

**THE UNITED REPUBLIC OF TANZANIA**

**RUANGWA DISTRICT COUNCIL**



**LAND TENURE IMPROVEMENT PROJECT (LTIP)**

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



**Prepared by:**

**RUANGWA DISTRICT COUNCIL**

## ACKNOWLEDGEMENTS

The Environmental and Social Safeguard team for Ruangwa 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 Ruangwa District Council Environmental and Social Team also wishes to recognise the technical assistance the World Bank Consultants team provided for their input and support in improving 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.

## ESMP PREPARATION TEAM

NAME	PROFESSION/POSITION	ORGANISATION
Zuhura Ibrahim Makota	Environmental Officer	Ruangwa District Council
Hosea Asangalwisye Shibanda	Social Development Officer	Ruangwa District Council
Alpha P. Mangula	Environmental and Social Coordinator, - LTIP	MLHHSD
Tumaini Setumbi	Social Development Officer -LTIP	MLHHSD
Robert Kishiki	Social Development Specialist - LTIP	MLHHSD
Regina Kabwogi	Environmental Specialist - LTIP	MLHHSD

## Table of Contents

ACKNOWLEDGEMENTS .....	i
ESMP PREPARATION TEAM .....	ii
<b>1.0 Background Information.....</b>	<b>8</b>
1.1 LTIP Project Scope in Ruangwa District Council .....	8
1.2 General Objectives of ESMP.....	11
1.3 Methodology for Preparation of ESMP .....	11
1.4 Screening Results .....	12
<b>CHAPTER TWO .....</b>	<b>13</b>
<b>BASELINE ADMINISTRATIVE, ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA .....</b>	<b>13</b>
2.0 Introduction .....	13
2.1 Administrative Condition of Ruangwa District Council.....	13
2.3 Environmental Baseline Information in Ruangwa District Council .....	15
2.4. Climate .....	15
2.4.1. Rainfall.....	15
2.4.2. Temperature .....	15
2.4.3. Humidity .....	15
2.5. Topography.....	15
2.6. Geological Features.....	19
2.7. Land use patterns.....	19
2.8 Ruangwa District Council Social Baseline Information .....	20
<b>CHAPTER THREE .....</b>	<b>22</b>
<b>LEGAL AND INSTITUTIONAL FRAMEWORK.....</b>	<b>22</b>
3.1 Introduction .....	22
The Environmental Management Act (EMA) 2004:.....	22
The National Land Act, No. 4 and 5 of 1999 .....	22
The Land Use Planning Act, 2007.....	23
The Employment and Labour Relations Act, No. 6 of 2004 .....	23
3.3 World Bank Environmental and Social Framework.....	25
ESS2 Labor and Working Conditions. ....	25
ESS4 Community Health and Safety.....	25
ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement .....	26
ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources .....	26
ESS10 Stakeholders Engagement and Information Disclosure .....	26
<b>CHAPTER FOUR.....</b>	<b>27</b>

<b>ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES .....</b>	<b>27</b>
4.1 Introduction .....	27
4.2 Project Social Benefits.....	27
4.3 Negative Social Risks and Impacts of Land Use Planning and Rural Land Certification.....	27
4.4. Project Positive Environmental Impacts of Land Use Planning and Land Certification.....	29
4.5 Negative Environmental Impacts of Land Use Planning and Land Certification	30
4.6 Mitigation Measures of the Identified Impact .....	30
<b>CHAPTER FIVE .....</b>	<b>37</b>
<b>MONITORING OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS .....</b>	<b>37</b>
<b>CHAPTER SIX .....</b>	<b>43</b>
<b>INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP</b>	<b>43</b>
6.1 Institutions .....	43
6.2 Supervision and Monitoring Roles .....	44
6.4 Capacity Development and Training .....	44
<b>CHAPTER SEVEN.....</b>	<b>45</b>
<b>CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>45</b>
7.1 Introduction .....	45
7.2 Conclusions .....	45
7.3 Recommendations .....	46

## LIST OF TABLES

Table 1: Ruangwa District Council- Project Coverage Villages .....	9
Table 2: Mitigation Measures of Identified Impacts .....	31
Table 3: Social and Environmental Monitoring Plan.....	38
Table 4: Training conducted to Ruangwa E&S Team.....	44

## LIST OF FIGURES

Figure 1: Administrative Map of Ruangwa District Council showing 22 Wards .....	14
Figure 2: Map of Ruangwa District Council showing District Topography .....	16
Figure 3: Drainage Patterns in Ruangwa District Council are shown on Map 2.3.....	18

## LIST OF ABBREVIATIONS AND ACRONYMS

CBO	-	Community-Based Organization
CCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CRO		Certificate of Right of Occupancy
DED		District Executive Director
DEMO	-	District Environmental Management Officer
DLHT	-	District Land and Housing Tribunal
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
EIAR	-	Environmental Impact Assessment Report
EIS	-	Environmental Impact Statement
EHSG		Environmental Health and Safety Guidelines
EMA	-	Environmental Management Act 2004
EMO	-	Environmental Management Officer
ES	-	Environmental Screening
ESCP	-	Environmental and Social Commitment Plan
ESMT	-	Environmental and Social Management Team
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social Management Plan
ESF		Environmental and Social Framework
ESS	-	Environmental and Social 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 Immune-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
RL	-	Residential License
RSCBWB		Ruvuma and Southern Coast Basin Water Body
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP		Stakeholder Engagement Plan

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



## **CHAPTER ONE INTRODUCTION**

### **1.0 Background Information**

The Government of Tanzania (GoT), through the Ministry for Lands, Housing and Human Settlements Development (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 social and economic development inclusion 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 per cent 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 per cent in the number of land conflicts and an increase in the perception of tenure security. Results indicators related to the Project Development Objective to strengthen the national land administration system include an increase of 20 per cent in the number of CRO transactions and a reduction of the average time to issue CROs (first registration) from 180 days to 60 days.

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

The Ruangwa District Council is one of the beneficiaries of LTIP activities. In Ruangwa, 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 villages, as well as the issuance of CCROs, renovation/construction of district and village land offices. This ESMP is explicitly prepared to guide the preparation of VLUP, DSP, and issuance of CCROs activities covering all 60 villages (see Table 1). In contrast, the ESMPs for the renovation or construction of district and village land offices will be developed later before the commencement of the renovation activities.

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

<b>Ward</b>	<b>Village</b>
Mandawa	Mandawa Chini, Chikundi.
Namichiga	Namichiga A, Namichiga B.
Chibula	Chibula, Nachikalala, Namienje, Muhuru.
Mbekenyera	Namilema, Mkutingome, Chingumbwa, Naunambe, Mbekenyera
Mandarawe	Mandarawe, Nachinyimba, Nandenje
Chinongwe	Chinongwe A, Chinongwe B, Juhudi A , Juhudi B, Litama
Luchelegwa	Luchelegwa, Nandanga, Ipingo
Nanganga	Nanganga, Mtakuja, Mchenganyumba,
Malolo	Nangumbu A, Nangumbu B, Michenga A, Michenga B, Mtawilile.
Mnacho	N’gau, Chimbila A, Chimbila B,
Nandagala	Nandagala A, Nandagala B, Namahema A, Namahema B,
Nkowe	Nkowe, Mpumbe, Kipindimbi,
Likunja	Likunja, Mmawa, Mpara, Mtimbo, Mitope
Chienjele	Chienjele, Namakuku, Njawale, Ng’imbwa
Mbwemkuru	Nangurugai,
Narungombe	Liuguru, Narungombe.
Matambarale	Matambarale Kaskazini, Matambarale Kusini,
Chunyu	Chunyu, mihewe, namikulo
Nambilanje	Nanjaru, Mtondo,
Makanjiro	Chinokole, Mbangala, Makanjiro
Ruangwa	Lipande

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

### **1. Village Land Use Plans (VLUP)**

There are 90 villages formally registered in the Ruangwa district, of which 30 already have a VLUP. LTIP is expected to support the preparation of VLUP of 60 villages and DSPs for the 60 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); conducting village assembly and formulation of Village Land Use Management Council (VLUM); preparation of baseline information which includes resource assessment, existing land use and existing environmental and social issues; preparation of draft Village Land Use Plan (VLUP); validation and approval of the proposed VLUP and respective by-laws by the village assembly; endorsement of the VLUP by the district council; 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).

### **2. Issuance of CCROs**

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

- 1) Public awareness and engagement of marginalised groups (for example, people with disabilities and elderly people);
- 2) Employing and Training of Para- surveyors;
- 3) Parcels adjudication;
- 4) Preparation of DSP (regularisation layout);
- 5) Block Planning and Negotiation of Road Accessibility
- 6) Printing and issuing CCROs.

The activities involved in issuing CCRO can potentially 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 Ruangwa District Council.

## **1.2 General Objectives of ESMP**

The preparation of the Ruangwa VLUPs, DSPs, and issuance of CCRO have the potential to cause E&S risks and impacts. The Ruangwa ESMP is a tool for identifying, mitigating, and monitoring the E&S impacts associated with these activities. Specifically, it depicts how the organisational capacity and resources will be utilised 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 through this ESMP. The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF) and aims at attaining the following objectives:

- i. Identify potential E&S risks and impacts associated with land use planning and rural certification activities supported by LTIP;
- ii. Develop mitigation/enhancement measures to minimise E&S risks and impacts
- iii. Assess the capacity of the implementation agencies and develop plans for training and other capacity-building activities
- iv. Define implementation arrangement and organisation structure of ESMP implementation, including assessment of the implementation capacity of the implementing agencies (LGA)
- v. Identify the parameters to be monitored and the respective tools used in monitoring and reporting.

## **1.3 Methodology for Preparation of ESMP**

This ESMP has been prepared by the Ruangwa District Council's District Participatory Land Use Management Team (PLUM) in collaboration with the LTIP-ESMT through the following activities.

- i. Undertake an E&S screening to determine risks and impacts associated with the certification process using (i) Annex 4 of ESMF on Screening Checklists for environmental and social issues; (ii) Annex 6: Environmental and Social Safeguards Criteria for selecting projects specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP. Annexe 1 for this ESMP on villages with existing VLUP
- ii. Define mitigation, enhancement, and monitoring measures for the identified impacts;

- iii. Validate mitigation, enhancement, and monitoring measures through stakeholder engagement.
- iv. Finalization of the ESMP report and sharing with wider stakeholders, including publication of the ESMP on the LTIP website.

#### **1.4 Screening Results**

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Ruangwa 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**

The baseline environmental and social conditions of Ruangwa district describe biophysical and social issues that are likely to be affected, trigger conflicts, or are of biological importance in the district. The biophysical and social problems in Ruangwa necessitate the project to implement mitigation measures to avoid risks and impacts to the communities. The leading indigenous ethnic group in Ruangwa is Mwera. They constitute almost 93 per cent of the entire population in the district. Other ethnic groups are Makonde, Yao, Ngindo, and Sukuma. Religious groups available in Ruangwa are mainly Christians and Muslims, and few adhere to traditional beliefs. The majority of residents produce both food and cash crops, where food crops are Maize, Cassava, sesame, millet, bananas, and Vegetables/Fruits. Cash crops are cashew nut, sesame, sunflower, and groundnut. The district's dominant economic activity is agriculture, practised by the majority of the community. Other economic activities are animal husbandry, trade, and mining.

#### **2.1 Administrative Condition of Ruangwa District Council**

Ruangwa District is one of the six districts in the Lindi Region, located in the southern part of Tanzania. It is 2560 square kilometres in size. The District Headquarters is located at Ruangwa Town, about 120 kilometres from Lindi Municipality. The district lies in the Southwest of Tanzania between Latitudes 9.5° and 10° South and Longitudes 38.5° ' and 39.5°' east.

Administratively, Ruangwa DC has three (3) divisions, 22 Wards, and 90 villages. The divisions are Ruangwa, Mnacho and Mandawa. The responsible authorities register all 90 Villages. The council has one electoral Constituency and one Member of Parliament. (See Figure 1).

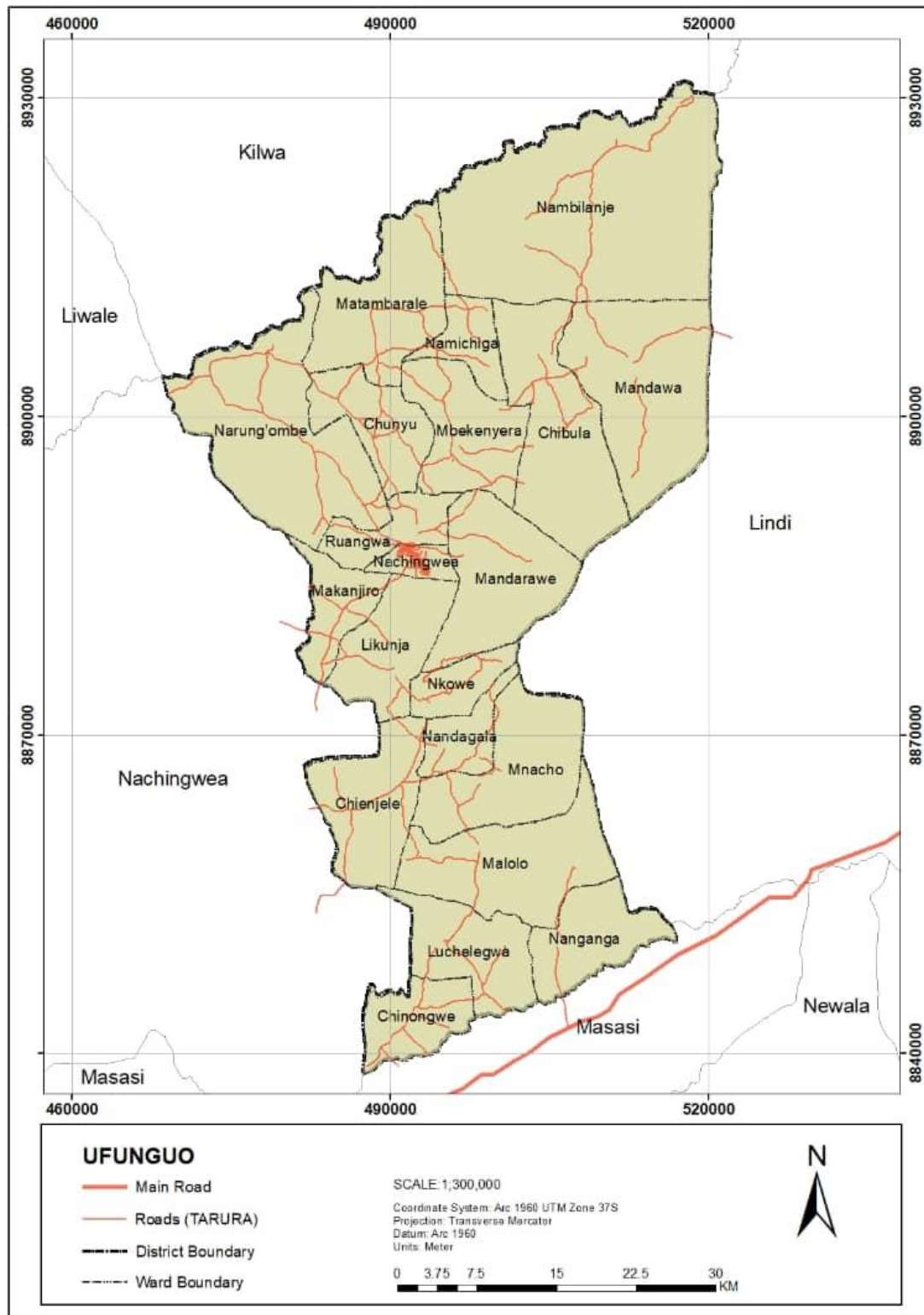


Figure 1: Administrative Map of Ruangwa District Council showing 22 Wards

### **2.3 Environmental Baseline Information in Ruangwa District Council**

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

### **2.4. Climate**

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

#### **2.4.1. Rainfall**

Ruangwa District Council's mean annual rainfall ranges from 800mm to 1200mm a year. The rainfall pattern in the district is unimodal, with an average yearly rainfall of 1000 mm. The wet season (rainy season) extends from December to April, leaving the rest of the year dry. The growing period extends from six to seven months. The rain onset is reliable and typically begins at the end of November. The driest months are July, August and September, with an average of 0 mm of precipitation.

#### **2.4.2. Temperature**

Ruangwa District Council experiences a moderate temperature, with a mean annual temperature of 28°C. The hot season starts from September to December with average temperature above 33°C while the cool season starts from January to July with average daily temperature below 24°C.

#### **2.4.3. Humidity**

Ruangwa experiences extreme seasonal variation in the perceiving humidity with light in saturated relative humidity; it experiences high humidity in March and low in July

### **2.5. Topography**

Ruangwa District lies within the Rondo Plateau" with altitude ranging from 213m to 349m above sea level characterised by highlands, mountains peaks, lowlands and plains. Ruangwa District geographically lies at Rondo Plateau, characterised by miombo woodlands and open grassland covering about 42% of the district area. The



district has several mountains, valleys, and flat areas. There are permanent rivers like Mbwemkuru, Lukuledi, and Chingunduli in the District, and seasonal streams like Mmawa, Luega, and Ruangwa exist and collect storm water during the rainy seasons (See MAP 2).

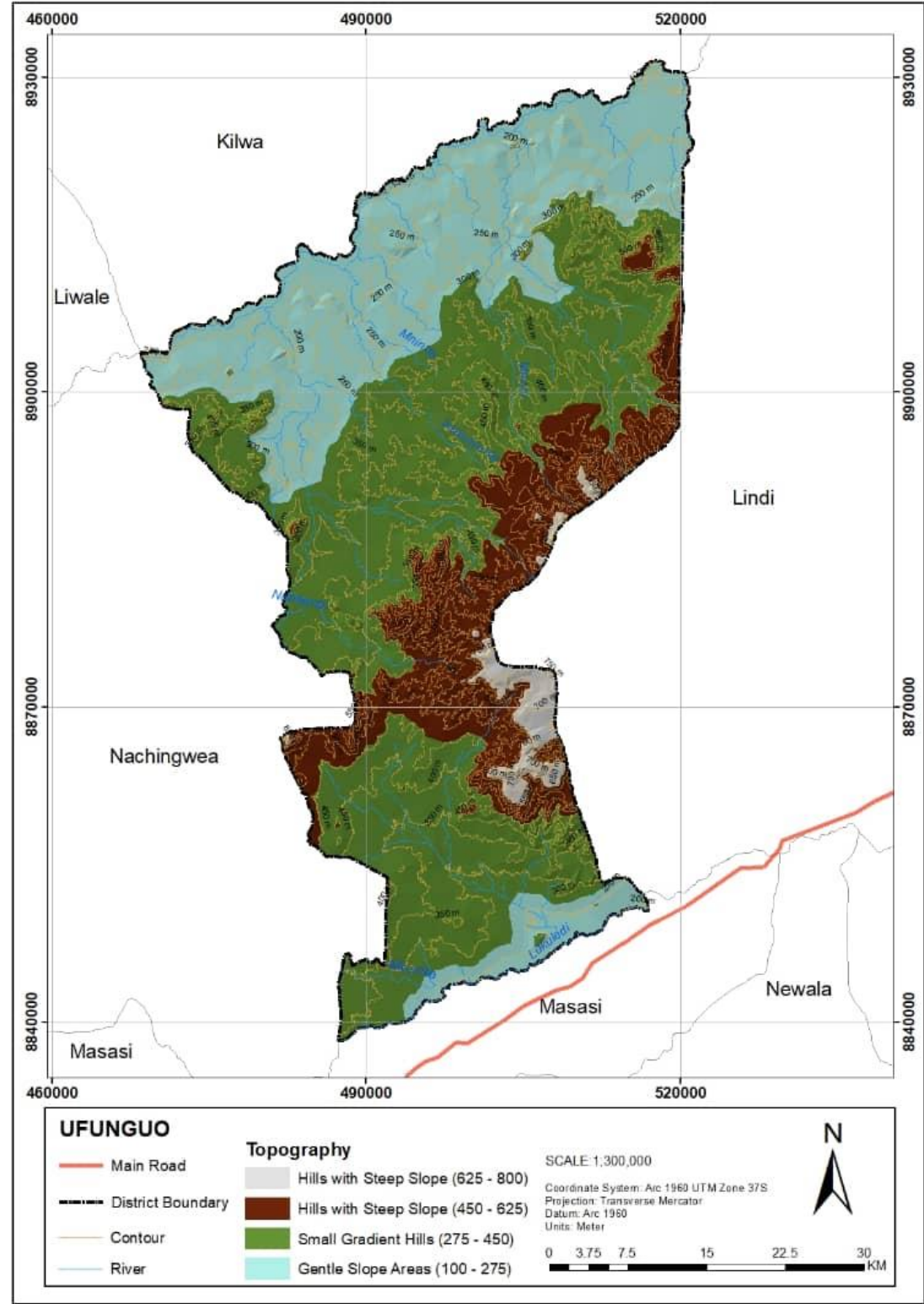


Figure 2: Map of Ruangwa District Council showing District Topography

**Drainage Pattern**

Ruangwa District Council forms a significant catchment area for main rivers and wetlands. Ruangwa District Council forms part of the vast western plateau of the Lindi region; in Ruangwa district, there are several mountains, valleys and flat areas. The main rivers/streams with several tributaries forming several alluvial flood plains in the council are Mbwemkuru, Lukuledi and Chingunduli. The river receives water from different streams found in different side of the council. There are other small tributaries, which are mainly seasonal streams like Mmawa, Luega, and Ruangwa, that exist and collect storm water during the rainy seasons (See map 3).

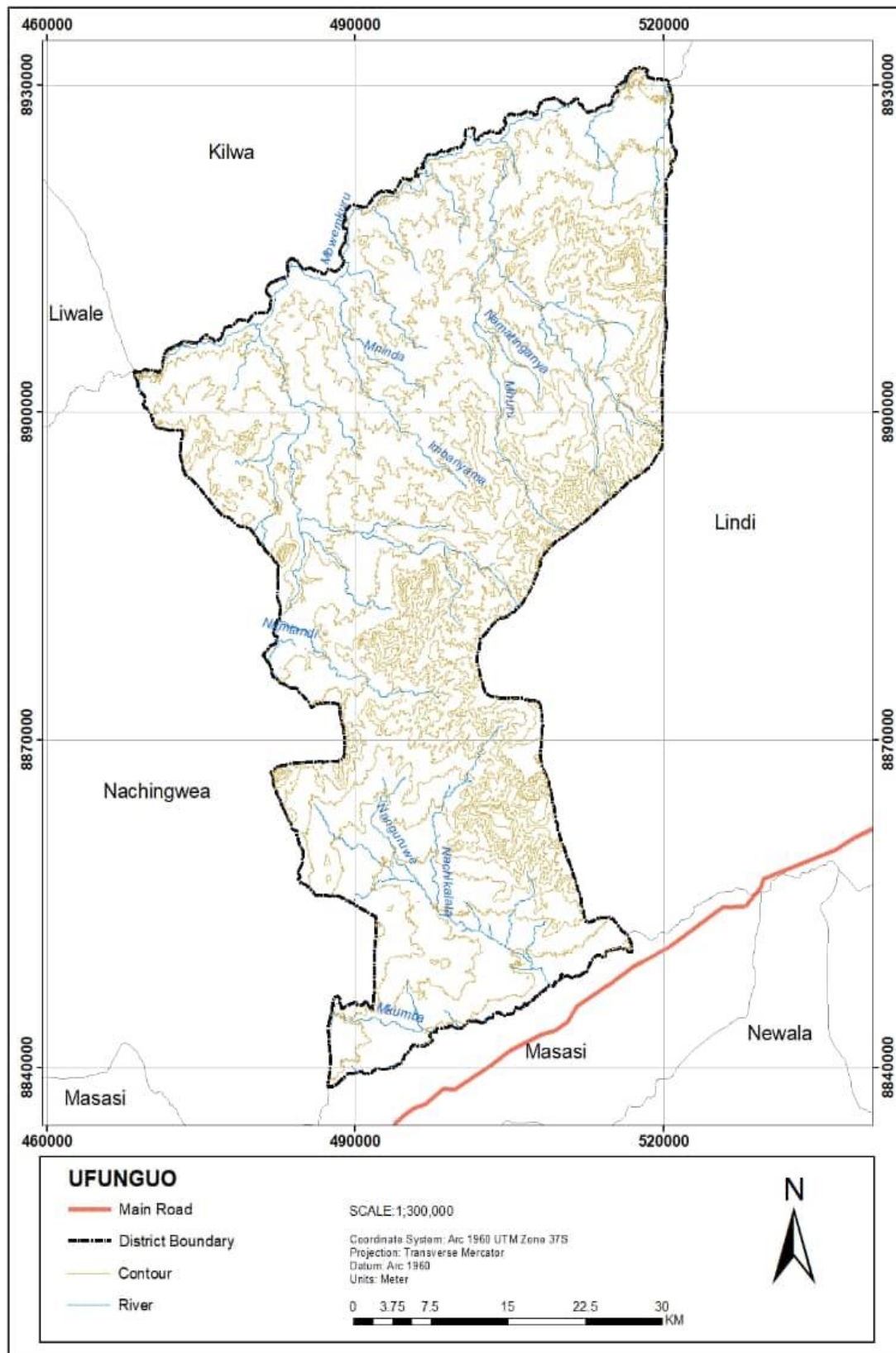


Figure 3:: Drainage Patterns in Ruangwa District Council are shown on Map 2.3.

## **2.6. Geological Features**

Ruangwa District Council is covered with all three types of rocks: sedimentary, metamorphic, and intrusive (plutonic). Intrusive rocks were formed and solidified from a melt of magma at great depth. Magma rises, bringing minerals and precious metals such as gold, silver, molybdenum, and lead, forcing its way into older rocks. It cools slowly (tens of thousands of years or longer) underneath the Earth's crust, which allows the individual crystals to grow large by coalescing where the rock is later exposed to erosion. Sedimentary rocks are also common in Ruangwa District Council and are freely exposed on the earth's surface. They formed from other rock materials from the buildup of weathered and eroded pre-existing rocks. Weathering, erosion, and the eventual compaction of igneous, metamorphic, or formerly structured sedimentary rocks, among other biological sedimentations, lead to the formation of sedimentary rocks. Metamorphic rocks are also part of the geological features found in the area. They formed from other rocks because of extreme pressure and heat. Thus, changes in the physical pressure and temperature alter the mineral composition and texture of the pre-existing plutonic and sedimentary rocks to form metamorphic rocks.

## **2.7. Land use patterns**

Ruangwa District Council, with a total area of 2,516 Km<sup>2</sup>, has a land use pattern classified into five categories: agroecological land, mining areas, forest land, residential areas (township and residential areas), and reserve land.

### **Agro-Ecological Zone**

The agroecological zone is mainly for agriculture and livestock keeping. Ruangwa DC constitutes the Rondo Plateau, the lowlands and plains, a highly variable agroecological zone suitable for producing a wide variety of crops and livestock keeping. The area is mostly covered with Miombo woodlands and is famous for cultivating maize, millets, sesame and cashew nuts. The district has sandy loam soil, moderately good drainage and rainfall of 800 mm to 1200mm per year. The zone has only one agricultural irrigation scheme, namely the Nanganga Irrigation Scheme with 50 Ha. On the other hand, this is a land use zone experiencing conflict over land use between farmers and pastoralists due to few land use plans conducted that consider reserving communal land for livestock grazing and stock routes. Some of the villages with serious challenges

include:- Namkatila, Chiundu, Mkaranga Nandandara, Nanjaru, Nambilanje and Namkonjela. The LTIP team is required to consider planning for villages' communal land reserved for livestock grazing only and establish stock routes.

#### Reserve land

Reserve land is a tract of land set aside for use by certain authorities like TANROAD, TARURA and others. Reserve land includes roads, forest reserves, etc. The district experiences conflict with conservation authorities over land as the district plays an important role in the conservation of major ecosystems in the district. LTIP is required to recognise relevant conservation authorities to avoid conflicts between government ministries and conservation authorities. In particular, the LTIP Team are required to closely observe ESS7, ESS6 and ESS10 requirements and provisions during VLUPs and rural land certification activities.

#### Vegetation cover

The original natural vegetation for most of Ruangwa District is the Miombo woodland, mostly found in the hilly slopes and lower plateau areas. Miombo woodland is a natural forest found in most parts of the district; it is associated with well-drained soils on high ground, while grassland thrives in low-lying areas, replacing woodlands in water-logged areas. The district is mostly covered by miombo and open grassland, which covers about 42% of the total district area. Despite the presence of Miombo tree cover found in Ruangwa, DC, there is a high deforestation rate where trees are cut down, and fires are often set to clear land for agriculture, gold and graphite mining and charcoal making.

#### Districts and other areas bordering Ruangwa District:

To the North, it is bordered by Kilwa District, West by Nachingwea District, southwest by Liwale, all in Lindi Region, and South by Mtwara Region.

## **2.8 Ruangwa District Council Social Baseline Information**

### ***People and Population***

Based on the population census reports of 2022 Lindi Region has a total population of 1,194,028 (Male 582,120; Female 611,908). Ruangwa District Council has a population

size of 185,573 (91,469 Males and 94,104 Females) with a growth rate of 3.2%. Ruangwa District Council ranks third in population compared to other Districts in the region.

***Economic Activities:*** The district economic structure is based on agriculture, Mining livestock keeping, and trade, as the source of livelihood for the majority of residents. The district is also endowed with wildlife resources which plays the major role in socioeconomic development of the district through ecological, aesthetic, spiritual, and research values.

***Social Services:*** Ruangwa district council has primary and secondary schools, health centres, churches, mosques and markets, which are located in all 22 wards and owned by the government, private sector and religious institutions. The provision of land parcels for social services such as schools, health centres, churches, mosques and markets is critical for the LTIP and necessitates the project to ensure that these facilities are identified and provided with the CCRO to improve their tenure security. The source of energy is electricity supplied by TANESCO. The main sources of drinking water include boreholes and river streams.

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

## **CHAPTER THREE**

### **LEGAL AND INSTITUTIONAL FRAMEWORK**

#### **3.1 Introduction**

This chapter describes the relevant legal and institutional framework governing the preparation of VLUP, DSPs and issuance of CCRO in the Luangwa district. The focus has been placed on legislation that provides environmental and social provisions and requirements relevant to the Project. The legislation described in this chapter are those which provides guidance to the project and can be made actionable to assist the project in the management of E&S risks and impacts. 3.2 Country's Legal Framework to Guide Land Use Planning and Rural Certification Processes in Ruangwa District

#### ***The Environmental Management Act (EMA) 2004:***

The Act provides guidance for the regulation process in sensitive areas such as rivers, lakes, wetlands, forest areas, and wildlife resources, among others. The Act provides a legal framework for coordinating harmonious and conflicting activities by integrating those activities into the overall sustainable environmental management system and providing key technical support to sectoral ministries. The EMA will be applicable to the LTIP team in Ruangwa during the identification of national parks and reserves and the preparation of DLUPF and VLUP. Specifically, the LTIP in Ruangwa 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) recognises that all land in Tanzania belongs to the public, and the President acts as the trustee of the land for the benefit of the people (Land Act, § 1(1)(a)). The Land Act classifies all land in Tanzania into three categories: (1) Reserved Land, (2) General Land, and (3) Village Land (§ 4(4)). The first two categories are governed under the provisions of the Land Act and its regulations. About 68% of all land is Village Land, 30% is Reserved Land, and only 2% is General Land in the Country.

These Acts, among other things, are the procedure for land administration, allocation, acquisition, schemes of regularisation, 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 meetings and public hearings. Both Acts translate the fundamental principles of land policy into the body of the law. One of these fundamental principles is to ensure that land is used productively and that any such use complies with the principles of sustainable development. The preparation of VLUP and the issuance of CCRO will be conducted in accordance with the provisions and requirements stipulated in the Land Act. Section 32 (1) and section 33 of the Land Use Planning Act No. 6 of 2007 provide directives and requirements for preparing both DLUFP and VLUPs.

#### ***The Land Use Planning Act, 2007***

LTIP shall prepare the VLUP in accordance with this Act; the act provides that the village must have defined boundaries gazette under the GN and described in the Village Certificate issued by the Commissioner of Land; This act refers 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 provides labour rights and protections, particularly for child labour, forced labour, discrimination in the workplace, and freedom of association. The act prohibits child labour, and 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 with basic employment standards, which include:

- i) Wage determination that stipulates a minimum term and condition of employment,
- (ii) An employment standard constitutes a term of a contract with an employee unless -a term of the contract contains a term that is more favourable 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 the provision of gender-responsive HIV/AIDS and education, Distribution of Condoms and support to people living with HIV/AIDS.

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

***The 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 the need to consolidate public health through the prevention of disease, promotion, safeguarding, maintaining and protecting the health of humans and animals. The presence of LTIP workers may result in the risk of disease transmission and will be addressed through conducting an HIV/Aids campaign and provision of hand washing facilities, condoms and dustbins.

***Water Resources Management Act No. 11 of 2009:***

Water Resource Management Act No. 11 of 2009 is the principal legislation governing the utilization and pollution control of water resources. Specifically, the objective of this Act is to ensure that, water resources are protected, used, developed, conserved, managed and controlled for sustainable development. The LTIP will identify boundaries of streams, rivers and other water sources in Ruangwa District Council and ensure that such uses are included during the preparation of DLUPF and VLUP and will not issue CCRO in such areas to enhance the 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 Ruangwa will have adhere to this policy so as to protect the rights of livestock keepers, and specific use endowed to the VGs.

### **3.3 World Bank Environmental and Social Framework**

Project ESMF has identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10 to be applicable to the LTIP. However, for Ruangwa District Council, the following ESSs are applicable, and this ESMP describes how specific ESSs will be complied with during the preparation of DLUPF, VLUM and the issuance of CCROs:

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

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

#### ***ESS2 Labor and Working Conditions.***

Provision of Valid Employment Contracts 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 teams.
- Provision of occupational and safety awareness and services to workers

#### ***ESS4 Community Health and Safety***

Sensitisation of community about the project and associated health risks and impacts; and

- Training on HIV/Aids to project workers of direct and indirect teams;
- Training on community and road safety
- Awareness of accident risks and community safety.

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

- Sensitization of community about the project and land requirements for access roads, community facilities such as schools, health facilities, markets, cemetery; recreational and open areas; and
- Land donation/acquisition requirements and procedures as stipulated in the Resettlement Policy Framework (RPF)

***ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources***

- Use of **Annex 6** to ensure that no certification will be undertaken in reserved or conservation land or ecological resources of biodiversity
- Identification of boundaries of reserve land and water bodies

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

- Sensitization of the community about the project
- Formulation and operationalisation 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 the environment and social (E&S) baseline condition of the project area, the E&S assessment has identified the following likely project benefits, risks and impacts:

#### 4.2 Project Social Benefits

In Ruangwa District, the LTIP will create the following benefits:

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

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

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

*Employments Opportunities:* Rural certification activities in Ruangwa district will require workforce to perform different activities. In total the project will employ approximately over 70 People both skilled and unskilled.

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

The following are identified negative social risks and impacts associated with LTIP regularisation activities in Ruangwa District Council.

**VLUP:** LTIP will ensure that the villages have no contradicting GN before the preparation of VLUP. Failure to do so is likely to cause conflicts between the 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.

Crosscutting Impacts due to Land use planning and rural land certification

***Conflict over land ownership and rights:*** In project areas people live without proper identification of their areas, land size and boundaries with neighbors. During 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.

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

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

***Inequalities for Women and other Marginalized Group:*** Marginalized groups such as elders, chronically ill people and the youth have less chances to get CCROs due lack of

project information, and this could formalize inequalities between men and women regarding access to CCROs.

***Gender Based Violence and Sexual Exploitation and Abuse (SEA):*** In Ruangwa, community members with access to project resources such as employment, income and power over others might subject subordinates, children, spouses, and people from low-income status to GBV and SEA.

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

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

***Possibility of Issuing CCROs to Non-nationals:*** The Ruangwa district is a neighboring Mozambique country, and its nationals have much interaction with the Ruangwa community, thus putting the risk of issuing CCROs to non-citizens due to the demand for.

***Physical and Economic Displacement:*** The certification and registration process may require land. This land may already be used by the community or households for a range of uses (housing, economic activities, grazing land, businesses, etc). Where land is acquired or donated, this may result in the economic resettlement of households, which may have an associated impact on livelihood activities and household incomes. Physical resettlement for land regularisation will not be undertaken.

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

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

*Enhancement of protection of sensitive areas and minimisation of Conflicts:* Ruangwa district plays an important role in conservation. VLUPs and the issuance of CCROs will recognize all protected areas which will reduce their encroachment and conflicts between local community and conservation authorities.

#### **4.5 Negative Environmental Impacts of Land Use Planning and Land Certification**

The major negative environmental impacts of the regularisation process in Ruangwa District Council are:

*Encroachment of Sensitive Areas:* Important conservation areas such as major ecosystems water source reserves and forest reserves require to be protected. Inadequate and failure to recognise such areas during rural certification might lead to their encroachment.

*Soil Erosion and Solid Waste Generation:* Installation of the beacons may result in localised soil erosion due to the presence of loose soil around the beacon. Also, the fabrication of beacons will involve sourcing materials from quarries and borrowing pits such as gravel and sand, which may result in land degradation and soil erosion. This includes OHS risks of workers of primary suppliers. In addition, during the certification process, project workers will generate solid and liquid wastes such as plastic, food, and human waste, leading to land pollution and oil spills during car maintenance.

*Health and Safety Hazards:* Fabrication, transportation and subsequent installation of beacons might lead to incidences and accidents causing injuries and fatalities to workers and community members.

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

This section describes mitigation measures for the project adverse risk and impacts and proposed measures for enhancing positive one as well as associated costs. **Table 3** is the impacts and mitigation matrix for rural certification for Ruangwa District. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP project implementation team.

Table 2: Mitigation Measures of Identified Impacts

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				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"><li>Undertake adequate E&amp;S assessment of the proposed VLUP to determine the magnitude of impacts.</li><li>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)</li></ul>	1,000,000	<ul style="list-style-type: none"><li>Ruangwa District Council E&amp;S Team</li><li>Ward and village leaders</li><li>CSOs</li></ul>	ESMT	During preparation of VLUP.	
2	Deepening of insecurity on the fate of lands among Ruangwa communities.	<ul style="list-style-type: none"><li>Provide communities with correct project information.</li><li>Strategize engagement of traditional leaders.</li><li>Ensure present and future village land use needs are taken into consideration during the formulation of VLUPs without prejudice to the need for other land uses and conservation of the environment.</li></ul>	30,000,000	<ul style="list-style-type: none"><li>Participatory Land Use Management (PLUM) Team.</li><li>E&amp;S Team</li><li>CSO</li></ul>	ESMT	During preparation of VLUP and issuance of CCROs	
3	Confusion of communities with incorrect information about the project.	<ul style="list-style-type: none"><li>Map NGOs/CSOs and understand their mission and objectives.</li><li>Provide NGOs/CSOs with project information and, where necessary, engage them to create sensitisation to the community.</li></ul>	5,000,000/=	<ul style="list-style-type: none"><li>E&amp;S Team</li><li>Participatory Land Use Management (PLUM) Team.</li><li>WEOs, CDOs and VEOs</li><li>Traditional and religious leaders</li></ul>	ESMT	During preparation of VLUP & throughout the project.	



Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				Implementation	Supervision		
4	Conflict over land ownership and rights	<ul style="list-style-type: none"> <li>Formulation and operationalisation of GRM</li> <li>Capacity building and awareness creation to local leaders on conflict resolution.</li> <li>Sensitization on the importance of joint land titling.</li> <li>Educate men on the importance of including their wives in CCROs.</li> </ul>	30,000,000/=	<ul style="list-style-type: none"> <li>Ruangwa District Council E&amp;S Team</li> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> </ul>	ESMT	During preparation of VLUP and issuance of CCROs.	
5	Ineligibility to CCROs	<ul style="list-style-type: none"> <li>Identification of all households ineligible to receive CCROs and formulation of advice on how to address their situation.</li> <li>Identification of households and parcels close and within conservation and sensitive areas.</li> <li>Awareness of ineligibility for CCROs.</li> <li>Liaise with TFS, NEMC</li> <li>Ruvuma River and Southern Cost Water Body (RSCBWB) and Lake Nyasa Water Body for further guidance, and the Ministry of Natural Resources and Tourism</li> <li>TANROADS and TARURA</li> <li>Signage informing potential new settlers that those areas cannot be titled and should not be occupied - to avoid further occupation, including by those who would like to be compensated.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>Ruangwa District E&amp;S Team</li> <li>Participatory Land Use Management Team (PLUM)</li> <li>National Environmental Management Council (NEMC)</li> <li>TANROADS&amp;</li> <li>TARURA</li> <li>TFS</li> <li>Water Basin Authority</li> <li>Ministry of Natural Resources and Tourism for further guidance</li> </ul>	ESMT	During the identification of Parcels.	
6	The CCRO issuance process formalises land access inequalities for	<ul style="list-style-type: none"> <li>Identification of marginalised groups such as people with disabilities, women, elders, chronically ill persons and youth</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>Ruangwa District E&amp;S Team</li> <li>Ward Executive Officer (WEO),</li> </ul>	ESMT	During Project Sensitization and identification	

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				Implementation	Supervision		
	Women and other Marginalized Groups.	<ul style="list-style-type: none"> <li>○ Sensitization on the importance of CCROs and other project benefits.</li> </ul>		<ul style="list-style-type: none"> <li>○ Ward Community Development Officer (CDO)</li> <li>○ Village Leaders</li> <li>○ CSOs.</li> </ul>			
7	Gender Based Violence / SEA	<ul style="list-style-type: none"> <li>○ Engage the Police Gender Desk to train Project staff on GBV/SEA.</li> <li>○ All LTIP staff are to sign a code of conduct that includes GBV/SEA issues.</li> <li>○ Develop and operationalise the GBV Action Plan for the District.</li> <li>○ Disseminate information about the GRM and encourage the population to report misconduct</li> <li>○ Engage relevant government agencies and/ or NGOs in the district who provide support to survivors of GBV and SEA, such as assistance for medical care, psychosocial support, legal redress, safety, etc., where necessary.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>○ Ruangwa District E&amp;S Team</li> <li>○ Ward Executive Officer (WEO),</li> <li>○ Ward Community Development Officer (CDO)</li> <li>○ Village Leaders</li> </ul>	ESMT	Before placement of employees and during the rural certification process.	
8	Influx of Laborers	<ul style="list-style-type: none"> <li>○ Community awareness of STI transmission and basic hygiene practices and crimes</li> <li>○ Give employment priority to unskilled labourers from within project areas.</li> <li>○ Provision of welfare facilities such as water, toilets and food vending to project workers.</li> </ul>	5,000,000/=	<ul style="list-style-type: none"> <li>○ Ruangwa District Council Certification Office (CUCO)</li> <li>○ Ruangwa District E&amp;S Team</li> <li>○ Village Leaders</li> <li>○ Private Companies involved in rural certification activities.</li> </ul>	ESMT	During Rural Certification Process.	

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				Implementation	Supervision		
9	Inaccessibility of Project Sites	<ul style="list-style-type: none"> <li>Target implementation of rural certification of villages not accessible during the rainy season during the dry season.</li> <li>Provide suitable transport facilities.</li> </ul>	5,000,000	<ul style="list-style-type: none"> <li>Ruangwa District Rural Certification Office (DRCO):</li> <li>Ruangwa District Council E&amp;S Team</li> <li>Participatory Land Use Management (PLUM) Team</li> </ul>	ESMT	During the Rural Certification Process	
10	Possibility of Issuing CCROs to Non-nationals	<ul style="list-style-type: none"> <li>Make use of National IDs during the issuance of CCROs</li> <li>The rural formalisation team will work closely with local leaders to confirm the citizenship of project beneficiaries.</li> </ul>	10,000,000/=	<ul style="list-style-type: none"> <li>Ruangwa District Council Rural Certification Office (CUCO)</li> <li>Ruangwa District E&amp;S Team</li> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> <li>Migration Teams</li> </ul>		During the Rural Certification Process	
	Physical and Economic Impacts	<ul style="list-style-type: none"> <li>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.</li> </ul>	10,000,000	<ul style="list-style-type: none"> <li>Ward Executive Officer (WEO),</li> <li>Ward Community Development Officer (CDO)</li> <li>Village Leaders</li> </ul>	ESMT	Prior to the project activity	

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				Implementation	Supervision		
		<ul style="list-style-type: none"><li>○ Adjudication to try to minimise land take and loss of assets from any given household through negotiated agreements.</li><li>○ Surveying will ensure all the plots are viable and of acceptable sizes to enable their continued use after land take.</li></ul>		<ul style="list-style-type: none"><li>○ Migration Teams</li></ul>			
<ul style="list-style-type: none"><li>○ Total Cost</li></ul>			130,000,000				
○ Negative Project Environmental Risks and Impacts							
1	Negative environmental impacts relating to land use classification adjustments resulting from Review of the GN	<ul style="list-style-type: none"><li>○ Undertake adequate E&amp;S assessment of the proposed VLUP to determine the magnitude of impacts.</li><li>○ Devise mitigation measures to address risks and impacts related to the proposed VLUP in accordance with the World Bank's ESF.</li></ul>	5,000,000	<ul style="list-style-type: none"><li>○ PLUM</li><li>○ E&amp;S Team</li></ul>	ESMT	During preparation of VLUP.	
2	Encroachment of Environmental Sensitive Areas	<ul style="list-style-type: none"><li>○ Make use of Annex 6 of the ESMF to ensure that boundaries between national parks, reserves, and grazing land are made clear during the preparation of DLUPF and VLUP and before the issuance of CCRO.</li></ul>	5,000,000/=	<ul style="list-style-type: none"><li>○ PLUM</li><li>○ E&amp;S Team</li><li>○ National Environmental Management Council (NEMC)</li><li>○ TANROADS&amp;</li><li>○ TARURA</li><li>○ TFS.</li></ul>	ESMT	Before placement of employees and during the rural certification process.	

Sn	Risks and Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Framework	Time
				Implementation	Supervision		
				<ul style="list-style-type: none"> <li>○ Ruvuma River and Southern Coast Basin Water Board (RSCBWB)</li> </ul>			
3	Soil Erosion, oil spills and Solid Waste Generation	<ul style="list-style-type: none"> <li>○ Undertake tree and grass planting</li> <li>○ Provision of dustbins in all project areas</li> <li>○ Use of welfare facilities such as toilets and water</li> <li>○ No refuse or waste oils should be discharged into drains or onto site grounds.</li> </ul>	5,000,000/=	<ul style="list-style-type: none"> <li>○ Ruangwa District Council E&amp;S Team</li> <li>○ Private Companies involved in certification activities.</li> <li>○ Village Leaders</li> </ul>	ESMT	During Rural Certification Process.	
4	Health and Safety Hazards	<ul style="list-style-type: none"> <li>○ Provision of PPEs (Masks, boots, gloves, and Helmets) to workers.</li> <li>○ Implementing Institution (LGA/Private/CSO) must make due diligence on OHS risk management, including primary suppliers' workers.</li> <li>○ Training drivers of direct and indirect teams on road safety</li> <li>○ Implementing agencies to enforce rules for drivers and passengers.</li> <li>○ Provide Health and Safety Training to project workers</li> </ul>	30,000,000/=	<ul style="list-style-type: none"> <li>○ Ruangwa District Council E&amp;S Team</li> <li>○ Private Companies involved in certification activities.</li> <li>○ Village Leaders</li> </ul>	ESMT	During Rural Certification Process.	
7	OHS risks for primary supplier workers	<ul style="list-style-type: none"> <li>○ Contractor to conduct OHS due diligence assessment of primary supplier</li> </ul>	5,000,000	Contractor	ESMT	During contracting	

## **CHAPTER FIVE**

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

#### **Introduction**

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

The objectives of 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 instruments in place;
- 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 minimise environmental consequences;

Table 4 below summarises the monitoring plan for rural certification in Ruangwa District Council.

Table 3: Social and Environmental Monitoring Plan

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

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
Enhancement of Environmental Benefits							
➤	Enhancement of protection of sensitive areas and minimisation of	Number of CCROs issued in sensitive areas	0	Report	Quarterly	ESMT & PIT	1,000,000/=
➤	Conflicts	Number and hectares of village land declared as forest reserve	100 Ha	VLUP Reports	Six Months	ESMT & PIT	1,000,000/=
➤	Protection of Common resources	The presence of a 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							
➤	Lack of communities' understanding of LTIP activities	➤ Acceptance of the LTIP activities by the communities in the Ruangwa district	50,000	Reports	Quarterly	ESMT & PIT	1,000,000/=



S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
		➤ Participation of traditional leaders in LTIP activities.					
➤	Ineligibility to CCROs	No of the parcels identified as ineligible for rural land certification	10	Report	Quarterly	ESMT & PIT	500,000/=
➤	Inequalities for Women and Other Marginalized Group	Tailored local information campaigns organised with the support of NGO-CSOs	1000	Report	Quarterly	ESMT & PIT	1,000,000/=
➤		No of the Project staff were trained on women's land rights and how to encourage the registration of women's land rights as part of the CRO process	100	Report	Quarterly	ESMT & PIT	1,000,000/=

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
➤		Percentage of Women with CCROs.	30%	Report	Quarterly	ESMT & PIT	0
➤		Marginalised Group with CCROs.	10%	ILMIS Report	Quarterly	ESMT & PIT	1,000,000/=
➤	Gender-Based Violence	Percentage of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	500,000/=
➤	Influx of Laborers	Percentage of labourers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	500,000/=
➤	Inaccessibility of Project Sites	No of the Village identified as not accessible	0	Report	Quarterly	ESMT & PIT	500,000/=
➤	Land conflicts	Number of resolved land disputes	Tbd	Report/GRM	Quarterly	ESMT & PIT	0
Total							24,000,000/=
Environmental Negative Risks and Impacts							

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Host institution Supervising institutions	Monitoring Budget
➤	Waste Management	No. of dustbins provided in three villages	150 dustbins @ village 3	Report and observation	Quarterly	ESMT & PIT	15,000,000/=
➤	Health and Safety Hazards	No. of incidents and accidents reported.	0	Report	Quarterly	ESMT & PIT	1,000,000/=
➤	Greenhouse gas emissions	No. Service Conducted	Service at every 5000 Km	Maintenance Report	Quarterly	ESMT & PIT	12,000,000/=
➤	Monitoring of oil spills	No drums (100 litres) were distributed to collect dirty oil	1 Drums in each LGA	Report	Quarterly	ESMT & PIT	4,000,000/=
➤	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

### INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP

#### 6.1 Institutions

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

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

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

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

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

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

*Lake Nyasa Water Basin and Ruvuma River and Southern Coast Basin Water Board (RSCBWB):* To oversee the sustainable use of water resources and provide guidance whenever needed during land certification activities done by LTIP.

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

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

## 6.2 Supervision and Monitoring Roles

*Project Environment and Social Management Team (ESMT)*: shall be responsible for ensuring compliance with ESMPs. In particular, the team will conduct regular audits and prepare the reports that demonstrate the suggested ESMP are being implemented accordingly. The team will be required to submit monthly reports to 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 Ruangwa District council the following training have been provided to E&S Team at LGAs levels to enhance their capacity during preparation of DLUPF (**Table 5**). Several awareness raising meetings were also conducted with different stakeholders during preparation of DLUPF.

*Table 4: Training conducted for Ruangwa E&S Team*

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

Other E&S trainings are planned for Ruangwa District Council to enhance their capacity to implement this ESMP, which will be as follows.

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

## **CHAPTER SEVEN**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **7.1 Introduction**

This ESMP is specifically for Ruangwa 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 environmentally and socially sound.

#### **7.2 Conclusions**

Given the importance of multiple land uses in Ruangwa, 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 include enhanced security of tenure, capital creation, effective land control and management, reduction of costs associated with informal land transactions, and employment 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 marginalised groups, likely the emergence of gender-based violation, the influx of labourers, soil erosion and dust, generation of waste, and health and safety hazards.

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

### **7.3 Recommendations**

- All Villages where the project is implemented should have a copy of this ESMP,
- NGOs to be hired to conduct the certification process in Ruangwa District Council should be given this ESMP as part of the contract to ensure its implementations team in Ruangwa District Council with Support from ESMT
- PLUM (ES TEAM) shall ensure meaningful consultation of all key and relevant stakeholders
- An adequate budget should be allocated to facilitate the implementation of the mitigation measures to avoid project impacts on the environment and the community and enhance project benefits.
- Training all stakeholders on E&S issues is key to achieving the objectives of this ESMP. All key stakeholders identified in this ESMP must be trained to facilitate smooth implementation of the E&S issues during project implementation.

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

Sn	Checklist	Description
1	Is the village land uses approved through village Assembly	<p>➤ Conduct environmental and social assessment of the proposed land use plan basing on ESMF, ESCP, VGPF, SEP and RAP</p> <p>➤ Basing on 1 above, confirm if the plan complies with ESF</p> <p>➤ Check on supporting documents used to approve the VLUP (Entry Meeting Minutes and Approval of VLUP Meeting minutes)</p> <p>➤ Check on engagement of women, youth and other minority community members</p>
2	Is the proposed land use compactible with the GN	<p>➤ Check in the issues related to Reserve land and Village land</p> <p>➤ Check if there are land uses conflicts between different land users (Environmental Conservation vs land uses)</p>
3	Is the VLUP endowed by District Council	➤ Check on District Statement on Regards to proposed land use (Normally written in a minute which are submitted to approval authorities for gazettelement)
4	Is the VLUP Gazetted	➤ Confirm on gazettelement status and if does not conflicting with other gazettelement

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

:Environmental and social screening Result



<b>S N</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,	-Boundaries of the reserved area and the village are clear and well identified	YES <sup>1</sup>	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
	National parks, game reserves	-There is encroachment between the village and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the villagers, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		-There is encroachment between village and the reserved area although the boundary is well known to all the parties	YES <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	YES	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	-Village/area is found close to or bordering wetlands and/or watershed areas. The area/village	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and

	water catchment	boundary should maintain a 60m distance as per the nation law		international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
3	Livestock grazing areas and stock routes	-Village has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the village for communal use. No one within the village should be denied access as a result of certification process. Individual titles should not be provided in these areas.
4	Flood prone areas	-Settlement is located in flood prone areas which may be restricted for any development activities	NO	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will

1. There are numbers of installed beacons that have been removed by villagers example Litama Muhuru and Namichiga B
2. There are number of encroachment especially in river banks example Ruangwa, river Mbwenkuru and river Lukuredi
3. Unlawful and destruction of community forest, example Michenga, and Malolo
4. High rate of deforestation due to agricultural activities, mining and charcoal making