

**THE UNITED REPUBLIC OF TANZANIA**

**CHUNYA DISTRICT COUNCIL**



**LAND TENURE IMPROVEMENT PROJECT (LTIP)**

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



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**FEBRUARY 2024**

## **ACKNOWLEDGEMENTS**

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

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

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## LIST OF ABBREVIATIONS AND ACRONYMS

CBO	-	Community-Based Organization
CCCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CCRO	-	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 Standards
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
MLHHSD	-	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



RI	-	Residential License
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP	-	Stakeholder Engagement Plan
TNA	-	Training Needs Assessment
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
VLUM	-	Village Land Use Management (Committee)
VLUP	-	Village Land Use Plan
VG	-	Vulnerable Groups
VGPF	-	Vulnerable Groups Planning Framework
WB	-	World Bank
WEO	-	Ward Executive Officer

## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.0 Background information**

The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHHSD) is implementing the Land Tenure Improvement Project (LTIP). The Project Development Objective (PDO) is to strengthen the national land administration system and increase tenure security in selected areas for both men and women. LTIP promotes land-based investments and ensures inclusion for social 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.

#### **1.1 LTIP Project Scope in Chunya District Council**

The Chunya District Council is one of beneficiaries of LTIP activities. In Chunya the project is expected to support the preparation of Village Land Use Plans (VLUP) and Detail Settlement Plan (DSP) covering the settlement part of the 21 villages, as well as the issuance of CCROs, renovation/construction of district and village land offices. This ESMP is prepared specifically to guide the preparation of VLUP, DSP, and issuance of CCROs activities covering all 21 villages (see table 1) while the ESMPs for the renovation or construction of district and village land offices will be developed later before commencement of the renovation activities.

**Table 1: Chunya District Council- Project Coverage Villages**

No	Name of the Ward	Name of the Village
1	Sangambi	Igundu
2	Ifumbo	Lupa Market
3	Kasanga	Mawelo
		Soweto
4	Nkungungu	Nkungungu
		Magunga
5	Mbugani	Mlimanjiwa
6	Upendo	Lola
		Upendo
		Nkwangu
7	Lualaje	Lualaje
		Mwiji
8	Mamba	Mamba B
		Mapinduzi
		Mtande
9	Chokaa	Godima
10	Matwiga	Isangawana
11	Mtanila	Kalangali
		Igangwe
12	Lupa	Lupa
13	Chalangwa	Isewe

In Chunya District Council, the preparation of VLUPs, DSPs and the issuance of CCROs is expected to involve the following activities:

- **Village Land Use Plans (VLUP)**

There are 43 villages formally registered in Chunya district, of which 1 already have a VLUP. LTIP is expected to support the preparation of VLUP of 21 villages and DSPs for the 21 villages reached by LTIP in the district, as this is a prerequisite for the issuance of CCROs. The preparation of VLUPs 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; gazettment of the approved VLUP by the National Land Use Planning Commission. For each VLUP and DSP, LTIP will support an adequate assessment of E&S implication and the formulation of advice for addressing these in ways that are consistent with the World Bank's Environmental and Social Framework (ESF).

### **1.2 Issuance of CCROs**

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

- i. Public awareness and engagement of marginalized groups (for example people with disabilities and old people);
- ii. Employing and Training of Para- surveyors;
- iii. Parcels adjudication;
- iv. Preparation of DSP (regularization layout);
- v. Block Planning and Negotiation of Road Accessibility
- vi. Printing and issuing CCROs.

The aforementioned activities involved in the issuance of CCRO have potential to cause environmental and social (E&S) risks and impacts. To address the potential E&S risks and impacts the Project has prepared this Environmental and Social Management Plan (ESMP) for Chunya District Council.

### **1.3 General Objectives of ESMP**

The preparation of the Chunya VLUPs, DSPs and issuance of CCRO have potential to cause E&S risks and impacts. The Chunya 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:

- vii. Identify potential E&S risks and impacts associated with land use planning and rural certification activities supported by LTIP;
- viii. Develop mitigation/enhancement measures to minimize E&S risks and impacts
- ix. Assess the capacity of the implementation agencies and develop plans for training and other capacity-building activities
- x. Define implementation arrangement and organization structure of ESMP implementation, including assessment of the implementation capacity of the implementing agencies (LGA)
- xi. 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 Chunya 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 projects specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP. Annex 1 for this ESMP on villages with existing VLUP
- ii. Define mitigation, enhancement and monitoring measures for the identified impacts;
- iii. Validation of mitigation, enhancement and monitoring measures through stakeholders' engagement.
- iv. Finalize and share the ESMP report with wider stakeholders, including the QESMP 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 Songwe District Council, Tanzania. The screening was carried out using the E&S Safeguard Criteria established by the project for selecting specific project areas. This was done using the screening

form found in the ESMF guiding document (attached in Annex 6), which assessed the potential environmental and social impacts of the LTIP in the selected Songwe area.

## CHAPTER TWO

### BASELINE ADMINISTRATIVE, ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

#### 2.0 Introduction

Chunya District is one of the seven districts in Mbeya Region found in the southern part of Tanzania. It is boarded to the North by Tabora region to the Northeast by Singida region to the East by Mbarali to the South Mbeya rural district and to the West Songwe. Chunya District has a size of 17,505 Square Kilometers. Chunya District is situated South West of the region, it lies between 8° 55' 70" S and 33°43'27" E.

#### 2.1 Administrative Condition of Chunya District Council

Administratively Chunya district council has 2 divisions, 20 Wards and 43 villages. The divisions are Kiwanja and Kipembawe. All 43 Villages are registered by the responsible authorities. The council has one electoral Constituency and one Member of Parliament.

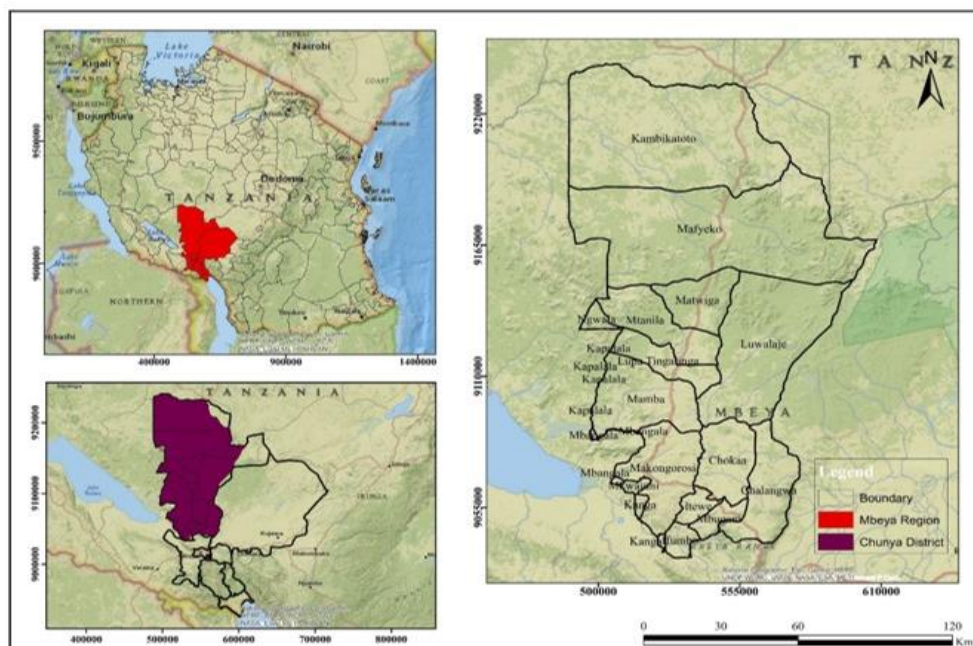


Figure 1; Administrative Map of Chunya District Council

### **2.3 Land Use Pattern.**

This section analyses land as an economic good of increasing value. It contributes much to the poverty reduction process through wealth creation, improving people's living standards. Rural land is highly demanded for agriculture and other social and economic production activities. Chunya District has a total land area of 17,505 square kilometers, with more land in the Kipembawe division (11,675 square Kilometre; 66.7 percent) and the remaining 5,830; 33.3 percent) is in the Kiwanja division. Land use pattern is characterized by a mix of agriculture, livestock keeping and grazing and mining activities, settlement and infrastructures, telecommunication and air transport, tourism, beekeeping, and conservation areas. This mixed land use pattern highlights the diverse economic potential of Chunya District and emphasizes the importance of responsible land management for sustainable development and poverty reduction.

### **2.2 Environmental Baseline Information in Chunya District Council.**

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

### **2.3. Climate**

Climate is generally tropical with distinct wet and dry seasons. It is influenced by its tropical climate and elevation variations. It can vary depending on its elevation; lower areas experience warmer temperatures, while higher elevations may be cooler.

#### **2.3.1. Rainfall**

Chunya District Council has relatively wet and dry seasons. Wet seasons are typically from November to April while heavy rains are around March and May. The dry seasons are generally from June to October. The rainfall amount may vary from year to year, but it annually ranges from 800mm to 1200mm.

#### **2.3.2. Temperature**

Chunya District Council experiences warm temperatures throughout the year due to its proximity to the equator. Daytime temperature ranges from 25°C to 30°C. Nighttime temperatures range from 15°C to 20 °C.

#### **2.3.3. Humidity**

Chunya Council humidity can be relatively high, especially during the wet season



leading to muggy condition. Also, it varies depending on elevation and proximity to water bodies.

## **2.4. Topography**

Chunya district is characterized by a hilly landscape Stretching from Mbeya hills with a gentle slope mostly covering the Kiwanja division. Also, the district has flat low lands along the lake Rukwa basin; and a plateau between Ibagu plains and that of lake Rukwa and Chunya mountain range.

### **2.4.1. Drainage pattern**

The main permanent drainage system includes rivers Lupa and Zira all originating from Mbeya hills. On the other hand, non -permanent rivers (seasonal) exist and mostly flow during rainy season. Commonly known sources of those rivers include Chunya mountain range and the Mbeya hills.

## **2.5. Geological features**

Chunya is underlain by precambrian rocks, which are among the oldest geological formations. These rocks include gneisses, schists, and granite. Gold deposits especially in Lupa goldfield. The gold deposits are found within quartz veins and associated with the greenstone belts, the precambrian. Chunya is characterized by volcanic features, alluvial plains along river valleys, floodplains, and alluvial deposits of sands, silt, and clay are common. Tectonic structures, highlands and plateaus are dominants in many areas.

### **2.5.1. Soil type**

The common soil types in Chunya district council are clay loam and sandy loam. Sandy loam soils are dominated by sand particles but contain enough clay and sediment to provide some structure and fertility. Plants that are grown in a sandy loam soil need frequent irrigation and fertilization to maintain healthy growth. On the other hand, clay loam is a soil mixture that contains more clay than other types of rock or minerals (see Figure 2).

## **2.6 Chunya District Council Social Baseline Information**

### **2.6.1. Population**

Based on the population census reports of 2022, Mbeya Region has a total population of 2,343,754, male 1,123,828 while female was 1,219,926. Chunya District Council

has a population size of 344,471, Male 176,456, while female 168,014, with a growth rate of 3.2%.

### **2.6.2. Project Workforce Requirements**

VLUPs and the rural land certification process in Chunya District Council will require a workforce. This situation is likely to attract influx of people in search of employment from within and from outside the district. The presence of internal and external movement of people necessitates for the LTIP to pay attention on labor management and eligibility for land rights during issuance of CCRO.

### **2.6.3. Economic Activities**

The Chunya district's economic structure is based on agriculture, livestock keeping, trade and commerce, mining, fishing, forestry, manufacturing, and processing as the livelihood source for most residents. The district is also endowed with wildlife resources which play the major role in socioeconomic development of the district through ecological, aesthetic, spiritual, and research values.

### **2.6.4. Social Services**

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

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## CHAPTER THREE

### LEGAL AND INSTITUTIONAL FRAMEWORK

#### 3.0 Introduction

This chapter describes relevant legal and institutional framework governing the preparation of VLUP, DSPs and issuance of CCRO in Chunya district. The focus has been made on legislations which provide environmental and social provisions and requirements relevant for the Project. The legislation described in this chapter 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.

#### 3.1 Country's Legal Framework to Guide Land Use Planning and Rural Certification Processes in Chunya District

***The Environmental Management Act (EMA) 2004:*** The Act provides 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 Chunya during identification of national parks and preparation of DLUPF and VLUP. Specifically, LTIP project in Chunya District Council will adhere to 60m buffer zone requirements when issuing CCROs.

***The National Land Act, No. 4 and 5 of 1999:*** The Land Act (1999) 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 outline, procedure for land administration, allocation, acquisition, schemes of regularization, land registration and certification, compensation and resource management in both urban and rural areas. The Land Acts contain provisions of critical environmental importance and modalities for

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

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

***The Employment and Labour Relations Act, No. 6 of 2004 :*** The Act provide labour rights and protections particularly on Child labour, forced labour and discrimination in the working place and freedom of association. The act prohibits child labour it provides that no child under the age of 14 shall be employed. LTIP will ensure equality in employment, forbid child labour and provide valid employment contracts to direct and indirect workers. The employment contracts for direct and indirect teams will ensure compliance to basic employment standards which include: i) Wage determination that stipulates a minimum term and condition of employment (ii) An employment standard constitutes a term of a contract with an employee unless -a term of the contract contains a term that is more favorable to the employee; and a provision of an agreement alters the employment standard to the extent permitted by the provisions and iii) a provision of any collective agreement, a written law regulating employment, wage determination or exemption granted under section 100. The law also requires provision for health insurance and joining to National compensation funds for labour on employment beyond six months.

***The HIV and AIDS (prevention and Control) Act, No. 28, 2008:*** Made under section (9) every employer in consultation with the ministry shall establish and coordinate a workplace programme on HIV and AIDS for employees under this control and such programme shall include provision of gender responsive HIV/AIDS and education, Distribution of Condoms and support to people living with HIV/AIDS.

LTIP project team shall be responsible for providing education, Condoms and awareness on HIV and AIDS for the purpose of control the spread of HIV to workers and communities around the project area.

***The Urban Planning Act of 2007:*** This is the principal legislation which govern urban planning. The LTIP will prepare detailed planning schemes; undertake public and other stakeholder's engagement; and subsequent facilitate approval of scheme of regularization as stipulated in this Act. The project will also spearhead preparation of environmental and social assessment of the proposed scheme of regularization.

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

***Public Health Act of 2012:*** The act stipulates need to consolidate public health through prevention of disease, promotion, safeguard, maintain and protect the health of humans and animals. The presence of LTIP workers may result in the risk of disease transmission and will be addressed through conducting HIV/Aids campaign, provision of handwashing facilities, condoms and dustbins.

***Water Resources Management Act No. 11 of 2009:*** Water Resource Management Act No. 11 of 2009 is the principal legislation governing the utilization and pollution control of the water resources. Specifically, the objective of this Act is to ensure that, water resources are protected, used, developed, conserved, managed and controlled for sustainable development. The LTIP will identify boundaries of streams, rivers and

other water sources in Chunya District Council and ensure that such uses are included during preparation of DLUPF and VLUP and will not issue CCRO in such areas to enhance management of water resources.

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

### **3.2 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 Chunya District Council the following ESSs are applicable and this ESMP describe how specific ESSs will be complied with during preparation of DLUPF, VLUM and the issuance of CCROs:

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

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

#### **ESS2 Labor and Working Conditions;**

- Provision of Valid Employment Contractors to workers for both direct and indirect teams;
- Provide 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 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 on accident risks and community safety.

#### **ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement**

- Sensitization of community about the project and land requirements for access roads, community facilities such as schools, health facilities, markets, cemetery; reactional and open areas; and
- Land donation/acquisition requirements and procedures as stipulated in 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 and water bodies

#### **ESS10 Stakeholders Engagement and Information Disclosure**

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

A legal gap analysis between the national laws and the applicable ESSs has been provided in the Project ESMF. 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 baseline environment and social conditions of the project area, the environmental and social assessment has identified the following likely project benefits, risks and impacts:

**Project Social Benefits:** In Chunya 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 such as farms owners and religious institutions.

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

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

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

***Employments Opportunities:*** Rural certification activities in Chunya District will require workforce to perform different activities. In total the project will employ approximately 176 people: 32 skilled, 64 semi-skilled and 80 unskilled. Duties and responsibilities of each category of workers are detailed in CCROs Manual.

## **1.2 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 Chunya 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 community and other institutions. Some decisions made as part of the VLUP preparation may also have E&S impacts. These will be assessed, and mitigation measures will be proposed as part of the VLUP preparation process.

***Conflict over land ownership and rights:*** In project areas people live without proper identification of their areas, land size and boundaries with neighbors. During adjudication process the chances of not agreeing to the boundaries might lead to conflict over land use and the conservation authorities. In addition, some conflicts might involve proving evidence on who are legal owner of the land parcels to be issued with CCROs. Such cases are likely to happen especially in bouldering land parcels, extended and polygamous families, inherited land parcels and on land parcels which people have contested interest and ownership rights.

### **Ineligibility to CCROs**

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

### **Inequalities for Women and Other Marginalized Group**

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

### ***Gender Based Violation***

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

### ***Influx of Laborers***

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

## **4.3 Project Positive Environmental Impacts of Land Certification**

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

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

## **4.4 Negative Environmental Impacts of Land Certification**

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

- a) *Soil Erosion and Dust*

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

- b) *Waste management*

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

c) *Health and Safety Hazards*

Fabrication, transportation and subsequent installation of beacon might lead to incidences and accidents causing injuries and fatalities.

#### **4.5 Mitigation Measures of the Identified Impact**

This section contains a description of mitigation measures for adverse impacts, measures for enhancing the beneficial effects, and the cost of mitigation against the impacts. Chunya District Council and Ministry of Land will implement an Environmental and Social Management Plan (ESMP), which has been developed for LTIP project. The ESMP will also ensure compliance with applicable environmental standards during both on the land use and certification process. Table 2 Is the impacts and mitigation matrix for Land Certification for Chunya District Council. 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 Social Impacts					
1	Conflict over land use land rights, and Village boundary conflicts	<ul style="list-style-type: none"><li>- Formulation and operationalization of GRM</li><li>- Capacity building and awareness creation to local leaders on conflict resolution.</li><li>- Operationalization of Land Donation Procedures</li><li>- Sensitization on the importance of joint land titling.</li><li>- Educate men on the importance of including their wives on CCROs.</li></ul>	10,000,000/=	<ul style="list-style-type: none"><li>- Chunya District E&amp;S Team</li><li>- Ward Executive Officer (WEO),</li><li>- Ward Community Development Officer (CDO)</li><li>- Villages Leaders</li></ul>	ESMT	During Rural Certification Process and Village land Use Plans
2	Ineligibility to CCROs	<ul style="list-style-type: none"><li>- Identification of Households residing along road reserve, gullies and river streams.</li><li>- Awareness on ineligibility for CCROs</li><li>- Payment of compensation to those along road reserve by TARURA/TANROADS as per country laws.</li><li>- Liaise with NEMC and Lake Nyasa Basin Authority for further guidance.</li></ul>	2,000,000/=	<ul style="list-style-type: none"><li>- Chunya District Council Rural Certification Office (CRCO)</li><li>- Chunya District E&amp;S Team</li><li>- Participatory Land Use Management Team (PLUM)</li><li>- National Environmental Management Council (NEMC)</li><li>- Tanzania Rural and Rural Road Agency (TARURA)</li><li>- Tanzania Road Agency (TANROADS)&amp;</li><li>- Lake Nyasa Basin</li></ul>	ESMT	During identification of Parcels.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
3	Inequalities for Women and Other Marginalized Group	<ul style="list-style-type: none"> <li>- Identification of marginalized groups such as women, elders, chronically ill persons and youth</li> <li>- Sensitization on importance of CCROs and other project benefits.</li> </ul>	2,000,000/=	<ul style="list-style-type: none"> <li>- Chunya District E&amp;S Team</li> <li>- Ward Executive Officer (WEO),</li> <li>- Ward Community Development Officer (CDO)</li> <li>- Villages Leaders</li> <li>- Civil Society Organisation (CSOs).</li> </ul>	<b>ESMT</b>	During Project Sensitization and identification
4	Gender Based Violation	<ul style="list-style-type: none"> <li>- Engage Police Gender Desk to train Project staff on GBV/SEA.</li> <li>- All LTIP staff to sign a code of conduct (CoC) which include GBV/SEA issues.</li> <li>- To develop a GBV Action Plan for the District.</li> <li>- To identify relevant government agencies and/ or NGOs in the district who can provide survivors of GBV and SEA assistance for example medical care, psychosocial support, legal redress, safety, etc. as and when necessary.</li> </ul>	8,000,000/=	<ul style="list-style-type: none"> <li>- Chunya District E&amp;S Team</li> <li>- Ward Executive Officer (WEO),</li> <li>- Ward Community Development Officer (CDO)</li> <li>- Villages Leaders</li> <li>- Private Companies involved in certification activities.</li> </ul>	ESMT	Before placement of employees and During Rural Certification Process.
5	Influx of Laborers	<ul style="list-style-type: none"> <li>- Community awareness on STIs transmission and basic hygiene practice and crimes</li> <li>- Give priority to unskilled laborers from within project areas.</li> <li>- Provision of welfare facilities such as water, toilets and food vending to project workers.</li> </ul>	2,000,000/=	<ul style="list-style-type: none"> <li>- Chunya District Council Rural Certification Office (CRCO)</li> <li>- Chunya District E&amp;S Team</li> <li>- Villages Leaders</li> </ul>	<b>ESMT</b>	During Rural Certification Process.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				- Private Companies involved in certification activities.		
<b>Negative Environmental Impacts</b>						
1	Soil Erosion and Dust	<ul style="list-style-type: none"> <li>- Tree and grass planting</li> <li>- Dust suppression using water</li> <li>- Provision of PPEs (Mask, Boots, Gloves and Helmet) to workers.</li> </ul>	500,000/=	<ul style="list-style-type: none"> <li>- Chunya District Council Rural Certification Office (CRCO)</li> <li>- Chunya District E&amp;S Team</li> <li>- Private Companies involved in certification activities.</li> <li>- Villages Leaders</li> </ul>	<b>ESMT</b>	During Rural Certification Process.
2	Waste management	<ul style="list-style-type: none"> <li>- Provision of dustbins in all project areas</li> <li>- Use of welfare facilities such as toilets and water.</li> </ul>	800,000/=	<ul style="list-style-type: none"> <li>- Chunya District Council Rural Certification Office (CRCO)</li> <li>- Chunya District E&amp;S Team</li> <li>- Private Companies involved in certification activities.</li> <li>- Villages Leader</li> </ul>	<b>ESMT</b>	During Rural Certification Process.
3.	Health and Safety Hazards	<ul style="list-style-type: none"> <li>- Provision of PPEs (Mask, Boots, Gloves and Helmet) to workers.</li> <li>- Training drivers of direct and indirect teams on road safety</li> </ul>	2,000,000/=	<ul style="list-style-type: none"> <li>- Chunya District Council Rural Certification Office (CRCOs)</li> <li>- Chunya District E&amp;S</li> </ul>	<b>ESMT</b>	During Rural Certification Process/ Adjudication process



S/N	Potential Impacts	Social	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
					Implementation	Supervision	
			- Provide Health and safety Training to project workers		Team - Private Companies involved in certification activities. - Villages Leaders		

## **CHAPTER FIVE**

### **MONITORING OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS**

#### **5.1 Introduction**

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

#### **5.2 Objectives of Environmental and Social Monitoring Plan.**

The objectives of the 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 to 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 consequence.

**Table 3** below summarizes monitoring plan for rural certification in Chunya District Council

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

S/N	Environmental/ Impacts	Social	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
<b>Enhancement of Social Benefits</b>								
1.	Security of Tenure		No. of CCROs issued in each Villages	1,000 – 1,500	ILMIS data	Quarterly	ESMT & PIT	<b>4,000,000</b>
2.	Capital Creation		No. of Beneficiaries using CCROs to secure capital.	20	Project report	Quarterly	ESMT & PIT	<b>1,000,000</b>
3.	Effective Land Control and Management.		Percentage decrease in land-related conflict cases in twenty-one (21) villages.	60%	Project Report	Quarterly	ESMT & PIT	<b>1,000,000</b>
4.	Reduction of Cost Associated with Informal Land Transaction		Percentage decrease of cost associated with access to land to twenty-one (21) villages.	100%	Project Report	Annually	ESMT & PIT	<b>1,000,000</b>
5.	Employments Opportunities		No. of people employed	174	Report	Quarterly	ESMT & PIT	<b>3,000,000</b>
<b>Enhancement of Environmental Benefits</b>								
6.	Enhancement of protection of sensitive areas		Number of land development within sensitive areas (Gullies & river stream).	0	Report	Quarterly	ESMT & PIT	<b>1,000,000</b>
7.	Livable Settlements		Percentage of green structures and enhanced mobility in twenty-one villages	-10% green structures & -15% mobility	Scheme of regularization	Annually	ESMT & PIT	<b>1,000,000</b>
<b>Social Negative Impacts</b>								
1.	Conflict over land use and land rights		Percentage decrease of land related conflict cases in twenty-one villages.	50%	Report	Annually	ESMT & PIT	<b>1,000,000</b>
2.	Ineligibility to CCROs		No identified ineligible parcels in twenty-one villages	N/A	Report	Quarterly	ESMT & PIT	<b>1,000,000</b>
3.	Inequalities for Women and Other Marginalized Group		Percentage of Women and other Marginalized Group with CCROs.	30%	Report	Quarterly	ESMT & PIT	<b>1,000,000</b>
4.	Gender Based Violation		No. of GBV/SEA cases reported.	0	Report	Quarterly	ESMT & PIT	<b>1,500,000</b>

S/N	Environmental/ Impacts	Social	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
<b>Enhancement of Social Benefits</b>								
5.	Influx of Laborers		Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	<b>500,000</b>
<b>Environmental Negative Impacts</b>								
6.	Soil Erosion and Dust		No. of trees planted	150 trees @ 21 Villages	Report	Quarterly	ESMT & PIT	<b>1,000,000</b>
7.	Waste Management		No. of dustbins provided in twenty-one villages	15 dustbins @ 5 Villages	Report and observation	Quarterly	ESMT & PIT	<b>13,000,000</b>
8.	Health and Safety Hazards		No. of incidence and accidents reported.	0	<b>Report</b>	Quarterly	ESMT & PIT	<b>1,500,000</b>
	<b>TOTAL</b>							<b>32,500,000</b>

## CHAPTER SIX

### INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP

#### 6.1 Introduction

Team (PLUM): This will be responsible for identification of households. The implementation of ESMP will follow the plan stipulated in ESMP. For Chunya District Council the following will be involved in the implementation of this ESMP.

#### 6.2 ESMP Implementing Entities

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

*Chunya District 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 the Office.

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

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

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

*Ward and Villages 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):* They will be responsible for ensuring sensitization on importance of CCROs and other project benefits, importance of joint titling and GBV/SEA matters.

*Private Firms:* Private firms 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 MLHSD. The MLHSD 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 Chunya District council the following trainings have been provide to E&S Team at LGAs levels and Villages leaders to enhance their capacity to implementation of environmental and social risk management issues during certification process.

**Table 4; Time table for Environmental and Social Frame work**

S/N	Name of Training	Training Institution	Date
1	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13 <sup>th</sup> – 14 <sup>th</sup> December 2022
2	Preparation and Implementation of ESMP to CRCOs members.	ESMT	21 <sup>st</sup> - 23 <sup>rd</sup> December 2023
3	Training on Safeguards Compliance to Villages and ward Leaders	ESMT	28 <sup>th</sup> – 29 <sup>th</sup> February 2024

Other E&S trainings planned for Chunya District to enhance their capacity to implement ESMP are:

- a) Health and safety Training to project drivers and field teams to be conducted in March 2024.
- b) Training 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 Chunya District Council E&S Team to be conducted on June 2024;

## **CHAPTER SEVEN**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **7.1 Introduction**

This ESMP is specifically for Chunya 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 Conclusion**

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

Furthermore, there is no identification of any VGs group as per VGPF guiding document hence VGP will not be prepared.

The social benefits of this project to include enhanced security of tenure, capital creation, effective land control and management, reduction of cost associated with informal land transaction, and employments opportunities. Apart from the positive impacts, this ESMP also identified some negative implications associated with the proposed interventions, which need to be mitigated in order to ensure project acceptability and sustainability. Among the negative impacts are: Conflict over land use and land rights, ineligibility for some people to obtain CCROs, inequalities for women and other marginalized group, likely of emergence of gender-based violation, influx of laborers, soil erosion and dust, generation of waste, and health and safety hazards.

To address the aforementioned risks and impacts, the ESMP include a comprehensive Environmental and Social Management Plan (ESMP) and a Monitoring Plan for proper implementation of the project and reduction of the negative effects from the project. The MLHHD is committed to effect this ESMP through ensuring that enough budget, human resources and logistics are available.



### **7.3 Recommendations.**

1. All Villages where the project is implemented should have the copy of this ESMP,
2. NGOs to be hired to conduct certification process in Chunya District Council should be given this ESMP as part of the contract to ensure its implementations team in Chunya District Council with Support from ESMT
3. PLUM team shall ensure meaningful consultation of all key and relevant stakeholders.
4. Adequate budget should be allocated to facilitate implementation of the mitigation measures to avoid project impacts to the environment and the community and enhance project benefits.
5. Training to all stakeholders 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**

<b>SN</b>	<b>Area / issue of concern</b>	<b>Criteria</b>	<b>Applicability (Yes/No)</b>	<b>Guiding Remarks</b>
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	YES <sup>1</sup>	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 <sup>2</sup>	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	YES	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification

		-Settlement is found within 60m from the banks of the river/lake but no floods or any other risk is associated	NO	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should proceed. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		-Settlement is found within 60m from the banks of the river/lake and are associated with floods and other risks	NO	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/village/settlements bordering wetlands and water catchment 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	YES	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

		National laws		conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4.	Wildlife areas, corridors or migratory routes areas	Villages borders wildlife areas, wildlife corridors or migratory routes national laws	YES <sup>3</sup>	Such areas should be identified by relevant authorities.
5.	Cultural Heritage Sites	-Boundaries of the registered cultural heritage area and the village are clear and well identified	YES <sup>4</sup>	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between village and the registered cultural heritage site although the boundary is well known	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities

		to all the parties		
6.	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.
7.	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.
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 who will

1. There is encroachment between the villagers the reserved area for example Disimanyanga Mafyeko and Kambikatoto villages.
2. There is installed beacon of one metre above land surface which is well visible to the villagers' boarders but still villagers encroach these areas.

3. Chunya has a Wild life corridor of Ruaha and Katavi and should be protected from Villagers who are trying to encroach the area.
4. Uwalaje na Mafyeko villages have cultural areas which should be reserved.