THE UNITED REPUBLIC OF TANZANIA
President Office

Tanzania Social Action Fund
Production Social Safety Net II (PSSN II)

VULNERABLE GROUPS PLANNING FRAMEWORK

FINAL

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APRIL 2019
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Abbreviations:
CBO Community Based Organization
CMC Community Management Committees
CSOs Civil Society Organization
DFID Department for International Development
DP Development Partners
ESMF Environmental and Social Management Framework
ESS Environmental and Social Standards
FGD Focus group discussion
FPIC Free, Prior and Informed Consent
IGA Income generation Activities
LGA Local Government Authorities
MIS Management Information System
MLHHSD Ministry of Lands, Housing and Human Settlements Development
MNRT Ministry of Natural Resources and Tourism
MoHCDGEC Ministry of Health, Community Development, Gender, Elderly and Children
NSC National Steering Committee
NGO Non-Governmental Organizations
RPF Resettlement Policy Framework
PAA Project Area Authority
PSSN Productive Social Safety Net
SE Stakeholder Engagement
SMP Social Management Plan
TASAF Tanzania Social Action Fund
TMU TASAF Management Unit
UNDP United National Development Programme
URT United Republic of Tanzania
VCs Village Councils
VEO Village Executive Officer
VGs Vulnerable Groups
VGP Vulnerable Groups Plan
VGPF Vulnerable Groups Planning Framework
WB World Bank
WFP World Food Program
EXECUTIVE SUMMARY

The Government of United Republic of Tanzania (URT) has requested the World Bank and other Development Partners (DP) for their continued support of the Second Phase of the Productive Social Safety Net Program (PSSN II) herein referred as the Program. The PSSN II is designed to advance the social protection agenda which will consolidate and strengthen the effectiveness of social safety nets in order to build human capital and help extremely poor household move into sustainable livelihoods, with the main objective of improving access to income-earning opportunities and social economic services for targeted households below the poverty line while enhancing and protecting the human capital of their children.

While all Environmental and Social Standards (ESS’s) apply to the Program, it is likely that six of them will be mostly applied. These Standards contribute to poverty reduction and sustainable development by ensuring that projects supported by the Bank enhance opportunities for Vulnerable Group Communities to participate in, and benefit from the development process in ways that do not threaten their unique cultural identities and wellbeing. This VGPF is based on relevant aspects of Tanzanian law and the World Bank’s ESS’s, in particular ESS 7 (Sub-Saharan Africa Historically Underserved Traditional Local Communities) and ESS 10 (Stakeholder Engagement and Information Disclosure).

Vulnerable Groups in the Program refer to those who are likely to be adversely affected by project impacts and/or are more limited than others in their ability to take advantage of Program benefits. Such individuals or groups are susceptible to exclusion from, and/or are unable to fully participate in the mainstreaming consultation process and as such may require specific measures and assistance to ensure adequate inclusion in Program activities.

Vulnerable Groups include hunter-gatherer communities, pastoralist and agro-pastoralist communities. The vulnerability of these communities is evidenced by their livelihood style as most of them live in geographically difficult to access areas which deprive them access to social services. They also depend mainly on roots, herbs and wild animals for livelihood which has been greatly impacted by the climate change effects thus rendering being scarce.

The Vulnerable Groups Planning Framework (VGPF) is a guide for fully engaging Vulnerable Group Communities in specific plans that will be developed during the implementation of PSSN II at the community level. The Vulnerable Group Plans (VGPs) for sub-projects will be prepared through a highly participatory, flexible and pragmatic process using participatory planning approach.

The implementation of the VGPF in the Program will help the Vulnerable Groups to create important opportunities for improving their quality of life and wellbeing. The Program will have
potential benefits to Vulnerable Groups with minor negative impacts of less significance and magnitude. The Program is aimed at maintaining and strengthening positive outcomes and mitigating negative impacts.

The TASAF Management Unit (TMU) will establish a monitoring system involving TMU staff at national and PAA levels, as well as communities to ensure effective implementation of VGPs at the community level. The Grievance Redress Mechanism provides a formal channel for community members to air grievances and to improve performance and provide a high level of accountability. The budget for implementation of VGPs at the community level will depend on the number of Vulnerable Groups, nature, type and time. All costs required to implement the Plans will be incorporated in the Program budget.
1.0 INTRODUCTION

1.1 Background
The Government of the United Republic of Tanzania (URT) has requested the World Bank and other Development Partners (DP), namely the Department for International Development (DFID), World Food Program (WFP), Bill and Melinda Gates Foundation, United States Agency of International Development, Embassy of Sweden and United Nation Agencies (UNDP, ILO and UNICEF) for their continued support of the Productive Social Safety Net program (PSSN) II, which would be implemented in the third phase of the Tanzania Social Action Fund.

This follows successful implementation of PSSN I from 2013 to 2018. The objective of PSSN I is to enable household “to enable poor households to increase incomes and opportunities while improving consumption”. PSSN I targeted people are living under the basic needs poverty line (currently 33.6% of the population). The Program is supporting the poorest households to ensure a minimum level of consumption, promoting the human capital of children by incentivizing the utilization of education, health and nutrition services, preventing further irreversible losses of assets, and enabling poverty-stricken households to invest in their futures and improve their livelihoods in the longer-term.

Initially the Program targeted to reach 275,000 households, however, in 2013 the Government decided to scale it up to 1.0 million households. The impressive speed of scale-up meant that the PSSN I achieved its target of reaching and registering its target population in all 161 Project Area Authorities (PAAs) or districts and nearly 10,000 villages by September 2015, more than achieving its original scale-up targets.

PSSN I is being implemented through three components: i) Integrated Social Safety Net Intervention incorporating cash transfers and public works; ii) livelihoods enhancement; and iii) capacity building to ensure effective program implementation.

Cash transfers have been provided for the past two years to over one million households in all 161 PAAs. In addition to the basic transfer, additional amounts were provided to households with children on conditional to fulfill health and education core responsibilities. In villages/shehia /mtaa covered by the PSSN, there has been a marked increase in utilization of education and health services: 95 percent of children in beneficiary households aged 6-18 years were enrolled in primary schools with more than 80 percent attendance; and 95 percent of children in beneficiary households aged 0-24 months have been attending health facilities regularly. Parents/guardians in beneficiary households have also received health education on exclusive breast feeding and dietary diversification for young children, in efforts to reduce malnutrition.
Public works have reached nearly 300,000 households in 44 PAAs to date, and over 7,235 subprojects have been implemented. These subprojects have included soil and water conservation activities, community access roads, multi-purpose tree nurseries, water supply, small-scale irrigation, environmental cleaning, gully control, agroforestry, mangrove plantation and fish farming ponds. The selection of sub-projects is driven by a participatory community-planning process. Considering the high level of land degradation in some areas, subprojects like agroforestry, soil and water conservation, soil fertility management have been prioritized, in order to save eroded land.

In the Livelihood sub-component, piloting has started in 8 PAAs, and more than 5,782 savings groups with 74,000 members have been formed. Training on group organization, preparation of constitutions, savings mobilization, loan management and record keeping has been carried out.

There has also been progress in systems development within the capacity building component. A strong focus on capacity building at national, regional, PAA and community levels has ensured effective program implementation. Transparency and accountability created effective checks and balances. Trust in program modalities has promoted buy-in of stakeholders, including Development Partners, which have contributed substantial financial resources. Furthermore, an effective targeting and enrolment process has been established; a Management Information System (MIS) now facilitates effective delivery and monitoring of project interventions; a Unified Registry of Beneficiaries captures detailed information on all beneficiary households; there is a Grievance Redress Mechanism (GRM) in place; and e-payments have been piloted in 16 PAAs.

1.2 Safeguards policies triggered in PSSN I
PSSN I triggered World Bank Operational Policies (OPs) on environmental and social safeguards. The project prepared the following environmental and social instruments: the Resettlement Policy Framework (RPF), Environmental and Social Management Framework (ESMF) and Vulnerable Groups Planning Framework (VGPF).

The VGPF was prepared because the project was designed to target the extremely poor and vulnerable populations throughout the country. These include groups meeting the following criteria: (i) those that may be below the food poverty line, and (ii) lack access to basic social services – (including those that are geographically isolated), (iii) are not integrated with society and (iv) lack equal decision-making power in the community.

The VGPF provided guidance to ensure that: there is free, prior and informed consultation leading to broad community support by vulnerable groups for project activities; any adverse impacts on vulnerable groups are mitigated; the project involves socially appropriate benefit-sharing; there is a grievance mechanism; and there is monitoring and evaluation of the implementation of the Vulnerable Groups Plan(s).
1.3 PSSN II Project description
The implementation of PSSN I is coming to an end and the Government is in the process of preparing a second phase (PSSN II) in order to advance the social protection agenda in Tanzania. It will consolidate and strengthen the effectiveness of social safety nets in order to build human capital and help extremely poor household move into sustainable livelihoods. The Project Development Objective (PDO) is to improve access to income-earning opportunities and social economic services for targeted households below the poverty line while enhancing and protecting the human capital of their children.

In attaining this objective, ‘Targeted households’ will be those identified as the poorest through the robust PSSN targeting process that includes community-based targeting, followed by verification through a proxy means test. The Program will enhance access to income earning opportunities and socio-economic services primarily by overcoming demand-side constraints. Linkages of the program with a range of Ministries and sectors will also promote a complementary supply-side response, where supply of services is the binding constraint on access.

Key principles guiding the design of PSSN II have been the following:

i. an increased focus on productive impacts;
ii. continuing to strengthen community empowerment through participatory project management and direct financing;
iii. promoting transparency and accountability among stakeholders at all levels;
iv. enhancing the capacities of implementers at all levels to provide effective implementation management and to integrate sub projects within the context of decentralization;
v. aligning the center with peripheries so as to leverage the use of public resources in favor of poor communities and disadvantaged groups; and
vi. the use of technology for effective delivery.

Activities under PSSN II will be implemented through two components namely Productive Household Support; Institutional Strengthening and Integrated Delivery Systems as follows:

Component 1: Productive Household Support
This component will be delivered through integrated package comprised of Productive Inclusion (PI), Public Works and Cash Transfer. The package will provide transfers through conditional and unconditional transfers and Public Works. The impact of these transfers will be enhanced through productive inclusion in the form of awareness raising, coaching and training.

- Productive Inclusion
Productive inclusion will support savings promotion; linkages to productive services, training, mentoring and coaching will enhance the productive impacts of transfers. This support will consist of behavioral change sessions and linking of program participants to existing savings groups, asset transfer and productive services. It will further strengthen participants’ efforts to use their transfers for productive investments (evidenced in PSSN I). Basic livelihoods support to all PSSN
participating households with labor capacity will enhance the impacts of productive transfers. The enhanced livelihoods package will be implemented on a pilot basis, starting with participating households in the poorest PAAAs. This will entail more intensive training and coaching, as well as a productive grant, with a view to enabling most of them to sustain themselves out of poverty in the medium to longer term without an ongoing need for social transfers. To underpin productive impacts of the program, a household livelihoods support will be provided conditional on participation in savings groups. Only in the case of households without labor capacity condition be waived. Additional Productive Transfer will be provided to households with labor capacity during transition to public works on conditional on participation in saving groups.

- **Public Works**

  Public Works will provide participants who have labor capacity with temporary employment through labor-intensive sub-projects that are identified by, and create assets for, the community and contributing to household income. Some of the infrastructure to be created is expected to contribute to addressing supply side constraints on the provision of key services in health, education and water. Examples of such public works include:

  a) Soil and Water Conservation (SWC) – soil and stone bunds, gully control, terraces, check dams, etc.
  b) Flood control measures – Cut-off drains, service drains, small dykes etc.
  c) Rain Water Harvesting (RWH) – hand dug well, micro-ponds, roof water harvesting, peculation pits, etc.
  d) Small-scale Irrigation (SSI) – Mainly linked to exiting secondary cannels, from ponds or small streams.
  e) Soil Fertility management: Compost making, mulching, preparation of grass strips and vegetative fencing.
  f) Forestry and agro-forestry – Nurseries, micro-basins, micro tranches, eyebrow basins etc.
  g) Community access road – includes chamber formation, rehabilitation, cutting and construction of side drains, small foot bridges and small culverts.

- **Cash Transfer**

  Cash transfer will provide benefits to eligible participating households, including: i) Direct Support to all households with no labor capacity; ii) Child Grants to all households with children 0-18 year; iii) Disability Grants to all households with Person With Disability (PWD); iv) Human Development transfer to households with children, conditional on health and education behaviors.

Cash benefits to households and under Cash Transfer and Public Works will provide the foundation for productive impacts. Based on evidence from PSSN I and other similar programs in the region, it is confidently expected that the combination within PSSN II of the Production Inclusion, Cash Transfers and Public Works will have substantial productive impacts by: i. Building participating households' assets, incomes and resilience to shocks; ii. Enabling households to invest in existing productive activities; iii. Stimulating a shift away
from precarious casual labor towards more productive types of economic activity (including, but not limited to, self-employment) and, iv. Stimulating the local economy, through local economic multiplier effects resulting from the injection of cash.

**Component 2: Institutional Strengthening and Integrated Delivery Systems**

The purpose of this component will be to ensure effective program implementation, and to ensure that lessons learned are used to further strengthen program impacts over time. This component will reinforce implementation capacities and program systems at national and decentralized levels.

The component will be responsible for: preparation of an exit and graduation strategy; recertification of participants to ensure that the program continues to reach the poorest households; moving from the existing participant registry to a social registry serving all sectors to promote a harmonized approach to service delivery. Further, the component will strengthen grievance redress and other social accountability mechanisms to ensure the program is accountable to the citizens served and will continue investment in robust impact evaluation and process reviews for learning and accountability; and shifting from cash-based to e-payments.

1.4 **Environmental and Social Standards under PSSN II**

While all Environmental and Social Standards (ESS’s) apply to PSSN II, it is likely that six of them will be implemented, namely: Assessment and Management of Environmental and Social Risks and Impacts (ESS 1); Labor and Working Conditions (ESS 2); Land Acquisition, Restrictions on Land use and Involuntary Resettlement(ESS 5); Sub Saharan African Historically Underserved Traditional Local Communities(ESS7); Cultural Heritage (ESS 8); and Stakeholder Engagement and Information Disclosure (ESS 10). These standards contribute to poverty reduction and sustainable development by ensuring that projects supported by the bank enhance opportunities for the Vulnerable Group Communities to participate in, and benefit from the development process in ways that do not threaten their unique cultural identities and wellbeing. Annex 3 includes ESS 7 and 10, as well as the Guidance Notes.

The Constitution of the United Republic of Tanzania, accords equal opportunities to all citizens, men and women alike without regard to their color, tribe, religion, or station in life. The Government of Tanzania further acknowledges the presence of certain Vulnerable Groups that should equally benefit from Program activities. To this end, support for Vulnerable Groups will be applied in the context of ESS 7.

**2.0 VULNERABLE GROUP PLANNING FRAMEWORK**
The Vulnerable Group Planning Framework (VGPF) provides guidance for preparing Vulnerable Groups Plans, as and when necessary during project implementation. This VGPF is based on Tanzanian law and the World Bank’s ESS’s, in particular ESS1 (Assessment and Management of the Environmental and Social Risks and Impacts), ESS2 (Labour and Working Conditions) ESS 5 (Land Acquisition, Restriction on Land Use and Involuntary Resettlement) ESS 7 (Sub-Saharan Africa Historically Underserved Traditional Local Communities) and ESS 10 (Stakeholder Engagement and Information Disclosure).

The VGP for sub-projects will be prepared through a highly participatory, flexible and pragmatic process using participatory planning based on the findings of stakeholders engagements conducted. The PAAs facilitators, in consultation with VGs in their respective areas, will develop specific VGPs appropriate to the identified mitigation measures and livelihood enhancement activities.

The Vulnerable Groups identified under the Program have the following characteristics:

- Self-identification as members of a distinct social group and recognition of this identity by others;
- Collective attachment to ancestral territories and areas of seasonal use or occupation, as well as natural resources in those areas;
- Customary cultural, economic or social institutions that are distinct or separate from those of the mainstream society and culture;
- A distinct language, which is different from the official language of the country

The Vulnerable Groups are inextricably linked to the land on which they live and the natural resources on which they depend. They are therefore particularly vulnerable if their land and resources are transformed, encroached upon, or significantly degraded. Different activities which are implemented in the project area could undermine language use, cultural practices, institutional arrangements, and religious or spiritual beliefs that VGs view as essential to their identity or well-being.

VGs in the project refer to those who may be more likely to be adversely affected by project impacts and/or more limited than others in their ability to take advantages of projects benefits. Such an individual or group is more likely to be excluded from/unable to participate fully in the mainstream consultation process and such may require specific measures and/or assistance to do so. These include hunter-gatherer communities, pastoralist and agro-pastoralist groups, a number of whom have limited access to social services due to geographic and infrastructure-related constraints.

The implementation of VGPs in the Program will help the VGs create important opportunities for improving their quality of life and well-being. The project will help create improved access to markets, schools, clinics and other services that seek to improve living conditions. The Program
will ensure participation of VGs in order to benefit from program-related activities that may help them fulfill an aspiration to play an active and meaningful role in sustainable development.

The Vulnerable Groups Planning Framework is designed to ensure inclusion of VGs into the Project design, planning and undertaking of planned activities to enhance development process with full respect to the dignity, human rights, economies, and culture of Vulnerable Groups.

2.1 Objectives of the Vulnerable Groups Planning Framework
The Vulnerable Groups Planning Framework has a broad objective of ensuring a thorough engagement of the VGs in the country development plans which will enable them:

- To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resources-based livelihoods;
- To avoid adverse impacts of the Program, or to minimize, mitigate and/or compensate for such impacts;
- To promote sustainable development benefits and opportunities in a manner that is culturally appropriate and inclusive;
- To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation throughout the lifecycle of the Program;
- To undertake Free, Prior and Informed Consent, where required; and To recognize, respect and preserve the culture, knowledge, and practices of VGs, as well as providing an opportunity to adapt to changing conditions in an acceptable manner and timeframe.

2.2 Elements of Vulnerable Groups Planning Framework
The VGPF will be used as the guideline for the preparation of Subprojects Specific Vulnerable Group Plans (SS-VGPs) when sites and sub-project activities have been identified in areas where Vulnerable Groups are present or in which they have a collective attachment, as determined during the environmental and social assessment process. The SS-VGPs will include the following elements, as needed:

a. A summary of the social assessment of VGs, including, where applicable, baseline data of the demographic, economic, social, cultural and political characteristics of the affected communities, the geographically distinct habitats, ancestral territories, or areas of seasonal use and occupation that they have traditionally owned or customarily used or occupied, as well as to the land in the project area and to natural resources in these areas on which they depend, and an assessment of their degree of vulnerability and the constraints they face to access project benefits.
b. **A summary of a scale appropriate to the project**, of the legal and institutional framework applicable to vulnerable group communities. Besides describing the legal status of VGs in the country's constitution, legislation (laws, regulations, administrative orders) and customary law, this section should also include an assessment of the ability of their communities to obtain access to and effectively use the legal system to defend their rights.

c. **A summary of the framework for meaning consultation and, where applicable, Free, Prior and Informed Consent (FPIC)**\(^1\) with the affected VGs during project preparation and implementation. The consultations should: (i) involve representative bodies and organizations (e.g., councils of elders or village councils, or Community Influential People) and, where appropriate, other community members; (ii) provide sufficient time for VGs’ decision-making processes; and (iii) allow for the effective participation by VGs in the design of project activities or mitigation measures that could potentially affect them either positively or negatively. Feedback on the project would be gathered through separate group meetings with vulnerable groups, including their leaders, non-governmental organizations (NGOs), community-based organizations (CBOs), civil society organizations (CSOs) and other affected persons. The consultations should also help inform the social assessment with regard to demographic data, such as the social and economic situation and social and economic impacts. Finally, a summary needs to be prepared of the FPIC process and how its requirements have been met.

d. **A summary of the Stakeholder Engagement Plan**, which would include stakeholder analysis and engagement planning, disclosure of information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally inclusive manner.

e. **An assessment of the nature and degree of the expected direct and indirect economic, social, cultural (including cultural heritage), and environmental impacts** on VGs who are present in, or have collective attachment to, the project area. This includes potential positive and negative impacts on VGs of each project component and proposed mitigation measures to avoid, minimize or compensate for adverse impacts.

i. Where alternatives have been explored and adverse impacts are unavoidable, the Program will minimize these impacts in a culturally appropriate manner proportionate to the nature and scale of such impacts and the form and degree of vulnerability. The Program and the affected VGs should identify mitigation measures as well as opportunities for culturally appropriate and sustainable development benefits. The Program will ensure the timely delivery of agreed measures to affected VGs.

ii. The determination, delivery, and distribution of compensation and shared benefits to affected VGs should take account of the institutions, rules and customs of these groups as well as their level of interaction with mainstream society. Where applicable, eligibility for compensation can either be individually or collectively-based, or be a combination of both.

\(^1\) See section below on FPIC.
iii. Various factors including, but not limited to, the nature of the project, the project context and the vulnerability of affected VGs will determine how they will benefit from the project. Identified opportunities should aim to address the goals and preferences of the affected VGs, including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend.

f. **Institutional arrangements**, with a clear description of responsibilities and accountabilities. This should include measures to strengthen the capacity of implementing agency at the central as well as the PAA level to address VG issues and the possibility of involving local CBOs, CSOs and NGOs with expertise in VG issues;

g. **The Grievance Mechanism.** TASAF will ensure that a grievance mechanism is established for the project, which is culturally appropriate and accessible to affected VGs, and takes into account the availability of judicial recourse and customary dispute settlement mechanisms among VGs. When designing the grievance procedures, priority should be given to resolving grievances through the local grievance mechanism.

h. **The cost estimates and financing plan for the VGP implementation.** The implementation of the VGP will require financial support especially during the application of recommended mitigation measures. For sub-projects under Public Works, the budget for VGP will be incorporated into the total sub-project budget.

i. **Mechanisms and benchmarks appropriate to the project for monitoring, evaluation, and reporting** on the implementation of the VGP. Monitoring arrangements should include the following tasks:
   iv. Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis;
   v. Socio-economic monitoring during and after VGP implementation, utilizing the baseline information established by the socio-economic survey of VGs undertaken during subproject preparation to ensure that impacts on VGs are mitigated and benefits reach VGs; and
   vi. Overall monitoring.

3.0 **RELEVANT NATIONAL POLICIES AND LEGAL FRAMEWORK**

The GoT has no specific legislation or policy regarding VGs, however the policy and legal framework on the Vulnerable Groups is based on the Constitution of the United Republic of Tanzania. One of the key principles of the Tanzanian Constitution is “Ujamaa” or family-hood, namely that a person becomes a person through the people or community. To this end, the Constitution emphasizes the importance of not singling out individuals, tribes or ethnic groups.

The following Articles emphasize the principle of national unity:
Article 8(2): The structure of the Government of the United Republic and the Revolutionary Government of Zanzibar or any of their organs, and the discharge of their functions shall be so effected as to take into account the unity of the United Republic and the need to promote national unity and preserve national dignity.

Article 9: The object of this Constitution is to facilitate the building of the United Republic as a nation of equal and free individuals enjoying freedom, justice, fraternity and concord, through the pursuit of the policy of Socialism and Self Reliance which emphasizes the application of socialist principles while taking into account the conditions prevailing in the United Republic. Therefore, the state authority and all its agencies are obliged to direct their policies and programmes towards ensuring (g) that the Government and all its agencies accord equal opportunities to all citizens, men and women alike without regard to their color, tribe, religion, or station in life.

Article 29: (1) Every person in the United Republic has the right to enjoy fundamental human rights and to enjoy the benefits accruing from the fulfillment by every person of this duty to society, as stipulated under Articles 12 to 28 of this Part of this Chapter of the Constitution.

(2) Every person in the United Republic has the right to equal protection under the laws of the United Republic.

(3) A citizen of the United Republic shall not have a right, status or special position on the basis of his lineage, tradition or descent.

(4) It is hereby prohibited for any law to confer any right, status, or special position upon any citizen of the United Republic on the basis of lineage, tradition or descent.

(5) In order that all persons may benefit from the rights and freedoms guaranteed by this Constitution, every person has the duty to so conduct himself and his affairs in the manner that does not infringe upon the rights and freedoms of others or the public interest.

3.1 Policies related to Vulnerable Groups
There are national policies that are applied to address social remedies to general public with specific sections discussing Vulnerable Groups. Among the key policies include the following:

The National Land Policy advocates equitable distribution and access to land by all citizens. It aims at ensuring that existing rights in land especially customary rights of small holders (i.e. peasants and herdsmen who form the majority of the country’s population) are recognized, clarified, and secured by law. Under the policy framework, land is to be put to its most productive use to promote rapid social and economic development of the country among other objectives. This implies that land that provides livelihood to Vulnerable Groups is to be protected and made available for their use.
3.1.2 National Human Settlement Policy (2000)
There are fourteen (14) main objectives but for the purpose of this Program the following five (5) shall be emphasized because they have direct or indirect impacts to the Program.

- To make serviced land available for shelter and human settlement development in general to all sections of the community including women, youth, the elderly, disabled and vulnerable communities
- To improve the level of provision of infrastructure and social services for sustainable human settlement development;
- To facilitate creation of employment opportunities and eradication of poverty;
- To protect the environment of human settlements and of ecosystems from pollution, degradation and destruction in order to attain sustainable development; and
- To encourage development of housing areas that is functional, healthy, aesthetically pleasant and environmentally friendly.

3.1.3 Agriculture and Livestock Policy (1997)
The overall aim of the Policy is to promote and ensure a secure land tenure system to encourage optimal use of land resources and facilitate broad-based social and economic development without upsetting or endangering the ecological balance of the environment. The land use plan in the Program will be observed to protect the rights of hunters-gatherers, livestock keepers, and specific uses on Vulnerable Groups.

3.1.4 National Gender Policy (2002)
The main objective of this policy is to provide guidelines to ensure gender sensitive plans, programs and strategies in all sectors and institutions. The policy emphasizes on gender equality with the aims of establishing strategies on poverty eradication through ensuring that both women and men get access to existing resources for their development. It values the role played by women in bringing about development in the society. The Program will therefore ensure gender equality and easy availability of resources to Vulnerable Groups.

3.1.5 National Policy on HIV/AIDS (2001)
The overall goal of the National Policy on HIV/AIDS is to provide a framework for leadership and coordination of the National multi-sectoral response to the HIV/AIDS epidemic. This includes formulation, by all sectors, of appropriate interventions which will be effective in preventing transmission of HIV/AIDS and other sexually transmitted infections, protecting and supporting Vulnerable Communities, mitigating the social and economic impact of HIV/AIDS.

In most cases, poverty of the Vulnerable Groups in the communities entice some household members to engage into illicit relationships that expose them to elevated risks of contracting HIV/AIDS infection. Thus, the National Policy on HIV/AIDS is relevant in
this respect since it provides a larger framework for intervention and protection of all people against HIV/AIDS.

3.1.6 Legislation frameworks:
Several legislation frameworks have a close link to the design and implementation of the Program (PSSN II), its components, sub-projects under components and the communities served by the Program. Here are those identified to significantly influence the Program implementation.

3.1.7 The Land Act No 4 and 5 of 1999
The Land Act Cap. 113, establishes three categories of land: general, village and reserved. In addition, land may be declared ‘hazard land’ where its development might lead to environmental damage, e.g. locations, such as wetlands, mangrove swamps and coral reefs, steep lands and other areas of environmental significance or fragility.

The Act recognizes customary tenure as of equal status to granted rights of occupancy and allows livestock keepers to own pasture lands either individually or in groups. Importantly, the land act promotes gender equality by recognizing equal access to land ownership and use by all citizens - men and women and giving them equal representation on the land committees.

3.1.8 Village Land Act (No. 7), 1999
The Village Land Act, (N0. 7), 1999 was enacted specifically for the administration and management of land in villages. Under the provisions of this act, the Village Council is responsible for management of village land and is empowered to do so in accordance with the principles of a trustee managing property on behalf of a beneficiary. In addition, the Village Council is required to manage land by upholding the principles of sustainable development, relationship between land uses, other natural resources and the environment. Many PSSN II subprojects shall be established and operated within village lands.

3.1.9 The National Climate Change Strategy (URT of 2012)
The goal of this Strategy is to enable Tanzania to effectively adapt to and participate in global efforts to mitigate to climate change with a view to achieving sustainable economic growth in the context of Tanzania’s national development blueprint, Vision 2025; Five Years National Development plan; and national cross sectorial policies in line with established international policy frameworks. Most of the sub-projects implemented under PSSN II may be affected by Climate Change effects; hence, mitigation is necessary for resilience and adaptation.

3.1.10 Environmental Management Act 2004
Section 7 (1) of the Environmental Management Act of 2004 stipulate its objectives which include providing for and promote the enhancement, protection, conservation and management of the environment. In achieving this objective section 7 (3) (b) reiterates that
advise effects be prevented or minimized through long term integrated planning and coordination, integration and corporation of efforts, which consider the entire environment as a whole entity, whereas section 7 (3) (g) insist on access to justice which gives individual, the public and interest groups of persons the opportunity to protect their rights to participation and contest decisions that do not take their interest into account. These sections emphasize the importance of consultation and ultimate participation of VG in program implementation.

The National Environmental Policy (1997) seeks to improve conditions of degraded areas including rural and urban settlements in order that all Tanzanians may live in safe and healthful productive and aesthetically pleasant surroundings, raise the awareness and understanding of the essential linkages between environment and development and to promote individual and community participation in environmental action and to ensure sustainability, security and equitable use of resources meeting the basic needs of present and future generations without degrading the environment or risking health or safety. The policy thus has a two-pronged focus, i.e. satisfaction of basic needs and protecting the environment in the course of development. Resources channeling shall be targeted to address poverty related environmental problems. Strategic attention shall be directed towards eradicating communicable disease, guaranteeing food, shelter, safe water for all, sustainable energy supply as well as employment and income generation in rural and urban areas, particularly combat poverty.

In its introduction, the national Environmental Policy stipulates that lives of all Tanzanians are intimately connected to environment such that people’s survival and those of future generations depends on the harmonious relationship with natural elements. Such a measure means that people have to strive to manage the environment and its resources in ways that enhance potential growth as well as opportunity for sustainable development of current and future generations. Furthermore, it is highly illuminated that there is an ostensible case-and-effect relationship between poverty and environmental degradation whereby environmental degradation leads to widespread poverty and it is equally true that poverty is a habitual cause of environmental degradation because it undermines.

The National Forestry Policy (1999) support the Forest Act (2002) which recognizes six different kinds of forest tenure categories. National forest reserves are gazetted forests owned and managed by the central government through the FBD in the MNRT for conservation and productive purposes. Local authority forest reserves (LAFRs) are gazetted forests managed at the level of district councils under local governments as production and protection forests. Village land forest reserves (VLFRs) are a new category of forests, which became legalized with passage of the 2002 Forest Act. VLFRs, as the name suggests, occur on village land and, as such, are managed by the village council on behalf of village residents. They are managed for both production and protection purposes, depending on their location, size, and composition.

Community forest reserves (CFRs) are found on village land and are similar in all respects to VLFRs, apart from the fact that their management is delegated by the village council to a group of persons within the community (such as a women’s group or a group of charcoal
producers). Private forests (PFs) are those forests owned by individuals or companies that have acquired land title deeds from the government. They may occur on general or village land. General lands, formerly known as public forest lands, are non-gazetted or non-reserved lands and are managed by the commissioner of lands on behalf of the president. These areas constitute the bulk of forests, a total of 20.5 million hectares, or 57 present of all forest land in Tanzania. They are “open access” areas, characterized by insecure land tenure, shifting cultivation, and widespread unregulated harvesting for fuel wood, poles, and timber.

The Forest Policy and the Forest Act both provide a strong foundation and legal basis for community involvement in forest management.

The Community Development Policy, 1996, enables Tanzanians as individuals or in their families or in groups/associations to contribute more to the government initiatives of promoting efforts on self-reliance and therefore bring about development at all levels.

The Cultural Heritage Policy, 2008, recognizes that as long as the public is the main custodian of cultural resources, its implementation is on public involvement. Currently, the government’s role is to create conducive environment, coordinate as well as supervise policy implementation. The government envisages that policy implementation would enhance sustainable conservation of cultural heritage; create public awareness, confidence as well as national pride; and expand investment opportunities in the cultural heritage tourism sector.

Socio-Economic Situation of VGs in the Project Area

3.1 General Characteristics of the VGs
The following is a general description on the social economic characteristics as well as other livelihood factors pertaining to Vulnerable Groups in the Project area.

3.1.1 General location
The majority of the VGs live in northern Tanzania, particularly in Arusha and Manyara regions and partly in Singida and Simiyu regions. The Hadzabe live around Lake Eyasi and are mainly found in Mkalama, Karatu, Mbulu and Meatu Districts. The Akie, also called Ndorobo are found in Kiteto District in Manyara region and share many similarities with Maasai. The Barbaig, also known as Datoga, occupy the northern volcanic highlands near Mount Hanang and around the Rift Valley, and are mainly found in Hanang, Babati and Karatu Districts.

3.1.2 Demographics of the VGs in the Project Area
Although history tells something different, at present, subsistence agriculture and animal husbandry are the main source of livelihoods in all areas visited. Traditionally, the Akie and Hadzabe have been predominantly hunter-gathers and pastoralists. Men usually go hunting while

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2 For more information on socio-economic issues, refer to Annex 4.
women take care of children and do gathering. Men hunt small animals within their areas, women collect herbs and fruits from the forest, including honey from traditional bee hives to feed their families. They do not remain in one place. They move from one place to another looking for their daily needs. Another characteristic is that Hadzabe women build the houses, so the house belongs to the woman. Hunting and gathering as a means of livelihood has been increasingly diminishing due to harsh climatic conditions which has resulted in the disappearance of wild animals for hunting. Government laws also prohibit the Hadzabe from hunting without license.

The Barbaig/Datoga are traditionally pastoralists. Men usually take care of their animals (cows, goats, sheep) and women take care of children. Climatic changes have resulted in drought; thus, there is insufficient pasture and water for livestock. This has forced them to start practicing agriculture by engaging in subsistence farming during the rainy season. However, those with large herds of cattle have shifted to other places in search of greener pastures. In most of the villages, agriculture is increasingly becoming the means of livelihood. Animals are kept as assets to absorb shocks in case of natural calamities and emerging uncertainties. Maize is the main food crop while beans are both food and cash crops. The sunflower is also immersing as a dependable cash crop in most of the areas in the districts. Other economic activities include bee keeping, particularly in the Akie communities, which trade honey and dairy products.

Another group is the Simjega (Wahunzi or ironsmiths), which are related to the Datoga. They do not own cows but are doing small scale farming (both men and women). The Wahunzi (ironsmiths) make arrows for hunting. They build house together (men build poles, women place the mud around the house), and men and women jointly take care of children. Men also search for food for their families.

3.1.3 Income, Livelihoods and Economics
While some communities engage in foraging and hunting, others farm and herd, and, in some cases, certain communities are agro-pastoralists who are sedentary. Their land is being highly encroached by other ethnic groups. As a result, they face scarcity of land for practicing their traditional activities, pastoralists or as hunt-gatherers, something which contributes to them shifting their economic activities to small-scale farming or casual labour to survive.

The effect of climate change has forced VGs to transform their livelihood style from purely pastoralist to agro-pastoralist. However, most of the VGs are engaging in subsistence farming which is characterized by low yield and unreliable rainfall. Similarly, in animal keeping, the production is very low due to several reasons including lack of modern methods and influx of many animal diseases.

3.1.4 Land Tenure arrangements,
Community members largely depend on land as a natural resource whether they are farmers, or pastoralists, or hunter-gathers. In the Barbaig/Datoga communities, which are pastoralist, land
ownership and tenure system is male dominated. Most of the land is held under customary private ownership whereby sons obtain land from their father-heads of the families 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. On the other hand, the Akie/Hadzabe, who are hunter-gatherers, traditionally had no culture of owning land individually because they were mobile people, moving from place to place, hunting wild animals and gathering fruits in the forest. Currently they own land pieces individually, though some of them are still landless.

In order to address encroachment of land on which VGs depend, the Village Councils have established a land register at the village to enable people who have pieces of land to get customary land ownership. The initiative also facilitates women to possess land legally and it plays a great role in solving land conflicts in the respective district. Proper timing and use of resources to ensure sustainability is practiced and bylaws have been instituted to harmonize land use management.

3.1.5 Culture and Cultural Identity
The cultural identity of VGs is closely linked to the lands on which they live and/or the routes through which they herd their livestock. Some live with other communities; others are more isolated. Currently, most agro-pastoralist communities have been more successful in becoming integrated into other communities in which they settle. For example, agro-pastoralists are able to participate in decision making processes. They have been renting land, growing crops and even had positions in community governance structures and community-based organizations (CBOs). The hunter-gatherers, on the other hand, have tended to be more isolated from communities and decision making. This is due in part to a less sedentary, more nomadic lifestyle.

3.1.6 Education, housing, health, healthcare
Generally, the availability of social services is minimal in the areas where these communities reside. They usually stay at the peripheral areas as a result; even if the facilities are available, they need to travel long distance to access those services. Given the nature of villages in VGs area, children have to walk long distances to school, which emphasizes the need for additional schools in their sub villages. Introduction of boarding schools is also needed to help VGs children gain access to education since their parents are moving from one place to another. Provision of mobile clinic is needed for children and women, as some pregnant women give birth at home in dangerous situations.

3.1.7 Food, water, energy security
The hunter-gatherers and pastoralist are facing a serious shortage of water for both human beings and animals. The shortage of water force VGs to move from one place to another looking for alternative source of water. The time spent looking for water hinders them from engaging in other development activities.
The livelihood of the Barbaig, has mainly depended on livestock keeping. Currently they have undergone major transformation in their livelihoods as they are also engaging in farming. They keep cattle, goats and sheep while also producing farm crops like maize, beans and sunflower.

The VG communities lack basic access to energy, partly as a result of their relative isolation and poverty, and because some of them are nomadic.

3.1.8 Institutions and Project Stakeholders
The national governance structure for decision making is vertically structured with horizontal linkage across various government departments. The detailed institutional arrangements at different levels is as seen in Section 6.

There are several NGOs/CBOs which are working with the Vulnerable Groups Communities to address some of their economic, social and cultural issues:

- Pingo in Kiteto which deals with all issues of development in the hunter-gathers and pastoralists communities, particularly poverty reduction through promoting income generation activities.

- Ujamaa Community Resource Team (UCRT) in Kiteto provides goats for hunter-gatherers women as means of sensitizing them to engage in livestock keeping and enable them to improve their life. Also, it facilitates land survey and demarcation exercises in collaboration with the District council; whereas in Mbulu PAA, the NGO assists in land management according to the particular needs of the community.

- Farm Africa in Hanang works towards enhancing livelihoods through formation of savings and credit groups and capacity building in business development skills.

- Carbon Tanzania in Mbulu PAA, where they assist in taking care of environmental issues. They reward communities who have been able to promote environmental conservation by issuing incentives for health insurance assistance to community members and education assistance to children who are ready to pursue secondary/high school/college education.

3.2 STAKEHOLDER ENGAGEMENT
Stakeholder engagement is the cornerstone in the involvement and participation of VGs in implementation of PSSN II project. The Project will ensure effective participation of all stakeholders throughout the Project cycle.

Stakeholder engagement (SE) is a method that involves gathering information from all parties in a particular community. The key points included listening to all stakeholders’ opinions sincerely, extensively, patiently and modestly; respecting all participants; showing interests in their knowledge, speeches and behaviors; and encourage knowledge sharing and obtain their commitment to participate in the Program implementation.
To the area where VG are present, the PAA facilitators will undertake a stakeholder engagement to identify their needs and a better way of engaging them in the program activities. The breadth, depth, and type of engagement required will be proportional to the nature and scale of the proposed sub-projects VGs.

TASAF’s Stakeholder Engagement Plan (SEP) has been prepared according to the following principles:

- The SEP will describe the timing and methods of engagement with all stakeholders throughout the life cycle of the project as agreed between the Bank and TASAF, distinguishing between project-affected parties and other interested parties. The SEP will also describe the range and timing of information to be communicated to project-affected parties and other interested parties, as well as the type of information to be sought from them.

- The SEP will be designed to take into account the main characteristics and interests of the stakeholders, and the different levels of engagement and consultation that will be appropriate for different stakeholders. The SEP will set out how communication with stakeholders will be handled throughout project preparation and implementation.

- The SEP will describe the measures that will be used to remove obstacles to participation, and how the views of differently affected groups will be captured. Dedicated approaches and an increased level of resources may be needed for communication with such differently affected groups so that they can obtain the information they need regarding the issues that will potentially affect them.

- When the stakeholder engagement with local individuals and communities depends substantially on community representatives (such as village heads, clan heads, community and religious leaders, local government representatives, civil society representatives, politicians or others), TASAF will make reasonable efforts to verify that such persons do, in fact, represent the views of such individuals and communities, and that they are facilitating the communication process in an appropriate manner (for example, by conveying, in an accurate and timely manner, information provided by TASAF to the communities and the comments and the concerns of such communities to TASAF).

For the purposes of this VGPF, the SEP will be in the format of a framework approach, outlining general principles and a collaborative strategy to identify stakeholders and plan for an engagement process that will be implemented once the locations and project activities are finalized.

### 3.3 Consultation Meetings

The consultation process is the dynamic process of dialogue between stakeholders based upon a genuine exchange of views, with the objective of influencing decisions, policies or programs actions. At the beginning of program implementation, sensitization meetings will be held at the
community level. These meetings will be organized by the Village Councils, which have the overall responsibility for the economic and social development of the Village. Vulnerable Groups enrolled in the Program are eligible for effective participation in all activities implemented in the PSSN II.

3.4 Rationale of Conducting a Stakeholders Engagement Process with VGs

The stakeholder’s engagement of VG communities has been carried out to ensure meaningful participation of these groups into PSSN II. In view of PSSN II’s design, various activities are envisaged in its components, which include a Public Works Program, Livelihood Enhancement, and Targeted Infrastructure development in Productive Transfer. Such activities are proposed and undertaken by the communities to address community needs, increase household income provide assets to respective communities. The VG communities will also be engaged in activities with specific interventions suitable for traditional cultural settings, which will be done without compromising VGs fundamental interests and values. The stakeholders’ engagements will ensure that these communities are made aware of Program activities, and that opportunities are availed and capitalize on for the advancement of socio-economic development of the community.

3.5 Methodologies to undertake Stakeholders Engagement

In preparing this VGPF, consultations have been undertaken with VGs. A summary of the methodology, dates, locations, stakeholders consulted, issues raised and description of how they will be addressed is in Annex 4.

In preparing the VGPs, information will be gathered through separate group meetings with Vulnerable Groups, including their leaders, NGOs, CBOs, and affected persons. Discussions will focus on potential positive and negative impacts of implementing programs for the VGs, measures to enhance positive impacts, and, strategies/options to minimize and/or mitigate negative impacts.

The stakeholder’s engagement process will be conducted using documentation review, interviews with key informants, and focus group discussions and Special Village Assembly Meetings with VGs, and other identified Civil Society Organizations (CSOs). The process will generate data and information based on the indicators summarized in Table 1 below.

Table 1: VG Stakeholders Engagement Process Matrix

<table>
<thead>
<tr>
<th>Issues</th>
<th>Activity</th>
<th>Responsible</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Screening</td>
<td>Carry out an inventory of VG</td>
<td>PAAs, VGs, and Village Council (VC)</td>
<td>• Maps indicating location of VG communities</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Number of households</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Number of members of household by category</td>
</tr>
<tr>
<td>Issues</td>
<td>Activity</td>
<td>Responsible</td>
<td>Indicators</td>
</tr>
<tr>
<td>--------</td>
<td>----------</td>
<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(Age, sex, occupation)</td>
</tr>
</tbody>
</table>
| Orientation and Mobilization of VGs | Community meetings | PAAs, VGs and VC representatives | - Number of Community meeting minutes  
- Number of VGs attended  
- Total number of participants in place |
| Consultations with VGs | Participatory Rural Appraisals | PAAs, VGs and VC representatives | - General Village assembly meeting minutes  
- Attendance of VGs by categories  
- Detailed social screening report  
- FPIC, if required |
| Development of strategies for participation of VGs and mitigation measures | Participatory planning with VGs | PAAs, VGs, VC representatives | - List of positive impacts to be strengthened  
- List of negative impacts to be mitigated  
- Compensation measures, if required |
| Carry out capacity building for VGs, if needs arise/ | Conduct information-sharing session | PAAs, VGs and VC representatives | - List of VG attendance  
- Minutes of the meetings  
- Information sharing reports |
| Participatory M&E with VGs | To conduct participatory M&E | PAAs, VGs and VC representatives | - M&E reports accessible to VGs and implementing agencies.  
- List of VG representatives attended the process |
3.6 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 VGs for the project activities that affect them, reached through a culturally appropriate process. It may exist even if some individuals or groups object to such project activities. FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected VGs explicitly disagree.

FPIC would be applied when subprojects:

a) have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
b) cause relocation of VGs 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 VGs that is material to their identity and/or cultural, ceremonial, or spiritual aspects of their lives.³

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

• The Program will document:
(i) the mutually accepted process to carry out good faith negotiations that has been agreed by the Borrower and the VGs; and
(ii) the outcome of the good faith negotiations between the Borrower and VGs, including all agreements reached as well as dissenting views;

The procedure will be infused into the Obstacles and Opportunities for Development (O&OD) process in all steps which utilize high level consultation and participatory tools at every stage of project design, implementation and monitoring and evaluation. The O&OD process ensures that gender, youth, persons with disabilities and all groups from the community in the respective VG area are included in the Program, any negative impact is addressed and benefits accrued are shared. Where applicable, FPIC will be conducted at each stage of the program, particularly during the initial stages of the Program to incorporate VGs views and support.

³ Annex 5 includes additional guidance on addressing these three situations.
The participatory stakeholder’s engagement and, where applicable, the FPIC results will determine whether to proceed with a respective sub-project or not. In case it is agreed to proceed, the PAA facilitator will prepare the following:

a. The findings of the stakeholder engagements;
b. Where applicable, the process of FPIC with the affected VG communities. This would include additional measures, such as project design modification, to address adverse effects on the VGs and to provide them with culturally appropriate project benefits;
c. Recommendations for an FPIC process with PAPs and participation by VGs during project implementation, monitoring, and evaluation; and
d. Any formal agreements reached with VGs.

The Consultation process will document the community general assembly minutes with attendance lists and VG members’ lists, photographic evidence and minutes of other meetings and/or back-to-office reports.

Table 2: FPIC process for Vulnerable Groups

<table>
<thead>
<tr>
<th>Consultation Stages</th>
<th>Consultation Participants</th>
<th>Consultation Method</th>
<th>Expected Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of subprojects</td>
<td>PAA, and other stakeholders</td>
<td>VGs, including organizations community leaders/elders, Community Management Committees (CMC)s, VCs</td>
<td>Open meetings &amp; discussions, visit proposed sub-project sites,</td>
</tr>
<tr>
<td>Initial screening of the proposed sub-projects that may require FPIC</td>
<td>TASAF and PAAs</td>
<td>VGs, CBOs community leaders, influential people, key informants, CMC, VCs</td>
<td>Open meetings, focus group discussions, spot interviews, etc.</td>
</tr>
<tr>
<td>Secondary screening of the proposed sub-projects with FPIC requirements</td>
<td>PAAs, &amp; other stakeholders</td>
<td>VGs, CBOs community leaders, influential people, key informants, CMC, VCs</td>
<td>Open meetings, focus group discussions, spot interviews, etc.</td>
</tr>
<tr>
<td>Consultation Stages</td>
<td>Consultation Participants</td>
<td>Consultation Method</td>
<td>Expected Outcome</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>----------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>In-depth study of risks and benefits of</td>
<td>PAAs, NGOs / CBOs, other Knowledge-able persons</td>
<td>Formal/informal interviews; focus group discussions; hotspot discussion on specific impacts, alternatives, and mitigation, etc.</td>
<td>More concrete view of impact issues &amp; risks, and feedback on possible alternatives, mitigation, and development measures or a proposal not to proceed with certain sub-projects because there is no FPIC for them</td>
</tr>
<tr>
<td>any of the applicable FPIC scenarios,</td>
<td>VGs, including likely affected CBOs organizations, community leaders, influential people /elders, key informants, CMC, VC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>taking into consideration, inter alia,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the conditions that have led to community consensus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stakeholder Engagement</td>
<td>PAAs, NGOs / CBOs, other knowledgeable persons</td>
<td>Community discussions; structured survey questionnaires covering quantitative &amp; qualitative information/issues</td>
<td>Confirmation of FPIC; Inputs for VGs, and identification of issues that could be incorporated into design of the PWP sub-projects;</td>
</tr>
<tr>
<td>Preparation of sub-project specific VGs</td>
<td>PAAs, and other stakeholders</td>
<td>Group consultations, hot spot discussions, etc.</td>
<td>Preparation of sub-project specific VGPs, and incorporation of SA inputs to avoid or minimize adverse impacts, promote culturally</td>
</tr>
<tr>
<td>Consultation Stages</td>
<td>Consultation Participants</td>
<td>Consultation Method</td>
<td>Expected Outcome</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------</td>
<td>---------------------</td>
<td>------------------</td>
</tr>
<tr>
<td></td>
<td>Project Authority</td>
<td>VGs Community</td>
<td></td>
</tr>
<tr>
<td>Implementation</td>
<td>TMU, PAAs, &amp; other stakeholders</td>
<td>Individual VGs, organizations, community leaders /elders &amp; other stakeholders CMCs, VCs</td>
<td>Implementation monitoring committees</td>
</tr>
<tr>
<td>Monitoring &amp; Evaluation</td>
<td>TASAF TMU, PAAs, NGOs &amp; CBOs</td>
<td>VGs organizations/ groups and individuals</td>
<td>Formal participation in review and monitoring</td>
</tr>
</tbody>
</table>
4.0 POTENTIAL IMPACTS OF PROJECT TO VULNERABLE GROUPS

The implementation of the Program to VG communities will be based on a choice of subprojects to be identified and prioritized by respective communities. Since the Project is expected to have potential benefits to vulnerable communities; negative impacts are also expected. The Project will continually maintain and strengthen positive outcomes and mitigate negative impacts. The following are potential impacts expected through Project activities:

4.1 Potential impacts of Productive Transfer

The execution of Productive Transfer to Vulnerable Groups may have both positive and negative impacts. The positive impacts include speeding changes towards development in the communities. Productive Transfer will enable VG to access improved nutrition, improved shelters and commodities of their choice. On the other hand, productive transfers may have negative impacts to Vulnerable Groups since cash received might interfere with traditions and cultural norms, such as hunting methods and community lifestyles.

4.2 Potential impacts of Public Works

During the implementation of PW, land for the sub-projects will be required. These sub-projects may affect access to common assets/resources and/or livelihoods of the surrounding communities. Any such land acquisition resulting in involuntary resettlement and/or restrictions of access to resources and livelihoods would be undertaken according to the project’s Environmental and Social Standards (ESS’s) for Land Acquisition, Restrictions on Land use and Involuntary Resettlement (ESS 5) and for Sub-Saharan African Historically Underserved Traditional Local Communities (ESS 7). Vulnerable Groups are at risk of being excluded from decision-making processes for activities that would benefit them, or receiving benefits that may not be socially appropriate, or, project activities may have adverse impacts on their livelihoods. Therefore, sub-projects to be financed will be screened to establish the presence of VG or their representative. The VG will be consulted, and any identified negative impacts on VG are mitigated and positive impacts are enhanced based on the meaningful consultation with the affected communities.

PWP supports implementation of subprojects to improve management of existing natural resources. The menu is diverse and includes, among others, reforestation, water management, land recovery, construction of terraces to mitigate erosion, water source protection and small-scale irrigation schemes. These are simple community assets tailored to complement the existing livelihoods and natural resource base. Selection of sub-projects appropriate to a Vulnerable Groups will follow a participatory process using O&OD tools. This enables VGs to assess their local needs and challenges, prioritize these needs, suggest possible solutions, and develop action plans in order to address the prioritized needs.
4.3 Potential impacts of Livelihood Support

There are more livelihood support impacts to VGs during the implementation of Livelihood support Projects under PSSN II. It is expected that there will be an increase in household income resulting from various income generating activities. The expected impacts include taking land from VGs for sub project implementation, inadequate involvement of VG in the implementation of sub-projects, invading VGs cultural and traditional sites and affect their traditional means of feeding and living. Most of the potential impacts are well addressed by appropriate application of Environmental and Social Standards (ESS). Awareness rising to the communities within the Vulnerable Groups is seen as another way of dealing with potential adverse impacts.

Below is a list of possible sub-projects for PW and LE that communities may prioritize on after carrying out participatory planning;

i. Construction of rainwater harvesting tanks
ii. Construction of community ponds -
iii. Hand dug wells
iv. Restoration of degraded areas
v. community access roads
vi. soil and water conservation
vii. Establishment of demonstration plots
viii. Area enclosure including bee keeping and forage banks
ix. targeted infrastructure addressing health and education facilities
x. Need of supply bee hives and accessories for bee keeping
xi. Market for hand making works
xii. Small equipment /machines for making embroidery for selling
xiii. Knowledge of Group formation and savings as well as entrepreneurship/marketing skills
xiv. Land allocation and management plan.
xvi. Training of youth on game scouting to promote employment
xvii. Provision of Cows/goats within their households

4.4 Potential Negative Impacts of Proposed Sub-projects

Among typical negative impacts of subprojects at community levels include: loss of range land and hunting blocks / areas; loss of forests in culturally sensitive areas for VGs, and other losses, as explained in Table 3 below.

Table 3: Potential Adverse Impacts and Mitigation Measures

<table>
<thead>
<tr>
<th>Impact</th>
<th>Possible Actions</th>
<th>Responsible</th>
</tr>
</thead>
</table>

32
<table>
<thead>
<tr>
<th>Impact</th>
<th>Possible Actions</th>
<th>Responsible</th>
</tr>
</thead>
</table>
| Disappearance of social and culture practices related to land due to interference with other communities | • PAA to institute land allocation and demarcation; Land Use or Management Plan to be put in place  
• Continue awareness-building on importance of VGs to preserve their culture | PAA VGs VCs                      |
| Loss of range land and hunting blocks/areas.                         | • The PAAs in collaboration with VCs to demarcate land for VG hunting/grazing activities.  
• Provide alternative activities to VGs, such as beekeeping, small stock keeping etc.                                                                 | MLHHSD, MNRT, MA, MLF, PAAs VG and communities |
| Loss of forests in culturally sensitive areas for VG                  | • Propagate afforestation sub-projects that are designed, implemented and supervised by VGs.  
• Ensure safeguard for/protection of culturally/spiritually sensitive areas for VGs.                                                                 | PAAs, Village Councils, VGs       |
| Conflicts about resource utilization (water) among humans and animals  | • Ensure adequate distribution of water points for both people and livestock                                                                                                                                     | PAAs, Village Councils, VGs       |
| Increased risk of exposure to communicable diseases such as HIV/AIDS, TB and STDs | • Design public health messages and measures to alert and combat spread of diseases  
• Awareness campaigns on disease outbreaks                                                                                                             | MHCDGEC, PAAs should initiate.    |
| Loss of traditional livelihoods                                       | • Design projects to blend with traditional livelihoods to the extent possible, particularly if there is resettlement.  
• Meetings about changing mindsets                                                                                                                     | PAAs, Village Councils           |
| Encroachment and degradation of land, territory and natural resources  | • Introduce and maintain Land Management Plans  
• Introduction of bylaws  
• Provide for a meaningful representation of the VGs in decision-making on PWP sub-project development, micro-planning and operations and maintenance of service provision, ensuring VGs have voice to define and shape the benefits | PAAs, Village Councils           |
## Impact

<table>
<thead>
<tr>
<th>Impact</th>
<th>Possible Actions</th>
<th>Responsible</th>
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</table>
| Inadequate participation of women in decision-making processes         | • Implement VGPs to re-assert VGs’ rights to land and other natural resources affected by the sub-projects.  
• Ensure adherence to the project Resettlement Policy Framework.       | PAAs, and Village Council, NGOs, CBOs                                        |
| Shortage of water due to drought                                       | • Introduction of water subprojects through PWP/ Rehabilitation of traditional water sources | PAAs, Village Councils       |
| Increased vulnerability of VGs due to communication barriers           | • Use of communication mechanism that will assure their participation in the program; participation by local leaders from their groups  
• Adequate communication framework to ensure VG’s voices are heard, pending issues resolved and grievances heard | TASAF TMU PAAs VCs CMCs       |

### 4.5 Vulnerable Groups Plans

Subprojects Specific Vulnerable Group Plans (SS-VGPs) will be prepared when sites and sub-project activities have been identified in areas where Vulnerable Groups are present or in which they have a collective attachment, as determined during the environmental and social screening process. The SA will give baseline data of the demographic, economic, social, cultural and political characteristics, land use as well as natural resources in the area of which the VGs depend on. Based on the findings of SA, a VGP will be developed to address (i) aspirations, needs, and preferred options of the affected vulnerable groups; (ii) local social organization, beliefs, ancestral territory, and resource use patterns among the affected vulnerable groups; (iii) potential positive and negative impacts on vulnerable groups; (iv) measures to avoid or mitigate adverse impacts; (v) measures to ensure project benefits will accrue to vulnerable groups; (vi) measures to strengthen
the capacity of local authority and relevant government departments to address vulnerable groups’ issues; (vii) the possibility of involving local CBOs and NGOs with expertise; (viii) budget allocation; and (ix) monitoring.

The Vulnerable Groups Plan (VGP) will provide guidance on environmental and social issues to be addressed during implementation of the program. The VGPs will identify potential environmental and social impacts and propose appropriate mitigation measures. The VGP may vary depending on social-cultural behavior, geographical location and livelihood activities of the respective community. Table 4 below is an example of the VGP, based on some of the issues raised during the Stakeholders Engagement consultations and meetings carried out in four districts of Kiteto, Hanang, Mbulu and Karatu.

**Table 4: Vulnerable Groups Plan**

<table>
<thead>
<tr>
<th>S/N</th>
<th>Raised Issues</th>
<th>Potential Impact</th>
<th>Mitigation Measures</th>
<th>Timeframe</th>
<th>Responsible Person/Institution</th>
<th>Resource Requirements</th>
</tr>
</thead>
</table>
| 1   | Population increase and shortage of land has forced other groups to move to VGs’ traditional areas and forced them to mix, with the risk that VGs could lose their cultural practices and traditional economic activities | • Disappearance of social and cultural practices due to interference by other communities | • PAA to institute land allocation and demarcation; Land Use or Management Plan to be put in place  
• Continued awareness-building on importance of VGs preserving their culture | Ongoing | PAA  
VGs  
VCs | Transport costs; Allowances; Stationeries |
| 2   | Incursion of traditional VG lands by other communities and effects of climate change has led to a loss of natural resources which | • Loss of range land and hunting blocks/areas.  
• Loss of forests in | • The districts (PAAs) in collaboration with VGs to demarcate land for VG hunting/grazing activities.  
• Provide alternative | Ongoing | MLHHSD,  
MNRT,  
MA,  
MLF,  
PAAs  
VG and communities  
PAAs, | Transport costs; Allowances; Stationeries |

---

4 It will complement the Environmental and Social Management Plan.
was an enabling environment for availability of fruits / animals / herbs that are important to VGs; VG communities are losing their original land which has been used for their traditional livelihood activities (e.g. hunting and gathering)

### 3 Effects of climate change/draught and inadequate water supply in the VG communities, resulting in shortages of water for both human beings and animals

- conflicts about resource utilization (water) among humans and animals
- shortage of water due to drought
- Ensure creation of water sources and adequate distribution of water points for both people and livestock
- Introduction of water subprojects through PWP/Rehabilitation of traditional water sources

<table>
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<tr>
<th></th>
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<th></th>
<th>Village Councils, VGs</th>
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</table>

### 4 Social interactions between men and women due to their traditional way of life (e.g. Hadzabe culture where a woman decides which

- Increased risk of exposure to communicable diseases, such as HIV/AIDS, TB and STDs
- Communication/awareness sessions on public health messages and measures to alert and combat spread of diseases
- Discuss measures to improve negative traditional cultural

<table>
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<tr>
<th></th>
<th></th>
<th></th>
<th>MHCDGEC and PAAs should initiate.</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Transport costs; Allowances; Stationeries</td>
</tr>
<tr>
<td></td>
<td>Population increase and shortage of land has also resulted in environmental degradation and disturbance of natural resources</td>
<td>Practices</td>
<td>On-going</td>
</tr>
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<td>--------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
</tbody>
</table>
| 6 | Encroachment on and degradation of land, territory and natural resources | • Introduce and maintain Land Use or Management Plans  
• Introduction of bylaws to protect the land and environment  
• Provide for meaningful representation of the VGs in decision-making in PSSN PWP sub-project development (micro-planning and operations and maintenance of service provision)  
• Ensure VGs have the voice to shape the benefits they would like to see from the projects.  
• Implement VGP to reaffirm VGs’ rights to land and other natural resources affected by the sub-projects.  
• Ensure adherence to the project Resettlement Policy Framework. |  |  |  |
| 7 | Non-inclusion of women’s and children’s needs | Inadequate participation of women in  
• PAA and community leaders | On-going | PAAs, Village Council, | Transport costs; Allowances |
<table>
<thead>
<tr>
<th></th>
<th>increased vulnerability of VGs due to communication barriers</th>
<th>increased vulnerability of VG due to communication barriers</th>
<th>use of communication mechanisms that will ensure their participation in the program/Use of local leaders from their groups</th>
<th>Adequate communication framework to ensure VGs voices are heard, pending issues resolved and grievances heard</th>
<th>ongoing</th>
<th>NGOs, CBOs; Stationeries</th>
</tr>
</thead>
</table>

**due to lack of consultation during discussion of social and developmental issues**

**decision-making processes**

**should ensure equal participation of women during consultation and in decision-making**
- Continuous awareness-raising of women’s rights to land, natural resources and livelihoods
- Use of communication mechanisms that will assure their participation in the program
- Use of local leaders from their groups
- Adequate communication framework to ensure VGs voices are heard, pending issues resolved and grievances heard

**On-going**

**TASAF, TMU, PAAs, VCs, CMCs**
5.0 INSTITUTIONAL ARRANGEMENTS

The presence of the organized arrangement of various institutions is the prerequisite for effective application of the Environmental and Social Standards at all levels.

The national governance structure for decision making is vertically structured, with horizontal linkages across various government departments. At the national level, there will be three bodies, namely the National Steering Committee (NSC), TASAF Management Unit (TMU) and Sector Experts Team (SET) to ensure adherence to safeguards standards during the implementation of the Program.

At the Regional level, the Regional Administrative Secretary (RAS) will appoint a Regional PSSN Coordinator to supervise PAA and report to the Ministry of Local Government and Regional Administration (PORALG).

At the PAA level, the Program is managed by the PAA Director, supported by several heads of departments and officers who are supporting the Directors technically on the entire cycle of sub-project implementation initiated by Vulnerable Groups. Those officers include Environmental and Social Safeguards Officers, Planners, Engineers, Community Development Officers, Water, Natural Resources, Land Officers, etc.

At the community level, the governance is under Village/Mtaa Council, whereby administrative roles are executed by Village/Mtaa Executive Officers. The community administration is directly linked with its people, and it is at this level that community meetings are organized for the purpose of public consultation, involvement and notable participation into development activities such as sub-projects design, planning and implementation. The detailed description on the roles of each above-mentioned level is displayed below.

The TMU is the executing agency of this Program and the PAAs are implementing agencies under the guidance of TMU. The TMU will be responsible for overall implementation, monitoring and supervision.
5.1 Roles of stakeholders during implementation of VG Plan
Different stakeholders will play the following roles in relation to the planning and implementation of subproject specific Vulnerable Group Plans as follows:
5.1.1 Village and Ward levels
Village leaders and Community Management Committees (CMC) are responsible for the planning, implementation; monitoring and evaluation of subproject specific VG Plans. Specific responsibilities include:

i. Awareness creation in the community about the VG Plans;
ii. Participating in data collection from the community including identification of VGs;
iii. Facilitating meetings with VGs and other stakeholders;
iv. Assisting the community in the process of preparing subproject specific VG Plans at community level;
v. Consolidating Village/Shehia/Mtaa VG Plans at the community level;
vi. Participating in the planning, implementation, monitoring and evaluation of subproject specific VG plans at the village level;

vii. Preparing and submitting implementation reports to the Village Council/Shehia Advisory Council/Mtaa Committee;
viii. Establishing and maintaining databases and Management Information Systems (MIS) for the VGs; and
ix. Addressing grievances from VGs.

5.1.2 PAA and regional levels
The PAA and regional levels will be responsible for overall planning and management of the VG Plans as follows:

i. Awareness creation at PAA and regional levels about the VGP;
ii. Facilitating community identification of key activities to be included into subproject specific VG Plans;
iii. Providing technical assistance to village leaders, CMCs and local communities as needed in the preparation of subproject specific VGPs;
iv. Ensuring that VG Plans are mainstreamed into PAA Annual plans;
v. Participating in the planning, implementation, monitoring and evaluation of subproject specific VG Plans at PAA levels;
vi. Reviewing and compiling quarterly progress reports on the implementation of VG Plans;
vii. Establishing and maintaining updated databases and MIS at PAA and regional levels;
viii. Monitoring and evaluation of the implementation of the VG Plans; and
ix. Offering support in undertaking Social Assessments.

5.1.3 National Level
At the national level, there will be three bodies, namely the National Steering Committee (NSC), TASAF Management Unit (TMU) and Sector Experts Team (SET) 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 PAAs, 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 reports on the implementation of VGP plans;

v. Establishment and maintenance of effective M&E system including database and MIS at this level; and

vi. Knowledge management and learning.

6.0 MONITORING, EVALUATION AND REPORTING

All sub-project results indicators will be disaggregated by gender to monitor women’s participation in the sub-components interventions. The sub-projects will also enhance inclusion of VGs who are living in the targeted PAAs. The TMU will establish a monitoring system involving TMU staff at national and district levels, as well as communities to ensure effective implementation of VGPs. A set of monitoring indicators will be determined during VGP implementation.

For any sub-project found to have significant adverse impacts on VGs, the participatory approach of involving external experts, NGOs, PAAs experts, TMU staff and the community will be engaged to verify information of the sub-project specific VG Plans for those sub-projects. The Sector Expert Team (SET) will advise on compliance issues and if any significant issues are found, the TMU will prepare a corrective action plan or an update to the approved VG Plan.

Monitoring Indicators:
Several key indicators and subjects for monitoring and evaluation of VG Plans at community levels are (i) process of consultation activities; (ii) appropriateness of affected assets valuation and compensation; (iii) economic status of VGs in comparison with pre-project conditions; (iv) status of VGs as identified in the SE; (v) any disadvantaged conditions to VGs that was not anticipated during the preparation of VG Plans at the community level and which require corrective actions; and (vi) grievance issues. Required data/information will be collected and analyzed regularly to indicate progress on implementation of VG Plans, project outputs, outcomes and impacts. Results of analysis will be submitted to the Bank semi-annually.

Quarterly Reporting and Performance Review
Quarterly progress reports will be prepared by the PSSN II Coordinator at PAA, and the preparation of the progress reports will be supported by the environmental and social safeguards experts in the project and at PAA and community levels. These reports will be submitted to the TMU, reviewed and cleared by the Bank and will form part of overall safeguards report to the Bank.

<table>
<thead>
<tr>
<th>Table 5: Monitoring and Evaluation Indicators</th>
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<tbody>
<tr>
<td>Issues</td>
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<table>
<thead>
<tr>
<th>Issues</th>
<th>Indicator</th>
<th>Responsibility</th>
<th>Data Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capacity Building for staff</td>
<td>- Number of individuals and institutions trained</td>
<td>TMU</td>
<td>Training sessions reports</td>
</tr>
<tr>
<td></td>
<td>- List of participants</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Training reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VG Orientation and Mobilization meetings</td>
<td>- Number of VG meetings conducted</td>
<td>TMU, PAAs, VG</td>
<td>Reconnaissance survey reports; Community meeting reports</td>
</tr>
<tr>
<td></td>
<td>- Number of VG members sensitized</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>- Number of groups involved</td>
<td></td>
<td></td>
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<tr>
<td>Consultations with VG</td>
<td>- Attendance of PRA/RRA</td>
<td>TMU, PAAs VGs</td>
<td>RRA reports</td>
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<td></td>
<td>- PRA reports acceptable to VG</td>
<td></td>
<td>PRA reports</td>
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<tr>
<td></td>
<td>- Participation by gender and categories of VGs</td>
<td></td>
<td></td>
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<tr>
<td>Mapping of community resources critical to VGs</td>
<td>- List of VGs participated (including participation by VGs and by gender)</td>
<td>TMU, PAAs VG</td>
<td>Baseline survey reports; Community transect reports</td>
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<tr>
<td></td>
<td>- Reports verified and accepted by VG</td>
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<td></td>
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<tr>
<td>Development of strategies for participation of VGs in the Program and mitigation measures</td>
<td>- Number of sub-projects passed by social screening</td>
<td>TMU, PAAs, VG</td>
<td>TMU progress reports; PAAs reports</td>
</tr>
<tr>
<td></td>
<td>- Number of sub projects implemented</td>
<td></td>
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<tr>
<td></td>
<td>- Participation by gender and categories of VGs</td>
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<tr>
<td></td>
<td>- Number/proportion of beneficiaries</td>
<td></td>
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<tr>
<td>Capacity Building</td>
<td>- Number of Trainings</td>
<td>TMU, PAA, VG</td>
<td>Training reports</td>
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<tr>
<td></td>
<td>- Attendance by VGs</td>
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<tr>
<td></td>
<td>- Training report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equitable representation of VGs in decision making organs</td>
<td>- Number of meetings attended by VG representatives</td>
<td>TMU, PAAs, VG</td>
<td>PAA Level and NSC reports VGO reports</td>
</tr>
<tr>
<td></td>
<td>- participation by VG representatives in Village Councils/committees</td>
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<tr>
<td></td>
<td>- Number of VG issues articulated</td>
<td></td>
<td></td>
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<tr>
<td>Participatory M&amp;E</td>
<td>- Number of M&amp;E visits</td>
<td>TMU, PAAs,</td>
<td>M&amp;E reports</td>
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</tbody>
</table>
### Issues | Indicator | Responsibility | Data Sources
--- | --- | --- | ---
-Number of groups with functional M&E systems  
- Number of VG participants in monitoring and evaluation teams  
- M&E report | VG |  |

#### 7.0 THE GRIEVANCE REDRESS MECHANISM (GRM)

The implementation of PSSN II activities as a social safety net project, will involve interaction with the community hence it is important to promote broader citizenship engagement to enhance transparency and accountability. The GRM provides a formal channel for citizens to air their grievances and hold the program accountable so as to improve performance and provide high level of accountability.

The program advocates for a Grievance Redress Mechanism System in place as a formal process for receiving, evaluating and redressing program-related grievances from affected communities and the public. Grievances may be reported in form of claim, complaint or issue related to benefit-sharing, resettlement or compensation process.

A wide range of project-affected people namely community members, members of vulnerable groups, project implementers, civil societies, and the media are encouraged to bring grievances and comments to the attention of project authorities. Grievances can be received through these communication channels; hotline number 0739-000038; email address malalamiko@tasaf.org, face to face communication, media or fill an uptake form available at villages/mtaa/shehia. With sensitization on how to lodge a grievance is addressed during the community sessions for PSSN II participants as well as posters placed at pay-point centers providing the same message.

The formation of a Grievance Committee comprising the PAA Coordinator, Environmental Officer, Land Officer and Community Development Officer is amongst the action plans vital to address all grievances related to program performance. For effectiveness and efficiency of GRM, the procedures for handling grievance should be simple and administered as far as possible by the Village Council and Grievance Committee at the PAA level. The Village Council or Shehia committee and PAA Grievance Committee shall maintain records where grievances and complaints, including minutes of discussions, recommendations and resolutions made, will be recorded.

The nature of grievance reported might necessitate involvement of different levels in decision
making to be resolved. The court will be the ultimate decision maker as per flow diagram below:

7.1 Potential Grievance /Disputes and respective procedure

Potential Grievances to VGs

Potential grievances and disputes likely to emerge during the course of implementation of the VGPF may relate to the following issues:

(i). Land use disputes between the pastoralists and farmers;
(ii). invasion of land allocated to VGs by other community members;
(iii). Disputes about land and natural resource use and/or culturally appropriate benefit-sharing;
(iv). Disputes about FPIC, where required; and
(v). Other issues

7.2 Gender Based Violence and Sexual Exploitation and Abuse (GBV AND SEA)

Implementation of the Program will have positive impacts to the community. However, there might be potential incidences of Gender Based Violence (GBV) and Sexual Exploitation and Abuse (SEA) among Program participants. Such incidences could happen in situation whereby the household representation who receives Program benefits is forced to surrender the cash to the spouse. Furthermore, the payments may be misused to entice young girls to engage themselves in unsafe sexual practices, or the leaders/participants interaction may cause forced sexual relationships in return for any kind of favoritism. The Program will use community sessions to create awareness and to mitigate the effects of GBV and SEA. In all cases, the incidents will be reported and dealt with through the GRM procedure. Since GBV cases are qualitatively different from other complaints that are typically handled through the grievance redress mechanisms such cases need a specific channel for their management and since PSSN is a nation-wide program conditions may vary depending on local circumstances. All information must be treated as confidential and the GRM operator should be trained on how to approach survivors that must be referred to a safe and ethical GBV service provider.

7.3 The procedure of grievance redress

Procedures to file grievances and seek action should be simple and understandable for project-affected people. All grievances, simple or complex, should be addressed and resolved in a quick
and constructive manner within a period of fourteen (14) days, supported by a timely feedback to aggrieved person where necessary.

The affected person should file his grievance in writing, to the Village Council or Shehia committee. The grievance note should be signed and dated by the aggrieved person. Where the affected person is unable to write, he should obtain assistance to write the note and emboss the letter with his/her thumbprint.

The Village Council or Shehia committee resolves those disputes it can, depending on the nature of the complaint and where the mandate lies for the issue concerned. Unresolved issues/disputes beyond their mandate are referred to adjudication to the PAA. Village Council or Shehia committee keeps records of all complaints received, whether and how the VC resolved them and which complaints were forwarded to the PAA coordinator. The Village Council will inform in writing the complainant on the decision within 14 days.

The PAA Coordinator submits unresolved grievances to the PAA Grievance Committee. The PAA grievance Committee reviews the complaints and determines the appropriate course of action according to the laws, rules and regulation. All complaints about abuse in service, potential corruption must be channeled to proper authorities in no more than 14 days after the complaint is received. The PAA Grievance Committee generates a letter to the complainant to inform them of the action taken.

In addition to submitting a complaint to the VC, people may also lodge complaints with any member of the PAA Management Team (CMT). Complaints received by CMT members are logged with TASAF coordinator and considered by the PAA Grievance Committee. If the coordinator is implicated in the complaint, then the complaint is forwarded directly to the PAA Director/Principal Secretary.

The PAA Grievance Committee should respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, PAA Grievance Committee should be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by PAA grievance committee through the Village Council that his/her complaint is being considered.

The Grievance Committee will produce a report containing a summary of all grievances and will make this available to the TMU on a quarterly basis.
If the aggrieved person is dissatisfied with the decision of the PAA Grievance Committee and other higher authorities, or if no agreement is reached at this stage, then the complaint can be taken through the formal court process, i.e. to the Village Land Council, the Ward Tribunal where relevant, District Tribunal and the High Court (Land Division) at the National level.
8.0 BUDGET FOR IMPLEMENTATION OF VG PLAN

For implementation of VG Plans, the PAA Facilitators will conduct awareness raising, to the VGs. on the various project interventions namely Cash Transfer, Public Works and Livelihood Enhancement activities. This will be followed by detailed community based participatory planning entailing identification of possible subprojects to be implemented. The average estimated budget for awareness raising and developing a specific VG Plan is USD 9,300 per village. The Program has enrolled about 8000 households in 35 villages where VGs are found. In the first year of implementation these households will receive a combination of benefits including Productive Inclusion, Disability Grant, and Human Development Grant until when they are migrated to PW. This budget entail awareness raising, microplanning, wages and inputs for implementation.

<table>
<thead>
<tr>
<th>SNO</th>
<th>Activities</th>
<th>USD</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Awareness Raising Sessions and Micro-planning</td>
<td>325,500</td>
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TIMELINE FOR THE IMPLEMENTATION OF VG PLAN

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<thead>
<tr>
<th>S/n</th>
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<th>Time in years</th>
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<td></td>
<td></td>
<td>Year 1</td>
</tr>
<tr>
<td>1</td>
<td><strong>Recertification and retargeting</strong></td>
<td></td>
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<tr>
<td></td>
<td>• Village general assembly</td>
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<tr>
<td></td>
<td>• Identification of VG communities</td>
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<tr>
<td></td>
<td>• Retargeting and Enrollment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Updating VG information</td>
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</tr>
<tr>
<td></td>
<td>• Conducting social assessments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Undertake consultations, including FPIC, where required</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Preparation of VG Plans</td>
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<tr>
<td></td>
<td>• Implementation of VG Plans</td>
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</tr>
<tr>
<td></td>
<td>• Monitoring and reporting</td>
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</tr>
<tr>
<td>2</td>
<td><strong>Public Works</strong></td>
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<tr>
<td></td>
<td>• Identification of PWP beneficiaries</td>
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</tr>
<tr>
<td></td>
<td>• Identification sub projects suitable for VG Communities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Identification of location for PW subprojects</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Conduct participatory social assessments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Undertake consultations, including</td>
<td></td>
</tr>
<tr>
<td>S/n</td>
<td>Activities</td>
<td>Time in years</td>
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<tr>
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<td>---------------</td>
</tr>
<tr>
<td></td>
<td>FPI, where required</td>
<td>Year 1</td>
</tr>
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<td></td>
<td>Identify negative impacts to be mitigated (if any)</td>
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</tr>
<tr>
<td></td>
<td>Identify potential benefits</td>
<td></td>
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<tr>
<td></td>
<td>Implement the recommended mitigation and benefits measures</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monitor and evaluate the impacts of subprojects on VG communities</td>
<td></td>
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<tr>
<td></td>
<td><strong>Productive Transfer</strong></td>
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<tr>
<td></td>
<td>Conduct social assessment of VG communities</td>
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<tr>
<td></td>
<td>Identify negative impacts to be mitigated (if any) and potential benefits</td>
<td></td>
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<tr>
<td></td>
<td>Plan and Implement the recommended mitigation and benefit measures</td>
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<tr>
<td></td>
<td><strong>Livelihood support</strong></td>
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<td></td>
<td>Identification sub projects suitable for VG communities</td>
<td></td>
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<tr>
<td></td>
<td>Identification of location for LE sub-projects</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Conduct participatory Social assessments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Undertake consultations and FPI, where required</td>
<td></td>
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<tr>
<td></td>
<td>Identify negative impacts to be mitigated (if any) and potential benefits</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Implement the recommended mitigation and benefit measures</td>
<td></td>
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<tr>
<td></td>
<td>Monitor and evaluate the impacts of interventions on VG communities</td>
<td></td>
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<tr>
<td></td>
<td><strong>Capacity building</strong></td>
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<tr>
<td></td>
<td>Staff training/coaching</td>
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<td></td>
<td>Awareness raising session of VG Plans in the VG communities</td>
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<tr>
<td></td>
<td>Reporting on the implementation of VG plans</td>
<td></td>
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<tr>
<td></td>
<td>Develop, maintain and update information/data in the MIS</td>
<td></td>
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</tbody>
</table>
9.0 VGF DISCLOSURE
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. Once the Bank accepts the documents as providing an adequate basis for project appraisal, the Bank will make them available to the public in accordance with Bank Policy on Disclosure of Information, and the GoT will also make the documents available to the affected communities in the same manner through press releases.

For each sub-project with significant Vulnerable Group Community members, the VGF will be disclosed to the affected VG with detailed information of the sub-project. This will be done through public consultation and made available in brochures, leaflets, or booklets, using the national language. Summaries of the VGF will be made available in hard copies and in the national language at PAA offices and any other local level public offices. Electronic versions of the VGF will be available on the official website of TASAF and the World Bank external website after approval and endorsement of the VGF and each sub-project VGP by the Bank.
ANNEX

ANNEX 1: LOCATION OF VULNERABLE GROUP

Area that VGare mainly found
ANNEX 2: VULNERABLE GROUPS SCREENING CHECKLIST

PART A: Key information

1. Name (s) of type of vulnerable groups in the area.................................................................
2. Total number of village households .................................................................
3. Total number of vulnerable group households in the area........................................
4. Percentage of vulnerable group households in the area ........................................
5. Number of vulnerable group households to be affected by the project........................

PART B: Details of Sub-project

<table>
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<tr>
<th>S/No</th>
<th>KEY CONCERNS</th>
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<th>NO</th>
<th>REMARKS</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>ARE THERE SOCIAL GROUPS IN THE PROJECT AREA THAT MAY BE CONSIDERED VULNERABLE?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>DO SUCH GROUPS MAINTAIN ECONOMIC, SOCIAL, CULTURAL AND POLITICAL INSTITUTIONS DISTINCT FROM THE DOMINANT SOCIETY?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HAVE SUCH GROUPS BEEN HISTORICALLY, SOCALLY, CULTURALLY AND ECONOMICALLY MARGINALIZED, DISEMPowered, EXCLUDED AND DISCRIMINATED AGAINST?</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4</td>
<td>WILL THE PROJECT DIRECTLY OR INDIRECTLY BENEFIT OR TARGET THE VULNERABLE GROUPS?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>WILL THE PROJECT DIRECTLY OR INDIRECTLY AFFECT THE VULNERABLE GROUPS’ SOCIAL PRACTICES? (E.G. CHILD BEARING, HEALTH, EDUCATION AND GOVERNANCE)</td>
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</tr>
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<td>S/No</td>
<td><strong>KEY CONCERNS</strong></td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td><strong>REMARKS</strong></td>
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</tr>
<tr>
<td>6</td>
<td><strong>WILL THE PROJECT AFFECT THE LIVELIHOOD SYSTEMS OF THE VULNERABLE GROUPS?</strong> E.G. FOOD PRODUCTION SYSTEM, NATURAL RESOURCE MANAGEMENT, EMPLOYMENT STATUS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td><strong>WILL THE PROJECT BE IN AN AREA OCCUPIED, OWNED OR USED BY THE VULNERABLE GROUPS?</strong></td>
<td></td>
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</tbody>
</table>
Annex 3: ESS 7 and ESS 10, with Guidance Notes

Environment & Social Framework for IPF Operations

ESS7: Indigenous Peoples/ Sub-Saharan African Historically Underserved Traditional Local Communities
The Guidance Notes provide guidance for the Borrower on the application of the Environmental and Social Standards (ESSs), which form part of the World Bank’s 2016 Environmental and Social Framework. The Guidance Notes help to explain the requirements of the ESSs; they are not Bank policy, nor are they mandatory. The Guidance Notes do not substitute for the need to exercise sound judgment in making project decisions. In case of any inconsistency or conflict between the Guidance Notes and the ESSs, the provisions of the ESSs prevail. Each paragraph of the Standard is highlighted in a box, followed by the corresponding guidance.
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Introduction

1. This ESS applies to a distinct social and cultural group identified in accordance with paragraphs 8 and 9 of this ESS. The terminology used for such groups varies from country to country, and often reflects national considerations. ESS7 uses the term “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities” recognizing that groups identified under paragraphs 8 and 9 may be referred to in different countries by different terms. Such terms include “Sub-Saharan African historically underserved traditional local communities,” “indigenous ethnic minorities,” “aboriginals,” “hill tribes,” “vulnerable and marginalized groups,” “minority nationalities,” “scheduled tribes,” “first nations” or “tribal groups.” ESS7 applies to all such groups, providing they meet the criteria set out in paragraphs 8 and 9. For the purposes of this ESS, the term “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities” includes all such alternative terminology.

Footnote 1. ESS7 applies to a distinct social and cultural group, which has been identified as set out in paragraphs 8 and 9. The use of the terms “Indigenous Peoples,” “Sub-Saharan African Historically Underserved Traditional Local Communities” and any other alternative terminology does not broaden the scope of application of this ESS, in particular the criteria in paragraphs 8 and 9.

2. ESS7 contributes to poverty reduction and sustainable development by ensuring that projects supported by the Bank enhance opportunities for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to participate in, and benefit from, the development process in ways that do not threaten their unique cultural identities and well-being.

Footnote 2. This ESS recognizes that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities have their own understanding and vision of their well-being and that, broadly, this is a holistic concept that relates to their intrinsic relationship to lands and traditional practices and is reflective of their way of life. This captures their core principles and aspirations of reaching harmony with their surroundings, and achieving solidarity, complementarity and communal living.

3. This ESS recognizes that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development. In many instances, they are among the most economically marginalized and vulnerable segments of the population. Their economic, social, and legal status frequently limits their capacity to defend their rights to, and interests in, land, territories and natural and cultural resources, and may restrict their ability to participate in and benefit from development projects. In many cases, they do not receive equitable access to project benefits, or benefits are not devised or delivered in a form that is culturally appropriate, and they may not always be adequately consulted about the design or implementation of projects that would profoundly affect their lives or communities. This ESS recognizes that the roles of
men and women in indigenous cultures are often different from those in the mainstream groups, and that women and children have frequently been marginalized both within their own communities and as a result of external developments, and may have specific needs.

4. Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are inextricably linked to the land on which they live and the natural resources on which they depend. They are therefore particularly vulnerable if their land and resources are transformed, encroached upon, or significantly degraded. Projects may also undermine language use, cultural practices, institutional arrangements, and religious or spiritual beliefs that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities view as essential to their identity or well-being. However, projects may also create important opportunities for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to improve their quality of life and well-being. A project may create improved access to markets, schools, clinics and other services that seek to improve living conditions. Projects can create opportunities for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to participate in, and benefit from project-related activities that may help them fulfill an aspiration to play an active and meaningful role as citizens and partners in development. Furthermore, this ESS recognizes that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities play a vital role in sustainable development.

5. This ESS recognizes that the situation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities varies from region to region and from country to country. The particular national and regional contexts and the different historical and cultural backgrounds will form part of the environmental and social assessment of the project. In this way, the assessment is intended to support identification of measures to address concerns that project activities may exacerbate tensions between different ethnic or cultural groups.

Objectives

- To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.
- To avoid adverse impacts of projects on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts.
- To promote sustainable development benefits and opportunities for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities in a manner that is accessible, culturally appropriate and inclusive.
- To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Indigenous
Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities affected by a project throughout the project’s life-cycle.

- To obtain the Free, Prior, and Informed Consent (FPIC)\(^3\) of affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities in the three circumstances described in this ESS.

- To recognize, respect and preserve the culture, knowledge, and practices of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and to provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.

Footnote 3. For the purposes of this ESS, FPIC is defined in paragraphs 25 and 26.

Scope of Application

6. This ESS applies to a distinct social and cultural group identified in accordance with paragraphs 8 and 9. In some countries, such groups are referred to as ‘Indigenous Peoples.’ In other countries they may be referred to by other terms, such as “Sub-Saharan African historically underserved traditional local communities,” “indigenous ethnic minorities,” “aboriginals,” “hill tribes,” “vulnerable and marginalized groups,” “minority nationalities,” “scheduled tribes,” “first nations,” or “tribal groups.” As the applicability of the term “Indigenous Peoples” varies widely from country to country, the Borrower may request the Bank to use an alternative terminology for the Indigenous Peoples as appropriate to the national context of the Borrower.\(^4\) Regardless of which terminology is used, the requirements of this ESS will apply to all such groups. This ESS uses the term “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities” in recognition of the different terminology which may be used to refer to Indigenous Peoples in the national context.

Footnote 4. The purpose of ESS7 is not to specify terminology to identify or describe these groups, which will be defined solely in accordance with the criteria set out in paragraphs 8 and 9.

GN6.1. ESS7 recognizes that different terms, including those listed in paragraph 6, can be used to refer to a group identified in accordance with the criteria set out in paragraph 8 and 9 of this ESS. The term “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities” (IP/SSAHUTLC) is understood to apply to groups or communities, rather than individuals.

GN6.2. A determination that a group or community is covered under ESS7 does not affect the political or legal status of such a group or community within specific countries or states.

GN6.3. It should also be recognized that a number of countries have enacted national legislation on IP/SSAHUTLC and expressed support for international or regional instruments for the protection of IP/SSAHUTLC, which include the UN Declaration on the Rights of Indigenous Peoples (2007).
This ESS applies whenever Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities (as they may be referred to in the national context) are present in, or have collective attachment to a proposed project area, as determined during the environmental and social assessment. This ESS applies regardless of whether Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are affected positively or negatively, and regardless of the significance of any such impacts. This ESS also applies irrespective of the presence or absence of discernible economic, political or social vulnerabilities, although the nature and extent of vulnerability will be a key variable in designing plans to promote equitable access to benefits or to mitigate adverse impacts. Footnote 5

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 impacts as they may affect Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities. See paragraph 11.

GN7.1. See Appendix A of this Guidance Note for recommended contents of an IP/SSAHUTLC Plan.

In this ESS, the term “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities” (as they may be referred to in the national context using an alternative terminology) is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:
(a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
(b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
(c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
(d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Footnote 6. “Collective attachment” means that for generations there has been a physical presence in and economic ties to land and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.

This ESS also applies to communities or groups of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities who, during the lifetime of members of the community or group, have lost collective attachment to distinct habitats or ancestral territories in the project area, because of forced severance, conflict, government resettlement programs, dispossession of their land, natural disasters, or incorporation of such territories into an urban area. This ESS also applies to forest dwellers, hunter-gatherers, pastoralists or other nomadic groups, subject to satisfaction of the criteria in paragraph 8.
Footnote 7. Care must be taken in application of this ESS in urban areas. Generally, it does not apply to individuals or small groups migrating to urban areas in search of economic opportunity. It may apply, however, where Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities have established distinct communities in or near urban areas but still possess the characteristics stated in paragraph 8.

GN8.1. The Bank determines the applicability of ESS7. In doing so, the Bank undertakes a screening in accordance with paragraphs 8 and 9 of ESS7.

GN8.2 (Footnote 6). When determining collective attachment, consideration is given to the fact that such groups live under many different circumstances with varying levels of attachment to the areas in which they live. “Collective attachment” signifies that the groups generally consider their lands and resources to be collective assets, and that they see their culture and identity as a function of the group rather than as individuals. It also signifies that these groups’ economies, modes of production, social organization, and cultural and spiritual circumstances are generally linked to particular territories and natural resources. The concept of collective attachment refers to geographically distinct habitats or ancestral territories, or areas of seasonal use or occupation and the natural resources therein, and therefore, groups with collective attachment may include:

(a) Groups resident upon the lands affected by the project. This could include those who are nomadic or who seasonally migrate, and whose attachment to the area affected by the project may be periodic or seasonal in nature. This could also include those who reside in mixed settlements on the lands affected by the project, such that they only form one part of the broader community;
(b) Groups that do not live on the lands affected by the project but that retain ties to those lands through traditional ownership and/or customary usage, including seasonal or cyclical use; or
(c) Groups that have been removed from lands and territories affected by the project, occurring within the concerned group members’ lifetime, because of forced severance, conflict, involuntary resettlement programs by governments, dispossession from their lands, natural calamities, or incorporation into an urban area.

GN8.3. There is no hierarchy to the four characteristics and all of them need to be present. However, they may be present in varying degrees. “Varying degrees” reflects the fact that some characteristics may be less evident for some groups or communities through integration into the broader society or economy, sometimes as a result of government policy. Moreover, given the varying contexts and characteristics of IP/SSAHUTLC today, a group may possess defining characteristics and thereby be covered by the policy in one region, but may be more fully integrated and lack the defining characteristics in another region of the same country, or in a neighboring country. The collective attachment of groups to their traditional territories, for example, may have been forcibly severed due to government resettlement programs. Some groups may no longer speak their own language, or it may be spoken by only a few or even none. The role of traditional institutions may also be eroding or have been replaced by official
administrative structures. These factors alone do not disqualify groups from being covered under ESS7, but are assessed in the final determination made by the Bank.

**GN9.1.** The phrase “during the lifetime of members of the community or group” introduces a temporal limitation on claims to collective attachment. This means that claims regarding loss of collective attachment that exceed that temporal limitation, which are often complex and can be traced back many years before the lifetime of the members of the community, fall outside the scope of paragraph 9. However, languages that have been lost outside this time frame are still covered if there is evidence of efforts to preserve the language.

10. **Following a determination by the World Bank that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are present in, or have collective attachment to the project area, the Borrower may be required to seek inputs from appropriate specialists to meet the consultation, planning, or other requirements of this ESS. The World Bank may follow national processes during project screening for the identification, in accordance with paragraphs 8 and 9, of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities (as they may be referred to in the national context), where these processes meet the requirements of this ESS.**

Footnote 8. In conducting this screening, the Bank may seek the technical advice of specialists with expertise on the social and cultural groups in the project area. The Bank will also consult the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities concerned and the Borrower. See paragraph 54 in the World Bank Environmental and Social Policy for Investment Project Financing.

**GN10.1.** The engagement of appropriate specialists to provide technical advice and assistance regarding application of ESS7 is important, for example, when there are circumstances or vulnerabilities of IP/SSAHUTLC, or national legislation and general socioeconomic data provide only general information rather than specific data regarding the groups that may be present. The specialists should have proven familiarity with social science research methods, and extensive knowledge and working experience with the subject of IP/SSAHUTLC in the country or region. Projects affecting IP/SSAHUTLC may also benefit from ongoing input from appropriate specialists, for example, in assisting the Borrower to better understand the characteristics, issues, and priorities of the IP/SSAHUTLC, their governance structures and decision-making processes, and establishing appropriate assessment and consultation mechanisms.

**Requirements**

**A. General**

11. **A key purpose of this ESS is to ensure that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional 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 the 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 impacts as they may affect Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

12. The Borrower will assess the nature and degree of the expected direct and indirect economic, social, cultural (including cultural heritage), and environmental impacts on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities who are present in, or have collective attachment to, the project area. The Borrower will prepare a consultation strategy and identify the means by which affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will participate in project design and implementation. Subsequently, effective project design and documentation will be developed as set out below.

Footnote 9. Additional requirements on protection of cultural heritage are set out in ESS8.

GN11.1. A targeted social assessment for the purposes of ESS7, as set out in Appendix A of this Guidance Note, is conducted when IP/SSAHUTLC are present in, or have collective attachment to, the project area. A key aspect of the assessment is understanding the relative vulnerabilities of the affected IP/SSAHUTLC and how the project may affect them. The assessment is proportionate to the nature and scale of the proposed project’s potential risks to, and impacts on, as well as the vulnerability of, the IP/SSAHUTLC. The assessment should consider differentiated gender impacts of project activities and impacts on potentially disadvantaged or vulnerable groups within the community of IP/SSAHUTLC. Input from qualified specialists and accompanying meaningful consultations with IP/SSAHUTLC are important to inform and support the assessment. The assessment also evaluates the capacity of the Borrower to involve IP/SSAHUTLC in project design and implementation. Consultations with IP/SSAHUTLC can support and strengthen the assessment and help in identifying their development priorities and preferences regarding both project benefits and mitigation measures. Consultations are carried out with IP/SSAHUTLC in a manner that is culturally appropriate, and their inputs are considered in project design and IP/SSAHUTLCS Plans. Consultations continue throughout project design and implementation.

GN12.1. In certain circumstances, project benefits, such as enhancing access to roads, health care, and education, can have unintended adverse impacts on IP/SSAHUTLC due to their particular circumstances or vulnerabilities. These impacts may include loss of language and cultural norms, undermining of traditional governance structures, creation of internal conflict, increased pressures and encroachment on lands, and pressures on or contamination of natural resources. The assessment identifies the potential for, and scale of, such adverse impacts.

GN12.2. IP/SSAHUTLC may be heterogeneous and may comprise multiple groups and different social units within these groups (such as individuals, clans, communities, and ethnic groups). Projects may be implemented at the national, regional, or local level, and issues of cultural identity, geographic access, language, governance structures, cohesion, and priorities may differ greatly among groups. Projects also may have different impacts on different subgroups within a community. For example, land for a project may be acquired from one clan, but such acquisition
could impact other clans’ traditional access to and use of such land and the resources located on it. The social assessment for the purposes of ESS7 forms the basis for identifying the different groups and understanding the nature and significance of potential impacts on each of them. The consultation with IP/SSAHUTLC and social assessment should be conducted in a culturally appropriate manner.

13. **The Borrower’s proposed measures and actions will be developed in consultation with the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities and contained in a time-bound plan, such as an Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities plan. The scope and scale of the plan will be proportionate to the potential risks and impacts of the project. The format and title of the plan will be adjusted as appropriate to the project or country context, and will reflect any alternative terminology for the Indigenous Peoples, as referred to in paragraph 6.**

**GN13.1.** In consultation with IP/SSAHUTLC, an IP/SSAHUTLC Plan is prepared that sets out culturally appropriate mitigation measures and benefits, and specifies the timing for completion of actions required. See Appendix A of this Guidance Note for recommended contents of an IP/SSAHUTLC Plan.

**Projects Designed Solely to Benefit Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities**

14. **Where projects are designed to provide benefits only to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, the Borrower will proactively engage with the relevant Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to ensure their ownership and participation in project design, implementation, monitoring and evaluation. The Borrower will also consult with them as to the cultural appropriateness of proposed services or facilities, and will seek to identify and address any economic or social constraints (including those relating to gender) that may limit opportunities to benefit from, or participate in, the project.**

15. **When Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are the sole, or the overwhelming majority of, project beneficiaries, the elements of the plan may be included in the overall project design, and preparation of a stand-alone Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities plan is not necessary.**

**GN15.1.** The projects in paragraphs 14 and 15 are specifically designed to benefit only IP/SSAHUTLC and may include health and education projects or community-driven development projects that are focused solely on IP/SSAHUTLC. In such cases, the Borrower may either prepare a stand-alone IP/SSAHUTLC Plan or incorporate elements of such a plan, including cultural appropriateness of proposed services or facilities and arrangements for monitoring and
evaluation, into the overall project design and documentation. It is important to apply the requirements of ESS7, including undertaking a targeted social assessment, and to conduct appropriate consultations with affected IP/SSAHUTLC even where a stand-alone IP/SSAHUTLC Plan is not prepared.

**Projects Where Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities Are Not the Sole Beneficiaries**

16. *When Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are not the only beneficiaries of the project, planning requirements will vary with circumstances. The Borrower will design and implement the project in a manner that provides affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities with equitable access to project benefits. The concerns or preferences of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will be addressed through meaningful consultation and project design, and documentation will summarize the consultation results and describe how Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ issues have been addressed in project design. Arrangements for ongoing consultations during implementation and monitoring will also be described.*

17. *The Borrower will prepare a time-bound plan, such as an Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities plan setting out the measures or actions proposed. In some circumstances, a broader integrated community development plan will be prepared, addressing all beneficiaries of the project and incorporating necessary information relating to the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.*

Footnote 10. An Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities and other communities development plan may be appropriate in circumstances where other people, in addition to the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, will be affected by the risks and impacts of the project; where more than one Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities group is to be included; or where the regional or national scope of a programmatic project incorporates other population groups. In certain circumstances, a planning framework will be appropriate.

**GN17.1.** In some projects, affected groups of IP/SSAHUTLC may coexist in the same area as other types of affected communities or they may be integrated within a larger affected population. In such cases, a stand-alone IP/SSAHUTLC Plan can be prepared, or all elements of this plan can be included as part of a broader integrated community development plan. Issues related to IP/SSAHUTLC are addressed in project design to provide equitable access to project benefits in a culturally appropriate manner, as is the case under paragraph 15.
GN17.2 Footnote 10 of ESS7 refers to an IP/SSAHUTLC Planning Framework. The use of the framework approach is appropriate where the design or location of the project cannot be known during project preparation, or when a project has multiple subprojects that will only be designed during project implementation. The framework specifies the timing for completion of any specific plans, and includes a clear statement of roles and responsibilities, budget, and commitment for funding. See Appendix A of this Guidance Note for recommended contents of an IP/SSAHUTLC Planning Framework.

Avoidance of Adverse Impacts

18. **Adverse impacts on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will be avoided where possible. Where alternatives have been explored and adverse impacts are unavoidable, the Borrower will minimize and/or compensate for these impacts in a culturally appropriate manner proportionate to the nature and scale of such impacts and the form and degree of vulnerability of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.**

19. **When situations arise in which projects potentially affect remote groups with limited external contact, also known as peoples “in voluntary isolation,” “isolated peoples” or “in initial contact,” the Borrower will take appropriate measures to recognize, respect and protect their land and territories, environment, health and culture, as well as measures to avoid all undesired contact with them as a consequence of the project. The aspects of the project that would result in such undesired contact will not be processed further.**

GN19.1. Undesired contact with IP/SSAHUTLC in voluntary isolation may lead to significant adverse social, economic, or cultural impacts on them. It could also lead to conflict and pose significant health risks to such communities as many may not have developed immunity to viruses and diseases common among mainstream populations. When the Bank’s screening or the Borrower’s environmental and social assessment identifies the existence of IP/SSAHUTLC in voluntary isolation or with limited or no previous contact with other parts of society in the project area, the aspects of the project that would result in undesired contact will not be processed further. It is important to include in the IP/SSAHUTLC Plan appropriate protocols to avoid undesired contact, and measures to mitigate potential adverse impacts resulting from any unintended contact.

Mitigation and Development Benefits

20. **The Borrower and affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will identify mitigation measures in alignment with the mitigation hierarchy described in ESS1 as well as opportunities for culturally appropriate and sustainable development benefits. The scope of assessment and mitigation will include cultural impacts11 as well as physical impacts. The Borrower will ensure the timely delivery of**
agreed measures to affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

Footnote 11. Considerations relating to cultural impacts may include, for example, the language of instruction and curriculum content in education projects, or culturally sensitive or gender-sensitive procedures in projects such as health projects, and others.

21. The determination, delivery, and distribution of compensation and shared benefits to affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will take account of the institutions, rules and customs of these Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities as well as their level of interaction with mainstream society. Eligibility for compensation can either be individually or collectively-based, or be a combination of both. Where compensation occurs on a collective basis, as far as practicable mechanisms that promote the effective distribution of compensation to all eligible members, or collective use of compensation in a manner that benefits all members of the group, will be defined and implemented.

Footnote 12. Where control of resources, assets and decision making are predominantly collective in nature, efforts will be made to ensure that, where possible, benefits and compensation are collective, and take account of intergenerational differences and needs.

GN21.1. The findings of the targeted social assessment help determine the eligibility and the appropriate structure and mechanisms for the delivery and management of compensation and shared benefits. Opportunities for benefit sharing are considered as distinct from compensation for adverse impacts, and address the longer-term sustainable development of the affected communities.

22. Various factors including, but not limited to, the nature of the project, the project context and the vulnerability of affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will determine how affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will benefit from the project. Identified opportunities will aim to address the goals and preferences of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend.

GN22.1. While ESS7 applies irrespective of the presence or absence of discernible economic, political, or social vulnerabilities, the nature and extent of vulnerability is a key variable in designing plans to promote access to benefits or measures to mitigate adverse impacts on IP/SSAHUTLC. It is important to include, in an analysis of vulnerability, factors such as IP/SSAHUTLC’s economic, social, and legal status; tenure security; their institutions, customs, culture, and/or language; their dependence on natural resources; their prior experiences with development activities; and their past and ongoing relationship to the authorities, the mainstream economy, and other groups in the area. Consultations with IP/SSAHUTLC can support
and strengthen this analysis and help in identifying their development priorities and preferences regarding both project benefits and mitigation measures. Consultations are carried out with IP/SSAHUTLC in a manner that is culturally appropriate, and their inputs are taken into account in designing measures intended to help benefit them.

**Meaningful Consultation Tailored to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities**

23. To promote effective project design, to build local project support or ownership, and to reduce the risk of project-related delays or controversies, the Borrower will undertake an engagement process with affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, as required in ESS10. This engagement process will include stakeholder analysis and engagement planning, disclosure of information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally inclusive manner. For Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, the process of meaningful consultation will also:

(a) Involve Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ representative bodies and organizations13 (e.g., councils of elders or village councils, or chieftains) and, where appropriate, other community members;

(b) Provide sufficient time for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ decision-making processes;14 and

(c) Allow for Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ effective participation in the design of project activities or mitigation measures that could potentially affect them either positively or negatively.

Footnote 13. For projects that have a regional or national scope, the meaningful consultation may be carried out with Indigenous organizations or representatives at the relevant national or regional levels. These organizations or representatives will be identified in the stakeholder engagement process described in ESS10.

Footnote 14. Internal decision making processes are generally but not always collective in nature. There may be internal dissent, and decisions may be challenged by some in the community. The consultation process should be sensitive to such dynamics and allow sufficient time for internal decision making processes to reach conclusions that are considered legitimate by the majority of the concerned participants.

**GN23.1.** In addition to the elements of the engagement process with IP/SSAHUTLC set out in paragraph 23 of ESS7, ESS10 provides further details on meaningful consultations. Paragraph 22 of ESS10 states that meaningful consultation is a two-way process, that:

(a) Begins early in the project planning process to gather initial views on the project proposal and inform project design;
(b) Encourages stakeholder feedback, particularly as a way of informing project design and engaging stakeholders in the identification and mitigation of environmental and social risks and impacts;
(c) Continues on an ongoing basis;
(d) Is based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful, and easily accessible information in a time frame that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local language(s) and understandable to stakeholders;
(e) Considers and responds to feedback;
(f) Supports active and inclusive engagement with project-affected parties;
(g) Is free of external manipulation, interference, coercion, discrimination, and intimidation; and
(h) Is documented and disclosed by the Borrower.

**GN23.2.** Approaches to meaningful consultation are most effective when they build on existing customary institutions and decision-making processes utilized by the affected IP/SSAHUTLC. The capacity of the existing institutions and decision-making processes to address any new issues that may arise due to the project are analyzed as part of the targeted social assessment and in consultation with the IP/SSAHUTLC. Based on this analysis, additional measures to improve capacity can be put into place as necessary. The Borrower should also seek input from appropriate specialists.

**GN23.3.** The consultation with the affected IP/SSAHUTLC is conducted in a gender-inclusive manner, so that the interests of both genders are considered in all aspects of project planning and implementation.

**GN23.4.** There may be divergent views and opinions within IP/SSAHUTLC. A meaningful consultation takes into account these different viewpoints and opinions while respecting traditional cultural approaches to consultations and decision making.

### B. Circumstances Requiring Free, Prior and Informed Consent (FPIC)

24. **Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities** may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, in addition to the General Requirements of this ESS (Section A) and those set out in ESSs 1 and 10, the Borrower will obtain the FPIC of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities in accordance with paragraphs 25 and 26 in circumstances in which the project will:
   (a) have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
   (b) cause relocation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities from land and natural resources subject to traditional ownership or under customary use or occupation; or
(c) have significant impacts on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ lives.

In these circumstances, the Borrower will engage independent specialists to assist in the identification of the project risks and impacts.

**GN24.1.** The specialists referred to in paragraph 24 of ESS7 should have significant experience in issues of concern to IP/SSAHUTLC.

**GN24.2.** In some projects, FPIC may be required only in relation to specific portions of land or aspects of a project. Examples include: (a) linear projects that pass through multiple human habitats, which may require FPIC for the component that traverses IP/SSAHUTLC lands; (b) projects comprising multiple subprojects, some of which are located on IP/SSAHUTLC lands, which may require FPIC for the subprojects located on those lands; and (c) projects involving an expansion of ongoing activities, which may require FPIC for the new project activities.

25. **There is no universally accepted definition of FPIC. For the purposes of this ESS, FPIC is established as follows:**

(a) The scope of FPIC applies to project design, implementation arrangements and expected outcomes related to risks and impacts on the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities;

(b) FPIC builds on and expands the process of meaningful consultation described in ESS10 and paragraph 23 above, and will be established through good faith negotiation between the Borrower and affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities;

(c) The Borrower will document: (i) the mutually accepted process to carry out good faith negotiations that has been agreed by the Borrower and Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; and (ii) the outcome of the good faith negotiations between the Borrower and Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, including all agreements reached as well as dissenting views; and

   (d) FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities explicitly disagree.

**GN25.1.** Identification of appropriate representation of IP/SSAHUTLC is an important part of the process to establish FPIC. These are the individuals who are considered by the majority of the affected IP/SSAHUTLC to be the legitimate authorities to make decisions on collective support on their behalf. The representatives may be chosen through a process that is culturally appropriate
to the respective IP/SSAHUTLC, such as through referendum or an assembly format, or they may be tribal chiefs or a council of elders, among others.

**GN25.2.** Particular attention should be given to groups within affected IP/SSAHUTLC that may be disadvantaged or vulnerable, such as women, youth, the poor, and persons with disabilities. Addressing any limitations on their participation in the FPIC process helps to ensure that their interests and concerns are adequately considered and addressed as part of the process to establish FPIC.

**GN25.3.** Good faith negotiation involves, on the part of all parties:

(a) Willingness to engage in a process and availability to meet at reasonable times and frequency;
(b) Sharing of information necessary for informed negotiation;
(c) Use of mutually acceptable procedures for negotiation;
(d) Willingness to change initial positions and modify offers where possible; and
(e) Provision of sufficient time for the process.

**GN25.4.** The Borrower informs the Bank of the process that has been agreed upon for good faith negotiation on FPIC. Where there is disagreement on what constitutes an appropriate engagement process, or an agreement cannot be reached, the Borrower will seek advice from an independent specialist as required in paragraph 24 of ESS7.

**GN25.5.** Achieving FPIC requires paying attention to, and documenting, both process and outcome. Documenting the process and outcome establishes a record of agreements reached as well as dissenting views.

**GN25.6.** FPIC may be achieved even when individuals or groups within or among IP/SSAHUTLC explicitly disagree. In and of itself, such disagreement does not necessarily constitute a veto.

### 26. For the purposes of this ESS, consent refers to the collective support of affected Indigenous Peoples communities/Sub-Saharan African Historically Underserved Traditional Local Communities for the project activities that affect them, reached through a culturally appropriate process. It may exist even if some individuals or groups object to such project activities, as recognized by paragraph 25 (d).

### 27. When the FPIC of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities cannot be ascertained by the Bank, the aspects of the project relevant to those affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities for which the FPIC cannot be ascertained will not be processed further. Where the Bank has made the decision to continue processing the project other than the aspects for which the FPIC of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities cannot be ascertained, the Borrower will ensure that no adverse impacts result on such Indigenous Peoples/Sub-Saharan
28. **Agreements reached between the Borrower and affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will be described, and actions necessary to accomplish agreements will be included, in the ESCP. During implementation, the Borrower will ensure that necessary actions are taken, and agreed benefits or improvements to services are delivered, so as to maintain Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ support for the project.**

29. **Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are often closely tied to their land and related natural resources.** Frequently, land is traditionally owned or under customary use or occupation. While Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities may not possess legal title to land as defined by national law, their use of the land, including seasonal or cyclical use, for their livelihoods, or for cultural, ceremonial, and spiritual purposes that define their identity and community, can often be substantiated and documented. Where projects involve (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities have traditionally owned or customarily used or occupied, or (b) the acquisition of such lands, the Borrower will prepare a plan for the legal recognition of such ownership, occupation, or usage, with due respect to the customs, traditions and land tenure systems of the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities concerned. The objective of such plans will be the following: (a) full legal recognition of existing customary land tenure systems of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; or (b) conversion of customary usage rights to communal and/or individual ownership rights. If neither option is possible under national law, the plan includes measures for the legal recognition of Indigenous
People/Sub-Saharan African Historically Underserved Traditional Local Communities’ perpetual or long-term renewable custodial or use rights.

Footnote 15. Examples include marine and aquatic resources, timber and non-timber forest products, medicinal plants, hunting and gathering grounds, and grazing and cropping areas.

Footnote 16. For example, extractive industries, creation of conservation areas, agro-development schemes, greenfield infrastructure development, land management or titling programs.

Footnote 17. Conversion of customary usage rights to individual ownership rights will only be an objective following consultation with the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities concerned and assessment of the impacts of such conversion on the communities and their livelihoods.

GN29.1. Projects that enhance the land tenure security of IP/SSAHUTLC can have significant positive impacts on their well-being. Land titling within an appropriate legal framework helps to protect IP/SSAHUTLC’s land and resources from external encroachment and expropriation, constitutes a means for economic growth or self-subsistence, and legitimizes traditional and cultural ways of handling such territories under customary institutions and rules. However, the process of legal recognition of IP/SSAHUTLC’s ownership, occupation, or usage of land and natural resources is complex and may carry a number of risks. It may, for instance, lead to conflicts (at least short term) over land and resources among various local communities, or between local communities and outside interests. It may replace customary institutional arrangements with new rules or systems not attuned to the context of IP/SSAHUTLC’s land and natural resource use practice. In case of conversion of customary usage rights to individual ownership rights, it could also disturb the essential collective nature of IP/SSAHUTLC’s communal ownership. While the possible scenarios described in paragraph 29 of ESS7 are relevant to only a limited number of projects, such risks should be taken into consideration in determining the application of this paragraph.

30. If the Borrower proposes to locate a project, or commercially develop natural resources, on land traditionally owned by, or under the customary use or occupation of, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and adverse impacts can be expected, the Borrower will take the following steps and obtain their FPIC:

(a) Document efforts to avoid and otherwise minimize the area of land proposed for the project;
(b) Document efforts to avoid and otherwise minimize impacts on natural resources subject to traditional ownership or customary use or occupation;
(c) Identify and review all property interests, tenurial arrangements, and traditional resource usage prior to purchasing, leasing or, as a last resort, undertaking land acquisition;
(d) Assess and document Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ resource use without prejudicing any Indigenous Peoples/Sub-Saharan African Historically Underserved
Traditional Local Communities’ land claim. The assessment of land and natural resource use will be gender inclusive and specifically consider women’s role in the management and use of these resources;

(e) Ensure that affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are informed of: (i) their land rights under national law, including any national law recognizing customary use rights; (ii) the scope and nature of the project; and (iii) the potential impacts of the project; and

(f) Where a project promotes commercial development of their land or natural resources, afford due process, and offer compensation together with culturally appropriate sustainable development opportunities to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, at least equivalent to that to which any landowner with full legal title to the land would be entitled, including:

(i) Providing fair lease arrangements or, where land acquisition is necessary, providing land-based compensation or compensation in kind in lieu of cash compensation where feasible;¹⁹

(ii) Ensuring continued access to natural resources, identifying the equivalent replacement resources, or, as a last option, providing compensation and identifying alternative livelihoods if project development results in the loss of access to and the loss of natural resources independent of project land acquisition;

(iii) Enabling Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to share equitably in the benefits to be derived from the commercial development of the land or natural resources where the Borrower intends to utilize land or natural resources that are central to the identity and livelihood of affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities and the usage thereof exacerbates livelihood risk; and

(iv) Providing affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities with access, usage, and transit on land the Borrower is developing subject to overriding health, safety, and security considerations.

Footnote 18. Such adverse impacts may include impacts from loss of access to assets or resources or restrictions on land use resulting from project activities.

Footnote 19. If circumstances prevent the Borrower from offering suitable replacement land, the Borrower must provide verification that such is the case. Under such circumstances, the Borrower will provide non-land-based income-earning opportunities over and above cash compensation to affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

GN30.1. Land replacement strategies may include resettlement on public land or on private land purchased for resettlement. When replacement land is offered, the combined
characteristics of the land, such as productive potential, advantages of location, and security of tenure, as well as the legal nature of the land title or use rights are at least equivalent to those of the original site. If the Borrower determines that replacement land is not available, this finding should be documented in a manner that demonstrates to the Bank’s satisfaction that the Borrower has adequately evaluated a sufficient range of potential options.

GN30.2. (Footnote 19). Non-land-based income-earning opportunities may include access to credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to compensation for land. Such opportunities should be provided in a culturally appropriate manner.

<table>
<thead>
<tr>
<th>Relevance of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities from Lands and Natural Resources Subject to Traditional Ownership or Under Customary Use or Occupation</th>
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<tbody>
<tr>
<td>31. The Borrower will consider feasible alternative project designs to avoid the relocation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities from communally held or attached land and natural resources subject to traditional ownership or customary use or occupation. If such relocation is unavoidable the Borrower will not proceed with the project unless FPIC has been obtained as described above; the Borrower will not resort to forced eviction, and any relocation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will meet the requirements of ESS5. Where feasible, the relocated Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities will be able to return to their traditional or customary land, should the cause of their relocation cease to exist.</td>
</tr>
<tr>
<td>Footnote 20. Typically, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities claim rights and access to, and use of land and resources through traditional or customary systems, many of which entail communal property rights. These traditional claims to land and resources may not be recognized under national laws. Where Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities individually hold legal title, or where the relevant national law recognizes customary rights for individuals, the requirements of ESS5 will apply, in addition to the requirements under paragraph 31 of this ESS.</td>
</tr>
<tr>
<td>Footnote 21. See paragraph 31 of ESS5.</td>
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</tbody>
</table>

GN31.1. Physical relocation of IP/SSAHUTLC, which may result from the project’s acquisition of land or through restrictions on or alterations of land use or resources, is particularly complex and may have significant and irreversible adverse impacts on their cultural survival. Therefore, feasible alternative project designs that avoid such relocation are explored. Relocation may be considered only if it has been established that there is no feasible alternative and the FPIC of the affected IP/SSAHUTLC has been obtained.
GN31.2. Upon conclusion of the FPIC process providing for the relocation of IP/SSAHUTLC, a plan is prepared in line with the conclusion of the FPIC process and in accordance with ESS5. The plans to be developed under ESS5 and ESS7 may be prepared separately or combined, as appropriate.

GN31.3. It is important to note that in some cases where individuals among the affected IP/SSAHUTLC hold legal title to land individually, their decision to relinquish the title and relocate may still be subject to a community-based decision-making process.

### Cultural Heritage

<table>
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<tr>
<th>32. Where a project may significantly impact cultural heritage(^\text{22}) that is material to the identity and/ or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ lives, priority will be given to the avoidance of such impacts. Where significant project impacts are unavoidable, the Borrower will obtain the FPIC of affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.</th>
</tr>
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<tbody>
<tr>
<td>Footnote 22. ‘Cultural heritage’ is defined in ESS8. It includes natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred mountains, sacred trees, sacred rocks, burial grounds and sites.</td>
</tr>
</tbody>
</table>

GN32.1. Cultural heritage is both tangible and intangible. Tangible cultural heritage includes movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have cultural significance. Intangible cultural heritage includes practices, representations, expressions, knowledge and skills, as well as the associated instruments, objects, artifacts and cultural spaces that communities and groups recognize as part of their cultural heritage. Further explanation and requirements on cultural heritage are set out in ESS8.

GN32.2. The targeted social assessment determines whether there are any potential significant impacts on the cultural heritage of IP/SSAHUTLC, and whether the cultural heritage is material to the identity and/or cultural, ceremonial, or spiritual aspects of their lives.

| 33. Where a project proposes to use the cultural heritage of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities for commercial purposes, the Borrower will inform the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities of: (a) their rights under national law; (b) the scope and nature of the proposed commercial development; and (c) the potential consequences of such development; and obtain their FPIC. The Borrower will also enable Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to share equitably in the benefits to be derived from commercial development of such cultural heritage, consistent with the customs and traditions of the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities. |
**GN33.1.** Commercial use of cultural heritage refers to the development, renovation, production, use, replication, or exhibition of cultural resources for profit-making purposes. Examples of commercial use of tangible cultural heritage may include the production and sale of artifacts and artworks, or tourism projects that bring visitors to traditional villages or historical temples. Examples of commercial use of intangible cultural heritage may include use of traditional medicinal knowledge or of other sacred or traditional techniques for processing plants, fibers, or metals or other traditional forms of production. To facilitate their FPIC, the IP/SSAHUTLC are fully informed about the scope and nature of the proposal to use the cultural heritage, including the entities, companies, or persons involved in the commercial activities, as well as the potential beneficiaries or end users. The IP/SSAHUTLC are also fully informed of the potential consequences of the proposed development, including any impacts on livelihoods, any potential environmental and social risks and impacts, and any impacts on the continued use of such resources by the IP/SSAHUTLC.

**GN33.2.** The IP/SSAHUTLC are fully consulted as to the potential benefits to be derived from the commercial use of their cultural heritage. This may include, for example, development of benefits from the commercial use of their cultural heritage, including benefits in the form of employment, vocational training, and benefits pursuant to community development and similar programs.

**GN33.3.** The use of IP/SSAHUTLC names, photographs, and other items depicting them and the environment in which they live can be sensitive in many situations. It is important to assess local norms and preferences, and consult with the relevant communities before using such items, for example, when naming project sites or specific infrastructure.

**C. Grievance Mechanism**

34. The Borrower will ensure that a grievance mechanism is established for the project, as described in ESS10, which is culturally appropriate and accessible to affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and takes into account the availability of judicial recourse and customary dispute settlement mechanisms among Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

**GN34.1.** The grievance mechanism is proportionate to the potential risks and impacts of the project, and should be accessible and inclusive. A well-functioning mechanism receives and facilitates resolution of grievances promptly and protects against reprisals for the use of its services. Examples of grievances of affected IP/SSAHUTLC include lack of information on the project and its impacts, inadequacy of compensation, failure of the Borrower to communicate or deliver on agreed action plans, or benefits that are considered culturally inappropriate. Detailed information on grievance mechanisms is provided in ESS10.

**GN34.2.** Grievance mechanisms take into account the cultural attributes of IP/SSAHUTLC and their traditional mechanisms for raising and resolving issues. Some IP/SSAHUTLC may prefer verbal, as opposed to written, methods of expressing grievances. The grievance mechanism is
D. Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities and Broader Development Planning

35. The Borrower may request Bank technical or financial support, in the context of a specific project or as a separate activity, for preparation of plans, strategies or other activities intended to strengthen consideration and participation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities (as they may be referred to in the national context) in the development process. This may include a variety of initiatives designed, for example, to: (a) strengthen local legislation to establish recognition of customary or traditional land tenure arrangements; (b) address the gender and intergenerational issues that exist among Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; (c) protect indigenous knowledge including intellectual property rights; (d) strengthen the capacity of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to participate in development planning or programs; and (e) strengthen the capacity of government agencies providing services to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

36. Affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities may themselves seek support for various initiatives and these should be taken into consideration by the Borrower and the Bank. They include: (a) support for the development priorities of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities through programs (such as community-driven development programs and locally managed social funds) developed by governments in cooperation with Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; (b) preparation of participatory profiles of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities to document their culture, demographic structure, gender and intergenerational relations and social organization, institutions, production systems, religious beliefs, and resource use patterns; (c) facilitating partnerships among the government, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities Organizations, Civil Society Organizations, and the private sector to promote Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities’ development programs.
This Appendix describes the aspects of the environmental and social assessment, and the plans and frameworks to promote equitable access to benefits and to mitigate adverse project impacts referred to in ESS7. For purposes of this Appendix, these tools are referred to as the “Social Assessment,” the “IP/SSAHUTLC Plan,” and the “IP/SSAHUTLC Planning Framework.” These names may be adjusted as appropriate to the project or country context, reflecting the alternative terminology in use, as specified in paragraph 6 of ESS7. The above assessment, plan, and framework will be prepared in consultation with project-affected IP/SSAHUTLC. The draft and final assessment, plan, and framework will be disclosed pursuant to the relevant requirements of ESS1 and ESS10.

**Targeted Social Assessment for the purposes of ESS7**

1. The breadth, depth, and type of analysis of the social assessment is proportionate to the potential risks and impacts of the proposed project on the IP/SSAHUTLC. The social assessment referred to in this Appendix is conducted as part of the environmental and social assessment under ESS1.

2. The social assessment includes the following elements, as needed:
   a. A review of the legal and institutional framework applicable to IP/SSAHUTLC.
   b. Gathering of baseline data on the demographic, social, cultural, and political characteristics of the IP/SSAHUTLC; 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 data into account, the identification of project-affected parties and the elaboration of a culturally appropriate process for involving and consulting with the IP/SSAHUTLC at each stage of project preparation and implementation (see paragraph 23 of ESS7).
   d. An assessment, based on meaningful consultation tailored to IP/SSAHUTLC, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected IP/SSAHUTLC, given their distinct circumstances and close ties to land and natural resources, as well as their potential lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live. The assessment should consider differentiated gender impacts of project activities and impacts on potentially disadvantaged or vulnerable groups within the community of IP/SSAHUTLC.
   e. The identification and evaluation of measures necessary to avoid adverse impacts, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such impacts, and to ensure that the IP/SSAHUTLC receive culturally appropriate benefits under the project. This is based on meaningful consultation tailored to IP/SSAHUTLC and, where relevant, pursuant to paragraph 24 of ESS7, on Free, Prior and Informed Consent.
**IP/SSAHUTLC Plan**

1. In most cases, the IP/SSAHUTLC Plan includes the following elements, as needed:
   1. A summary of the Targeted Social Assessment, including the applicable legal and institutional framework and baseline data.
   2. A summary of the results of the meaningful consultation tailored to IP/SSAHUTLC, and if the project involves the three circumstances specified in paragraph 24 of ESS7, then the outcome of the process of FPIC carried out with the affected IP/SSAHUTLC during project preparation.
   3. A framework for meaningful consultation tailored to IP/SSAHUTLC during project implementation.
   4. Measures for ensuring IP/SSAHUTLC receive social and economic benefits that are culturally appropriate and gender sensitive and steps for implementing them. If necessary, this may call for measures to enhance the capacity of the project implementing agencies.
   5. Measures to avoid, minimize, mitigate, or compensate IP/SSAHUTLC for any potential adverse impacts that were identified in the social assessment, and steps for implementing them.
   6. The cost estimates, financing plan, schedule, and roles and responsibilities for implementing the IP/SSAHUTLC Plan.
   7. Accessible procedures appropriate to the project to address grievances by the affected IP/SSAHUTLC arising from project implementation, as described in paragraph 35 of ESS7 and in ESS10.
   8. Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IP/SSAHUTLC Plan, including ways to consider input from project-affected IP/SSAHUTLC in such mechanisms.

**IP/SSAHUTLC Planning Framework**

1. The purpose of the IP/SSAHUTLC Planning Framework is to establish the requirements of ESS7, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation when IP/SSAHUTLC may be present in, or have collective attachment to, the project area. Following identification of the subproject or individual project components and confirmation that IP/SSAHUTLC are present in or have collective attachment to the project area, a specific plan, proportionate to potential risks and impacts, is prepared. Project activities that may affect IP/SSAHUTLC do not commence until such specific plans are finalized and approved by the Bank.

2. The IP/SSAHUTLC Planning Framework sets out:
   a. The types of subprojects likely to be proposed for financing under the project.
   b. The potential positive and adverse impacts of such programs or subprojects on IP/SSAHUTLC.
   c. A plan for carrying out the social assessment for such programs or subprojects.
d. A framework for ensuring the meaningful consultation tailored to IP/SSAHUTLC and in the specified circumstances, a framework for ensuring their Free, Prior and Informed Consent during project implementation.

e. Institutional arrangements, including capacity building where necessary, for screening project-supported activities, evaluating their effects on IP/SSAHUTLC, preparing IP/SSAHUTLC Plans and addressing any grievances.

f. Monitoring and reporting arrangements, including mechanisms and benchmarks appropriate to the project.

Disclosure arrangements for IP/SSAHUTLC Plans to be prepared as specified in the IP/SSAHUTLC Planning Framework.
There are many resources that may be useful to a Borrower in addressing the application of the
ESF. Set out below are references that may assist the Borrower in implementing the requirements
of the ESF. The resources listed here do not necessarily represent the views of the World Bank.

**World Bank Group**


Washington, DC.

International Finance Corporation, Washington, DC.


**Additional References**


Diversity, Rio de Janeiro.

———. 2004. “The Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and
Intellectual Heritage of Indigenous and Local Communities.” Convention on Biological Diversity,
Rio de Janeiro.

European Bank for Reconstruction and Development. 2014. “Performance Requirement 7:

Development, London.

Strategy for Indigenous Development.” Inter-American Development Bank, Washington, DC.


Nations, New York.

United Nations Programme on Reducing Emissions from Deforestation and Forest Degradation
Programme Secretariat, Geneva.
Environment & Social Framework for IPF Operations

ESS10: Stakeholder Engagement and Information Disclosure
The Guidance Notes provide guidance for the Borrower on the application of the Environmental and Social Standards (ESSs), which form part of the World Bank’s 2016 Environmental and Social Framework. The Guidance Notes help to explain the requirements of the ESSs; they are not Bank policy, nor are they mandatory. The Guidance Notes do not substitute for the need to exercise sound judgment in making project decisions. In case of any inconsistency or conflict between the Guidance Notes and the ESSs, the provisions of the ESSs prevail. Each paragraph of the Standard is highlighted in a box, followed by the corresponding guidance.
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Introduction

1. This ESS recognizes the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

2. Stakeholder engagement is an inclusive process conducted throughout the project life-cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project’s environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process, and is an integral part of early project decisions and the assessment, management and monitoring of the project’s environmental and social risks and impacts.

3. This ESS must be read in conjunction with ESS1. Requirements regarding engagement with workers are found in ESS2. Special provisions on emergency preparedness and response are covered in ESS2 and ESS4. In the case of projects involving involuntary resettlement, Indigenous Peoples or cultural heritage, the Borrower will also apply the special disclosure and consultation requirements set out in ESS5, ESS7 and ESS8.

Objectives

- To establish a systematic approach to stakeholder engagement that will help Borrowers identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties.
- To assess the level of stakeholder interest and support for the project and to enable stakeholders’ views to be taken into account in project design and environmental and social performance.
- To promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life-cycle on issues that could potentially affect them.
- To ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format.
- To provide project-affected parties with accessible and inclusive means to raise issues and grievances, and allow Borrowers to respond to and manage such grievances.
Scope of Application

ESS10 applies to all projects supported by the Bank through Investment Project Financing. The Borrower will engage with stakeholders as an integral part of the project’s environmental and social assessment and project design and implementation, as outlined in ESS1.

GN 4.1. Stakeholder engagement is the continuing and iterative process by which the Borrower identifies, communicates, and facilitates a two-way dialogue with the people affected by its decisions and activities, as well as others with an interest in the implementation and outcomes of its decisions and the project. It takes into account the different access and communication needs of various groups and individuals, especially those more disadvantaged or vulnerable, including consideration of both communication and physical accessibility challenges. Engagement begins as early as possible in project preparation, because early identification of and consultation with affected and interested parties allows stakeholders’ views and concerns to be considered in the project design, implementation, and operation.

GN4.2. Meaningful stakeholder engagement throughout the project cycle is an essential aspect of good project management and provides opportunities for Borrowers to learn from the experience, knowledge, and concerns of the affected and interested stakeholders, and to manage their expectations by clarifying the extent of the Borrower’s responsibilities and resources. Stakeholder consultations provide input for, as appropriate, environmental and social assessment, project design, mitigation plans, monitoring reports, and further evaluation of the project, including the Environmental and Social Commitment Plan (ESCP), summaries of the assessment of all or part of Borrowers’ environmental and social frameworks, and any other project plans that may be prepared. The level and frequency of stakeholder engagement conducted is proportionate to the risks and impacts of the project.

GN4.3. The techniques and practices described in this Guidance Note are applied both to the specific requirements of ESS10, and to any engagement, consultation, and disclosure requirements set out in the other ESSs (whether or not such techniques and practices are described in the respective Guidance Notes).

For the purpose of this ESS, “stakeholder” refers to individuals or groups who:
(a) Are affected or likely to be affected by the project (project-affected parties); and
(b) May have an interest in the project (other interested parties).

GN5.1. The term “project-affected parties” includes those likely to be affected by the project because of actual impacts or potential risks to their physical environment, health, security, cultural practices, well-being, or livelihoods. These stakeholders may include individuals or groups, including local communities.

GN5.2. The term “other interested parties” refers to individuals, groups, or organizations with an interest in the project, which may be because of the project location, its characteristics, its
impacts, or matters related to public interest. For example, these parties may include regulators, government officials, the private sector, the scientific community, academics, unions, women’s organizations, other civil society organizations, and cultural groups.

**GN5.3.** As further discussed in paragraph 20 of this ESS, for both groups, special consideration should be given to stakeholders that may be disadvantaged or vulnerable.

**Requirements**

**GN6.1.** The project life-cycle starts with the identification of a proposed project; proceeds through the development of the project, the economic, financial, and environmental, and social assessment; negotiations between Borrowers and the Bank; and project implementation; and ends with the closure and decommissioning of the project. Project-related stakeholder engagement starts at project identification and continues until closure of the project. The extent of the engagement is determined by the significance of the environmental and social risks and impacts of the project and the level of concern expressed by stakeholders. Given that stakeholder engagement improves the quality of project implementation and builds trust with affected communities and other stakeholders, projects with high and substantial environmental and social risk should include several formal points of engagement as well as ongoing information dissemination throughout the project cycle. Projects with moderate and low risk should include several points of engagement before the project is approved by the Bank and ideally more than one point of engagement during project implementation. The mandatory disclosure of relevant project documentation is addressed in paragraph 19 of ESS10 and associated guidance.

**GN6.2.** In cases where the Bank’s involvement starts after the Borrower has already initiated a project, the Bank will work with the Borrower to review the stakeholder engagement provisions in place and, if necessary, to develop and implement a supplemental Stakeholder Engagement Plan (SEP) to ensure adequate stakeholder engagement going forward.

**GN6.3.** Engagement before the Bank approves a project should include the following:

(a) Stakeholder consultation to inform stakeholder analysis;
(b) Dissemination of relevant project material, including explanations of intended project benefits and, where appropriate, the setup of a project website;
(c) Stakeholder consultations on proposed project design, environmental and social risks and impacts, mitigation measures, the proposed SEP, and draft environmental and social risk management instruments.
GN6.4. Engagement after the Bank approves a project should include the following:

(a) Disclosure of information on how stakeholder feedback was incorporated into project design and environmental and social risk management instruments;
(b) Stakeholder consultations on implementation and supervision issues, consultations on any new project characteristics or environmental and social risks, and consultations on progress of environmental and social risk mitigation measures;
(c) Regular efforts to keep stakeholders informed on project implementation;
(d) Review of the adequacy of stakeholder identification in light of project implementation and related revisions to the SEP.

7. Borrowers will engage in meaningful consultations with all stakeholders. Borrowers will 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.

8. The process of stakeholder engagement will involve the following, as set out in further detail in this ESS: (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders.

9. The Borrower will maintain, and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not.

GN9.1. Documentation of stakeholder engagement should be published in a timely fashion in relevant local languages through channels that are accessible to stakeholders. This documentation includes the following, as appropriate:

(a) Date and location of each meeting, with copy of the notification to stakeholders;
(b) The purpose of the engagement (for example, to inform stakeholders of an intended project or to gather their views on potential environmental and social impacts of an intended project);
(c) The form of engagement and consultation (for example, face-to-face meetings such as town halls or workshops, focus groups, written consultations, online consultations);
(d) Number of participants and categories of participants;
(e) A list of relevant documentation disclosed to participants;
(f) Summary of main points and concerns raised by stakeholders;
(g) Summary of how stakeholder concerns were responded to and taken into account; and
(h) Issues and activities that require follow-up actions, including clarifying how stakeholders are informed of decisions.

### A. Engagement during Project Preparation

#### Stakeholder Identification and Analysis

10. **The Borrower will identify the different stakeholders, both project-affected parties and other interested parties**. As set out in paragraph 5, individuals or groups that are affected or likely to be affected by the project will be identified as ‘project-affected parties’ and other individuals or groups that may have an interest in the project will be identified as ‘other interested parties’.

   *Footnote 1. The stakeholders of a project will vary depending on the details of the project. They may include local communities, national and local authorities, neighboring projects, and nongovernmental organizations.*

**GN10.1.** The process to identify stakeholders includes the following, as appropriate:

(a) First, at the beginning of the environmental and social assessment for the project, the Borrower develops a list of project-affected and other interested parties, paying special attention to identifying disadvantaged or vulnerable groups. Information from any preliminary social impact assessment can inform this list.

(b) Second, other interested parties are identified by listing relevant interest groups, and considering historical issues, social relations, relationships between local communities and the project implementer, and any other relevant factors related to the sector and location that help anticipate local and external responses to the project.

(c) Third, it is advisable to conduct discussions with representatives of the stakeholders identified and with persons knowledgeable about the local, country, and sector contexts. In some circumstances, media and social media searches may help to verify the list and identify any other project-affected or interested parties and to contact them. Specific attention should be paid to identifying any disadvantaged or vulnerable groups.

**GN10.2.** Depending on the societal context, women, children, youth, and the elderly or other groups may need to be considered as stakeholder groups of their own, and separate consultation formats may be needed to capture suggestions and concerns.

**GN10.3.** Stakeholders are allowed to participate in the engagement process at any time, even if they had not previously been identified as stakeholders.

11. **The Borrower will identify those project-affected parties (individuals or groups) who, because of their particular circumstances, may be disadvantaged or vulnerable.** Based on this
identification, the Borrower will further identify individuals or groups who may have different concerns and priorities about project impacts, mitigation mechanisms and benefits, and who may require different, or separate, forms of engagement. An adequate level of detail will be included in the stakeholder identification and analysis so as to determine the level of communication that is appropriate for the project.

Footnote 2. Disadvantaged or vulnerable refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend.

GN11.1. Various types of barriers may influence the capacity of disadvantaged or vulnerable groups to articulate their concerns and priorities about project impacts. These barriers can be linked to sociopolitical, societal conflict, educational, or practical factors. For example, barriers can exist for ethnic, linguistic, and religious minorities; low-income households; women; youth; persons with limited mobility; or persons with disabilities. An array of strategies can be deployed to mitigate these obstacles by focusing on issues of accessibility, communication, empowerment, and/or confidentiality.

GN11.2. It is important to put in place measures for ensuring that stakeholders, and especially vulnerable and disadvantaged groups, are able to safely participate in consultations and that consultations are free of coercion and duress.

12. Depending on the potential significance of environmental and social risks and impacts, the Borrower may be required to retain independent third party specialists to assist in the stakeholder identification and analysis to support a comprehensive analysis and the design of an inclusive engagement process.

GN12.1. Guidance in relation to the nature and role of independent third parties is provided in ESS1, paragraph 25 and the Guidance Note accompanying ESS1.

GN12.2. An inclusive engagement process should empower all relevant stakeholders to participate. This participation includes systematic engagement with, for example, women, children, youth, the elderly, people with disabilities, and other vulnerable or disadvantaged groups.
Stakeholder Engagement Plan

13. In consultation with the Bank, the Borrower will develop and implement a Stakeholder Engagement Plan (SEP) proportionate to the nature and scale of the project and its potential risks and impacts. A draft of the SEP will be disclosed as early as possible, and before project appraisal, and the Borrower will seek the views of stakeholders on the SEP, including on the identification of stakeholders and the proposals for future engagement. If significant changes are made to the SEP, the Borrower will disclose the updated SEP.

Footnote 3. Depending on the nature of the scale of the risks and impacts of the project, the elements of a SEP may be included as part of the ESCP and preparation of a stand-alone SEP may not be necessary.

Footnote 4. Where possible, stakeholder engagement will utilize engagement structures within the national system e.g. community meetings, supplemented as needed with project-specific arrangements.

14. The SEP will describe the timing and methods of engagement with stakeholders throughout the life-cycle of the project as agreed between Bank and Borrower, distinguishing between project-affected parties and other interested parties. The SEP will also describe the range and timing of information to be communicated to project-affected parties and other interested parties, as well as the type of information to be sought from them.

GN13.1. The process of preparing the SEP is inclusive, and the draft SEP is designed to accommodate the needs and circumstances of different stakeholders, paying special attention to identified disadvantaged or vulnerable individuals or groups. It identifies the information and types of interaction to be conducted in each phase of the project, considers and addresses stakeholders’ communication and physical accessibility challenges, and includes any other stakeholder engagement required by the other ESSs.

GN13.2. As appropriate for the nature and scale of the project and its potential risks and impacts, the SEP will include a description of the project with its anticipated environmental and social impacts, as known at the time; a list of the stakeholder groups identified, including disadvantaged or vulnerable individuals or groups; the proposed stakeholder engagement program (including topics stakeholders will be engaged on, how stakeholders will be notified, the methods of engagement, list of information/documents that will be in the public domain, languages they will be available in, length of consultation period, and opportunities to comment); indication of resources required and the responsibilities for implementing stakeholder engagement activities; summary description of the grievance mechanism; and contact information and process for seeking further information.

GN13.3. The draft SEP is made available to stakeholders in accessible formats and through channels that are appropriate for them. Stakeholders may be notified of the publication of the SEP through various appropriate avenues, which may include websites, posters, radio, social media, or other channels that are suitable in the local context. As relevant to the project, the
draft SEP invites input on aspects such as: (a) whether the list of identified stakeholders is accurate; (b) the proposed methods of notification and engagement (for example, where meetings and workshops may be held and how to communicate with disadvantaged or vulnerable groups); (c) the proposed extent and format of engagement (for example, the type of meetings and duration of the consultation period); and (d) the format and language of information to be provided. Stakeholder feedback on these aspects is reviewed and incorporated in the SEP as appropriate. If significant changes are made to the SEP, a revised SEP is publicly disclosed.

**GN13.4.** The SEP is proportionate to the anticipated environmental and social impact of the proposed project, and to stakeholder concerns regarding the risks and impacts associated with the project. Where the elements of the SEP are included in the ESCP, it is important to ensure that the specific stakeholder engagement arrangements are communicated in formats suitable to and understandable for the identified stakeholders. This may include, for example, a factsheet, brochure, or radio broadcasts that alerts stakeholders to the information to be provided, along with locations of consultation meetings, channels for providing comments, deadlines for comments, contact information, and a summary of the grievance mechanism.

**GN13.5.** Because project circumstances and stakeholder concerns can change or new ones may emerge, stakeholder engagement is conducted throughout the project cycle. The SEP may need to be updated during project implementation. This allows improvement to project implementation based on stakeholder feedback, and proactive management of concerns.

15. *The SEP will be designed to take into account the main characteristics and interests of the stakeholders, and the different levels of engagement and consultation that will be appropriate for different stakeholders. The SEP will set out how communication with stakeholders will be handled throughout project preparation and implementation.*

16. *The SEP will describe the measures that will be used to remove obstacles to participation, and how the views of differently affected groups will be captured. Where applicable, the SEP will include differentiated measures to allow the effective participation of those identified as disadvantaged or vulnerable. Dedicated approaches and an increased level of resources may be needed for communication with such differently affected groups so that they can obtain the information they need regarding the issues that will potentially affect them.*

17. *When the stakeholder engagement with local individuals and communities depends substantially on community representatives, the Borrower will make reasonable efforts to verify that such persons do, in fact, represent the views of such individuals and communities, and that they are facilitating the communication process in an appropriate manner.*

Footnote 5. For example, village heads, clan heads, community and religious leaders, local government representatives, civil society representatives, or teachers.
Footnote 6. For example, by conveying, in an accurate and timely manner, information provided by the Borrower to the communities and the comments and concerns of such communities to the Borrower.

GN17.1. All views will be considered, including those of disadvantaged or vulnerable individuals or groups. To support this, it is useful to map community structures carefully, to use diverse methods of leader identification, and to follow systems and processes that foster the accountability of those identified as community representatives. This consideration may take into account the degree of authority and legitimacy residing with those representatives. Good practice suggests that as long as a stakeholder group is offering a perspective that is relevant to the project, its views should be considered.

18. In certain circumstance, depending on the level of information available about the project, the SEP will take the format of a framework approach, outlining general principles and a collaborative strategy to identify stakeholders and plan for an engagement process in accordance with this ESS that will be implemented once the location is known.

Footnote 7. For example, where the exact location of the project is not known.

GN18.1. The use of the SEP framework approach is appropriate where the design and location of the project cannot be known during project preparation, or when a project has multiple subprojects that will only be designed during project implementation. In such cases, the framework sets out the principles to be followed for stakeholder engagement in a manner that is consistent with ESS10 and indicates how people are notified as key information becomes known. The SEP is updated as and when specific details become known, for example the specific locations, stakeholders, and schedule of activities.

Information Disclosure

19. The Borrower will disclose project information to allow stakeholders to understand the risks and impacts of the project, and potential opportunities. The Borrower will provide stakeholders with access to the following information, as early as possible before the Bank proceeds to project appraisal, and in a timeframe that enables meaningful consultations with stakeholders on project design:
(a) The purpose, nature and scale of the project;
(b) The duration of proposed project activities;
(c) Potential risks and impacts of the project on local communities, and the proposals for mitigating these, highlighting potential risks and impacts that might disproportionately affect vulnerable and disadvantaged groups and describing the differentiated measures taken to avoid and minimize these;
(d) The proposed stakeholder engagement process highlighting the ways in which stakeholders can participate;
(e) The time and venue of any proposed public consultation meetings, and the process by which meetings will be notified, summarized, and reported; and
(f) The process and means by which grievances can be raised and will be addressed.

GN19.1. Meaningful stakeholder engagement depends on timely, accurate, accessible, and comprehensible information. Making available project-related information as early as possible in the project cycle and in a manner, format, and language appropriate for each stakeholder group is important. Formats to provide information may include presentation printouts, nontechnical summaries, project leaflets, and pamphlets. Ideally, maps of the project area and nontechnical drawings should be included in the materials. Documents used in stakeholder consultation should be made available to stakeholders, for example on community public notice boards, and, where possible, on the Borrower’s website.

GN19.2. Documentation should also be accessible for stakeholders with sensory disabilities, for instance, through providing documents in Braille or engaging a sign language interpreter at a consultation meeting, as appropriate.

GN19.3. In cases where literacy levels are low, additional formats like location sketches, physical models, and film presentations may be useful to communicate relevant information. The Borrower should help the public to understand technical documents, for instance, through the publication of simplified summaries, nontechnical background explanations, or access to local experts.

GN19.4. The Borrower should make special efforts to inform, engage with, and understand disadvantaged or vulnerable groups with regard to the impacts of the project on them, the means of obtaining access to compensation and benefits where appropriate, and how and when to raise grievances.

GN19.5. It is important to remain responsive to requests for information from project-affected parties and other interested parties throughout the project cycle. It is helpful to set up appropriate systems to make project information available on a continuous basis. For instance, a website or other media may be useful to provide, and regularly update, project-related information.

20. The information will be disclosed in relevant local languages and in a manner that is accessible and culturally appropriate, taking into account any specific needs of groups that may be differentially or disproportionately affected by the project or groups of the population with specific information needs (such as, disability, literacy, gender, mobility, differences in language or accessibility).
### Meaningful Consultation

21. The Borrower will undertake a process of meaningful consultation in a manner that provides stakeholders with opportunities to express their views on project risks, impacts, and mitigation measures, and allows the Borrower to consider and respond to them. Meaningful consultation will be carried out on an ongoing basis as the nature of issues, impacts and opportunities evolves.

22. Meaningful consultation is a two-way process, that:

   (a) Begins early in the project planning process to gather initial views on the project proposal and inform project design;
   (b) Encourages stakeholder feedback, particularly as a way of informing project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts;
   (c) Continues on an ongoing basis, as risks and impacts arise;
   (d) Is based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information in a timeframe that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local language(s) and is understandable to stakeholders;
   (e) Considers and responds to feedback;
   (f) Supports active and inclusive engagement with project-affected parties;
   (g) Is free of external manipulation, interference, coercion, discrimination, and intimidation; and
   (h) Is documented and disclosed by the Borrower.

GN22.1. The aim of consultations is to engage in a meaningful dialogue with stakeholders, receive input on analysis and proposed plans, discuss concerns, and inform the Borrower’s decisions, where appropriate. Security and accessibility are expected to be considered when designing a consultation program, especially in fragile and conflict-affected situations.

GN22.2. Stakeholders should be welcome to express any concerns that are project related for the Borrower’s consideration. Participation in consultations and the expression of any opinions should not lead to retaliation, abuse, or any kind of discrimination. The Borrower is expected to address allegations of retaliation, abuse, or discrimination and take appropriate remedial measures.

### Engagement during Project Implementation and External Reporting

23. The Borrower will continue to engage with, and provide information to, project-affected parties and other interested parties throughout the life-cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project.
Footnote 8. Additional information may need to be disclosed at key stages in the project cycle, for example prior to start-up of operations, and on any specific issues that the disclosure and consultation process or grievance mechanism have identified as of concern to stakeholders.

GN23.1. As implementation of a project progresses, new impacts may arise, while other impacts may be eliminated. Borrowers provide regular updates to stakeholders on project performance and changes in scope or schedule, following the procedures agreed upon in the SEP.

24. The Borrower will continue to conduct stakeholder engagement in accordance with the SEP, and will build upon the channels of communication and engagement already established with stakeholders. In particular, the Borrower will seek feedback from stakeholders on the environmental and social performance of the project, and the implementation of the mitigation measures in the ESCP.

25. If there are significant changes to the project that result in additional risks and impacts, particularly where these will impact project-affected parties, the Borrower will provide information on such risks and impacts and consult with project-affected parties as to how these risks and impacts will be mitigated. The Borrower will disclose an updated ESCP, setting out any additional mitigation measures.

GN24.1. Ongoing stakeholder feedback is useful to monitor risks and impacts and to assess the effectiveness of the measures designed to mitigate environmental and social risks and impacts. Consultations can also be used to assess whether the requirements of the ESCP regarding mitigation measures have been fulfilled, whether additional issues have arisen, and how these are addressed.

C. Grievance Mechanism

26. The Borrower will respond to concerns and grievances of project-affected parties related to the environmental and social performance of the project in a timely manner. For this purpose, the Borrower will propose and implement a grievance mechanism\(^9\) to receive and facilitate resolution of such concerns and grievances.

Footnote 9. The grievance mechanism to be provided under this ESS may be utilized as the grievance mechanism required under other ESSs (see ESSs 5 and 7). However, the grievance mechanism for project workers required under ESS2 will be provided separately.

GN26.1. A grievance mechanism is an accessible and inclusive system, process, or procedure that receives and acts upon complaints and suggestions for improvement in a timely fashion, and facilitates resolution of concerns and grievances arising in connection with a project. An effective grievance mechanism provides project-affected parties with redress and helps address issues at an early stage.
27. The grievance mechanism will be proportionate to the potential risks and impacts of the project and will be accessible and inclusive. Where feasible and suitable for the project, the grievance mechanism will utilize existing formal or informal grievance mechanisms, supplemented as needed with project-specific arrangements. Further details on grievance mechanisms are set out in Annex 1.

(a) The grievance mechanism is expected to address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all project-affected parties, at no cost and without retribution. The mechanism, process or procedure will not prevent access to judicial or administrative remedies. The Borrower will inform the project-affected parties about the grievance process in the course of its community engagement activities, and will make publicly available a record documenting the responses to all grievances received; and

(b) Handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive and responsive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed.

GN27.1. A grievance mechanism is designed based on an understanding of the issues that are likely to be the subject of concerns and grievances. The appropriate design and scale of the grievance mechanism is project specific. The design depends upon factors such as the project context, scale, and scope; the number of project beneficiaries; capacity; cultural attitudes toward lodging grievances; available human and financial resources; and technological constraints. Existing formal and/or informal mechanisms identified as part of the environmental and social assessment under ESS1 may be used, provided they are deemed suitable for the project’s purposes and, as needed, can be supplemented with project-specific arrangements. In some instances, it may be cost-effective and sustainable to build on and improve such formal or informal mechanisms for grievance redress.

GN27.2. A grievance mechanism is established as early as possible in project development and supported by appropriate human and financial resources. The mechanism provides specific places and ways whereby grievances would be received and means by which they can be submitted (for example, mail, text message, e-mail, website, telephone, suggestion/complaint boxes, grievance form); specifies a person, an office, or an institution responsible for processing grievances; and establishes timelines for processing a complaint and a process for registering and monitoring grievances. Grievance mechanisms for larger or more complex projects may have multiple locations, means, and methods to receive, process, and monitor grievances, an adequately staffed team, and an appeals process.

GN27.3. To make grievance mechanisms accessible to all stakeholders, it is helpful to make the procedures to submit grievances simple and easy to understand; advertise them publicly and broadly via newspapers, radio broadcasts, or other accessible and appropriate channels; and indicate the expected length of timelines for acknowledgment, response, and resolution. The grievance mechanism is free of charge to stakeholders. Accessibility for disadvantaged or
vulnerable individuals or groups is important, as is documenting grievances received and responses provided.

**GN27.4.** Actions taken on the grievance or suggestions should be informed and balanced. The time frame for grievance resolution depends on factors such as the urgency of the complaint; need for research, investigation, consultation, and funding; and capacity. The grievance mechanism sets out indicative time frames for acknowledgment, interim responses, and, where possible, final resolution of grievances. Some grievances may require coordination among multiple departments/agencies, often outside the control of the project, or require detailed investigation. Such grievances may take longer to address, and this should be communicated to the parties concerned when acknowledging receipt of the grievances. Supporting documents needed to achieve resolution form part of the files related to the grievance/feedback.

**GN27.5.** Grievance mechanisms should require all grievances to be treated confidentially, impartially, objectively, and in a timely manner. In countries where the submission of anonymous grievances is not permitted, it is important to ensure confidentiality; in those cases, the Borrower may consider engaging third-party entities to facilitate submission of grievances. Users of a grievance mechanism may not be subject to retaliation, abuse, or any kind of discrimination. The Borrower is expected to address allegations of retaliation, abuse, or discrimination and take appropriate remedial measures.

**D. Organizational Capacity and Commitment**

28. The Borrower will define clear roles, responsibilities and authority as well as designate specific personnel to be responsible for the implementation and monitoring of stakeholder engagement activities and compliance with this ESS.

**GN28.1.** The Borrower should designate qualified staff to design, implement, and monitor stakeholder engagement activities and, if necessary, consider supplementing the staff with external expert assistance. The number of staff should be proportionate to the nature of the project and the types and levels of risks and impacts that are anticipated.
1. The scope, scale and type of grievance mechanism required will be proportionate to the nature and scale of the potential risks and impacts of the project.

2. The grievance mechanism may include the following:
(a) Different ways in which users can submit their grievances, which may include submissions in person, by phone, text message, mail, email or via a web site;
(b) A log where grievances are registered in writing and maintained as a database; (c) Publicly advertised procedures, setting out the length of time users can expect to wait for acknowledgement, response and resolution of their grievances;
(d) Transparency about the grievance procedure, governing structure and decision makers; and
(e) An appeals process (including the national judiciary) to which unsatisfied grievances may be referred when resolution of grievance has not been achieved.

3. The Borrower may provide mediation as an option where users are not satisfied with the proposed resolution.
There are many resources that may be useful to a Borrower in addressing the application of the ESF. Set out below are references that may assist the Borrower in implementing the requirements of the ESF. The resources listed here do not necessarily represent the views of the World Bank.

**World Bank Group**

**Stakeholder engagement and consultations**

https://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC_StakeholderEngagement.pdf?MOD=AUPRFES


**Grievance redress**


https://openknowledge.worldbank.org/handle/10986/20119
Additional References

Stakeholder engagement and consultations


http://www.unep.fr/shared/publications/pdf/WEBx0115xPA-SEhandbookEn.pdf

Stakeholder Engagement Plan


Stakeholder analysis


Grievance redress


**Accessibility**

[http://www.wipo.int/edocs/mdocs/govbody/en/mvt_a_1/mvt_a_1_3.pdf](http://www.wipo.int/edocs/mdocs/govbody/en/mvt_a_1/mvt_a_1_3.pdf)
ANNEX 4: SUMMARY OF CONSULTATIONS WITH VULNERABLE GROUPS CONDUCTED IN JUNE 2018

1 INTRODUCTION

Stakeholders Engagement (SE) is one of the key parameters that ensure a high level of participation and involvement into the Program. The First Phase of the TASAF III Productive Social Safety Net has been implemented on the ground of ascertaining utmost stakeholder engagement in all Programs activities from conception, design, implementation monitoring and evaluation of its achievements. On the preparatory stages of the Second Phase of Productive Social Safety Net (PSSN II) the Program is undertaking SE as a prerequisite for fulfilling Environmental and Social Framework (ESF) which replaced previous applied World Bank’s Safeguards Operational Policies (OP). The new World Bank ESF requires intensive SE throughout the Program phases. It also requires a continuous SE in all Program life cycle to ensure consistent consultation among stakeholder for a better result of achieving its objectives.

In this context, stakeholders’ consultation was carried out in June 2018 in communities with Vulnerable Groups (VGs) in sampled areas in Mbulu, Karatu, Kiteto and Hanang PAAs to fulfill requirements of Environmental and Social Standard 7 (ESS7) on Sub-Saharan Historically Underserved Traditional Local Communities and ESS 10 on Stakeholder Engagement. In each district, 2 villages were covered, namely Kimana and Kinua in Kiteto; Mureru and Mukbadaw in Hanang, Yaeda Chini and Mongoamoni in Mbulu; and, Gangdeng and Maleckchad in Karatu. The interactions were mainly focused on getting opinions of the VGs on the potential impacts to them of implementing PSSN II program, measures for enhancing positive impacts, and strategies/options to minimize and/or mitigate negative ones.

This report provides the details of the Stakeholders Consultation in regard to the methods used, the findings, analysis, conclusion and recommendations. The assignment was undertaken based on the principle of free, prior and informed consultations with the VGs that ensure Program activities fully respect the dignity and cultures of the Vulnerable Groups and are aimed at avoiding potentially adverse effects, when avoidance is not feasible; minimizing, and, where necessary, mitigating, such effects; and lastly ensuring that they are getting social and economic benefits that are culturally appropriate and gender based.

The Vulnerable Groups in the focus of this SE include the hunter-gatherer, nomad pastoralists, pastoralist, and agro-pastoralist communities living in geographically difficult to access/remote areas, who earn livelihood through hunting, fruits gathering, digging of roots for food and medicinal purposes and livestock keeping.

2 OVERVIEW OF DISTRICT COUNCILS

Kiteto, Hanang, Mbulu and Manyara are among four PAAs of Manyara and Arusha regions where the project activities are expected to take place. The traditional livelihood of people in these districts has been largely pastoralism, hunting and gathering. However, climatic changes and encroachment of pastoralist areas pose serious threats to the continuation of the traditional way of life. Drought forces wild animals to
migrate to other areas in search of pasture and water. Also, in recent years, there have been pressure from neighbouring groups encroaching on their land.

3 RATIONALE OF THE STAKEHOLDER ENGAGEMENT TO VGS

The stakeholder engagement process involving Vulnerable Group communities was carried out to ensure meaningful participation of these groups in PSSN II. In view of PSSN II’s design, various activities are envisaged in its components, which include a Public Works Program, Livelihood Enhancement and Targeted Infrastructure development, and Productive Transfer. Such activities are proposed to be undertaken by the communities to address community needs, increase household income provide assets to respective communities. The VG communities will also be engaged in mentioned activities with specific interventions suitable for traditional-cultural settings; these activities will be done without compromising VGs’ fundamental interests and cultural values.

The stakeholders’ engagement process will ensure that these communities are made aware of Program activities, opportunities availed, and activities that capitalize on those for advancement of the socio-economic development of the community. It is expected that such undertakings will help improve VGs’ livelihoods, as access to social services like water, education needs and health facilities, but also handicrafts and bee-keeping are among key activities suitable for these communities. The SE process will continue to focus on how such activities will sustainably be accomplished within VG communities without disturbing their traditional way of life.

4 PROCEDURE APPLIED AND OUTCOMES
4.1 Methods used on Stakeholders Engagement

Courtesy calls to the District Executive Director in all PAAs were held to inform the objectives of the conducting stakeholder engagement process and methodologies that will be used during the stakeholders’ consultations with the selected villages within Vulnerable Groups areas. The process involved asking questions and listening to all stakeholders’ opinions sincerely, respecting all participants’ ideas, showing interests in their knowledge and behaviors while encouraging them to share their knowledge and ideas. A team which conducted consultation involved PAA experts who had more experiences in working with VGs in their selected villages and districts in general. Also the consultation involves Village leaders, extension workers, institutions working with VGs and TMU staffs. The following were the methodologies used:

Meeting at PAA level with PAA facilitators

Meetings with PAA facilitators in Kiteto, Hanang, Mbulu and Karatu were held prior to the field work in the communities. A total of 45 attended the sessions, 26 being Males and 19 females. The sessions aimed at sharing information on general safeguards issues and to get their opinions and broad support for the exercises of conducting stakeholder’s consultation in the PAA and selected communities. During the meeting PAA facilitators shared the district experiences in working with vulnerable groups and recommend best approaches that can be used to improve their livelihoods.

Focus Group Discussion

Focus group discussions were held with communities of hunter-gathers, pastoralists and agro-pastoralist communities respectively in Kiteto, Hanang, Mbulu and Karatu PAA in each of the sampled communities. A total of 14 FGDs were conducted, involving 322 people (171 males and 151 females) were held in the sampled villages of Kimana and Kinua in Kiteto PAA, Mureru and Mulbadau in Hanang PAA, Yaeda-Chini and Mongoamono in Mbulu PAA, Maleckchad and Qangdeng in Karatu PAA. The interactions mainly focused on getting opinions on the potential impacts on VGs of implementing PSSN II Program, such as challenges, measures for enhancing positive impacts, and strategies/options to minimize and/or mitigate negative ones. In addition, the discussions looked at the best ways to ensure meaningful participation of vulnerable groups in the PSSN Program.

Participants in FGD were Ward Councillors, Ward Executive Offices, Village Chairpersons, Village Executive Officers, members of village councils (VCs), representatives of Community management committees (CMCs) and NGOs/CBOs working within the areas, hunter-gathers, pastoralists and agro-pastoralist communities, religious leaders, and the influential persons. To ensure wider discussions, participants were divided into three groups of leaders, men and women. Thereafter, all groups gathered together for sharing issues discussed in each group.
Special village assembly meetings
Community participation is the cornerstone of the Program implementation amongst all stakeholders at all levels. It is the dynamic process of dialogue between stakeholders based upon a genuine exchange of views, with the objective of ensuring that communities are participating effectively in the program implementation. During the Stakeholders’ consultation in the 8 villages, the Special Village Assembly meetings were held in all villages in order to share and obtain opinion from other community members on findings from the focus group discussion which were held with the hunter gathered communities. A total of 8 Special village assembly meetings were held attended by 870 community members (484 males and
386 females). These meetings were organized by the Village Councils which has the overall responsibility for the economic and social development of the Villages.

![Special Village Assembly Meeting at Murero Village, Hanang District. A facilitator and translator sharing the opinions to the community members which come out from the Focus Group Discussion](image)

**Secondary data**

The main documents that were used to obtain secondary data were profiles from all four districts. The profiles were used to get information of the population of the people in the districts, traditional ethnic groups in the districts, their socio-economic activities and other demographic factors. Other documents include land use plans and pictures showing the allocation of land according to use, activities implemented in the areas and SE sessions conducted.

**4.2 Findings of the focus group discussions (FGDs)**

i. **Socio-cultural characteristics**

Although history tells something different, at present, subsistence agriculture and animal husbandry are the main source of livelihood in all areas visited. Traditionally, the Akie and Hadzabe have been predominantly hunter-gathers and pastoralists. Men usually go hunting while women take care of children and do gathering. Men hunt small animals within their areas, women collect herbs and fruits from the forest, including honey from traditional bee hives to feed their families. They do not remain in one place. They move from one place to another looking for their daily needs. Another characteristic is that Hadzabe women build the houses, so the house belongs to the woman. Hunting and gathering as a means of livelihood has been increasingly diminishing due to harsh climatic conditions which has resulted in the disappearance of wild animals for hunting. Government laws also prohibit the Hadzabe from hunting without license.

The Barbaig/Datoga are traditionally pastoralists. Men usually take care of their animals (cows, goats, sheeps) and women take care of children. Climatic changes have resulted in drought; thus, there is insufficient pasture and water for livestock. This has forced them to start practicing agriculture by engaging in subsistence farming during the rainy season. However, those with large herds of cattle have shifted to other places in search of greener pastures. In most of the villages, agriculture is increasingly becoming the means of livelihood. Animals are kept as assets to absorb shocks in case of natural
calamities and emerging uncertainties. Maize is the main food crop while beans are both food and cash crops. The sunflower is also merging as a dependable cash crop in most of the areas in the districts. Other economic activities include bee keeping, particularly in the Akie communities, which trade honey and dairy products.

Another group is the Simjega (Wahunzi or ironsmiths), which are related to the Datoga. They do not own cows but are doing small scale farming (both men and women). The Wahunzi (ironsmiths) make arrows for hunting. They build house together (men build poles, women place the mud around the house), and men and women jointly take care of children. Men also search for food for their families.

**Picture 4: Livestock keeping**

### ii. Access to Land, Land Ownership and Tenure

Community members largely depend on land as a natural resource whether they are farmers, or pastoralists, or as hunter-gathers. In the Barbaig/Datoga communities, which are pastoralists, the land ownership and tenure system is male dominated. Most of the land is held under customary private ownership whereby sons obtain land from their father-heads of the families 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. On the other hand, the Akie/Hadzabe, who are hunter-gathers, traditionally have had no culture of owning land individually because they were mobile people moving from place to place, hunting wild animals and gathering fruits in the forest. Currently they own land pieces individually, though some of them are still landless.

Again, both Akie/Hadzabe and Barbaig/Datoga communities are losing their original land (forests and grazing areas). Their land is being encroached upon other ethnic groups; as a result, they face scarcity of land for practicing their traditional activities as pastoralists or as hunt-gatherers. This has resulted in them shifting their economic activities to small-scale farming or casual labour to survive. Community members have also complained about laws which prohibit them from accessing natural resources, such as hunting game and fishing, (for example in Lake Basutu in Hanang). Negotiations are under way with local authorities to allow fishing in the lake.
It was learnt that at Kibua village, in Kiteto, the government has demarcated 200 hectares of land for the hunter-gatherers, though during the discussion community members claimed that the land allocated to them was still not enough. In Kimana village there were land use plans, while at Mulbadaw there are government initiatives for ensuring that the pastoralist communities own land; the local authorities have established a land register at the village to enable people who have pieces of land to get customary land ownership. This initiative also facilitates women to possess land legally and also plays a great role in to solving land conflicts in the respective district.

Access to land at Mbulu PAA has been well arranged where the land management plan is in place. There has been a participatory land allocation and land use plan and each group has been allocated its own land for daily use. There is a committee which is taking care of security matters so that no group is entering into another group’s area, thus causing conflict. Proper timing and use of resources to ensure sustainability is practiced and bylaws have been instituted to harmonize land use management.

Access to land at Karatu PAA is still a work in progress. The Hadzabe have been allocated land but there are re-settlement issues which prevent proper handover to the target group, and there are a lot of complaints about this. The District Director and his team are working on the matter and demarcation of the land is still in progress.

*Picture 5: Land use plan at Kimana Village, Kiteto District*
iii. Interaction with various institutions

There are NGOs/CBOs which are working in the Akie/Hadzabe and Barbaig/Datoga communities, and have been working successfully. Some of them are:

- Kinnapa in Kiteto-facilitates enrolment of Alkine in schools;
- Pingo in Kiteto which deals with all issues of development in the hunter-gathers and pastoralists communities, particularly poverty reduction through promoting income generation activities;
- UCRT in Kiteto provides goats for hunter-gatherer women as a means of sensitising them to engage in livestock keeping and enabling them to improve their life. Also, they help facilitate land survey and demarcation exercise in collaboration with the District council;
- Farm Africa in Hanang works towards enhancing livelihoods through the formation of savings and credit groups and capacity building in business development skills;
- CHESS in Hanang district sponsors children for secondary education;
- UCRT in Mbulu PAA - Umoja provides resources to assist in land management and land re-allocation according to the particular needs of the community.
- Carbon Tanzania in Mbulu PAA assists in taking care of the environment and rewarding communities who have been able to promote environmental conservation. This is done by issuing incentives for health insurance assistance to community members and education assistance to children who are ready to pursue secondary/high school/college education.
- Ndorobo Tours in Mbulu PAA assist in promoting cultural tourism by advertising and planning tourists visits within the area. They also deposit some of the tourism fees to their village account, which is used to improve their infrastructure according to their most pressing needs, as well as buying food during drought season.
- Hadzabe Project In Karatu PAA organizes tourist visits and collects fees from tourists who are coming to their areas, which then use for their needs (i.e. food, education for their children, health expenses).
- Village Governments assist in reconciliation and conflict management among groups. They also play a liaison role with the PAA.

iv. Meaningful Consultation method

The Akie/Harzabe and Barbaig/Datoga communities rely mostly on the existing government structure; hence, the village leaders are key stakeholders in overseeing and communicating the development processes in the villages. With regard to communications/sensitization, they meet first with the local leaders of their specific groups at the inception stage to carry out awareness raising about the Program and ensure the VGs are aware of the Program’s benefits.

During the discussion it was revealed that for some of the people residing in peripheral areas, the usual consultation methods of using the existing government structures does not always get the message to all people in a timely way due to remoteness. They recommend strongly using using the Barbaig and Hadzabe local leaders to communicate messages to the community because it will have greater impact not only on getting the information to project-affected people, but also in ensuring effective participation in the development activities. For example, among the Hadzabe, a male leader is traditionally called Baa na kwete and a female leader, (Paa na kwiko). Both men and women can be consulted on communication issues. Information is normally passed from VEO to sub village head, and then to the male leaders if the message concerns men, and the same for women. They have a special place within their area to hold meetings (Isawa or Melekako). In case of a village meeting, due to the nature of their activities and their scattered residential areas, they need to be provided enough time to allow for messages/information to be communicated from one household to another.
4.3 Issues raised and requirements of the Vulnerable Groups

Discussions by community members revealed several economic and socio-cultural dynamics in the communities, which mostly have resulted in livelihood challenges. Among the issues are:

- Interaction with other communities resulting in the gradual disappearance of indigenous social and cultural aspects;
- Depletion of natural resources due to climate change and human activities;
- Transformation of livelihoods from natural resources to agriculture;
- Shortage of water, which contributes to a nomadic way life in the communities;
- Shortage of social services, such as school and health facilities;
- Shortage of land for hunting and other traditional livelihoods;
- Gender imbalances;
- Lack of group training/development and entrepreneurship skills;
- Lack of modern agricultural and animal husbandry skills
- Need of extension services in the areas of agriculture, livestock, forestry, etc. as a result of the introduction of agricultural activities due to climate change issues/change of livelihood activities.

4.4 Analysis of issues raised

i. Disappearing of social and culture issues due to interface with other communities

The Akie communities in Kiteto are gradually losing their social and cultural aspects, such as their language and way of dressing because their land is being encroached upon and the community is being absorbed by nearby communities. This has led to changing perceptions about cultural identity. For example, there are perceptions in the communities that the Maasai are more superior to the Akie. Population increase has forced the people to shift from hunting and gathering fruits into farming. Also, interaction with other communities has resulted in pressure on land availability; hence, some VG communities have requested their own land. Efforts are being made by the government to provide demarcated land for the Akie/Hadzabe in Mbulu, Karatu and Kiteto so that they can be free to stay together and maintain their culture. In addition, these communities meet on a weekly basis to discuss issues related to their social and cultural issues in development processes. This interaction has enabled them to build unity among themselves and improve self-esteem in the community.

As far as development is concerned, both communities are mainly using the existing governmental structure to communicate, meaning that their traditional leaders have a role to play by linking up with the formal government structure. Language is still a barrier, as Kiswahili is not a common language. Usually, discussions with people in the communities require an interpreter from Kiswahili to the local language and vice versa.

ii. Depletion of natural resources due to climate change and human activities

In the past, the livelihood of Barbaig, who are also known as Datoga mainly, depended on livestock keeping. Currently they have undergone major transformation in their livelihoods as they are also engaging in farming. They keep cattle, goats and sheep while also producing farm crops like maize, beans and sunflower. Fishing in Lake Bassotu is not a common livelihood activity; instead, they mainly use water from the lake for the irrigation of their vegetable and other crop gardening, as the population increase is turning grazing areas to farm lands.
iii. Need for awareness-raising

Due to the transformation in the livelihood of the hunter-gathers and pastoralist communities as they have shifted into farming activities, there is a need for undertaking capacity building on modern farming and animal keeping methods. During the discussion it was revealed that the communities lack modern knowledge of farming as well as animal keeping. There is Lake Bassotu at Mulbadaw village with permanent water flow, but fishing is not commonly done for cultural reasons.

![Picture 6: Lake Bassotu in Mulbadaw Village, Hanang District](image)

iv. Shortage of water which causes to migrate from one place to another

During the discussion it came out clearly that the hunter-gatherers and pastoralist are facing a serious shortage of water for both human beings and animals. The shortage of water was mentioned as a factor that makes people to shift from one place to another looking for water. Time spent looking for/fetching water was mentioned among the factors that causes poverty in the community since more time is spent on gathering water instead of doing other development activities.

v. Shortage of social services such as school and health facilities

Generally, the availability of health facilities is minimal in the areas where these communities reside. They usually stay at the peripheral areas as a result, and, even if the facilities are available, they need to travel long distance to access those services. In Hanang, the two villages have school and health facilities. Given the nature of the villages, children have to walk a long distance to school; hence, the need for additional schools in their sub villages. In Kiteto, both villages have no health facilities, in addition to the long distance to walk to the local schools. Provision of mobile clinics is needed for children and women, as some pregnant women give birth at home. Introduction of boarding schools is also needed to help the children get access to education since their parents are moving from one place to another.

vi. Gender imbalances

There is male dominance in the livestock keeper communities, whereby people still hold to the traditional misconception that women cannot make decisions. Also, women lack the right to property ownership,
particularly land and livestock and are denied leadership positions in the community. But the situation is different in the Akies/Hadzabe communities as, during the discussion in focus group and in the public meeting, it was revealed that Akie women have been empowered and are free to speak about their concerns as compared to the women in the Barbaig communities. Akie women are well organized and they have strong leaders.

vii. Shortage of entrepreneurship skills

The community members lack group savings and entrepreneurship skills, which would enable them to form savings groups so they can earn and save money for starting and strengthening their income generating activities.

viii. Shortage of modern agricultural and animal husbandry skills

With the new changes, the communities are adopted to engage into agricultural activities. However, they use their indigenous knowledge for practicing agriculture; hence, there is a need for capacity building and extension services. Similarly, in animal keeping, the produce is very low due to several reasons, including lack of modern methods and the influx of many animal diseases.

4.5 Proposed mechanism/approaches for ensuring effective participation in the Program

Among the main objective of conducting stakeholders’ consultations was to get the opinions from Vulnerable Groups on how best they can participate in the program. The following are the proposed mechanisms/approaches for their effective participation:

i. More awareness raising sessions to enable VGs to ensure they are aware of the Program, key activities, benefits and their roles in achieving the Program objectives.

ii. Program interventions to address needs of the community, including the VGs, as it will ensure their meaningful and active participation in the Program.

iii. Involvement of local leaders/group leaders in disseminating program information in the communities. For example in Kinua Village, the Akie are meeting every Wednesday, and this forum can be used to sensitize program issues.

iv. Ensuring VGs have access to important information in their communities, as it will help support principles of inclusion, self-determination and respect of VGs by ensuring their voices are visible and prioritized.

v. Promoting gender equity and social inclusion that will ensure both men and women play key roles in the development process in the communities.

vi. Enhancing the culture of having regular meetings to share the Program impacts in the communities with Vulnerable Groups.

vii. To conduct participatory monitoring and information sharing with all key stakeholders responsible for planning and implementation of program activities.

4.6 Types of interventions applicable on Public Works and LE

The following are the type of sub-project proposals that came out during the focus group discussions in the communities:

i. Construction of rainwater harvesting tanks

ii. Construction of community ponds

iii. Hand dug wells

iv. Restoration of degraded areas

v. Modern farming technologies

vi. Modern technologies of animal husbandry

vii. Establishment of demonstration plots
viii. Community roads
ix. Aggregate crushing (manually)
x. Social services – school, dispensaries and warehouses
xi. Need of supply bee hives and accessories for bee keeping
xii. Market for their handcrafts /ornamental
xiii. Small equipment /machines for making embroidery for selling
xiv. Knowledge of Group formation/training and savings, as well as entrepreneurship/marketing skills
xv. Land allocation and management plans.
xvi. Environmental conservation activities/projects to prevent tree cutting and other disturbances
xvii. Training of youth on game scouting to promote employment
xviii. Provision of cows/goats to their households

5 MONITORING AND EVALUATION PLAN FOR STAKEHOLDER ENGAGEMENT
Participation of the VGs in the Program implementation will be undertaken in a participatory and inclusive manner and monitored closely to ensure that there is meaningful participation in the entire project cycle. Monitoring indicators will be disaggregated by gender to monitor women’s participation.

6 DIVISION OF RESPONSIBILITIES
For the meaningful consultation and participation of VGs in the Program, the following stakeholders will play the following roles and responsibilities:

6.1 Village and ward level
The village and ward level will oversee the participation of vulnerable groups in the Program, specific responsibilities of which are:
   i. Awareness raising at the community level in general and VGs in particular about the Program;
   ii. In partnership with local leaders of vulnerable communities, organizing and conducting meeting with VGs;
   iii. Participating in the participatory planning, implementing, monitoring and reporting on the participation of VGs in the Program activities at village and ward level; and
   iv. Addressing grievances from VGs as they arise, and documenting them.

6.2 PAA and Regional level
The PAA and regional levels will be responsible for overall planning and management of the participation of vulnerable group in the Program as follows:
   i. Awareness creation at PAA and regional levels about the participation of VGs in the Program;
   ii. Providing technical assistance to village leaders, CMCs and local communities as needed to ensure effective participation of VGs in the Program; and
   iii. Address grievance issues raised by the VGs.

7 CONCLUSION AND RECOMMENDATIONS
The following are the conclusion and recommendations based on the findings of stakeholders consultations conducted in four districts, eight villages (two at each PAA):

7.1 Overall Conclusion
Generally, the Consultations achieved their intended results of gathering opinions from the VGs concerning the implementation of the Program in their areas. Both beneficiaries and non-beneficiaries in the communities acknowledged that the Program to date has been implemented very successfully and has had great impact as far as poverty reduction is concerned.
During the consultations, the issue of land ownership and usage was well discussed and it was noticed that Program activities in the VG communities will neither have adverse impact on land and natural resources nor cause reallocation of the land or natural resources on which the VGs depend. The proposed Program activities for the Public Works and Livelihood Enhancement interventions are focusing on the rehabilitation of available community assets such as rainwater harvesting, construction of community ponds, restoration of degraded areas, promoting modern farming and animal husbandry technologies, community roads, hand dug wells, construction of social services such as school, dispensaries and warehouses, and bee keeping.

7.2 Recommendations:

- The Program should design interventions that will address the challenges faced by the hunter-gathers communities and pastoralist communities due to changes in climate and the shifting of their livelihood activities to farming. The intervention should focus on modern agricultural and livestock keeping methods, entrepreneurship skills, bee keeping and crafts making.
- The Program should promote gender awareness among the vulnerable communities in order to allow for equal opportunities and contributions among men and women in the efforts of poverty reduction in the communities.
- Program and PAA officials need to create more awareness in the communities on the establishment and management of savings and credit groups as a way of raising funds in the community that can be used to enhance farming technology, animal husbandry and starting small businesses.
- There is a need to sensitize and build the capacity of local leaders about the Program activities and to utilize them in passing the messages about the Program in the communities.
- Ensure there is an on-going Consultation Plan with the vulnerable communities to monitor their participation in the Program and assess it implementation and impacts.
ANNEX 5: ADDITIONAL GUIDANCE ON FPIC

Impacts on Land and Natural Resources Subject to Traditional Ownership or Under Customary Use or Occupation:

- Where projects involve (a) activities that are contingent on establishing legally recognized rights to lands and territories that VGs have traditionally owned or customarily used or occupied\(^5\), or (b) the acquisition of such lands, TASAF will prepare a plan for the legal recognition of such ownership, occupation, or usage, with due respect to the customs, traditions and land tenure systems of the VGs. The objective of such plans will be the following: (a) full legal recognition of existing customary land tenure systems of VGs; or (b) conversion of customary usage rights to communal and/or individual ownership rights.\(^6\) If neither option is possible under national law, the plan includes measures for the legal recognition of VGs perpetual or long-term renewable custodial or use rights.

- If the Borrower proposes to locate a project, or commercially develop natural resources, on land traditionally owned by, or under the customary use or occupation of VGs, and adverse impacts\(^7\) can be expected, the Borrower will take the following steps and obtain their FPIC:
  
  - Document efforts to avoid and otherwise minimize the area of land proposed for the project;
  
  - Document efforts to avoid and otherwise minimize impacts on natural resources subject to traditional ownership or customary use or occupation;
  
  - Identify and review all property interests, tenurial arrangements, and traditional resource usage prior to purchasing, leasing or, as a last resort, undertaking land acquisition;
  
  - Assess and document VGs’ resource use without prejudicing any VGs’ land claim. The assessment of land and natural resource use will be gender inclusive and specifically consider women’s role in the management and use of these resources;

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\(^5\) For example, extractive industries, creation of conservation areas, agro-development schemes, greenfield infrastructure development, land management or titling programs.

\(^6\) Conversion of customary usage rights to individual ownership rights will only be an objective following consultation with the VGs concerned and assessment of the impacts of such conversion on the communities and their livelihoods.

\(^7\) Such adverse impacts may include impacts from loss of access to assets or resources or restrictions on land use resulting from project activities.
o Ensure that affected VGs are informed of:

- their land rights under national law, including any national law recognizing customary use rights;
- the scope and nature of the project; and
- the potential impacts of the project; and

o Where a project promotes commercial development of their land or natural resources, afford due process, and offer compensation together with culturally appropriate sustainable development opportunities to VGs, at least equivalent to that to which any landowner with full legal title to the land would be entitled, including:

- Providing fair lease arrangements or, where land acquisition is necessary, providing land-based compensation or compensation in kind in lieu of cash compensation where feasible;\(^8\)
- Ensuring continued access to natural resources, identifying the equivalent replacement resources, or, as a last option, providing compensation and identifying alternative livelihoods if project development results in the loss of access to and the loss of natural resources independent of project land acquisition;
- Enabling VGs to share equitably in the benefits to be derived from the commercial development of the land or natural resources where the Borrower intends to utilize land or natural resources that are central to the identity and livelihood of affected VGs and the usage thereof exacerbates livelihood risk; and
- Providing affected VGs with access, usage, and transit on land the Borrower is developing subject to overriding health, safety, and security considerations.

Relocation of VGs from Lands and Natural Resources Subject to Traditional Ownership or Under Customary Use or Occupation:

- TASAF will consider feasible alternative project designs to avoid the relocation of VGs from communally held\(^9\) or attached land and natural resources subject to traditional

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\(^8\) If circumstances prevent TASAF or the Government of Tanzania from offering suitable replacement land, they will provide verification that such is the case. Under such circumstances, TASAF will provide non-land-based income-earning opportunities over and above cash compensation to affected VGs.

\(^9\) Typically, VGs claim rights and access to, and use of land and resources through traditional or customary systems, many of which entail communal property rights. These traditional claims to land and resources may not be recognized under national laws. Where VGs individually hold legal title, or where the relevant national law recognizes customary rights for individuals, the requirements of World Bank Environmental and Social Standard 5
ownership or customary use or occupation. If such relocation is unavoidable, TASAF will not proceed with the project unless FPIC has been obtained as described above;

- TASAF will not resort to forced eviction, and any relocation of VGs will meet the requirements of the World Bank’s Environmental and Social Standard 5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) will apply, as and when necessary in the project.

- Where feasible, the relocated VGs will be able to return to their traditional or customary land, should the cause of their relocation cease to exist.

Cultural Heritage:

- Where a project may significantly impact cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected VGs’ lives, priority will be given to the avoidance of such impacts. Where significant project impacts are unavoidable, TASAF will obtain the FPIC of affected VGs.

- Where a project proposes to use the cultural heritage of VGs for commercial purposes, TASAF will inform the affected VGs of:
  - their rights under national law;
  - the scope and nature of the proposed commercial development; and
  - the potential consequences of such development; and obtain their FPIC.

- TASAF will also enable VGs to share equitably in the benefits to be derived from commercial development of such cultural heritage, consistent with the customs and traditions of the VGs.

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(Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) will apply, as and when necessary in the project.

10 Per the requirements of ESS 5.
11 ‘Cultural heritage’ is described in detail in World Bank ESS 8 (Cultural Heritage) and includes natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred mountains, sacred trees, sacred rocks, burial grounds and sites.