

THE UNITED REPUBLIC OF TANZANIA

TABORA MUNICIPAL COUNCIL



LAND TENURE IMPROVEMENT PROJECT (LTIP)

**ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR URBAN
CERTIFICATION PROCESS IN TABORA MUNICIPAL COUNCIL**



Prepared by:

TABORA MUNICIPAL COUNCIL

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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
MD	-	Municipal Director
MEMO	-	Municipal Environmental Management Officer
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
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
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
LTIP	-	Land Tenure Improvement Project
MLHSD	-	Ministry of Land, Housing and Human Settlement Development
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
OHS	-	Occupational Health and Safety
PO-RALG	-	President's Office Regional Administration and Local Government
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP	-	Stakeholder Engagement Plan
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
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 (MLHSD) is implementing Land Tenure Improvement Project (LTIP). The Project aims at increasing security of land rights and efficiency in land administration. It promotes land-based investments and ensures inclusion for social economic development in both urban and rural areas. The key project results indicators would be: number of Certificates of Rights of Occupancy (CROs), Certificates of Customary Rights of Occupancy (CCROs) and Residential Licenses issued and registered (gender disaggregated); increased number of land and property transactions; reduced number of land conflicts; increased tenure security, and gender disaggregated (survey data).

1.2 LTIP Scope in Tabora Municipal council

Tabora Municipal council has long been engaged in the formalization of informal settlements in collaboration with private firms prior to the commencement of the LTIP . The initiative is aligned with the objectives outlined by the Honorable Minister of Lands, Housing, and Housing Development on July 13, 2018.

Following the Minister's announcement, the Council embarked on authorizing Surveying and Planning Companies that fulfilled the stipulated criteria to undertake the formalization process within Tabora Municipal Council administrative boundaries.

The LTIP scope in Tabora Municipal council involves four key objectives:

- a) Conducting screening which aims at ascertaining environmental and social risk levels with subsequent devising mitigation measures to be adopted during project implementation
- b) Addressing the challenges of ongoing regularization projects
- c) Facilitating the title registration process through Ardhi Clinic
- d) Completing cadastral surveying for stalled regularization projects
- e) Community sensitization about the project

In total twenty nine Subwards namely Kazaroho ,Kijiweni ,Kidatu A,Kidatu B,Mwanzo ,Mkinga ,Makunga ,Mpepo ,Mchichani ,Kizigo,Lwanzari,Rufita,Mabatini ,Bombamzinga,Azimio,Kariakoo,Kombomasai,Chang'ombe ,Usenge ,Mtakuja and Hondogo which are located in Itetemia,Kitete,Mbugani,Mtendeni,Ng'ambo, Tambuka reli, Isevy na Malolo wards respectively will be provided with CROs. The project is expected to issue over 21,305 CROs in the twenty nine Mtaa.

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

- a) Public awareness and engagement of marginalized groups (people with disabilities and old people);
- b) Employing and Training of Para- surveyors;
- c) Parcels adjudication;
- d) Preparation of Detail Planning Scheme (regularization layout);
- e) Block Planning and Negotiation of Road Accessibility
- f) Printing and issuing CROs.

The aforementioned activities have potential to cause environmental and social (E&S) risks and impacts. To address the potential E&S risks and impacts the Project has prepared this Environmental and Social Management Plan (ESMP) which will guide all the project implementers.

1.2.1 General Objectives of ESMP

This ESMP is important tool for managing and monitoring of the E&S impacts associated with the proposed project activities. Specifically, it depicts how the organizational capacity and resources will be utilized to implement the mitigation measures proposed. Therefore, the Government Project implementation team as well as Private Firms will implement the project in accordance to this ESMP. The district E&S teams was responsible for the preparation of the ESMP under the supervision of Council Urban Certification Office (CUCO) and the Environmental and Social Management Team (ESMT) of the project at the Ministry level.

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. Identification of potential E&S impacts associated with urban certification activities support by LTIP;
- ii. To develop mitigation/enhancement measures to minimize E&S risks and impacts;
- iii. To define implementation arrangement and organizational structure of ESMP;
- iv. To assess the capacity of the implementation agencies and develop plans for training and other capacity building activities;
- v. To identify the parameters to be monitored and the respective tools that are used in monitoring and reporting.

1.2.2 Methodology for Preparation of ESMP

The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF). It was prepared by the Tabora Municipal council in collaboration with Project's Environmental and Social Management Team (ESMT) through undertaking the following activities:

- a) Undertaking environmental and social 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.
- b) Undertaking literature review;
- c) Identification of mitigation, enhancement and monitoring measures for the identified impacts;
- d) Validation of mitigation, enhancement and monitoring measures through stakeholders' engagement; and
- e) Finalization of ESMP report and sharing with wider stakeholders.

1.3 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 6, which assessed the project's potential environmental and social impacts implemented by the LTIP.

CHAPTER TWO BASELINE ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

2.1 Introduction

Tabora Municipal Council is composed of twenty-nine (29) wards and Geographically, the Municipality has a total area of 1,092.26 square Kilometres and The municipality is bordered by Mabama ward of Uyui District to the west, Upuge and Kigwa wards of Uyui District to the east, Pangale Ward of Uyui District to the south, Bukumbi ward of Uyui District as well as Mambali ward of Nzega District to the North. It lies between latitude 4000' and 7000'S and longitude 31000' and 34000'E. See map 1

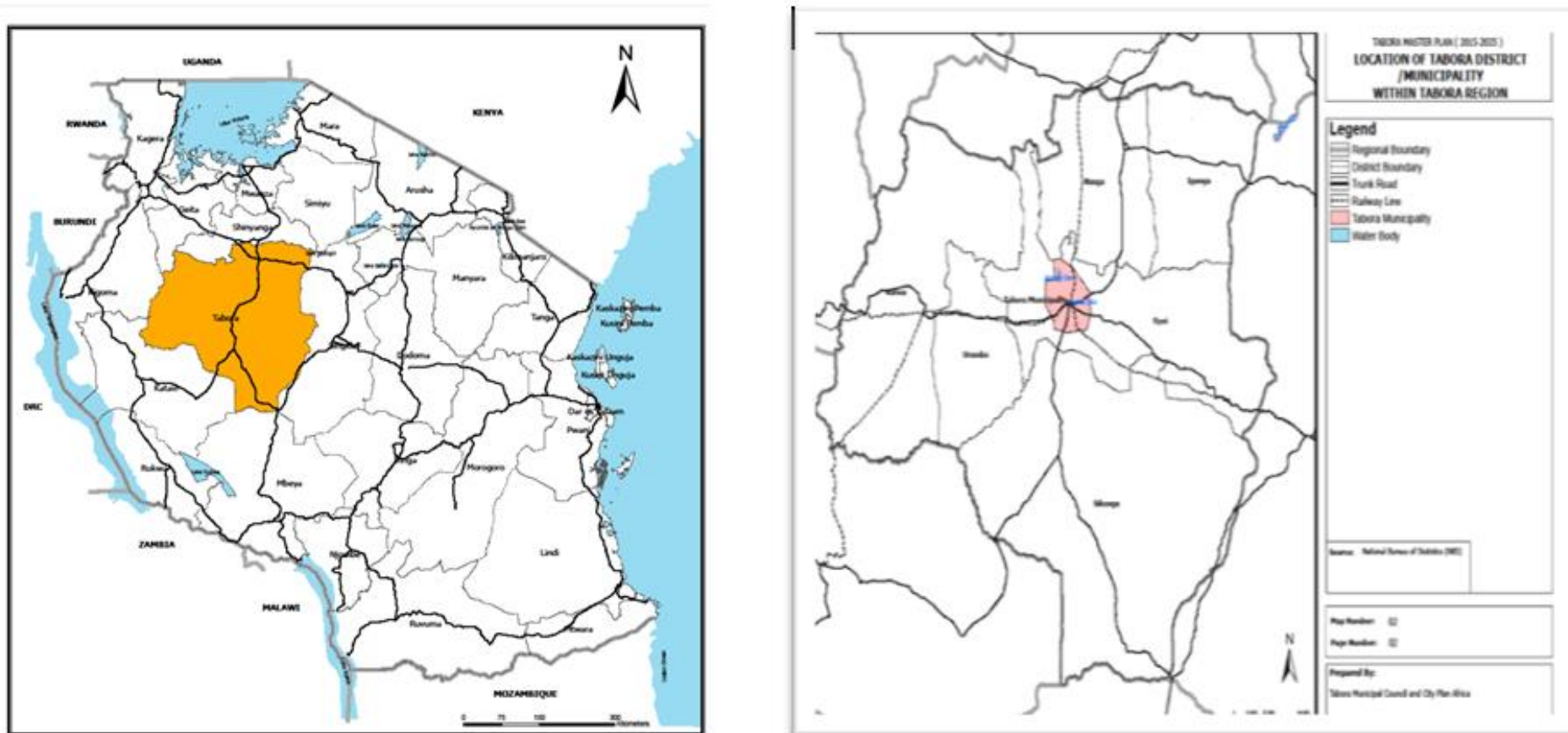


Figure 1: A map showing the location of Tabora Municipal Council

2.2 Land use pattern

The common land use pattern of Tabora Municipal Council are residential area, Commercial, Commercial residential and Institution covers a total of 11,803.96 Ha equivalent to 10.81% ,Industrial use covers a total of 337.08 Ha equivalent to 0.31%, Urban agriculture, Agriculture and scattered settlement 70,498.25 equivalent to 75.74 %, Conserved area 14,354.94, equivalent to 13.14%, Other uses cover 48.14 Ha equivalent to 0.04 together with social facilities, Cultivated land, forest area and investment areas. A common type of land use is residential area. Tabora municipality has two characteristics it covers part Urban setting and rural setting. LTIP in Tabora municipality focuses on the provision of CROs in Urban setting areas. (Table 1)

Table 1: Land use patterns in Tabora Municipal Council

No.	Land Categories	Area Ha	Percent
1.	Residential zone	11,803.96	10.81%
2.	Industrial zone	337.08	0.31%
3.	Conserved area	14,354.94	13.14%
4.	Agriculture and scattered settlement	70,498.25	75.70%
5.	Other Uses	48.14	0.04
	Total	109,226	100%

2.3 Population and demographic issues

According to the 2022 Population and Housing Census, Tabora Municipality has a population of 308,741 people of which males are 150,416 and 158,325 are females (NBS,2022).

2.4 Climate

Tabora municipality has one long rainy season between November and May the total annual precipitation decreases from the West to the East, in the West the rainfall is over 1000 millimeters while in the east it drops to 700 Millimeters or less. The peak is in December followed by a slight dry spell In January. Annual rainfall appears to have fluctuated about 800mm on average. The average temperature during the day is 220C – 260C. The highest temperature is 300C which occurs in October and the average temperature of the Municipality is 15.70C

2.5 Topography

Topographically Tabora Municipality is divided into 4 different topographical gradient zones namely Zone 1: which is 1115 to 1168 meters above mean sea level;

Zone 2: 1168 to 1207 meters above mean sea level; Zone 3: 1207 to 1249 meters above mean sea level and Zone 4: that is between 1249 to 1395 meters above mean sea level

2.6 Soil Type

There are five types of soil in Tabora Municipality namely Isenga soil which is commonly known as sand soil is well-drained soil found low land areas, Sandy Clay soil traditionally known as Kikungu soil which is also a well-drained soil on interfluves, Rock and very shallow soil which include the surface soil or outcrop rock soil and last soil type is know as Mbuga soil which commonly found in Mbugas where ground water table is highly saturated with water.

2.7 Description of selected Ward

In Tabora Municipal Council the project area will cover 29 Mitaa which found in 12 wards as describe bellow and (**Annex 1**)

2.7.1 ITETEMIA WARD

The proposed Mitaa in the Itetemia ward is Kipalapala with 8,225 people and 1,750 households. Another Mtaa is Kwihala with 6,956 people and 1,480 households, the population density of Itetemia ward ranges between 1 to 20 people per Ha in comparison to other wards of Tabora Municipal Council this ward is among wards with low Population density, urban agriculture and trade are the among of the activities conducted in Itetemia ward.

2.7.2 KITETE WARD

The proposed Mitaa in Kitete ward is Kijiweni-Kitete with 7,614 people and 1,620 households, and Kigamboni with 7,114 people and 1,185 households. the population density of Kitete ward also ranges between 1 to 20 people per Ha which qualifies it to be among the low-density population wards of Tabora Municipal Council

2.7.3 MBUGANI WARD

The proposed subwards for the Mbugani ward to be part of LTIP are Usule with 7,520 people and 1,600 households, Mihogoni with 2,400 people and 400 households, Kazaroho with 3,055 people and 650 households and Kijiweni-Mbugani . The population density of Mbugani ward range between 1 to 20 people per Ha. Urban agriculture and trade and commerce are the main activities taking place within the Mbugani ward.

2.7.4. MTENDENI

In Mtendeni ward the proposed Mitaa are Kidatu A with 5,100 people and 850 households, Kidatu B with 9,360 people and 1560 households, Mwanzo with 2,400 people and 400 households, Mkinga with 2,400 people and 400 households as well as Makunga with 2,400 people and 400 households. The population density of Mtendeni ward ranges between 1 to 20 people per Ha. Mtendeni ward has low population density conquest houses in the same area and some area houses scattered which influence people to involve in urban agriculture.

2.7.5. KIDONGO CHEKUNDU

The proposed Mitaa in Kidongo chekundu ward are Mpepo which have a total of 4,145 people and 882 households, Msufini with 3,726 people and 750 households, Mkoani with 3,726 people and 607 households, Mbilani with 5,600 people and 820 households as well as Kwihala-Kidongochekundu with 7,800 people and 1,300 households. The population density of Kidongo Chekundu ward ranges between 100 to 120 people per Ha and is among of highly populated density wards of Tabora Municipality, based on this argument during project implementation the area may be vulnerable to land conflict and well as it may create a difficult environment for acquiring land for road accessibility.

2.7.6. NG'AMBO

The proposed Mitaa in Ng'ambo ward are Mchichani with 3,384 people and 720 households and , Lwazari Ng'ambo with 7,050 people and 1,500 households. The population density of N'gambo wards range between 1 to 20 people per Ha. Houses in Ng'ambo ward houses are highly conquest.

2.7.7. TAMBUKA RELI

The proposed Mtaa in Tambuka reli ward are Rufita with 3,525 people and 750 households, Mabatini with 2,068 people and 440 households as well as Mwinyimilembe with 1,250 people and 250 households. The population density of Tambuka Reli ward ranges between 20 to 40 people per.

2.7.8. ISEVYA

The proposed subward in Isevya ward are Bomba Mzinga with 4,284 people and 714 households, Kariakoo-Isevya with 2,142 people and 357 households as well as Azimio-Isevya with 2,742 people and 457 households. Isevya ward had a high population density of 80 to 100 people per Ha, forms of settlement pattern in Isevya

ward are linear and nucleated settlement patterns where houses are developed along the major roads connecting the Municipal and surrounding district council.

2.7.9. MALOLO

The proposed subward in Malalo ward is uzunguni with 1,440 people and 240 households and the coverage area of the Mtaa is 62 Ha.. Malolo ward is among the low population density wards of Tabora Municipality with a number of people ranging from 1 to 20 people per Ha, urban agriculture is among the activities conducted by people living in this ward.

2.7.10. KALUNDE

The proposed Mitaa of Kalunde ward are Upimbili-Ulamba with 3,600 people and 600 households, Uwiga-Ilamba with 4,560 people and 760 households as well as Izimbili with 3,600 people and 600 households. The population density of Kalunde ward ranges between 1 to 20 people per Ha

2.7.11. CHEYO-C

Cheyo-C is the only Mtaa of Cheyo ward selected for the project with have total of 1,506 people and 251 households and the area to be covered is about 69.63 Ha. The population density of Cheyo ward is ranging from 1 to 20 people

2.7.12.MPELA

Also in Mpera ward the proposed Mtaa is Muhalitani with 1,800 people and 315 households. The population density of Mpela ward ranges between 1 to 20 people

2.7.13. IPULI

In Ipuli ward the proposed Mtaa is Mlenda which has a total of 3,726 people and 621 households and the area to be covered is 91.23 Ha. This is among of high populated wards in Tabora Municipality with population density ranging from 60 to 80 people per Ha

2.8 Common Social Issues in selected Mtaa

The onset of LTIP in twenty nine Mitaa 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. Also the Mitaa practice different livelihood activities.

The twenty nine Mitaa have been developed informally therefore they lack proper road planning. Existing access roads range from 4m to 5m in width, while informal

foot paths range between 1m to 3m. They are dominant in the project area and prevent access to plots and trigger conflicts. The twenty nine selected Mitaa have basic social services such schools, health centers, religious sites, markets and communication towers which will be identified and provided with CROs where required. In all project areas there is a need for designating land for community use, such as road corridors/access, cemeteries, open spaces and Creational parks.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORK

3.1 Introduction

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.

3.2 Country's Legal Framework

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 provides 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 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 in Tabora will adhere to 60m buffer zone requirement when issuing CROs along the rivers and streams in six 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 CROs, LTIP in Tabora will comply to the specified provisions in land acts.

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.

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 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 Tabora and will not issue CRO in such areas to enhance management of water resources.

3.3 World Bank Environmental and Social Framework

The ESMF has identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8 and ESS10 to be applicable to the LTIP. However, for the project activities in Tabora municipal council the following ESSs are applicable and this ESMP describe how specific ESSs is will be complied with during issuance of CROs:

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

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

ESS2 Labour 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;

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;
- Avoid accidents and provide community safety measures

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 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 environment and social baseline 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 Tabora Municipal council the LTIP will bring the following benefits:

Security of Tenure: Issuance of CROs will enhance security of tenure to the individual, community member and institutions such as grape farms owners and religious institutions.

Capital Creation: Individuals and communities will use CROs as collateral to access capital from financial institutions which will be reinvested in other productive activities. This also will stimulate land-based investments.

Effective Land Control and Management: During urban 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 CRO to Tabora municipal council community members will enhance reliability in land transaction. CROs 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: Urban Certification activities in Tabora Municipal council will require workforce to perform different activities. In total, the project will employ approximately 368 people: 56 skilled, 60 semi-skilled and 252 unskilled. Duties and responsibilities of each category of workers are detailed in CRO's Manual.

4.3 Negative Social Risks and Impacts

The following are identified negative social risks and impacts associated with LTIP regulization activities in Tabora.

a) Conflict over land use and land rights

In the project area 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. Similarly, rearrangement of access roads might require neighbors to negotiate for road access and it might require voluntary land donations, which might lead to misunderstanding among residents. In addition, some conflicts might involve resolving on who are the legal owner of the land parcels especially in the extended families, polygamous and where there are inheritance cases.

b) Ineligibility to CROs

Based on Annex 2 of the ESMF and the CRO Manual, communities residing within a road reserve, gullies and seasonal streams in selected Mitaa will not be eligible for CROs, as such areas are protected by Road Act of 2007 and EMA of 2004. The affected individuals of communities may feel they have been excluded from project benefits.

c) Exclusion of Women and Other Marginalized Group

Traditional practice among the dominant ethnic groups stipulates that women have less access to the rights to own land. In addition, marginalized groups such as elders, long time patients, and the youth have less chances to get CROs due lack of project information, and this could formalize inequalities between men and women regarding access to CROs.

d) Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

In six Mitaa, 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/SEA/SH.

e) Influx of Laborers

Mass urban land 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 further spread of STI, crimes as well as over tasking available social services.

f) 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 Positive Environmental Impacts of Land Certification

The following are positive environmental impacts of this project in Tabora:

- a) *Enhancement of protection of sensitive areas:* The project areas have gullies, river streams and road reserves, which will be identified. The provision of CROs in such areas will be restricted in accordance to EMA (2004) and Road Act (2007).
- b) *Livable Settlements:* The regularization process in Tabora will create safe and conducive environment through provisions of green structures and enhancement of mobility.

4.5 Negative Environmental Impacts of Land Certification

The major negative environmental impacts of regularization process in Tabora Municipal nCouncil are:

a) *Soil Erosion and Dust*

Installation of the beacons may result to localized soil erosion and dust due to the presence of loose soil around the beacons. However, these impacts are considered to be minor.

Additionally, the 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 and dust. This includes OHS risks of workers of primary suppliers. However, this impact will be minor if the project will leverage on the use of iron pins to earmark plot boundaries.

b) Waste management

During certification process project workers will generate solid and liquid wastes such as plastic, food and human waste leading to the possibility of land and water pollution.

c) Health and Safety Hazards

Fabrication, transportation and subsequent installation of beacons might lead to incidences 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. Tabora Municipal Council and Ministry of Land will implement an Environmental and Social Management Plan (ESMP), which has been developed for LTIP. The ESMP will also ensure compliance with applicable environmental standards during both on the land use and certification process.

Table 2 is a Risks and Impacts and Mitigation Matrix for Land Certification for Tabora municipal Council. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP implementation team. The total costs for the mitigation measures are estimated at: 68,000,000 TZS.

Table 2: Mitigation Measures of Identified Impacts

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework		
				Implementation	Supervision			
Negative Social Risks and Impacts								
1	Conflict over land use	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Capacity building and awareness creation to local leaders on conflict resolution. - Operationalization of Land Donation Procedures (following the exact process described in the Project Resettlement Policy Framework) - Sensitization on the importance of joint land titling. - Educate men on the importance of including their wives on CROs. 	25,000,000/=	<ul style="list-style-type: none"> - Tabora Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - NGOs? 	ESMT	During Urban Certification Process.		
	Conflicts of Land Rights	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Sensitization on the importance of joint land titling. 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - CSO 			ESMT	During Urban Certification Process.
	Conflicts of Plot Boundaries	<ul style="list-style-type: none"> - Engagement of land owners during land adjudication - Involvement of the Mtaa Committee in resolution of neighbors' conflicts 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - cbo 				
2	Ineligibility to CROs	<ul style="list-style-type: none"> - Identification of Households residing along road reserve, gullies and river streams. - Awareness on ineligibility for CROs - Payment of compensation to those along road reserve by TARURA/TANROADS as per country laws. - Liaise with NEMC and Lake Tanganyika 	5,000,000/=	<ul style="list-style-type: none"> - Tabora municipal Council Urban Certification Office (CUCO) - Tabora municipal Council E&S Team - Participatory Land Use Management Team (PLUM) - National Environmental 	ESMT	During identification of Parcels.		

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		Basin Authority for further guidance. - 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.		Management Council (NEMC) - Tanzania Rural and Urban Road Agency (TARURA) - Tanzania Road Agency (TANROADS) & - Lake Tanganyika Basin		
3	Inequalities for Women and Other Marginalized Group	- Identification of marginalized groups such as women, elders, chronically ill persons, and youth - Sensitization on the importance of CROs and other project benefits.	5,000,000/=	- Tabora municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Community based organization (CBOS).	ESMT	During Project Sensitization and identification
4	GBV/SEA/SH	- Engage the Police Gender Desk to train Project staff on GBV/SEA/SH. - All LTIP staff are to sign a code of conduct (CoC) that includes GBV/SEA issues. - To develop a GBV Action Plan for the District. - To identify relevant government agencies and/or NGOs in the district who can provide survivors of GBV and SEA assistance, for example, medical care, psychosocial support, legal redress, safety, etc., as and when necessary.	15,000,000/=	- Tabora Municipal Council EE&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Private Companies involved in certification activities.	ESMT	Before placement of employees and During Urban Certification Process.
5	Influx of Laborers	- Community awareness of STIs transmission and basic hygiene practices and crimes - Give priority to unskilled laborers from within project areas. - Provision of welfare facilities such as water,	5,000,000/=	- Tabora municipal Council Urban Certification Office (CUCO) - Tabora Municipal Council E&S Team - Mtaa Leaders	ESMT	During Urban Certification Process.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		toilets and food vending to project workers.		- Private Companies involved in certification activities.		
6	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 all the plots are viable and of acceptable sizes to enable their continued use after land take. - Reconstruction and restoration for minimal losses of structures by the community. - 	Costs of implementing voluntary land donations/RPF?	<ul style="list-style-type: none"> - Tabora Municipal Council Urban Certification Office (CUCO) - Tabora Municipal Council E&S Team - Mtaa Leaders - 	ESMT	Prior to Urban Certification Process.
Negative Environmental Risks and Impacts						
1	Soil Erosion and Dust	<ul style="list-style-type: none"> - Tree and grass planting - Dust suppression using water - Provide PPEs (Masks, Boots, Gloves, and Helmet) to workers. 	3,000,000/=	<ul style="list-style-type: none"> - Tabora Municipal Council Urban Certification Office (CUCO) - Tabora municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa Leaders 	ESMT	During Urban Certification Process.
2	Waste management	<ul style="list-style-type: none"> - Provision of dustbins in all project areas - Use of welfare facilities such as toilets and water. 	5,000,000/=	<ul style="list-style-type: none"> - Tabora Municipal Council Urban Certification Office (CUCO) - Tabora municipal Council E&S Team - Private Companies involved in 	ESMT	During Urban Certification Process.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				<ul style="list-style-type: none"> - certification activities. - Mtaa Leader 		
3.	Health and Safety Hazards	<ul style="list-style-type: none"> - Provision of PPEs (Mask, Boots, Gloves and Helmet) to workers. - Training drivers of direct and indirect teams on road safety - Provide Health and safety Training to project workers 	5,000,000/=	<ul style="list-style-type: none"> - Tabora municipal Council Urban Certification Office (CUCO) - Tabora municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa Leaders 	ESMT	During Urban Certification Process.
4	OHS risks for primary supplier workers	<ul style="list-style-type: none"> - Contractor to conduct OHS due diligence assessment of primary supplier 		<ul style="list-style-type: none"> - Tabora municipal Council Urban Certification Office (CUCO) - Private Companies involved in certification activities. - 	ESMT	

CHAPTER FIVE

ENVIRONMENTAL AND SOCIAL MONITORING PLAN

5.1 Introduction

This ESMP establishes benchmarks which will be used to assess the level of compliance with this ESMP. Monitoring will be continuously and will be periodically reviewed to determine effectiveness of implementation different mitigation measures. Therefore, monitoring plan specifies the institution arrangement for execution of ESMP. In particular, it clarifies type of monitoring; who will carry out monitoring and what other inputs such as training are necessary.

The objectives of Environmental and Social monitoring plan are:

- To monitor the effectiveness and implementation of ESMP during planning and CROs 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 3** below summarizes monitoring plan for urban certification in Tabora Council.

Table 3: Environmental and Social Monitoring Plan for Implementation of Mitigation Measures during Land Certification and Registration Process in Tabora Municipal Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
1.	Security of Tenure	No. of CROs issued in each Mtaa	4,900	ILMIS data	Quarterly	ESMT & PIT	1,200,000/=
2.	Capital Creation	No. of Beneficiaries using CROs to secure capital.	20	Project report	Quarterly	ESMT & PIT	2,000,000/=
3.	Effective Land Control and Management.	Percentage decrease of land related conflict cases in three Mtaa.	50%	Project Report	Quarterly	ESMT & PIT	2,000,000/=
4.	Reduction of Cost Associated with Informal Land Transaction	Percentage decrease of cost associated with access to land to three Mtaa.	100%	Project Report	Annually	ESMT & PIT	2,000,000/=
5.	Employments Opportunities	No. of people employed	368	Report	Quarterly	ESMT & PIT	0
Enhancement of Environmental Benefits							
6.	Enhancement of protection of sensitive areas	Number of land development within sensitive areas (Gullies & river stream).	0	Report	Quarterly	ESMT & PIT	4,000,000/=
7.	Livable Settlements	Percentage of green structures and enhanced mobility in six Mtaa	10% green structures & 15% mobility	Scheme of regularization	Annually	ESMT & PIT	2,000,000/

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
Social Negative Impacts							
1.	Conflict over land use and land rights	Percentage decrease of land related conflict cases in three Mtaa. # of resolved land disputes	50% tbd	Report	Annually	ESMT & PIT	2,000,000/=
2.	Ineligibility to CROs	No of identified ineligible parcels in three Mtaa	N/A	Report	Quarterly	ESMT & PIT	2,000,000/=
3.	Inequalities for Women and Other Marginalized Group	Percentage of Women and other Marginalized Group with CROs.	30%	Report	Quarterly	ESMT & PIT	2,000,000/=
4.	Gender Based Violence	% of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	2,000,000/=
5.	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	2,000,000/=
Environmental Negative Impacts							
6.	Soil Erosion and Dust	No. of trees planted	300 trees @ 50 Mtaa	Report	Quarterly	ESMT & PIT	2,000,000/=
7.	Waste Management	No. of dustbins provided in three Mtaa	30 dustbins @ 5 Mtaa	Report and observation	Quarterly	ESMT & PIT	2,000,000/=
8.	Health and Safety Hazards	No. of incidence and	0	Report	Quarterly	ESMT & PIT	2,000,000/=

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
		accidents reported.					
9.	OHS risks for primary supplier workers	% of primary suppliers that have undergone an OHS due diligence assessment by contractors	100%	report	Quarterly	ESMT&PIT	2,000,000
TOTAL							29,400,000/=

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN TABORA

6.1 Introduction

The implementation of ESMP will follow the plan stipulated in ESMP. The following will be involved in implementing this ESMP for Tabora Municipal Council:

6.2 ESMP Implementing Institutions

Tabora Municipal Council Urban Certification Office (CUCO): This will be responsible for daily certification activities, which will involve support to Tabora Municipal Council E&S Team

Tabora Municipal Council E&S Team: This team will be responsible for implementing the E&S activities, including the proposed mitigation and enhancement measures, with support from CUCO.

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

National Environmental Management Council (NEMC) and Central Water Basin Authorities Will provide further guidance on households residing along gullies and river streams.

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

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

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

Private Firms: Private firms will be responsible for the provision of PPEs (masks, boots, gloves, and helmets) to workers; training drivers of direct and indirect teams on

road safety; providing health and safety training to project workers; provision of dustbins in all project areas; provision of welfare facilities such as toilets and water; tree and grass planting; dust suppression

Lake Tanganyika Basin Authority: LTBA's involvement in a Land Tenure Improvement Project can enhance its effectiveness by leveraging its regional mandate, technical experts, and collaborative networks to promote sustainable land use practices and tenure security in the Lake Tanganyika Basin.

6.3 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 reports that demonstrate the ESMP is being implemented accordingly. The team will be required to submit monthly reports to MLHHS. The MLHHS, through PCU, will then 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 the Tabora municipal council, the following training has been provided to the E&S Team at LGAs levels and Mtaa leaders to enhance their capacity to implement environmental and social risk management issues during the certification process (Table 4).

Table 4: Training Activities

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

	Mtaa and ward Leaders		
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Other E&S trainings planned for Tabora municipal Council 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 on implementation of ESMP to private firms to be conducted prior to certification process;
- c) Training of code of conducts for GBV/SEA and ethics practice to ESMT and Tabora municipal Council E&S Team to be conducted on June 2024;

CHAPTER SEVEN CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusions

This ESMP is specifically for Tabora Municipal 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.

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 CROs, 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.

7.2 Recommendations

- All six Mitaa / Wards where the project is implemented should have the copy of this ESMP,
- Private firms to be hired to conduct certification process in Tabora should be given this ESMP as part of the contract to ensure its implementation,

- 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.
- 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;Description of project area

Mtaa	Ward	Number of people	Households	House	Area(Ha)	ESTIMATED NO OF PARCELS
Kipalapala	Itetemia	8225	1750	1750	3.66	1,925
Kwihala	Itetemia	6956	1480	1480	2.09	1,628
Kijiweni - Kitete	Kitete	7614	1620	1620	0.66	711
Kigamboni	Kitete	7114	1185	1185	270.7	4,000
Usule	Mbugani	7520	1600	1600	3.5	1,760
Mihogoni	Mbugani	2400	400	400	93.36	800
Kazaroho	Mbugani	3055	650	650	29.47	715
Kijiweni - Mbugani	Mbugani				13.71	600
Kidatu A	Mtendeni	5100	850	850	170	451
Kidatu B	Mtendeni	9360	1560	1560	917	1651
Mwanzo	Mtendeni	2400	400	400	32.75	400
Mkinga	Mtendeni	2400	400	400	24.68	400
Makunga	Mtendeni	2400	400	400	45.91	400
Mpepo	Kidongochekundu	4145	882	882	0.1	470
Mchichani	Ng'ambo	3384	720	720	0.23	492
Bombamzinga	Isevya	4284	714	714	119.57	460
Kariakoo Isevya	Isevya	2142	357	357	31.9	400
Azimio Isevya	Isevya	2742	457	457	70.2	450
Kizigo Ng'ambo	Ng'ambo	4394	935	935	0.6	1028
Lwanzari Ng'ambo	Ng'ambo	7050	1500	1500	1.71	1650
Rufita	Tambukareli	3525	750	750	0.1	430
Mabatini	Tambukareli	2068	440	440	0.15	484
Cheyo C	Cheyo	1506	251	251	69.63	300
Upimbili - Ulamba	Kalunde	3600	600	600	52.27	1,000
Uwiga - Ulamba	Kalunde	4560	760	760	97.3	
Izimbili	Kalunde	3600	600	600	184.9	1,000
Mwinyimlenda	Tambukareli	1250	250	250	13	500
Muhalitani	Mpela	1800	315	300	36.84	

						300
Mlenda	Ipuli	3726	621	621	91.28	1,200
Msufini	Kidongocheku ndu	3726	750	750	39	600
Mkoani	Kidongocheku ndu	3726	607	600	36	1,000
Mbilani	Kidongocheku ndu	5600	820	800	40	1,000
Kwihala - Kidongocheku ndu	Kidongocheku ndu	7800	1300	1250	67	1,000
Uzunguni	Malolo	1440	240	240	62	300
						29,505

Annex 2: E&S Safeguard Criteria for Selecting Specific

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	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	NO	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	NO	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	YES ²	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

7	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	NO	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will
8	High density informal settlements	-High density informal settlements in urban settings which are not aligned with planning requirements.	YES ³	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. Areas which are selected for regularization are far from game parks eg mpepo settlement is found 700 metres from Tabora zoo
2. Cultural heritage museum known as Dr. Livingstone its boundaries are clear and well known and will be considered during land parcels adjudication
3. High density are in mpepo Mtaa will require issuance of residential/licences(R.L)

