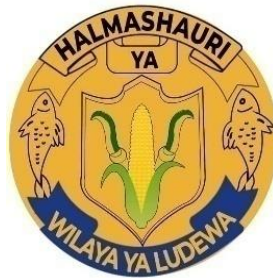


THE UNITED REPUBLIC OF TANZANIA



LAND TENURE IMPROVEMENT PROJECT (LTIP)

ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR RURAL CERTIFICATION PROCESS IN LUDEWA DISTRICT 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
DED	-	District Executive Director
DEMO	-	District Environmental Management Officer
DLHT	-	District Land and Housing Tribunal
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
EIAR	-	Environmental Impact Assessment Report
EIS	-	Environmental Impact Statement
EHSG	-	Environmental Health and Safety Guidelines
EMA	-	Environmental Management Act 2004
EMO	-	Environmental Management Officer
ES	-	Environmental Screening
ESCP	-	Environmental and Social Commitment Plan
ESMT	-	Environmental and Social Management Team
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social Management Plan
ESF	-	Environmental and Social Framework
ESS	-	Environmental and Social Standard
FPIC	-	Free, Prior and Informed Consent
GDP	-	Gross Domestic Product
GBV	-	Gender Based Violence
GoT	-	Government of Tanzania
GRM	-	Grievance Redress Mechanism
HIV/AIDS	-	Human Immunodeficiency Virus/Acquired Immune- Deficiency Syndrome
LMIS	-	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
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 social and economic development inclusion in urban and rural areas. Key project results indicators related to the PDO to increase tenure security include the registration of 1 million Certificates of Rights of Occupancy (CROs), one million Residential Licenses (RL), and 500,000 Certificates of Customary Rights of Occupancy (CCROs). At least 40 percent of the land certificates should be registered under the name of women as sole owners or co-owners. Project investments are also expected to support a reduction of at least 30 percent in the number of land conflicts and an increase in the perception of tenure security. Results indicators related to the PDO to strengthen the national land administration system include an increase of 20 percent in the number of CRO transactions and a reduction of the average time to issue CROs (first registration) from 180 days to 60 days.

1.1 Land Tenure Improvement Project Scope in Ludewa District Council

The Ludewa District Council is one of the beneficiaries of LTIP activities. In Ludewa, the project is expected to support the preparation of Village Land Use Plans (VLUP), the issuance of CCROs, and the renovation/construction of district and village land offices. This ESMP is prepared specifically to guide the preparation of VLUP and issuance of CCRO activities covering 33 villages. In contrast, the ESMPs for the renovation or construction of district and village land offices will be developed later before the commencement of the renovation activities.

In Ludewa District Council, the preparation of VLUPs and the issuance of CCROs is expected to involve Village Land use plan preparation and issuance of CCROs activities:

1.1.1 Village Land Use Plans (VLUP)

Are 77 villages formally registered in the Ludewa district, of which 44 already have a VLUP. LTIP is expected to support the preparation of VLUP of 33 villages (see Table 1). 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; gazetting of the approved VLUP by the National Land Use Planning Commission. For each VLUP, LTIP will support an adequate assessment of E&S implication and the formulation of advice for addressing these in ways consistent with the World Bank's Environmental and Social Framework (ESF).

Table 1: Ludewa District Council- Project Coverage Villages

S/N	WARD	VILLAGE
1.	Lupingu	Lupingu and Nkwimbili
2.	Lifuma	Lifuma and Nsisi
3.	Makonde	Makonde, Kimata and Ndowa
4.	Kilondo	Kilondo and Nsele
5.	Lumbila	Nkanda, Lumbila and Chanjale
6.	Manda	Nsungu and Igalu
7.	Ruhuhu	Kipingu
8.	Masasi	Kiyogo
9.	Luilo	Luilo
10.	Ludewa	Ludewa Mjini and Ludewa Kijijini
11.	Mawengi	Mawengi and Madunda
12.	Milo	Milo
13.	Mlangali	Ligumbilo
14.	Ludende	Madindo
15.	Mkongobaki	Ugera and Lipangala
16.	Lugarawa	Lugarawa, Mdilidili and Shaurimoyo
17.	L Madilu	Madilu
18.	Mkongobaki	Utilili
19.	Mavanga	Mbugani
20.	Madope	Luvuyo

1.1.2 Issuance of CCROs

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

- a) Public awareness and engagement of marginalized groups (for example, people with disabilities and old people);
- b) Employing and Training of Para- surveyors;
- c) Parcels adjudication;
- d) Preparation of DSP (regularization layout);
- e) Block Planning and Negotiation of Road Accessibility
- f) 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 Ludewa District Council.

1.2 General Objectives of ESMP

Preparing the Ludewa VLUPs and issuing CCRO has the potential to cause E&S risks and impacts. The Ludewa 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 and Non-Governmental Organizations (NGOs) that are expected to be hired under LTIP to support rural land certification will implement project activities following 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 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 Ludewa 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 describes 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 Finalize and share the ESMP report with wider stakeholders, including the ESMP publication on the LTIP website.

1.4 Screening results

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

CHAPTER TWO

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

2.1 Introduction

The baseline environmental and social conditions of Ludewa district describe biophysical and social issues that are likely to be affected, trigger conflicts, or are of biological importance in the district. The biophysical and social issues in Ludewa necessitate the project to ensure that mitigation measures are put in place to avoid risks and impacts to the communities. The major ethnic groups in the district are the Pangwa, Kisi, and Manda tribes, which dominate the district population. They constitute almost 90 percent of the entire population in the district. Other ethnic groups are Ngoni, Matengo, Sukuma, Nyakyusa, and Bena. Religious groups available in Ludewa are mainly Christians and Muslims, and few adhere to traditional beliefs. The majority of residents produce both food and cash crops, where food crops are Maize, Cassava, Paddy, Beans, Sweet Potatoes, bananas, and Vegetables/Fruits. Cash crops are Coffee, sunflower, and groundnut. The district's dominant economic activity is agriculture, practiced by the majority of the community. Other economic activities are trade and mining.

2.1.1 Administrative Condition of Ludewa District Council

Ludewa district is one of the six district councils in the Njombe Region in southern Tanzania. To the north, it is bordered by Njombe Town Council, southwest by Malawi Country, separated by Lake Nyasa, and east by Madaba District, while Mbinga and Nyasa District border Ludewa District to the South. The District Headquarters is located at Ludewa Mjini village, about 150 kilometers from the headquarters of the Njombe region. Ludewa district lies between latitude 9°30' and 10°30' east. Administratively, Ludewa DC has five (5) divisions, 26 Wards, and 77 villages. The divisions are Mawengi, Mlangali, Liganga, Masasi and Mwambao. The responsible authorities have registered all 77 villages. The council has one electoral Constituency and one Member of Parliament.

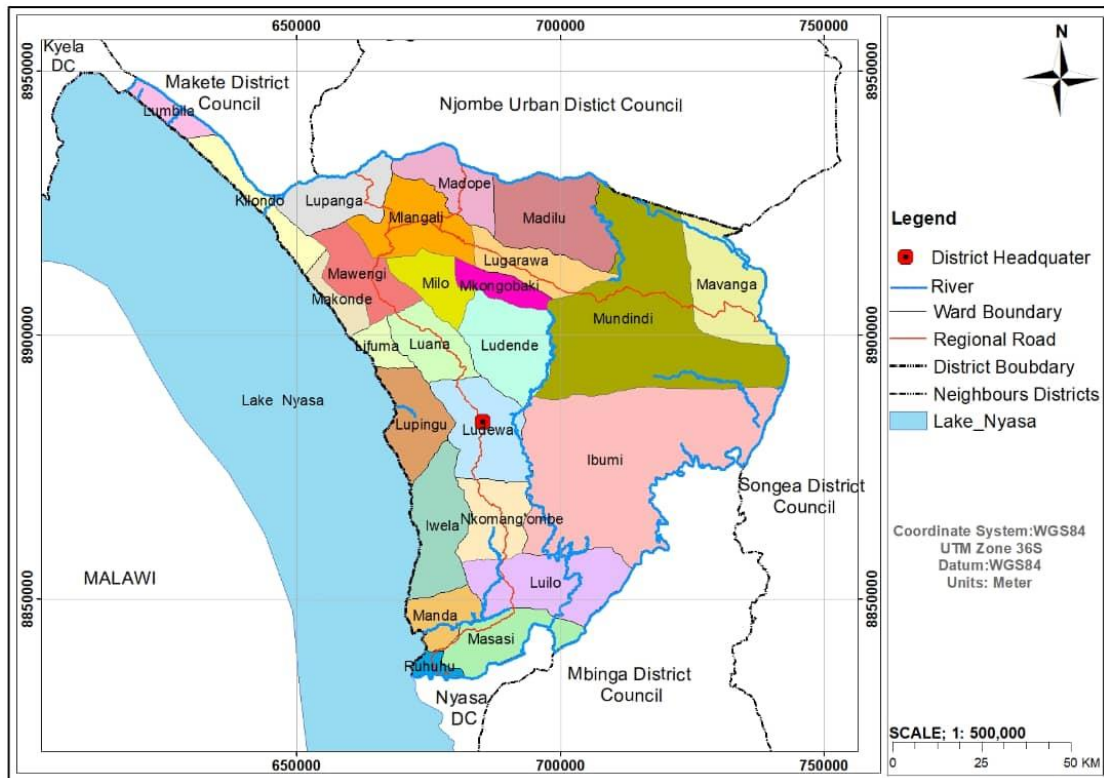


Figure 1: Ludewa District Map showing 26 Wards

2.2 Land use pattern in Ludewa District

Ludewa District has a total area of (8,397 sq. km), of which the land area is 6,325 sq. km and the water area is 2,072 sq. km. The arable land available is 6,289.50 sq. km. Out of the arable land in the district, only 2,107.50 sq. km. are actually cultivated annually, leaving the remaining 4,070.6 sq. km for grazing, forest reserve, or lying idle for some reason such as soil leaching infestation, mountain ridges or being edges and river beds. About 476.5 sq. km are forest reserves, while normal forests/grassland used for grazing cover about 717.19 sq. km.

2.3 Population

Based on the 2022 population census reports, Njombe Region has a total population of 889,946 (Male 420,533; females 469,413). Ludewa District Council has a population of 151,361 (72,445 Males and 78,916 Females), with a growth rate of 1.6%. Ludewa District Council ranks third in population compared to other regional Districts. VLUPs and the rural land certification process in Ludewa District Council expect to attract an influx of people seeking employment from within and outside the district. This influx of people is expected to increase the population of the Ludewa district.

2.4 Environmental Baseline Information in Ludewa District Council

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

Climate

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

Rainfall

Ludewa District Council's mean annual rainfall ranges from 1,200 mm to 1,800mm yearly. The rainfall pattern in the district is unimodal, with an average annual rainfall of 1224mm. however, the average annual rainfall in the Pangwa hills rises to 2,000mm. The wet season (rainy season) extends from November to May, leaving the rest of the year dry. The growing period extends from six to seven months. The onset of the rains is reliable and normally begins at the end of November. The driest months are July, August, September, and October, with an average of 0 mm of precipitation

Temperature

Ludewa District Council experienced a moderate temperature of 23⁰C to 25⁰C, with a maximum temperature of 27⁰C in October and November. A minimum temperature of 13⁰C is experienced in June, July, and August, particularly in the Pangwa highlands.

Humidity

Ludewa District Council is near an overcast and light in saturated relative humidity. It experiences high humidity in September and November and less humidity in December and August. The average annual humidity is 89 %.

Topography

Ludewa District Council has an altitude ranging between 534 and 2100 meters above sea level, characterized by the Pangwa plateau, highlands, mountain peaks, lowlands,

and plains. The lowlands are found in the southern part of the district bounded by Lake Nyasa, with the altitude ranging between 534 and 847 meters above sea level. This is followed by the area found in the central and eastern part of the district, with the altitude ranging between 848 and 1,160 meters above sea level. The highest part is found in the northern area, where the district council borders Makete District Council and Njombe town Council, with altitude ranging between 1,200 to 2,100 meters above sea level. Ludewa District Council topology is presented in Figure No.2.

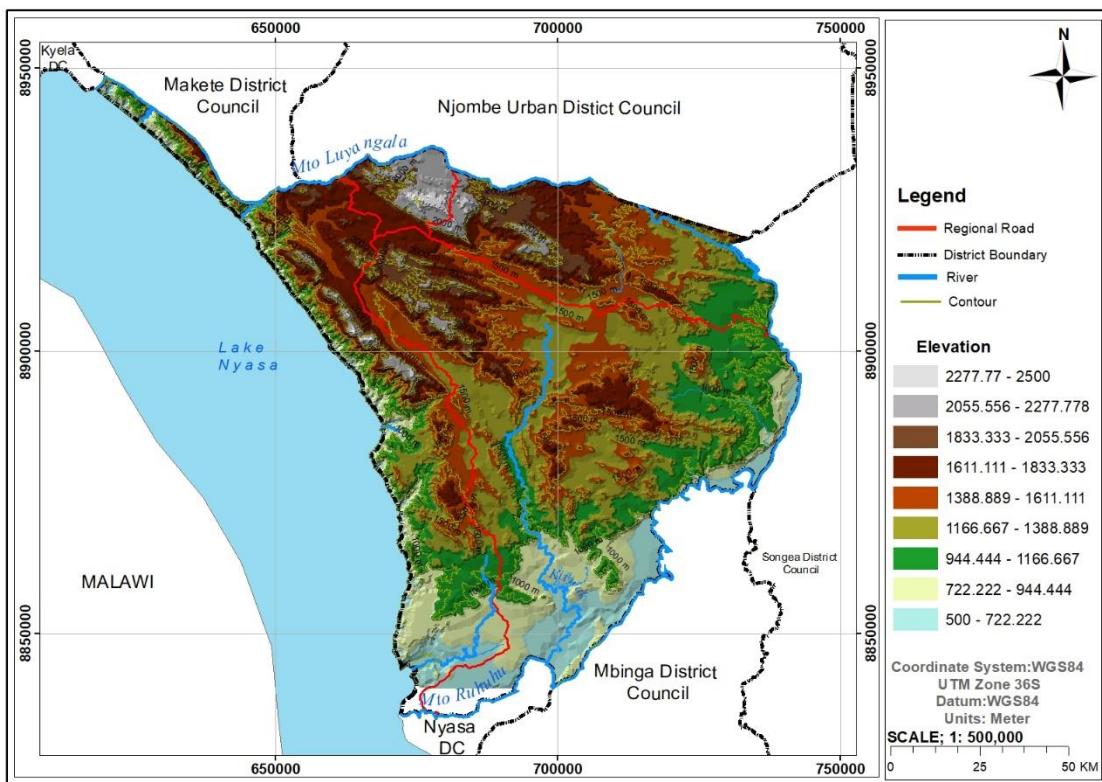


Figure 2: Topography of Ludewa District Council

Drainage Pattern

Ludewa District Council forms a major catchment area of main rivers and wetlands. Ludewa District Council forms part of the vast western plateau of the Njombe region, an area of hilly and gently undulating plains broken by prominent hills. Several mountain ranges, including Livingstone mountain ranges, among others. The main rivers/streams with several tributaries, which form several alluvial flood plains in the council, include Ruhuhu, Ketewaka, Mpali, Mpanga, Lumbila, Kisongo, Luana, and Mchuchuma. The river receives water from different streams found in the Pangwa highlands on the

northwestern side of the district. Other small tributaries like Mkondachi, Mwinga, and Ihangachi flow into the big rivers of Ruhuhu and Mchuchuma and towards Lake Nyasa. all rivers and attributes flow water towards Lake Nyasa and are managed by the Lake Nyasa Water Board. Drainage Patterns in Ludewa District Council are shown in Figure No.3

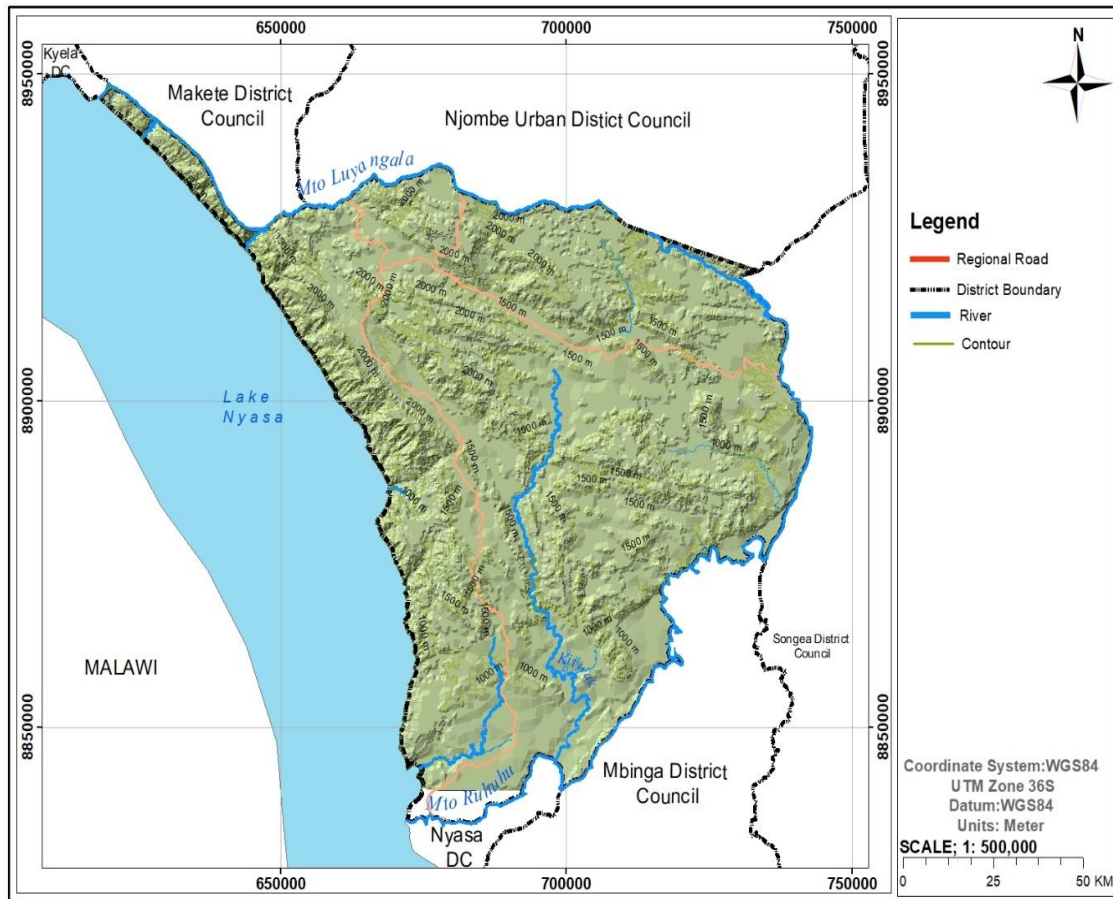


Figure 3: Drainage Patterns in Ludewa District Council

2.5 Geological Features

Ludewa District Council is covered with sedimentary, metamorphic, 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, forcing its way into older rocks. It cools slowly (tens of thousands of years or longer) underneath the 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 in Ludewa District Council and are freely exposed on the earth's surface. They formed from other rock materials from 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

- 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 the soil profile's weak, mostly brownish discoloration and/or structure formation.
- ***Eutric Leptosols*** are very shallow soil over a hard rock or unconsolidated grave material. Leptosols are unattractive soils for rainfed agriculture because of their inability to hold water, but they may sometimes have the potential for tree crops or extensive grazing.
- ***Humi-Umbric Acrisols*** form on old landscapes with undulating topography and a humid tropical climate. This soil type has strongly weathered acid soils with low base saturation.
- ***Eutri-Pellic Vertisols*** is a Churning heavy clay soil A vertosol 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. The parent material and the climate, in Ludewa District Council, is largely red. The soil type in Ludewa District Council is shown on Figure No. 4

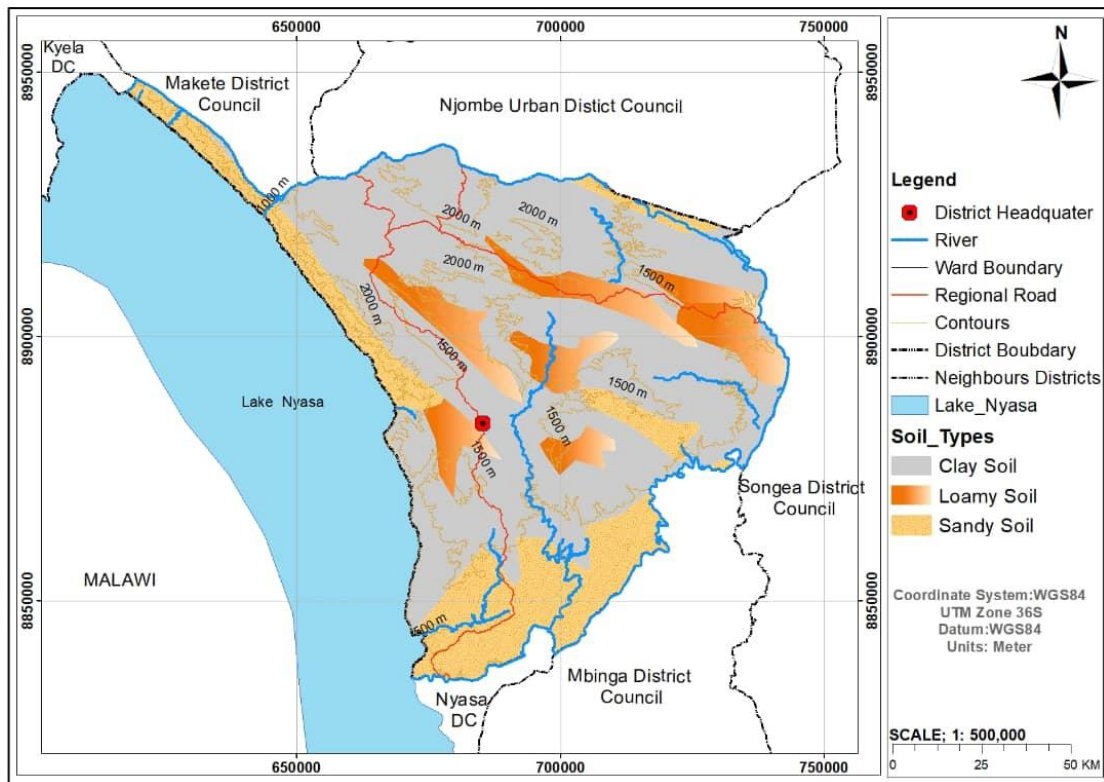


Figure 4: Soil types in Ludewa District Council

2.6 Agro Ecological Zone

Ludewa DC constitutes the Pangwa Plateau and the lowlands and plains which is a highly variable agro-ecological zone suitable for the production of a wide variety of crops and livestock keeping. The Pangwa Plateau is delivered into three main areas which are the mountainous areas rising to 2000m, the hills rising up to 1600m and the low land rising up to 880m. The horrowing style of cultivation is famous on the hilly slopes of the Pangwa plateau and it is famous for the cultivation of maize, beans and wheat. The lowland and plains/plateaus cover most of the nortern part of the district council and rises between 900m and 1200m above sea level. The area is covered mostly with Miombo woodlands and the area is famous for the cultivation of maize, beans, sorghum and cassava. The style of farming is that of ridges which reduce the movement of water. Ludewa highlands and the lowlands and plains have sandy loam soil, moderately good drainage and rainfall of 1200 mm to 1800mm per year. Ludewa has one active agricultural irrigation schemes namely Lifua irrigation scheme with approximately of 200 Ha. Also, Ludewa has an irrigation scheme plan of an area with approximately 400

Ha which will be at Ruhuhu ward and Kipingu village. On the other hand, bee production is practiced in various forest reserved including the village forest at Masimavalafu and Nkomang'ombe villages occupying around 5800 Ha.

Vegetation

The original natural vegetation for most of Ludewa District is the Miombo woodland, mostly found in the hilly slopes and lower plateau areas. Miombo woodland is a natural forest found in most parts of the district council; it is associated with well-drained soils on high ground, while grassland thrives in low-lying areas, replacing woodlands in water-logged areas. The district is mostly covered by barren land, covering about 46.55% of the total district area, followed by grassland, which takes 26.37% of the total area of the district; cropland, which takes 19.11% of the total district area; forest by 5.49 of the total district area and water bodies by 2.48%. Despite the presence of Miombo tree cover found in Ludewa, DC, there is a high deforestation rate where trees are cut down, and fires are often set to clear land for agriculture, coal mining, and charcoal making.

2.7 Ludewa District Council Social Baseline Information

Economic Activities:

The Ludewa district's economic structure is based on agriculture, fishing, livestock keeping, trade, beekeeping, and mining, which are the source of livelihood for the majority of residents. The district is also endowed with wildlife resources, which play a major role in its socio-economic development through ecological, aesthetic, spiritual, and research values.

Social Services:

Ludewa district council has primary and secondary schools, health centers, churches, mosques, and markets located in all 26 wards, owned by the government, private sector, and religious institutions. The provision of land parcels for social services such as schools, health centers, churches, mosques, and markets is critical for the LTIP and necessitates the project to ensure that these facilities are identified and provided with the CCRO to improve their tenure security. The source of energy is electricity supplied by

TANESCO. The main drinking water sources include constructed water intakes, boreholes, and river streams.

Road Infrastructure:

Road transportation is the main means of transportation of people and various goods within and outside Ludewa District Council. It is one of the key sub-sectors which are responsible for sustainable development and poverty reduction in the council. Ludewa District Council is linked with a trunk road from Njombe to Ludewa and Ludewa to Songea. The roads maintained by the Tanzania National Roads Agency (TANROADS) are classified as trunk/ regional roads, while feeder roads are maintained by the Tanzania Rural and Urban Roads Agency (TARURA). The trunk road from Njombe to Ludewa is only 50 km in size and is made of concrete. Other feeder roads from one village to another are gravel, while some are constructed with aggregates. Given the topography of the district council, some roads connect one village with another, and the district council and other districts, such as Madaba, Makete, and Nyasa, 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 it plays an important role in conserving major ecosystems. LTIP must recognize relevant conservation authorities to avoid conflicts between government ministries and conservation authorities. In particular, the LTIP Team must 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, HIV/AIDS is prevalent in Ludewa District. Proposed project activities, including the preparation of VLUP and issuance of CCROs, will increase interactions between project workers and the local community, which is likely to trigger social issues such as GBV/SEA and the spread of HIV/AIDS. To avoid GBV/SEA, the

spread of HIV and AIDS, as well as conflicts between project workers and the community, the project will require all workers to sign a code of conduct (CoC).

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORK

3.1 Introduction

This chapter describes the relevant legal and institutional framework governing the preparation of VLUP and issuance of CCRO in the Ludewa district. The focus has been placed on legislation that provides environmental and social provisions and requirements relevant to the project. The legislation described in this chapter guides the project and can be made actionable to assist the project in the management of E&S risks and impacts.

3.2 Country's Legal Framework to Guide Land Use Planning and Rural Certification Processes in Ludewa District

The Environmental Management Act (EMA) 2004:

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

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

The Land Act (1999) recognizes 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, are the procedure for land administration, allocation, acquisition, schemes of regularization, land registration and certification,

compensation, and resource management in urban and rural areas. The Land Acts contain provisions of critical environmental importance and modalities for stakeholders' engagement through meetings and public hearings. Both Acts translate 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 requirements stipulated in the Land Act. Section 32 (1) and section 33 of the Land Use Planning Act No. 6 of 2007 provide directives and requirements for the preparation of both VLUPs.

The Land Use Planning Act, 2007

LTIP shall prepare the VLUP in accordance with this Act. The act provides that the village must have defined boundaries gazetted under the GN and described in the Village Certificate issued by the Commissioner of Land. This act makes reference to other acts, especially the Land Act Nos. 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 provides labor rights and protections, particularly on Child labor, forced labor and discrimination in the workplace, and freedom of association. The act prohibits child labor. It provides that no child under the age of 14 shall be employed. LTIP will ensure equality in employment, forbid child labor, and provide valid employment contracts to direct and indirect workers. The employment contracts for direct and indirect teams will ensure compliance with 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 labor 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 program on HIV and AIDS for employees under this control, and such program shall include the 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 controlling the spread of HIV to workers and communities around the project area.

The Urban Planning Act of 2007:

This is the principal legislation that governs urban planning. The LTIP will prepare detailed planning schemes, engage the public and other stakeholders, and subsequently facilitate the approval of the scheme of regularization as stipulated in this Act. The project will also spearhead the preparation of an 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 driver training to eradicate incidences and accidents, providing appropriate Personal Protective Equipment (PPE), and providing welfare facilities such as tents, drinking water, and toilets to the direct and indirect implementing teams during the preparation of VLUP and the issuance of CCRO.

Public Health Act of 2012:

The act stipulates the need to consolidate public health through the prevention of disease, promotion, safeguarding, maintaining, and protecting 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 an HIV/AIDS campaign and the 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 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 Ludewa District Council and ensure that such uses are included during the preparation of VLUP and will not issue CCRO in such areas to enhance the management of water resources.

The Agriculture and Livestock Policy of 1997:

The 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 Ludewa will have to adhere to this policy to protect the rights of livestock keepers and the 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 Ludewa District Council, the following ESSs are applicable, and this ESMP describes how specific ESSs will be complied with during the preparation of 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 Ludewa for mitigating identified risks and impacts, monitoring the effectiveness of proposed mitigation measures and 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;
- Training on HIV/Aids to project workers of direct and indirect team;
- Training on community and road safety
- Awareness of 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; recreational 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 6** to ensure that no certification will be undertaken in reserved or conservation land or ecological resources of biodiversity
- Identification of boundaries of reserve land, water bodies and

ESS10 Stakeholders Engagement and Information Disclosure

- Sensitization of 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 the 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 Ludewa District, the LTIP will create the following benefits:

Security of Tenure: The issuance of CCROs will enhance the security of tenure for individuals, community members, and institutions. For instance, CCROs issued to a group of people owning jointly grazing lands will protect such resources from individual encroachment and appropriation.

Capital Creation: Individuals and communities have the potential to use CCROs as collateral to access capital from financial institutions because they have legal representation. This will help to accumulate capital, which will be invested in other productive economic activities, stimulating development within the Ludewa district.

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

Employment Opportunities: Rural certification activities in Ludewa district will require the workforce to perform different activities. In total, the project will employ approximately 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 Ludewa District Council.

- 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 the community and other institutions. Some decisions made during 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.
- 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 the 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 providing evidence on the 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 land parcels in which people have contested interests and ownership rights.

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

Ineligibility to CCROs: According to Annex 6 of the ESMF and the CCRO Manual guiding the certification process, communities residing within road reserves, protected areas, and other sensitive areas are not eligible for CCROs. Such areas are reserve lands restricted from human settlements and other social and economic activities. Considering that land use restriction may be defined or formalized as part of the VLUP process (e.g., the 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 Groups: Marginalized groups such as elders, chronically ill people, and the youth have fewer chances to get CCROs due to a 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 Ludewa, 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 a large number of workers from within and outside the project areas. Project workers' interactions with the local community are likely to accelerate the spread of STIs and crimes and overburden available social services.

Inaccessibility of Project Sites/Traffic Accidents: A large section of Ludewa district is served with gravel and dirty roads, which limits transportation, especially during the rainy season. The land certification process is likely to be delayed during rainy seasons, and the issue of health and safety due to accidents

Possibility of Issuing CCROs to Non-nationals: Ludewa district is a neighboring Malawi country, and its nationals have much interaction with the Ludewa community, thus putting the risk of issuing CCROs to non-citizens due to the demand for 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 various purposes (housing, economic activities, grazing land, businesses, etc.). Where land is acquired or donated, this may result in the economic resettlement of households, which may have an associated impact on 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 Ludewa District Council:

Enhancement of protection of sensitive areas and minimization of Conflicts: Ludewa 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 Ludewa 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 Ludewa District. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP project implementation team.

Table 2: Mitigation Measures of Identified Impacts

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
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 following the World Bank's ESF (following the exact process described in the Project Resettlement Policy Framework) 	1,000,000	<ul style="list-style-type: none"> Ludewa 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 Ludewa 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 the formulation of VLUPs without prejudice to the need for other land uses and conservation of the environment. 	30,000,000	<ul style="list-style-type: none"> Participatory Land Use Management (PLUM) Team. E&S Team CSO 	ESMT	During preparation of VLUP and issuance of CCROs

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
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. 	5,000,000/=	<ul style="list-style-type: none"> E&S Team Participatory Land Use Management (PLUM) Team. WEOs, CDOs and VEOs Traditional and religious leaders 	ESMT	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. Sensitization on the importance of joint land titling. Educate men on the importance of including their wives on CCROs. 	30,000,000/=	<ul style="list-style-type: none"> Ludewa District Council E&S Team (WEO), Ward CDO Village Leaders 	ESMT	During preparation of VLUP and issuance of CCROs.

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
5	Ineligibility to CCROs	<ul style="list-style-type: none"> • Identification of all household ineligible to receive CCROs and formulation of advice on how to address their situation. <ul style="list-style-type: none"> - Identification of households and parcels close and within conservation and sensitive areas. - Awareness on ineligibility for CCROs. - Liaise with TFS, NEMC, Lake Nyasa Water Board, TANROADS and TARURA for further guidance, and the Ministry of Natural Resources and Tourism, - 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. 	10,000,000/=	<ul style="list-style-type: none"> • Ludewa District E&S Team • Participatory Land Use Management Team (PLUM) • National Environmental Management Council (NEMC) • TANROADS& • TARURA • TFS • Water Basin Authority • Ministry of Natural Resources and Tourism for further guidance 	ESMT	During identification of Parcels.
6	The CCRO issuance process formalizes land access	<ul style="list-style-type: none"> • Identification of marginalized groups such as people with disabilities, 	10,000,000/=	<ul style="list-style-type: none"> • Ludewa District E&S Team • WEO, 	ESMT	During Project Sensitization and identification

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
	inequalities for Women and other Marginalized Group.	women, elders, chronically ill persons and youth <ul style="list-style-type: none"> Sensitization on the importance of CCROs and other project benefits. 		<ul style="list-style-type: none"> Ward CDO Village Leaders CSOs. 		
7	Gender Based Violence / SEA	<ul style="list-style-type: none"> Engage Police Gender Desk to train Project staff on GBV/SEA. All LTIP staff to sign a code of conduct which include GBV/SEA issues. 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. 	10,000,000/=	<ul style="list-style-type: none"> Ludewa District E&S Team WEO Ward Community Development Officer (CDO) Village Leaders 	ESMT	Before placement of employees and during rural certification process.
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. 	5,000,000/=	<ul style="list-style-type: none"> Ludewa District Council Certification Office (CUCO) 	ESMT	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"> Provision of welfare facilities such as water, toilets and food vending to project workers. 		<ul style="list-style-type: none"> Ludewa District E&S Team Village Leaders Private Companies involved in rural certification activities. 		
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. 	1000,000/=	<ul style="list-style-type: none"> Ludewa District Rural Certification Office (DRCO): District 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 the issuance of CCROs The rural formalization team will work closely with local leaders to confirm the citizenship of project beneficiaries. 	5,000,000/=	<ul style="list-style-type: none"> Ludewa District Council Rural Certification Office (CUCO) Ludewa District E&S Team (WEO), 		During the Rural Certification Process

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				<ul style="list-style-type: none"> • Ward- CDO • Village Leaders • Migration • Teams 		
	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. 	5,000,000	<ul style="list-style-type: none"> • WEO, • Ward -CDO • Village Leaders • Migration • Teams 	ESMT	Prior to project activity
Total Cost			121,000,000			
Negative Project Environmental Risks and Impacts						

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
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 by the World Bank's ESF. 	5,000,000	<ul style="list-style-type: none"> PLUM E&S Team 	ESMT	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 VLUP and before the issuance of CCRO issuance. 	5,000,000/=	<ul style="list-style-type: none"> PLUM E&S Team NEMC TANROAD S&TARURA TFS, Lake Nyasa Basin Water Board 	ESMT	Before placement of employees and during rural certification process.
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 site grounds. 	5,000,000/=	<ul style="list-style-type: none"> District E&S Team Private Companies involved in certification activities. Village Leaders 	ESMT	During Rural Certification Process.

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
4	Health and Safety Hazards	<ul style="list-style-type: none"> • Provide workers PPEs (Masks, Boots, Gloves, and Helmet). • Implementing Institution (LGA/Private/CSO) must make due diligence on OHS risk management, including primary suppliers' workers. • Training drivers of direct and indirect teams on road safety • Implementing agencies to enforce rules for drivers and passengers. • Provide Health and Safety Training to project workers 	30,000,000/=	<ul style="list-style-type: none"> • Ludewa District E&S Team • Private Companies involved in certification activities. • Village Leaders 	ESMT	During Rural Certification Process.
	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"> • Contractor 	ESMT	During contracting

CHAPTER FIVE

MONITORING OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS

5.1 Introduction

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

The objectives of Environmental and Social monitoring plan are:

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

The **Table 4** below summarizes monitoring plan for rural certification in Ludewa District Council.

Table 3: Social and Environmental Monitoring Plan

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

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
Enhancement of Environmental Benefits							
1	Enhancement of protection of sensitive areas and minimization of	Number of CCRO issued in sensitive areas	0	Report	Quarterly	ESMT & PIT	1,000,000/=
2	Conflicts	Number and hectares or village land declared as forest reserve	100 Ha	VLUP Reports	Six Months	ESMT & PIT	1,000,000/=
3	Protection of Common resources	Presence of group of people owning jointly grazing lands issued with CCROs	5	Scheme of regularization & Reports	Annually	ESMT & PIT	1,000,000/=
Social Negative Risks and Impacts							
1	Lack of communities understanding of LTIP activities	<ul style="list-style-type: none"> Acceptance of the LTIP activities by the communities in the Ludewa district 	50,000	Reports	Quarterly	ESMT & PIT	500,000/=

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		<ul style="list-style-type: none"> Participation of traditional leaders in LTIP activities. 					
2	Ineligibility to CCROs	No of parcels identified as ineligible for rural land certification	10	Report	Quarterly	ESMT & PIT	500,000/=
3	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/=
		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/=

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		Percentage of Women with CCROs.	30%	Report	Quarterly	ESMT & PIT	0
		Marginalized Group with CCROs.	10%	ILMIS Report	Quarterly	ESMT & PIT	1,000,000/=
4	Gender Based Violence	Percentage of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	500,000/=
5	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	500,000/=
6	Inaccessibility of Project Sites	No of Village identified as not accessible	0	Report	Quarterly	ESMT & PIT	500,000/=
7	Land conflicts	Number of resolved land disputes	tbd	Report/GRM	Quarterly	ESMT & PIT	
Total							23,500,000/=

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
Environmental Negative Risks and Impacts							
1	Waste Management	No. of dustbins provided in three Mitaas	150 dustbins @ village 3	Report and observation	Quarterly	ESMT & PIT	15,000,000/=
2	Health and Safety Hazards	No. of incidence and accidents reported.	0	Report	Quarterly	ESMT & PIT	1,000,000/=
3	Greenhouse gas emissions	No. Service Conducted	Service at every 5000 Km	Maintenance Report	Quarterly	ESMT & PIT	10,000,000/=
4	Monitoring of oil spills	No of drums (100 liters) distributed for collect dirty oil	1 Drums in each LGA	Report	Quarterly	ESMT & PIT	4,000,000/=
5	OHS risks for primary supplier workers	Percentage of primary suppliers that have undergone an OHS due diligence assessment by contractors	100%	Report	Quarterly	ESMT & PIT	4,000,000
Total							34,000,000/=

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP

6.1 Institutions

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

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

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

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

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

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

Lake Nyasa Water 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), Njombe 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 MLHHSD. The MLHHSD through PCU then will be required to submit quarterly reports on ESMP implementation to the World Bank.

6.3 Capacity Development and Training

Capacity development training for LTIP is stipulated in ESMF. For Ludewa District council the following training have been provided to E&S Team at LGAs levels to enhance their capacity during preparation of DLUPF (**Table 5**). Several awareness raising meetings were also conducted with different stakeholders during preparation of DLUPF.

Table 4: Training conducted to Ludewa E&S Team

S/N	Name of Training	Training Institution	Date
1	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13 th –14 th December 2022
2	Workshop for Review of the ESMPs	ESMT	3 March 2023

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

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

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

7.1 Introduction

This ESMP is specifically for Ludewa 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 to make this project environmental and socially sound.

7.2 Conclusions

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

Furthermore, no VG group is identified as per the VGPF guiding document; hence, a 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

- All Villages where the project is implemented should have the copy of this ESMP,
- NGOs to be hired to conduct certification process in Ludewa District Council should be given this ESMP as part of the contract to ensure its implementations team in Ludewa District Council with Support from ESMT
- PLUM (ES TEAM) shall ensure meaningful consultation of all key and relevant stakeholders
- 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.

Appendix 1: Villages with VLUP in Ludewa District Council

No	Ward	No	Village
1	Madope	1	Mangalanyene
		2	Madope
2	Madilu	1	Ilininda
		2	Ilawa
		3	Manga
		4	Mfalasi
3	Lubonde	1	Mkiu
		2	Masimbwe
		3	Kiyombo
4	Mlangali	1	Lufumbu
		2	Mlangali
		3	Itundu
5	Lupanga	1	Lupanga
		2	Lusala
6	Milo	1	Mavala
		2	Mapogoro
7	Mawengi	1	Kitewe
		2	Lupande
		3	Kiwe
8	Ludende	1	Ludende
		2	Maholong'wa
9	Mkongobaki	1	Mkongobaki
10	Mundindi	1	Njelela
		2	Mundindi
		3	Amani
11	Mavanga	1	Mavanga
12	Ibumi	1	Ibumi
		2	Masimavalafu
13	Luana	1	Mbwila
		2	Luana
		3	Mholo
14	Nkomang'ombe	1	Kimelembe
		2	Nkomang'ombe
15	Iwela	1	Iwela
16	Luilo	1	Kipangala
		2	Lifua
		3	Liughai
17	Masasi	1	Kingole
		2	Lihagule
18	Manda	1	Mbongo
19	Ruhuhu	1	Ilela
		2	Ngerenge
20	Lupingu	1	Ntumbati
		2	Nindi
Total Villages with VLUP IN Ludewa District		44	

Annex 6: 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	YES	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		-There is encroachment between the village and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the villagers, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		-There is encroachment between village and the reserved area although the boundary is well known to all the parties	YES	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	YES	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/

		Environmental Management Act of 2004		bank cannot be considered for certification
		-Settlement is found within 60m from the banks of the river/lake but no floods or any other risk is associated	NO	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should proceed. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		-Settlement is found within 60m from the banks of the river/lake and are associated with floods and other risks	YES	The area is considered hazardous and no certification should be conducted. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/village/settlements bordering wetlands and water	-Village/area is found close to or bordering wetlands and/or watershed areas.	YES	Wetlands/water catchment areas are considered as areas with high biological importance and are protected

	catchment areas	The area/village boundary should maintain a 60m distance as per the national laws		by national and international laws and agreements. Under such circumstances the 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) 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	YES	These areas should be given certificates in the name of the village for communal use. No one within the village should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	-Boundaries of the registered cultural heritage	YES	Certification process can proceed as boundaries are

		area and the village are clear and well identified		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	High density informal settlements	-High density informal settlements in urban settings which are not	YES	In the issuance of Residential Licenses, clarification may need to be sought from relevant authorities before decision is made to proceed

		aligned with planning requirements.		with RL in case of any other environmental constraints.
8	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	YES	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC determine whether the area should be considered or not

1. There is installed beacon of one metre above land surface which is well visible to the National Forest Reserve boundaries at Milo village
2. The encroached reserved areas include village forests, district forest reserves, National Forest reserves and water sources catchment areas
3. Settlement within 60m is found in the villages of Kipingu, Nsungu, Lupingu, Nsisi, Lifuma, Makonde, Ndowa, Kilondo, Nsele, Chanjale, Lumbila and Nkanda which are along Lake Nyasa Shore
4. Villages which expect to implement LTIP and with flood prone areas includes Kipingu, Lupingu, Lifuma, Lumbila and Nkanda