

THE UNITED REPUBLIC OF TANZANIA

HANDENI DISTRICT COUNCIL



LAND TENURE IMPROVEMENT PROJECT (LTIP)

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



Prepared by:

HANDENI 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 Immuno- Deficiency Syndrome
ILMIS	-	Integrated Land Management Information System
LGAs	-	Local Government Authorities
LTAP	-	Land Tenure Assistance Project
LTIP	-	Land Tenure Improvement Project
LTSP	-	Land Tenure Support Project
M&E	-	Monitoring and Evaluation
MLHSD	-	Ministry of Land, Housing and Human Settlement Development
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
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
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse

SEP		Stakeholder Engagement Plan
TNA	-	Training Needs Assessment
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
VLUM	-	Village Land Use Management (Committee)
VLUP	-	Village Land Use Plan
VG	-	Vulnerable Groups
VGPF	-	Vulnerable Groups Planning Framework
WB	-	World Bank
WEO	-	Ward Executive Officer

CHAPTER ONE

1.0. 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 Development Objectives (PDO) are to strengthen the national land administration system and increase tenure security in selected areas for both men and women. LTIP promotes land-based investments and ensures inclusion for social economic development in both urban and rural areas. Key project results indicators related to the PDO to increase tenure security include the registration of 1 million Certificates of Rights of Occupancy (CROs), one million Residential Licenses (RL), and 500,000 Certificates of Customary Rights of Occupancy (CCROs). At least 40 percent of the land certificates should be registered under the name of women, as sole owners, or co-owners. Project investments are also expected to support a reduction of at least 30 percent in the number of land conflicts, as well as an increase in perception of tenure security. Results indicators related to the PDO to strengthen the national land administration system include an increase of 20 percent in the number of CRO transactions, a reduction of the average time to issue CROs (first registration) from 180 days to 60 days.

1.2. LTIP Project Scope in Handeni District Council

The Handeni District Council is one of beneficiaries of LTIP activities. In Handeni the project is expected to support the preparation of District Land Use Planning Framework (DLUPF), Village Land Use Plans (VLUP), and Detail Settlement Plan (DSP) covering the settlement part of the villages, as well as the renovation/creation of District and Village land offices. This ESMP is prepared specifically to guide the preparation of DLUPF, VLUP, DPS, and issuance of CCROs activities covering all 53 villages (**see Annex 3**) while the ESMP for District and village land offices will be developed later before commencement of the renovation activities.

In Handeni District Council, the preparation of DLUPF, VLUP and DSP is expected to involve the following activities:

A. District Land Use Framework Planning (DLUFP)

LTIP will provide initial support for the preparation of DLUPF on December 2023 and this support will involve stakeholder engagement, awareness raising and training; capacity development to the planning and District staff and Management teams; data collection; establishing baseline data; and a District Stakeholder Engagement Forum, which will be held at Handeni District on December 10th, 2023. The Forum will provide an opportunity for all stakeholders to discuss and deliberate land use proposal within Handeni District. All stakeholders will reach consensus on the proposed DLUFP and the DLUFP preparation process and LTIP may support the preparation of the DLUFP, while MLHHSO will ensure that the DLUFP preparation process includes an adequate assessment of Environmental and Social (E&S) implication and the formulation of advice for addressing these in ways that are consistent with the World Bank's Environmental and Social Framework.

B. Village Land Use Plans (VLUP) and

There are 91 village formally registered in Handeni, of which 38 already have VLUP. LTIP is expected to support the preparation of VLUP and DSP for the remaining 53 villages. The preparation of VLUP will involve awareness creation and capacity building for the Participatory Land Use Management Team (PLUM); conduct village assembly and formulation of Village Land Use Management Council (VLUM); preparation of baseline information which include resource assessment, existing land use and existing environmental and social issues; preparation of draft Village Land Use Plan (VLUP); validation and approval of the proposed VLUP and respective by-laws by the village assembly; endorsement of the VLUP by the District Council; gazettelement of the approved VLUP by the National Land Use Planning Commission. For each VLUP and DSP, LTIP will support an adequate assessment of E&S implication and the formulation of advice for addressing these in ways that are consistent with the World Bank's ESF.

C. Issuance of CCROs

The process of issuance of CCROs is detailed in the LTIP CCRO Manual and shall involve six (6) major activities namely:

- i. Public awareness
- ii. Employing and Training of Para surveyors;
- iii. Parcels adjudication;
- iv. Preparation of DPS (regularization layout);
- v. Block Planning and Negotiation of Road Accessibility
- vi. Printing and issuing CCROs.

For issuance of CCROs in Handeni district, for all villages with VLUPs the project will develop a negative list of VLUPs which contain risks that the project cannot support (such as VLUPs which require the displacement of people or destruction of natural habitat to enforce for example and as outlined in Annex 6 of the ESMF). These would be used to preclude the issuance of CCROs under the project. To issue CCROs in some villages for where VLUPs were prepared outside the project, the Project shall undertake appropriate due diligence to ensure these VLUPs were developed under a similarly participative approach which focuses on existing land use, avoids exclusion and elite capture, and avoids community and/or environmental harm. Attached due diligence checklist, will be used. (See Annex 1)

1.3. General Objectives of ESMP

The preparation of the Handeni DLUPF, VLUPs, DSPs and issuance of CCRO have potential to cause E&S impacts. The Handeni ESMP is a tool for identifying, mitigate, and monitoring the E&S impacts associated with these activities. Specifically, it depicts how the organizational capacity and resources will be utilized to assess these impacts, define mitigation measures, and implement them when appropriate. Therefore, the Government's implementation team, as well as Non-Governmental Organizations (NGOs) that are expected to be hired under LTIP to support rural land certification, will implement project activities in accordance with this ESMP.

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

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

1.4. Methodology for Preparation of ESMP

This ESMP has been prepared by the District Participatory Land Use Management Team (PLUM) of Handeni 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 certification process using: (i) Annex 4 of ESMF on Screening Checklists for environmental and social issues; (ii) Annex 6: Environmental and Social Safeguards Criteria for selecting project specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP.
- ii. Define mitigation, enhancement and monitoring measures for the identified impacts;
- iii. Validation of mitigation, enhancement and monitoring measures through stakeholders' engagement.
- iv. Finalization of ESMP report, and sharing with wider stakeholders, including through its publication on the LTIP website.

1.5. Screening results

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Handeni District Council, Tanzania. The screening was carried out using the E&S Safeguard Criteria established by the project for selecting specific

project areas. This was done using the screening form found in the ESMF guiding document (attached in Annex 2), which assessed the potential environmental and social impacts of the LTIP in the selected Handeni area.

CHAPTER TWO

2.0. BASELINE ADMINISTRATIVE, ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

2.1. Introduction

The baseline environmental and social conditions of Handeni District describe biophysical and social issues which are not prone to be affected, trigger conflicts though some are of biological importance. The biophysical and social issues in Handeni necessitates for the project to ensure that mitigation measures are put in place to avoid risks and impacts to the communities surrounding those areas with biological importance. Therefore, the preparation of the Handeni DLUPF, VLUPs, DSPs, and the issuance of CCROs will follow the guidance provided by – ESS: - Assessment and Management of Environmental and Social Risks to ensure that the implementation of these activities is consistent with the World Bank’s ESF

2.2. Administrative Condition of Handeni District Council

Handeni District Council is situated in Southern part of Tanga region. It shares borders with Korogwe District Council and Simanjiro in the North, Kilindi District Council in the west, Bagamoyo Council in the South and Pangani and Muheza in the East. The headquarters is located in Mkata along the junction of Mkata Handeni road, Mkata Pangani road and its location lies between latitudes 4°9’ and 6°0’ South of the Equator and between longitudes 36°.8’ and 38°.5’ East of Greenwich.

Administratively, Handeni is one of the two constituencies of Handeni District among the eleven councils available in Tanga Region on which its headquarters are allocated at Handeni Township. The council is divided into six divisions; Mazingara, Kwamsisi, Magamba, Mkumburu, Sindeni and Mzundu. The council also have 21 wards (**Figure 1**), 91 villages and 770 hamlets.

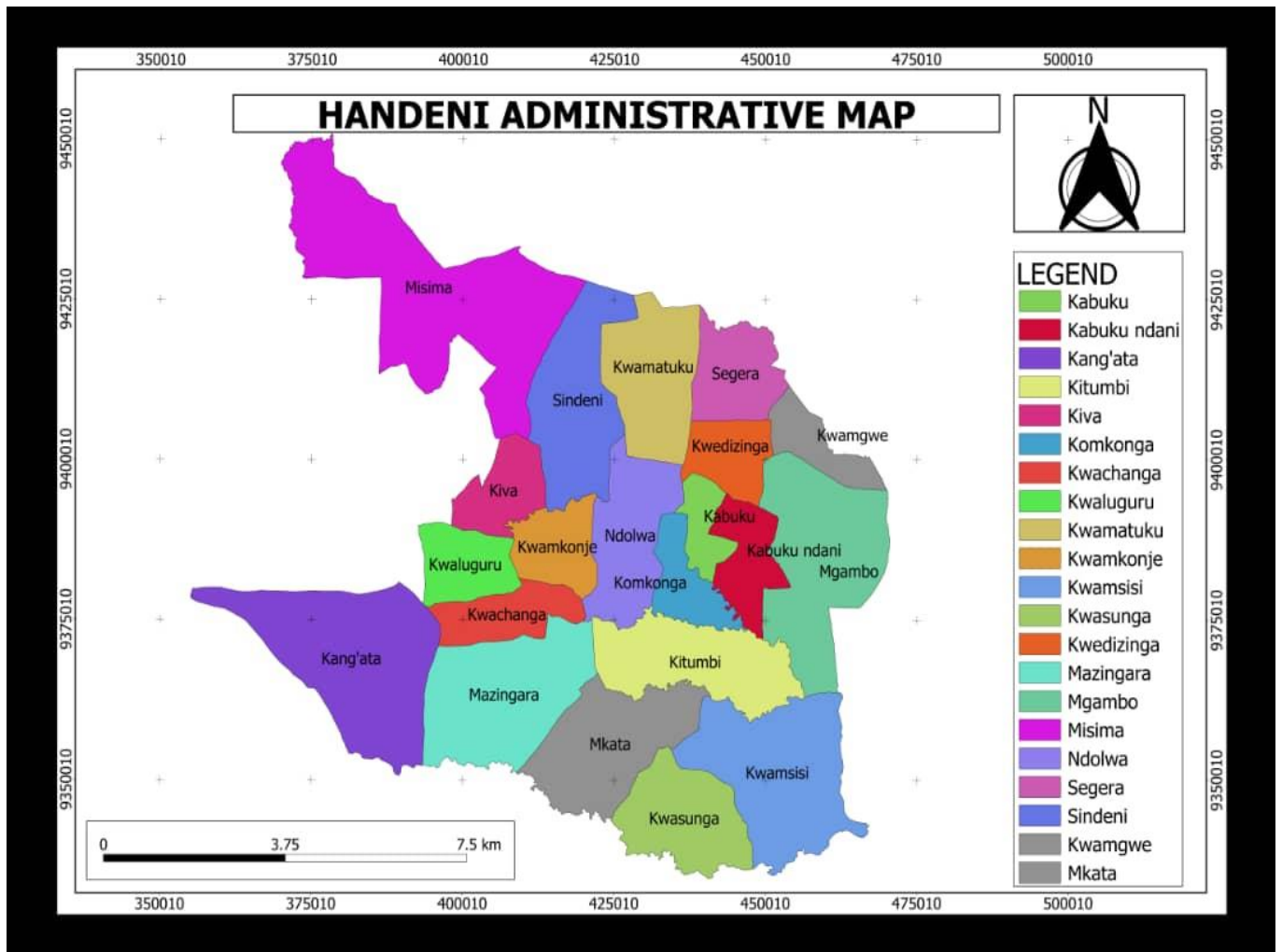


Figure 1: Administrative Map of Handeni showing 21 Wards

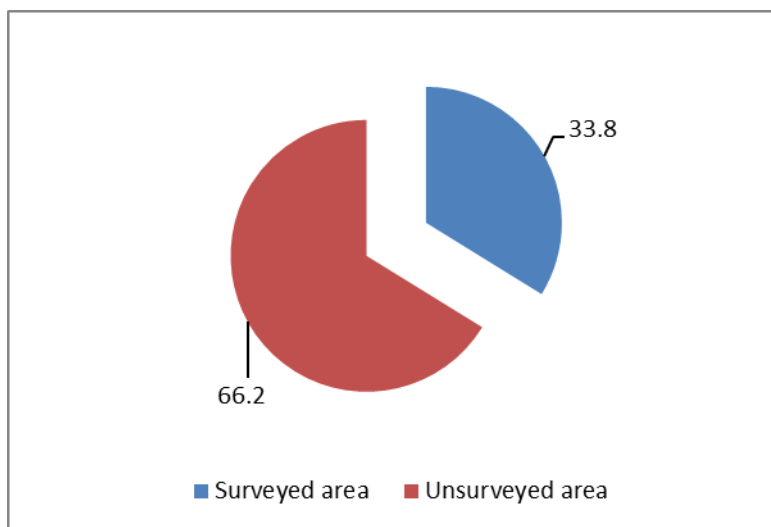
2.3. Environmental Baseline Information in Handeni District Council

Terrain of Handeni District:

Handeni Council has an altitude ranging from 450 to 700 meters above sea level. It is characterized by high hills and slope ranging from 470 – 700m, Kwachaga and Handeni mountains respectively. There are also low gradient or vast plains and plateaus suitable for grazing and agriculture activities which ranges from 300 to 600 m from sea level. The major water body is seasonal river that cut across the district, pond and constructed dams. Therefore, areas surrounded by water bodies as mentioned above are not ineligible for land certification.

Major Land Use in Handeni District: Handeni District Council has a total land area of 6,453sq. kms whereby most of the land owners had no legal right over their land, thus made most of the ownership to be habitual as only 33.8 percent of the total land was surveyed and 66.2 percent of the land areas are un surveyed. The available data does not specify the proportions of surveyed land areas allocated for residential areas, trade areas and public services (i.e. schools, markets, hospitals and open spaces).

Figure 2: Land categories in Handeni District



Source; Handeni district Council profile, 2018

Grazing Land:

Grazing land always excludes all tsetse fly infected areas, wildlife and forest reserves as well as tree plantations and overlap arable land that can be used for feeding animals. Specifying grazing land through land use planning is important as it reduces conflicts among livestock keepers and farmers. Handeni District council had established areas that can fulfill the purpose.

Table 2.1 shows that, the council had 209,625.3 hectares of land fit for grazing and 32.8 percent of the land is used for grazing. Misima ward had the largest share of land area used for grazing (15.2 percent) followed by Mgambo ward (14.9 percent) and Sindeni ward (9.8 percent). On the other hand, only 1.0 percent of the land fit for grazing is affected by tsetse fly in the council. The

affected wards include Segera ward (48.7 percent) of the available land in the ward and Komkonga ward (13.2 percent).

Table 1. Estimated Area Under-Grazing by ward, Handeni District Council, 2018

Ward	Land fit for Grazing (Ha)	Land used for Grazing (Ha)	Tsetse Fly infected Area (Ha)
Kiva	2,794.0	2,794.0	-
Kwamatuku	5,478.0	5,478.0	-
Misima	10,420.0	10,420.0	-
Sinden	2,420.0	6,730.9	-
Kwamsisi	104,952.0	4,000.0	-
Kwasunga	5,368.2	2,684.1	-
Segera	3,950.0	3,749.6	1,924.0
Kwedizinga	1,346.0	1,346.0	-
Kwangwe	35,381.5	2,867.0	-
Kabuku	1,400.0	700.0	-
Komkonga	1,324.0	324.0	175.0
Ndolwa	4,535.0	3,460.0	-
Kabuku ndani	3,100.0	1,120.8	-
Mgambo	11,856.0	10,230.0	-
Kwankonje	4,138.8	3,166.7	-
Kwachaga	911.0	603.0	-
Kwaluguru	3,200.0	3,200.0	-
Kang'ata	1,200.0	1,000.0	-
Kitumbi	1,763.1	1,587.7	-
Mkata	2,500.0	1,720.0	-
Mazingara	1,587.7	1,587.7	-
Total	209,625.3	68,769.5	2,099.0

Grazing land in Handeni district

Land certification process: The proposed rural certification will be implemented in a way that is consistent with the safeguards requirements as stipulated in LTIP ESMF, which provides screening criteria to check for environmental and social issues on villages before developing the ESMP for the entire Handeni District Council. Based on Annex 6 of the LTIP ESMF, conservation areas will be recognized as such and no CCROs will be issued in an environmental sensitive area or protected area such as protected village forest and buffer zones. Annex 6 of the ESMF further stipulates that in the event where boundaries between the reserve land, and individual land parcels are not agreed, LTIP will not proceed with the issuance of CCROs until boundary related conflicts are resolved.

2.4. Handeni District Council Social Baseline Information

Population:

According to Population and Housing Census of 2022, the Handeni District had a population of 384,353 people of which male are 190,425 and female 193,928. The District is a home of mainly farmers who constitute about 84% of the entire population. Agriculture is the main activity providing source of income to majority of the households in Handeni District Council. Most individuals are engaged in cultivation of maize, cassava and cowpeas as their food crops and Oranges, Mangoes and cotton for cash crops. Livestock keeping, forestry and petty businesses are other source of economic activities done by people of Handeni District Council which also add to the council's revenue. More on point, mining sector has partial contribution of cash income to the community since only few people are engaged in this activity. Most of the household comprise of an average of 4 - 5 people.

Crosscutting Social Baseline Information

Msomera is a village in Misima ward of the Handeni District Council, the main tribes in the village are Maasai and Zigua while the village is dominated by the Maasai, who practice pastoralism as their main activity. About 2,400 people are reallocated Maasai settlements migrated from the Ngorongoro Conservation Area (NCA) voluntaries. Msomera village has a Village Land Use Plan (VLUP), the area covers the total of 6,009.10 hectares which has a different uses such as settlement, farming activities, grazing, social service, and ather uses, and

CCROs are provided. The planned area is placed Sign board to prohibiting uses of the area against planned uses.

Although the presence of this group in a District is known, but the area is not a party of the project area and already has a VLUP and CCROs which prepared by the government of Tanzania by using the Land use planning Act No. 6 of 2007 with its directives guidings and requirements

Land certification process in areas with marginalized groups: DLUFP, VLUPs, and the rural land certification team shall ensure that land rights are enjoyed equally by all members of the community (including women in polygamous households) through stakeholders' engagement and community awareness. Elders, chronically sick people and youth such as *boda-boda* are likely to be excluded from project benefits due to lack of project information. The presence of these marginalized groups calls for the LTIP to ensure that mechanisms are in place for informing and engaging all members of the community including the identified marginalized groups.

Project Workforce Requirements: DLUFP, VLUPs, and the rural land certification process in Handeni District Council will require workforce. This situation is not likely to attract influx of people in search of employment from mainly within the country since Handeni is not located at the border of any country.

Economic Activities: The Handeni district economic structure is based on agriculture, livestock keeping, trade, beekeeping, and mining as the source of livelihood for the majority of residents. The district is also endowed with various minerals but due to low technology and poor investment most of the endowed minerals are not yet extracted.

Social Services: Handeni District council has primary and secondary schools, hospital, health centers, churches, mosques and market which are located in all 21 wards, owned by the government, private sector and religious institution. Provision of land parcels for social services such schools, health centers, churches, mosques and markets are critical for the LTIP and necessitate the project to ensure that these facilities are identified and provided with the CCRO to improve their tenure security. The large section has electricity supplied by TANESCO. The main source of drinking water includes boreholes and constructed dams.

Road Infrastructure: The road network as a basic mode of transportation for goods and services facilitates the movement from one area to another and also allows social interactions. Road network for Handeni District Council in 2023 was about 901 kilometers. Trunk roads constitute 91 kilometers (11.4 percent) of the town's network, regional roads 166 kilometers (20.7 percent), District/Urban roads 410 kilometers (38.7percent) and feeder roads 234 kilometers (29.2 percent). Ward wise, the highest percentage of the road network belongs to Sindeni Ward with 11.0 percent, followed by Kang'ata and Kwamatuku Ward with 10 percent and 7.5 percent respectively while Kwamgwe Ward had the least road network with 1.9 percent. LTIP will take note of lack of access roads especially in rural side of the District and ensure that all land parcels including grazing areas are identified and provided with access. Indeed, LTIP Team will be required to properly plan transportation for effective implementation of certification of CCROs activities.

Conflicts over Land resources: The District also experiences some border conflicts mainly on village administrative authorities over sub village due to registration contradiction held by TAMISEMI in 2007 where some of the sub villages registered in another village quite different from the actual or existing boundaries. LTIP is required to solve such contradiction to avoid more conflicts. In particular, LTIP Team are required to closely observe ESS5 and ESS10 provisions during DLUFP, VLUPs and rural land certification activities.

A multitude of NGOs and CSOs operate in Tanga Region and Handeni District: There are over 15 NGOs/CSOs actively working in Tanga region with different objectives and missions. Their areas of involvement, among others, are conservation of environment and natural resources governance, good governance and human rights, gender and youth empowerment, socio-economic development and empowerment and climate change. This activity of these organizations does not conflict with one another in Handeni District. The agriculturalists, who constitute a large section of the population of Handeni District trust these NGOs/CSOs. While CBOs, NGOs and CSOs can help LTIP to meet its objectives, though sometimes they can also confuse the communities, especially if they provide them with incorrect and or distorted information about the project. LTIP is supposed to recognize this risk and strategize the engagement of NGOs/CSOs that work in Handeni Districts. In particular deliberate efforts to

map and understand and subsequently provide them with relevant information about the project are necessary. This will help to make them not confuse LTIP with other land-related projects which have been implemented within their localities.

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

Selected villages for LTIP: This will be implemented on 19 Ward in which will cover 53 villages to prepare VLUP and issuance of CCROs selected villages (**see Annex 3**)

CHAPTER THREE

3.0. LEGAL AND INSTITUTIONAL FRAMEWORK

3.1. Introduction

This chapter describe relevant legal and institutional framework governing the preparation of DLUPF, VLUP, DSPs and issuance of CCRO in Handeni District. The focus has been made on legislations which provide environmental and social provisions and requirements relevant for the Project. Due to the presence of some ecological habitat in the existing hills, valley and mountains, the legislation described in this chapters are those which provide guidance to the project and can be made actionable to assist the project on the management of E&S risks and impacts.

3.2. National legal framework to guide Land Use Planning and Rural Certification Processes in Handeni District

The Environmental Management Act (EMA) 2004: The Act provide guidance for regulation process in sensitive areas such as rivers, lakes, wetlands, forest areas, and wildlife resource among others. The Act provides a legal framework for coordinating harmonious and conflicting activities by integrating those activities into overall sustainable environmental management system by providing key technical support to Sectoral Ministries. The EMA will be applicable by the LTIP team in Handeni during preparation of DLUPF and VLUP. Specifically, LTIP project in Handeni District Council will adhere to 60m buffer zone requirements when issuing CCROs for land parcel along river Msangazi.

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. The first two categories are governed under the provisions of the Land Act and its regulations. About 68% of all land is Village Land; 30% is Reserved Land and only 2% is General Land in the Country.

These Acts among other things outlines, procedure for land administration, allocation, acquisition, schemes of regularization, land registration and certification, compensation and resource management in both urban and rural areas. The Land Acts contain provisions of critical environmental importance and modalities for stakeholders' engagement through meeting and

public hearing. Both Acts translates the fundamental principles of land policy into the body of the law. One of these fundamental principles is to ensure that land is used productively and that any such use complies with the principles of sustainable development. The preparation of DLUPF, VLUP and the issuance of CCRO will be conducted in accordance with the provisions and requirement stipulated in Land Act. Section 32 (1) and section 33 of the land use planning Act No. 6 of 2007 provides directives and requirements for the preparation of both DLUFP and VLUPs.

The land use planning Act, 2007: LTIP shall prepare the DLUPF and VLUP in accordance to this Act, the act provides that the village must have defined boundaries and gazetted under the GN and described in Village Certificate issued by Commissioner of Land; This act is making reference to other acts especially the Land Act No 4 and 5 to guide the entire process of Land use planning practice in Tanzania.

The Occupational Health and Safety Act, No. 5 of 2003: The law requires employers to provide a good working environment to workers in order to safeguard their health. The LTIP will ensure the implementation of this Act through training drivers to eradicate incidences and accidents, provide appropriate Personal Protective Equipment (PPE) and welfare facilities such as tents, drinking water and toilet to the direct and indirect implementing teams during preparation of DLUPF, VLUP and the issuance of CCRO.

The Employment and Labour Relations Act, No. 6 of 2004: The Act provide labour rights and protections particularly on Child labour, forced labour and discrimination in the working place and freedom of association. The act prohibits child labour it provides that no child under the age of 17 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 terms 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 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 stipulates need to consolidate public health through prevention of disease, promotion, safeguard, maintain and protect the health of humans and animals. The presence of LTIP workers may result in the risk of disease transmission and will be addressed through conducting HIV/AIDS campaign, provision of hand washing 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 boundaries of streams, rivers and other water sources in Handeni District Council and ensure that such uses are included during preparation of DLUPF and VLUP and will not issue CCRO in such areas to enhance management of water resources

The Agriculture and Livestock Policy of 1997: Main objective is to promote and ensure a secure land tenure system to encourage optimal use of land resources and facilitate broad-based social and economic development without upsetting or endangering the ecological balance of the environment. The LTIP Project implementation in Handeni will have adhere to this policy so as to protect the rights of agriculturalists and livestock keepers.

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 Handeni District Council the following ESSs are

applicable and this ESMP describe how specific ESSs is operationalized during preparation of DLUPF, VLUM and the issuance of CCROs:

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

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

ESS2 Labour and Working Conditions;

- i. Provision of Valid Employment Contractors to workers for both direct and indirect teams;
- ii. Provide PPE and welfare facilities to workers;
- iii. Training HIV/AIDS to project workers of direct and indirect team;

ESS3 Resource Efficiency and Pollution Prevention and Management:

- i. This ESS sets out the requirements to address resource efficiency and pollution prevention and management throughout the project life-cycle.

ESS4 Community Health and Safety

- i. Sensitization of community about the project and associated health risks and impacts; and
- ii. Training on HIV/AIDS to project workers of direct and indirect team;

ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement

- i. 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;
- ii. Land donation/acquisition requirements and procedures as stipulated in Resettlement Policy Framework (RPF);

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

- i. Use of **Annex 6** to ensure that no certification will be undertaken in reserved or conservation land or ecological resources of biodiversity importance
- ii. Identification of boundaries of national parks, reserved land, water bodies and wildlife corridors in areas without conflicts with the grazing land.

ESS7 Sub-Saharan African Historically Underserved Traditional Local Communities:

- i. Preparation of Vulnerable Groups Plan (VGP) to guide preparation of DLUPF, VLUP and issuance of CCRO in areas occupied by VGs.

- ii. Operationalization of the principles of Free, Prior and Informed Consent (FPIC), if determined applicable.
- iii. Use of Annex 2 of the ESMF to ensure that boundaries between reserve and grazing land are made clear during preparation of DLUPF, VLUP and before issuance of CCRO.

ESS8 Cultural Heritage:

- i. Sets out measures designed to protect cultural heritage throughout the project life-cycle.

ESS10 Stakeholders Engagement and Information Disclosure:

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

CHAPTER FOUR

4.0. ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

4.1. Introduction

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

4.2. Project Social Benefits

In Handeni District the LTIP will create the following benefits:

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

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

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

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

4.3. Negative Social Risks and Impacts of Land Use Planning and Rural Land Certification

The following are major negative social impacts associated with LTIP regularization activities in Handeni District Council.

- A. DLUFP;** This is a general plan which offers the guidelines for preparation of other plans which includes detailed plans (in town centers within District) and VLUP (In Village land); In the case of Handeni, the land use patterns are mainly distributed into three parts; village land, general land and reserved land. On other side, large part of the land falls under GCA (Reserved Land) as per one GN and as village land as per another GN which both GN are still valid to date. DLUFP is likely to revive disagreements of the land use zones and this bring an important attention to LTIP project to make sure different ministries and stakeholders are coming together and agree with the proposals. Some decisions made as part of the DLUFP preparation may also have E&S impacts. These will be assessed, and mitigation measures will be proposed as part of the DLUFP preparation process.
- B. VLUP:** LTIP project must ensure that the villages have no contradicting GN before preparation of VLUP failure to do so it likely to disrupt to ecology. Some decisions made as part of the VLUP preparation may also have impacts. These will be assessed, and mitigation measures will be proposed as part of the VLUP preparation process.
- C. Crosscutting Impacts due to Land use planning and rural land certification**
- Conflict over land ownership and rights: In project areas people are living without proper identification of their areas, land size and boundaries with neighbors. During adjudication process the chances of not agreeing to the boundaries might lead to conflict over land especially in the buffer zone along Msangazi river. Similarly, individuals and communities residing close or who have encroached conservation areas like in TFS forest might require CCROs on such land thus leading to conflict with authorities.
- Risk of the Handeni communities to attribute LTIP activities to other past government initiatives on land. The perception that government's decisions on lands located within pastoral communities are made at the expense of livestock keepers complicate things when new project on land is introduced in the Handeni District. Incorrect and or distorted information about the LTIP are likely to confuse the communities and reduce project acceptability.

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

Inequalities for Women and other Marginalized Group: In Handeni, polygamous are prevalent and people live as a clan. In such cases women have less access to the rights to own land. In addition, marginalized groups such as elders, chronically ill people and the youth have less chances to get CCROs due lack of project information, and this could formalize inequalities between men and women regarding access to CCROs.

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

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

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

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

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

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

Enhancement of protection of sensitive areas and minimization of Conflicts: Handeni District plays an important role in conservation. DLUPF, VLUPs and the issuance of CCROs will recognize all protected areas including buffer zones along river and TFS Forests which will

reduce their encroachment and conflicts between local community and conservation authorities. The preparation of VLUPs entails the establishment of protected areas such as forest reserves, which is an important step toward the preservation of these areas.

4.5. Negative Environmental Impacts of Land Use Planning and Land Certification

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

Encroachment of Sensitive Areas: Important conservation areas such as major ecosystems along river Msangazi, and some TFS forest and village are situated within Handeni District. 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. In addition, during certification process project workers will generate solid and liquid wastes such as plastic, food and human waste leading to land pollution.

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 section describes mitigation measures for the project adverse 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 Handeni 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

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
Negative Project Social Impacts						
1	Negative economic and social impacts relating to restrictions on land use resulting from the DLUPF and VLUP processes	<ul style="list-style-type: none"> - Undertake adequate E&S assessment of the proposed DLUPF and VLUP to determine the magnitude of impacts. - Devise mitigation measures to address risks and impacts related to the proposed DLUPF and VLUP in accordance with the World Bank’s ESF. 	1,500,000	<ul style="list-style-type: none"> - Handeni District Council E&S Team - NGOs 	ESMT	During preparation of DLUPF and VLUP.
2	Deepening of insecurity on the fate of lands among Handeni communities.	<ul style="list-style-type: none"> - Provide communities with correct project information - Strategize engagement of traditional leaders - Ensure present and future grazing needs are taken into consideration during formulation of DLUPF and LUPs without prejudice the need of other land uses and conservation of environment 	30,000,000	<ul style="list-style-type: none"> - Participatory Land Use Management (PLUM) Team. - E&S Team - CSO 	ESMT	During preparation of DLUPF, VLUP and issuance of CCRO
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 	4,000,000/=	<ul style="list-style-type: none"> - E&S Team - Participatory Land Use Management 	ESMT	During preparation of DLUPF, VLUP & throughout the

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		sensitization to the community.		(PLUM) Team.		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. 	25,000,000/=	<ul style="list-style-type: none"> - Handeni District Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders 	ESMT	During preparation of DLUPF, VLUP, and issuance of CCROs.
5	Ineligibility to CCROs	<ul style="list-style-type: none"> - Identification of all households ineligible to receive CCROs and formulation of advice on how to address their situation. - Identification of households and parcels close and within 60 m of the conservation and sensitive areas. - Awareness on ineligibility for CCROs. - Liaise with NEMC, TFS, - TANROADS and TARURA 	10,000,000/=	<ul style="list-style-type: none"> - Handeni District E&S Team - Participatory Land Use Management Team (PLUM) - National Environmental Management Council (NEMC) - TANROADS & - TARURA 	ESMT	During identification of Parcels.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
7	The CCRO issuance process formalize land access inequalities for Women and other Marginalized Group	<ul style="list-style-type: none"> - Identification of marginalized groups such as women, elders, chronically ill persons and youth - Sensitization on importance of CCROs and other project benefits. 	10,000,000/=	<ul style="list-style-type: none"> - Handeni District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders - CSOs. 	ESMT	During Project Sensitization and identification
8	Gender Based Violence	<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 	10,000,000/=	<ul style="list-style-type: none"> - Handeni District E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Village Leaders 	ESMT	Before placement of employees and during rural certification process.
9	Influx of Laborers	<ul style="list-style-type: none"> - Community awareness on STIs transmission and basic hygiene practice and crimes 	5,000,000/=	<ul style="list-style-type: none"> - Handeni District Council Certification 	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"> - Give employment priority to unskilled laborers from within project areas. - Provision of welfare facilities such as water, toilets and food vending to project workers. 		<ul style="list-style-type: none"> Office (CUCO) - Handeni District E&S Team - Village Leaders - Private Companies involved in rural certification activities 		
10	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. 	10,000,000/=	<ul style="list-style-type: none"> - Handeni District Council Urban Certification Office (CUCO): - Handeni District Council E&S Team - District Land Use Plan Framework (DLUPF) (PLUM) Team 	ESMT	During Rural Certification Process
Negative Project Environmental Impacts						

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
1	Negative environmental impacts relating to land use classification to adjustments resulting from Review of the GN	<ul style="list-style-type: none"> - Undertake adequate E&S assessment of the proposed DLUFP and VLUP to determine the magnitude of impacts. - Devise mitigation measures to address risks and impacts related to the proposed DLUFP and VLUP in accordance with the World Bank's ESF. 	2,000,000/=	<ul style="list-style-type: none"> - PLUM - E&S Team 	ESMT	During preparation of DLUPF and VLUP.

CHAPTER FIVE

5.0. Monitoring of Environmental and Social 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 place;
- 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 Handeni 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	-
Enhancement of Social Benefits							
2.	Security of Tenure	No. of CCROs issued in each Village		ILMIS data	Quarterly	ESMT & PIT	-
3.	Capital Creation	No. of Beneficiaries using CCROs to secure capital.		Project report	Quarterly	ESMT & PIT	-
4.	Reduction of land conflicts	No. of land conflicts identified and resolved as part of the CCRO issuance process		Project report	Quarterly	ESMT & PIT	-

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
5.	Employments Opportunities	No. of people employed	174	Report	Quarterly	ESMT & PIT	-
Enhancement of Environmental Benefits							
6	Protection of Common resources	Presence of group of people owning jointly grazing lands issued with CCROs		Scheme of regularization & Reports	Annually	ESMT & PIT	-
7	Enhancement of protection of sensitive areas and minimization of Conflicts	Number of CCRO issued in sensitive areas	0	Report	Quarterly	ESMT & PIT	-
Social Negative Impacts							
1	Enhanced communities understanding of LTIP activities	<ul style="list-style-type: none"> - Acceptance of the LTIP activities by the communities in the Handeni District - Participation of traditional pastoral leaders in LTIP activities. 		Reports	Quarterly	ESMT & PIT	-

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
2	Poor certification among the Indigenous People (IPs)	Percentage of CCROs issued under the name of Maasai Indigenous People	80%	ILMIS data	Quarterly	ESMT & PIT	-
3	Ineligibility to CCROs	No of parcels identified as ineligible for rural land certification	N/A	Report	Quarterly	ESMT & PIT	-
4	Inequalities for Women and Other Marginalized Group	Tailored local information campaigns organized with the support of NGOs /CSOs		Report	Quarterly	ESMT & PIT	-
5	Gender Based Violation	No. of GBV/SEA cases reported.	0	Report	Quarterly	ESMT & PIT	-
6	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	-
7	Inaccessibility of Project Sites	No. of people located in accessible villages during rain seasons with CCROs.	0	Report	Quarterly	ESMT & PIT	-
Environmental Negative Impacts							
8	Waste Management	No. of dustbins provided in	150 dustbins	Report	Quarterly	ESMT & PIT	-

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		three villages	@ village 3	and observation			
9	Health and Safety Hazards	No. of incidence and accidents reported.	0	Report	Quarterly	ESMT & PIT	-

CHAPTER SIX

6.0. INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN HANDENI DISTRICT COUNCIL

6.1. Introduction

The implementation of ESMP will follow the plan stipulated in ESMF. For Handeni District Council the following will be involved in the implementation of this ESMP

6.2. ESMP Implementing Institutions in Handeni District Council

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

Handeni 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 CUCCO.

District Land Use Plan Framework (DLUPF) Team: This will be responsible for identifying different uses within the District. In Handeni, unique land uses such as national parks, wildlife corridors, grazing land, and other uses will be identified and included in the DLUPF.

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

Pangani Basin Water Board (PBWB), Wami Ruvu Basin Water Board (WRBWB) and LTIP: May have overlapping interests in terms of sustainable natural resource management (including water and land), they typically operate in different spheres: one focused on water resources and the other on land tenure. However, effective coordination and collaboration between such entities are crucial to ensure integrated and sustainable development within the Pangani Basin Water Board, Wami Ruvu Basin Water Board and similar regions. This ensures that land and water

management practices complement each other and contribute to overall environmental and socio-economic sustainability.

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

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

Civil Society Organization (CSOs) and Non-Governmental Organization (NGOs) During mapping of the CSOs-NGOs in Handeni, the following were identified: UCRT, CORDS, PINGOZ, OIKOS, WWF and SMART CCF. They will be responsible for ensuring engagement of marginalized and vulnerable people in this project. Sensitization on importance of CCROs and other project benefits, importance of joint titling and GBV/SEA matters For those CSO-NGOs which shall be involved with DLUPF, VLUPs, and CCRO , they will be responsible for 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; provision of dustbins in all project areas; provision of welfare facilities such as toilets and water; tree and grass planting; dust suppression.

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 the reports that demonstrate the suggested ESMP are being implemented accordingly. The team will be required to submit monthly reports to MLHHS. The MLHHS through PCU then will be required to submit quarterly reports on ESMP implementation to the World Bank.

6.4. Capacity Development and Training

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

Table 4: Training conducted to Handeni 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 2023

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

- a) Health and safety training to project drivers and field teams.
- 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 Handeni District Council E&S Team to be conducted on June 2024;

CHAPTER SEVEN

7.0. CONCLUSIONS AND RECOMMENDATIONS

7.1. Introduction

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

7.2. Conclusions

Given the importance of multiple land use in Handeni and the presence of VGs, ESMP shall be an important tool for facilitation of stakeholder's engagement and sensitization so as to affirm with proposed land uses, village boundaries and access to CCRO. Furthermore, this District ESMP shall be supported with Village VGP so as to ensure inclusiveness of the VGs who are the dominant in the district. On the other side, project might trigger FPIC under the following conditions.

- a. LTIP project adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
- b. LTIP project can relocation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities from land and natural resources subject to traditional ownership or under customary use or occupation; or
- c. LTIP project activities has significant impacts on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities' cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities' lives.

However, as per screening conducted in Handeni and experiences from previous related efforts; The project activities in Handeni is likely not to need FPIC application. In the case needed, Team shall follow the procedures as provided in ESMF and VGP

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 groups, 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 Handeni District Council should be given this ESMP as part of the contract to ensure its implementations team in Handeni District Council with Support from ESMT and the Bank shall prepare the VGP before starting preparation of DLUFP, VLUP and Issuance of CCRO.
- PLUMs TEAM) shall ensure meaningful consultation of all key and relevant stakeholders
- Free, Prior and Informed Consent FPCI will be activated when found necessary in the specific villages
- 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.

Annex 1: Due Diligence in the Villages where there is Existing VLUP

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

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

Annex 2: 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 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	YES ²	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/village bordering rivers and lakes	-Settlement is found 60m away from the bank of the lake/river as per the Environmental Management Act of 2004	NO	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		-Settlement is found within 60m from the banks of the river/lake but no floods or any other risk is associated	NO	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should proceed. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation

		-Settlement is found within 60m from the banks of the river/lake and are associated with floods and other risks	YES ³	The area is considered hazardous and no certification should be conducted. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/village/settlements bordering wetlands and water catchment areas	-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 national laws	YES ⁴	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 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	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.
5	Cultural Heritage Sites	-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	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities

		parties		
		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 determine whether the area should be considered or not
6	High density informal settlements	-High density informal settlements in urban settings which are not aligned with planning requirements.	NO	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.
7	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	Yes ⁶	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

1. There is installed beacons on the land surface which is well visible to the Villages boundaries of Nyasa, Madebe, Kwedihwahwala, Gendagenda, Komsanga.
2. The encroached reserved areas include village forest in Chanika kofi, Madebe, Kang'ata, Nyasa, Kwachaga Komkole
3. No any Settlement found within 60m from the water source
4. The is no any villages borders with wetlands as Handeni DC characterised with Sem-arid
5. Villages borders wildlife corridor NIL
6. Villages with flood prone areas includes Kibindu, Kwamsangazi, chanika kofi, sezakofi, Kwannele, Komdudu, Mumbwi, Kwedikwazu Mashariki and Kwedikwazu magharibi.

Annex 3: Handeni District Council – Project coverage Villages

No.	Ward	Village	Registration date	Village registration number
1	Kang'ata	Kang'ata	18/07/2010	11 HDN
2	Kang'ata	Kilimamzinga	09/02/2017	60 HDN
3	Kang'ata	Madebe	10/07/2012	29 HDN
4	Kang'ata	Nyasa	13/10/2010	19 HDN
5	Mazingara	Amani		
6	Kwaluguru	Muungano B	09/01/2017	61HDN
7	Kwaluguru	Kibindu	22/07/2010	15 HDN
8	Kwankonje	Kwankonje	19/03/ 2014	47 HDN
9	Kwankonje	Kwamsangazi		
10	Kwankonje	Kwamkunga	00/00/2014	48 HDN
11	Kwankonje	Nkumba		
12	Kitumbi	Kwenkale		
13	Kitumbi	Kwangahu	24/05/2024	72HDN
14	Komkonga	Hoza	11/07/2012	33HDN
15	Komkonga	Mumbwi	24/05/2024	59HDN
16	Komkonga	Tuliani		
17	Komkonga	Kwamachalima	22/12/2011	25 HDN
18	Ndolwa	Kwamnele ,	22/12/2011	22 HDN
19	Ndolwa	Chanika Kofi	13/10/2010	16 HDN
20	Ndolwa	Seza Kofi	24/05/2024	73HDN
21	Ndolwa	Komkole B	24/05/2024	71HDN
22	Ndolwa	Mzundu	19/03/2014	42 HDN
23	Ndolwa	Luiye	24/05/2024	70HDN
24	Ndolwa	Kwamwenda		
25	Ndolwa	Komdudu	11/07/2012	31 HDN

26	Kabuku	Msilwa	08/09/2005	2 HDN
27	Kabuku	Kwedikwazu Mashariki	11/07/2012	35 HDN
28	Kabuku	Kwedikwazu Magharibi	19/03/2014	43 HDN
29	Kabuku	Kwedibago		
30	Kabuku ndani	Majani Mapana		
31	Kabuku ndani	Kabuku Ndani	11/07/2012	30 HDN
32	Kwamsisi	Kwamsisi	05/07/2012	26 HDN
33	Kwamsisi	Pozo	12/07/2013	37 HDN
34	Kwasunga	Kwasunga	05/07/2012	27 HDN
35	Kwasunga	Kwandugwa	11/07/2012	32 HDN
36	Kwasunga	Kwanyanje		
37	Segera	Jitengeni	01/12/2016	53 HDN
38	Segera	Mandera	01/12/2016	54 HDN
39	Segera	Mailikumi	12/09/2013	41 HDN
40	Kwedizinga	Taula	22/12/2011	23 HDN
41	Misima	Mbagwi		
42	Kwamatuku	Komsala		
43	Kwamatuku	Kweingoma	12/02/2011	20 HDN
44	Mgambo	Gendagenda	13/10/2010	17 HDN
45	Mgambo	Kwediwhawhala		
46	Mgambo	Kwabojo		
47	Mgambo	Komsanga,a		
48	Kwachaga	Kwachaga-Komkole		
49	Kwachaga	Mparagwe	12/07/2013	36 HDN
50	Kiva	Kweditilibe	29/09/2014	50 HDN
51	Kiva	Zavuza	08/09/2005	3 HDN
52	Kiva	Kwedibangala		
53	Kwedizinga	Kwedizinga	22/12/2011	24 HDN

