

UNITED REPUBLIC OF TANZANIA
MINISTRY OF LAND HOUSING AND HUMAN SETTLEMENTS
DEVELOPMENT (MLHSD)



LAND TENURE IMPROVEMENTION PROJECT (LTIP)
ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR RURAL
CERTIFICATION PROCESS IN KILWA DISTRICT COUNCIL



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DECLARATION

We, the undersigned hereby declare that the information provided in this document is true to the best of our knowledge and we shall provide any additional information that shall come to notice in the course of reviewing and approving this ESMP report.

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LIST OF ACRONYMS AND ABBREVIATIONS

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
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

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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

CHAPTER ONE

INTRODUCTION

1.0 Background of the Project

The Government of Tanzania (GoT), through the Ministry of Lands, Housing and Human Settlements Development (MLHHSD), is implementing the Land Tenure Improvement Project (LTIP). This project aims to enhance the security of land rights and improve the efficiency of land administration. It supports land-based investments and fosters inclusion for socio-economic development in both urban and rural areas. Key project indicators include the number of Certificates of Rights of Occupancy (CROs), Certificates of Customary Rights of Occupancy (CCROs) and Residential Licenses issued and registered (with gender-disaggregated data); an increase in land and property transactions; a reduction in land conflicts; improved tenure security; and gender-disaggregated survey data.

1.2 LTIP Project Scope in Kilwa District Council

Kilwa District Council is one of the districts participating in the Land Tenure Improvement Project (LTIP), implemented by the Government of Tanzania through the Ministry of Lands, Housing, and Human Settlements Development (MLHHSD). The project is jointly funded by the World Bank and the Government of the United Republic of Tanzania. LTIP aims to strengthen land administration across the country by enhancing tenure security and promoting land-based investments. The project supports land use planning, cadastral surveys and rural land registration, which contribute to improved livelihoods and increased land productivity. In Kilwa District, the project aims to achieve between 75,000 and 100,000 Certificates of Customary Rights of Occupancy (CCROs) across 69 villages.

1.2.1 Village Land Use Plans (VLUP)

The Village Land Use Plans (VLUPs) are an integral part of the Land Tenure Improvement Project (LTIP) in Kilwa District Council (DC). These plans are designed to enhance land management, resolve land disputes, and promote sustainable development in rural areas. Here is an overview of the VLUP process and its impact on the community:

Process:

1. Awareness Creation and Capacity Building: Training the Participatory Land Use Management Team (PLUM).
2. Village Assembly and VLUM Formation: Conducting village meetings to form the Village Land Use Management Council (VLUM).
3. Baseline Information Preparation: Assessing resources, existing land use, and environmental and social issues.
4. Draft VLUP Preparation: Developing the draft Village Land Use Plan.
5. Validation and Approval: Presenting the draft VLUP and by-laws for approval by the village assembly.
6. District Endorsement: The VLUP is then endorsed by the district council.
7. National Gazettement: The approved VLUP is gazetted by the National Land Use Planning Commission.

1.2.2 Issuance of Customary Certificates of Right of Occupancy (CCROs)

The issuance of CCROs in Kilwa District follows a structured process detailed in the LTIP CCRO Manual. This process involves several critical activities to ensure inclusivity and proper land management.

Activities:

1. Public Awareness: Engaging and educating marginalized groups, including people with disabilities and the elderly.
2. Para-Surveyors: Employing and training para-surveyors to assist with land surveys.
3. Parcels Adjudication: Officially recognizing and documenting land parcels.
4. Preparation of DSP: Developing regularization layouts.
5. Block Planning and Road Accessibility: Negotiating Road access and planning blocks.
6. CCROs Issuance: Printing and distributing the CCROs.

1.3 Implementation of Environmental and Social Monitoring Plan (ESMP) for the project.

This report presents the Environmental and Social Management Plan (ESMP) for the Land Tenure Improvement Project (LTIP) in Kilwa District. The ESMP is designed to identify, assess and manage potential environmental and social impacts resulting from the implementation of the project. It outlines a comprehensive approach to address the key issues associated with LTIP, ensuring responsible and sustainable development that aligns with the World Bank Environmental and Social Standards (ESS) and national regulations.

1.3.1 General Objectives of the ESMP.

The main purpose of this Environmental and Social Management Plan (ESMP) is to serve as a guide for managing and monitoring the environmental and social impacts associated with the proposed project activities. It outlines how the organizational capacity and resources will be effectively utilized to implement the recommended mitigation measures. Consequently, both the government implementation team and private firms will carry out the project in accordance with the ESMP.

The development of this ESMP aligns with the Project's Environmental and Social Management Framework (ESMF) and aims to achieve the following specific objectives:

- i. Identification of potential environmental and social impacts associated with rural certification.
- ii. Development of mitigation and enhancement measures to minimize environmental and social impacts.
- iii. Definition of the implementation arrangements and organizational structure for the ESMP.
- iv. Identification of parameters for monitoring and the tools to be used for monitoring and reporting.

1.3.2 Methodology for Preparation of ESMP

This Environmental and Social Management Plan (ESMP) was prepared by the Kilwa District Council team of Experts in collaboration with the Environmental and Social Management Team (ESMT) through a series of activities:

- i. Conducting an environmental and social screening to assess the risks and impacts associated with the certification process using:
 - Annex 4 of the Environmental and Social Management Framework (ESMF), which provides screening checklists for environmental and social issues.
 - Annex 6, which outlines environmental and social safeguards criteria for selecting project-specific areas.
 - Annex 5, which includes terms of reference for the preparation of the ESMP.
- ii. Identifying mitigation, enhancement and monitoring measures to address the identified impacts.
- iii. Validating the proposed mitigation, enhancement and monitoring measures through stakeholder engagement.
- iv. Finalizing the ESMP report and distributing it to a broader range of stakeholders for further feedback and input.

1.4 Screening Results.

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Kilwa District Council, Tanzania. The screening was conducted using the screening form attached in Appendix 4, which assessed potential environmental and social impacts of the project implemented by the LTIP.

1.4.1 Screening Methodology

The screening process involved a comprehensive review of the project's activities, its location and relevant environmental and social aspects. This included:

- **Project Description:** A detailed review of the LTIP project's scope, objectives, and planned activities, including the development of Village Land Use Plans (VLUP), Detailed Settlement Plans (DSP), and issuance of Certificates of Customary Right of Occupancy (CCROs).
- **Environmental Setting:** Analysis of the existing environmental conditions, including topography, climate, water resources, biodiversity, and sensitive ecosystems within the project area.
- **Social Setting:** Assessment of the social context in Kilwa District Council, including population demographics, cultural heritage, livelihoods, land tenure systems, and potential social impacts of the project.
- **Applicable Laws and Regulations:** Review of relevant national and international environmental and social regulations, standards, and guidelines related to land tenure, land use planning, and community-based resource management.
- **World Bank Standards:** The applicable World Bank standards include ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10, all of which are relevant to the LTIP.

1.4.2 Screening Results Summary

The screening results indicated the following potential environmental and social impacts:

Potential Positive Impacts:

- **Improved Land Tenure Security:** The project will provide legal recognition of land rights, promoting security of tenure and facilitating investment and development.
- **Improved Land Use Planning:** The development of VLUPs and detailed land use plans will encourage sustainable land management practices and resource allocation, reducing conflicts and promoting sustainable development.
- **Enhanced Community Participation:** The project promotes community participation in land management decision-making through the establishment of CCROs, empowering local communities to manage their resources effectively.

- **Reduced Land Conflicts:** The project is expected to contribute to reducing land conflicts and disputes by establishing clear land boundaries and rights.

Potential Negative Impacts:

- **Displacement of Communities:** The implementation of land use plans could potentially lead to the displacement of communities, particularly if land is designated for specific uses.
- **Land Conflicts:** The process of defining land rights and boundaries could potentially exacerbate existing land conflicts or create new ones.
- **Social Exclusion:** The project needs to ensure equitable access to land and resources for all community members, avoiding social exclusion and marginalization.
- **Environmental Degradation:** Changes in land use patterns could potentially lead to environmental degradation, especially if unsustainable practices are not adequately addressed.

1.4.3 Significance of Impacts

Based on the screening results, the following impacts were identified as significant and requiring further assessment:

- **Displacement of Communities:** The potential displacement of communities due to land use changes needs careful consideration and mitigation strategies.
- **Land Conflicts:** The project needs to proactively address potential land conflicts during the planning and implementation phases.
- **Social Exclusion:** Ensuring equitable access to land and resources for all community members, particularly vulnerable groups, is crucial for the project's success.
- **Environmental Degradation:** The project needs to incorporate strategies to minimize potential negative environmental impacts related to land use changes.

Next Steps

Based on the screening results, the following steps will be undertaken:

- **Development of ESMP:** A detailed Environmental and Social Management Plan (ESMP) will be developed, incorporating the findings of the screening and stakeholder consultations. The ESMP will outline specific mitigation measures, monitoring plans and management strategies to address potential displacement, land conflicts, social exclusion and environmental degradation.
- **Stakeholder Consultation:** Comprehensive stakeholder consultation will be undertaken with all relevant stakeholders, including community members, local authorities, government agencies, and civil society organizations, to ensure participation and address concerns related to the potential impacts.

The ESMP is crucial to ensure that the LTIP project in Kilwa District Council is implemented in an environmentally and socially responsible manner, contributing to sustainable land management and equitable access to land resources while safeguarding the well-being of the local community and environment.

CHAPTER TWO

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

2.1 Introduction

Kilwa District Council is one of six councils located in the Lindi Region of southern Tanzania. It was established in 1947 by the British colonial administration, making it one of Tanzania's oldest councils. The district is situated between latitudes 8°20' and 9°56' and longitudes 38°36' and 39°50' east of Greenwich. It shares borders with Rufiji District in the north, Lindi and Ruangwa Districts in the south, Liwale District in the west and the Indian Ocean in the east. The total area of the district spans 13,347.50 square kilometers (1,334,750 hectares), with 12,125.9 square kilometers of land and 1,221.52 square kilometers of ocean.

2.2 Administrative condition of Kilwa District Council

Administratively, Kilwa District is divided into six divisions, 23 wards, 90 villages, and 351 hamlets (as shown in Figure 1). The district headquarters is in Kilwa Masoko, which has recently been upgraded to a township authority. Kilwa District has a judicial infrastructure that includes a district court, nine primary courts, and 23 ward tribunals. Of the 90 villages, 28 have active village land tribunals, while the rest are not currently operational.

The district boasts rich biodiversity, including a variety of flora and fauna, as well as minerals such as gypsum and gas. It also offers natural attractions ideal for eco-tourism and game viewing tourism, including the Indian Ocean, Kilwa Kisiwani, Songo Mnara, Sanjeya Kati, Kilwa Kivinje, and other ruins and monuments in the vicinity. Additionally, the district features caves in Kipatimu, Kisongo and Lihimalyao Kusini villages, a "hippo pool" at the Nyange River, and extensive mangrove forests. Marine resources such as mangroves, coral reefs, and sandy beaches have attracted several tourist investments.

Kilwa District Council consists of 90 registered villages, 13 of which have land use plans at different stages of implementation. Eight villages are being upgraded to urban

planning areas. The Land Tenure Improvement Project (LTIP) in Kilwa District will focus on 69 villages, as outlined in the table 1 below and The Map of the project area on Figure 1 in the following page.

Table 1: Identified Villages for VLUP's, Boundary resurvey and preparation of Village Land Certificates by June, 2024.

NA	DISTRICT	DIVISION	WARD	VILLAGE	MAIN ECONOMIC ACTIVITY
1	Kilwa	Kipatimu	Kandawale	Ngarambi	Agriculture
2	Kilwa	Njinjo	Miguruwe	Nakingombe	Pastoralism and Agriculture
3	Kilwa	Kipatimu	Kandawale	Kandawale	Pastoralism and Agriculture
4	Kilwa	Njinjo	Miguruwe	Miguruwe	Pastoralism, and Agriculture
5	Kilwa	Kipatimu	Kipatimu	Mtondookimwaga	Agriculture
6	Kilwa	Kipatimu	Kandawale	Mtumbeimopera	Agriculture
7	Kilwa	Njinjo	Njinjo	Njinjo	Pastoralism and Agriculture
8	Kilwa	Njinjo	Njinjo	Kipindimbi	Agriculture
9	Kilwa	Njinjo	Njinjo	Kisimamkika	Agriculture and Forest conservation
10	Kilwa	Pande	Lihimalyao	LihimalyaoKaskazini	Fishing and Agriculture
11	Kilwa	Pande	Lihimalyao	LihimalyaoKusini	Fishing and Agriculture
12	Kilwa	Pande	Lihimalyao	Kisongo	Fishing and Agriculture
13	Kilwa	Pande	Mandawa	Mandawa	Agriculture, Gypsum
14	Kilwa	Pande	Mandawa	Hoteli tatu	Agriculture, Gypsum
15	Kilwa	Pande	Lihimalyao	Rushungi	Fishing and Conservation
16	Kilwa	Pande	Kiranjeranje	Kiswere	Fishing and Agriculture
17	Kilwa	Pande	Kiranjeranje	Mirumba	Agriculture and Gypsum
18	Kilwa	Kipatimu	Kibata	Mwengei	Agriculture
19	Kilwa	Kipatimu	Kibata	Hanga	Agriculture
20	Kilwa	Kipatimu	Kibata	Mtende	Agriculture
21	Kilwa	Kipatimu	Chumo	Chumo	Agriculture
22	Kilwa	Kipatimu	Kipatimu	Nandete	Agriculture
23	Kilwa	Kipatimu	Chumo	Ingirito	Agriculture
24	Kilwa	Kipatimu	Chumo	Kinywanyu	Agriculture
25	Kilwa	Kipatimu	Chumo	Hongwe	Agriculture
26	Kilwa	Pande	Pande	Pande Plot	Agriculture and Fishing
27	Kilwa	Pande	Pande	Malalani	Agriculture and Fishing
28	Kilwa	Pande	Pande	Mtitimira	Agriculture and Fishing

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29	Kilwa	Pande	Pande	Namwedo	Agriculture and Fishing
30	Kilwa	Pande	Pande	Mikoma	Agriculture and Fishing
31	Kilwa	Pande	Pande	Nang'ookiwala	Agriculture and Fishing
32	Kilwa	Pande	Lihimalyao	Ruyaya	Agriculture and Fishing
33	Kilwa	Pande	Lihimalyao	Namakongoro	Agriculture and Fishing
34	Kilwa	Kipatimu	Kipatimu	Kipatimu	Agriculture
35	Kilwa	Kipatimu	Kipatimu	Nandembo	Agriculture and forest conservation
36	Kilwa	Kipatimu	Kipatimu	Mkarango	Agriculture
37	Kilwa	Kipatimu	Kipatimu	Darajani	Agriculture
38	Kilwa	Nanjirinji	Likawage	Likawage	Agriculture and forest conservation
39	Kilwa	Nanjirinji	Nanjirinji	Nanjirinji A	Agriculture and forest conservation
40	Kilwa	Nanjirinji	Nanjirinji	Nanjirinji B	Agriculture
41	Kilwa	Nanjirinji	Nanjirinji	Nakui	Agriculture
42	Kilwa	Kipatimu	Namayuni	Namayuni	Agriculture
43	Kilwa	Kipatimu	Namayuni	Lyomanga	Agriculture
44	Kilwa	Kipatimu	Namayuni	Namakolo	Agriculture
45	Kilwa	Kipatimu	Namayuni	Ngorongoro	Agriculture
46	Kilwa	Kipatimu	Namayuni	Nahama	Agriculture
47	Kilwa	Miteja	Mingumbi	Mingumbi	Agriculture
48	Kilwa	Miteja	Mingumbi	Nambondo	Agriculture
49	Kilwa	Miteja	Mingumbi	Chapita	Agriculture
50	Kilwa	Pwani	Kikole	Kikole	Agriculture and Forest conservation
51	Kilwa	Pwani	Kikole	Ruhawe	Agriculture and Forest conservation
52	Kilwa	Miteja	Miteja	Miteja	Agriculture and pastoralism
53	Kilwa	Miteja	Miteja	Mtoni	Agriculture and Fishing
54	Kilwa	Miteja	Miteja	Mtukwao	Agriculture and Fishing
55	Kilwa	Miteja	Miteja	Tilawandu	Agriculture and Fishing
56	Kilwa	Miteja	Tingi	Mtandango	Agriculture
57	Kilwa	Miteja	Tingi	Tingi	Agriculture
58	Kilwa	Miteja	Mingumbi	Kililima	Agriculture
59	Kilwa	Miteja	Mingumbi	Nangambi	Agriculture
60	Kilwa	Miteja	Mingumbi	Nampungu	Agriculture
61	Kilwa	Miteja	Tingi	Njianne	Agriculture
62	Kilwa	Miteja	Kinjumbi	Kinjumbikihema	Agriculture
63	Kilwa	Miteja	Kinjumbi	Miumbu	Agriculture
64	Kilwa	Miteja	Kinjumbi	Mtyalambuko	Agriculture
65	Kilwa	Pwani	Songosongo	Songosongo	Natural gas, Fishing tourism and conservation

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66	Kilwa	Kipatimu	Kandawale	Namatewa	Agriculture
67	Kilwa	Njinjo	Miguruwe	Nzinga kibaoni	Agriculture and Pastoralism
68	Kilwa	Njinjo	Miguruwe	Mtepera	Agriculture and Forest conservation

Overall, the existing social conditions in Kilwa District reflect a combination of rich cultural heritage, diverse livelihoods, and ongoing challenges related to population growth and resource management. The Land Tenure Improvement Project (LTIP) aims to address some of these challenges by enhancing land tenure security and supporting sustainable development in the region. The project location is presented in on a map in Figure 1 below.

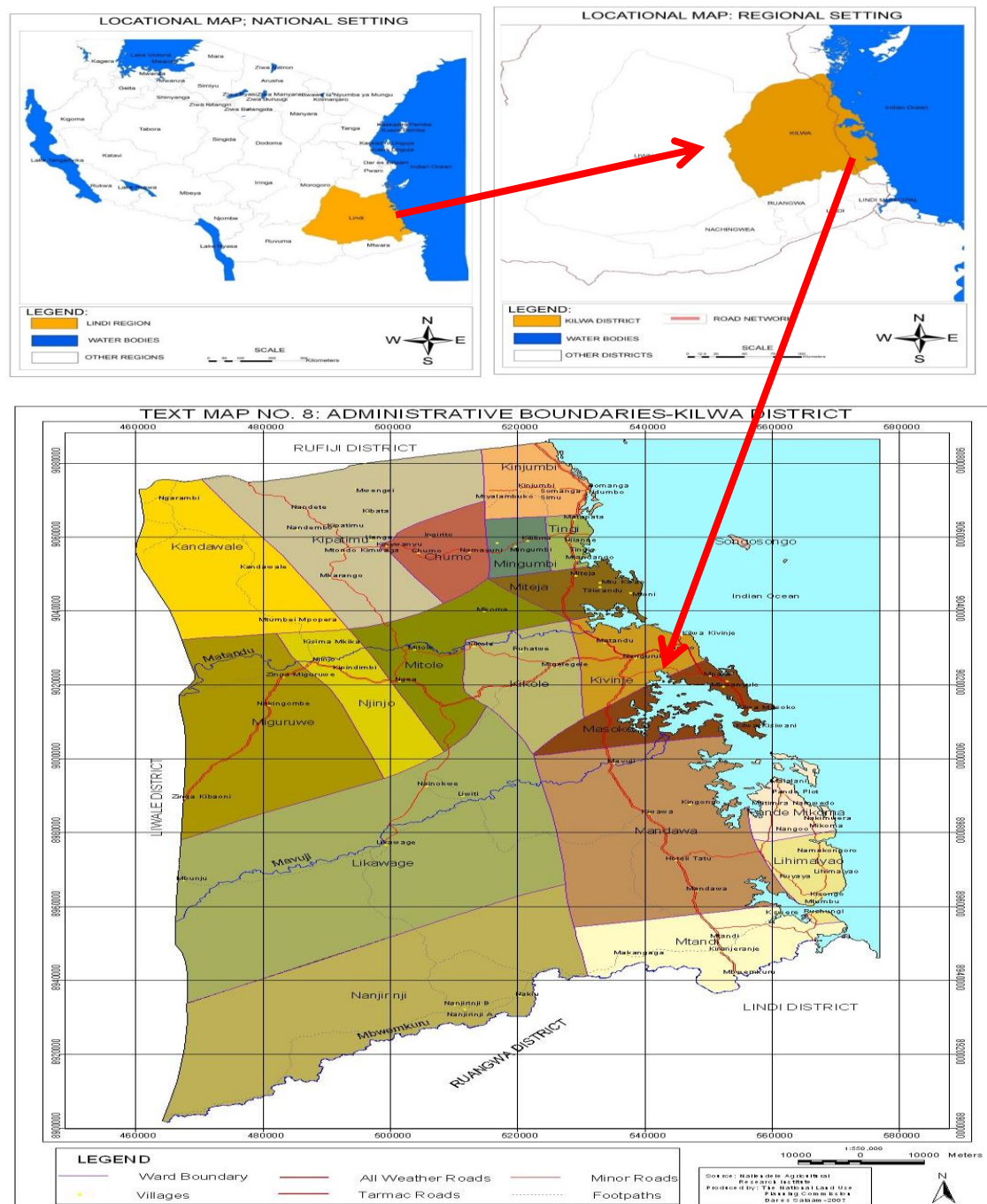


Figure 1: The map showing the Project Area of Kilwa District Council.

2.3 General Environmental Baseline information for the project area.

Kilwa District, located in the Lindi Region of southern Tanzania, encompasses a variety of environmental conditions that contribute to its unique landscape and biodiversity. Below is an overview of the district's climate, topography, water resources, biodiversity, and land use:

Climate:

- Kilwa District experiences a tropical climate with a rainy season from March to May and a dry season from June to October.
- Average temperatures range from 25°C to 30°C, with relatively high humidity due to the district's proximity to the Indian Ocean.

Topography:

- The district features a mix of coastal lowlands and inland plateaus, with elevations ranging from sea level to around 300 meters.
- The coastal areas are characterized by sandy beaches and mangrove forests, while the inland areas include more elevated terrain.

Water Resources:

- Kilwa District is endowed with various water bodies, including rivers such as the Matandu, Mbemkuru, and the Nyange.
- These rivers provide essential water resources for agriculture, domestic use, and wildlife habitats.
- The district's coastal location also allows access to marine resources, including fisheries and saltwater for economic activities.

Biodiversity:

- Kilwa District is rich in biodiversity, with a variety of flora and fauna in both terrestrial and marine ecosystems.
- Coastal and marine areas boast extensive mangrove forests and coral reefs, which support diverse aquatic species.

- Inland, the district is home to wildlife such as hippos, monkeys, and various bird species, along with a wide range of plant species.

Soil types of Kilwa District Council.

- Kilwa District Council (DC) in Tanzania features a diverse range of soil types, influenced by its varied geography and climate. Predominantly, the soils in Kilwa DC are sandy loams, with significant areas of clay and loamy sands. These soil types are suitable for various agricultural activities, including the cultivation of cashews, sesame, cassava and maize.
- In particular, the coastal areas of Kilwa, such as around Kilwa Masoko, are characterized by sandy soils, which are well-drained but may require organic amendments to improve fertility for crop production. Inland areas, however, might have more clay content, offering better moisture retention but requiring proper management to avoid compaction and ensure good crop yields.

2.4 General Social Baseline Information of the project area

Kilwa District features a diverse and vibrant array of social conditions. These include its demographics, cultural heritage, and the livelihoods of the affected communities:

Demographics/ Population information:

- Kilwa District has a population characterized by a mix of ethnic groups, primarily the Swahili and Machinga people, among others. According to the 2022 Population and Housing Census report, Kilwa District is home to 297,676 people that is 145,343 Males and 152,333 Females.
- The population is predominantly rural, with the majority of residents engaged in agriculture, fishing, and other primary sector activities.
- Population growth rates in the district have increased due to an influx of migrants from other regions, attracted by economic opportunities and the district's strategic location.

Cultural Heritage:

- Kilwa District is known for its rich cultural heritage, particularly its historical sites such as Kilwa Kisiwani and Songo Mnara, both designated UNESCO World Heritage sites.
- These sites reflect the district's historical significance as a major trading center during the medieval period, showcasing a blend of Arab, African, and European influences.
- Traditional practices and customs remain an important part of the local communities, with festivals and ceremonies celebrated according to local customs.
- The district is home to important traditional knowledge and craftsmanship, such as wood carving and weaving.

Livelihoods:

- The primary livelihoods in Kilwa District revolve around agriculture, fishing, and natural resource utilization.
- Agriculture is the mainstay of the district, with smallholder farmers growing crops such as cashew nuts, coconuts, sesame, and maize.
- Fishing is a key economic activity, particularly along the coast, providing a source of income and sustenance for many local communities.
- The district is rich in natural resources such as minerals (gypsum and gas), forests, and marine resources, which support various economic activities including small-scale mining and ecotourism.
- Livestock farming is also practiced in certain areas, contributing to the livelihoods of pastoralist communities.

Challenges:

- The district faces social challenges such as land use conflicts between farmers and pastoralists, which can affect livelihoods and social harmony.
- Limited access to education and healthcare services remains a concern in some areas, impacting overall well-being and development.

- There is a need for sustainable land management practices to address environmental degradation and promote balanced economic growth.

2.5 Land uses pattern for Kilwa District.

In Kilwa District Council, the land use patterns typically include a mix of agricultural activities, forestry, wildlife conservation areas and some urban and rural settlements. Here are some common land use patterns observed:

1. **Agriculture:** This is the predominant land use, with various crops grown depending on the specific location and soil conditions. Maize, cassava, rice and coconut are significant crops in the region.
2. **Forestry:** Portions of the district are dedicated to forestry and timber production. These areas may also include conservation efforts to protect natural habitats and biodiversity.
3. **Wildlife Conservation:** Kilwa District is known for its rich biodiversity, including wildlife reserves and protected areas such as the Selous Game Reserve, which is a UNESCO World Heritage Site.
4. **Urban and Rural Settlements:** There are urban centers such as Kilwa Masoko and Kilwa Kivinje, along with numerous rural settlements scattered across the district. These areas support residential, commercial, and small-scale industrial activities.
5. **Tourism:** Some parts of Kilwa District, particularly along the coast, are developed for tourism, benefiting from historical sites like Kilwa Kisiwani, which was once a major Swahili trading city and is now a UNESCO World Heritage Site.
6. **Mining:** Small-scale mining activities for minerals like gold and gemstones also contribute to the land use pattern in certain areas.

The specific distribution and intensity of these land uses can vary across different parts of Kilwa District, influenced by factors such as topography, soil fertility, proximity to water sources, and conservation priorities.

CHAPTER THREE

3.0 LEGAL AND ADMINISTRATIVE FRAMEWORKS RELEVANT TO THE PROJECT.

This chapter describes relevant legal and institutional framework governing the preparation of VLUP, DSPs and issuance of CCRO in Kilwa 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.

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 Kilwa during the preparation of VLUP.

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 translate the fundamental principles of land policy into the body of the law. One of these fundamental principles is to ensure that land is used productively and that any such use complies with the

principles of sustainable development. The preparation of 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 DLUPF 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 gazette 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 Wildlife Conservation Act No. 5 of 2009:

The Act provides measures for the general conservation of wild animals which includes declaration of wildlife protected areas, game reserves, wetlands and game-controlled area to mention a few. This Act will be implemented by the project through the use of Annex 6 of the LTIP ESMF. Wildlife Conservation Act is the main legal provision for the establishment of the existing wildlife and wetland protected area and is also the basis for the prevention of any encroachment with the project activities.

Mining Act of 2010 and its Amendments of 2017

The Act provide guidance for regulation process in mining activities. 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 Water Resources Management Act No. 11, 2009

This Act provides for institutional and legal framework for sustainable management and development of water resources taking into account domestic, social, industrial and environmental needs; outline principle for water resources management; provides for the preventions and control of water pollution; provides for participation of stakeholders and the general public in implementation of the National Water Policy;

vest all water in the country to the Government of United Republic of Tanzania and sets procedures and regulations for the extraction of water resources.

The Forestry Act No. 14, 2002

This Act provides for institutional and legal framework for sustainable management and development of forests resources taking into account domestic, social, industrial and environmental needs; outline principle for forestry resources management; provides for the preventions and control of forests degradation; provides for participation of stakeholders and the general public in implementation of the National Forestry Policy; vest all Forestry in the country to the Government of United Republic of Tanzania and sets procedures and regulations for the extraction of Forestry resources.

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.

The Employment and Labor Relations Act, No. 6 of 2004:

The Act provide labor rights and protections particularly on Child labor, 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 labor 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 Workers Compensation Act, No 20. 2008

The Act provides for compensation to employees for disablement of death caused by or resulting from injuries or diseases sustained or contracted in the cause of employment. It provides for adequate and equitable compensation for employees who suffer occupational injuries or contract occupational disease arising out of and in the course of their employment and in the case of death, for their dependents; rehabilitation of employees who have suffered occupational injuries or contracted occupational; framework for the effective, prompt and empathetic consideration, settlement and payment of compensation benefits to employees and their dependents; establishment, control and administration of the workers compensation fund and the legal framework for contribution and payment from the fund; give effect to international obligations with respect to workers compensation; and Promote prevention of accidents and occupational diseases. The relevance of this Act to the proposed project is to put emphasis on workers compensation in case of injuries, death, diseases while working.

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 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, rivers and other water sources in Kilwa 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.

3.2 World Bank Environmental and Social Framework

This ESMP outlines how specific Environmental and Social Standards (ESSs) will be operationalized during the preparation of District Land Use Plans (DLUPF), Village Land Use Management Plans (VLUM), and the issuance of Certificates of Customary Rights of Occupancy (CCROs) in Kilwa District Council.

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

1. Screening of Environmental and Social Risks and Impacts: Conduct thorough screening to identify the level and magnitude of potential environmental and social risks and impacts associated with the project.
2. Preparation and Implementation of ESMP: Develop and implement the ESMP for Kilwa to mitigate identified risks and impacts and monitor the effectiveness of proposed mitigation measures and enhance project benefits.

ESS2: Labor and Working Conditions

1. Employment Contracts: Ensure the provision of valid employment contracts for both direct and indirect workers.
2. Occupational Health and Safety (OHS) Measures: Provide appropriate OHS measures, including Personal Protective Equipment (PPE) and welfare facilities to workers.
3. HIV/AIDS Training: Conduct HIV/AIDS training for all project workers, including both direct and indirect teams.

4. Occupational Safety Awareness: Raise awareness and provide services related to occupational safety for workers.

ESS4: Community Health and Safety

1. Community Sensitization: Sensitize the community about the project and associated health risks and impacts.
2. HIV/AIDS Training: Train project workers and the community on HIV/AIDS prevention and awareness.
3. Safety Training: Provide training on community and road safety and Raise awareness about accident risks and community safety.

ESS5: Land Acquisition, Restriction on Land Use, and Involuntary Resettlement

1. Community Sensitization on Land Requirements:
Sensitize the community about land requirements for access roads, community facilities (such as schools, health facilities, markets, cemeteries, and recreational/open areas).
2. Land Donation/Acquisition Procedures:
Follow the procedures stipulated in the Resettlement Policy Framework (RPF) for land donation/acquisition.

ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

1. Ensure that no certification is undertaken in reserved or conservation land or areas with significant biodiversity.
2. Identification of Boundaries by Identify and demarcate the boundaries of reserve land and water bodies.

ESS10: Stakeholders Engagement and Information Disclosure

1. Community Sensitization: Conduct sensitization sessions with the community about the project.

2. Grievance Redress Mechanism (GRM): Formulate and operationalize a GRM to address concerns and complaints from stakeholders.
3. Stakeholders Engagement Forums: Implement both District Stakeholders Engagement Forum (DSEF) and National Stakeholders Engagement Forum (NSEF) for continuous stakeholder engagement.

Legal Gap Analysis

A legal gap analysis between the national laws and the applicable ESSs has been provided in the Project ESMF. In cases where there are differences between the national laws and the ESSs, the more stringent standard will apply.

CHAPTER FOUR

4.0 ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

4.1 Introduction

Based on the environmental 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 Kilwa District, the Land Tenure Improvement Project will create the following benefits:

Security of Tenure

Issuance of CCROs will enhance security of tenure for individuals, community members, and institutions. For example, issuing CCROs to groups owning grazing lands will protect these resources from individual encroachment and appropriation.

Capital Creation

Individuals and communities can use CCROs as collateral to access capital from financial institutions due to their legal representation. This will help accumulate capital to be invested in productive economic activities, stimulating development within Kilwa District.

Reduction of Cost Associated with Informal Land Transactions

Providing CCROs to Kilwa communities will enhance reliability in land transactions. CCROs serve as evidence of land ownership with clear size and boundaries, discouraging multiple sales of the same land to different buyers and reducing land-related conflicts.

Employment Opportunities

Rural certification activities in Kilwa District will require a workforce to perform various activities, employing 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 risks and impacts associated with LTIP regularization activities in Kilwa District Council:

Village Land Use Plan

The LTIP will ensure that villages have no contradicting GN before preparing VLUP. Failure to do so may cause conflicts between the community and other institutions. Decisions made as part of the VLUP preparation may also have E&S impacts, which will be assessed, and mitigation measures proposed as part of the VLUP preparation process.

Conflict over Land Ownership and Rights:

In project areas, people live without proper identification of their land, size, and boundaries with neighbors. The adjudication process may lead to conflicts over land use and conservation authorities, especially in cases involving boundary disputes, polygamous families, inherited land parcels, and contested land ownership rights.

Ineligibility for CCROs:

According to Annex 6 of the ESMF and the CCRO's Manual, communities within road reserves, protected areas, and other sensitive areas are ineligible for CCROs. Land use restrictions defined or formalized during the VLUP process may lead to some individuals losing access rights or finding themselves ineligible for CCROs, causing dissatisfaction and questioning the criteria used for establishing land use restrictions.

Inequalities for Women and Other Marginalized Groups:

Marginalized groups such as elders, chronically ill people, and the youth may have less chance to obtain CCROs due to a lack of project information, formalizing inequalities between men and women regarding access to CCROs.

Gender-Based Violence and Sexual Exploitation and Abuse (SEA):

Community members with access to project resources might subject subordinates, children, spouses, and people from low-income status to GBV and SEA.

Influx of Laborers:

Mass rural certification will involve a large number of workers, potentially accelerating the spread of STIs, crime, and overburdening available social services.

Inaccessibility of Project Sites/Traffic Accidents:

Large sections of Kilwa District are served by gravel and dirt roads, limiting transportation, especially during the rainy season. This may delay land certification processes and pose health and safety risks due to accidents.

Physical and Economic Displacement:

The certification and registration process may require land used by the community for various purposes, resulting in the economic resettlement of households and associated impacts on livelihood activities and household incomes. Physical resettlement for land regularization will not be undertaken.

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

Land use planning and land certification are critical components of sustainable development. They aim to regulate the use of land in an efficient and ethical manner, ensuring that land resources are utilized in a way that balances economic development with environmental conservation and social equity. This report explores the positive environmental impacts of these practices.

Land Use Planning

Land use planning involves the management and modification of natural environments into built environments such as settlements and semi-natural habitats such as arable fields, pastures, and managed woods. Effective land use planning offers several environmental benefits:

- i. **Biodiversity Conservation:**
 - Designates protected areas to preserve wildlife habitats.
 - Ensures the maintenance of ecological networks and green corridors.
 - Prevents habitat fragmentation.
- ii. **Sustainable Resource Management:**
 - Promotes the sustainable use of natural resources (water, soil, minerals).
 - Integrates water management strategies to protect watersheds and aquifers.
 - Encourages sustainable agricultural practices to prevent soil degradation.
- iii. **Climate Change Mitigation:**
 - Incorporates green infrastructure and urban forestry to enhance carbon sequestration.
 - Reduces urban sprawl, leading to lower greenhouse gas emissions from transportation.
 - Implements zoning laws that promote energy-efficient buildings and renewable energy use.
- iv. **Pollution Reduction:**
 - Controls industrial zoning to minimize air and water pollution.
 - Encourages the development of green spaces to improve air quality.
 - Implements waste management strategies to reduce land and water contamination.

Land Certification

Land certification involves the legal recognition of land ownership and usage rights. It provides secure tenure to landowners and users, which can lead to positive environmental impacts:

- i. **Enhanced Land Stewardship:**
 - Encourages landowners to invest in sustainable land management practices.
 - Promotes long-term planning for land use, fostering sustainable agricultural and forestry practices.
 - Reduces land conflicts, leading to more stable and sustainable land use.
- ii. **Improved Agricultural Practices:**
 - Secure land tenure motivates farmers to implement soil conservation and water management practices.
 - Facilitates access to credit, allowing farmers to invest in environmentally friendly technologies.
 - Reduces the need for slash-and-burn agriculture, protecting forests and biodiversity.
- iii. **Forest Conservation:**
 - Clarifies forest boundaries and ownership, aiding in the enforcement of conservation laws.
 - Promotes community-based forest management, which has been shown to be effective in conserving forest resources.
 - Enhances the implementation of reforestation and afforestation programs.
- iv. **Ecosystem Services Preservation:**
 - Protects ecosystem services such as water purification, flood control, and carbon sequestration.
 - Encourages the preservation of wetlands, which are crucial for biodiversity and water quality.
 - Promotes the sustainable management of grazing lands, reducing overgrazing and desertification.

4.5 Negative Environmental Impacts of Land Use Planning and Land Certification

While land use planning and land certification have many positive environmental impacts, they can also result in negative consequences if not properly implemented or managed. This report examines some of the potential adverse environmental effects associated with these practices.

Land Use Planning

Land use planning, though intended to balance development and conservation, can sometimes lead to unintended negative impacts:

1. Urban Sprawl:

- Poorly planned urban expansion can lead to urban sprawl, consuming large amounts of land and natural resources.
- Increases dependence on automobiles, leading to higher greenhouse gas emissions and air pollution.
- Fragmentation of natural habitats, adversely affecting wildlife populations and biodiversity.

2. Loss of Agricultural Land:

- Expanding urban areas often encroach on fertile agricultural lands, reducing the area available for food production.
- Can lead to increased pressure on remaining agricultural lands, promoting intensive farming practices that may degrade soil and water quality.

3. Environmental Inequities:

- Land use planning can sometimes favor affluent areas, leading to the unequal distribution of green spaces and environmental amenities.
- Marginalized communities may face higher exposure to environmental hazards such as industrial pollution and lack access to clean water and air.

4. Mismanagement of Natural Resources:

- Poorly coordinated land use plans may lead to over-extraction of natural resources, such as water and minerals.

- Can result in the depletion of critical ecosystems and loss of ecosystem services.

Land Certification

Land certification, while promoting secure land tenure and investment, can also have negative environmental impacts:

1. Deforestation and Habitat Destruction:

- Providing legal land ownership can incentivize landowners to clear forests for agriculture or development, leading to deforestation and habitat loss.
- May contribute to the fragmentation of ecosystems, reducing biodiversity and altering ecological processes.

2. Overexploitation of Land Resources:

- Landowners with secure tenure may overexploit land resources to maximize short-term profits, leading to soil degradation, water depletion, and reduced land productivity.
- Increased use of chemical fertilizers and pesticides can contaminate soil and water sources, harming ecosystems and human health.

3. Increased Land Conflicts:

- Clarifying land ownership can sometimes lead to disputes and conflicts, particularly in areas with complex land tenure systems.
- Land conflicts can disrupt traditional land use practices and lead to environmentally harmful activities.

4.6 Mitigation Measures of the Identified Impact

This section describes mitigation measures for the project's adverse risks and impacts and proposed measures for enhancing positive ones, as well as associated costs. Table 3 provides the impacts and mitigation matrix for rural certification in Kilwa District, detailing the proposed impacts, mitigation measures, responsible party, timeframe, and costs to be overseen and managed by the LTIP project implementation team

4.7 Tabled Mitigation Measures of the Identified Impacts

This sub-section contains a description of mitigation measures for adverse impacts, measures for enhancing the beneficial effects and the cost of mitigation against the impacts. Kilwa 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 shows the impacts and mitigation matrix for Land Certification for Kilwa District Council. It detailed the proposed impacts, mitigation measures, responsible party, time frame and costs that will be overseen and managed by LTIP project implementation team.

Table 2: Mitigation Measures of the Identified risks and Impacts

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

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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
3	Confusion of communities with incorrect information about the project.	<ul style="list-style-type: none"> Map NGOs/CSOs and understand their mission and objectives. Provide NGOs/CSOs with project information and where necessary engage them to create sensitization to the community. 	5,000,000/=	<ul style="list-style-type: none"> E&S Team Participatory Land Use Management (PLUM) Team. WEOs, CDOs and VEOs Traditional and religious leaders 	ESMT	During preparation of VLUP & throughout the project.
4	Conflict over land ownership and rights	<ul style="list-style-type: none"> Formulation and operationalization of GRM Capacity building and awareness creation to local leaders on conflict resolution. Sensitization on the importance of joint land titling. Educate men on the importance of including their wives on CCROs. 	30,000,000/=	<ul style="list-style-type: none"> District Council E&S Team Ward Executive Officer (WEO), Ward Community Development Officer (CDO) Village Leaders 	ESMT	During preparation of VLUP and issuance of CCROs.

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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
5	Ineligibility to CCROs	<ul style="list-style-type: none"> • Identification of all household's ineligible to receive CCROs and formulation of advice on how to address their situation. • Identification of households and parcels close and within conservation and sensitive areas. • Awareness on ineligibility for CCROs. • Liaise with TFS, NEMC • Ruvuma Water Basin Authority, Ministry of Natural Resources and Tourism • TANROADS and TARURA • Signage informing potential new settlers that those areas cannot be titled and should not be occupied - to avoid further occupation, including by those that would like to be compensated. 	10,000,000/=	<ul style="list-style-type: none"> • District E&S Team • Participatory Land Use Management Team (PLUM) • National Environmental Management Council (NEMC) • TANROAD S& • TARURA • TFS • Water Basin Authority • Ministry of Natural Resources and Tourism for further guidance 	ESMT	During identification of Parcels.

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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
6	The CCRO issuance process formalize land access inequalities for Women and other Marginalized Group	<ul style="list-style-type: none"> • Identification of marginalized groups such as people with disabilities, women, elders, chronically ill persons and youth • Sensitization on importance of CCROs and other project benefits. 	10,000,000/=	<ul style="list-style-type: none"> • District E&S Team • Ward Executive Officer (WEO), • Ward Community Development Officer (CDO) • Village Leaders • CSOs. 	ESMT	During Project Sensitization and identification
7	Gender Based Violence / SEA	<ul style="list-style-type: none"> • Engage Police Gender Desk to train Project staff on GBV/SEA. • All LTIP staff to sign a code of conduct which include GBV/SEA issues. • Develop and operationalize GBV Action Plan for the District. • Disseminate information about the GRM and encourage population to report misconducts 	10,000,000/=	<ul style="list-style-type: none"> • District E&S Team • Ward Executive Officer (WEO), • Ward Community Development Officer (CDO) 	ESMT	Before placement of employees and during rural certification process.

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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
		<ul style="list-style-type: none"> Engage relevant government agencies and/ or NGOs in the district who provide support to survivors on GBV and SEA such as assistance for medical care, psychosocial support, legal redress, safety, etc. where necessary. 		<ul style="list-style-type: none"> Village Leaders 		
8	Influx of Laborers	<ul style="list-style-type: none"> Community awareness on STIs transmission and basic hygiene practice and crimes Give employment priority to unskilled laborers from within project areas. Provision of welfare facilities such as water, toilets and food vending to project workers. 	5,000,000/=	<ul style="list-style-type: none"> District Council Certification Office (CUCO) District E&S Team Village Leaders Private Companies involved in rural certification activities. 	ESMT	During Rural Certification Process.
9	Inaccessibility of Project Sites	<ul style="list-style-type: none"> Target implementation of rural certification of villages not 	TBD	<ul style="list-style-type: none"> District Rural Certification 	ESMT	During Rural Certification Process

Environmental and Social Management Framework – Land Tenure Improvement Project
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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
		<p>accessible during rainy season during dry season.</p> <ul style="list-style-type: none"> • Provide suitable transport facilities. 		<p>Office (DRCO):</p> <ul style="list-style-type: none"> • District Council E&S Team • Participatory Land Use Management (PLUM) Team 		
10	Possibility of Issuing CCROs to Non-nationals	<ul style="list-style-type: none"> • Make use of National IDs during issuance of CCROs • Rural formalization team to work closely with local leaders to confirm citizenship of Project beneficiaries. 	10,000,000/=	<ul style="list-style-type: none"> • District Council Rural Certification Office (CUCO) • District E&S Team • Ward Executive Officer (WEO), • Ward Community Development 	ESMT	During Rural Certification Process

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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
				Officer (CDO) <ul style="list-style-type: none">• Village Leaders• Migration Teams		
11	Physical and Economic Impacts	<ul style="list-style-type: none">• The project will address all physical and economic displacement in line with the requirements of the Resettlement Policy Framework (RPF) and the Vulnerable Groups Planning Framework (VGPF) where relevant.• Adjudication to try to minimise land take and loss of assets from any given household through negotiated agreements.• Surveying will ensure all the plots are viable and of acceptable sizes to enable their continued use after land take.	10,000,000/=	<ul style="list-style-type: none">• Ward Executive Officer (WEO),• Ward Community Development Officer (CDO)• Village Leaders• Migration Teams	ESMT	Prior to project activity
Total Cost			TZS. 120,000,000/-			
Negative Project Environmental Risks and Impacts						

Environmental and Social Management Framework – Land Tenure Improvement Project
LTIP for Kilwa District Council

S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
1	Negative environmental impacts relating to land use classification adjustments resulting from Review of the GN	<ul style="list-style-type: none"> Undertake adequate E&S assessment of the proposed VLUP to determine the magnitude of impacts. Devise mitigation measures to address risks and impacts related to the proposed VLUP in accordance with the World Bank's ESF. 	5,000,000	<ul style="list-style-type: none"> PLUM E&S Team 	ESMT	<ul style="list-style-type: none"> During preparation of VLUP.
2	Encroachment of Environmental Sensitive Areas	<ul style="list-style-type: none"> Make use of Annex 6 of the ESMF to ensure that boundaries between national parks, reserve and grazing land are made clear during preparation of DLUPF, VLUP and before issuance of CCRO issuance. 	5,000,000/=	<ul style="list-style-type: none"> PLUM E&S Team National Environmental Management Council (NEMC) TANROAD S& TARURA TFS, Ruvuma Basin Water Bodies Authority. 	ESMT	Before placement of employees and during rural certification process.

Environmental and Social Management Framework – Land Tenure Improvement Project
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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
2	Soil Erosion, oil spills and Solid Waste Generation	<ul style="list-style-type: none"> • Undertake tree and grass planting • Provision of dustbins in all project areas • Use of welfare facilities such as toilets and water • No refuse, waste oils should be discharged into drains or onto site grounds. 	5,000,000/=	<ul style="list-style-type: none"> • District Council E&S Team • Private Companies involved in certification activities. • Village Leaders 	ESMT	During Rural Certification Process.
3	Health and Safety Hazards	<ul style="list-style-type: none"> • Provision of PPEs (Mask, Boots, Gloves and Helmet) to workers. • Implementing Institution (LGA/Private/CSO) must make due diligence on OHS risk management, including primary suppliers' workers. • Training drivers of direct and indirect teams on road safety • Implementing agencies to enforce rules for drivers and passengers. • Provide Health and safety Training to project workers 	30,000,000/=	<ul style="list-style-type: none"> • District Council E&S Team • Private Companies involved in certification activities. • Village Leaders 	ESMT	During Rural Certification Process.

Environmental and Social Management Framework – Land Tenure Improvement Project
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S/ N	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Timeline
				Implementation	Supervision	
4	OHS risks for primary supplier workers	<ul style="list-style-type: none"> Contractor to conduct OHS due diligence assessment of primary supplier 	TBD	Contractor	ESMT	During contracting
	Total Cost 45,000,000/=					

CHAPTER FIVE

5.0 Environmental and Social Monitoring Plan (ESMP).

The successful implementation and monitoring of the environmental and social management plans for the Land Tenure Improvement Project (LTIP) relies on robust coordination among stakeholders at the district, regional and national levels. This coordination is essential to ensure the seamless integration of inputs, expertise, and resources from all parties involved, thereby maximizing the effectiveness of project activities.

Monitoring establishes benchmarks to assess compliance with the ESMP, enabling the continuous review of mitigation activities to determine their efficacy. The monitoring plan outlined in this report defines the institutional arrangements for executing the ESMP, including the types of monitoring to be carried out, the parties responsible for conducting monitoring, and any additional resources required.

The objectives of the Environmental and Social Monitoring Plan are to:

- Monitor the efficacy and implementation of the ESMP during the planning and execution phases of proposed mitigation measures.
- Confirm adherence to environmental, social, and safety regulations during rural certification, as well as to relevant safeguards tools and instruments.
- Manage risks and ecological/social impacts effectively.
- Uphold best practices as a commitment to continuous improvement in environmental and social performance.
- Disseminate environmental information to the community and stakeholders.
- Provide early warning signals of potential environmental degradation, allowing for timely action to prevent or minimize adverse consequences.

The Table 3 below summarizes monitoring plan for rural certification in Kilwa District Council:

Table 3: Monitoring of Environmental and Social Management Plan for Implementation of Mitigation Measures during LTIP Implementation Process in Kilwa District Council.

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

Environmental and Social Management Framework – Land Tenure Improvement Project
LTIP for Kilwa District Council

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

Environmental and Social Management Framework – Land Tenure Improvement Project
LTIP for Kilwa District Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		<ul style="list-style-type: none"> Participation of traditional leaders in LTIP activities. 					
2.	Ineligibility to CCROs	No of parcels identified as ineligible for rural land certification	10	Report	Quarterly	ESMT & PIT	500,000/=
3.	Inequalities for Women and Other Marginalized Group	Tailored local information campaigns organized with the support of NGO-CSOs	1000	Report	Quarterly	ESMT & PIT	1,000,000/=
		No of Project staff trained on women land rights and how to encourage the registration of women's land rights as part of the CCRO process	100	Report	Quarterly	ESMT & PIT	1,000,000/=

Environmental and Social Management Framework – Land Tenure Improvement Project
LTIP for Kilwa District Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		Percentage of Women with CCROs.	30%	Report	Quarterly	ESMT & PIT	-
		Marginalized Group with CCROs.	10%	ILMIS Report	Quarterly	ESMT & PIT	1,000,000/=
4.	Gender Based Violence	Percentage of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	500,000/=
5.	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	500,000/=
6.	Inaccessibility of Project Sites	No of Village identified as not accessible	-	Report	Quarterly	ESMT & PIT	500,000/=
7.	Land conflicts	Number of resolved land disputes	TBD	Report/GRM	Quarterly	ESMT & PIT	-
8.							
Sub Total							24,000,000/=

Environmental and Social Management Framework – Land Tenure Improvement Project
LTIP for Kilwa District Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
Environmental Negative Risks and Impacts							
9.	Waste Management	No. of dustbins provided in three Mitaa	150 dustbins @ village 3	Report and observation	Quarterly	ESMT & PIT	15,000,000/=
10.	Health and Safety Hazards	No. of incidence and accidents reported.	-	Report	Quarterly	ESMT & PIT	1,000,000/=
11.	Greenhouse gas emissions	No. Service Conducted	Service at every 5000 Km	Maintenance Report	Quarterly	ESMT & PIT	12,000,000/=
12.	Monitoring of oil spills	No of drums (100 liters) distributed for collect dirty oil	1 Drums in each LGA	Report	Quarterly	ESMT & PIT	4,000,000/=
13.	OHS risks for primary supplier workers	Percentage of primary suppliers that have undergone an OHS due diligence assessment by contractors	100%	Report	Quarterly	ESMT & PIT	4,000,000
Total							36,000,000/=

CHAPTER SIX

6.0 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN KILWA DISTRICT COUNCIL

6.1 ESMP implementing entities.

The Environmental and Social Management Team (ESMT) at the local government authority (LGA) level will oversee the implementation of the Environmental and Social Management Plan (ESMP) during rural certification. This includes ensuring that all project workers adhere to management measures as outlined in the ESMP and comply with environmental, occupational safety and health standards on-site and will be implemented with the enlisted counterparts.

- Kilwa District Council Rural Certification Office: Responsible for daily certification activities, providing support to the Kilwa District Council E&S Team.
- Kilwa District Council E&S Team: Responsible for implementing E&S activities, including the proposed mitigation and enhancement measures, with support from DURCO.
- District Land Use Plan Framework (DLUPF) Team: Responsible for identifying different land uses within the district.
- Participatory Land Use Management (PLUM) Team: Responsible for identifying households residing along road reserves, gullies, and river streams.
- National Environmental Management Council (NEMC), southern Zone: Provides further guidance on households residing along gullies and river streams.
- Ruvuma Basin Water Board (RBWB): Oversees sustainable use of water resources and provides guidance during land certification activities conducted by LTIP.
- Tanzania Rural and Urban Road Agency (TARURA) and Tanzania Road Agency (TANROADS), Lindi region: Provides further guidance on households residing along the roads, including payment of compensation where applicable.

- Tanzania Wildlife Management Authority (TAWA), Lindi Region: Provides further guidance on households affected by wild animals, including payment of compensation where applicable.
- Tanzania Forest Services Agency (TFS): Oversees sustainable use of forest resources and provides guidance during land certification activities conducted by LTIP.
- Ward and Village Leaders: Involved in conflict resolution through the operationalization of the project GRM, identification of marginalized groups such as women, elders, chronically ill persons, and youth. They also provide sensitization on the importance of CCROs, waste management, GBV/SEA matters, health and safety, and other project-related benefits

6.2 Supervision and Monitoring Roles

The Project Environment and Social Management Team (ESMT): is responsible for ensuring adherence to the Environmental and Social Management Plans (ESMPs). This includes conducting regular audits and preparing reports that confirm the effective implementation of the recommended ESMP measures. The ESMT is required to submit monthly reports to the Ministry of Lands, Housing and Human Settlements Development (MLHHSD). The Project Coordination Unit (PCU) within MLHHSD will then compile and submit quarterly reports on the implementation of the ESMP to the World Bank.

6.3 Capacity Development and Training

Capacity development training for LTIP is stipulated in ESMF. For Kilwa District council the following trainings have been provide to ESMP Team at National to LGAs levels and Village leaders to enhance their capacity to implementation of environmental and social risk management issues during certification process.

S/N	Name of Training	Training Institution	Date
1	Environmental and Social Framework Training to ESMP Teams	MLHHSD	November 2023

Other ESMP trainings planned for Kilwa District to enhance their capacity to implement ESMP are:

- a) Health and safety Training to project drivers and field teams to be conducted in September, 2024.
- b) Training of code of conducts for GBV/SEA and ethics practice to ESMT and Kilwa District Council Environmental and Social team to be conducted on October 2024;

CHAPTER SEVEN

7.1 CONCLUSIONS AND RECOMMENDATIONS

The Environmental and Social Management Plan (ESMP) for the Land Tenure Improvement Project (LTIP) in Kilwa District has been carefully developed to address the project's potential impacts and guide its successful implementation. The ESMP identifies a mix of positive and negative social, environmental, and economic impacts that may arise from the project. The project is expected to bring significant benefits to the district by improving land tenure security and supporting sustainable development.

On the positive side, the LTIP aims to strengthen land tenure for individuals and communities, promote equitable access to land, and support sustainable land use practices. These outcomes can contribute to the economic empowerment of local residents, particularly women and marginalized groups, and enhance agricultural productivity.

However, the project also poses potential challenges and risks, such as:

- **Land Use Conflicts:** Disputes over land use and land rights may arise due to project activities.
- **Ineligibility for CCROs:** Certain groups may face challenges in obtaining Certificates of Customary Right of Occupancy (CCROs), potentially leading to inequities.
- **Gender Disparities:** The project may inadvertently perpetuate gender inequalities if not managed carefully.
- **Environmental Risks:** Soil erosion, dust, waste generation, and pollution may affect the local environment.
- **Community Health and Safety Concerns:** Project activities could pose risks to the health and safety of workers and nearby communities.

The ESMP provides targeted strategies to mitigate these risks and enhance positive outcomes. These measures include stakeholder engagement, proper land use planning, community sensitization, and the formulation of grievance redress mechanisms. Regular monitoring and

adaptive management will ensure that the project remains aligned with environmental and social best practices.

In conclusion, the ESMP underscores the importance of proactive management to navigate the potential impacts of the LTIP. By addressing risks and seizing opportunities, the project can contribute to Kilwa District's sustainable development, strengthen land tenure, and improve the quality of life for its residents. Ongoing collaboration with stakeholders, capacity-building initiatives, and access to resources will be critical to the project's success.

Appendices

Appendix 1: Grievances Register form as part of Grievances Redress Mechanism

Date of complaint	Name of Complainer	(Nature) Channel of Complaint		Summary of Complaint	Action Taken/ To Be Taken to Resolve Complaint	Responsible Person	Resolution Summary
		Verbal	Written				
		√	√				

Appendix 2: E&S Safeguard Criteria for Selecting Specific Project Areas (Annex 6)

S/N	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	YES ²	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 ³	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 ⁴	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 ⁵	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/village/settlements bordering wetlands and water catchment	-Village/area is found close to or bordering wetlands and/or watershed areas. The area/village boundary should maintain a 60m distance as per the	YES ⁶	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the

	areas	national laws		conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	-Villages borders wildlife areas, wildlife corridors or migratory routes	YES ⁵	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	-Village has communal land reserved for livestock grazing only or for established stock routes	YES	These areas should be given certificates in the name of the village for communal use. No one within the village should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	-Boundaries of the registered cultural heritage area and the	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas

		village are clear and well identified		
		-There is encroachment between the village and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		-There is encroachment between village and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The village contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the village land use plan, bylaws for use agreed and should be certified for communal use in the name of the village
7	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	Yes 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

				determine whether the area should be considered or not
8	High density informal settlements	-High density informal settlements in urban settings which are not aligned with planning requirements.	NO	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

1. There is installed beacon of one metre above land surface which is well visible to the village's boundaries of Likawage, Nanjilinjji villages and wildlife corridor.
2. The encroached reserved areas include village forests in Likawage, Nanjirinji A, Njinjo and Miguruwe, district forest reserves, water sources catchment areas
3. Settlement within 60m is found in the villages of Kipindimbi, Njinjo and Maguruwe Mitarure.
4. The villages of Bugwe, Kapalamsenga, Kasangantongwe, Shukula and Isengule borders wetlands
5. Villages with flood prone areas including Njinjo, Kipindimbi, Kisimamkika, Kililima, Chumo