

Districts and other areas bordering Mkinga District: The district borders Muheza and Tanga Districts to the South, Korogwe and Lushoto Districts to the West, the Republic of Kenya to the North and Indian Ocean to the East

People and Population

Based on the population census reports of 2022, Tanga Region has a total population of 2,615,597 (Male 1,275,665; Female 1,339,932). Mkinga District Council has a population size of 146,802 (73,048 Males and 73,754 Females) with a growth rate of 2.4%. Mkinga District Council ranks ninth in population compared to other Districts in the region.

Project Workforce Requirements: VLUPs and the rural land certification process in Mkinga 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 Mkinga district economic structure is based on agriculture, livestock keeping, Fisheries, trade 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: Mkinga district council has primary and secondary schools, health centers, 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 wells, boreholes, dams and river streams.

Road Infrastructure: Road transportation is the main means of transportation of people and various goods within and outside Mkinga District Council. It is one of the key sub-sectors which are responsible for sustainable development and poverty reduction in the council. Mkinga District Council is well linked with a trunk road namely Tanga - Horohoro Road which connect Mkinga District and Kenya (Mombasa). 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. Apart from Tanga – Horohoro road which is tarmac, most district roads are gravel while some are constructed with aggregates. Given the topography of the district council, some roads connecting the district council and other districts such as Korogwe via Daluni ward and another road connecting to Muheza District via Mnyenzani ward. The roads connecting to Muheza and Korogwe districts experience difficulty during rainy seasons. 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

Conflicts over Land resources: The district also experiences conflicts with conservation authorities over land as the district plays an important role in conservation of major ecosystems in the district. LTIP is required to recognize relevant conservation authorities to avoid conflicts between government ministries and conservation authorities. In particular, LTIP Team are required to closely observe ESS7, ESS6 and ESS10 requirements and provisions during VLUPs and rural land certification activities.

GBV/SEA and Diseases Transmission: Like other areas in Tanzania, HIVI/AIDs is prevalent in Mkinga District. Proposed project activities including the preparation of PLUM, VLUP and issuance of CCROs will increase interactions between project workers and local community which is likely to trigger social issues such as GBV/SEA and spread of HIV/AIDS. In order to avoid GBV/SEA, spread of HIV and AIDS as well as conflicts between project workers and the community the project will require all workers to sign code of conduct (CoC).

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 Mkinga 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 Country's Legal Framework to Guide Land Use Planning and Rural Certification Processes in Mkinga 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 Mkinga during identification of national parks and preparation of DLUPF and VLUP. Specifically, LTIP project in Mkinga 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 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 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.

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 Mkinga 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.

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

3.3 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 Mkinga District Council, the following ESSs are applicable and this ESMP describes how specific ESSs will be complied with during the preparation of DLUPF, VLUM and the issuance of CCROs:

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

- Screening of environmental and social risks and impacts to determine the level and magnitude of risks and impacts.
- Prepared ESMP for Mkinga for mitigating and identifying risks and impacts; monitored the 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 the 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 the Resettlement Policy Framework (RPF)

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

- Use of Annex 3 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 the 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).

The Project ESMF provides a legal gap analysis between the national laws and the applicable ESSs. 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 Mkinga 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 Mkinga district.

Reduction of Cost Associated with Informal Land Transaction: The provision of CCROs to Mkinga 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 Mkinga district will require workforce to perform different activities. In total the project will employ approximately over 50 People both skilled and unskilled.

4.3 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 Mkinga 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 Mkinga, 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 Mkinga 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: Mkinga district is neighboring Kenya country which its nationals have much interaction to Mkinga 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.

4.4 Project Positive Environmental Impacts of Land Use Planning and Land Certification

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

Enhancement of protection of sensitive areas and minimization of Conflicts: Mkinga 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.

4.5 Negative Environmental Impacts of Land Use Planning and Land Certification

The major negative environmental impacts of regularization process in Mkinga 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.

4.6 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 3** is the impacts and mitigation matrix for rural certification for Mkinga District. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP project implementation team.

Table3 : Mitigation Measures of Identified Impacts

SN	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
Negative Project Social Risks and Impacts						
1	Negative economic and social impacts relating to restrictions on land use resulting from VLUP processes	<ul style="list-style-type: none"> - Undertake adequate E&S assessment of the proposed VLUP to determine the magnitude of impacts. - 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) 	800,000	<ul style="list-style-type: none"> - Mkinga District Council E&S Team - Ward and village leaders - CSOs 	ESMT	During preparation of VLUP.
2	Deepening of insecurity on the fate of lands among Mkinga communities.	<ul style="list-style-type: none"> - Provide communities with correct project information. - Strategize engagement of traditional leaders. - 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. 	- 1,000,000	<ul style="list-style-type: none"> - Participatory Land Use Management (PLUM) Team. - E&S Team - CSO - 	- ESMT	<ul style="list-style-type: none"> - During preparation of - VLUP and issuance of CCROs
3	Confusion of communities with incorrect information about the project.	<ul style="list-style-type: none"> - Map NGOs/CSOs and understand their mission and objectives. - Provide NGOs/CSOs with project information and where necessary engage them to create sensitization to the community. 	- 1,500,000/=	<ul style="list-style-type: none"> - E&S Team - Participatory Land Use Management (PLUM) Team. - WEOs, CDOs and - VEOs - Traditional and religious leaders 	- ESMT	<ul style="list-style-type: none"> - During preparation of - VLUP & throughout the project.
4	Conflict over land ownership and rights	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Capacity building and awareness creation to local leaders on conflict resolution. 	- 5,000,000/=	<ul style="list-style-type: none"> - Mkinga District Council E&S Team - Ward Executive Officer (WEO), 	- ESMT	<ul style="list-style-type: none"> - During preparation of - VLUP and issuance of CCROs.

SN	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		<ul style="list-style-type: none"> - Sensitization on the importance of joint land titling. - Educate men on the importance of including their wives on CCROs. 		<ul style="list-style-type: none"> - Ward Community Development Officer (CDO) - Village Leaders 		
5	Ineligibility to CCROs	<ul style="list-style-type: none"> - Identification of all households ineligible to receive CCROs and formulation of advice on how to address their situation. - Identification of households and parcels close and within conservation and sensitive areas. - Awareness on ineligibility for CCROs. - Liaise with TFS, NEMC - Pangani River Basin and the Ministry of Natural Resources and Tourism - TANROADS and TARURA - Signage informing potential new settlers that those areas cannot be titled and should not be occupied - to avoid further occupation, including by those who would like to be compensated. 	- 7,000,000/=	<ul style="list-style-type: none"> - Mkinga District E&S Team - Participatory Land Use Management Team (PLUM) - National Environmental Management Council (NEMC) - TANROADS& - TARURA - TFS - Pangani River Basin Authority - Ministry of Natural Resources and Tourism for further guidance 	- ESMT	<ul style="list-style-type: none"> - During identification of Parcels. -
6	The CCRO issuance process formalize land access inequalities for Women and other Marginalized Group	<ul style="list-style-type: none"> - Identification of marginalized groups such as people with disabilities, women, elders, chronically ill persons and youth - Sensitization on the importance of CCROs and other project benefits. 	- 2,000,000/=	<ul style="list-style-type: none"> - Mkinga District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders - CSOs. 	- ESMT	<ul style="list-style-type: none"> - During Project Sensitization and identification
7	Gender Based Violence / SEA	<ul style="list-style-type: none"> - Engage the Police Gender Desk to train Project staff on GBV/SEA. - All LTIP staff to sign a code of conduct which include GBV/SEA issues. 	- 6,000,000/=	<ul style="list-style-type: none"> - Mkinga District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) 	- ESMT	<ul style="list-style-type: none"> - Before placement of employees and during rural certification process.

SN	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		<ul style="list-style-type: none"> - Develop and operationalize GBV Action Plan for the District. - Disseminate information about the GRM and encourage population to report misconducts - 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. 		<ul style="list-style-type: none"> - Village Leaders - 		
8	Influx of Laborers	<ul style="list-style-type: none"> - Community awareness on STIs transmission and basic hygiene practice and crimes - Give employment priority to unskilled laborers from within project areas. - Provision of welfare facilities such as water, toilets and food vending to project workers. 	- 1,500,000/=	<ul style="list-style-type: none"> - Mkinga District Council Certification Office - Mkinga District E&S Team - Village Leaders - Private Companies involved in rural certification activities. 	- ESMT	- During Rural Certification Process.
9	Inaccessibility of Project Sites	<ul style="list-style-type: none"> - Target implementation of rural certification of villages not accessible during rainy season during dry season. - Provide suitable transport facilities. 	-	<ul style="list-style-type: none"> - Mkinga District Rural Certification Office - Mkinga District Council E&S Team - Participatory Land Use Management (PLUM) Team 	- ESMT	- During Rural Certification Process
10	Possibility of Issuing CCROs to Non-nationals	<ul style="list-style-type: none"> - Make use of National IDs during issuance of CCROs - Rural formalization team to work closely with local leaders to confirm citizenship of Project beneficiaries. 	- 7,000,000/=	<ul style="list-style-type: none"> - Mkinga District Council Rural Certification Office - Mkinga District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders - Migration Teams 	-	- During Rural Certification Process

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"> - 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. - Adjudication to try to minimize land take and loss of assets from any given household through negotiated agreements. - Surveying will ensure that all the plots are viable and of acceptable sizes, enabling their continued use after the land is taken. 	<ul style="list-style-type: none"> - Costs of implementing voluntary land donations/RPF ? (2,000,000/=) 	<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders - Migration Teams 	<ul style="list-style-type: none"> - ESMT 	<ul style="list-style-type: none"> - Prior to project activity
Total Cost			27,500,000			
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"> - Undertake adequate E&S assessment of the proposed VLUP to determine the magnitude of impacts. - Devise mitigation measures to address risks and impacts related to the proposed VLUP in accordance with the World Bank's ESF. 	- 2,000,000	<ul style="list-style-type: none"> - PLUM - E&S Team - 	<ul style="list-style-type: none"> - ESMT 	<ul style="list-style-type: none"> - During preparation of VLUP.
2	Encroachment of Environmental Sensitive Areas	<ul style="list-style-type: none"> - Make use of Annex 6 of the ESMF to ensure that boundaries between national parks, reserves, and grazing land are made clear during the preparation of DLUPF, VLUP, and before the issuance of CCRO issuance. 	- 1,500,000/=	<ul style="list-style-type: none"> - PLUM - E&S Team - National Environmental Management Council (NEMC) - TANROADS& - TARURA - TFS, - Pangani River Basin Board 	<ul style="list-style-type: none"> - ESMT 	<ul style="list-style-type: none"> - Before placement of employees and during rural certification process.

SN	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
3	Soil Erosion, oil spills and Solid Waste Generation	<ul style="list-style-type: none"> - Undertake tree and grass planting - Provision of dustbins in all project areas - Use of welfare facilities such as toilets and water - No refuse or waste oils should be discharged into drains or onto site grounds. 	- 3,000,000/=	<ul style="list-style-type: none"> - Mkinga District Council E&S Team - Private Companies involved in certification activities. - Village Leaders 	- ESMT	- During Rural Certification Process.
4	Health and Safety Hazards	<ul style="list-style-type: none"> - Provision of PPEs (Masks, 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 	- 14,000,000/=	<ul style="list-style-type: none"> - Mkinga 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

5.1 Introduction

Monitoring establishes benchmarks that 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's arrangement for the 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 the 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 instruments in place;
- 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 Mkinga District Council.

Table 4: 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
Land Use Planning							
1.	E&S impacts of land use planning	Compliance of the ESS 1-8 and ESS 10	100%	Reports on the Implementation of ESMP	Quarterly	ESMT & PIT	4,000,000/=
Enhancement of Social Benefits							
2.	Security of Tenure	No. of CCROs issued in each Village	3,00	ILMIS data	Quarterly	ESMT & PIT	1,000,000/=
3.	Capital Creation	No. of Beneficiaries using CCROs to secure capital.	10	Project report	Quarterly	ESMT & PIT	6,000,000/=
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	8,000,000/=
5.	Employment Opportunities	No. of people employed	50	Report	Quarterly	ESMT & PIT	7,000,000/=
Enhancement of Environmental Benefits							
6.	Enhancement of protection of sensitive areas and minimization of Conflicts	Number of CCRO issued in sensitive areas	0	Report	Quarterly	ESMT & PIT	500,000/=
7.		Number and hectares or village land declared as forest reserve	100 Ha	VLUP Reports	Six Months	ESMT & PIT	500,000/=
8.	Protection of Common resources	The presence of group of people owning jointly grazing lands issued with CCROs	5	Scheme of regularization & Reports	Annually	ESMT & PIT	1,000,000/=
Social Negative Risks and Impacts							
1.	Lack of communities' understanding of LTIP activities	1. Acceptance of the LTIP activities by the communities in the Mkinga district 2. Participation of traditional leaders in LTIP activities.	50,000	Reports	Quarterly	ESMT & PIT	1,000,000/=

Land Tenure Improvement Project (LTIP)-ESMP Report for Issuance of CCRO in Mkinga District Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
3.	Ineligibility to CCROs	No of parcels identified as ineligible for rural land certification	10	Report	Quarterly	ESMT & PIT	500,000/=
4.	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/=
5.		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/=
6.		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	0
Total							34,000,000/=
Environmental Negative Risks and Impacts							
12.	Waste Management	No. of dustbins provided in three Mitaas	150 dustbins @ village 3	Report and observation	Quarterly	ESMT & PIT	1,000,000=
13.	Health and Safety Hazards	No. of incidence and accidents reported.	0	Report	Quarterly	ESMT & PIT	1,000,000/=
14.	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	3,000,000

Land Tenure Improvement Project (LTIP)-ESMP Report for Issuance of CCRO in Mkinga District Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
Total							39,000,000/=

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP

6.1 Institutions

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

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

Mkinga District Council E&S Team: This will be responsible for implementation of the E&S activities including the proposed mitigation and enhancement measures.

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): Will provide further guidance on households residing along, gullies and river streams.

Pangani river basin: To oversee sustainable use of water resources and provide guidance whenever needed during land certification activities done by LTIP.

Tanzania Rural and Urban Road Agency (TARURA) and Tanzania Road Agency (TANROADS), Tanga 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 MLHHS. 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 Mkinga 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 5: Training conducted to Mkinga E&S Team

S/N	Name of Training	Training Institution	Date
1.	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13th – 14th December 2022
2.	Preparation and Implementation of ESMP to CUCOs members.	ESMT	21st - 23rd December 2022
3.	Training on Safeguards Compliance to Villages and ward Leaders	ESMT	3rd – 4th March 2023
4.	Environmental and Social Framework Training to Specialist	World Bank	March 2024

Other E&S trainings are planned for Mkinga 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 Mkinga District Council E&S Team.

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

7.1 Introduction

This ESMP is specifically for Mkinga 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 Mkinga, 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 Mkinga District Council should be given this ESMP as part of the contract to ensure its implementations team in Mkinga 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.

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	<ol style="list-style-type: none"> 1. Conduct environmental and social assessment of the proposed land use plan basing on ESMF, ESCP, VGPF, SEP and RAP 2. Basing on 1 above, confirm if the plan complies with ESF 3. Check on supporting documents used to approve the VLUP (Entry Meeting Minutes and Approval of VLUP Meeting minutes) 4. Check on engagement of women, youth and other minority community members
2	Is the proposed land use compactible with the GN	<ol style="list-style-type: none"> 1. Check in the issues related to Reserve land and Village land 2. Check if there are land uses conflicts between different land users (Environmental Conservation vs land uses)
3	Is the VLUP endowed by District Council	<ol style="list-style-type: none"> 1. 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	<ol style="list-style-type: none"> 1. 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: Identified villages for VLUP's Boundary resurvey and preparation of Village Land Certificates

S/N	DIVISION	WARD	VILLAGE	VILLAGE REGISTRATION NUMBER
1	Maramba	Bwiti	Mavovo	TNG-108-00006638
2	Maramba	Kigongoi mashariki	Vuga	TNG-108-09012153
3	Maramba	Bwiti	Bwiti	TNG-108-09000667
4	Maramba	Daluni	Ng'ombeni	TNG-108-09009724
5	Maramba	Bwiti	Kiumbo	TNG-108-09004519
6	Maramba	Mapatano	Bantu	TNG-10809000095
7	Maramba	Daluni	Kisiwani A	TNG-108-09004354
8	Maramba	Bwiti	Magati	TNG-108-09005767
9	Maramba	Daluni	Mtoni Bombo	TNG-108-09008376
10	Maramba	Daluni	Kisiwani B	TNG-108-09004355
11	Maramba	Maramba	Matemboni	TNG-108-09006581
12	Maramba		Bombo Mbuyuni	TNG-108-09000179
13	Maramba	Kigongoi Magharibi	Kidundui	TNG-108-09003686
14	Maramba	Muhinduro	Churwa	TNG-108-09001087
15	Maramba	Muhinduro	Mhinduro Majengo	TNG-108-09007102

16	Mkinga	Mwakijembe	Mwakijembe	TNG-108-09008788
17	Mkinga	Gombero	Kichangani	TNG-108-09003631
18	Mkinga	Kwale	Kizingani	TNG-108-09004584
19	Maramba	Mapatano	Mtakuja	TNG-108-09008264
20	Maramba	Mapatano	Mapatano	TNG-108-09006369
21	Maramba	Bosha	Bosha Kwemtindi	TNG-108-09000188
22	Maramba	Mwakijembe	Perani	TNG-108-09010856
23	Maramba	Muhinduro	Muheza	TNG-108-09008454
24	Mkinga	Doda	Bamba Mwarongo	TNG-108-09000080
25	Maramba	Bosha	Kuze Kibago	TNG-108-09004711
26	Maramba	Bosha	Kwamtili	TNG-108-09004781
27	Maramba	Bosha	Muzi Kafishe	TNG-108-09008617
28	Maramba	Gombero	Jirihini	TNG-108-09002769
29	Maramba	Gombero	Vunde Manyinyi	TNG-108-09012164
30	Maramba	Kigongoi Mashariki	Hemsambia	TNG-108-09001536
31	Maramba	Mnyenzani	Mnyezani	TNG-108-09007874
32	Maramba	Mnyenzani	Machimboni	TNG-108-09005657
33	Mkinga	Parungu Kasera	Mzingi Mwagogo	TNG-108-09009188
34	Mkinga	Sigaya	Sigaya	TNG-108-09011407
35	Mkinga	Sigaya	Kibewani	TNG-108-09003556
36	Mkinga	Kwale	Monga Vyeru	TNG-108-09007907
37	Maramba	Maramba	Mbambakofi	TNG-108-09006736
38	Maramba	Muhinduro	Bamba Mavengero	TNG-108-09000079
39	Mkinga	Mtimbwani	Msimbazi	TNG-108-09008183

40	Mkinga	Mwakijembe	Mkota	TNG-108-09007573
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Annex 3: E&S Safeguard 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	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	NO	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	NO	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 MLHSD 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 ¹	The area is considered hazardous and no certification should be conducted. The MLHSD 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	NO	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	YES ²	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	-Village has communal land reserved for livestock grazing only or for established stock routes	NO	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

		-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 ³	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

				determine whether the area should be considered or not
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.

1. settlement within 60m are found in the villages of Mtoni Bombo, Bombo Mbuyuni, Msimbazi and Perani
2. Villages borders wildlife corridor include Mkota, Mwakijembe and Mavovo
3. Villages with flood prone areas includes Msimbazi and Bombo Mbuyuni
4. Encroachment of Mkomazi National Park by communities from Mwakijembe, Mkota and Perani Villages
5. Absence of Village Boundary Survey in six villages of Mbuta, Kipimbwi Magodi, Mwanyumba, Mazola Kilifi, Mwakikonge and Dima where VLUPs prepared were funded by (World Wildlife Funds – WWF).
6. Village conflicts boundaries caused by village land survey of 2007, forest reserves available and arable land