



UNITED REPUBLIC OF TANZANIA

**DRAFT TASAF III INDIGENOUS PEOPLES
POLICY FRAMEWORK**

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LIST OF ACRONYMS

ACHPR.....	African Commission on Human and Peoples Rights
CCT.....	Conditional Cash Transfer
CT.....	Cash Transfer
CBO.....	Community Based Organisation
CFR.....	Community Forest Reserve
CMC.....	Community Management Committee
COMSIP.....	Community Savings and Investment Promotion
CSOs.....	Civil Society Organisations
DFID.....	Department for International Development
DP.....	Development Partners
IGA.....	Income Generation Activity
ILO.....	International Labour Organisation
IP.....	Indigenous Peoples
IPACC.....	Indigenous Peoples of Africa Coordinating Committee
IPP.....	Indigenous Peoples Plan
IPPF.....	Indigenous Peoples Policy Framework
IWGIA.....	International Work Group on Indigenous Affairs
LAFR.....	Local Authority Forest Reserve
LGA.....	Local Government Authority
MNRT.....	Ministry of Natural Resources and Tourism
NGO.....	Non Governmental Organisation
NSC.....	National Steering Committee
OP.....	Operational Policy
PDO.....	Project Development Objective
PF.....	Private Forest
PME.....	Participatory Monitoring and Evaluation
PSSN.....	Productive Social Safety Net
RS.....	Regional Secretariat
SIA.....	Social Impact Assessment
TASAF.....	Tanzania Social Action Fund
TMU.....	TASAF Management Unit
UN.....	United Nations
UNCED.....	United Nations Conference on Environment Development
UNPFIP.....	United Nations Permanent Forum on Indigenous Peoples
URT.....	United Republic of Tanzania
VLFR.....	Village Land Forest Reserve
WB.....	World Bank

EXECUTIVE SUMMARY

Tanzania has more than 120 ethnic groups which represent a total population of 42.7 million¹ with 46% being under the age of 15. Each of these groups differs, to varying degrees, from other groups in culture, social organization, and language. According to ACHPR's report of the Commission Mission to the United Republic of Tanzania (6-8 October 2008, P. 7) "...Virtually all of Tanzania's inhabitants speak Bantu languages...The Bantu-speaking peoples include the Sukuma (the republic's largest ethnic group), Bena, Chagga, Gogo, Ha, Haya, Hehe, Luguru, Makonde, Makua, Ngoni, Nyakyusa, Nyamwesi and Nyaturu. In addition, the Masai speak a Nilotic language; the Sandawe speak a language akin to the Khoikhoi; and the Iraqw speak a Cushitic language."

The determination of which ethnic groups in Tanzania are recognized as Indigenous Peoples is still in process. Nevertheless, both the Hadzabe and Barabaig have been initially listed for purposes of this IPPF. Further screening by the Bank will be carried out to see which other groups meet OP 4.10 criteria of Indigenous Peoples.

Tanzania has no specific legislation or policy regarding Indigenous Peoples. However, the ACHPR, which identifies Indigenous Peoples based on the fundamental UN principles, is recognized by Tanzania, which has ratified the ACHPR's report on human and peoples' rights.

TASAF III will generate potential benefits to Indigenous Peoples and may also lead to some impact on these groups. However, due to the demand-driven nature of the project, the areas where the subprojects will be implemented and whether there are Indigenous Peoples in those areas are not yet known. Therefore, given the likelihood that TASAF III will be implemented in areas where Indigenous Peoples are present, OP 4.10 was triggered and the IPPF has been prepared to guide project interventions.

Early during subproject implementation, once there is confirmation of Indigenous Peoples' presence or, collective attachment to, subproject lands, the TASAF III Project will start the preparation of an Indigenous Peoples Plan (IPP), and should ensure that subprojects are prepared in a participatory fashion and respond to the demands of local people. To facilitate operations, an IPP could be prepared for each of the identified Indigenous Peoples and could include several subprojects in the area. Moreover, subproject proposals presented or formally supported by CBOs, following their customary decision-making processes, would be asked to show a basic understanding of the socioeconomic conditions and cultural aspects of the community involved as well as minutes of the meetings where the proposals were discussed but do not require additional evidence of broad community support since it is explicit in the proposal.

The Indigenous Peoples Plan (IPP) is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific project and the nature of effects to be addressed. The IPP includes the following elements, as needed:

- (a) A summary of the social assessment.

- (b) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during subproject preparation and that led to broad community support for the subproject.

¹ Total Population estimated at 42,746,620 (July 2011 est.) projected from 2002, Tanzania National Population Census which stands at 33 million

- (c) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during subproject implementation.
- (d) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the subproject implementing agencies.
- (e) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan which includes measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (f) The cost estimates and financing plan for the IPP.
- (g) Accessible procedures appropriate to the subproject to address grievances by the affected Indigenous Peoples' communities arising from subproject implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (h) Mechanisms and benchmarks appropriate to the subproject for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

1.0 BACKGROUND:APPLICATION OF THE CONCEPT OF INDIGENOUS PEOPLES

1.1 International Standards

In the last few years, there have been some important steps taken in Sub-Saharan Africa to promote Indigenous Peoples rights. The African Commission on Human and Peoples' Rights (ACHPR), a sub-body of the African Union, took a historic step in 2003 to publish the document "Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities". This groundbreaking report is the ACHPR official conceptualization of, and framework for, the issue of the human rights of Indigenous Peoples, and as such it is an important African instrument for recognizing Indigenous Peoples in Africa and improving their situation. In its report, the ACHPR outlines key characteristics, which identify Indigenous Peoples and communities in Africa. The report emphasizes that the African peoples who are applying the term "indigenous" in their efforts to address their particular human rights situation embrace mainly hunter-gatherers and pastoralists. The ACHPR report emphasizes that the overall characteristics of groups identifying themselves as Indigenous Peoples are that:

- Their cultures and ways of life differ considerably from the dominant society.
- Their cultures are under threat, in some cases to the point of extinction.
- The survival of their particular way of life depends on access and rights to their lands and the natural resources thereon.
- They suffer from discrimination as they are regarded as less developed and less advanced than other more dominant sectors of society.
- They often live in inaccessible regions, often geographically isolated.
- They suffer from various forms of marginalization, both politically and socially.

The ACHPR report concludes that this discrimination and marginalization threatens the continuation of Indigenous Peoples' cultures and ways of life and prevents them from being able to genuinely participate in decisions regarding their own future and forms of development.

In line with the approach of the United Nations, the ACHPR emphasizes the principle of self-identification, and stresses that the criteria for identifying Indigenous Peoples in Africa is not mainly a question of aboriginality but of the above factors of structural discrimination and marginalization. The ACHPR in its report also addresses the misconceptions around the term Indigenous Peoples in Africa and states that the term and discourse of Indigenous Peoples should be understood as an avenue for the most marginalized to advocate their cause and not an attempt to deny any African his/her rights to their African identity.²

² See ACHPR, *Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities*, Banjul & Copenhagen: ACHPR & IWGIA, 2005; and ACHPR, *Indigenous Peoples in Africa: the Forgotten Peoples? The African Commission's work on Indigenous Peoples in Africa*, Banjul & Copenhagen: ACHPR & IWGIA, 2006.

Following the publication of its report on indigenous populations, the ACHPR has produced an Advisory Opinion on the UN Declaration on the Rights of Indigenous Peoples which concludes that the UN Declaration is in line with the African Charter on Human and Peoples' Rights and with the conceptualization and work of the African Commission on Indigenous Peoples. The ACHPR is further engaged in a series of country visits and seminars aimed at examining the situation of Indigenous Peoples and establishing dialogue with African governments and other stakeholders. The ACHPR is publishing a series of reports from its visits, and it is regularly raising indigenous rights issues in its examinations of government reports submitted to the African Commission.

In 2001, the World Conference against Racism, which was held in South Africa, emphasized the severe discrimination that Indigenous Peoples suffer from, and the 2002 World Summit on Sustainable Development, also held in South Africa, reaffirmed the vital role of Indigenous Peoples in sustainable development. Indigenous Peoples in Africa through their local and national organizations contribute significantly to raising awareness about the plight of Indigenous Peoples and demanding respect for their fundamental rights. Increasingly, they have been speaking out and claiming their right to be legally recognized as such and to receive special consideration from governments of the region. Umbrella organizations, such as the Indigenous Peoples of Africa Coordinating Committee (IPACC) which work with alliances of grassroots organizations, have contributed to these efforts.

1.2 National Context

Tanzania has more than 120 ethnic groups which represent a total population of about 42.7 million³ with 46% being under the age of 15. Each of these groups differs, to varying degrees, from other groups in culture, social organization, and language. According to ACHPR's report of the Commission Mission to the United Republic of Tanzania (6-8 October 2008, P. 7) "...Virtually all of Tanzania's inhabitants speak Bantu languages...The Bantu-speaking peoples include the Sukuma (the republic's largest ethnic group), Bena, Chagga, Gogo, Ha, Haya, Hehe, Luguru, Makonde, Makua, Ngoni, Nyakyusa, Nyamwezi and Nyaturu. In addition, the Maasai speak a Nilotic language; the Sandawe speak a language akin to the Khoikhoi; and the Iraqw speak a Cushitic language.

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UN principles, is recognized by Tanzania, which has ratified the ACHPR's report on human and peoples' rights.

1.3 The World Bank Policy on Indigenous Peoples (OP 4.10)

The Bank's Indigenous Peoples policy contributes to the World Bank mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies and culture of Indigenous Peoples. The World Bank requires that the Borrower to engage in a process of free, prior and informed consultation with Indigenous Peoples. The Bank provides project financing only where free, prior and informed consultation results in broad community support to the project by the affected Indigenous Peoples.

OP 4.10 recognizes, among other things, that the distinct identities and cultures of Indigenous Peoples remain inextricably linked to the lands they inhabit and the natural resources they depend upon to survive. The policy establishes processing requirements: screening, social assessment, consultation with communities involved, preparation of plan or framework, and disclosure. It also requires the borrower to seek broad community support of Indigenous Peoples through a process of free, prior and informed consultation before deciding to develop any project that targets or affects indigenous communities.

The World Bank OP 4.10, for project operational purposes, suggests using the term "*Indigenous Peoples*" in a generic sense to refer to "distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories⁷
- (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- (d) an indigenous language, often different from the official language of the country or region.

Other instruments addressing Indigenous Peoples include, but are not limited to: ILO Convention 169 (1989), UN Working Group on Indigenous Peoples (1982), *Agenda 21* adopted by the United Nations Conference on Environment and Development (UNCED, 1992), UN Declaration on the Rights of Indigenous Peoples (UNDRIP 2007)⁴, African Commission on Human and Peoples Rights (ACHPR, 2005)⁵, and European Bank for Reconstruction and Development.

⁴ UN General Assembly Declaration on the Rights of Indigenous Peoples adopted on 13 September 2007.

⁵ The African Commission's work on Indigenous Peoples in Africa: The African Commission on Human and Peoples' Rights (ACHPR) is the mechanism for the promotion and protection of human rights in Africa, created in 1987, in application of the African Charter on Human

2.0 GUIDELINES FOR THE PREPARATION OF INDIGENOUS PEOPLES PLANS

2.1 Project Description

The Government decided to create a Productive Social Safety Net (PSSN) as part of its Social Protection Framework. The PSSN will support the poorest and the most vulnerable through a series of interventions aimed at (i) protecting households from seasonal and unexpected shocks affecting their income and assets, (ii) providing them with tools to mitigate current poverty and vulnerability, and (iii) promoting them to improve their living standards and get out of food poverty. The ultimate goal of the PSSN is to enable poor and vulnerable households to move on to a positive trajectory, first, by stabilizing food consumption and preventing long-term consequences of extreme poverty; and then, by focusing on enhancing capabilities, assets and livelihoods.

At the core of the PSSN is the provision of transfers to eligible households. Previous phases of the Tanzania Social Action Fund (TASAF) focused on a range of social fund-related sub-projects, usually through a one-off intervention in selected villages and communities. The PSSN will target households as its primary goal and, depending on their specific situation, will support them through a combined intervention based on cash transfers linked to participation in public works and adherence to co-responsibilities. The safety net will be built supported by a set of instruments to: (i) select the poorest and register program beneficiaries; (ii) monitor program implementation and measure results; (iii) improve coordination with existing assistance interventions; (iv) gradually incorporate or merge new programs into the PSSN; (v) rationalize the social protection expenditure to minimize overlaps and fill gaps; and (vi) create and strengthen links between the safety net interventions with other programs to support beneficiaries to take the opportunities offered by economic growth.

The PSSN will be implemented on the basis of two principles: First, the PSSN will be timely to achieve its objective of smoothing and increasing consumption as well as protecting assets; transfers need to be timed so that households receive income during or before the period of the year they need it most. Second, the PSSN will be predictable so that participating households have the assurance they will receive transfers in predetermined dates. This will allow households to make the best use of transfers, providing them with the security they need to make livelihood investments. Timeliness and predictability shifts the programs from being a one off support with short-term impacts on households' wellbeing to interventions which support households when they need it, thus enabling them to plan.

and Peoples' Rights (the African Charter) which was itself adopted by the Assembly of Heads of State and Government of the former OAU, on the 25th June 1981 in Nairobi, Kenya

2.2 Potential Effects

TASAF III will generate potential benefits to Indigenous Peoples and may also lead to some impact on these groups. However, due to the demand-driven nature of the project, the areas where the subprojects will be implemented and whether there are Indigenous Peoples in those areas are not yet known. Therefore, given the likelihood that TASAF III will be implemented in areas where Indigenous Peoples are present, OP 4.10 was triggered and the IPPF has prepared to guide project interventions. The purpose of the IPPF is to ensure that the development process fully respects the dignity, rights, economies, and cultures of Indigenous Peoples. Therefore, subprojects to be financed under TASAF III will be screened and if Indigenous Peoples are present in, or have collective attachment to the subproject area, a subproject-specific Indigenous Peoples Plans (IPP) will be prepared. Subprojects will not be implemented until the associated IPP has been developed in agreement with the affected Indigenous Peoples communities, cleared and disclosed.

Subprojects under TASAF III will ensure that any negative impacts on Indigenous Peoples affected by the project are mitigated and positive impacts are enhanced based on free, prior, and informed consultation. At the preparation phase, negative impacts (if any) will be identified and their related mitigation measures will be provided. Indigenous Peoples Plans will be developed based on the social assessment which will provide practical measures to address adverse effects and to ensure project benefits in a culturally appropriate manner. Gender considerations will be factored into the subproject implementation processes. Grievance mechanism will be incorporated to ensure the voice of these groups is heard.

Possible impacts and associated mitigation measures are provided in Table 1 below.

Table 1: Potential Impacts and mitigation measure of TASAF III interventions

S/N	Project component	Potential impact(s)		Mitigation measures
		Positive	Negative	
1.	Establishment of a National Safety Net (<i>Cash Transfers & Public Works</i>)	<p>Enable Indigenous Peoples to purchase food, pay for medical care.</p> <p>Increase enrolment and attendance of children at both primary and secondary schools</p> <p>Enhance and increase diversification of livelihoods.</p> <p>Children start schooling at the appropriate age (7 years old)</p> <p>Mothers informed about what is required to ensure the good health and nutrition of their children</p> <p>Any difficulties in pregnancy are picked up and addressed resulting in better outcomes for mother and child</p> <p>More births take place at a health facility, particularly those with complications</p> <p>Improve access to services and the enabling environment through labour based public works.</p>	<p>Unless efforts are made to make them culturally appropriate, some of new livelihood opportunities may conflict with current livelihood practices of IPs.</p> <p>As Indigenous Peoples are marginalized in the decision making process and their specific needs unknown to decision makers, there is a risk that the subprojects proposed by them do not receive funds</p>	<p>Deliberate efforts should be placed to ensure that Indigenous Peoples' customary livelihoods sources are strengthened. Sub-projects should be identified with the full participation of the IPs.</p> <p>The affected Indigenous Peoples should be consulted in free, prior and informed consultations when developing subprojects so that the subprojects consider the interests of and benefits to IPs</p>
2.	Community savings and investments	<p>Indigenous Peoples able to support themselves through enhanced and diversified livelihoods.</p> <p>The groups are able to address</p>	<p>Likely loss of cultural values if and when IPs adopt new livelihood opportunities.</p>	<p>Consultatively recommending use limits/carrying capacities of indigenous areas/sites.</p>

S/N	Project component	Potential impact(s)		Mitigation measures
		Positive	Negative	
		immediate emergencies related to consumption shortfalls, medical expenses or unanticipated expenditures, such as school fees.		
3.	Targeted infrastructure development (<i>Construction of primary schools, health facilities and potable water supplies in the communities</i>)	Access to health and education services. Development of potable water supplies will enhance the health and nutrition of the Indigenous Peoples	Areas identified for infrastructure development may cover areas currently utilized by Indigenous Peoples (IPs). This may affect their livelihoods.	IPs to be involved in the identification of areas for sub projects. Capacity building to take advantage of new livelihood opportunities that are promoted by TASAF III.
4.	Capacity building	Efficiency in designing and implementing the subprojects		

Early during subproject implementation, once there is confirmation of Indigenous Peoples' presence or, collective attachment to, subproject lands, the TASAF III Project will start the preparation of an Indigenous Peoples Plan (IPP), and should ensure that subprojects are prepared in a participatory fashion and respond to the demands of local people. To facilitate operations, an IPP could be prepared for each of the identified Indigenous Peoples and could include several subprojects in the area. Moreover, subproject proposals presented or formally supported by CBOs, following their customary decision-making processes, would be asked to show a basic understanding of the socioeconomic conditions and cultural aspects of the community involved as well as minutes of the meetings where the proposals were discussed but do not require additional evidence of broad community support since it is explicit in the proposal.

2.3 Plan for Social Assessment

The social assessment is a variant of what is generally known as a Social Impact Assessment (SIA) and is done during IPP preparation. It will gather relevant information on demographic data: social, cultural and economic situation; and social, cultural and economic impacts. This information will be gathered through separate group meetings within the indigenous community, including their leaders, NGOs, CBOs, and affected persons. Discussions will focus on potential positive and negative impacts of the subproject; measures to enhancing positive impacts; and strategies/options to minimize and/or mitigate negative impacts.

The social assessment includes the following elements, as needed:

- (a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- (b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (c) Taking the review and baseline information into account, the identification of key subproject stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of subproject preparation and implementation.
- (d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the subproject. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.
- (e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the subproject.

Both the social assessment and consultation process and the preparation of the IPP should be done according to terms of reference approved by the World Bank.

2.4 Consultation and Participation

The consultation and participation of Indigenous Peoples will be ensured in formulation of the IPP to ensure that it adequately deal with their needs, priorities, and preference. Indigenous Peoples will be provided with relevant subproject information in language(s) and manner suitable to them. Separate focus group discussions will be carried out to assess the subproject impacts and benefits to these groups. Accordingly, the IPP will be prepared in consultation with the beneficiaries. The outcome of social assessment and IPP will be presented in community workshops/meetings.

Consultation and information disclosure will be undertaken to ensure that the needs, priorities and preferences of Indigenous Peoples are adequately reflected in the project. The IPP will promote participation of Indigenous Peoples in and around the subproject area, and identify Indigenous Peoples needs, priorities, and preferences through participatory approaches. Consultations and participation of Indigenous Peoples groups, their leaders, rights groups, community-based organizations (CBOs), and line agencies will be an integral part of the IPP.

Based on the subproject selection criteria, unless there is prior agreement, subprojects will not: (i) commercially develop cultural resources and knowledge of Indigenous Peoples; (ii) displace Indigenous Peoples from traditional or customary land; or (iii) commercially develop natural resources within customary lands under use that would impact livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples.

Indigenous Peoples will be informed and consulted in preparing the IPP. Their participation in planning will enable them to benefit from the subprojects and protect them from any potential adverse impacts. The IPP will be prepared in consultation with affected Indigenous Peoples and will be translated into local language and made available before subproject implementation. In this process the following will be considered:

- (a) Establishing an appropriate gender and inter-generationally inclusive framework that provides opportunities for consultation at each stage of subproject preparation and implementation among TASAF III, the affected Indigenous Peoples' communities, if any, and other local civil society organizations (CSOs) identified by the affected Indigenous Peoples' communities;
- (b) Using consultation methods⁶ appropriate to the social and cultural values of the affected Indigenous Peoples' communities and their local conditions. Special attention will be given to the concerns of indigenous women, youth, and children and their access to development opportunities and benefits; and

⁶ Such consultation methods (including using indigenous languages, allowing time for consensus building, and selecting appropriate venues) facilitate the articulation by Indigenous Peoples of their views and preferences.

- (c) Providing the affected Indigenous Peoples' communities with all relevant information about the subproject (including an assessment of potential adverse effects of the subproject on the affected Indigenous Peoples' communities) in a culturally appropriate manner at each stage of subproject preparation and implementation.

Involvement of Indigenous Peoples in problem identification and design of solutions has to be ensured through the entire subproject cycle interventions. Table 2 below presents activities to be undertaken by Local Government Authorities (LGA) to ensure inclusion of indigenous issues in subproject preparation and implementation.

Table 2. Activities and Indicators for Inclusion of Indigenous Peoples

Subproject stages	Procedures	Process and outcome indicators
Subproject identification and planning stage	Identify locations of the IP in subprojects sites	IP screening checklist
	Identification of indigenous community stakeholders	List of all indigenous communities in the subproject area
	Sensitization and consultation through focus group discussion with indigenous committee groups	Documentation of the number of discussions and minutes of the meetings
	Identification of environmental and social issues affecting IP and possible impacts	Documentation of issues
	Consultations to establish existing concerns related to: <ul style="list-style-type: none"> • Land availability and tenure • Current livelihood options • Access to infrastructure • Access to local government service 	Justification for preparing IPP List of spatial and non spatial issues
	Discussion of possible interventions measures through subprojects, their likely impacts and safeguards measures to be incorporated	List of safeguards measures. List of subprojects impacts
	Participatory approach to be taken up to involve IP in finalizing subproject plans	Measures undertaken in complying with IPP
Implementation stage	Implementation of safeguards measures	Measures taken as identified in safeguards framework
Post-implementation	Evaluation of safeguards undertaken	Indicators developed for evaluation of subprojects impacts Listing of modified tasks to be implemented for improving IP living standards/livelihoods

In deciding whether to proceed with the subproject, and on the basis of the social assessment and free, prior, and informed consultation, TASAF III will examine whether the affected Indigenous Peoples' communities broadly support the subproject.

2.5 Institutional Arrangements

The presence of institutional arrangement is the prerequisite for effective use of the IPPF and the implementation of the IPP at all levels. Tanzania governance structure for decision making is vertically structured, with horizontal linkages across various government departments. At the national level, there are various Ministries, followed by Regional Secretariats, while at the District level, administrative roles are executed by the District Commissioner and District Administrative Secretariat. The Local Government level is handled by LGA Directors (Directors for City, Municipal and Town Councils and Executive Director for District Councils). Under the LGA Director, there are several heads of departments who are supporting the Directors (i.e. planners, engineers, community development, water, natural resources, land etc.)

At the community level, the governance is under Village Council/Mtaa, whereby administrative roles are executed by Village/Mtaa Executive Officer.

The TMU is the executing agency of this project and the Local Government Authority (LGAs) are implementing agencies under the guidance of TMU. The TMU will be responsible for overall implementation, monitoring and supervision. The LGA Executive Directors will appoint a full time Coordinator among his staff and including the designated/appointed officer who will be responsible for addressing safeguards issues, including those related to IPPs. The designated/appointed officer will be supported by heads of departments. The Coordinator, assisted by the designated/appointed environmental officer, will take care of redressing grievances and mitigating negative impact caused by subprojects on project-affected groups/marginalized communities.

2.6 Indigenous Peoples Plan

Based on the social assessment, the LGA facilitators in consultation with respective Indigenous Peoples will develop appropriate mitigation measures and livelihood enhancement activities. An IPP addresses the (i) aspirations, needs, and preferred options of the affected Indigenous Peoples; (ii) local social organization, cultural beliefs, ancestral territory, and resource use patterns among the affected Indigenous Peoples; (iii) potential positive and negative impacts on Indigenous Peoples; (iv) measures to avoid, mitigate, or compensate for the adverse project effects; (v) measures to ensure project benefits will accrue to Indigenous Peoples; (vi) measures to strengthen the capacity of local authority and relevant government departments to address Indigenous Peoples issues; (vii) the possibility of involving local CBOs and NGOs with expertise in Indigenous Peoples issues; (viii) budget allocation; and (ix) monitoring.

The Indigenous Peoples Plan (IPP) is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific subproject and the nature of effects to be addressed. The IPP includes the following elements, as needed:

- (a) A summary of the social assessment.
- (b) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during

subproject project preparation and that led to broad community support for the subproject.

- (c) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during subproject implementation.
- (d) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the subproject implementing agencies.
- (e) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan which includes measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (f) The cost estimates and financing plan for the IPP.
- (g) Accessible procedures appropriate to the subproject to address grievances by the affected Indigenous Peoples' communities arising from subproject implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (h) Mechanisms and benchmarks appropriate to the subproject for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

2.7 Monitoring Arrangements

Participatory Monitoring and Evaluation (PME) will be used to monitor implementation of IPPs. This will involve LGA staff, representative of affected Indigenous Peoples groups, NGOs, and CBOs. Implementation of participatory impact monitoring at LGA level will assist to maximize culturally appropriate benefits and will provide space for the Indigenous Peoples' communities to voice their concerns. Quarterly monitoring reports will be prepared by LGAs, which will include issues affecting the Indigenous Peoples, and information on where the communities have been reached by the program. These reports will be submitted to TMU for review and consolidation.

The TMU will be responsible for determining if any follow up- actions are necessary and ensuring any necessary actions are taken regarding the implementation of IPPs. TMU will carry out regular monitoring and evaluation activities to ensure compliance of implementation of IPPs. IPPs implementation will be closely monitored to provide the TMU with an effective basis for assessing the IPP's progress and identifying potential difficulties and problem areas. Results of monitoring will be reported to the National Steering Committee (NSC) and other stakeholders on a quarterly basis. Monitoring will involve the following tasks:

- i) Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis;
- ii) Socio-economic monitoring during and after Indigenous People Plan implementation utilizing the baseline information established by the socio-economic survey of Indigenous Peoples undertaken during subproject preparation to ensure that impacts on Indigenous Peoples are mitigated and benefits reach Indigenous Peoples; and

- iii) Overall monitoring.

Data from the baseline socio-economic surveys undertaken during the subproject preparation stage will provide the benchmark for the monitoring process to assess the progress and success of the indigenous people plan. The monitoring process will also include the following:

- i) Communication to and recording reactions of Indigenous Peoples;
- ii) Information from Indigenous Peoples on impacts and benefits received;
- iii) Usage of a grievance redress mechanism; and
- iv) Disbursement of compensation amounts and delivery of assistance.

The indicators for achievement of objectives under the IPPs are:

- i) Input indicators – human and financial resources used
- ii) Process indicators – project activities, such as training events, extension visits, etc.
- iii) Output indicators – results in terms of numbers of affected Indigenous Peoples, assistance provided, benefits gained, etc.; and
- iv) Results-based indicators – IPP objectives and outcomes are achieved.

2.8 Disclosure arrangements for IPPs to be prepared under the IPPF

The final draft of this IPPF will be submitted by the TMU to the World Bank for review and clearance. Once cleared, it will be disclosed in-country, in the appropriate form, manner and language. Later, on, the information from the documents specified above (particularly the IPP) will be made available to affected persons as leaflets in appropriate local language. After submitting the IPPF to the Bank for review and clearance, the TMU shall also post the above documents on its website and on the Bank's *Infoshop*.

2.9 Budget.

Implementation of the IPPF does not require major costs, except for capacity building of project staff dealing with social issues and the cost of preparation of an IPP(s). All costs required to implement the IPP will be incorporated in the relevant IPP/subproject budget, which should include detailed cost estimates.

Annex 1: Indigenous Peoples Impact Screening Checklist

PART A: Key information

1. Name (s) of Indigenous Peoples in the area.....
2. Total number of Indigenous Peoples groups in the area.....
3. Percentage of Indigenous Peoples' population in the area.....
4. Number of Indigenous Peoples households to be affected by the subproject.....

PART B: Details of Subproject

S/No	KEY CONCERNS	YES	NO	REMARKS
1	ARE THERE SOCIO-CULTURAL GROUPS IN THE SUBPROJECT AREA WHO MAY BE CONSIDERED AS INDIGENOUS PEOPLES?			
2	DO SUCH GROUPS SELF-IDENTIFY AS BEING PART OF DISTINCT SOCIAL OR CULTURAL COMMUNITIES?			
3	DO SUCH GROUPS MAINTAIN CULTURAL, ECONOMIC, SOCIAL AND POLITICAL INSTITUTIONS DISTINCT FROM THE DOMINANT SOCIETY AND CULTURE?			
4	DO SUCH GROUPS SPEAK A DISTINCT LANGUAGE OR DIALECT?			
5	HAS SUCH GROUPS BEEN HISTORICALLY, SOCIALLY AND ECONOMICALLY MARGINALIZED, DISEMPOWERED, EXCLUDED AND DISCRIMINATED AGAINST?			
6	WILL THE SUBPROJECT DIRECTLY OR INDIRECTLY BENEFIT OR TARGET INDIGENOUS PEOPLES?			
7	WILL THE SUBPROJECT DIRECTLY OR INDIRECTLY AFFECT INDIGENOUS PEOPLES TRADITIONAL SOCIO-CULTURAL AND BEST PRACTICES? (E.G. CHILD BEARING, HEALTH, EDUCATION AND GOVERNANCE)			

S/No	KEY CONCERNS	YES	NO	REMARKS
8	WILL THE SUBPROJECT AFFECT THE LIVELIHOOD SYSTEMS OF INDIGENOUS PEOPLES? E.G. FOOD PRODUCTION SYSTEM, NATURAL RESOURCES MANAGEMENT, EMPLOYMENT STATUS			
9	WILL THE SUBPROJECT BE IN AN AREA OCCUPIED, OWNED OR USED BY INDIGENOUS PEOPLES AND/OR CLAIMED AS ANCESTRAL DOMAIN?			

