

THE UNITED REPUBLIC OF TANZANIA

KINONDONI MUNICIPAL COUNCIL



LAND TENURE IMPROVEMENT PROJECT (LTIP)

**ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR URBAN
CERTIFICATION PROCESS IN KINONDONI MUNICIPAL COUNCIL**



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LIST OF ABBREVIATIONS AND ACRONYMS

CUCO	-	Council Urban Certification Office
CBO	-	Community Based Organization
CCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CRO	-	Certificate of Right of Occupancy
MD	-	Municipal Director
MEMO	-	Municipal Environmental Management Officer
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
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
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
LTIP	-	Land Tenure Improvement Project
MLHSD	-	Ministry of Land, Housing and Human Settlement Development
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
OHS	-	Occupational Health and Safety
PO-RALG	-	President's Office Regional Administration and Local Government
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP	-	Stakeholder Engagement Plan
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
VG	-	Vulnerable Groups
VGPF	-	Vulnerable Groups Planning Framework
WB	-	World Bank
WEO	-	Ward Executive Officer

CHAPTER ONE

INTRODUCTION

1.1 Background Information

The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHHSD) is implementing Land Tenure Improvement Project (LTIP). The Project aims at increasing security of land rights and efficiency in land administration. It promotes land-based investments and ensures inclusion for social economic development in both urban and rural areas. The key project results indicators would be: number of Certificates of Rights of Occupancy (CROs), Certificates of Customary Rights of Occupancy (CCROs) and Residential Licenses issued and registered (gender disaggregated); increased number of land and property transactions; reduced number of land conflicts; increased tenure security, and gender disaggregated (survey data).

1.2 LTIP Project Scope in Kinondoni Municipal Council

The Kinondoni Municipal Council has long been engaged in the formalization of informal settlements with the assistance of its Local Government Authority (LGA) experts and private firm's prior commencement of LTIP. The initiative is aligned with the objectives outlined by the Honorable Minister of Lands, Housing, and Housing Development on July 13, 2018.

Following the Minister's announcement, the Council embarked on authorizing Surveying and Planning Companies that fulfilled the stipulated criteria to undertake the formalization process within Kinondoni Municipal Council administrative boundaries.

The LTIP scope in Kinondoni Municipal Council involves four key objectives:

- a) Conducting screening which aims at ascertaining environmental and social risk levels with subsequent devising mitigation measures to be adopted during project implementation
- b) Addressing the challenges of ongoing regularization projects
- c) Facilitating the title registration process through Ardhi Clinic
- d) Completing cadastral surveying for stalled regularization projects
- e) Community sensitization about the project

In total nine Mtaa namely Kilimahewa Juu, Dovya, Mkoani, Kilungule, Mbweni, Mbuyuni, Mtongani, Kihonzile and Ndumbwi located in Wazo, Bunju, Mbweni, Makongo, Kunduchi, Mabwepande and Mbezi Juu wards respectively will be provide with CROs. The project is expected to issue over 14,796 CROs in the nine Mtaa (estimation of 1644 CRO from each sub ward).

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

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

The aforementioned activities have potential to cause environmental and social (E&S) risks and impacts. To address the potential E&S risks and impacts the Project has prepared this Environmental and Social Management Plan (ESMP) which will guide all the project implementers.

1.2.1 General Objectives of ESMP

This ESMP is important tool for managing and monitoring of the E&S impacts associated with the proposed project activities. Specifically, it depicts how the organizational capacity and resources will be utilized to implement the mitigation measures proposed. Therefore, the Government Project implementation team as well as Private Firms will implement the project in accordance to this ESMP. The district E&S team was responsible for the preparation of the ESMP under the supervision of Council Urban Certification Office (CUCO) and the Environmental and Social Management Team (ESMT) of the project at the Ministry level. 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. Identification of potential E&S impacts associated with urban certification activities and support by LTIP;

- ii. To develop mitigation/enhancement measures to minimize E&S risk and impacts;
- iii. To define implementation arrangement and organizational structure of ESMP;
- iv. To assess the capacity of the implementation agencies and develop plans for training and other capacity-building activities;
- v. To identify the parameters to be monitored and the respective tools that is used in monitoring and reporting.

1.2.2 Methodology for Preparation of ESMP

The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF). It was prepared by the Kinondoni Municipal Council in collaboration with the Project's Environmental and Social Management Team (ESMT) through undertaking the following activities:

- i. Undertaking environmental and social screening to determine risks and impacts associated with the certification process using: (i) Annex 4 of ESMF on Screening Checklists for environmental and social issues; (ii) Annex 6: Environmental and Social Safeguards Criteria for selecting project-specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP.
- ii. Undertaking literature review;
- iii. Identification of mitigation, enhancement, and monitoring measures for the identified impacts;
- iv. Validation of mitigation, enhancement, and monitoring measures through stakeholders' engagement; and
- v. Finalization of ESMP report and sharing with wider stakeholders.

1.3 Screen Results

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

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

CHAPTER TWO

BASELINE ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

2.1 Introduction

Kinondoni is a Municipality within the City of Dar es Salaam. The Government Notice No. 4 of the year 2000 issued by the President's Office, Regional Administration and Local Government established the Kinondoni Municipal Council (KMC) as an autonomous body. The move was part of the on-going Local Government Reforms in the Country. The Indian Ocean borders the Municipality to the North East, Ilala District to the South, and Ubungo District to the North. The Municipality is well linked by roads and other communication networks to the rest of the city and other parts of the country. Major road links are Morogoro Road, Bagamoyo Road, Kawawa Road, Ally Hassan Mwinyi, and Mwai Kibaki road.

Kinondoni Municipal Council is one of the five municipalities within the City of Dar es Salaam. It occupies the northern portion of the city, bordering the Indian Ocean to the east, Bagamoyo District to the north, and Temeke Municipal Council to the south. The municipality encompasses a significant area, stretching from approximately 6°48' South to 7°33' South latitude and 39°12' East to 39°33' East longitude. This location places Kinondoni at the heart of Dar es Salaam's urban expansion, making it a key area for the LTIP's efforts to improve land tenure security and promote sustainable development.

2.3 Land Use Patterns

Kinondoni Municipal exhibits a complex and evolving land use pattern, reflecting its rapid urbanization and the diverse needs of its population. This complex pattern presents both opportunities and challenges for the LTIP. Residential areas dominate the landscape, ranging from high-density, multi-story apartment complexes to low-density, single-family homes, and sprawling compounds. The municipality has numerous informal settlements, often found along its periphery. The LTIP's focus on improving land tenure security in these informal settlements is crucial for ensuring residents' rights and promoting sustainable development. The municipality also boasts a vibrant commercial sector, with bustling markets, shopping malls, and street vendors thriving in areas like Kariakoo and Mnazi Mmoja. These commercial centers

cater to the needs of the city's residents and contribute significantly to the municipality's economy. The LTIP recognizes the importance of these commercial centers and will work to ensure that land tenure security supports their continued growth and prosperity.

Industrial areas are also present, primarily concentrated in the northern parts of the municipality, housing various manufacturing plants, warehouses, and distribution centers. The LTIP's focus on sustainable development will aim to ensure that industrial activities are carried out responsibly, minimizing environmental impacts and promoting safe working conditions.

The presence of both formal and informal land uses creates a dynamic landscape but also raises challenges related to managing urban sprawl, environmental protection, and providing essential services. The LTIP can play a vital role in addressing these challenges by promoting secure land tenure and fostering sustainable development practices.

2.4 Climate

2.4.1 Temperature

Kinondoni Municipal enjoys a tropical savanna climate, characterized by distinct wet and dry seasons. The warm temperatures and high humidity create a characteristically humid and tropical environment. The rainy season typically extends from November to May, bringing significant rainfall to the region. The dry season stretches from June to October, with limited rainfall and high humidity.

2.4.2. Rainfall

The average annual rainfall in Kinondoni is approximately 1,000 mm, but variations occur within the municipality, with some areas receiving slightly higher rainfall. The proximity of the Indian Ocean influences humidity levels, which are generally high throughout the year. The municipality's climate poses both opportunities and challenges for development. The ample rainfall supports agricultural activities, but it also presents risks related to flooding and erosion, necessitating proper drainage systems and infrastructure to mitigate these risks. The LTIP will consider these

climatic factors in its efforts to improve land tenure security and ensure that development projects are resilient to climate-related challenges.

2.5 Soil Types

The soils of Kinondoni Municipal are diverse and reflect the geological history of the region. Along the coastline, sandy soils predominate, ideal for beach vegetation but often lacking in nutrients for agriculture. Further inland, the soil transitions to clay-rich alluvial soils deposited by the Ruvu River and its tributaries. These fertile soils support a variety of crops and vegetation, making them suitable for agricultural activities. However, these soils are also susceptible to erosion and waterlogging, especially during periods of heavy rainfall. The municipality also has areas with lateritic soils, typically red and iron-rich, often found on higher ground. These soils are less fertile but can support some vegetation. Understanding the varying soil types is essential for the municipality's land management, agricultural practices, and infrastructure development. The LTIP will consider these soil variations when promoting sustainable land use practices and working with communities to develop secure land tenure systems.

2.6 Topography

Kinondoni Municipal is characterized by a generally flat terrain, with subtle variations in elevation. The land slopes gently towards the Indian Ocean, creating a gradual incline from the western parts of the municipality towards the eastern coast. This gentle slope influences the flow of water, particularly during the rainy season, creating a network of drainage channels and streams. The Ruvu River, flowing from west to east, is a prominent topographic feature, contributing to the municipality's water resources and creating fertile alluvial plains along its banks, often used for agriculture. While generally flat, the municipality has some areas with higher ground, typically in the western parts, creating variations in elevation. These variations, although subtle, influence drainage patterns and contribute to the diverse ecological landscape within Kinondoni. The flat terrain also presents challenges related to drainage and flooding during periods of heavy rainfall, requiring proper infrastructure and management to mitigate potential risks. The LTIP will work with communities and relevant authorities to ensure that development projects consider these

topographical features, minimizing environmental risks and promoting sustainable land use practices. The topography of Kinondoni Municipal Council is characterized by shorelines, hills characterized by weathered slopes and well-drained with unconsolidated clay bond sands, such as Wazo hills with an altitude of 900 to 1000m, rivers, both seasonal and all-weather rivers, such as the Nyakasangwe and Mpiji rivers, valleys, flat areas where storm water collects during rainy seasons, and forests, such as the Mabwepande forest.

Selected Mtaas for certification

In Kinondoni Municipal Council, nine Mtaa namely Kilimahewa Juu, Dovya, Mkoani, Kilungule, Mbweni, Mbuyuni, Mtongani, Kihonzile and Ndumbwi located in Wazo, Bunju, Mbweni, Makongo, Kunduchi, Mabwepande and Mbezi Juu wards respectively have been currently selected for Urban Certification. The selected Mtaa are among the areas where land transactions occur frequently in Kinondoni Municipal Council. These areas are peri-urban with low and high housing density,, allowing access to houses through informal road hierarchy. The prevailing environmental and social conditions in each Mtaa are detailed below:

2.1.1 Dovya

Dovya Mtaa is in Bunju ward, located in the east of Kinondoni Municipal Council and about 30km from the CBD. It is bordered by Malindi Estate, Mbweni Teta, Kilungule, Boko, and Mkoani Mtaa to the East, North, South, and West ward, respectively. Dovya landscape is characterized by seasonal streams that flow to the Nyakasangwe River and gullies that are susceptible to soil erosion and floods. These features affect land ownership within 60m as per the Environmental Management Act of 2004. Non-agricultural activities such as retail and wholesale businesses are the major economic activity conducted by a large section of the population at Dovya, which necessitates the need for the project to acknowledge mixed land uses in urban areas. Within the project area, part of the community residing along the New Bagamoyo road will be identified by the project and compensated by TANROADS as per the National Road Act No. 13 of 2007.

2.1.2 Kihonzile

Kihonzile Mtaa is located in the Mabwepande ward. Kihonzile Mtaa is bordered by the Mpiji River to the North and West, Kilungule Mtaa to the East, and Bagamoyo

Road to the South. The area is characterized by high and low-income earners residing in both high, medium, and low plot densities. A seasonal stream flows to rivers and valleys, including river Mpiji. Non-agricultural activities such as retail and wholesale businesses are the major economic activity conducted by a large section of the population at Dovy, which necessitates the need for the project to acknowledge mixed land uses in urban areas. This river is steadily increasing in width due to river bank erosion, which affects land ownership within 60m as per the Environmental Management Act of 2004.

2.1.3 Mbuyuni

The Mbuyuni Mtaa is located in Makongo ward, and it has a population of 2689 people according to the 2022 Population Census, of which men are 1383 and women are 1306. It is located north-west of Kinondoni Municipal Council where the residents conduct nonagricultural activities such as office work and business. Mbuyuni mtaa has no secondary and primary school also dispensary. Seasonal streams flow to the Kizota River valley and gullies are susceptible to soil erosion. The Presence of these features affects ownership of land that resides closer.

2.1.4 Ndumbwi

Ndumbwi Sub-Wad is located in Mbezi Juu ward, and it has a population of 16,736 people according to the 2022 Population Census, of which there are 6695 men and 10,041 women. It is located south-west of Kinondoni Municipal Council of which the residents conduct non-agricultural activities such as office work and businesses. Ndumbwi sub-ward has social facilities, including one primary school, secondary school, cemetery area, playground, and dispensaries. Seasonal streams flow to the Ndumbwi River valley and gullies are susceptible to soil erosion (**Figure 3**). These features affect ownership of land that resides closer to the river. The topography of the Ndumbwi sub-ward is of steep slopes characterized by hills with altitudes ranging between 300-700m.

2.1.5 Kilungule

Kilungule Mtaa is located in Bunju ward, which is within the northern part of Kinondoni Municipality. It has a population of 13,934 people according to the 2022 Population Census, comprising 6558 men and 7376 women. The residents are conducting non-agricultural activities such as office work and businesses. Ndumbwi

sub-ward has social facilities, including three primary schools, two secondary schools, two cemeteries, two playgrounds, four open spaces, one market under construction, and one dispensary. The topography of the Kilungule mtaa is of steep slopes characterized by hills with altitudes ranging between 300-700m.

2.1.6 Mbweni

Mbweni Mtaa is located in Mbweni ward which is within north eastern part of Kinondoni Municipality. It has a population of 4,961 people according to 2022 Population Census comprising of 2,454 men and 2,507 women. The residents are conducting non-agricultural activities such as office work and businesses. Mbweni mtaa has no social facilities. The topography of the Mbweni mtaa is of gentle slopes characterized by lowlands with altitudes ranging between 100-300m from sea level.

2.1.7 Mkoani

Mkoani Mtaa is in Bunju ward in the northern part of Kinondoni Municipality. It has a population of 16,039 people, according to the 2022 Population Census, comprising 7,574 men and 8,465 women. The residents are conducting non-agricultural activities such as office works and businesses. Mkoani mtaa has social facilities including primary schools, secondary schools, cemeteries, playground, dispensary. The topography of the Mkoani mtaa is of steep slopes characterized by hills with altitudes ranging between 300-700m.

2.1.8 Kilimahewa Juu

Kilimahewa Juu Mtaa is located in Wazo ward which is within northern part of Kinondoni Municipality. It has a population of 18,316 people according to 2022 Population Census comprising of 8774 men and 9542 women. The residents are conducting non-agricultural activities such as office works and businesses. Kilimahewa Juu mtaa has some of social facilities including three primary schools, two secondary schools and two playgrounds. The topography of Mkoani mtaa is of steep slopes characterized by hills with altitude ranging between 300-900m.

2.1.9 Mtongani

Mtongani Mtaa is located in Kunduchi ward which is within north eastern part of Kinondoni Municipality. It has a population of 39,699 people according to 2022 Population Census comprising of 19,605 men and 20,094 women. The residents are

conducting non-agricultural activities such as office works, fishing and businesses. Mtongani mtaa has social facilities including primary school, secondary school, dispensary and cemetery. The topography of Mtongani mtaa is of gentle and steep slopes characterized by lowland and highlands with altitude ranging between 100-700m from sea level.

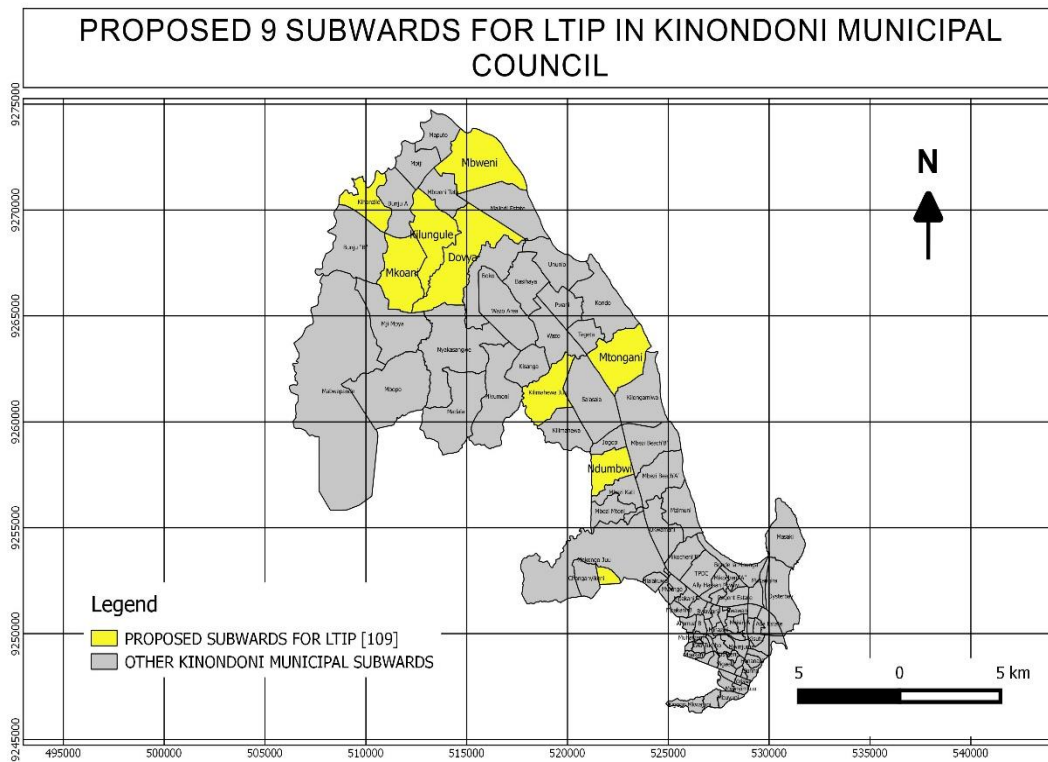


Figure 1: Kinondoni Map showing all nine Mtaa comprising Land tenure improvement project area.

2.2 Common Social Issues in Dovywa, Kihonzile, Mbuyuni, Ndumbwi, Mbweni, Mkoani, Kilimahewa Juu, Kilungule and Mtongani Mtaa.

The onset of LTIP in nine Mtaa will increase interaction between project workers and local community which are likely to trigger social issues such as GBV/SEA and spread of HIV/AIDS. Also, the Mtaa practices different livelihood activities. Zaramo ethnic group who are dominant community in Kinondoni municipality, women are likely to be marginalized from owning land. Elders, chronically sick people and youth such as *'boda-boda'* and *'bajaji'* are likely not to access project benefits due to lack of project information. The nine Mtaa have insufficient social facilities. There is a challenge of miss completeness of regularization projects because of the several

reasons which applies to all nine Mtaa. These reasons include plot boundary encroachments, insufficient of funds and man powers.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORK

3.1 Introduction

This chapter describe relevant legal and institutional framework governing this ESMP. The focus has been made on legislations as they provide environmental to social requirements relevant for the Project.

3.2 Country's Legal Framework

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 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.

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

The 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. Specifically, LTIP in Kinondoni will adhere to 60m buffer zone requirement when issuing CROs along the rivers and streams in nine project sites.

The National Land Act, No. 4 and 5 of 1999: The Land Act (1999) recognize that all land in Tanzania belongs to the public, and the President acts as the trustee of the land for the benefit of the people (Land Act, § 1(1)(a)). The Land Act classifies all land in Tanzania into three categories: (1) Reserved Land, (2) General Land, and (3) Village Land (§ 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 outlines, procedure for land administration, allocation, acquisition, schemes of regularization, land registration and certification, compensation and resource management in both urban and rural areas. The Land Acts contain provisions of critical environmental importance and modalities for stakeholders' engagement through meeting and public hearing. Both Acts translates the fundamental principles of land policy into the body of the law. One of these fundamental principles is to ensure that land is used productively and that any such use complies with the principles of sustainable development. In issuing CROs, LTIP project in Kinondoni will comply with the specified provisions in land acts.

The Urban Planning Act of 2007: This is the principal legislation which governs 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 among other stipulate 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 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 principle legislation governing the utilization and pollution control of the water resources. Specifically, the objective of this Act is to ensure that, water resources are protected, used, developed, conserved, managed and controlled for sustainable development. The LTIP will identify streams, rivers and other water sources areas in Kinondoni and will not issue CRO in such areas to enhance management of water resources.

3.3 World Bank Environmental and Social Framework

The ESMF has identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8 and ESS10 to be applicable to the LTIP. However, for the project activities in Kinondoni Municipal Council the following ESSs are applicable and this ESMP describe how specific ESSs will be complied with during issuance of CROs:

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

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

ESS2 Labour and Working Conditions;

- Provision of Valid Employment Contractors to workers for both direct and indirect teams
- Provide Occupational Health and Safety (OSH) measures to workers, including PPE and welfare facilities to workers;
- Training HIV/AIDS to project workers of direct and indirect team;

ESS4 Community Health and Safety

- Sensitization of community about the project and associated health risks and impacts; and
- Training HIV/AIDS to project workers of direct and indirect team;
- Avoid accidents and provide community safety measures

ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement

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

ESS10 Stakeholders Engagement and Information Disclosure

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

CHAPTER FOUR

ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

4.1 Introduction

Based on environment and social baseline conditions of the project area, the environmental and social assessment has identified the following likely project benefits, risks and impacts:

4.2 Project Social Benefits

In Kinondoni Municipal Council the LTIP will bring the following benefits:

Security of Tenure: Issuance of CROs will enhance security of tenure to the individual, community member and institutions such as investments' owners and religious institutions.

Capital Creation: Individuals and communities will use CROs as collateral to access capital from financial institutions which will be reinvested in other productive activities. This also will stimulate land-based investments.

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

Reduction of Cost Associated with Informal Land Transaction: The provision of CRO to Kinondoni Municipal Council community members will enhance reliability in land transaction. CROs 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: Urban Certification activities in Kinondoni Municipal Council will require workforce to perform different activities. In total, the project will employ approximately 176 people: 32 skilled, 64 semi-skilled and 80 unskilled. Duties and responsibilities of each category of workers are detailed in CRO's Manual.

4.3 Negative Social Risks and Impacts

The following are identified negative social risks and impacts associated with LTIP regularization activities in Kinondoni.

a) Conflict over land use and land rights

In the project area some 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. Similarly, rearrangement of access roads might require neighbors to negotiate for road access and it might require voluntary land donations which might lead to misunderstanding among residents. In addition, some conflicts might involve resolving on who are the legal owners of the land parcels especially in the extended families, polygamous and where there are inheritance cases.

b) Ineligibility to CROs

Based on Annex 6 of the ESMF and the CRO Manual, communities residing within road reserve, gullies and seasonal streams in the nine Mtaa will not be eligible for CROs as such areas are protected by Road Act of 2007 and EMA of 2004. The affected individuals of communities may feel they have been excluded from project benefits.

c) Exclusion of Women and Other Marginalized Group

Traditional practices among, the dominant ethnic groups stipulates that women have less access to the rights to own land. In addition, marginalized groups such as elders, long time patients, and the youth have less chances to get CROs due lack of project information, and this could formalize inequalities between men and women regarding access to CROs.

d) Gender Based Violence (GBV) Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

In nine Mtaa, community members with access to project resources such employment, income and power over others might subject subordinates, children, spouses, and people from low-income status to GBV/ SEA/SH.

e) Influx of Laborers

Mass urban land certification will involve large number of workers from within and outside the project areas. Interactions of project workers among themselves and local

community are likely to accelerate further spread of STI, crimes as well as over tasking available social services.

f) 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 with associated impacts to livelihood activities and household incomes. Physical resettlement for land regularisation will not be undertaken.

4.4 Positive Environmental Impacts of Land Certification

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

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

4.5 Negative Environmental Impacts of Land Certification

The major negative environmental impacts of regularization process in Kinondoni Municipal Council are:

a) *Soil Erosion and Dust*

Installation of the beacons may result to localized soil erosion and dust due to the presence of loose soil around the beacons. However, these impacts are considered to be minor.

Additionally, the fabrication of beacons activities will involve sourcing materials from quarries and borrow pits such as gravel, sand, which may result in land degradation and soil erosion and dust. This includes OHS risks of workers of primary suppliers. However, this impact will be minor if the project will leverage on the use of iron pins to earmark plot boundaries.

b) Waste management

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

c) Health and Safety Hazards

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

4.6 Mitigation Measures of the Identified Impact

This 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. Kinondoni Municipal Council and Ministry of Land will implement an Environmental and Social Management Plan (ESMP), which has been developed for LTIP. The ESMP will also ensure compliance with applicable environmental standards during both on the land use and certification process.

Table 1 is a Risks and Impacts and Mitigation Measures Matrix for Land Certification for Kinondoni Municipal Council. It detailed the proposed impacts, mitigation measures, responsible party, timeframe and costs that will be overseen and managed by LTIP project implementation team. The total costs for the mitigation measures are estimated at: 48,600000 TZS.

Table 1: Mitigation Measures of Identified Impacts

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
Negative Social Impacts						
1	Conflict over land use	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Capacity building and awareness creation to local leaders on conflict resolution. - Operationalization of Land Donation Procedures (following the exact process described in the Project Resettlement Policy Framework) - Sensitization on the importance of joint land titling. - Educate men on the importance of including their wives on CROs. 	10,000,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - NGOs 	ESMT	During Urban Certification Process.
	Conflicts of Land Rights	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Sensitization on the importance of joint land titling. 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - CDOS 	ESMT	During Urban Certification Process.
	Conflicts of Plot Boundaries	<ul style="list-style-type: none"> - Engagement of land owners during land adjudication - Involvement of the Mtaa Committee in resolution of neighbors' conflicts 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders 	ESMT	During Urban Certification Process.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				- CDOS		
2	Ineligibility to CROs	<ul style="list-style-type: none"> - Identification of Households residing along road reserve, gullies and river streams. - Awareness on ineligibility for CROs - Payment of compensation to those along road reserve by TARURA/TANROADS as per country laws. - Liaise with NEMC and Central Water Basin Authority for further guidance. - 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. 	2,000,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team - National Environmental Management Council (NEMC) - Tanzania Rural and Urban Road Agency (TARURA) - Tanzania Road Agency (TANROADS) & - Central Water Basin Authorities. 	ESMT	During identification of Parcels.
3	Inequalities for Women and Other Marginalized Group	<ul style="list-style-type: none"> - Identification of marginalized groups such as women, elders, chronically ill persons, and youth - Sensitization on the importance of CROs and other project benefits. 	2,000,000/	<ul style="list-style-type: none"> - Kinondoni Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Community Based Organisations (CBOs). 	ESMT	During Project Sensitization and identification

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
4	GBV/SEA/SH	<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 (CoC) which include GBV/SEA issues. - To develop a GBV Action Plan for the District. - To identify relevant government agencies and/or NGOs in the district who can provide survivors of GBV and SEA assistance for example medical care, psychosocial support, legal redress, safety, etc. as and when necessary. 	8,000,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Private Companies involved in certification activities. 	ESMT	Before placement of employees and During Urban Certification Process.
5	Influx of Laborers	<ul style="list-style-type: none"> - Community awareness on STIs transmission and basic hygiene practice and crimes - Give priority to unskilled laborers from within project areas. - Provide welfare facilities such as water, toilets and food vending to project workers. 	2,000,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team - Mtaa Leaders - Private Companies involved in certification activities. 	ESMT	During Urban Certification Process.
6	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. 	15,000,000/	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team 	ESMT	Prior to Urban Certification Process.

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework	
				Implementation	Supervision		
		<ul style="list-style-type: none"> - Adjudication to try to minimize land take and loss of assets from any given household through negotiated agreements. - Surveying will ensure that all the plots are viable and of acceptable sizes, enabling their continued use after the land is taken. - Reconstruction and restoration for minimal losses of structures by the community. 			<ul style="list-style-type: none"> - Mtaa Leaders 		
Negative Environmental Risks and Impacts							
1	Soil Erosion and Dust	<ul style="list-style-type: none"> - Tree and grass planting - Dust suppression using water - Provide workers PPEs (Masks, Boots, Gloves, and Helmet). 	500,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa Leaders 	ESMT	During Urban Certification Process.	
2	Waste management	<ul style="list-style-type: none"> - Provision of dustbins in all project areas - Use of welfare facilities such as toilets and water. 	800,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team - Private Companies involved in certification activities. 	ESMT	During Urban Certification Process.	

S/N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
				- Mtaa Leader		
3.	Health and Safety Hazards	<ul style="list-style-type: none"> - Provide workers with PPEs (Masks, boots, gloves, and helmet). - Training drivers of direct and indirect teams on road safety - Provide Health and Safety Training to project workers 	2,000,000/=	<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Kinondoni Municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa Leaders 	ESMT	During Urban Certification Process.
4	OHS risks for primary supplier workers	<ul style="list-style-type: none"> - Contractor to conduct OHS due diligence assessment of primary supplier 		<ul style="list-style-type: none"> - Kinondoni Municipal Council Urban Certification Office (CUCO) - Private Companies involved in certification activities. 	ESMT	

CHAPTER FIVE

ENVIRONMENTAL AND SOCIAL MONITORING PLAN

5.1 Introduction

This ESMP establishes benchmarks which will be used to assess the level of compliance with this ESMP. Monitoring will be continuously and will be periodically reviewed to determine effectiveness of implementation different mitigation measures. Therefore, monitoring plan specifies the institution arrangement for execution of ESMP. In particular, it clarifies type of monitoring; who will carry out monitoring and what other inputs such as training are necessary.

The objectives of Environmental and Social monitoring plan are:

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

Table 2: summarizes monitoring plan for urban certification in Kinondoni Municipal Council:

Table 2: Environmental and Social Monitoring Plan for Implementation of Mitigation Measures during Land Certification and Registration Process in Kinondoni Municipal Council

S/ N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
1.	Security of Tenure	No. of CROs issued in each Mtaa	14796	ILMIS data	Quarterly	ESMT & PIT	1,200,000/
2.	Capital Creation	No. of Beneficiaries using CROs to secure capital.	20	Project report	Quarterly	ESMT & PIT	2,000,000/
3.	Effective Land Control and Management.	Percentage decrease of land related conflict cases in nine Mtaa.	50%	Project Report	Quarterly	ESMT & PIT	2,000,000/
4.	Reduction of Cost Associated with Informal Land transaction	Percentage decrease of cost associated with access to land to nine Mtaa.	100%	Project Report	Annually	ESMT & PIT	2,000,000/
5.	Employments Opportunities	No. of people employed	174	Report	Quarterly	ESMT & PIT	0
Enhancement of Environmental Benefits							

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
6.	Enhancement of protection of sensitive areas	Number of land development within sensitive areas (Gullies & river stream).	0	Report	Quarterly	ESMT & PIT	4,000,000/
7.	Livable Settlements	Percentage of green structures and enhanced mobility in nine Mtaa	10% green structures & 15% mobility	Scheme of regularization	Annually	ESMT & PIT	2,000,000/
Social Negative Impacts							
1.	Conflict over land use and land rights	Percentage decrease of land related conflict cases in nine Mtaa. Number of resolved land disputes	50%	Report	Annually	ESMT & PIT	2,000,000/
2.	Ineligibility to CROs	No of identified ineligible parcels in nine Mtaa	N/A	Report	Quarterly	ESMT & PIT	2,000,000/

S/ N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
3.	Inequalities for Women and Other Marginalized Group	Percentage of Women and other Marginalized Group with CROs.	30%	Report	Quarterly	ESMT & PIT	2,000,000/
4.	Gender Based Violation	Percentage of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	2,000,000/
5.	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	2,000,000/
Environmental Negative Impacts							
6.	Soil Erosion and Dust	No. of trees planted	450 trees @ 50 Mtaa	Report	Quarterly	ESMT & PIT	2,000,000/
7.	Waste Management	No. of dustbins provided in nine Mtaa	45 dustbins @ 5 Mtaa	Report and observatio	Quarterly	ESMT & PIT	2,000,000/

S/ N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitorin g Methods	Frequency /Duration	Responsibilit y Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
				n			
8.	Health and Safety Hazards	No. of incidence and accidents reported.	0	Report	Quarterly	ESMT & PIT	2,000,000/
9.	OHS risks for primary supplier workers	% of primary suppliers that have undergone an OHS due diligence assessment by Contractors	100%	Report	Quarterly	ESMT & PIT	2,000,000/
TOTAL							29,400,000/

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN KINONDONI MUNICIPAL COUNCIL

6.1 Introduction

The implementation of ESMP will follow the plan stipulated in ESMP. For Kinondoni Municipal Council the following will be involved in the implementation of this ESMP.

6.2 ESMP Implementing Institutions

Kinondoni Municipal Council Urban Certification Office (CUCO): This will be responsible for daily certification activities which will involve support to Kinondoni Municipal Council E&S Team

Kinondoni Municipal 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 CUCO.

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

National Environmental Management Council (NEMC) and Central Water Basin Authorities: Will provide further guidance on households residing along, gullies and river streams.

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

Ward and Mtaa 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 CROs, waste management, GBV/SEA matters, health and safety and other project related benefits.

Civil Society Organization (CDOs): They will be responsible for ensuring all this project. Sensitization on importance of CROs and other project benefits, importance of joint titling and GBV/SEA matters.

Private Firms: Private firms will be responsible for provision of PPEs (mask, boots, gloves and helmet) to workers; training drivers of direct and indirect teams on road safety; provide health and safety training to project workers; provision of dustbins in all project areas; provision of welfare facilities such as toilets and water; tree and grass planting; dust suppression.

6.3 Supervision and Monitoring Roles

Project Environment and Social Management Team (ESMT): Shall be responsible for ensuring compliance with ESMPs. In particular, the team will conduct regular audits and prepare the reports that demonstrate the ESMP is 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 Kinondoni Municipal Council the following trainings has been provide to E&S Team at LGAs levels and Mtaa leaders to enhance their capacity to implementation of environmental and social risk management issues during certification process (Table 3).

Table 3: Training Activities

S/N	Name of Training	Training Institution	Date
1	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13 th – 14 th December 2022
2	Preparation and Implementation of ESMP to CUCOs members.	ESMT	21 st - 23 rd December 2022
3	Training on Safeguards Compliance to Mtaa and ward Leaders	ESMT	3 rd – 4 th March 2023

Other E&S trainings planned for Kinondoni Municipal Council to enhance their capacity to implement ESMP are:

- a) Health and safety Training to project drivers and field teams to be conducted in March 2024.
- b) Training on implementation of ESMP to private firms to be conducted prior to certification process;
- c) Training of code of conducts for GBV/SEA and ethics practice to ESMT and Kinondoni Municipal Council E&S Team to be conducted on June 2024;

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

7.0 Introduction

This ESMP shall guide implementation of urban certification, The ES team in the CUCO shall report monthly to ESMT on the implementation of the mitigation measures as proposed in ESMP. ESMT shall monitor indicators basing on reports submitted monthly plus the site visiting to monitor implementation of environmental and social management plan.

7.1 Conclusions

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

The social benefits of this project to include enhanced security of tenure, capital creation, effective land control and management, reduction of cost associated with informal land transaction, and employments opportunities.

Apart from the positive impacts, this ESMP also identified some negative implications associated with the proposed interventions, which need to be mitigated in order to ensure project acceptability and sustainability. Among the negative impacts are: Conflict over land use and land rights, ineligibility for some people to obtain CROs, inequalities for women and other marginalized group, likely of emergence of gender-based violation, influx of laborers, soil erosion and dust, generation of waste, and health and safety hazards.

To address the aforementioned risks and impacts, the ESMP include a comprehensive Environmental and Social Management Plan (ESMP) and a Monitoring Plan for proper implementation of the project and reduction of the negative effects from the

project. The MLHHD is committed to affect this ESMP through ensuring that enough budget, human resources and logistics are available.

7.2 Recommendations

- All Mtaa / wards where the project is implemented should have the copy of this ESMP,
- Private firms to be hired to conduct certification process in Dodoma should be given this ESMP as part of the contract to ensure its implementation,
- Adequate budget should be allocated to facilitate implementation of the mitigation measures to avoid project impacts to the environment and the community and enhance project benefits.
- Training to all stakeholders on E&S issues is key for achieving the objectives of this ESMP. All key stakeholders identified in this ESMP must be trained to facilitate smooth implementation of the E&S issues during project implementation.