ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>CBO</td>
<td>Community Based Organization</td>
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<tr>
<td>CCRO</td>
<td>Certificate of Customary Right of Occupancy</td>
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<tr>
<td>CoC</td>
<td>Code of Conduct</td>
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<tr>
<td>CRO</td>
<td>Certificate of Right of Occupancy</td>
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<tr>
<td>DLHT</td>
<td>District Land and Housing Tribunal</td>
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<tr>
<td>E&amp;S</td>
<td>Environmental and Social</td>
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<tr>
<td>ESMU</td>
<td>Environmental and Social Management Unit</td>
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<tr>
<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
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<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<tr>
<td>ESF</td>
<td>Environmental and Social Framework</td>
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<tr>
<td>ESS</td>
<td>Environmental and Social Standard</td>
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<tr>
<td>FPIC</td>
<td>Free Prior and Informed Consent</td>
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<td>GBV</td>
<td>Gender Based Violence</td>
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<td>GoT</td>
<td>Government of Tanzania</td>
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<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
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<tr>
<td>ILMIS</td>
<td>Integrated Land Management Information System</td>
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<tr>
<td>LGAs</td>
<td>Local Government Authorities</td>
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<td>LTIP</td>
<td>Land Tenure Improvement Project</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
<td>MLHHSD</td>
<td>Ministry of Land, Housing and Human Settlement Development</td>
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<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<tr>
<td>PCU</td>
<td>Project Coordinating Unit</td>
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<tr>
<td>PLUM</td>
<td>Participatory Land Use Management</td>
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<tr>
<td>PO-RALG</td>
<td>Presidents Office Regional Administration and Local Government</td>
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<tr>
<td>RL</td>
<td>Residential License</td>
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<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
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<tr>
<td>SEA</td>
<td>Sexual Exploitation and Abuse</td>
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<td>SEP</td>
<td>Stakeholder Engagement Plan</td>
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<tr>
<td>TOR</td>
<td>Terms of Reference</td>
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<tr>
<td>URT</td>
<td>United Republic of Tanzania</td>
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<tr>
<td>VLUM</td>
<td>Village Land Use Management (Committee)</td>
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<td>VLUP</td>
<td>Village Land Use Plan</td>
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<td>VG</td>
<td>Vulnerable Groups</td>
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<td>VGPF</td>
<td>Vulnerable Groups Planning Framework</td>
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<tr>
<td>WB</td>
<td>World Bank</td>
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<tr>
<td>WEO</td>
<td>Ward Executive Officer</td>
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**Definition of Terms**

**Adjudication**: Is the process through which existing rights in a particular parcel of land are finally and authoritatively ascertained.

**Certification processes** – Procedures involved in certifying land use rights according to the 1999 Village Land Act and 1999 Land Act.

**Contractor** – a person or company that is hired on a contractual basis to complete a specific set of tasks for which they are paid according to the contract.

**Demarcation** – Identification and marking of land parcel boundaries involving also confirmation with neighbours.

**Environmental and Social Management Framework** - An instrument that examines the issues and impacts associated when a project consists of a program and/or series of activities, and the impacts cannot be determined until the program or activities details have been identified. The ESMF sets out the principles, rules, guidelines and procedures to assess the environmental and social impacts. It contains measures and plans to reduce, mitigate and/or offset adverse impacts and enhance positive impacts, provisions for estimating and budgeting the costs of such measures, and information on the agency or agencies responsible for addressing project impacts. The term "Environmental Management Framework" or "EMF" may also be used.

**Environmental Degradation**- Modification of a critical or other natural habitat that substantially reduces the habitat's ability to maintain viable populations of its native species.

**Free, Prior and Informed Consent (FPIC)** - refers to the process, under certain specific circumstances whereby Vulnerable Groups, will be consulted in good faith based on sufficient and timely information concerning the benefits and disadvantages of a project and how the anticipated activities occur. Consent refers to the collective support of affected VG for the project activities that affect them, reached through a culturally appropriate process.

**Formalization** –a simplified process of conducting an inventory of land parcels as they are without surveys or adjustments to conform with basic planning standards, determine who occupies each parcel, document such occupation and enter it into a public registry.

**Gender Sensitive/Equity** in this context implies seeking to understand and give consideration to socio-cultural norms and discriminations in order to acknowledge the different rights, roles and responsibilities of women and men in the community and the relationships between them, while ensuring that women are able to access land rights.

**General Land**- means all public land which is not reserved land or village land.
Grievance Redress Mechanism – A mechanism to receive and facilitate resolution of concerns and grievances promptly, effectively and in a transparent manner that is culturally appropriate and accessible without retribution.

Livelihood - refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, pastoralism, hunting/gathering natural resources and other natural resource-based livelihoods, petty trade, and bartering.

Marginalized Groups - Refers throughout these documents to women, people living disabilities, people living with albinism, youth and children who as may be discriminated against on the basis of these characteristics. In addition, pastoralists and hunter-gatherers may be considered to be marginalised.

Meaningful Consultation refers to provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.

Participatory Land Use Management Team (PLUM) – a team of district-level officials that has the role of overall supervision of all activities pertaining to land use in the respective district.

Peri-Urban Area- an area which is within a radius of ten kilometres outside the boundaries of an urban or semi built up area or within any large radius which may be prescribed in respect of any particular urban area by the Minister'”

Pollution refers to any direct or indirect alteration of the physical, thermal, chemical, biological, or radio-active properties of any part of the environment by discharging, emitting, or depositing of wastes so as to adversely affect any beneficial use, to cause a condition which is hazardous to public health, safety or welfare, or to animals, birds, wildlife, fish or aquatic life, or to plants or to cause contravention of any condition, limitation, or restriction which is the subject to a licence under this Act’ (EMA 2004).

Public Right of Way:
(a) a right of way created for the benefit of the Government, a local authority, a public authority or any public corporate body to enable all such organizations, authorities and bodies to carry out its functions. Such rights of way are often referred to as a “way leave”; or
(b) a right of way created for the benefit of the public, often referred to i as a “communal right of way”.

Rangelands - Extensive areas of land that is occupied by native herbaceous or shrubby vegetation which is grazed by farm animals and wild animals.

Registration – Procedures for officially recording land rights provided under the Land Registration Act, Cap. 334.
**Regularization** - A process of public intervention where informal, unplanned occupation of land is legalized, giving occupiers legal rights to the land and bringing the land into compliance with applicable urban planning standards.

**Reserved land** - Land reserved for: forestry; national parks; public game parks; game reserves; public utilities, land declared by order of the minister to be hazardous; public recreation grounds; and land parcels within a natural drainage system from which water basins originate.

**Resettlement** – Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both. The term (involuntary) resettlement refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

**Residential License** - confers upon a long-term occupant the legal right to occupy General or Reserved land in an unplanned urban or peri-urban area for a defined period of time.

**Stakeholders** - persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively. These may include but not limited to Government ministries and institutions, private sector, local communities, civil society organisations and Vulnerable Groups.

**Stakeholder Participation** - refers to meaningful involvement of people regarding all relevant rights, benefits or impacts throughout the process, and includes meaningful consultation.

**Supervision Consultancy** – Responsible for supervising construction activities undertaken by contractors on behalf of the construction unit at the MLHHSD.

**Village Land Use Management Team (VLUM)** – a group of village-level officials has the statutory role of overall supervision of all activities pertaining to land use in the respective village.

**Voluntary Land Donation** - Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation, subject to fulfilling a number of conditions.

**Vulnerable Groups** - these are five known tribal groups which meet the World Bank criteria outlined in Environmental and Social Standard (ESS07. These groups include the Maasai, Akie, Barabaig, Hadzabe, and Sandawe.
EXECUTIVE SUMMARY

Introduction
The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHHSD) has requested the World Bank for financial support for Land Tenure Improvement Project (LTIP). The Project (LTIP) aims to strengthen the land administration systems and increase tenure security for men and women, and thus promote land-based investment in the Country. This Vulnerable Group Planning Framework (VGPF) guides the preparation and implementation of LTIP interventions that may affect Vulnerable Groups (VG) in the proposed project areas. The VGPF is based on the ESS7 of the World Bank Environmental and Social Framework (ESF) and the applicable laws and regulations of the Government of the United Republic of Tanzania. The VGPF has also been informed by the stakeholder engagement undertaken during project preparation.

Project Description
In summary, activities under LTIP will be structured into four main components:

Component 1: Increased Tenure Security. This component will support the issuance of CCROs, CROs, Residential Licences and other related activities. The activities under this Component will be done in an inclusive and participatory way to ensure gender equity, and protection of the rights of all groups including women, youth, hunter-gatherers, pastoralists, farmers, etc. The regions selected include but are not limited to: Dar es Salaam, Dodoma, Arusha, Tabora, Geita, Pwani, Mwanza, Shinyanga, Tanga and Morogoro. The Districts to be covered include, but are not limited to, Dodoma (Chamwino), Simiyu (Maswa), Ruvuma (Mbinga), Katavi (Mpanda), Songwe (Songwe) and Momba Rural District. This will cover 6-7 percent of the country. This component includes the following subcomponents:

Subcomponent 1.1: Rural mass certification and issuance of Certificates of Customary Rights of Occupancy (CCROs). This subcomponent will focus on upscaling successful pilots for the direct implementation of rural mass certification and issuance of CCROs. This requires, previous definition of the village boundaries, the planning of land uses, inclusive and participatory demarcation and adjudication processes, conflict resolution and issuance of certificates.

Subcomponent 1.2: Urban mass registration and issuance of Certificates of Rights of Occupancy (CROs) and Residential Licenses (RL). Urban land certification entails two distinct processes with different outputs: the formalization process to produce 1 million RLs, and the regularization of unplanned settlements to produce 1 million CROs. The formalization of land parcels through the issuance of RLs includes adjudication of land parcels, preparing an urban land register and issuances of RLs. Similarly, the regularization process for unplanned settlements and issuance of CROs, involves the production of regularization schemes to ensure compliance with minimum urban standards (width of streets and pathways, availability of public spaces such as schools and other services).
Component 2: Land Information Management. This component will include the rollout of the Integrated Land Management Information System (ILMIS), improvements to the geodetic network, base mapping, generation of a property valuation database and establishment of a basis for National Spatial Data Infrastructure (NSDI) to strengthen accessibility and efficiency of land administration services. The ILMIS has been piloted and the project will improve, extend, and implement the system in the project areas in an effective way to reach all localities for maintenance of the land information. The enhanced geodetic framework and base maps will support not only the land registration operations but also a wide range of location-based applications underpinning social, economic and environmental benefits. This component entails the following subcomponents:

**Subcomponent 2.1:** Upgrading and upscaling of ILMIS. This subcomponent will finance the second phase of ILMIS development by upgrading functionalities for unified management of CCROs, CROs, RLs, including first registration and subsequent transactions. The ILMIS Rollout will be implemented in 26 regions where the same number of office building will be constructed and equipped to support the ILMIS upscaling.

**Subcomponent 2.2:** Production of base maps. This subcomponent will finance the outsourced production of base maps using either recent high-resolution satellite imagery or aerial photography in the project areas and additional districts that are in between project target districts to support mass land certification, land use planning and management.

**Subcomponent 2.3:** Enhancement of geodetic framework. This subcomponent will support the establishment of Continuously Operating Reference Stations (CORS), associated infrastructure, and geodetic control points needed for accurate and economically feasible Global Navigation Satellite System (GNSS) surveying and operation maintenance of network.

**Subcomponent 2.4: Support for Valuation Systems:** This subcomponent will involve mapping of land values across the country; establishing a property valuation information data base that can be used in mass appraisal of land values, taxes, compensation etc.

Component 3: Institutional Strengthening: This component will include capacity building and legal/regulatory reform activities, public awareness campaigns and other related activities to improve service delivery for land administration, including purchase of equipment and office construction to decentralize ILMIS, efficient land administration services and support for the Land and Housing Tribunals. This component entails the following subcomponents:

**Subcomponent 3.1:** Legal and regulatory review and support to policy implementation. This subcomponent will update and harmonize the policy, legal and regulatory framework for
efficient land administration and mass systematic registration. This will be done through backgrounds studies and analysis, workshops and consultancies as needed.

Subcomponent 3.2: Capacity building for the land sector. This subcomponent will focus on capacity building for all relevant stakeholders at the central and at the local level. It will involve training of staff on various aspects associated with land sector development and the project (LTIP). The capacity needs assessment will be carried out to inform the training needs and gaps.

Subcomponent 3.3: Support for the Land and Housing Tribunals: This sub-component is meant to support the establishment and function of the land and housing ward tribunal in terms of adding new tribunals and councils, financial and human resource support for existing bodies, clearing backlogs, development of guidelines at the village and ward level as well as training and equipment.

Subcomponent 3.4: Physical development of the land administration system. This subcomponent will support the construction of 26 Regional Land Offices and renovation of 12 District Land Offices which are ILMIS compliant. A national land archive building will also be constructed. It will also procure the necessary equipment for these buildings and ensure connection of Local Area Network to the respective offices. An archive strategy will also be developed.

Subcomponent 3.5: Public awareness: This sub-component is meant to create awareness of the broader land administration system, LTIP activities and processes, land related policy and laws requirements, and land information systems to different stakeholders. Other areas for implementation includes preparation of the communications strategy, message development and testing for confidence building in understanding of, the land administration system. Other activities include training on safeguard documents (i.e. ESMF, VGPF, SEP, RPF) to various stakeholders at different levels during project implementation. Crucial focus will be made on women’s land rights and other vulnerable groups.

Component 4: Project Management: In this context, a Project Coordination Unit (PCU) has been established within the MLHHSD. The key tasks to be carried out by the PCU will be general project coordination, procurement, financial management, environmental and social supervision, and monitoring and evaluation. Capacity building for the Ministry staff will be necessary as the project will be the first World Bank funded standalone project to be implemented by the MLHHSD. Capacities exist within the Ministry will be strengthened to ensure successful project implementation. Likely, equipment, recruitment and training will be supported to upgrade the capacities of the Ministry.
Vulnerable Groups Planning Framework

This Vulnerable Group Planning Framework (VGPF) is based on relevant aspects of Tanzanian law and the World Bank’s Environmental and Social Framework (ESF). Nine of the Environmental and Social Standards (ESSs) within the ESF apply to the Project. Environmental and Social Standard (ESS7) on Sub-Saharan African Historically Underserved Traditional Local Communities requires that projects enhance opportunities for Vulnerable Groups communities to participate in, and benefit from the development process in ways that do not threaten their unique cultural identities and wellbeing. This Vulnerable Groups Planning Framework (VGPF) is a guide for fully engaging Vulnerable Groups in the development and implementation of LTIP at the community level.

According to ESS7 within Tanzania Vulnerable Groups (VG) include pastoralist and hunter-gatherer communities, including the Hadzabe, Akie, Sandawe Maasai and Barabaig. This framework is prepared to guide the implementation of the LTIP. These groups are mainly found in the North of Tanzania.

The main benefit will be the increased protection of vulnerable groups rights to land and the natural resources on the land including water, forests and grazing land as well as any cultural heritage. In addition, where joint village land use planning is undertaken there is the potential to identify and protect stock routes. These benefits will be best achieved through the issuance of communal CCROs and development of associated bylaws. Through the education and sensitization campaigns, VG knowledge of their rights in relation to land will also increase which will allow them to better protect these rights in the future. In addition, engagement with the village on their land needs and the planning process may assist in reducing conflict over access to land.

The VGPF presents the impacts and risks to vulnerable groups along with the types of mitigation measures that will need to be implemented. These are presented in the table below. The measures are designed to address their marginalization and risk of exclusion by ensuring there is sufficient awareness of the project and proper project implementation involving all stakeholders. In addition, during the development of the Vulnerable Groups Plan (VGP) these measures will be discussed and agreed with the affected VG and if additional measures needed will be included to address specific impacts associated with any components of the Project.
<table>
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<tr>
<th>LTIP Impacts and Mitigation</th>
<th>Proposed Mitigation</th>
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</table>
| **Exclusion of VG in the Project Processes** | - Undertake screening (with input from the WB) on the presence of VG in a Project Area.  
- Develop a VGP for Project Areas where VG are present.  
- Undertake sensitisation and awareness raising in line with the requirements of this VGPF  
- Ensure all meetings are announced in a timely manner and are scheduled to allow for the participation of VG.  
- Ensure that VG are able to input into the VLUP through focussed engagement as required. |
| **Inequalities Facing Women and Other Marginalized Groups** | - Undertake sensitisation and awareness raising with traditional leaders on the need to include women and marginalised groups in the process.  
- Undertake focus groups with marginalised groups to inform them on the project with support from Community Organisations.  
- Educate men on the importance of including their wives on CCROs  
- Ensure that if needed to support economic activities women are also able to access individual CCROs  
- Gender mainstreaming in relation to land rights. |
| **Loss of Access to Seasonal Communal Land** | - As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands and seasonal usage.  
- Include seasonal land use in the Village Land Use Plan and associated bylaws.  
- Undertake sensitisation with VG and the wider community on the seasonal usage of land and to understand competing land rights and potential solutions.  
- Issuance of communal CCROs |
| **Communal Land Rights Across Village Boundaries** | - As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands, stock routes and seasonal usage across village boundaries.  
- Undertake Joint Village Land Use Planning  
- Ensure that VG are involved in the joint Village Land Use Planning process, development of bylaws and decision making.  
- Issuance of communal CCROs |
| **Loss of Access to Customary or Ancestral Land** | - As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands and seasonal usage.  
- Develop a Vulnerable Groups Plan for Project Areas where VG are present.  
- Undertake sensitisation and awareness raising with VG on the project. |
<table>
<thead>
<tr>
<th>Land Take</th>
<th>Implement the measures outlined in the RPF developed for the Project</th>
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<td></td>
<td>As needed implement an FPIC process.</td>
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**Stakeholder Engagement**

The preparation of the LTIP project documents was informed by several engagements and consultations the Ministry made with different stakeholders. Stakeholders that informed the preparation of this VGPF include CSOs, VG, and experts. Stakeholders were consulted via different methods including physical visits, emails, holding meetings and through phone calls. This consultation was used to inform the development of the VGPF as well as the approach to engagement during implementation.

**Informed Consultation During Implementation**

VG will be informed and consulted in preparing the VGPs. Their participation in planning will enable them to benefit from the project and protect them from potential adverse impacts. The VGP will be prepared in consultation and in a socially acceptable manner with affected VG, before project implementation. In this process the following will be considered:

a) Special attention will be given to the concerns of local tradition communities, women, youth, and children and their access to development opportunities and benefits; and

b) Establishing an appropriate gender and inter-generationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the affected VG, if any, and other local civil society organizations (CSOs) identified by the affected VG’ communities;

c) Providing the affected VG with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected VG’ communities) in a socially appropriate manner at each stage of project preparation and implementation.

Involvement of VG in problem identification and design of solutions has to be ensured through the entire project cycle interventions.

**Approaches to Engaging VG during Project Implementation**

In order to gain trust for smooth implementation of the LTIP project involvement of the VG where they are present, the Ministry will use different engagement approaches. The engagement approaches will include *Meeting with Existing Formal Government Systems including Village and traditional Leaders* to discuss the project and to understand the local context and structures. *Sensitization of the Communities, Use of Stakeholders Working with VG and Monitoring of Inclusion of VG* where Community organisations hired will provide regular updates to the Project team and the PCU on their activities, the level of engagement with the VG, the outcomes of the engagement and any issues arising.

The project teams and CSOs will jointly monitor the participation of vulnerable groups in the stakeholder engagement process to ensure that they remain engaged. Early identification of any exclusion or lack of participation in the process will be essential to ensure that the village land use planning and certification process does not advance without their inputs.
With regard to institutional, policy and legal frameworks, the Constitution of the Government of the United Republic of Tanzania of 1977 recognizes the socio-economic and cultural rights of all citizens as stipulated in Article 8(2), 9 and 29. It identifies VG as being minority communities who have been marginalized through historical processes and therefore, their concerns should be heard and protected. It prohibits alienation of marginalized groups by virtue of their relatively small population or any other reason, has been unable to fully participate in the socio-economic life in the Country. Thus, the need to recognize communities that have preserved their unique culture is essential as per World Bank ESS7.

**Vulnerable Group Plans (VGPs)**

Vulnerable Group Plans (VGPs) will be prepared prior to implementing any components in the districts in which they are based through a highly participatory, flexible and pragmatic process using a participatory planning approach. The implementation of the VGPF in the Project will help Vulnerable Groups to create opportunities for improving their quality of life and wellbeing. All the VGPs that will be prepared under the Project will include the following contents, as needed:

a) A summary of the legal and institutional framework applicable to VG.

b) Baseline information on the demographic, social, cultural, and political characteristics of the affected VG communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.

c) A summary of the social assessment which will provide an analysis of the socioeconomic, environmental and cultural context for VG.

d) A summary of results of the stakeholder consultation with the affected VG that was carried out during project preparation.

e) A framework for ensuring free, prior, and informed consultation with the affected VG before during preparation and implementation and any proof of the same once achieved.

f) An action plan of measures to ensure that the VG receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.

g) When potential adverse effects on VG are identified, appropriate action plans of measures to avoid, minimize, mitigate, or compensate for these adverse effects drawing on the information presented in the ESMF and VGPF.

h) The cost estimates and financing plan for the VGP; each project will bear full cost of assisting the VG.

i) Accessible procedures appropriate to the project to address grievances by the affected VG arising from project implementation. When designing the grievance procedures, the government takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the VG.

j) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the VGP. The monitoring and evaluation mechanisms
should include arrangements for the free, prior, and informed consultation with the affected VG.

Once prepared the VGPs will be disclosed by the MLHHSD to the local stakeholders including VG in an appropriate and accessible form, manner, and language. This will include meetings with the VG to discuss the content of the plan as well as with the Village Leaders and relevant staff at the District and Regional level. The documents will also be disclosed on the WB website and MLHHSD website.

**Monitoring and Evaluation**

It is important that the M&E plan is developed with the active involvement of the VG at the project design stage in order to come up with mitigation measures that are culturally appropriate to their context. The implementation of the VGF and the VGPs should be closely monitored and documented. Annex 1 contains additional information that will be incorporated into the M&E plan in relation to VG.

The MLHHSD technical group and PCU will determine compliance by the project with relevant frameworks including the SA and VGPF, in a participatory process involving VG. The M&E reports for each LTIP intervention will be prepared on an annual basis, including information on VG, and will inform measures to be taken to fine-tune the VGPs. Specific information highlighted through the M&E process and corrective measures to be taken should be discussed with the VG to keep them informed and to ensure the appropriateness of the corrective measures. The M&E report will be submitted to the MLHHSD and finally to the World Bank, as required.
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Land Related Grievances

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CHAPTER ONE - INTRODUCTION

1.1 Overview of the Project
The Government of Tanzania (GoT) through the Ministry for Lands, Housing and Human Settlements Development (MLHHSD) has requested financial support from the World Bank for the Land Tenure Improvement Project (LTIP). The Project (LTIP) aims to strengthen the land administration systems and increase tenure security to men and women, and thus promote land-based investment in the Country. The project will apply the World Bank Environmental and Social Framework (ESF) and National policy and legal procedures.

This Vulnerable Groups Planning Framework (VGPF) has been prepared to meet the requirements of Environmental and Social Standard (ESS) 7 on Sub Saharan African Historically Underserved Traditional Local Communities which addresses the needs of distinct, vulnerable, social and cultural groups which possess the following characteristics: (i) self-identification as members of a distinct cultural group; (ii) collective attachment to geographically distinct -habitats or ancestral territories; (iii) customary cultural, economic or social institutions that are separate from those of the rest of the society; and (iv) an indigenous language, often different from the official language of the country or region.

1.2 Purpose of this Document
The ESS7 recognizes the importance of rights and interest of the VG and requires engagement with VG in the design, determination and implementation of the project.

The purpose of the VGPF is to guide the preparation and implementation of LTIP interventions that may affect VG in the proposed project areas. The VGPF is based on the ESS7 of the World Bank Environmental and Social Framework (ESF) and the applicable laws and regulations of the Government of the United Republic of Tanzania. The ESS7 is triggered when it is likely that groups that meet criteria outlined above “are residing in, or have collective attachment to, the project area”. The VGPF includes: proposed types of projects and activities; potential positive and negative effects on VG; a framework for ensuring free, prior, and informed consent (where relevant) and institutional arrangements for assessing project-supported activities.

1.3 The Legal and Policy Framework in Tanzania
The Constitution of the United Republic of Tanzania of 1977 recognizes the socio-economic and cultural rights of all her citizens; and prohibits discrimination of any person as stipulated in Articles 8(1) (b), 9 (g), 12 and 13. It prohibits all forms of discrimination. The Constitution recognises every and each person's rights including vulnerable groups.

*The Land Act No.4 and 5 of 1999:* This Act recognizes three categories of land: village land, approximating 70 percent of the land in Tanzania mainland, used mainly by farmers and
pastoralists; reserve land (land set aside for forests, national parks and game reserves) covering about 28 percent of Tanzania; and general land, mainly urban areas covering two percent of Tanzania. The Act prohibits disposal of unregistered community land without the consent of the whole community. Even though it does not limit compulsory acquisition for public purposes, it commits to the need for fair compensation for the affected community. The Act recognizes the validity of existing community customary land rights of VG. Similarly, it spells out the rights of the community as the landholder who has right to use the land.

**Policy Framework**

*The Tanzania Development Vision 2025:* The social pillar of Tanzania Development vision 2025 seeks to put in place efforts to promote protection from discrimination, dealing respectively with gender, youth and vulnerable groups and equity and poverty reduction. This mirrors the ideals of social and economic justice as espoused in the World Bank ESF.

*The Gender Policy, 2011:* This Policy guarantees equality of men and women before the law in accessing economic and employment opportunities. It facilitates the review of laws that hinder women’s access to and control over economic resources and aims to improve vocational and technical skills of disadvantaged groups, notably unemployed youth, disabled women, poor urban and rural women, and street dwellers, for improved access to employment opportunities.

*The Tanzania National Youth Policy, 2006:* The Policy envisions a society where the youth have equal opportunities to productively participate in economic, social, political, cultural and religious life. The young people are a component that make up the VG in communities. Any initiatives aimed at addressing the sources of disadvantage within societies must take cognizance of young peoples’ special views and needs.

*The National Land Policy, 1995:* The policy takes cognizance of the fact that women, children, minority groups have been denied access to land rights as a result of discriminatory laws, customs and practices. Additionally, by recognizing that the land and resources that the VG live on and depend on are inextricably linked to their identities, cultures, livelihoods, physical, and spiritual well-being, the policy seeks to ameliorate their continued marginalization.

**1.4 World Bank ESF Requirements of ESS7**

The World Bank in ESS7 Paragraph 6 defines indigenous people as a “distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to natural resources in these habitats and territories; (iii) customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.
Also paragraph 11 of ESS7, insists on the importance of the vulnerable groups and states that; A key purpose of this ESS is to ensure that Sub-Saharan African historically underserved local communities present in or with collective attachment to, the project area are fully consulted about, and have opportunities to actively participate in, project design and determination of project implementation arrangements. The scope and scale of consultation, as well as subsequent project planning and documentation processes, will be proportionate to the scope and scale of potential project risks and impact as may affect indigenous peoples/sub-Saharan African historically underserved traditional local communities.

ESS 7 para 12 also states that “The borrower will prepare consultation strategy and identify the means by which affected indigenous peoples/sub-Saharan African historically underserved traditional local communities will participate in project and implementation.”

1.5 Rationale for the VGPF
The World Bank’s ESS7 requires that a Vulnerable Groups Planning Framework (VGPF) is prepared to ensure that the LTIP fully respects the dignity, human rights, economies, and culture of VG and that the LTIP project has broad community support from the VG which may be positively or negatively affected by this project. As the target project areas have not been fully defined through the preparation process a VGPF has been prepared rather than a Vulnerable Groups Plan (VGP). VGPs will be prepared during Project implementation when activities are undertaken in areas where VG are present.

This VGPF provides for the screening and review of the proposed project in a manner consistent with ESS7. It shows how the LTIP will integrate the VGPF recommendations into the project design, implementation and how negative impacts to VG will be mitigated or avoided. It sets out how, during the preparation of LTIP project and associated environmental and social documents including the VGPF, the project consulted with the VG and other stakeholders with knowledge about VG or working with VG.

It suffices to note that the LTIP project and this VGPF were prepared after thorough consultations with different stakeholders, especially civil society organizations which work with VG on various aspects of life ranging from land rights, social and cultural rights. Furthermore, the process of preparing this VGPF for LTIP was participatory, flexible and pragmatic using participatory planning based on the findings of stakeholder’s engagements conducted.

1.6 Organization of the Document
This framework is organized in eleven chapters. Chapter One provides an introduction to the proposed LTIP project. It outlines the purpose of the document, rationale for the VGPF, methodology adopted, WB ESF requirements, consultations and organization of the document. Chapter Two provides an overview of the project description including but not limited to
project justification, aim and objectives of the project, the major components of the projects, and description of the implementing entities. Chapter Three provides baseline information on the VG that are present in Tanzania with a focus on their relationship to land. Chapter Four discusses stakeholder engagement undertaken in the development of the VGPF and the approach to engagement during implementation. Chapter Five describes potential impacts on vulnerable groups as the result of LTIP implementation. Chapter Six outlines the framework for ensuring free, prior and informed consent. Chapter Seven provides an explanation on the approach to be adopted for the preparation of Vulnerable Groups Plans (VGPs). Chapter Eight focuses on institutional arrangement for implementing the VGPF and VGPs. Chapter Nine outlines the approach to monitoring, evaluation and reporting. Chapter Ten presents the budget for implementing the VGPF and subsequent VGPs. Chapter Eleven describes the disclosure arrangements. The document is also supported by a number of annexes.
CHAPTER TWO - DESCRIPTION OF THE PROJECT AND COMPONENTS

2.1 Introduction
The implementation of LTIP is one of the Government of Tanzania priority areas in improving lives of the people in order to move into sustainable livelihoods. The Project aims at increasing security of land rights and efficiency in land administration. It will promote 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).

2.2. Project Objectives
The Project (LTIP) aims to strengthen the land administration system and increase tenure security for both men and women.

2.3 Description of the Project Areas
The Project will be implemented in regions selected based on the following criteria: economic potential; demand and readiness for land registration; urban centres where master plans have been prepared or are in the process of preparation; potential or actual occurrence of land conflicts; rural areas with high agricultural potential; urban areas with high percentage of unplanned settlements; and Government priority areas as stipulated in medium and long term economic and physical plans. Based on these criteria and discussions between MLHHS and other stakeholders, the following regions were selected: Dar es Salaam, Dodoma, Arusha, Tabora, Geita, Pwani, Mwanza, Shinyanga, Tanga and Morogoro. The Districts to be covered include, but are not limited to, Dodoma (Chamwino), Simiyu (Maswa), Ruvuma (Mbinga), Katavi (Mpanda), Songwe (Songwe) and Momba Rural District. This will cover 6-7 percent of the country with tenure documents and will build important infrastructure and systems for a wider nation-wide rollout.

2.4 Project Beneficiaries
The project beneficiaries include landowners, including small scale farmers, commercial farmers, pastoralists, hunter-gatherers and the business community who will have their land planned, surveyed, registered and certificated. In addition, the government (in terms of revenue) and staff working in land sector, through training, will also benefit from the project.

2.5 Project Components Description
LTIP Activities will be implemented through, four main components namely (1) Increased Tenure Security, (2) Land Information Management, (3) Institutional Strengthening and Skills
Vulnerable Group Planning Framework – Land Tenure Improvement Project (LTIP)

Development and (4) Project Management, Monitoring and Evaluation (M&E). The description of each component are described hereunder:

**Component 1: Increased Tenure Security.** This component will support the issuance of CCROs, CROs, Residential Licences and other related activities. The activities under this Component will be done in an inclusive and participatory way to ensure gender equity, and protection of the rights of all groups including women, youth, hunter-gatherers, pastoralists, farmers, etc. The following regions were selected to be covered by component 1: Dar es Salaam, Dodoma, Arusha, Tabora, Geita, Pwani, Mwanza, Shinyanga, Tanga and Morogoro. The Districts to be covered include, but are not limited to, Dodoma (Chamwino), Simiyu (Maswa), Ruvuma (Mbinga), Katavi (Mpanda), Songwe (Songwe) and Momba Rural District. This will cover 6-7 percent of the country. This component includes the following subcomponents:

**Subcomponent 1.1:** Rural mass certification and issuance of Certificates of Customary Rights of Occupancy (CCROs). This subcomponent will focus on upscaling successful pilots for the direct implementation of rural mass certification and issuance of CCROs. This requires, previous definition of the village boundaries, the planning of land uses, inclusive and participatory demarcation and adjudication processes, conflict resolution and issuance of certificates.

**Subcomponent 1.2:** Urban mass registration and issuance of Certificates of Rights of Occupancy (CROs) and Residential Licenses (RL). Urban land certification entails two distinct processes with different outputs: the formalization process to produce 1 million RLs, and the regularization of unplanned settlements to produce 1 million CROs. The formalization of land parcels through the issuance of RLs includes adjudication of land parcels, preparing an urban land register and issuances of RLs. Similarly, the regularization process for unplanned settlements and issuance of CROs, involves the production of regularization schemes to ensure compliance with minimum urban standards (width of streets and pathways, availability of public spaces such as schools and other services).

**Component 2: Land Information Management.** This component will include the rollout of the Integrated Land Management Information System (ILMIS), improvements to the geodetic network, base mapping, generation of a property valuation database and establishment of a basis for National Spatial Data Infrastructure (NSDI) to strengthen accessibility and efficiency of land administration services. The ILMIS has been piloted and the project will improve, extend, and implement the system in the project areas in an effective way to reach all localities for maintenance of the land information. The enhanced geodetic framework and base maps will support not only the land registration operations but also a wide range of location-based applications underpinning social, economic and environmental benefits. This component entails the following subcomponents:
Subcomponent 2.1: Upgrading and upscaling of ILMIS. This subcomponent will finance the second phase of ILMIS development by upgrading functionalities for unified management of CCROs, CROs, RLs, including first registration and subsequent transactions. The ILMIS Rollout will be implemented in 26 regions where the same number of office building will be constructed and equipped to support the ILMIS upscaling.

Subcomponent 2.2: Production of base maps. This subcomponent will finance the outsourced production of base maps using either recent high-resolution satellite imagery or aerial photography in the project areas and additional districts that are in between project target districts to support mass land certification, land use planning and management.

Subcomponent 2.3: Enhancement of geodetic framework. This subcomponent will support the establishment of Continuously Operating Reference Stations (CORS), associated infrastructure, and geodetic control points needed for accurate and economically feasible Global Navigation Satellite System (GNSS) surveying and operation maintenance of network.

Subcomponent 2.4: Support for Valuation Systems: This subcomponent will involve mapping of land values across the country; establishing a property valuation information data base that can be used in mass appraisal of land values, taxes, compensation etc.

Component 3: Institutional Strengthening: This component will include capacity building and legal/regulatory reform activities, public awareness campaigns and other related activities to improve service delivery for land administration, including purchase of equipment and office construction to decentralized ILMIS, efficient land administration services and support for the Land and Housing Tribunals. This component entails the following subcomponents:

Subcomponent 3.1: Legal and regulatory review and support to policy implementation. This subcomponent will update and harmonize the policy, legal and regulatory framework for efficient land administration and mass systematic registration. This will be done through backgrounds studies and analysis, workshops and consultancies as needed.

Subcomponent 3.2: Capacity building for the land sector. This subcomponent will focus on capacity building for all relevant stakeholders at the central and at the local level. It will involve training of staff on various aspects associated with land sector development and the project (LTIP). The capacity needs assessment will be carried out to inform the training needs and gaps.

Subcomponent 3.3: Support for the Land and Housing Tribunals: This sub-component is meant to support the establishment and function of the land and housing ward tribunal in terms of adding new tribunals and councils, financial and human resource support for existing bodies, clearing backlogs, development of guidelines at the village and ward level as well as training and equipment.
Subcomponent 3.4: Physical development of the land administration system. This subcomponent will support the construction of 26 Regional Land Offices and renovation of 12 District Land Offices which are ILMIS compliant. A national land archive building will also be constructed. It will also procure the necessary equipment for these buildings and ensure connection of Local Area Network to the respective offices. An archive strategy will also be developed.

Subcomponent 3.5: Public awareness: This sub-component is meant to create awareness of the broader land administration system, LTIP activities and processes, land related policy and laws requirements, and land information systems to different stakeholders. Other areas for implementation includes preparation of the communications strategy, message development and testing for confidence building in understanding of, the land administration system. Other activities include training on safeguard documents (i.e. ESMF, VGPF, SEP, RPF) to various stakeholders at different levels during project implementation. Crucial focus will be made on women’s land rights and other vulnerable groups.

Component 4: Project Management: In this context, a Project Coordination Unit (PCU) has been established within the MLHHSD. The key tasks to be carried out by the PCU will be general project coordination, procurement, financial management, environmental and social supervision, and monitoring and evaluation. Capacity building for the Ministry staff will be necessary as the project will be the first World Bank funded standalone project to be implemented by the MLHHSD. Capacities exist within the Ministry will be strengthened to ensure successful project implementation. Likely, equipment, recruitment and training will be supported to upgrade the capacities of the Ministry.
CHAPTER THREE - BASELINE INFORMATION ON VULNERABLE GROUPS

3.1 Introduction
Tanzania is a home to more than 120 tribes living across 36 regions. Within Tanzania there are five known groups which meet the criteria outlined in ESS7 and are therefore identified in this VGPF. These groups are the Maasai, Akie, Barabaig, Hadzabe, and Sandawe. The five tribes live mostly in the Manyara, Arusha, Dodoma, and Singida regions. The census does not collect data on ethnicity/tribal groups, as such accurate data does not exist on the number of people in each group. Various sources estimate the VG population as follows: the Maasai 430,000; the Barabaig 50,000-75,000 the Sandawe 40,000; the Hadzabe 1,000; and Akie 5,268. The first two VG are pastoralists while the later are hunter-gatherers.

3.2 Identification of Vulnerable Groups
The project will be implemented in both urban and rural areas in Tanzania. In the rural context a total of 250 villages will be covered. The investment will include planning, surveying and mass land registration and also issuance of CROs and CCROs covering urban and rural areas.

The majority of the VG live in northern and central of Tanzania, particularly in Dodoma Arusha, Manyara and Singida regions as presented in Table 3.1 below.

Table 3.1 Summary of Vulnerable Groups

<table>
<thead>
<tr>
<th>Name</th>
<th>Population</th>
<th>Main Livelihoods</th>
<th>Regions</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hadzabe</td>
<td>1,000-3,000</td>
<td>Hunter-gatherers/ some semi- sedentary</td>
<td>Arusha</td>
<td>Karatu</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shinyanga</td>
<td>Mkalama</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Manyara</td>
<td>Meatu</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Singida</td>
<td>Mbulu,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Iramba</td>
</tr>
<tr>
<td>Akie</td>
<td>5,200</td>
<td>Hunter-gatherers, most sedentary</td>
<td>Manyara</td>
<td>Kiteto</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Arusha</td>
<td>Simanjiro</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Morogoro</td>
<td>Ngorongoro</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Tanga</td>
<td>Kilosa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Kilindi</td>
</tr>
<tr>
<td>Maasai</td>
<td>450,000</td>
<td>Semi-nomadic Pastoralists</td>
<td>Arusha</td>
<td>Ngorongoro,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Manyara</td>
<td>Monduli</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kilimanjaro</td>
<td>Longido</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Arusha</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Simanjiro,</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Kiteto</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Moshi</td>
</tr>
<tr>
<td>Barabaig</td>
<td>50,000-75,000</td>
<td>Semi-nomadic</td>
<td>Manyara</td>
<td>Hanang,</td>
</tr>
</tbody>
</table>
### 3.3 Characteristic of Identified VG

**Akie:** This tribal group is found in Northern part of Tanzania in Arusha and Manyara Regions. They are predominantly hunter-gatherers and pastoralists in nature. The main source of their livelihood includes subsistence agriculture, animal husbandry, pastoralism and hunter-gathering. Traditionally men leave their villages and head to the bush for several days or weeks hunting and gathering honey and living in simplest shelters that traditionally served to protect them from wild animals.

The Akie historically roamed without restriction across an area known as the Maasai Steppe. Various Akie clans used to live within defined clan territories associated with specific ancestral sprits. Their territories along with its natural resources were divided among smaller family units meaning that each family had rights to specific resources. However, there has been increasing demand for land including agriculturists cultivating vast tracks of land, concessions for hunting companies and encroachment by the Maasai into land the Akie feel is their traditional territory. The tribal structure in terms of decision making is male domination; men are the ones who decide to shift from one place to another. In the past the family group would move to live in different areas depend on the season, occasionally establishing a semi-permanent village with other families.

Due to their lifestyle of shifting from one place to another (to find herds for hunting as well as and natural resources for gathering and for their cattle) land ownership is customarily communal and rights to land reflect the seasonal movement of the group and protection of natural resources. However, various factors including efforts by the government and others for the Akie to settle and become farmers, pressure on land and ensuing environmental changes have made it increasingly difficult for the Akie to pursue their traditional lifestyle. Today many Akie are settled and cultivate crops and/or breed animals. Their attachment to the woodlands, however, remains strong and many still consider the woodlands as their home and part of their identity. The woodlands are also where their religious activities and rites take place, and where their extensive indigenous knowledge of the environment comes into its own.

**Hadzabe:** This group are found in the Northern part of Tanzania especially in Manyara. They are a culturally, linguistically, and genetically distinct population living around Lake Eyasi. Culturally, they are distinguished as being the only population in East Africa that continues to rely extensively on hunting and gathering for their subsistence. Linguistically, they speak
Hadzane, a click-language that has phonetic similarities to other Khoisan click-languages which is not mutually intelligible.

The Hadza typically live in camps with 20-40 residents. On any given day, camp members decide where and how to forage by closely observing their surroundings, discussing their observations with other camp members, and by drawing upon their expert knowledge of the land. There are no land-holding territorial divisions between Hadza groups.

Decision-making structures are equitable between men and women. Women are the ones who make decisions in all matters arising in the camp, leading the discussions on issues within the family, clan, or community. This is due to the fact that men concentrate on hunting and gathering (and associated decisions) while women are responsible for building houses thereby becoming the owner.

The Hadzabe have lost access to their traditional lands as a result of several factors such as nature conservation, the impact of expanding resource use in adjacent areas, increasing pressure from pastoralists who have lost their traditional rangelands, landless farmers and private hunting interests. The Hadza have seen some of their productive lands taken over by dominant groups of pastoralists and agriculturalists. Large parts of their forests have been cleared and village authorities have allowed farmers to settle and even given them individual titles to the land that has been cleared. This has forced the Hadza to leave their traditional woodlands and abandon their lifestyle. Their community has been disrupted, some have sought refuge in more remote areas; others who opted to stay in villages and have become second-class citizens.

The Hadza have little voice in the planning or regulation of regional land use, and their needs are often overshadowed by the masses that follow a more typical farming or cattle-raising way of life.

**The Barabaig:** The Barabaig belong to the Nilotic language group and are the largest section of a group referred to as the Datoga people. They occupy the northern volcanic highlands near their sacred Mount Hanang and the Rift Valley in Hanang District (Manyara Region). Their population is estimated at 30,000-50,000. The Barabaig are traditionally semi-nomadic and herd cattle, sheep and goats. Today, many have become agro-pastoralists and farm maize, beans and millet. The Barabaig have, to a large extent, kept their traditional features and customs, including their traditional way of dressing and their own language, a Datoga dialect.

The Barabaig are patriarchal and are organized in patrilineal households, clans and sections. Authority and decision-making within a community is vested in assemblies of senior elders, whose hierarchy is determined by oratory skills, knowledge and wisdom. They have initiation rites (circumcision for both boys and girls) and age set systems whereby young boys/men become morans or warriors. Many values are centred on warrior hood, which dates back to a
period when young men could develop and assert their bravery and fierceness in wars and cattle raids.

Today the warrior’s main duty is to provide security for the community and to move with livestock to better grazing land during periods of drought. Against a backdrop of continued land encroachment, their traditional way of life is rapidly disappearing. Barabaig, uprooted from their communal land, are now reportedly living on the fringes of towns and cities.

In the Barabaig communities, the land ownership and tenure system are male dominated. Most of the land is held under customary private ownership whereby sons obtain land from their father- from family land. After the death of the father, each son is given a portion of his father’s land to inherit. The result of this inheritance pattern (and a continued growth in population) is that increasingly, smaller farms are being inherited.

**The Maasai:** are found in Northern part of Tanzania in Arusha and Manyara Regions. Traditionally the Maasai are hunters and warriors using spears, shields and clubs. Maasai men often have several wives but each woman must build her own house. Boys are expected to shepherd the family’s cattle (which provides their 3 main food sources: meat, milk and blood). Girls help their mothers gather firewood, cook and handle most of the family’s other domestic responsibilities.

The Maasai are strongly patriarchal in nature with elder men, sometimes joined by retired elders, deciding most major matters for each Maasai group. A full body of oral law covers many aspects of behaviour. Formal legal execution is unknown and normally payment in cattle will settle matters. An out of court process is also practiced called amitu ‘to make peace’ which involves a substantial apology. However, the Maasai community communicate with Government through their local leaders who represent them.

Among the Maasai, land is a collective asset that defines their identity by distinguishing the extent of their ethnic territory from others and supports livelihoods. Land not transferable nor is it for speculative investment. Land use by Maasai tribes is mainly for pastoralism, that is, the raising and keeping of livestock. This has also changed over the years to include other activities.

The majority of the Maasai herd their cattle, where climatic and soil conditions do not favour crop production. In order to make the best use of seasonably variable dry land pasture and the scattered and meagre water resources characteristic of these arid and semi-arid rangelands, they practice transhumance, moving their livestock in a seasonal grazing rotation system between different forage regimes, using a wide range of environmental indicators for assessing rangelands for grazing and settlement suitability. In periods of prolonged drought, the Maasai migrate with their herds in search of water and grazing.
**Sandawe:** This tribal group is found in Northern part of Tanzania in Dodoma and Manyara Regions. Traditionally hunter-gatherers, it is mainly the older men who remember the traditional way of life. Few wild animals remain in the area and many of the hunting and tracking skills are being lost in younger generations, but the Sandawe still collect honey. Many Sandawe have adopted the agricultural and herding practices of their neighbours and have settled in more permanent small villages scattered through the area, with a few small ‘towns’ here and there. The area is hilly with woodland and scrub and the soil is poor. The Sandwe traditionally sing, dance, and telling stories which portray themselves as small animals who use their cunning intelligence to outwit more powerful enemies.

They have traditionally been hunters and gatherers of food, moving their portable shelters wherever there was game. In the past generation, the village-based development program of the Tanzanian central government has encouraged the Sandawe to develop a more sedentary lifestyle based on farming. Maybe one-fourth of the Sandawe have migrated to the areas around the towns of Arusha and Dodoma. The Sandawe now own cattle and cultivate with metal hoes instead of their original wooden digging sticks, but still maintain their hunting, where possible. The men also still gather wild honey and women gather wild fruits and vegetables and dig roots with sticks.

### 3.4 Land Related Issues to VG

VG within Tanzania are mostly pastoralists and hunter-gatherers, in order to maintain their traditional practices, they require areas of land, “where their freedom of movement and their access to the natural resources on which their subsistence relies are not obstructed.” VG land is frequently taken by encroaching farmers and used for investment opportunities, including large-scale crop cultivation, mining, national parks and wildlife conservancies, and tourist attractions like hunting and safari parks. This encroachment has caused conflict between VG and farmers, between villages (groups) and with the Government. The VG lack assurance of land access and an understanding of their interest in land at the individual and family level. In addition, as they are not well represented in village governments etc their voices are often not heard so their interests in land and traditional lifestyles are not adequately considered.

Hunter-gatherers and pastoralists depend on the availability of large tracts of land—forest and woodlands as well as rangelands—where their freedom of movement and their access to natural resources, on which their subsistence relies, are not obstructed. The VG have suffered a process of gradual land dispossession and mobility restrictions which has now reached such proportions that it puts their traditional livelihoods and culture are at risk. Secure collective land-use rights are therefore at the heart of VG claims.
CHAPTER FOUR - STAKEHOLDER ENGAGEMENT

4.1 Introduction
The preparation of the LTIP project documents was informed by several engagements and consultations the MLHHSD made with different stakeholders. Stakeholders that informed the preparation of this VGPF include CSOs, VG, and experts. Stakeholders were consulted via different methods including physical visits, emails, meetings and through phone calls. Engagement approaches during implementation with VG are then considered. This consultation was used to inform the development of the VGPF as well as the approach to engagement during implementation.

4.2 Approach taken in Preparing the VGPF
The process involved four key activities: detailed literature review; consultations with the VG and their village governments; consultation with CSOs working with VG; and organization of a meeting with key CSOs working with VG. The process adopted are as described below:

**Literature Review**
Review of the existing baseline information and literature material was undertaken to gaining an understanding of the VG, their lifestyles, land ownership patterns, use and governance. Among the documents that were reviewed in order to familiarize and understand the VG in relation to the LTIP were:

a) World Bank’s ESS7-Sub-Saharan Africa Historically Underserved Traditional Local Communities;
b) LTIP Project Concept Note (PCN);
c) The Constitution of the United Republic Tanzania;
d) Relevant legislative and policy documents in Tanzania on vulnerable and marginalised groups; and

**Consultations with CSOs**
Consultations with CSOs working with VG to discuss and deliberate on the VGPF and preparation of the LTIP project were held in Arusha city and Manyara region (at Terrat Village). The CSOs that were consulted included Tanzania Natural Resources Forum (TNRF), Ujamaa Community Resources Team (UCRT), The Pastoralists Indigenous Non-Governmental Organizations Forum (PINGOs), and Pastoral Women's Council (PWC). These CSOs offered lessons and experiences, which are useful in the preparation of the LTIP, design project activities implementation as well as forging partnership in all stages of the project. These consultations also offered different experiences on how to engage communities (VG) in land registration and identification of potential risks associated with LTIP to VG. The experiences on the needs of traditional local communities (VG) in relation to land use were presented and informed the
preparation of this VGPF and the LTIP project. The CSOs were consulted from 7\textsuperscript{th} of October to 10\textsuperscript{th} 2019. The consulted CSOs also helped the Ministry to:

a) gather facts and evidence on how communal land rights (joint titles) are secured to provide inputs in the LTIP and developing and shaping social and environmental guidelines for the LTIP;

b) understand the needs of vulnerable groups in relation to land use, governance; and ownership; and

c) learn how non-state actors (CSOs) have been engaging VG in land registration (LUP and registration/certification), especially for communal lands and related matters.

\textit{Meetings with CSOs in Dodoma}

The MLHHSD, PCU, held a meeting with CSOs working with VG on land rights and other associated matters. The MLHHSD shared the proposed LTIP project activities and introduced environmental and social documents the Ministry is preparing for the LTIP project, including this VGPF. CSOs made presentations on their experiences on securing land rights for the VG through communal CCROs, notably in Kiteto, Chalinze and some areas in Manyara region. Experiences with engaging women in land related projects were are shared. Debates on land rights for VG and other marginalized groups were held. Several concerns were raised by CSOs which were considered in the documents. Some of the critical matters raised were side-lining of women in land certification, the need for village boundaries to be settled before certification takes places, and the need for CSOs to be engaged in project implementation, among others. Their concerns and proposals have been considered in the preparation of this VGPF and LTIP project documents.

\textit{Public Views via Emails}

The MLHHSD also sent emails to different stakeholders working on land matters across the country to seek their views on how best the LTIP can be designed and implemented and issues to be considered in developing safeguards documents. Information and views received informed the preparation of the project and social safeguards. (See Annex 3: List of Stakeholders Consulted and Issues Discussed).

\textit{Engagement with Village Leaders}

The Ministry visited Terrat village, a predominantly Maasai village, with a view to understanding various aspects of land governance, social structures, land ownership patterns, and women land rights. Terrat village was selected because it offers a good learning opportunity for the Ministry and the LTIP project to understand the processes on issuing communal CCROs, community engagement in land management and governance, among other issues.

\textbf{4.3 Results of Engagement with Stakeholders}

Stakeholders at different levels and institutions were invited to provide views based on the proposed project. The consulted stakeholders were from government institutions, CSOs and
private companies were engaged on different occasions using a variety of methods. The results are summarized below:

**Potential Stakeholders:** The Stakeholder Engagement Plan (SEP) should be developed to include all interested parties likely to be affected by the project. This will lead to detailed knowledge on land rights among the beneficiaries and/or affected people in the given project areas. Grassroots engagement is crucial within each village as the main beneficiaries of the project. Involvement of stakeholders should not be limited to the preliminary stages and was recommended to cover all stages of the project. Transparency with all stakeholders including beneficiaries and affected people during project implementation is crucial as it leads to openness in all parties and harmony in the project.

**Project Team:** A strong working team during the implementation of the project was emphasized in order to allow for the achievement of various duties in the different components of the project. Unqualified personnel will lead to failure of the project. To ease the process of certification, officers should be initiated in the project areas in order to ease the process of registration and reduce cost for transport and any other inconveniences of the intended titleholders.

**Issuance of CROs, CCROs, and RLs:** According to the various discussions, some of the stakeholders have concerns over the certification processes. Concerns were raised that the purpose of certification is for commercial purposes rather than to improve security of tenure. Awareness should be provided to increase capacity and be clear on the importance of individuals/groups having their title or residential license and that it is not a path for people to sell their land or properties.

**Communal Certificate:** In vulnerable groups areas where there are pastoralists and hunter gatherers, communal certification should be applied as it will help to reduce the grievances between the communities and authorized institutions which are responsible on the project. The protected land and rangeland should be conserved for the given purpose. Co-ownership is also to be applied to polygamous families in order to protect the rights of women who are frequently at risk of not recognised on land titles.

**Individual Titles:** In some cases, VG may also require individual titles for plots of land and these rights and needs should also be respected. Cases where individual titles have been issued include for land used for permanent housing or business premises in village centres (which do not interfere with grazing land) and to groups who are using plots of land to pursue economic opportunities. An example was given of a women’s group that was establishing an eco-tourism lodge near to a national park. It was stated that engagement during land use planning was the key to agreeing the provision of these individual titles.
**Function of CSOs:** CSOs have a role in ensuring the rights of vulnerable groups are preserved and have the capacity to provide awareness on the various land issues in their locality. CSOs have managed to provide tilting assistance to marginalized societies in the country. They can act as a bridge between communities and government institutions in various land use issues and planning processes. CSOs also have experience in dealing with grievances that arise between government institutions and villagers as part of the land use planning and certification process. CSOs also helped to fund projects on land uses and provide security of land tenure.

**Grievance Redress Mechanism:** Grievances related to land are unavoidable and one of the leading sectors for grievances in the country. The Government through the MLHHSD needs to establish procedures by using the Ward Tribunal, District Lands and Housing Tribunal Court and the High Court for Lands. Before grievances reaches to these levels of resolution, at the village levels, there is committee introduced for the purpose of resolving grievances at an early stage. Experiences from the different stakeholders, indicates positive results in solving problems at the village level through the village leaders, their committees and elders from the same village.

**Environmental Issues:** Issues of environment should be taken into account accordingly. All stakeholders must be aware on the implementation of various environmental issues in all project areas in which people have a stake. Consideration of environmental issues, social and cultural impacts especially to VG should be in place as their livelihoods depend on the environment and natural resources. Specialists who will be in charge of environmental matters must be competent and capable in the delivery of their duties in the field specific to needs of the VG.

**4.4 Approach to be Taken During Project Implementation**

*Meaningful Consultation Leading to Broad Community Support*

Tanzania has a longstanding practice of extensive consultation and participation at the local level. This approach is enshrined in legislation, such as the Local Government Act, 1982 which promotes public meetings at the local level and encourages village residents in “undertaking and participating in communal enterprises” and to “participate, by way of partnership or any other way, in economic enterprises with other village councils.”

Community Plans are developed by local authorities, following extensive consultations with stakeholders. The local stakeholders decide how the Plans will be implemented and who will be responsible for results. Plans are routinely monitored and updated. Local communities also discuss the beneficiaries of the Plans and who, if anyone, is being adversely affected, and what measures should be taken to mitigate impacts, including compensatory measures. Local meetings and minutes of meetings are public and accessible. Following this approach, the LTIP is expected to facilitate smooth communication with all stakeholders, even if there is an absence of specific guidelines at the local authorities’ level. Mitigating this absence is the fact that the LTIP
will work with communities and CSOs to reach out where VG from different groups come together.

The consultation and participation of VG will be required in the formulation of the VGP(s) to ensure that it adequately deals with their needs, priorities, and preferences. VG will be provided with relevant project information in local languages and in a manner socially acceptable to them. Separate focus group discussions will be carried out to assess the project impacts and benefits to these groups. Accordingly, the VGP(s) will be prepared in consultation with the beneficiaries. The outcome of the VGP(s) will be presented in community workshops/meetings. Consultations and participation of VG, community-based organizations (CBOs), and line agencies will be an integral part of the VGP preparation process.

VG will be informed and consulted in preparing the VGP. Their participation in planning will enable them to benefit from the project and protect them from potential adverse impacts. The VGP will be prepared in consultation and in a socially acceptable manner with affected VG, before project implementation. In this process the following will be considered:

a) Special attention will be given to the concerns of local tradition communities, women, youth, and children and their access to development opportunities and benefits.

b) Establishing an appropriate gender and inter-generationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the affected VG, if any, and other local civil society organizations (CSOs) identified by the affected VG’s communities.

c) Providing the affected VG with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected VG’s communities) in a socially appropriate manner at each stage of project preparation and implementation.

Involvement of VG in problem identification and design of solutions has to be ensured through the entire project cycle interventions.

**Strategies for Involvement of VG in LTIP Implementation**

The following strategies will be undertaken by the project to ensure the involvement of the VG during implementation:

a) The targeting process should be understood and inclusion of difficult to reach VG emphasized;

b) Awareness and sensitization of VG should be undertaken to enhance understanding of their rights and entitlements;

c) Consider the use of groups (not individuals) to test economic inclusion approaches, and ensure the support of the traditional leaders and household heads within the communities to ensure participation and sustainability;

d) When targeting VG, involve majority groups in planning to get their support and facilitate improved relations between VG and majority groups; and
e) In communicating with VG, use appropriate mechanisms and appropriate language so that information is accessible and understood by all. This will require multiple communication methods such as: phone calls, text messages to representatives and traditional leaders and in-person meetings as needed during consultations.

**Process of Engagement with Vulnerable Groups**

*Approaches to Engaging VG during Project Implementation*

In order to gain trust of VG for the smooth implementation of the LTIP the Ministry will use different engagement approaches. The engagement approaches will be undertaken as follows:

**Meeting with Existing Formal Government Systems**

The project team (supported by the relevant CSOs) will introduce themselves to the Village Leaders to discuss the project and to understand the local context and structures. The project will discuss the presence of VG with the Village Leaders to understand the ways in which these groups are usually engaged in village meetings and any constraints to include VG in such meetings to try to ensure inclusive engagement. Such discussions may also need to involve the District Executive Director and other Regional and District Officials as the case may be. In this way the District and local leaders will be sensitized on the need to include VG in the process.

**Meeting with the Traditional Leaders**

The project team (supported by the relevant CSOs) together with the Village Leaders will meet with the existing traditional leadership structures in each area where VG are present. The identified traditional leadership structures will be trained and informed about the LTIP, proposed activities and the need for them to participate in the project implementation aspects. It is through using this approach that the project will be accepted and owned, thus enhancing effective participation of the VG in the project implementation. The traditional leaders would then be expected to engage with their communities to encourage their involvement in the project. In addition, the leaders would be asked to discuss with the project team the need for separate meetings to inform VG about the project.

**Sensitization of the Communities**

The project team (supported by CSOs as relevant) will undertake sensitization of the community as a whole including vulnerable groups. Village meetings will be called to inform stakeholders about the project and will be announced and held at times which are convenient for both the VG and any other community members. If needed translation into local languages will be provided along with separate meetings for VG to discuss their issues and concerns.

AWARE of the risk that women and other marginalized groups may be excluded from the process; the project will strive to make sure that separate women’s (and other marginalized groups as
needed) meetings and capacity building sessions are carried out. However, these meetings will be culturally sensitive and carried out in a manner that allows social cohesion and tranquillity.

The need for separate meetings with VG, women and marginalized groups (both from the VG and in general) will need to be determined based on the community structure and the needs of the VG as identified by the Traditional Leaders.

**Use of Stakeholders Working with VG**
Based on the engagement undertaken in preparing the project, the government has realized the extensive experience of Community Organizations (CSOs) in working with VG on land rights. CSOs with experience of working with the VG on land issues will be engaged to support the sensitization and issuance of CCROs to VG. They facilitate and support VG to be fully engaged and participate in project implementation.

The project will identify CSOs that are working in the project area and will engage with the CSOs to determine their interest in working with the Project. Following discussions with the CSOs a Memorandum of Understanding (MoU) will be signed with the CSO outlining their agreed role and how the CSO and project will work together in the area.

The CSOs will provide regular updates to the district field team and the PCU on their activities, the level of engagement with the VG, the outcomes of the engagement and any issues arising.

**Monitoring of Inclusion of VG**
The project teams and CSOs will jointly monitor the participation of vulnerable groups in the stakeholder engagement process to ensure that they remain engaged. Early identification of any exclusion or lack of participation in the process will be essential to ensure that the village land use planning and certification process does not advance without their inputs.

**4.5 Grievance Redress Mechanism**
A Grievance Redress Mechanism (GRM) is necessary for addressing the legitimate concerns of the project affected persons. Grievance handling mechanisms provide a formal avenue for affected groups or stakeholders to engage with the project on issues of concern or unaddressed impacts. Grievances are any complaints or suggestions about the way a project is being implemented.

The Environmental and Social Standards requires projects financed by the World Bank to define one or more mechanisms to resolve complaints, issues, recommendations, presented by the project stakeholders, citizens or anyone expressing concerns on the environmental, safety and social project development. The mechanisms developed for the project will need to be adapted to take into account the needs of vulnerable groups to ensure they are able to utilise the mechanism.
The stakeholder engagement process will ensure that the VG are adequately informed of the GRM.

Grievances shall be submitted using the following mechanism which has been adapted from the main mechanism to include the needs of vulnerable groups. This includes requirements for representatives of vulnerable groups to be involved in the committee and a role for the Traditional leaders of the vulnerable groups. Women must also be represented on the grievance committees.

**Land Related Grievances**

This mechanism will address grievances on land related matters both in urban and rural context (other than complaints related to voluntary land donations and resettlement) that cannot be resolved directly in the field. In dealing with grievances arising associated with land registration and related matters such as boundary conflicts between neighbours, two organs will be created:

**Village Adjudication Committee/Mtaa Adjudication Committee**

Village Adjudication Committee (VAC) /Mtaa Adjudication Committee (MAC) members will be elected by villagers amongst villagers during the village meetings / or mtaa residents’ meetings. The VACs/MACs will be established during project introduction and awareness raising. The VAC/MAC will be made up of not less than six (6) and not more than eight (8) people and will have an equal number of men and women. The chair of the VAC/MAC will be selected by the participants and in areas where VG are present, they must also be represented (see the VGPF).

The role of the VAC/MAC is to receive (see below) and review grievances and mediate between the conflicts parties to assist them to reach a mutually agreed decision/ resolution. Shall the VAC/MAC fail to resolve the grievance; the matter will be referred to District Commissioner (DC) by the Village or Mtaa Executive Officer.

**Submitting a Claim or Grievance**

Land related grievances should be submitted to the VAC (rural) or /MAC (urban). The grievance can be submitted using a variety of methods depending on the preferences of the complainant. This can include in writing (letters, emails etc), verbally in person or on the phone to the VEO/MEO, the chair of the VAC/MAC or via community meetings. In addition, all members of the project team should be trained on how to collect grievances and to pass them to the VAC/MAC within 24 hours.

Once a grievance has been submitted it will be recorded in writing using the grievance logging form (Annex 2). Upon receiving the complaint, the VAC/MAC, shall within eight (8) days review the grievance, undertake any required investigations (such as visits to the location) and...
finally mediate between the conflicting parties. The resolution shall then be recorded on the grievance form and measures implemented as relevant.

**Record Keeping**
All grievances submitted to VAC/MAC will be registered and assigned a number. The registers will be made available to VAC/MAC in all *mtaa* and villages where LTIP will be implemented. The proceedings will be recorded in form of minutes. Comment, responses, and the agreements reached will be recorded and signed by the conflicting parties. Other details that will be recorded include details of the claim/grievance/complaint, the claimant/aggrieved, and ultimately the steps taken to resolve the grievance. A master database will be maintained by VAC/MAC and DC. The PCU will from time to time request information about the grievances received, mediated, standing, referred, and the failed ones which have logged before the courts of law or tribunals

**Monitoring and Review**
It is vitally important to monitor the effectiveness of the grievance mechanism designed for addressing land related conflicts during the implementation of LTIP. Appropriate measures for this include monthly reporting on the number of grievances received, resolved and outstanding in line with the proposed timelines. This will be undertaken through reports by the VAC/MAC and DC to the PCU/Ministry. The VAC/MAC will monitor the implementation of the agreed measures including that they are implemented fully and in a timely manner. Once all measures are fully implemented the complainants should sign off that they are satisfied.

**Appeals Process**
In case the conflicts cannot be resolved at the village level there are two appeals processes open to affected parties. The first being the legal process in line with the Village Land Act of 1999. The Act allows for appeals to be brought related to the village land boundary and the boundary between individual plots within a village. In regards to, Village land boundaries, if the VAC fails to resolve the grievance; the matter will be referred to the District Council, where they will try to resolve the conflict between the respective villages. If the District Council fails, the matter will be referred to the Minister responsible for lands who shall appoint a mediator. In case the mediator fails, he will revert the matter to the Minister for Lands who shall appoint an Investigator, of whose opinion to the Minister shall be considered final.

In regards to, conflicts between villages on the boundary if the VAC fails to resolve the conflict, the VAC will request the parties to choose two alternatives. These are whether the matter be referred to District Land Officer designated by the Commissioner for Lands, who will try to resolve the matter. If he/she fails, he will require the parties to refer the matter to the Village Land Tribunal, where other legal process will follow. Alternatively, the matter can be referred directly to the Village Land Tribunal and associated processes. In urban areas matters are referred to the relevant Land Tribunals directly.
However, it should be noted that these processes are highly complex and can be time consuming. Given this, where resolution cannot be achieved at the local level (which is the preference of the Project) parties will also be given the option for mediation by the District Commissioner directly. This does not prevent them from following the processes outlined above at any stage. Where this option is selected the VEO/MEO will transfer the case to the District Commissioner. The District commissioner shall have 8 days to review the case and will then invite the parties to a meeting to mediate a solution.

Regardless of the method of resolution, the ESMU representatives from the Project should be informed so that they can track the complaint and resolution and monitor that all parties have been treated fairly and issues resolved in a timely manner in the case of mediation by the District Commissioner and make adjustments as needed during the initial stage of implementation.

**General Grievance Redress Mechanism (GGRM)**

This General Grievance Redress Mechanism (GGRM) is designed to address grievances which are not related to land matters such as concerns about construction activities, the work of the team, damage as a result of surveys etc. Grievances which are criminal in nature will be passed to the responsible state organs (Police, Director of Public Prosecutions (DPP), and Criminal courts) or civil matters which warrant court and tribunals (labour courts) attention. The project will use existing village/mtaa structures to facilitate the resolution of such grievances.

The complaintant should submit their grievance to the village/mtaa leader. This can be done in writing, in person (one to one or in a meeting) or over the phone as per the preference of the affected person. If the complaint is related to the LTIP the village leader will record the compliant using the form in Annex 2 and inform the project team / contractors that a complaint has been received.

The village leader will then work with the required institution such as the existing village committees, the project team, private firms, community organisations and / or the contractors (for office building) to investigate the complaint and determine if it is valid and develop resolution. This process should not take more than 5 days. However, it should be noted that in some emergency cases it may be necessary to undertake immediate investigation and resolution i.e. within hours, in order to prevent further harm.

The proposed resolution should be presented to the affected person. If they agree to the resolution the measures should be implemented within an agreed timeline. The complaintant should sign off on the complaint in the resolution form.

If the complaintant is not satisfied with the proposed resolution, they have the option to take the matter to the ward administration and then District to seek resolution. If resolution at these
levels cannot be achieved, then the individual should be provided with the option of resolving the issue through the relevant legal courts/tribunals.

**Vulnerable and Marginalised Groups**

Where Vulnerable Groups are present, as per the VGPF, relevant traditional leaders should be included in the grievance redress mechanism to work alongside the village/mtaa leadership. This will help ensure that vulnerable groups are able to present their grievances and seek resolution. Inclusion of such leaders will form part of the monitoring process for grievance redress.

It is also important that marginalised groups are included in the grievance redress process notably women. To this end a women’s representative will work alongside the village leadership to collect grievances from women in the community, including in relation to GBV and ensure that the needs of women and captured in the grievance redress mechanism. Women representatives will play a great role in mobilising women participation in meetings, defend their rights and determine their needs. She will be a women’s champions relevant to project implementation.
CHAPTER 5 - POTENTIAL IMPACTS ON VULNERABLE GROUPS AS A RESULT OF LTIP

5.1 Introduction
The implementation of the project will result in a range of different impacts as presented in the ESMF document. The identified impacts (and mitigation measures) are based upon the Project Description, the baseline context outlined above and importantly the views of stakeholders including third parties, CSOs and communities. The impacts presented in this VGPF focus on issues facing vulnerable groups and the mitigation required to minimise negative impacts and enhance benefits.

5.2 Positive Impacts
The main benefit will be the increased protection of vulnerable groups rights to land and the natural resources on the land including water, forests and grazing land as well as any cultural heritage. In addition, where joint village land use planning is undertaken there is the potential to identify and protect stock routes. These benefits will be best achieved through the issuance of communal CCROs and development of associated bylaws. Through the education and sensitization campaigns, VG knowledge of their rights in relation to land will also increase which will allow them to better protect these rights in the future. In addition, engagement with the village on their land needs and the planning process may assist in reducing conflict over access to land.

5.3 Negative Impacts

Exclusion of VG in the Project Processes
VG may be excluded from the process in particular in rural areas where they are remote from the village centres and/or where they are a minority group in the community. Exclusion of VG will mean that their needs are not considered in the Village Land Use Planning (VLUP) and certification process. For example, the needs of pastoralists to access grazing land or protection of other natural resources to maintain their livelihoods.

Inequalities Facing Women and Other Marginalized Groups
Within some VG, such as the Maasai, decision making is undertaken by the men, with women being excluded. Even in communities where there are communal land rights, use of land and bylaws on land management are usually determined by the men. Where individual land parcels are provided, women’s needs are frequently excluded. Consideration should also be given to other marginalized groups within the VG including people living with disabilities, people living with albinism and the rights of orphans to hold land under a guardian.
**Loss of Access to Seasonal Communal Land**
Both pastoralists and hunter-gatherer communities have traditionally owned land communally and utilize the land seasonally depending on the availability of natural resources, water and grazing. Seasonal land can appear to be empty and therefore at risk of encroachment. As such there is potential for conflict between the settled community and pastoralists and hunter-gatherers who may both claim rights over the same land.

**Communal Land Rights Across Village Boundaries**
Communal land rights may extend across existing village administrative boundaries or stock routes between pastureland may be needed across multiple villages. Failure to take into account the need for planning across boundaries may result in loss of access to land needed to support the livelihoods of VG. This is a particular risk when VG are in the minority in a village (or in a neighbouring village) or if their seasonal patterns mean they are not present at the time of the VLUP and certification process to assert their claims over the land.

**Loss of Access to Customary or Ancestral Land**
VG are at risk of loss of access to their customary or ancestral land if they are excluded from the planning process, where there is conflict over land with settled communities or land users and where they are not present during the VLUP and certification processes. Should the project not adequately consider the needs of VG, seek to understand their presence and land usage or assume that they are not present in peri-urban areas they may lose access to customary land. Furthermore, it should not be assumed in peri-urban areas and village centres that the VG would not want to secure individual land titles in order to support livelihood activities.

**Land Take**
It is anticipated that the VLUP and certification processes may entail land take or affect access to common assets/resources and/or livelihoods of the surrounding communities. Any such land take or restrictions on land use will be undertaken in line with the Resettlement Policy Framework (RPF) noting the additional requirements of the ESS7 in relation to Free Prior and Informed Consent (FPIC) as discussed in Chapter 6.

**5.4 Mitigation for Impacts Associated with Vulnerable Groups**
Mitigation will be implemented during implementation of the LTIP project to eliminate or reduce adverse impacts to VG. Table 5.1 presents the proposed mitigation measures for impacts to VG as per the country’s regulations and World Bank ESF. These mitigation measures will be further expanded during the development of the Vulnerable Groups Plans.
### Table 5.1: Mitigation Measures for Impacts to Vulnerable Groups

<table>
<thead>
<tr>
<th>Impact</th>
<th>Proposed Mitigation</th>
<th>Responsible Persons</th>
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| Exclusion of VG in the Project Processes          | - Undertake screening (with input from the WB) on the presence of VG in a Project Area.                                                                                                                               | • PCU  
• Village Leaders  
• Community Organisations                                                                 |
|                                                  | - Develop a Vulnerable Groups Plan for Project Areas where VG are present.                                                                                                                                            |                                                                                       |
|                                                  | - Undertake sensitisation and awareness raising in line with the requirements of this VGPF                                                                                                                             |                                                                                       |
|                                                  | - Ensure that all meetings are announced in a timely manner and are scheduled to allow for the participation of the VG.                                                                                                   |                                                                                       |
|                                                  | - Ensure that VG are able to input into the VLUP through focussed engagement as required.                                                                                                                             |                                                                                       |
| Inequalities Facing Women and Other Marginalized Groups | - Undertake sensitisation and awareness raising with traditional leaders on the need to include women and marginalised groups in the process.                                                                     | • PCU  
• Village Leaders  
• Community Organisations                                                                 |
|                                                  | - Undertake focus groups with marginalised groups to inform them on the project with support from Community Organisations.                                                                                           |                                                                                       |
|                                                  | - Educate men on the importance of including their wives on CCROs                                                                                                                                                    |                                                                                       |
|                                                  | - Ensure that if needed to support economic activities women are also able to access individual CCROs                                                                                                               |                                                                                       |
|                                                  | - Gender mainstreaming in relation to land rights.                                                                                                                                                                     |                                                                                       |
### Vulnerable Group Planning Framework – Land Tenure Improvement Project (LTIP)

| Loss of Access to Seasonal Communal Land | As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands and seasonal usage.  
| | Include seasonal land use in the Village Land Use Plan and associated bylaws.  
| | Undertake sensitisation with VG and the wider community on the seasonal usage of land and to understand competing land rights and potential solutions.  
| | Issuance of communal CCROs | PCU  
| | Village Leaders  
| | Community Organisations |
| Communal Land Rights Across Village Boundaries | As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands, stock routes and seasonal usage across village boundaries.  
| | Undertake Joint Village Land Use Planning  
| | Ensure that VG are involved in the joint Village Land Use Planning process, development of bylaws and decision making.  
| | Issuance of communal CCROs | PCU  
| | Village Leaders  
| | Community Organisations |
| Loss of Access to Customary or Ancestral Land | As part of the Vulnerable Groups Plan undertake a baseline study to understand rangelands and seasonal usage.  
| | Develop a Vulnerable Groups Plan for Project Areas where VG are present.  
| | Undertake sensitisation and awareness raising with VG on the project. | PCU  
| | Village Leaders  
| | Community Organisations |
| Land Take | Implement the measures outlined in the RPF developed for the Project  
| | As needed implement an FPIC process as outlined in Chapter 6. | PCU  
| | Village Leaders  
| | LGA |
CHAPTER SIX - FRAMEWORK FOR ENSURING FREE, PRIOR AND INFORMED CONSENT

6.1 Introduction
This section outlines the process that will be followed for ensuring Free Prior and Informed Consent (FPIC) can be achieved. This section focuses on the fact that the FPIC Process will need to be developed further and that input will be needed from each of the VG to ensure that it aligns with their decision-making processes.

6.2 Free, Prior and Informed Consent
Free, Prior and Informed Consent (FPIC), refers to the process, under certain specific circumstances set out below, whereby Vulnerable Groups, will be consulted in good faith based on sufficient and timely information concerning the benefits and disadvantages of a project and how the anticipated activities occur. Consent refers to the collective support of affected VG for the project activities that affect them, reached through a culturally appropriate process. FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected VG explicitly disagree. The FPIC principles are as follows:

a) **Free** – people are able to freely make decisions without coercion, intimidation or manipulation
b) **Prior** – sufficient time is allocated for people to be involved in the decision-making process before key project decisions are made and impacts occur
c) **Informed** – people are fully informed about the project and its potential impacts and benefits, and the various perspectives regarding the project (both positive and negative)
d) **Consent** - refers to the collective support of affected Sub-Saharan African Historically Underserved Traditional Local Communities for the project activities that affect them, reached through a culturally appropriate process.

Where applicable, FPIC applies to project design, implementation arrangements and expected outcomes related to risks and impacts on the affected VG. It builds on and expands the process of meaningful consultation that should be established through good faith negotiation between Project and the VG.

6.3 Conditions Requiring Free, Prior and Informed Consent
Project impacts analysis shows the VG may be affected to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, the MLHSD will obtain FPIC of the affected VG in circumstances in which the project will as per ESS7:

a) have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
b) cause relocation of VG from land and natural resources subject to traditional ownership or under customary use or occupation; or
c) have significant impacts on the cultural heritage of VG that is material to their identity and/or cultural, ceremonial, or spiritual aspects of their lives.

6.4 FPIC Process for Vulnerable Groups
The process for achieving FPIC, if required, will need to be developed for each of the VG in turn taking into account their distinct characteristics, decision making structures and the project impacts. The process will be included in the VGP that will be developed for each project area where VGPs are present, where applicable. The key steps involved in the process are presented below.

**Screening of the Need for FPIC:** The project will identify the need for FPIC based on the activities being undertaken and if any of the conditions outlined in Section 6.3 will be met. This will be undertaken in consultation with the VG as part of the development of the VGP. The screening will be verified by the World Bank.

**Sensitisation of the VG and Community:** The Project will inform VG about the project process and proposed outcomes, potential beneficiaries and geographical scope of the project. The community will also be informed about the principles of FPIC, their right to refusal and what will be needed to achieve FPIC. The wider community will also be informed about this process and any implications if FPIC cannot be achieved with the VG. At this time no decisions are expected to be made and the engagement is designed to inform communities about the process.

**Additional Meetings:** Additional meetings will be held as need to discuss the concerns and any other issues that the VG have including any barriers to the achieving consent (recognising that unanimity is not needed). The VG will be further informed of any benefits or potential impacts associated with the project, other beneficiaries and approaches to grievance resolution. As part of this the VG will discuss and agree with the team how they will demonstrate consent in line with their traditional decision-making processes while demonstrating that men, women, the youth etc have all participated in the decision-making process. The VG will also discuss and agree on project design elements that need to be incorporated.

**FPIC:** When ready the VG will demonstrate consent (or lack thereof) through processes that are appropriate to that group. The agreements will be documented in the appropriate manner and languages. FPIC should be established through good faith negotiations between Project and the VG. The Project will document:

a) the mutually accepted process to carry out good faith negotiations that has been agreed by the government and the VG; and

b) the outcome of the good faith negotiations between the government and VG, including all agreements reached as well as dissenting views.
CHAPTER SEVEN - APPROACH FOR DEVELOPING VULNERABLE GROUPS PLANS

7.1 Introduction
Vulnerable Group Plans will be prepared when activities have been identified in areas where Vulnerable Groups are present or in which they have a collective attachment to land. This process will be undertaken as part of the screening activities outlined in the ESMF.

The VGP will be developed to determine the:
   a) aspirations, needs, and preferred options of the affected vulnerable groups;
   b) local social organizations, beliefs, ancestral territory, and resource use patterns among the affected vulnerable groups (social assessment);
   c) potential positive and negative impacts on vulnerable groups;
   d) measures to avoid or mitigate adverse impacts;
   e) measures to ensure project benefits will accrue to vulnerable groups;
   f) need for FPIC to be undertaken and the process to be implemented;
   g) measures to strengthen the capacity of local authority and relevant government departments to address vulnerable groups’ issues;
   h) involvement of community organisations from the project area and the expertise from the local authorities and national level;
   i) the approach to stakeholder engagement and grievance redress for vulnerable groups;
   j) budget allocation; and
   k) monitoring and evaluation requirements.

The Vulnerable Groups Plan (VGP) will provide guidance on environmental and social issues to be addressed during implementation of the project. The VGPs may vary depending on social-cultural behaviour, geographical location and livelihood activities of the respective community. The operational manual for the Project will ensure all aspects of the VGP are taken on board from the design to the implementation.

7.2 Preparation of Vulnerable Groups Plan

Determining the Presence of Vulnerable Groups
The presence of vulnerable groups will be determined prior to commencing project activities in the area. The project will determine if the VG are present or have collective attachment to the project area. This will be undertaken by the Community Development Officers in the LGAs with collaboration with project social experts and CSOs in the project area (see Chapter 8). Such screening will need to be undertaken to the satisfaction of the Bank, prior to the implementation of activities.
**Social Assessment**

In order to inform the preparation of the Village Land Use Plan, a social assessment will be undertaken led by the VLUM team facilitated by the CSOs who will be engaged.

The aim of the social assessment will be to determine the VG use of land in the village (and across village boundaries), extent of range lands, seasonal land use, the location of key natural resources (water, forest products etc), the extent of their traditional lands (as relevant to the Project area), the location of stock routes or migratory corridors, interaction with wildlife, location of cultural heritage sites etc. Data will also be collected on population structure, educational level and socioeconomic indicators including economic activities, livelihoods, role of women etc.

This information will then be used to feed into the participatory land use planning process with the wider community. The aim is to ensure that the land uses of the VG are not overlooked and that complex seasonal or trans-village boundary issues are well understood. In addition, this will help to determine mitigation that will need to address impacts to vulnerable groups.

**Stakeholder Engagement**

To ensure ongoing informed participation and more focused discussions, the LTIP will provide affected VG with the potential impacts of the proposed interventions. Consultations will cover topics/areas concerning cultural and socioeconomic characteristics and other issues that VG consider important. Consultations will continue throughout the preparation and implementation period, with focus on the households directly affected and the beneficiaries. Consultation stages, probable participants, methods, and expected outcomes are suggested in the VG consultation matrix below (Table 7.1).

**Table 7.1: Indicative VG Consultation Matrix**

<table>
<thead>
<tr>
<th>Consultation Stages</th>
<th>Consultation Participants</th>
<th>Consultation Method</th>
<th>Expected Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Preparation of VGPs</strong></td>
<td>PCU, Technical Staff and Project Implementing agencies staff</td>
<td>VG, organizations, Community leaders/elders, adversely affected VG, other informed stakeholders</td>
<td>Group consultations, in-depth KII etc.</td>
</tr>
<tr>
<td><strong>Implementation of VGPs</strong></td>
<td>PCU, Technical Staff and</td>
<td>Individual VG, CBOs, leaders/elders &amp; other</td>
<td></td>
</tr>
</tbody>
</table>
### Determination of Impacts and Development of Mitigation Measures

The assessment of project benefits and adverse impacts will be conducted based on meaningful consultation, with the affected Vulnerable Groups (VG). The determination of potential adverse impacts will entail an analysis of the vulnerability of, and risks to, the affected VG given their distinct circumstances and close ties to land and natural resources. The impacts outlined in this VGPF will be used to guide the determination of impacts and the development of mitigation measures.

### Requirement for FPIC

The VGP will also outline if FPIC is required and the approaches that have been taken to achieve FPIC based on Chapter 6 of this VGPF and the specific needs of the VG.

#### 7.3 Contents of a VGP

All the VGPs that will be prepared under the Project will include the following contents, or as needed and will ensure that gender is mainstreamed into the relevant sections:

- **a)** A description of Project components and activities that will impact VG.
- **b)** A summary of a scale appropriate to the project, of the legal and institutional framework applicable to VG.
- **c)** Baseline information on the demographic, social, cultural, and political characteristics of the affected VG communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend (social assessment).
- **d)** A summary of results of the consultation with the affected VG that was carried out during project preparation and how this was considered in preparing the VGP.
- **e)** A framework for ensuring meaningful consultation with the affected VG during project implementation if relevant.
- **f)** An action plan of measures to ensure that the VG receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
g) When potential adverse effects on VG are identified, appropriate action plans of measures to avoid, minimize, mitigate, or compensate for these adverse effects.

h) The cost estimates and financing plan for the VGP; each project will bear full cost of assisting and rehabilitating VG.

i) Accessible procedures appropriate to the project to address grievances by the affected VG arising from project implementation. When designing the grievance procedures, the government takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the VG.

j) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the VGP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected VG.

7.4 Decision on Project Investments
In deciding whether to proceed with the project, the government will then ascertain, on the basis of the VGP and the free, prior, and informed consent, whether the affected VG’ provide their broad support to the project. Documentation of broad community support will be provided by minutes prepared from all meetings held with the VG. The minutes will be verified and authenticated by community representatives. Where there is such broad community support, the government will prepare and submit to the Bank a detailed report that documents:

   a) The findings of the social assessment/analysis;
   b) The process of meaningful consultation with the affected VG;
   c) Measures, including project design modification, that may be required to expand access to or address adverse effects on the VG’ and to provide them with culturally appropriate project benefits;
   d) Recommendations for free, prior, and informed consent with and participation by VG during project implementation, monitoring, and evaluation; and
   e) Any formal agreements reached with VG.

The Bank reviews the process and the outcome of the consultation carried out by the government to satisfy itself that the affected VG have provided their broad support to the project. The Bank will pay particular attention to the social assessment and to the record and outcome of the consultations with the affected VG’ as a basis for ascertaining whether there is such support.
CHAPTER EIGHT - INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE VGPF

8.1 Introduction
The program will be implemented through government structures and will promote inter-ministerial and LGA coordination from the national to local level. The project will contribute to strengthening land administration through institutional capacity building in the land sector by ensuring security of the land tenure system and associated social and environmental sustainability in the country. Different stakeholders will play different roles and responsibilities in relation to supervising, implementing and management of this project.

8.2 Institutional Arrangements for LTIP Implementation
The project implementation structure is designed to enable smooth achievement of its deliverables in an effective and efficient way. The PCU will be in place for the entire duration of the project, but field-based work associated with the issuance of CROs, CCROs and RLs will be undertaken by the field team or teams working in a sequential manner through priority areas. The implementation structure consists of three levels at the national, technical and local level. At the national level there is a Steering Committee, Technical Committee, Project Coordinating Unit (PCU) and Stakeholder Engagement Forum (SEF).

The technical level is coordinated by the Project Coordinating Unit (PCU) and consists of a Project Coordinator (PC) who will be assisted with recruited staff from financial, procurement, Programme Officer (PO), M&E Officer, Environmental and Social Management Unit (ESMU), Legal Officer and Training Officer. Under the PCU there will exist six units lead by Managers. These units include Survey and Mapping Unit, Urban Land Certification Unit, Rural Land Certification Unit, Quality Control Unit, Communication and Publication Unit, System Manager and Construction Unit. Under these Units the Local Government Authorities level exists.

At local level the structure comprises one Unit namely the District Field Coordinating Unit. The District Field Coordinating Unit is led by the District Field Manager who plays both implementing and supervisory roles. Under the District level in rural land certification the structure will have field teams and supervisors under the Ministry coordination. Under urban land registration, the field supervisor who is under the District Field Manager will supervise both private firms contracted during land registration and certification. The field teams will be supervised by the Ministry. The District Field Managers are government employee who will be seconded in these Districts. Likely, construction units will coordinate and supervise all construction works as per WB and national procedures and standard requirements.
The District Field Manager will come from the Central Ministry or Local Authority level (one member among PLUM team) as may be determined and necessary to coordinate the implementation and supervision of all field activities. There will be field supervisors who will work with field teams in each District/Village. Each Project LGA will comprise of at least 10 people in field teams. Each team will comprise of Para-surveyors (2), Recorder and GIS expert (1).

8.2.1 Role of Committees and Project Units

**Steering Committee:** Steering Committee which will be responsible for approval of annual budget, annual plans, reviewing reports and responding to any incoming issues. The committee will meet annually. The committee will consist of permanent members: a) Permanent Secretary MLHHSD b) Permanent Secretary MoFP and c) Permanent Secretary PO-RALG. The Steering Committee may co-opt other members whenever it may deem appropriate.

**Technical Committee:** Technical Committee will be responsible for all technical activities of the project and advising the Steering Committee on all technical matters related to the project. It will also be responsible for receiving, discussing project reports from the Project Coordinating Unit. The Committee will consist of all heads of departments and units of the MLHHDS. There will also be an appointed permanent member from the LGAs and Ministry of Planning and Finance who will be part of the Technical committee. This committee may meet from time to time as may be deemed necessary. Likely, reports from the project implementation will be submitted by the PCU on quarterly basis.

**Project Coordinating Unit:** The PCU will be responsible for the full-time day to day management operations of the project. This PCU will have management oversight and reporting responsibilities for all components of the Project. This entity will integrate the financial and technical progress reports from each Regions and District Councils implementing the project. The full staffing of this PCU as set out in the Operational Manual (OM) will be required to ensure project effectiveness and will include seasoned experienced staff. The PCU will prepare project budget for implementation and submit to the Steering Committee for approval. Likely, the PCU will play a role to disseminate information to beneficiaries, liaising with technical officers on complaints, grievance and case updates, generating lists of beneficiaries facilitate follow-up etc. The Unit will also ensure that VGs are part of the project implementation so that their specific needs and concerns are identified and addressed.

**Environment and Social Management Unit (ESMU)** – The project will establish an Environment and Social Management Unit within the PCU which will consist of 1 Environmental Expert, 1 Social Expert who will be hired and 1 environmental officer and 1
social officer who will be transferred into the team. In additional a GBV specialist will be contracted to assist in managing GBV/SEA related issues during project implementation. This unit will oversee all environmental and social issues during implementation of the project.

**Survey and Mapping Unit:** This will be led by the Survey and Mapping Manager with a number of staff as included in Figure 8.1. The staff will be transferred within the Government. The Unit will be responsible for mapping activities, coordinating survey and mapping activities in the project areas. Likely, they will form part of the quality assurance.

**Urban Land Certification Unit:** This will be led by the Urban Land Certification Manager with a number of Staff as included in Figure 8.1. The manager will be transferred within the Government. The manager will be responsible for coordinating all activities for land registration in urban areas. She/he will be assisted by the District Field Manager at the local level in implementing project activities.

**Rural Land Certification Unit:** This will be led by the Rural Land Certification Manager with a number of Staff as included in Figure 8.1. The manager will be transferred within the Government. The manager will be responsible for coordinating all activities for land registration in rural areas. She/he will assist the District Field Manager at the local level in implementing project activities.

**Quality Control Unit:** This will be led by the Quality Control and Assurance Manager with a number of Staff as included in Figure 8.1. He/she will be transferred within the Government. The manager will be responsible for ensuring quality of products and other associated activities during project implementation.

**Communication and Publication Unit:** This will be led by the Communication Manager with a number of Staff as included in Figure 8.1. The manager will be transferred within the Government. The manager will be responsible for coordinating all activities for associated with communication and publication activities for the projects. The unit will involve in carrying out sensitization and awareness raising campaigns and facilitate communication between Project, District, CSOs,

**Construction Unit:** This will be led by the Construction Manager with a number of Staff. He/she will be transferred within the Government. The manager will be responsible for supervising all construction works.

8.3.1 District and Local Level
**District Field Coordinating Unit:** This unit will be led by the District Field Coordinating Manager. He/she will be transferred within the Government. The manager will be responsible for leading all field works implementation and private firms’ supervision and other project related activities at the lower level.

**Village, Ward and NGOs at Local Levels:** Village Council and NGOs will be responsible for ensuring all stakeholders are engaged in the project activities in their respective areas including awareness raising, facilitate meetings, maintain database registry and assisting the community in the process of preparing activities at community level. At Ward/Village level, Ward and Village Executive Officers will lead the sensitization process, training and participatory planning with oversight support from Local Authority. Specialized sensitization and training will cover area like project identification, micro-planning, environmental and social issues and management of projects at community level. With this institutional framework it is imperative that capacity building and training is required especially at the ward and Village level to ensure adequate implementation of this project.

**Private Firms:** Private firms will be responsible for actual implementation of the project in urban areas. Private firms will be responsible for preparation of town planning maps and survey drawing and submission to the district authorities for further approval as per the project manuals. The work of the private firms will be closely supervised by the District Field Manager to ensure they deliver as per their contractual requirements. Private firms will also be responsible for ensuring compliance with National and WB policies, laws and regulations.

**Contractors:** These will be responsible for the construction of 26 Regional Land Offices and One Archives Building in Dodoma as well as the renovation of 6 District Land Offices. These will collaborate with the regional administration and will be supervised by the construction supervision consultants. The line of reporting will be from contractors to supervision consultants to construction unit at the MLHHSD.

**Supervision Consultants:** These will be responsible for supervising construction activities undertaken by contractors on behalf of the construction unit at the MLHHSD. Supervision consultants will be the bridge between contractors and the MLHHSD and will ensure the quality of works performed on the site. The supervision consultants will receive reports from contractors, review them, provide comments and approve them. The approved reports will be submitted to the PCU at the MLHHSD who will share with the WB for noting.
Figure 8.1: LTIP Project Implementation Structure

Project Steering Committee

Technical Committee - Technical Activities implemented by the Ministry Departments, such as building construction, ILMIS, base mapping, CORs, as well as technical supervision

PCU - project coordination, procurement, financial management, safeguards, M&E, communications, training; including ESMU

Stakeholder Engagement Forum

Field Teams working at District, village and community level (urban and rural)
8.3 Stakeholder Engagement Forum

8.3.1 National Level
A stakeholder engagement forum will be established at the national level. The PCU will act as the secretariat for the forum which will be chaired by MLHHSD (at the level of the Deputy Permanent Secretary of higher). The forum will consist of the following representatives:

- MLHHSD;
- Project Coordination Unit;
- Representatives of other ministries such as PO-RALG, Ministry of Agriculture, Ministry of Livestock and Fisheries etc;
- Representatives from District Field Teams/ Private Firms involved in implementation;
- Civil Society Organizations related to issues on land, environment, gender and vulnerable groups;
- Representatives of LGAs from the Project areas where activities are being undertaken/ planned; and
- Political leaders from the Project areas where activities are being undertaken/ planned.

The forum will be structured to ensure that all participants views can be heard equitably, the mechanisms to achieve this will be discussed and agreed between all stakeholders when establishing the Terms of Reference for the Forum. In addition, a member of the World Bank project team will attend the meetings as an observer and to inform implementation monitoring and support.

The first meeting will be held within the first 6 months of project implementation with subsequent meetings being held at least every 6 months thereafter for the duration of the project. The final meeting will need to be held at least 3 months prior to Project closure to ensure that any outstanding issues can be addressed.

During the first meeting the following issues will be presented and / or agreed:

- Establishing a common understanding of the LTIP including its outcomes, proposed approach, implementation arrangements etc;
- Terms of Reference for the Stakeholder Engagement Forum including but not limited to:
  - Participation;
  - Frequency of meeting;
  - Rules of engagement;

1 The SEF will make use of existing multi-stakeholder platforms within the country, such as the Tanzania Land Alliance (TALA), which includes a number of key civil society organizations including Tanzania Women Lawyers Association, Tanzania Natural Resource Forum, PINGOS Forum (pastoralist and hunter-gatherer organization).  
https://www.tala.or.tz/all-members
Subsequent meetings will focus on a two-way dialogue where issues related to Project implementation are discussed (activities since the last meeting, planned activities, upcoming challenges, lessons learnt, stakeholder feedback on implementation etc); activities implemented by the CSOs; emerging issues in land sector relevant to project implementation; emerging thematic issues (VG, women’s land rights, environmental concerns) which may affect project implementation; opportunities to collaborate; avoidance of duplication of effort; etc so that good practices can be shared and joint solutions for challenges proposed.

At least one month prior to each meeting (the date and location of which will be agreed during the previous meeting) information will be shared by the PCU with all participants to allow for review of the implementation progress and for participants (notably CSOs where umbrella organisations may be representing multiple groups) time to gather views and feedback from their colleagues.

All participants would be provided with a per diem to attend the meeting commensurate with the costs associated with the location of the meeting (routinely Dodoma but may include meetings in the field or Dar es Salaam as appropriate).

8.3.1 District Level

At the District level a Multi-Stakeholder Group (MSG) will be established to support project implementation activities within the district. The District MSG will be organized by the PLUM team and is likely to be chaired by the District Commissioner. Participants in the MSG will include:

- District Officials;
- District Field Teams (PLUM)
- Ward and Village Leaders
- Political Leaders
- Community Organization involved in implementation support/sensitization
- Local experts or influential people such as traditional leaders, religious leaders, respected people etc.

The aim of the District MSG will be to provide a forum in which those involved in project implementation within a given District can come together to discuss:

- The proposed project activities for the given period;
• The implementation approach including roles and responsibilities, mechanisms for working together, development of environmental and social management instruments;
• Solutions to implementation challenges within the district; and
• Emerging issues in the district which may impact on implementation.

The first meeting will be held prior to activities commencing in the District and will serve to provide a common understanding of the approach and roles and responsibilities. Subsequent meetings will be held quarterly or as needed during project implementation. A final meeting will be held 3 months prior to completion of activities in a given district to identify any outstanding issues and allow time for any required measures to be implemented before activities end in the district.

8.4 Environment and Social Safeguard Implementation Arrangements

For this project, the Environmental and Social Management Unit (ESMU) will consist of the following:

a) Environmental Specialist (1) who will be hired by the PCU to facilitate and provide technical support on the management of environmental issues including the development of Project Briefs for the ESMPs, supervision of construction activities etc. The specialist will also be responsible for increasing the capacity of the MLHSD environmental officer,

b) Social Specialist (1) who will be hired by the PCU to facilitate and provide technical support on the management of social issues including the development of Vulnerable Groups Plans, Stakeholder Engagement Plans, and management of land take (resettlement, voluntary land donation) etc. The specialist will also be responsible for increasing the capacity of the MLHSD social officer,

c) The project will contract a GBV/ specialist to assist the project in developing and implementing a GBV action plan including training and capacity building as well as case handling as needed. This specialist will be contracted to support the Project as needed throughout implementation.

d) From the within the MLHSD two officers with environmental (1) and social (1) expertise will be transferred to the Project. They will support the Specialists in the day to day implementation of the project.

This unit will sit within the PCU at the national level.

At the District level, the Environmental Officer and Community Development Officer will act as the field supervisors and will be responsible for overseeing environmental and social issues under the guidance of the environmental and social management unit. The Project will hire
additional Environmental Officers and Community Development Officers to support implementation based on the implementation schedule for the project.

In the Urban Areas, private firms will be contracted and will be required to include in their teams as key staff an Environmental Officer and Community Development Officer for each area within which they are working. This requirement will be included as a mandatory role in the Terms of Reference issued for the contract.

The contractors hired to construct the office buildings will be required to hire an Environmental, Health and Safety and Social (EHSS) Manager to oversee the day to day construction activities and ensure compliance with the Environment and Social Management Plan (ESMP), the SEP, GRM and any other instruments prepared for the project. The contractor will be required to submit a monthly report to supervision consultants for comments and approval. After approval the supervision consultant will submit the report to the PCU who will share with the WB for further comments (if any) and for noting. A Supervision Consultant will be hired to oversee construction of office buildings. The supervision consultant will be required to include as key staff one Environmental Specialist and one Social Specialist to ensure compliance with the project environmental and social instruments, national legislation and the WB ESF requirements. They will submit monthly reports to the Environmental and Social Management Unit in the PCU for review and action.

Figure 8.2: Stipulates the implementation arrangement for environmental and social management which is extracted from the overall project implementation arrangement.

Figure 8.2: ESMF Implementation Structure

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2 The Project is unlikely to be working in all the target districts at once, an implementation plan will be developed which will see the project being rolled out sequentially within the districts. Initially, it is anticipated that the Project will be implemented in one to two districts.
8.5 Vulnerable Group Planning Framework Implementation Arrangements

The VGPF is one among the safeguard documents to be implemented in the LTIP. The implementation will be guided by the Environmental and Social Management Unit (ESMU) in particular oversight of the VGPF will be undertaken by the Social Officer who will be hired by LTIP. The Social Officer will work with the Districts to assist local level stakeholders to identify the presence of vulnerable groups and the need to develop VGPs and ensuring that VGPs are developed in line with this VGPF.

8.6 Responsibility of Stakeholders during VGP Implementation

Different stakeholders will play different roles and responsibilities in relation to the planning and implementation of project specific Vulnerable Group Plans as follows:

**Village and Ward levels**

Village Councils are responsible for the planning, implementation, monitoring and evaluation of project specific VG Plans. Specific responsibilities include:

a) Awareness creation in the community about the VG Plans;
b) Participating in data collection from the community;
c) Facilitating meetings with VG and other stakeholders;
d) Participating in the planning, implementation, monitoring and evaluation of project specific VG plans at the village level;
e) Establishing and maintaining grievance databases for the VG; and

vi. Addressing grievances from VG.

**District Level**

The District Authority level will be responsible for overall planning and management of the VG Plans as follows:

a) Awareness creation at Ward and Village level about the VGP;
b) Facilitating community identification of key activities to be included into specific VG Plans;
c) Providing technical assistance to village leaders, VG and local communities as needed in the preparation of specific VGPs;
d) Ensuring that VG Plans are mainstreamed into LGAs Annual plans;
e) Participating in the planning, implementation, monitoring and evaluation of specific VG Plans at LGAs levels;
f) Reviewing and compiling quarterly progress reports on the implementation of VG Plans;
g) Establishing and maintaining updated grievance databases
h) Monitoring and evaluation of the implementation of the VG Plans; and
i) Undertaking Social Assessments and developing VGPs.
National Level

At the national level, there will be three bodies, namely the, Steering Committee, technical Committee and PCU and their roles will be as follows:

i) Ensuring compliance of the VG Plans with safeguards requirements;
ii) Providing technical support and capacity building for LGAs, community and other stakeholders on the implementations of the VGP;
iii) Monitoring and evaluation of the impacts of VGP implementation at the community level;
iv) Reviewing and compiling quarterly progress report for the implementation of the VGPF
v) Knowledge management mechanism
vi) Establish appropriate system for Monitoring and evaluation

8.7 Role of Community Organisations

The project anticipates working with selected Community Based Organisations such as NGOs and Civil Society Organisations. These organisations will undertake community sensitisation and support implementation of project activities in particular in areas where they have experience in community mobilisation. These NGOs and CSO in collaboration with PCU will lead the sensitization, training of community members, WDCs and VCs as part of capacity building.

8.8 Implementation Capacity for the VGPF and Capacity Support to Complement the VGPF

Inclusion of VG is an important element of the LTIP and is considered in all the instruments that have been prepared for the project. Capacity building at the national, technical and local (District to Village level staff) is important and will be necessary to ensure that VG are properly targeted and engaged in project implementation. This would include improved awareness and understanding of potential VG by all staff, as well as about their roles and responsibilities in identifying and including VG where relevant in the LTIP activities. LGA staff will be required to discuss with key informants and VG communities, where they are present, on how best to reach them and ensure that the project is appropriate, and that potential adverse impacts on them or their communities are mitigated as much as possible. It is important that all LTIP implementing partners share this information and discuss learning on how better reach VG and avoid and mitigate any negative impacts. Capacity building of professionals to be engaged in project implementation is important. This will help to understand their roles, their equipment, human resource capacity they do possess, capacity to survey a plot area per day and other related factor with VG need inclusion.
Capacity building of the MLHHSD staff and Village levels will be a key element of the project, to ensure that the involved staff are aware of VG in their locations and understand how to reach and consult them. These will require trainings on World Bank ESF, rationale and need for VG inclusion, and various approaches and tools used by other projects in country and regionally that have successfully addressed VG issues, as well as on approaches for identifying VG, undertaking consultations, and providing feedback system. Dedicated individuals will be identified within the implementing agencies to advance and monitor implementation of VGPs. Where needed and appropriate, external support would also be brought on-board to support the development and implementation of the VGPs. Project resources will therefore be made available to support capacity building efforts, in addition to implementation and monitoring of safeguards measures. Through these efforts, officers will be enabled to adequately prepare VGPs, address any grievances that may arise in the course of project implementation and undertake effective monitoring and evaluation of implementation progress.
CHAPTER NINE - MONITORING, EVALUATION AND REPORTING

9.1 Purpose of Monitoring
The overall objective of the monitoring and evaluation (M&E) framework is to help determine if project targets, impacts, mitigation measures and expected benefits to the VG have been attained. Towards this end, the M&E will ensure that: (i) effective communication and consultation with VG took place; (ii) all complaints or grievances were documented and addressed; (iii) the VGPF and the VGPs were implemented; (iv) negative impacts were identified and addressed; and (V) project benefits were realised.

9.2 Data to be Collected and Monitoring Indicators
The VGP will indicate parameters to be monitored, establish monitoring milestones and provide necessary resources to carry out the monitoring activities. The M&E indicators should be determined during the development of the VGPs, and should include both process and outputs in relation to VG, including the implementation of the VGP particularly:

a) number of CCROs received by VGs and Communities;
b) number of communal CCROs to VGs;
c) number of female VG beneficiaries (e.g. included in titles);
d) consultation processes (how many participants by category, issues deliberated and how resolved);
e) whether VG who are eligible for the project have been included, barriers to inclusion and how they have been addressed;
f) any negative impacts and how they were mitigated;
g) whether enhanced institutional capacity and skill development is reaching VG under LTIP, 
h) whether LTIP is capturing VG concerns and addressing them, including a record of the complaints and grievances;
i) monitoring the perception of the VG towards the project during the implementation phase
j) the effectiveness of mitigation on the loss of access to land;
k) the number and type of conflicts that arose the number that were resolved by the Project and by the courts; and
l) determination of the impact of LTIP on the welfare of the VG in the proposed interventions compared to pre-project baseline.

The overall monitoring and evaluation indicators are presented in Table 9.1 below.

<table>
<thead>
<tr>
<th>Issues</th>
<th>Indicator</th>
<th>Responsibility</th>
<th>Data Sources</th>
</tr>
</thead>
</table>

Table 9.1. Monitoring and Evaluation Indicators for LTIP/VGF
<table>
<thead>
<tr>
<th>VULNERABLE GROUP PLANNING FRAMEWORK – LAND TENURE IMPROVEMENT PROJECT (LTIP)</th>
</tr>
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<tbody>
<tr>
<td><strong>Capacity Building for implementation of VGPs</strong></td>
</tr>
<tr>
<td><strong>VG Sensitisation and Participation in Meetings</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
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<tr>
<td><strong>Social Assessment/ Participation in VLUP activities</strong></td>
</tr>
<tr>
<td><strong>Grievance management</strong></td>
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<tr>
<td></td>
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<tr>
<td><strong>Participation and Benefits received by VGs</strong></td>
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</tbody>
</table>
9.3 The Monitoring and Evaluation Approach
The M&E approach should be as participatory as possible to give the VG a chance to engage effectively throughout the project phases. The staff at national, county and sub-county level should continually analyse project processes and undertake documentation of activities, outputs, outcomes and impacts on the VG. These reports are submitted to the World Bank, as required.

The monitoring and evaluation of the implementation of the LTIP activities and related VG, as necessary, in the operational areas inhabited by VG is an important management tool, which should include arrangements for the free, prior, and informed consultations with the affected VG. It will assist the various structures to fine-tune their intervention in line with culturally appropriate benefits and provide space for the VG to voice their concerns, based on the data gathered by the review and identification and VGP implementation processes, the organizations of the VG, the relevant governmental structures (planning and social) at county or sub county level etc.

9.4 Monitoring & Evaluation Plan
It is important that the M&E plan is developed with the active involvement of the VG at the project design stage in order to come up with mitigation measures that are culturally appropriate to their context. The implementation of the VGF and the VGPs should be closely monitored and documented. Annex 1 contains additional information that will be incorporated into the M&E plan in relation to VG.

9.5 Quarterly Reporting and Performance Review
The MLHHSD technical group and PCU ESMU will determine compliance of the project with relevant frameworks including the VGPF, in a participatory process involving VG. The M&E reports for each LTIP intervention will be prepared on an annual basis, including information on VG, and will inform measures to be taken to fine-tune the VGPs. Specific information highlighted through the M&E process and corrective measures to be taken should be discussed with the VG to keep them informed and to ensure the appropriateness of the corrective measures. The M&E report will be submitted to the MLHHSD and finally to the World Bank, as required.

Information on the VG, including their perception of the project and impact of the project activities will be further collected through various other project external M&E processes, including the progress reports and operational reviews. All decisions which affect any of VG should be based on:-

<table>
<thead>
<tr>
<th>Equitable representation of VG in decision making organs</th>
<th>- Number of meetings attended by VG</th>
<th>MLHHSD &amp; MDAs</th>
<th>M&amp;E reports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Number/types of VG issues articulated</td>
<td></td>
<td></td>
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</tbody>
</table>

21
a) Free, prior, and informed consultation with the VG;

b) Reception by VG of project benefits that are culturally appropriate and gender and inter-generationally inclusive; and

c) Adverse effects on the VG are, as much as possible, avoided, and if not feasible, then minimized, mitigated, or compensated in a culturally appropriate manner, based on broad support by the VG, to the extent possible.

Quarterly progress reports will be prepared by the implementing stakeholders in Local Government Authorities. These reports will be submitted to the PCU Unit for consolidation and forwarded to The Management and Steering Committee for approval and later to the World Bank.
CHAPTER TEN - BUDGET FOR IMPLEMENTATION OF VGPF and VGP

10.1 Source of Funding for the Environmental and Social Management Activities
The Budget for the implementation of this VGPF will be part of the LTIP Project costing and will mainly consist of preparation of VGPs as well as their implementation on the ground.

Table 10.1 shows the estimated cost for the implementation in the LTIP Project. To implement this VGPF, a budget will be required to fund associated support activities outlined below:

(i) Stakeholder engagement in the respective administrative locations will require meetings
(ii) Providing the general public with information about project activities, schedules and information related to grievance management, use of print and electronic media will be necessary on a fairly regular basis. Therefore, a budget has been provided for stakeholder meetings and information dissemination through mass media.
(iii) Monitoring of social aspects and environmental compliance will be essential throughout the construction project. This budget line will support MLHHS to undertake inspections at construction sites and through supervising consultants, institute corrective measures.
(iv) Grievance management will necessitate regular meetings at respective administrative locations

10.2 VGPF Implementation Budget
Table 10.1 presents the estimated budget for implementing the VGPF. It should be noted that costs associated with monitoring and evaluation and supervision support are included in the ESMF.
Table 10.1: Estimated Budget for the Implementation VGPF for LTIP Project

<table>
<thead>
<tr>
<th>Activities</th>
<th>Description</th>
<th>Responsible Person</th>
<th>Timing with Respect to Project Implementation</th>
<th>Cost (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparation of VGP</td>
<td>Preparing the VGP including undertaking the social assessment to understand existing land uses</td>
<td>MLHHSD, LGAs, VG, CSOs</td>
<td>Prior to implementing a project in areas where VG are based</td>
<td>20,000</td>
</tr>
<tr>
<td>Sensitisation</td>
<td>Sensitisation of VG about the project and the requirements of the VGPF and VGPs.</td>
<td>MLHHSD and LGAs, Private companies to be involved in land registration, formalisation and construction, NGOs and CBOs dealing with land development issues</td>
<td>Prior to implementing a project in areas where VG are based</td>
<td>40,000</td>
</tr>
<tr>
<td>Capacity building</td>
<td>Capacity building of MLHHSD, LGAs and implementation teams to consider VG issues.</td>
<td>MLHHSD and LGAs, Private companies to be involved in land registration, formalisation and construction, NGOs and CBOs dealing with land development issues</td>
<td>Prior to implementing a project in areas where VG are based</td>
<td>Included in the ESMF</td>
</tr>
<tr>
<td>Monitoring of VGPF Implementation</td>
<td>The project will undertake monitoring to determine that the VGPF is being implemented appropriately against the indicators presented in this document and others developed as part of the VGPs</td>
<td>MLHHSD and LGAs</td>
<td>During project implementation</td>
<td>Included in the ESMF</td>
</tr>
<tr>
<td><strong>Grievance Redress Mechanism (GRM)</strong></td>
<td><strong>Roles of DLHTs, CBOs and NGOs in provision of legal services in land conflicts, disputes, management of gender-based violence and discrimination</strong></td>
<td><strong>MLHHSD and LGAs, Private companies to be involved in land registration, formalisation, and construction, Landholders, NGOs and CBOs</strong></td>
<td><strong>MLHHSD and LGAs with the help of a consultant, CBOs, NGOs, Other organizations/activists dealing with gender violence and legal issues</strong></td>
<td><strong>Included in the ESMF</strong></td>
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<tr>
<td>Formation of GRM committees and their operations at local/village, district, project/regional and national levels which include frequent meetings to address various grievances and decide on the same. Inclusion of VG in the GRM committees</td>
<td>Empowering DLHTs, CBOs and NGOs to provide legal and other services to people affected by gender-based violence and provide post violence legal aid for the victims to ensure justice prevails.</td>
<td>During project implementation</td>
<td>60,000</td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER ELEVEN: DISCLOSURE ARRANGEMENTS

11.1 Introduction
The Vulnerable Groups Planning Framework will be made available to the affected vulnerable groups in an appropriate form, manner, and language. Various project phases which include design, launching, implementation, monitoring and evaluation, and implementation completion sessions (decommissioning phase) will be disclosed and/or communicated throughout the Project period.

11.2 Disclosure for VGPF

Public disclosure of VGPF (along with the SEP, ESMF and RPF) will be conducted on both the WB website and Ministry of Lands, Housing and Human Settlement Development website. Disclosure will be to as wide range of stakeholders as possible. Therefore, the Government of Tanzania, through the MLHHSD, will disclose by:
   a) Publication in a government newspaper;
   b) On its website;
   c) Making copies available at its head office and the respective Regional and District headquarter offices,
   d) Making copies available to the local government agencies and other stakeholders.
   e) The Government of Tanzania will also authorize the WB to disclose this VGPF and other safeguard documents on the WB website.

Key findings and recommendations of the VGPF, particularly in terms of the need for inclusion of VGPF in project benefits, will be included in the on-going outreach activities at the local levels, and will be further scaled up during the implementation phase, prior to the start of implementation of related activities in affected target locations, in an effort to share and seek feedback on the VGPF and its measures to enhance benefits to VG.

Prior to disclosure, with translation into local language of the executive summary, the VGPF will be cleared by the Government of Tanzania and the World Bank. For any changes made to these instruments after disclosure, the same clearance and disclosure protocols will be followed.

11.3 Disclosure for VGPs
Once prepared the VGPs will be disclosed by the MLHHSD to the local stakeholders including VG in an appropriate and accessible form, manner, and language. This will include meetings with the VG to discuss the content of the plan as well as with the Village Leaders and relevant staff at the District and Regional level. The documents will also be disclosed on the on both the WB website and Ministry of Lands, Housing and Human Settlement Development website.
Prior to disclosure, with translation into local language, the VGP will be cleared by the Government of Tanzania and the World Bank. For any changes made to these instruments after disclosure, the same clearance and disclosure protocols will be followed.
ANNEX 1: MONITORING OF INCLUSION OF VG UNDER LTIP

Example questions for external periodic monitoring (to key informants):

1. Are there any vulnerable groups that you are aware of that may have been systematically missed out of the project? If so, what should be done to ensure that they are not excluded, but are considered during the implementation of land registration and certification?

2. Are you aware of any negative social impacts as a result of the program e.g. conflicts due to the provision of titles, village boundary disputes, disputes between VGs and the wider communities, or violence against beneficiaries, tension within families? Issues with grievance redress mechanisms etc that you are aware of? If so, how can they be mitigated?

3. What benefits have resulted to VG as a result of the Project? Are these as were expected or are there other benefits? If there are other benefits how can they be enhanced?

Questions to be considered for regular internal monitoring:

1. Do you understand the purpose of the VGP?
2. How has the VGP influenced project design and implementation in villages with VG as opposed to other villages?
3. What challenges have you faced implementing the activities proposed in the VGP?
4. How has the VGP supported you to implement the activities in the villages where VG are present?
5. Are there any VG that you are aware of that may have been systematically missed out of the project? If so, what should be done to ensure that they are not systematically excluded, but are considered?

6. Are you aware of any negative social impacts as a result if the program e.g. conflicts due to the provision of titles, village boundary disputes, disputes between VG and the wider communities, or violence against beneficiaries, tension within families? Issues with grievance redress mechanisms etc that you are aware of? If so, how can they be mitigated?

7. What benefits have resulted to VG as a result of the Project? Are these as were expected or are there other benefits? If there are other benefits how can they be enhanced?

8. Is the Grievance Mechanism working for Vulnerable Groups? If not, why not and how can it be adjusted to be made functional?

9. Has an FPIC process been implemented for VG? If not, why not? Is it functioning? What challenges are you facing in implementing it? What is working well?

10. What challenges do you face in including all members of VG in particular women and the youth? How are you addressing these challenges?
ANNEX 2: REFERENCES

GOK (2013) VGF for Cash Transfer for Orphans and Vulnerable Children (CT-OVC) Program,


Norken Int. (2017) Vulnerable and Marginalised Group Framework for Tanzania off-grid solar access project (KOSAP) for 14 underserved counties, Tanzania Power

Norken Int. (2017) Social assessment for Tanzania off-grid solar access project (KOSAP) for 14 underserved counties, Tanzania Power


Tilstone, V. (2018) Notes of interview with BOMA project on social impacts of BOMA economic inclusion model

Tilstone, V. (2016) Review of social safeguards for the NSNP and the CT-OVC

ANNEX 3: MINUTES/ REPORTS OF STAKEHOLDER ENGAGEMENT

Annex 3.1 LTSP Workshop Dodoma 18th February 2019

- Land Commissioner representative PPT
  - New land policy – new technologies and accommodation of mass land registration in whole country; policy statements remain valid and aren’t fully achieved

- LTSP progress PPT
  - 310k landowners = target in 164 villages
  - Cooperate with financial institutions to accept CCROs as collateral
  - Village, ward, district tribunal capacity building to reduce disputes
  - Final draft of LTR manual prepared in cooperation with LTA
  - 98k CCROs distributed; 8k CCROs collected
  - CCROs issued in the name of 26% women as individuals; men 41%; joint 33%
  - Use of CCRO as collateral: 1.3b TSh so far
  - Costs = $10 per CCRO
  - 13 MLHHS staff trained in modern survey equipment (RTK); 70 para surveyors trained in MAST; 130 VAC members trained on adjudication of parcels; 32 district staff trained in VLUPS
  - 66 ward tribunals received capacity building
  - 121 VLCs capacity building completed
  - 58 land disputes resolved (out of 70)
  - Draft study on typologies, causes, and resolution of land disputes
  - Draft manual for land dispute resolution
  - Participatory land use planning guidelines
  - Translated Land Act 1999 and land disputes courts act no 2 of 2002 to Swahili
  - Challenges – land disputes; heavy rains; shortage of land sector LGA staff; presence of wild animals
  - 30 village land registries to be build/renovated
  - Want to conduct study on benefit sharing models on large scale land-based investments
  - Web based M&E database to be developed

- LTSP CSO Programme PPT (We Effect, TALA, TAWLA) (Bernard – TALA)
  - TALA = Tanzania Land Alliance – 14 CSOs; worked on LTSP through thematic groups (smallholder farmers; women; environment & natural resources; pastoralism; policy reforms; human rights)
  - Awareness raising conducted; Conducted baseline surveys – presented to local government authorities; Trained 20 members of community based CSOs
Mobile legal aid clinics conducted; 256 people received services; 156 female – 98 male; 103 cases based on land

LTSP implementation issues
- Still many land disputes despite CCROs and VLUPs
- No compensation for villagers who lost land for public use (schools etc.)
- Challenges regarding participation of pastoralists and women in VLUP process (poor awareness raising)
- Misconception between land regularization, formalization, and land allocation
- Little education on CCROs as communities understand CCROs mainly as tool to access credits from banks

Recommendations
- Use joint VLUPs for securing pastoralists’ tenure
- Identify land for urban planning in villages properly
- Compensate villages whose land was demarcated for public use during VLUP process

**LTSP CSO PPT (Kaniki – TAWLA)**
- Trained 200 Trainers of Trainers – reached 12k people
- Trained 60 paralegals – 929 people received legal aid
- Coordinated 17 local radio talk shows on WLRs and LTSP – 514k tuned in; 1908 responded through SMS; 178 calls at TAWLA hotline
- Trained 140 religious and traditional leaders, especially on WLR – 15k people reached
- Facilitated meetings of women forums in 20 villages – 2651 people reached
- Established land rights club to hold conversation on WLR – 3129 people reached
- Supported district level women forums meetings twice a year – 5k women registered
- Needs assessment of 20 village land councils conducted; trained 120 member of villages land councils
- 44 disputes registered, 27 resolved
- Assisted with preparing gender sensitive local bylaws
- Trained 60 paralegals and provided tools (bicycles; reporting book); provided legal services to 553 people; 2651 people reached with legal education
- Challenges: absence of district tribunals; high costs to access justice; hard to include pastoralist community in processes (isolated themselves from community and did not participate in village meetings); project area accessibility an issue for their teams, especially in rainy season; conflicts delays land regularization processes

**Q&A**
- Low CCRO pick up rate caused by rumours that CCRO holders need to pay taxes, absence of landholders
- Process of NLP approval still going in government machinery and once approved direction will be known…. (no answer to question on what NLP direction is)
Dataflows – LTSP data was provided to ILMIS team and they used data to create data model; rural registration initially not covered by ILMIS; all data to be transferred to ILMIS
Use of CCROs as collateral: financial institutions not willing to accept CCROs (village land cannot be sold to outsiders); issue = district land registries not linked to central ILMIS; new land policy supposed to make use of CCROs as collateral easier.

- **PPT on experience with technologies for village boundary surveys (Samuel Katambi -Director of Surveys and Mapping)**
  - Process starts with ‘seminar’ conducted by surveying team with Councillors; Division officers; ward officers; village leaders – process explained to them and advised to resolve disputes; those with knowledge of boundaries chosen to accompany survey team
  - They establish village boundary pillars
  - Demarcation done by using localized GPS Pathfinders
  - Deed plan prepared after surveying
  - Challenges: “lack of villagers’ knowledge on importance of surveying their villages” – some didn’t participate; establishment of new villages – new boundaries not demarcated; inaccessibility of some village boundary points hinder process; conflicts between villages and reserves; political intervention on village boundary surveys

- **PPT on LTSP experience on village boundary survey by Beatrice Gowele – Field Manager LTSP**
  - LTSP conducted audit for village boundary status before starting activities
  - Use of 4 villagers who are familiar with boundaries: field team leader = registered surveyor
  - Introduction of large conspicuous beacons; intervals between boundary beacons (reduced from about 5km to 1.5km); village agreement forms used

- **PPT on technologies for preparing VLUPs by LTSP staff**
  - Framework: Land use planning act 2007; 2012 guidelines for participatory village land use planning; Local government act 1982; environmental management act 2004
  - Village council; village general assembly; village land use management committee
  - 110 VLUPs prepared under LTSP (out of 126)
  - 1st phase: TSh14m per village; 2nd phase: Tsh7.4m per village (reduced by using district PLUM team instead of National Land Use Planning Commission staff)

- **PPT on VLUPs by Ujamaa Community Resources Team**
  - CCRO for securing community land tenure in Northern Tanzania (Hadza people)
Issues = increased agricultural land use; urbanization; investors coming in
Demarcation of villages; harmonization of zoning; bylaws to enforce VLUP implementation
Community elects committee to manage community CCRO
Working in 36 villages – 2m ha of land (77% grazing land); 17 CVLs.

- **PPT on issues direct and indirect costs of VLUPs (National Land Use Planning Commission)**
  - 2013 national land use framework plan; Zonal land use framework plans; District land use framework; Joint VLUPs; VLUPs
  - Preparation of community action plans (?)
  - Direct Costs: technology; stationary; meetings/training at district and village level; transport; registry facilities; awareness raising; DSAs; utilities; …
  - Indirect costs: international TA; sensitization at different levels; conflict resolution; M&E; meetings; office space; stakeholder engagement.

- **PPT: Participatory mapping & planning technologies for VLUP process (Embassy Finland; private forestry Programme)**
  - Use of satellite imagery 1:7500 for mapping exercises in villages (incl. identification of village boundaries); drawing on plastic sheets on top of imagery; district planners digitize maps
  - Village boundary demarcation only includes villagers – no local government representatives; use of google earth imagery; printing costs; facilitation to bring villages together; reduced number of people that are walking boundaries by using general boundary approach with imagery; bring all village leaders together in one place instead of walking each village boundary
  - Practitioner’s manual on participatory mapping developed in 2018 (see NLUPC website) – manual is supplemental to guidelines developed by LTSP

- **Q&A**
  - NLUPC not giving an average number per VLUP due to too many influencing factors (location; size; geography of a village) and due to indirect costs, that they find hard to calculate; they think that districts should provide specifics and numbers
Annex 3.2 Meeting minutes Tike Mwambipile, Executive Director, TAWLA February 26, 2019 Dar es Salaam, Tanzania

The Tanzania Women Lawyers Assoc (TAWLA) was formed in the 1980s by Tanzanian women lawyers to provide support to women lawyers in a male-dominated profession and also to give back to the community. TAWLA supports:

- Career advancement for women lawyers
- Advocacy on women’s rights issues (including land rights)
- Education for women on legal issues
- Legal aid programs

Women face a number of difficulties in accessing land and rights to land as well as actions that can be taken to respond, based on the experience of TAWLA.

1. Values – this may also be called tradition or culture, but really comes down to values expressed within the community. If women are not expected to own land and this is expressed regularly within the community, women believe it especially if they are not exposed to other views.

TAWLA has found that this requires a medium-term investment of time and engagement to sensitize communities, community and traditional leaders and expose women to other viewpoints. TAWLA indicated that “land is life” for women in Tanzania and it is important to continue this longer-term work.

2. Decision making and empowerment – women are often not included in decision making and are often not empowered even when they are present. By law women are expected to make up a % of village councils and other village/local level bodies. However, this participation must be active and that may require training and capacity building for the women to feel empowered to express their views. Also, an issue of time as women often have many household activities and this prevents them from participating. The Project will have to ensure that women are included and actively participate in the process.

The above issues are more focused on rural areas, as in urban areas women are more empowered and participate more, however time remains an issue and therefore again, women’s active participation must be ensured.

3. A further issue that may impact urban land activities, is that women are more likely to be renting land and housing and therefore extra care should be taken to protect their rental rights.

TAWLA is the chair of the Tanzania committee for the Global Campaign for Women’s Land Rights which is supported by the World Bank.
Annex 3.3 Meetings with CSOs March 2018

Meeting with Tanzania Women’s Lawyer’s Association-March 5, 2018

Generally, they think that scaling up the CCROs and CROs is a positive step for women because having titles makes their tenure more secure and gives them access to loans.

There are challenges, of course. There are still cases where titles end up in the name of the husband only. In clan land they wonder whose name will actually be on titles due to the customary practices. CROs, in particular, can take years to issue because of bureaucracy. There are also concerns about corruption.

The land tribunals under the Ministry of Lands have not worked well. There are not enough of them (only about 20) and the tribunals do not have judges who are well-trained. However, there are still huge backlogs in the courts. The courts will need far more resources and training to be able to handle all of the land disputes.

The benefits do outweigh costs of land rent and municipal tax for CROs. Having a CRO means they will be compensated if government takes their land and also will make it easier for them to obtain loans secured by their land.

On the other hand, TAWLA do have some concerns about ensuring that women are able to get CROs in their own name or jointly titled. They are representing women in urban areas who are trying to do that. There is an awareness-building effort that needs to be done. They use the media and community conversations in cooperation with the wards to try to do this. They think it should be possible to scale up a program of awareness-building in cooperation with these wards.

It seems that the wards can play an important role in governance in relation to scaling up the issuance of the certificates. They can adopt bylaws to govern their affairs. For example, some provide that women must represent at least half of a quorum if decisions are to be made. The Local Government Act does not require these bylaws, but wards have the power to adopt them. In village areas there is a requirement that a certain number of women serve on village committees. The awareness building can happen with wards in urban areas. This is something TAWLA is doing in urban neighbourhoods in relation to housing. A set of model bylaws that could be adopted by the wards on this may help. There could be one set for rural areas and one for urban areas.

Regarding CCROs, they are concerned that the government will start charging land rent and property tax to those who get them. They are aware of statements by the government that this is something they may do. Property taxes are now collected by the Tanzania Revenue Authority which is under the Ministry of Finance.

In their work, they have not seen cases where women are losing out when CCROs are issued. They have heard of such cases in Dodoma but not in the pilot areas. They pointed out, however,
that the registrar simply reacts to whoever is the applicant for the CCRO. If the husband is the only one there or influences the wife not to be involved, the wife can lose out.

Their organization is involved in an awareness-building pilot program under the LTSP. This involves capacity building for paralegals, establishing women’s forums in the villages and building capacity of the village land officials. It is happening in 20 villages. One goal is to ensure that women are represented in village government as provided by law. They are doing this in cooperation with the LTSP. They think something like this must be done in other areas where CCRO’s are to be issued.

Naseku Kisambu, We Effect Tanzania-March 5, 2018

The organization supports local producers and farmers organizations. It is a member-based organization. They have focused on 4 areas: gender, financial inclusion, sustainable rural development and adequate housing. The latter two will be the main focus in the next few years.

They are working with TAWLA and the LTSP in a program of community engagement and awareness and capacity building. Their work is supported by SIDA while TAWLA’s work is supported by DANIDA. The three are together in a working group.

The working group was created to address the problem of communities not understanding the importance of obtaining CCROs. Communities have been inadequately prepared. The working group will do a number of things. First, they will ensure that communities are more engaged. Second, they’re working to help them better respond to investments. Third, they are building capacity within village institutions and officials up to the ward level. Fourth, they are reviewing a training curriculum with the aim of establishing a uniform curriculum. The awareness-building also focuses on training of trainers, among other things.

There is a need to have a standardized institution-building and awareness-building program if the scale up is to be possible. NGOs and CSO’s are not coordinating among themselves or with government. This needs to improve.

Regarding dispute resolution, the current system should mostly be retained because of the huge backlog in the court system. But it will be necessary to improve the land tribunal system. There are not enough of the land tribunals.

The various land laws are better harmonized. Some of the definitions are inconsistent, in particular the problem between the Village Land Act and the Land Act regarding unused and unoccupied village land.

Meeting with Rugemeleza Nshala, Lawyers Environmental Action Team-March 5, 2018
CCROs are not sufficiently like CROs in terms of their content and legal power but should be so you should be able to do the same thing with a CCRO as you can with a CRO.

Land rent - all citizens should be paying their fair share of taxes, but many people will not think that the benefits outweigh the costs, at least at the outset.

Villages need to be empowered to better manage their land. They need more resources for this. He noted that the village executive officer is actually employed by the district rather than by the village.

It would be a good idea to have all land disputes resolved within the judicial system. Primary courts are everywhere and are controlled by local governments. They were not enough of the land tribunals.

**Meeting with Monica Mohja (country director) and Godfrey Massay (advocacy manager), Landesa, March 6, 2018**

Concerns about the low level of awareness and consultation in the urban areas re issuing CCROs and CROs. Awareness-building will be crucial and should be done with a standardized approach, although the approach in rural areas will probably have to be different than in urban areas. In the urban areas the ward councils are generally trusted by people and it could be possible to work through them. In some places there may be religious institutions that can assist.

If there is an extensive amount of land acquisition for roads and other infrastructure the process has to be greatly improved. It needs better monitoring, and improve process, payments, a better grievance mechanism and overall needs to be simplified.

Polygamous marriages need consideration when it comes to issuing the certificates. These occur in both urban and rule areas and there needs to be a process to deal with them fairly.

Land Disputes: Accountability is currently an issue in that the land tribunal judges do not always obey orders from the higher courts. Those courts do have jurisdiction and can accept appeals from decisions by the district land tribunals.

A multi-stakeholder group was established within the LTSP. It has quarterly meetings to review progress reports from the program.

There needs to be a specific emphasis on gender and that this is included in the monitoring.

**Meeting with Dr. Felician Komu and Dr. Agnes Mwasumbi of Ardhi University and with Sosthenes Katwale of NELGA-March 7, 2018**
There is a need to do a better job of harmonizing the various laws related to land. One example relates to the Highway Act of 2007. Apparently, it omitted any reference to providing compensation for those houses that are demolished to make way for road construction. The Land Use Planning Act and the Land Survey Act may have inconsistencies with broader laws such as the Land Act and the Village Land Act.

The government lacks a sufficient number of valuers, surveyors and planners to do the work they currently have, much less what they would have to do as part of scaling up the issuance of the certificates. There are enough trained individuals in fields in the country if the government uses private firms and individuals. (Ardhi University graduates 100 new surveyors every year.) They mentioned that procurement of such services is very inefficient and that would have to be improved if the project is to rely on the private sector for a lot of this work.

They also noted significant shortages when it comes to the necessary equipment as well as capacity within the government to actually use modern equipment related to land administration.

While recognizing the trend towards recentralizing control of land and other issues in Tanzania, they think the municipalities need more powers. This would allow them to do a better job of coordinating planning, land administration, the provision of infrastructure and utilities, etc.

Indicated there are challenges regarding inheritance and CCROs. What happens if the holder of a CCRO has four children? Can the CCRO affectively be subdivided into four? How easily and costly?
Annex 3.4 Morogoro Field Visit – LTSP Project September 2019

During the field visit the team met with representatives from LTSP and the villages where LTSP had been implementing their activities. The following points were raised during these discussions.

**Village Land Use Planning**

- Key to securing the interests of groups and associations in land including pastoralists.
- The sensitisation elements need to start before the VLUP is developed to ensure that the needs of hunter gatherers and pastoralists are considered and that their needs are met.
- Involvement by the technical teams in the district can be challenging and lack of involvement in a timely manner can lead to inappropriate land allocation (flood lands for grazing or agriculture). This reflects the extensive workload of the District and Ward Environmental and Community Officers.

**Grievance Redress/Conflict Resolution**

- Existing system on LTSP using community level mechanism and then referral to the land tribunals.
- However, important that those households involved in grievances don’t get left behind / excluded as the project moves on given the ambitious timelines for adjudication.
- Project will need to include commitments/ mechanism for ‘mopping up’ those involved in such disputes.

**Sensitisation**

- Sensitisation of communities is key to ensure speedy implementation and inclusion of women, polygamous marriages, disabled, youth, pastoralists and hunter-gatherers.
- Timing also needs to be considered especially as it is important that the needs of pastoralists (and hunter-gatherers) are taken into account in any land use planning. This requires their representation in the VLUM which is responsible for land use planning.
- The role of local CSOs (CBOs) is a key component of the sensitisation process as they understand local community dynamics, are able to earn the trust of the relevant group as they understand the issues and can quickly mobilise to site.

**Pastoralists**

- The needs of pastoralists in land use planning are considered to a limited extent but based on the villages visited the land allocated to them is insufficient particularly if their herds grow in size or additional people enter the area.
- It is essential to involve traditional leaders in this process.
• In the districts covered by LTSP no joint land use planning between villages is undertaken such that corridors for pastoralists are not provided for.
• Given the above, while there has been some reduction in conflict, the potential for future conflict is acknowledged.

**Displacement from Protected Areas**

In villages that border protected areas encroachment by humans into the boundaries can occur. LTSP indicated that when this occurs, they entered into discussions with the Ministry of Natural Resources to agree on the approach. Usually when community infrastructure and houses were in the protected areas the land was converted to village land. In case of only economic activities the Ministry retained the boundary and the households were told to cease the activities. No compensation was provided as this is an illegal activity.

**Voluntary Land Donation**

In rural communities between agricultural plots 1.5mtr wide tracks are included to provide access with 8mtr wide roads. There is discussion and agreement within the village, and it was mentioned that there had been no issues establishing these tracks without compensation and in many cases they exist informally anyway. In case of people with small plots those with larger land areas are asked to donate more for the paths.
Annex 3.5 Field Visit to Arusha – October 2019

1. Objective of the Visit

The trip, *interalia*, aimed to:

- d) gather facts and evidences on how communal land rights (joint titles are secured processes) to provide inputs in developing and shaping social and environmental guidelines for the Land Tenure Improvement Project (LTIP);
- e) understand the needs of traditional local communities (vulnerable groups) in relation to land tenure and use; and
- f) learn how non-state actors (CSOs) have been engaging communities (vulnerable groups) in land registration (LUP and registration), especially communal lands and related matters.

2. Non-State Actors/CSOs Visited

The team visited the following CSOs/non-state actors:

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<td>The Pastoralists Indigenous Non-Governmental Organizations-PINGOs Forum</td>
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<td>4</td>
<td>Pastoral Women’s Council-PWC</td>
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3. Village/Site Visited

The team visited Terrat village in Simanjiro district (Manyara region) where communal and individual land certificates had been issued. The village has 3 different communal CCROs issued in the name of the village, Terrat, as the owner of the land. Land is divided into three categories: land for settlements where CCROs are now prepared for villagers; communal land with CCROs bearing the names of the village, Terrat; and agricultural land. The Terrat village initiated individual CCROs for individual lands while UCRT pioneered the issuance of communal CCROs.

4. Key Findings

4.1. Dispute Resolution
From meetings with the CSOs and Terrat village, the team was informed that there were different types of land-based conflicts encountered in the course of land certification. The commonly land typologies listed include:

- Individual vs individual land-based conflicts—mainly border conflicts between neighbouring landowners/holders;
- Village vs villages on border conflicts—e.g., Terrat village borders 8 villages, formerly all formed part of Terrat village; and
- Village vs national parks / wildlife areas e.g., Terrat Village borders Tarangire National Park (TANAPA).

In dealing with the land-based conflicts (supra), various approaches were employed:

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<th>Approach/Mechanisms Employed</th>
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| 1  | Individual vs individual | i. The conflict is reported to VEO who will call the conflicting parts and resolve the conflict in question amicably through negotiations  
   |                         | ii. VEO refers the conflict to the Social welfare committees of the village, if (s)he fails to mediate between the conflicting parties.  
   |                         | iii. If the conflicting parties fails to be mediated by the Social welfare committees advises the parties to go to the VLC, Ward tribunal, DLHT and later ordinary courts. |
| 2  | Village vs other neighbouring villages³ | i. Village, through few selected villagers (elders) and village government amicably resolved conflicts with other villages through "talks"- to negotiate the disputed boundaries. Other leaders (DC, RC, NLUPC, Counsellors were engaged at some points). Once agreed land officers came to mark the boundaries with GPS and permanent markers.  
   |                         | ii. The unsolved conflict was taken to court (probably high court). However, in the case of Terrat they were advised by the court to amicably resolve the conflict outside the court "talks". The conflict was resolved, and the resolution was endorsed by the court.⁴ |

³ Other 8 villages were also under the project-land titling, so it was relatively easy for the conflicting villages to reach consensus on the matter.

⁴ The team did not have an opportunity to examine the contents of the resolutions/agreed matters.
3. Village vs National Park

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<td>i. Conflicts are addressed through management approaches facilitated by stakeholders such as UCRT, the Ministry of Natural Resources and Tourism.</td>
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<td>ii. In the case of Terrat the two conflicting parties have a management plan for the land. During rain seasons, which is the breeding season for the wild best, villagers refrain from using the land for grazing. Grazing takes place during the dry season.</td>
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4.2. Community/Stakeholder Engagement During Land Registration and Village Land Use Plans Preparation

All the CSOs and Terrat village indicated that collaboration is crucial and must involve all stakeholders. From District to village planning there is a need to identify grazing areas and stock routes in land use planning.

In course of land registration and VLUP preparation, different stakeholders were engaged:

- villagers (primary stakeholders and beneficiaries) -for owning the project/exercises;
- VLUM (formed by villagers during village meetings);
- PLUM teams (composed of all departments under DC);
- village government (not more than 25 or less than 15 people);
- the elders (especially in addressing village vs village conflicts);
- experts (from DC-PLUM and NLPUC in some instances);
- DC, RC, and counsellors (occasionally); and
- non-state actors (UCRT)-mobilizing and offered resources for communal CCROs.

A number of approaches were used in mobilizing stakeholders/villagers:

- hold village meetings (all villagers)-several meetings are held;
- the use of elders (dispute settlements and buy in the project);
- hold meetings with village government (to buy in the project);
- hold meetings with RC, DC, Counsellors; and
• hold specialized trainings at the village level (with targeted groups-women, men, elders, VLC, VLUM, for example).

The following risks were identified in relation to engagement:

• Where vulnerable groups are in the minority, they will often not attend village council meetings as their voices are not heard and if decisions are made when they are present this is seen as acceptance.

• Timing of the meetings and announcement of the meeting is important. If meetings are announced/ held in village centres in the evening that often pastoralists will not be there to hear about the meetings.

4.3. Stakeholders Engagement Approach (preparation and ultimately issuance of communal CCROs, Individual CCROs, and LUPs):\(^5\)

• **Step 1:** CSOs meet relevant districts governments (LGAs) and inform them of the intended project, preparation of LUPs and ultimately issuance of CCROs-communal CCROs (UCRT, Pingos Forum and TNRF (in securing rangelands for pastoralists). This is an important action as the experts from the respective LGA will be used in the entire work, and the PLUM team will be made from.

• **Step 2:** CSOs meet relevant village governments (LGAs) and inform them of the intended project, preparation of LUPs and ultimately issuance of CCROs-communal CCROs. CSOs also trains village governments on the need for LUPs, communal CCROs, and others. Few traditional leaders may be invited.

• **Step 3:** CSOs meet villagers through village meetings where the project is explained and discussions on the matter are held concerns and interests are taken into consideration. This allows villagers to have an opportunity to understand the exercise and own the project.

• **Step 4:** Series of meetings are conducted for enhancing villagers' participation and ownership of the project. The formation of VLUM and VAC (VLC if not in place is also formed) are also facilitated. Different officials and experts from the respective LGAs, and in some instances NLUPC are facilitated to attend these meetings.

• **Step 5:** The organs created above are trained and their capacity enhanced.

\(^5\) Gathered from the interviews from UCRT, TNRF, PINGOS Forum, and PWC
• **Step 6**: The actual work is carried out as per the principles enshrined in the Participatory Land Use Planning issued by the NLUPC.

In many cases as part of Step 6 assessments are undertaken such as Rangeland Assessment or Social Assessment to inform the land use plans. These are participatory assessments to identify land users, land types, livelihoods, natural resources etc. Producing these across several villages is helpful as it allows for a fuller understanding of livelihoods. An example was given of Kiteto District where villages came together to perform this activity. TNRF reported they could undertake such assessments in a month (on average) and the joint VLUP in 2 months.

In addition, CCROs can be issued to the village (in the case of Terrat) but also to associations that are formed in the case of the Kiteto example presented by TNRF. The registration of associations is a separate process. The timing of which is subject to a variety of external factors.

In some cases, the creation of stock routes resulted in the displacement of agricultural land. Such individuals were compensated with the provision of replacement land.

**4.4 Gender and Youth**

The CSOs indicated the following key issues in relation to women and the youth:

- Within vulnerable groups women and the youth’s rights/ voices are often not respected in general but particularly in relation to land.
- GBV (FGM, early marriage) is relatively common in these groups and is normalized in their societies.
- Women can only be effectively engaged with the ‘agreement’ of (male) traditional leaders. Even so it is challenging for their voices to be heard and it is important to involve influential women to increase leverage over decision making.
- It is important to understand social norms which hinder women’s access to land. Even when a woman has a title deed this does not mean she has full rights over that land and is able to transfer and utilize it as she wishes.
- Polygamy needs to be considered in issuing land titles so that all wives rights to land are considered and not just the more influential / powerful wives (usually the first wife).

**4.5 Concerns Over CCROs**

During the meetings the following points/ perceptions regarding CCROs were raised:

- CCROs should be a shield to protect the community but the village has limited powers of enforcement meaning that other people can encroach onto the land.
• The Govt. can demand that the village surrender the CCRO in favour of other land uses including wildlife protection areas, development areas, the military etc. Even if villagers take the case to court the outcomes are not respected when they find in favour of the village.
• Concern that if villages hold land parcels over 40 acres, they will be dispossessed of them – an example of this happening in Singidia was presented.

4.6 Views on Land

• For pastoralists there is no such thing as spare or empty land as it has the potential to be used for grazing or agriculture. Much of their traditional land is now included in national parks, wildlife protection areas etc which puts them in conflict with TANAPA. Pastureland is sometimes viewed as empty land and therefore taken by parks, developers etc.
• There is a need for policy to change to recognize transhumance as a way of life including the seasonal use of rangeland and national resources. Allotting land for pasture does not recognize this seasonal use and places too much emphasis on carrying capacity.
• Increasingly due to pressures on land, natural resources and climate change pastoralists and hunter gatherers ways of life are changing to include permanent settlements and agriculture.
• For hunter-gatherers their concerns over land are not limited to hunting rights – they also want to maintain control over their traditional lands.

4.7 Project Design

In designing the project, the following elements need to be considered:

• The livelihoods of pastoralists need to be recognized and their rangelands protected from encroachment (potentially through protections).
• Need for involvement of numerous ministries including livestock and natural resources to inform decision making and avoid potential future land conflicts.
• It is essential to respect the traditional decision-making processes of vulnerable groups and to earn the respect and trust of the communities to allow the land use planning to be undertaken effectively (especially when the vulnerable groups are in the minority).
• Gender mainstreaming is important and should be part of the project design and included in the E&S documents. Women in Vulnerable Groups should have say over land and rights to individual titles for their livelihood activities. Communal CCROs need to be issued but important that women are included in associations, informal justice mechanism etc and their voices are heard.

5. Key Lessons Learnt

• Women land rights-land for settlements (private land) few women were said to have applied and granted land by the village government (Terrat) especially non-indigenous
people (Swahili-non Maasai), thus a need for more efforts at least to make sure that joint ownership, CCROs bearing the name of couples (wife/wives and husband), of land can be secured;

- Communal land- is well managed used traditional approaches and knowledge with VSG (village security guards given special mandate to oversee the enforcement. By laws are made by the village to make the traditional means of managed land enforceable;

- Non-state actors a vital role in community mobilization (resources for land registration and certification too); and

- In addressing grievances during land registration and certification, a blended model (formal and informal) may suit best;

- securing communal lands via CCROs takes a lot of resources, time and patient (and well-organized approaches borrowing experiences from the existing models-the Terrat model and the Olengapa model; for example.
Meeting with UCRT
Meeting with PINGOs Forum
### Vulnerable Group Planning Framework – Land Tenure Improvement Project (LTIP)

#### Attendance Register – PINGOs Forum

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#### Attendance Register UCRT

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## Vulnerable Group Planning Framework – Land Tenure Improvement Project (LTIP)

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<td>3</td>
<td>Nishimba S/Avin</td>
<td>WB</td>
<td></td>
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<tr>
<td>4</td>
<td>Concile Phillips</td>
<td>WB</td>
<td></td>
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<tr>
<td>5</td>
<td>Joseph G Mwanza</td>
<td>MLH 1870</td>
<td>0736 285-909</td>
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<tr>
<td>6</td>
<td>Nshimba L56</td>
<td>-</td>
<td>0759 700170</td>
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## Annex 3.6 Meeting with CSOs Dodoma November 2019

<table>
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<tr>
<th>S/N</th>
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<th>REMARKS ON HOW THE COMMENT WAS ADDRESSED IN THE DOCUMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Masalu Luhula</td>
<td>TNRF</td>
<td><strong>Land Use Planning</strong>&lt;br&gt;-Land use plans should be in different context e.g. For pastoralist communities joint land use planning in areas that should be done.</td>
<td>This is explained in the baseline chapter in the ESMF under land uses patterns</td>
</tr>
<tr>
<td>2.</td>
<td>Isaack Luambano</td>
<td>ILRI</td>
<td>-Should follow legal procedure and LUP guidelines&lt;br&gt;-Domestic best practices from FAO guidelines VGGT</td>
<td>Legal procedures will be followed during preparation of LUP as described in legal chapter</td>
</tr>
<tr>
<td>3.</td>
<td>Nasieku Kisambu</td>
<td>WE EEFECT</td>
<td></td>
<td>This will be considered in later stages</td>
</tr>
<tr>
<td>4.</td>
<td>Bernard Paul Baha</td>
<td>TALA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Emmanuel Saringe</td>
<td>PINGOs Forum</td>
<td></td>
<td>This is ongoing. Significant awareness campaign has been conducted to VGs and other stakeholders.</td>
</tr>
<tr>
<td>S/N</td>
<td>NAME OF PARTICIPANT</td>
<td>ORGANIZATION</td>
<td>ISSUES/COMMENT ON LTIP</td>
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<tr>
<td>6.</td>
<td>Nakamo Tenende</td>
<td>LEAT</td>
<td>- Awareness creation and mobilization should be done at initial stages</td>
<td>This is ongoing, Vulnerable group planning framework has been prepared</td>
</tr>
<tr>
<td>7.</td>
<td>Jambui Baramayegu</td>
<td>U - CRT</td>
<td>- Consideration of Rangeland/grazing, cultural set up of communities VGs</td>
<td>VGPF and SEP have been prepared to accommodate this</td>
</tr>
<tr>
<td>8.</td>
<td>Godfrey Massay</td>
<td>Landesa</td>
<td>- Should be participatory and friendly to all targeted communities</td>
<td>This will be considered during project implementation</td>
</tr>
<tr>
<td>9.</td>
<td>Valentine Ngorisa</td>
<td>MVIWATA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Kuyunga Yonga</td>
<td>MVIWATA</td>
<td></td>
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</tr>
<tr>
<td>11.</td>
<td>Mary Ndaro</td>
<td>Care International</td>
<td></td>
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<tr>
<td>12.</td>
<td>Jamal Juma</td>
<td>Tanzania Land Alliance</td>
<td></td>
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</tr>
<tr>
<td>13.</td>
<td>Zakaria Faustin</td>
<td>Tanzania Natural Resource Forum</td>
<td>- Baseline Survey should include women’s, Pastoralist and H-GR priorities</td>
<td>This will be considered during project implementation. It will be featured in the project implementation manual</td>
</tr>
<tr>
<td>14.</td>
<td>Joyce Peter</td>
<td>Morogoro Paralegal Center</td>
<td>- Cadastral Survey System should be simple and approval of the survey maps should be coordinated</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Pierre Nyakwaka</td>
<td>DONET</td>
<td></td>
<td>SEP, ESMF and VGPF have</td>
</tr>
<tr>
<td>S/N</td>
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<td>ISSUES/COMMENT ON LTIP</td>
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<tr>
<td>16</td>
<td>Gidufana Gafufen</td>
<td>HELP Foundation</td>
<td>accordingly.</td>
<td>provisions for engaging people at all stages</td>
</tr>
<tr>
<td>17</td>
<td>Isaack Luambano</td>
<td>International Livestock Research Institute</td>
<td>Insurance of CROS, CCROs, RLs -The process should develop opportunities that allow people to clear understand the incidence of the CCROs, CROs, and RLs</td>
<td>These will be considered during project implementation</td>
</tr>
<tr>
<td>18</td>
<td>Abraham Akilimali</td>
<td>KINNAPA Development Program</td>
<td>-Should focus on Livestock Keepers Association rather than individuals CCROs -Joint titles and security of women land -Post – transaction – land transaction after formalization of Land -Consider Co – ownership of land to polygamous families -Land Registry should be introduced at project area -The intention of the CCROs should</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Lembulung Ole Kosyando</td>
<td>NAADUTARO</td>
<td></td>
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<td>S/N</td>
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<td></td>
<td></td>
<td></td>
<td>be tenure security and not commercial purposes</td>
<td>This has been clearly detailed in the VGPF</td>
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<td></td>
<td></td>
<td><strong>Vulnerable group planning framework</strong></td>
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<td></td>
<td></td>
<td></td>
<td>-Categorization of VGs should be done at early stage</td>
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<td></td>
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<td>-Should Identify and analyze the level of vulnerability</td>
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<td>-Cultural set up of use of land be considered</td>
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<td></td>
<td><strong>Stakeholder Engagement Plan (SEP)</strong></td>
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<tr>
<td></td>
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<td></td>
<td>-SEP should develop by all interested and those likely to be affected by the project</td>
<td>This has been clearly stipulated in the SEP. Preparation of SEP was participatory and both VG, NGOs, CSOs, Government departments and other stakeholders were involved at various stages during preparation of SEP.</td>
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<tr>
<td>S/N</td>
<td>NAME OF PARTICIPANT</td>
<td>ORGANIZATION</td>
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<td></td>
<td></td>
<td></td>
<td>- Identification of potential stakeholders should consider the level of its participation in the process</td>
<td>The preparation of RPF was participatory and the process is ongoing to engage more stakeholders</td>
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<td></td>
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<td>- Should participate in National Steering Committee</td>
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<td>- CSOs participation from planning to the implementation basing on expertise</td>
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<td>- Level of Stakeholders engagement should reach at the grassroots so as to obtain actual situation in village level</td>
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<td></td>
<td>- All stakeholders should be on board in planning and implementation of the project</td>
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<td></td>
<td><strong>Resettlement Policy Framework (RPF)</strong></td>
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<td></td>
<td></td>
<td></td>
<td>- RPF is very critical to and unnecessary conflicts</td>
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<td>ORGANIZATION</td>
<td>ISSUES/COMMENT ON LTIP</td>
<td>REMARKS ON HOW THE COMMENT WAS ADDRESSED IN THE DOCUMENT</td>
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<td></td>
<td>-Project Management and Success should be open and engage stakeholders effectively</td>
<td>Areas where the process of certification had started but could not be completed have been considered in the project as Quick wins’ areas</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>-CSOs should also contribute in shaping the document</td>
<td>Both safeguard documents and project implementation manuals have provisions for transparency</td>
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<tr>
<td></td>
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<td>-Be participatory, transparent and provides alternative lands and compensation</td>
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<td></td>
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<td></td>
<td>-The laws governing land in Tanzania should be adhere</td>
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<td><strong>Project Quick Win Results (PQWR)</strong></td>
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<td></td>
<td></td>
<td></td>
<td>-Up scaling of Joint Village Land use plans in other districts – clusters</td>
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<tr>
<td>S/N</td>
<td>NAME OF PARTICIPANT</td>
<td>ORGANIZATION</td>
<td>ISSUES/COMMENT ON LTIP</td>
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<tr>
<td></td>
<td>(PMS)</td>
<td></td>
<td>- Transparency should be principal of success</td>
<td>during project implementation. Participatory approach as well as stakeholder engagement will be key to project success</td>
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<td></td>
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<td>- Take stock of what has worked well in other settings and scale up.</td>
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<td>- Strategically engage the civil society organizations</td>
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<td>- Set simple Strategies to identify success</td>
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<td>- Continuing Monitoring and evaluation</td>
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<td></td>
<td>- Important skills legal officers, gender expert, surveyors, social welfare expert, statistician</td>
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<td>- Renew Meeting – Quarterly</td>
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<td>- Annual Review – All Stakeholders</td>
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<td></td>
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<td></td>
<td>- High level tasks force – Ministries,</td>
<td></td>
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<tr>
<td>S/N</td>
<td>NAME OF PARTICIPANT</td>
<td>ORGANIZATION</td>
<td>ISSUES/COMMENT ON LTIP</td>
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<tr>
<td></td>
<td>PCU, Donors and CSOs representatives</td>
<td>-Project should have steering committee at National, Regional, as well as District levels</td>
<td>All potential impacts have been addressed in this ESMF and mitigation measures provided</td>
<td>The cultural and social impacts have been addressed in this ESMF as well as in VGPF and SEP.</td>
</tr>
<tr>
<td></td>
<td>Environmental and Social Management Framework (ESMF)</td>
<td>-Issues of Environment should be taken into account accordingly</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>-Consider social and cultural impacts especially to VGs</td>
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</table>
## Vulnerable Group Planning Framework – Land Tenure Improvement Project (LTIP)

### Attendance Register - Meeting Between MLHSD and CSOs Dodoma November 2019

<table>
<thead>
<tr>
<th>S/N</th>
<th>Names</th>
<th>Sex</th>
<th>Organisation</th>
<th>Title</th>
<th>Place</th>
<th>Phone Number</th>
<th>Signature</th>
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<tbody>
<tr>
<td>1</td>
<td>Juma Askembe</td>
<td>M</td>
<td>Ministry of Law</td>
<td>CDOL</td>
<td>Dodoma</td>
<td>0726910681</td>
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<tr>
<td>2</td>
<td>Shilile Repent</td>
<td>M</td>
<td>Ministry of Law</td>
<td>CDOL</td>
<td>Dodoma</td>
<td>0718781870</td>
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<tr>
<td>3</td>
<td>Abdallah Mkatambana</td>
<td>M</td>
<td>Ministry of Law</td>
<td>CDOL</td>
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<td>0784797879</td>
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<td>4</td>
<td>Waamau Motigo</td>
<td>M</td>
<td>Ministry of Law</td>
<td>STP</td>
<td>Dodoma</td>
<td>0746122323</td>
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<td>5</td>
<td>Andrew Mariki</td>
<td>M</td>
<td>LEAF</td>
<td>PA NR</td>
<td>Dodoma</td>
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<td>6</td>
<td>Nakambo Temende</td>
<td>M</td>
<td>LEAF</td>
<td>Coordinator</td>
<td>Dodoma</td>
<td>0745874303</td>
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<td>7</td>
<td>Emanuel Sangio</td>
<td>M</td>
<td>PINRA Forum</td>
<td>Regional Officer</td>
<td>Dodoma</td>
<td>0757517802</td>
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<td>8</td>
<td>Tamarium</td>
<td>M</td>
<td>TALA</td>
<td>PO</td>
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<td>9</td>
<td>Sambiri Barafaya</td>
<td>M</td>
<td>TARF</td>
<td>Coordinator</td>
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<tr>
<td>10</td>
<td>Mrs. Aime</td>
<td>F</td>
<td>TARF</td>
<td>CCO</td>
<td>DSM</td>
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<tr>
<td>11</td>
<td>Bernard Bwali</td>
<td>M</td>
<td>TARF</td>
<td>CCO</td>
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<tr>
<td>12</td>
<td>Grace Luambari</td>
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<td>TARF</td>
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<tr>
<td>13</td>
<td>Nesikya Kuwandy</td>
<td>F</td>
<td>WE EFFECT</td>
<td>CUC</td>
<td>DSM</td>
<td>0785184344</td>
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<tr>
<td>14</td>
<td>Mary Nkurro</td>
<td>F</td>
<td>CARE INT COORD</td>
<td>DSM</td>
<td>DSM</td>
<td>0785184344</td>
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</table>
### Annex 3.7 Summary of Key Issues Raised and How They are Addressed in the Project Documents

<table>
<thead>
<tr>
<th>Summary of Issue</th>
<th>Addressed</th>
</tr>
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<tbody>
<tr>
<td>Importance of early sensitisation on the Project, benefits, process which is inclusive</td>
<td>The SEP outlines the need for early sensitisation of all stakeholders (district officials, ward and village representatives and beneficiaries) on all issues related to the Project. Where needed separate focus groups have been proposed for marginalised groups to avoid exclusion (notably women, those in polygamous marriages etc). The VGPF provides for specific measures to include VGs including through the use of traditional leaders.</td>
</tr>
<tr>
<td>Need for an inclusive and timely land use planning process</td>
<td>The SEP and VGPF require there to be a participatory process for VLUP (in line with national law). Where needed social baselines/assessments will be undertaken to inform this process. There is a requirement for District experts to be included in this process along with guidance from the social expert from the ESMU to ensure consideration of vulnerable and marginalised groups.</td>
</tr>
<tr>
<td>Stakeholders have indicated that the need of various groups (women, women in polygamous marriages, vulnerable groups, youth, disabled etc) need to be considered to ensure that they are included in the process and their needs are met. The approach to engaging these groups is presented in both the SEP and VGPF. The documents also require that communal and joint CCROs are</td>
<td></td>
</tr>
<tr>
<td><strong>Issuance of CCROs and CROs is to enable commercial environment</strong></td>
<td>The Project documents make it clear that the intention is to issue certificates to increase tenure security and not to ease the sale/acquisition of land for commercial purposes.</td>
</tr>
<tr>
<td><strong>Need to include CSOs in the process</strong></td>
<td>CSOs have been included in the project both in terms of implementation to support with sensitisation especially with vulnerable and marginalised groups as outlined in the SEP and the VGPF and as key members of the Stakeholder Engagement Forums at the National and District level as presented in the institutional arrangements in the ESMF.</td>
</tr>
<tr>
<td><strong>Transparent and simple approach to land take in line with national law is needed.</strong></td>
<td>The RPF has been developed to address the potential for land take in line with ESS5 and Tanzanian law. This document details the approach to VLD and compensation.</td>
</tr>
<tr>
<td><strong>Institutional capacity constraints to implement elements of the project</strong></td>
<td>The PCU has included additional capacity to implement environmental and social requirements as outlined in the ESMF which includes hiring an environmental and a social specialist as well as contracting a GBV expert to support implementation. These individuals will lead on training and capacity building at all levels (national, district and local) during implementation. In addition, sensitisation will be undertaken with the support of CSOs with knowledge of the local areas and issues.</td>
</tr>
<tr>
<td><strong>Grievance Management –</strong></td>
<td>Mechanisms for redressing grievances have been proposed in the</td>
</tr>
<tr>
<td>Need for a Consistent, Fair and Transparent Approach</td>
<td>RPF (for land acquisition and VLD), the SEP for land and general grievances and the VGPF to adapt the other mechanisms to the need of vulnerable groups. The entry point for grievances is via existing village structures which are trusted by local people but will then be addressed by different organs as described in the various documents depending on the issue to be addressed.</td>
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<tr>
<td>Issuance of Communal or Joint CCROs as Appropriate</td>
<td>The ESMF, SEP and VGPF as well as overall project documents all include the need to issue these types of CCROs as appropriate and ensure that engagement and planning processes included consideration of these requirements to minimise impacts to livelihoods and ensure the rights of women.</td>
</tr>
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