

Small Ethnic Community Planning Framework (SECPF)

For

BANGLADESH COVID 19 SCHOOL SECTOR RESPONSE (GPE)
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Bangladesh Covid-19 School Sector Response Project

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Executive Summary

The Bangladesh COVID-19 School Sector Response Project (CSSRP) will help Bangladesh tackle the learning challenges posed by this pandemic. The objective of the project is to (i) strengthen the basic school system's institutional capacity to respond to, and recover from, the COVID-19 crisis; and (ii) build resilience to face future crises from pre-primary to secondary levels.

The World Bank's ESF ESS7 that includes issues related to small ethnic communities is relevant to this Project. In compliance with ESS7, this Small Ethnic Community Planning Framework (SECPF) has been developed to ensure that Small Ethnic Communities (SECs) would be sufficiently and meaningfully consulted leading to their Meaningful engagement in project interventions, and have equal opportunity to share the project benefits, and ensure any potential negative impacts are avoided, minimized and the residual impacts are properly mitigated.

The SECPF will form a basis for project implementation and monitoring and evaluation of how the project deals with the SECs' issues. At the project implementation stage, Small Ethnic Community Development Plans (SECDP) will be developed, based on this SECPF, once the sites specific subproject interventions are identified with all relevant information and the beneficiaries are selected from subproject and vulnerable households and results of social screening confirmed presence of SECs among the targeted beneficiaries.

Objectives of the SECPF are the following:

- Screen all activities to determine the presence of SECs and, if so, ensure their direct participation in selection, design and implementation of the subproject activities.
- Select sites and interventions and determine their scopes to avoid or minimize, to the extent feasible, adverse impacts.
- Adopt socially and culturally appropriate measures to mitigate the unavoidable adverse impacts; and
- Wherever feasible, adopt special measures – in addition to those for impact mitigation – to reinforce and promote any available opportunities for socio-economic development of the affected small ethnic communities.

The Constitution of Bangladesh states that all citizens are equal before the law and are entitled to equal protection of the law. Further, some specific laws refer to small ethnic communities (SEC) especially focusing the tribal peoples in the Chittagong Hill Tract (CHT) area, such as East Bengal State Acquisition and Tenancy Act, 1950, CHT Regulation of 1900, the Hill District Council Acts of 1989, the CHT Regional Council Act of 1998, and the Persons with Disabilities' Rights and the Protection Act of 2013. The operating principles of the project would consider all these laws and regulations because of the development of the SECs.

Since the SECs are amongst the poorest across the country, they will receive priority support in CSSR Project. The project will pay particular attention to the involvement of the SECs and based on full consideration of the options preferred by them. The project will create an opportunity for the active involvement of the SECs at each stage of its operation. The involvement of the SECs in planning, implementation and monitoring of the programs meant for their development would be the cornerstone of SECP strategy of the project.

The SECDP will be prepared where project intervention will cover communities including the small ethnic and vulnerable groups. The SECDP will consider the ethnic and demographic characteristics of

the project affected population; prevailing intuitions, such as family, religion, language, and education; and other SEC variables and social stigmas.

This Plan will accommodate the local traditional leadership (as Headman, *Karbari*), and civil society, School Management Committees (SMC) and NGOs in the implementation process of the project activities. The SECDP will be prepared for each sub-project where the small ethnic minority population constitutes more than 1% of the population, meeting the criteria of ESS7. SECDP will primarily aim at mitigating adverse impacts and reinforcing and promoting any existing development opportunities in those SEC villages and the project areas, along with addressing any gender issues.

The overall SECDP will encompass the following aspects:

- Baseline data and impacts, including analysis of cultural characteristics; social structure and economic activities; land tenure; customary and other rights to the use of natural resources; relationship with the local mainstream peoples; and other factors that have been suggested by SECs during consultations and are to be addressed in the SECDP and project design.
- Strategy for disclosure and consultation, indicating timing of disclosure and consultation, and the participants, such as affected SECs, SEC organizations, and individuals and entities who could provide useful feedback and inputs.
- Mitigation measures and activities, which will generally follow SEC preferences and priorities, including those agreed between the SECs /SEC organizations and DPE/MoPME.
- Institutional capacity, considering DPE/MoPME's staff experience, consulting services, and SEC, SMC and civil society organizations in designing and implementing SECPs.
- SECDP implementation schedule, taking into consideration minimizing disruption to the livelihood and other activities of SECs.
- Monitoring and evaluation, with the participation of SEC representatives and organizations, as well as other civil society organizations that may have been operating in these areas.
- Financing the SECDP, budgets and sources of funds needed to implement the mitigation measures and development activities agreed between the SECs and DPE/MoPME.

Finally, to ensure effective services in the SEC areas, the project will ensure convergence and synergy with important line departments. The project will facilitate linkages with other poverty reduction programs, such as micro-finance, vulnerable groups development, legal literacy and human rights programs, as appropriate.



1. Introduction

1.1 Background and Scope

The COVID-19 pandemic is causing profound socio-economic disruptions to countries across the world. In addition to the health and economic difficulties brought about by the pandemic, the education systems have also been severely affected. UNESCO reports that schools in 188 countries have closed—affecting 89.5 percent of all learners or 1.5 billion students worldwide. While in some countries schools have reopened partially with safety measures, in Bangladesh Schools and education institutions have been closed for around a year - since March, 2020 significantly impacting the entire student population of around 38 million students, including 3.79 million in preprimary and 17.3 million in primary, and increasing the learning gap.

The Global Partnership for Education's (GPE) COVID-19 accelerated funding window is providing funding allocations to address the pandemic's impact on basic education systems in 67 countries, with Bangladesh receiving US\$15 million. The Bangladesh COVID-19 School Sector Response (CSSR) Project will help Bangladesh tackle the learning challenges posed by this pandemic. The World Bank has been selected as the Grant Agent (GA) for processing and supervising the proposed grant through the consensus of the Government of Bangladesh (GOB) and the Local Education Group (LEG). The duration of the project is till December 2021 and will fund activities to mitigate and recover from COVID-19, enable teaching-learning to continue, and ensure the education sector is more resilient to future shocks.

The objective of the project is to

- I. strengthen the basic school system's institutional capacity to respond to, and recover from, the COVID-19 crisis; and
- II. build resilience to face future crises from pre-primary to secondary levels.

1.2 Project Description and Components

The Project will implement Response, Recovery and Resilience measures to address the impact of COVID-19 due to school closure. The Project will be in the form of Technical Assistance (TA) that will be provided for developing remote learning resources/contents, communication campaigns, school re-opening plan, preparation and implementation of school sanitization plan after school re-opening, re-enrollment activities, teachers' professional development, development of standard operating procedures for emergencies and periods of extended school closures. Monitoring and evaluation (M&E) capabilities of the Implementing Agency (IA) will also be developed through the TAs. Directorate of Primary Education (DPE) under the Ministry of Primary and Mass Education (MoPME) implement the project in collaboration with Secondary and Higher Education Division (SHED) of Ministry of Education (MOE). The Project will be financed through Investment Project Financing (IPF) and will need to meet the requirements of the relevant Environmental and Social Standards (ESSs) of the World Bank (WB).

The Project interventions will be implemented through three key components to achieve those are:

Component 1: Engaging in Systemic Response (to strengthen remote learning system and each all children including vulnerable population)

Component 2: Supporting Education System Recovery (to support safe school reopening, re-enrollment and learning recovery of students)

Component 3: Building System Resilience (to improve system resilience in the long run); and

Component 4: Project Management, Results Monitoring and Communication.

1.3. Small Ethnic Community Planning Framework (SECPF)

In compliance with the ESS 7, this SECPF has been developed to ensure that SECs would be sufficiently and meaningfully consulted, that they would have equal opportunity to share the project benefits, and that any potential negative impacts are avoided, minimized and the residual impacts are properly mitigated. The SECPF will form a basis for project implementation and monitoring and evaluation (M&E) of how the project deals with SEC issues. At the project implementation stage, SECDP (Plans) will be developed, based on this SECPF, and results of social screening confirmed the presence of small ethnic and vulnerable communities among the targeted beneficiaries.

1.4 Approval and Public Disclosure

The draft SECPF will be reviewed and approved by the GoB through the DPE under the MoPME. The draft SECPF will be shared with the World Bank for formal review and clearance before final disclosure in the websites of DPE. The executive summary of the SECPF will be translated into local Bangla language which overwhelming majority of the country's SEC understand and posted with the main SECPF document. The SECPF will also be disclosed through the World Bank's website.

1.5 Small Ethnic Communities in National Context

Bangladesh is religiously, ethnically, and linguistically largely homogeneous. Its population of nearly 163 million (estimated 2016) is comprised of roughly 90% Muslim, with about 7% Hindus and others mainly following Buddhism and Christianity. Close to 99 per cent of people speak Bangla and ethnically identify as Bengali. However, there are many minority groups most of whom continue to keep their distinct ethnic traits, social institutions and organizations, and cultural traditions. Many of them could be taken as "indigenous peoples" as defined in various UN instruments.

The government of Bangladesh does not use the terminology "indigenous people". Instead, the government uses other terms; tribe, tribal, ethnic minority, small ethnic community (SECs) etc., with the last being the most used at present. The term comes from the Small Ethnic Groups Cultural Institution Act, 2010 that uses "Khudro Nrigoshthhi" (small ethnic groups) to refer to the SECs in the country.

The total population of the SECs remain undetermined in the absence of ethnically disaggregated data in the census report. However, it is generally presumed that their total population is likely to be between 2.5 million to 4 million which would comprise about 1-2% of country's total population. Similarly, the total number of SEC groups is also not settled. The 1991 census mentions 29 groups. The recently adopted Small Ethnic Minority Cultural Institution Act (April 2010) mentions 27 different groups which are at present under revision and proposes as many as 50 different groups. The Bangladesh Adivasi Forum includes 45 SEC groups as per one of their publications (Solidarity, 2003). A proposed draft law, called Bangladesh Indigenous Peoples' Rights Act, by Bangladesh Parliamentary Caucus on SEC – a group of parliamentarians who advocate for the rights of the country's ethnic minority/SEC– enlists as many as 59 distinct ethnic minority groups. Yet a further study (2015) commissioned by UNDP for mapping different 'SEC peoples' communities' could not draw a 'definitive conclusion' on the exact number. The reason stems partly from a vibrant movement of ethnic minority communities in recent years – particularly since the signing of the CHT Accord in December 1997 - with more marginalized groups increasingly becoming aware and assertive of their identity.



Notwithstanding the confusion about the exact number of the ethnic minority groups in Bangladesh, the project, for its interventions, will adopt the World Bank's criteria for the identification of the SEC peoples (i.e. indigenous peoples) which are as follows:

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

Although the ethnic minorities are scattered all over Bangladesh, they are overwhelmingly concentrated in several geographical pockets; namely North-West (Rajshahi & Dinajpur), North-East (Sylhet), Central region (Dhaka and Mymensingh), South (Barishal & Patuakhali), with the most significant concentration in the south-eastern corner – the Chittagong Hill Tracts.

The Project will generate substantial direct short and longer-term benefits for the ethnic minorities, poor, including disadvantaged students (girls and boys).

Reaching out to small ethnic minority community people with learning packages require involvement of community people/ leaders (e.g. headman, karbari), CBOs/NGOs working with Education. Since the sub-project locations of the schools are not yet known, therefore a framework approach has been adopted to this SECPF.

1.6 Small Ethnic Communities (SEC) in the Project Area

The project covers the whole of Bangladesh. Small ethnic communities in Bangladesh are scattered all over the country but are mostly concentrated in several larger geographical pockets. The largest concentration is the region of Chittagong Hill Tracts and as well as around Mymensingh, Sylhet, and Rajshahi. Majority of them speak Tibeto-Burman languages and most are Buddhist, Christian or Hindu. The four largest tribes are (although not yet determined with census figures): Santal Chakmas, Marmas, Garo, and Oraon. Smaller groups include the Munda in Rajshahi and Dinajpur, and Khasis and Hajongs in Mymensingh and Sylhet regions¹. There are small communities of Manipuri Meitei people in the Sylhet district, which is close to across the border in Manipur, India, original land of the Manipuris. The table below illustrates it:

Major Ethnic Groups	Districts
Marma, Chakma, Tanchangya, Chak, Tipura, Mro, Khyang, Bawn, Pankho, Khumi and Lushai	Chittagong Hill Tracts
Santal, Oraon, Munda, Paharia, Mahali and Koch	Rajshahi, Rangpur, Dinajpur, Pabna, and Kushtia
Khasi, Meithei, (Manipuri), Patro and Tripura	Sylhet
Garo, Koch, Hojong, Banai, Hadi	Mymensingh, Jamalpur and Tangail

1.7 Constitutional Rights of Small Ethnic Communities (SEC)

Article 27 of the Constitution of the Peoples Republic of Bangladesh states that all citizens are equal before the law and are entitled to equal protection of the law. The national Constitution also outlaws discrimination on grounds of race, religion and place of birth (Article 28) and provides scope for affirmative action (positive discrimination) in favor of the backward section of citizens (Articles

¹ Ethnic and Linguistic Diversity, Bangladesh: A Country Study, Edited by James Heitzman and Robert Worden, Washington: GPO for the Library of Congress, 1989.

28, 29). Consequent upon these provisions, a small percentage of public sector jobs and seats in several government educational institutions are reserved for SEC peoples.

1.8. Legal and Regulatory Framework

There are some specific laws refer to SECs especially focusing the tribal peoples in the Chittagong Hill Tract (CHT) area. In the plains, the only one of such laws is section 97 of the East Bengal State Acquisition and Tenancy Act, 1950 which forbids the transfer of lands owned by aboriginals (i.e. indigenous peoples as per World Bank's definition) to non-aboriginal persons without the express consent of the Government's District Officer. The CHT, in contrast, has a far larger body of laws that refers directly to SECs.

Some of these laws recognize SECs' customs regarding the ownership and use of lands and natural resources. The most important of such laws is the CHT Regulation Act of 1900. Other laws include the Hill District Council Acts of 1989 and the CHT Regional Council Act of 1998 which were passed after the signing of the peace accord of 1997, which ended more than twenty years of low-intensity armed conflict in the region and provide a framework for the recognition and strengthening of the CHT self-government system.

1.9 Other Relevant Laws and Policies

Under the provision of the Constitution, Bangladesh Government has enacted different Acts, Ordinances and Policies to protect and promote the diversity of the wide range of cultural expressions viz: Antiquities Act, 1968, Bangla Academy Ordinance 1978, National Archive Ordinance 1983, Bangladesh National Museum Ordinance 1983, Bangladesh Shilpakala Academy Act 1989, Bangladesh Folk Art and Crafts Foundation Act 1998, Copyright Act 2000, Bangladesh National Cultural Policy 2006, Small Ethnic Groups Cultural Organization Act 2010 etc. It is noteworthy that for the last 40 years Bangladesh Government has been working for many of the principles, depicted in the UNESCO Convention 2005.

1.10 World Bank Policy on Indigenous Peoples

The World Bank's ES Standard on Indigenous People (ESS7) describes poverty reduction and sustainable development for Indigenous Peoples/Small Ethnic Communities by ensuring their participation in and benefit from the development process in ways that do not threaten their unique cultural identities and well-being.

The Standard recognizes that SECs 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, their economic, social, and legal status frequently restrict their ability to participate in and benefit from development projects where 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.

Bangladesh recognizes the right of SECs to cultural expressions, education, training, health, environment, land, agriculture, water resources, infrastructure, tourism, and industry. The government also has a policy of affirmative action in support of the socio-economic and cultural development of the SECs.

However, the existing policies or laws don't cover level of impacts associated with of development activities, consultation procedures and compensation procedures for small ethnic minority population required under development projects. Below gaps have been captured:



WB ESS	Gaps with GoB Laws	Gap Minimization
Impact on ethnic community	The National Constitution (Article 27, 28 & 29) covers citizen rights of the country. The CHT Regulation Act of 1900 also covers the ownership and use of lands and natural resources of Chittagong Hill Tracts small ethnic groups. However, these do not cover associated impacts or risks level occurs to the citizen due to development project.	The ESS7 suggests coverage for ethnic community impacts.
Special treatment approach for ethnic community	Small Ethnic Groups Cultural Organization Act 2010 approach to protect, preserve and promote the cultural ethnic community and vulnerable groups	Implementing WB financed project must comply with ESS7 to provide special treatment to the ethnic community and vulnerable group's.
Guideline for meaningful public consultation	Small Ethnic Groups Cultural Organization Act 2010, the CHT Regulation Act of 1900 or the CHT Regional Council Act of 1998 do not provide a clear guideline for public consultation regarding the preparation of the SEC	The ESS7 clearly denotes approaches and process of meaningful public consultations
Ethnic Community Plan	The CHT Regulation Act of 1900, or the CHT Regional Council Act of 1998 or Small Ethnic Groups Cultural Organization Act 2010 does not suggest any guidelines to develop ethnic community Plan.	The ESS7 with the subsequent Guidance Note suggests preparing ethnic community plan.

The SECDP, therefore, will be prepared based on the World Bank's ESS7 by taking into consideration relevant Bangladesh policies and regulations. A clear mechanism of consultation respecting the social and cultural traditions of the ethnic communities will be used in the entire cycle of the Project to seek broad support for the Project from the SECs.

2. Small Ethnic Community Planning Framework

2.1 Scope and Objectives of SECPF

The proposed SECPF outlines principles, policies, guidelines, and the procedure to identify impact issues and potential risks and, if required, formulate, and execute the SECDP, whenever project activities affect SEC present in the project districts.

The primary objective is to ensure that the school going children of small ethnic minority communities improve their access to learning, re-enrollment and resilience to face further crisis funded by the Bank do not adversely affect SECs and that they receive culturally compatible social and economic benefits. This will require DPE to work with the following strategic objectives:

- Screen all activities to determine the presence of SECs and, if so, ensure their direct participation in selection, design and implementation of the subproject activities;
- Select sites and interventions and determine their scopes to avoid or minimize, to the extent feasible, adverse impacts;
- Adopt socially and culturally appropriate measures to mitigate the unavoidable adverse impacts; and
- Wherever feasible, adopt special measures – in addition to those for impact mitigation – to reinforce and promote any available opportunities for socio-economic development of the affected SE communities.



2.2 Project's SEC Development Plan (SECDP)

Following the Bank's requirements, the project proposes the following principles, guidelines and procedure to prepare SECDP, where project activities and interventions are found to affect the SECs in positive or negative directions.

To avoid or minimize adverse impacts and, at the same time, ensure culturally appropriate benefits, DPE of MoPME and SHED of MOE (co-implementors) and as well as other IAs, will apply the following basic principles in selection, design and implementation of the subprojects.

- Ensure that SECs in general and their organizations are fully included in the project process including identification and selection of beneficiaries.
- Carefully screen the sub-projects, together with SECs, for a preliminary understanding of the nature and magnitude of potential adverse impacts and explore alternatives to avoid or minimize them.
- Where alternatives are infeasible and adverse impacts are unavoidable, immediately assess the key impact issues, together with SECs and others knowledgeable of tribal culture and concerns.
- Undertake the necessary tasks to identify the impact details and the most appropriate mitigation measures, through meaningful consultations with the affected tribal communities, their representative organizations, civil society organization like NGOs and CBOs, professionals, and the like.
- Do not undertake a subproject/activity where the tribal communities remain unconvinced to offer broad support for the project.

2.3 Preparation of Small Ethnic Communities Development Plan

The SECDP will be prepared where project activities will affect this distinct community either positively or negatively. DPE, MoPME and under them other agencies, NGOs working in education sector, Disinfectant Firms and other service providers will consider the following for preparation of the SECDP:

- The ethnic and demographic characteristics of the affected population.
- The prevailing family, religion, language and education and other SEC variables including socio-cultural traditions.
- This Plan will accommodate views and inputs from the local traditional leadership (as Headman, Karbari), civil society, and NGOs as they relate to SEC issues.
- The views of women, disadvantaged and the vulnerable segment of the ethnic minorities as well as intergenerational differences
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- Finally, the Plan also aims to ensure adequate and appropriate consultation and communication, their participation and approval of their implementation of project inputs and mitigation plan.

Given the above considerations and following the Bank's requirements, the project proposes the following principles, guidelines, and procedure to prepare SECDP, where project activities are found to affect SECs. To avoid or minimize adverse impacts and, at the same time, ensure culturally appropriate benefits, DPE, MoPME will apply the following basic principles in selection, design and implementation of the project activities and programs.

- Ensure that SECs in general and their organizations are fully included in the selection of sites for project interventions as well as their beneficiaries, and design and implementation of the activities.



- Carefully screen the project activities proposed on-site, together with SECs, for a preliminary understanding of the nature and magnitude of potential adverse impacts and explore alternatives to avoid or minimize them.
- Where alternatives are infeasible and adverse impacts are unavoidable, immediately assess the key impact issues, together with SECs and others knowledgeable of SEC culture and concerns.
- Undertake the necessary tasks to identify the impact details and the most appropriate mitigation measures, through intensive consultations with the affected SECs, SEC organizations, civil society organization like NGOs and CBOs, professionals, and the like.
- Not undertake a project activity on a site, where the SECs remain unconvinced to offer broad community support for the project.

The SECDP will be prepared for each district where the small ethnic minority and vulnerable population constitutes 1% of the population, meeting the criteria of ESS7. The objectives of the SECDP are:

- To evolve a development process which fosters full respect for dignity, human rights and cultural integrity of SECs.
- To ensure that they do not suffer adverse effects during the development process; and
- To take up economic benefit programs which are culturally and socially compatible.

2.4 Contents of SECDP

SECDPs will primarily aim at mitigating adverse impacts and reinforcing and promoting any existing development opportunities in the project areas, with emphasis on the SECs who would be directly affected. The elements and contents of the SECDP are provided in Annex 1.

2.5 Socioeconomic Characteristics & Concerns

Baseline data and identification of social concerns will primarily focus on the cultural and socioeconomic characteristics of SECs and the potential vulnerability that might be caused by the proposed subproject activities. Data on the following socio-economic characteristics are expected to indicate the nature and scale of adverse impacts and provide the essential inputs for SECDP.

2.5.1 Social & Cultural Characteristics

- Relationships with areas where they live -- relating to religious/cultural affinity with the ancestral lands, existence and use of livelihood opportunities etc.
- Use of any distinct languages for social interactions and their use in reading materials and instruction in formal/informal educational institutions in SEC localities.
- Food habits/items that may differ from the mainstream community and the extent to which they are naturally available for free or can only be grown in the SEC territories, and which are considered important sources of protein and other health needs of SECs.
- Interactions and relationships with other SEC groups in the same and other areas.
- Presence of customary social and political organizations – characteristics indicating internal organization and cohesion of the communities, and their interaction with those of the non-SEC population in these areas.
- Presence of SEC organizations, like community-based organizations (CBOs)/NGOs working on SEC development issues, and their relationships with mainstream organizations engaged in community development activities.
- Other cultural aspects are likely to be affected or made vulnerable by the proposed project.



2.5.2 Economic Characteristics:

- Prevailing land tenure- indicating legal ownership and other arrangements that allow them to reside in and cultivate or otherwise use lands in their areas.
- Access to natural resources- prevailing conditions under which SECs are using natural resources like forests, water bodies, and others that are considered important sources of livelihood.
- Occupational structure- indicating the relative importance of the households' present economic activities, and the extent to which they might be affected or benefited because of the proposed subproject activities.
- Level of market participation- engagement in activities that produce marketable goods and services, and how and to what extent market participants would be affected or enhanced by the project activities.

2.6. Inclusion Criteria:

The project, for its interventions, will adopt the World Bank's criteria for the identification of the SEC and vulnerable peoples which are as follows;

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

3. Public Consultation and Participation

3.1 SEC Participation and Consultation Plan

Participation of SECs in the selection, designing and implementation of project activities will largely determine the extent to which the SECPF objectives will be achieved. Where adverse impacts on SECs are likely, DPE (Social Expert) will undertake consultations with the affected SECs and those who work with and/or are knowledgeable of SEC development issues and concerns. To facilitate effective participation, DPE, MoPME will follow a timetable to consult the would-be affected SECs at different stages of the project cycle. The primary objectives are to examine whether there is broad community consensus in support of the project activities and sites and to seek community inputs/feedback to avoid or minimize the impacts associated with the chosen activities; identify the impact mitigation measures; and assess and adopt economic opportunities which DPE could promote to complement the measures required to mitigate the adverse impacts.

Before selection of a sub-project activity located in an area predominantly inhabited by SECs, DPE, MoPME will consult the SEC about the need for, and the probable positive and negative impacts of, the project interventions for school going children of SECs.

Before detailed assessment of the impacts at existing schools, household and community levels, the main objectives of consultation would be to ascertain: (i) how the SEC, in general, perceive of the need for undertaking the subproject activities in question and any inputs/feedback they might offer for better outcomes; (ii) whether or not the communities broadly support the works proposed under the project; and (iii) any conditions based on which the SEC may have provided broad support to the project, which is to be addressed in the SECDP and project design.

To ensure meaningful consultation, the IAs will:



- Ensure widespread participation of SEC with adequate gender and inter-generational representation; customary/traditional SEC organizations; community elders/leaders; and civil society organizations like NGOs working in primary education sector and CBOs; and groups knowledgeable of SEC (Headman, *Karbari*), parents, teachers association, development issues and concerns.
- Provide them with all relevant information about the project, including that on potential adverse impacts, organize and conduct these consultations in a manner to ensure full coverage of SECs in the project areas and free expression of their views and preferences.
- Document and share with the Bank the details of all community consultation meetings, with SEC perceptions of the proposed works and the associated impacts, especially the adverse ones; any inputs/feedbacks offered by SECs; and the minutes stating the conditions that have been agreed during the consultations and provided the basis for broad-based community support for the project.

Once broad-based community consensus is established in favour of the project activities, DPE, MoPME will assess the impact details at the household and community levels, with focus on the adverse impacts perceived by the SECs and the probable (and feasible) mitigation and community development measures. To ensure continuing informed participation and more focused discussions, DPE, MoPME will provide SECs with the impact details, both positive and adverse, of the proposed project activities. The disclosure of SEC DP will be done in local language through meetings (physical, or virtual using digital platforms upon availability of internet connectivity) and involving inter-generational representations. Times for disclosure and consultation will be set in line with the available time of the SECs.

Other than those that are technical, consultations will cover topics/areas as suggested below and those the SECs consider important. Beginning with those for broad-based support for the project activities, community consultations will continue throughout the preparation and implementation period, with an increasing focus on the households which would be directly affected. Consultation timing, probable participants, methods, and expected outcomes are suggested in a matrix in Annex 1.

Project staff and subproject implementing agencies, SMC working in the SEC areas would be oriented towards SEC culture and development issues to enable them to understand and respond in line with SEC culture while working with them.

3.2 Meaningful Consultation

Participation is a process through which stakeholders' influence development initiatives. The decision to participate is the start of the whole participatory process in the project cycle. National Policy on the development of the SEC does not provide a clear guideline for public consultation. However, the World Bank' ESS 7 and 10 provides clear guidance and direction to project proponents in both the public and private sectors, on the need for public consultation and participation and underscore the importance of getting project influenced SEC informed about the project and, more importantly, getting their actual and active involvement in the planning and implementation.

The DPE, MoPME will follow the meaningful consultation process in engaging with the SEC in the project, those are:

- Involve SEC representative bodies and CBOs (e.g., councils of elders or village councils, or chieftains, headman and *Karbaris*) and, where appropriate, other community members;
- Provide sufficient time for SECs in decision making processes;
- Allow for SECs effective participation in the design of sub-project activities or mitigation measures that could potentially affect them either positively or negatively.



All communications will be in local language made in advance to enable the SEC to participate in the consultation process. Their views and voices expressed in the consultation process will be given due consideration to incorporate those in project design and implementation approaches.

3.3 Free, Prior, and Informed Consent (FPIC)

The SECs may be particularly vulnerable to the loss of, alienation from, to exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, in addition to the requirements of ESS those set out in ESSs1 and 10, the Borrower will obtain the FPIC of the affected SECs in situations where the project will:

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

No universally accepted definition has been defined the FPIC yet, however for the purpose of ESS, the FPIC established as follows:

- The scope of FPIC applies to project design, implementation arrangements, and expected outcomes related to risks and impacts on the affected SECs;
- FPIC builds on and expands the process of meaningful consultation described in ESS10 and will be established through good faith negotiation between the PIU and affected SECs;
- The Borrower will document: (i) the mutually accepted process to carry out good faith negotiations that has been agreed upon by the Borrower and SECs; and (ii) the outcome of the good faith negotiations between the Borrower and SECs, including all agreements reached as well as dissenting views; and
- FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected SECs explicitly disagree.

The actual nature of risks and impacts on SECs are yet to be known at this time. However, the anticipated social risks will mostly be associated with exclusion of SECs, especially their school going children, who are likely to be out of reach and disengaged with learning activities, which will create gap in accessibility to learning opportunities. The SECs will also need differentiated approaches given their difference in language, culture and social norms, in the absence of which the inclusivity criteria of project beneficiaries may be difficult to achieve. Therefore, in order to ensure an inclusive development, the project interventions for the SECs, will need to be tailored to the cultural, linguistic and social need of the SECs (language of communication, training and educational material be understandable by the SEC communities, representation of SECs in various committees, SEC-tailored GRM etc).

3.4 Institutional Arrangement

Directorate of Primary Education (DPE) will be the lead CSSR PIU for the project while the Directorate of Secondary and Higher Education (DSHE) will implement activities with close cooperation with the DPE.

The CSSR Project Implementation Unit (PIU) responsible for day-to-day implementation and M&E. A Project Implementation Committee (PIC), chaired by the Director General, DPE, and supported by the Director General, DSHE, will be constituted to:



- a. review the annual development plan prepared by the GPE CSSR Project Implementation Unit (PIU) and recommend its approval by the PSC;
- b. monitor project implementation progress and provide implementation support; and
- c. maintain strong coordination among the implementing agencies.

DPE's PIU and subproject staffs and contractors for overseeing project implementation quality. The overall goal of the PIU is to ensure the:

- a. planning, coordination, implementation, and monitoring of project activities;
- b. procurement and FM;
- c. capacity building at various levels;
- d. awareness campaign and communication; and
- e. reporting on project progress.

The CSSR project will be supported by other deputed staff and need based consultants, including a FM specialist, a procurement specialist, M&E Consultant and an Environmental and Social Specialist.

The PIC will oversee project implementation and will act upon project-related issues based on agreed terms of reference included in the Project Operations Manual (POM). The implementation of the SECDF and any SECDP along with other social management plans is the responsibility of the Project Implementation Unit (PIU) of the DPE where the Social Development Specialist will play the key role. Since DPE doesn't have the in-house capacity, the project will hire the services of an Environmental and Social Specialist (SDS) to support DPE in implementation of the social management plans. The role and responsibility will be as below:

Table: Roles and Responsibilities of PIU, DPE

Levels	Roles and Responsibilities
Environmental and Social Specialist	<ul style="list-style-type: none"> • Review all E&S documents prepared for the project during implementation. ; • Review design and conduct subproject level social screening, social impact assessment and preparation of social management plans, keeping focus on SEC issues, risk and impacts. • Coordinate and facilitate all activities contained in SECDF and any social management plans with the help of the Consultant. • Assist in the process of supervision and monitoring of the implementation of ESMF and the subsequent social management plans. • Help SECs, affected persons and communities in the grievance resolution process involving the project GRM. • Collect data, consult the communities and targeted SEC beneficiaries and prepare monthly progress reports and participate in monthly review meetings. • Participate in the training program for capacity building; and • Carry out other responsibilities as required from time to time.



3.5 Grievance Mechanism

The PIU will identify if a community-based grievance redress system is in place or not, which are culturally appropriate and will fit the special needs of the SECs. If not in existence, the project grievance mechanism will be used to address issues relating to SECs. The CSSR Project will establish a grievance redress mechanism (GRM) for addressing grievances and complaints received from the project affected persons due to environmental and social issues. GRM is a valuable tool which will allow affected people to voice concerns regarding environmental and social impacts for project activities. The CSSR Project's PIU would ensure that grievance redress procedures are in place and would monitor those procedures to ensure that grievances are handled properly. The Project will establish a procedure to address project-related queries and complaints, disputes, and grievances about any aspect of the project, including disagreements regarding the assessment and mitigation of environmental and social impacts. Details of the institutional arrangements and procedures are discussed in following sections.

Objectives of Grievance Redress Mechanism:

- Provides affected people with an avenue for making a complaint or resolving any dispute that may arise during the course of the implementation of the project.
- Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
- Avoids the need to always resort to judicial proceedings.

3.6 GRM Description and Structure

The PIU will have in place text message-based and phone-based platforms for stakeholder engagement that will be used as the GRM for the project. The PIU will also develop a guideline for grievance redress system with clearly defined roles and responsibilities (Grievance Redress Committee) and timelines, which will be adhered to under the project. A quarterly report on project related grievances will be shared with the World Bank team. For addressing grievances, a two-tier Grievance Redress Mechanism (GRM) will be established. The E&S Specialist in the PIU will be the contact person at DPE.

First Tier Project Level GRC	A Grievance Redress Committee (GRC) will be established at Project Level through PIU as below: <ul style="list-style-type: none"> • Project Director – Convener • Deputy Project Director of MOPME - Secretary • Social/ Environmental Specialist- Member • An external Monitor-Member • A representative from SEC – Member
Second Tier Tier 2 (Project Steering Committee, PSC):	The PSC is chaired by the Secretary Ministry of Primary and Mass Education (MoPME) and Co-Chaired by the Secretary, Secondary and Higher Education Division (SHED) of Ministry of Education (MoE). The PSC will review unresolved grievances escalated from the GRC. The team will review the grievance and all documentation gathered throughout the investigation carried out at the GRC level and determine whether further actions are required to resolve the grievance. Based on additional information collected, including meeting with the complainant and/or the representative(s), if

	required and/or requested, the PSC will give the final decision based on their review. If the Complainant is still not satisfied with the resolution given by the PSC then she/he can seek legal recourse.
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The operation timetable and process of the GRC will follow what is illustrated in the SEP.

3.5. Monitoring and Evaluation

The DPE is primarily responsible for monitoring to ensure conformity to the requirements of the SECPF. The monitoring will cover all stages of planning and implementation. The monitoring will be carried out through the compliance reports that will form a part of Monthly Progress Reports (MPR) and regular visits by the E&S Coordinator of the PIU. During implementation, meetings will be organized by DPE and E&S F inviting all actors for providing information on the progress of the project work.

Below list indicators for social monitoring of the SECPF implementation:

- Presence of SEC in the influence areas of project interventions;
- Number of SEC by gender and age affected;
- Number of SEC participate in project beneficiary groups;
- Level of satisfaction expressed by the SEC on the project process, input, output and outcomes;
- Participation of the SEC in project process using meaningful consultation.



Annex 1: Technical Guidelines for Consultation and Preparation of SECDP

The consultation framework is designed to help to ensure that SECs are well informed, consulted and mobilized to participate in the investments to be supported under the project. Their participation will not only make School Management Committee (SMC) more sustainable but also provide benefits with more certainty or protect them from any potential adverse impacts of investments to be financed by the project. The main features/process of the consultation framework include an environmental and social impact assessment to determine the degree and nature of impact supported by the project. A Small Ethnic Community Development Plan (SECDP) will be developed if SEC are found to be present in or have a collective attachment to areas affected under the respective project intervention. Consultations with and participation of SEC, their leaders and local government officials will be an integral part of the overall SECDP, which should be prepared along with other required project reports.

A process involving SECs would provide a comprehensive baseline data on social, economic and technical aspects of each investment particularly for those areas that have been identified with ethnic groups during the project screening (preparation). This also includes participatory mapping to determine exact sites and communities and location of SEC. The checklist for screening SEC with characteristics as provided in the Bank ESS 7 will indicate whether or not the SEC exist in the project area and further identify potential social issues on SEC because of the investments. The DPE, MoPME will undertake specific measures to consult with, and allow SEC to participate in decision making related to the investments, should they so desire.

All target communities that have small ethnic mix and are candidates for project support will be visited (at the time of the first consultation with communities) by the PIU's team including social safeguard focal person and relevant local authorities, including personnel with appropriate social science training or experience (keeping in view COVID-19 considerations). Before the visit, the PIU will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek the support of the project intervention and to determine potential adverse impacts as well as possible support from the project to address the potential impact. The notice will request that the community-based organization, subprojects, SMC shall invite to the meeting representatives of student, teacher' association, parents and other occupational groups, women association and community leaders. During the visit, the community leaders (Headman and *Karbari*) and other participants will present their views with regards to the proposed activities.

The project will identify and utilize the existing community grievance mechanism to take into account specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving issues— to ensure that the concerns of different ethnic groups are received and addressed during project preparation, implementation and beyond project completion. To achieve this, projects would (a) identify and determine culturally acceptable ways to address grievances from significantly different ethnic groups within affected communities, including different ethnic or cultural groups within the project-affected area; (b) understand cultural attributes, customs, and traditions that may influence or impede their ability to express their grievances, including differences in the roles and responsibilities of sub-groups (especially women) and cultural sensitivities and taboos; and (c) agree on the best way to access grievance mechanisms, taking into consideration the ways communities express and deal with grievances.



Small Ethnic Community Development Plan (SECDP)

Based on the social assessment and in consultation with the affected SEC, the DPE of MoPME will prepare a Small Ethnic Community Development Plan (SECDP) that sets out the measures through which the Project will ensure that (a) SECs affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on SECs are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. The SECDP is prepared flexibly and pragmatically and its level of detail varies depending on the specific project and the nature of effects to be addressed. DPE and MoPME will integrate the SECDP into the project design. When SECs are the sole or the overwhelming majority of direct subproject beneficiaries, the elements of SECDP should be included in the overall project design, and a separate SECDP is not required.

The SECDP includes the following elements, as needed:

- a. A summary of the information about (i) legal and institutional framework applicable to SEC and (2) baseline information on the demographic, social, cultural, and political characteristics of the affected SEC, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- b. A summary of the social assessment.
- c. A summary of the results of the free, prior, and informed consultation with the affected SEC that were carried out during project preparation and that led to broad community support for the project.
- d. A framework for ensuring free, prior, and informed consultation with the affected SEC during project implementation.
- e. An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
- f. When potential adverse effects on SEC are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- g. The cost estimates and financing plan for the SECDP.
- h. Accessible procedures appropriate to the project to address grievances by the affected SEC arising from project implementation. When designing the grievance procedures, availability of judicial recourse and customary dispute settlement mechanisms among the SEC will be taken into account.
- i. Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the SECDP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

The following basic information will be required for preparation of the SECDP:

- The basic census, socio-economic data and inventory of affected assets;
- Household ownership of economic and productive assets
- Annual income of vulnerable groups (parents) from primary and secondary employment opportunities;
- Economic information of community (e.g. brief information on economic and natural resources, production and livelihood systems, tenure systems);
- Social information of community (e.g. description of kinship, value system, types of social organizations of formal and informal groups)
- The potential impact of proposed project activities on basic social services (e.g. COVID-19 pandemic risks, social distancing, Remote Learning Tool, Lack of access to digital equipment, water health and sanitation at schools)
- The potential impact of project activities on the social and economic livelihood.

Annex 2: Preliminary Screening for Small Ethnic Communities

Date:

When to do the screening?	At the time of the first consultation with a community				
What information to be collected?	Demographic data of SECs who live within the catchment of the project interventions				
How to collect the information?	It can be obtained from ethnic leaders (Headman), village leaders (UP Chairman) and community chief.				
Who will do the screening?	Consultants or PIU staff				
District: _____ Upazila: _____ Union: _____ Village: _____					
Name of the village within the catchment of project interventions	Name of the SEC group	Number of SEC households	Total population of the village (nos.)	Number of the SEC population (name)	
				Male	Female

Percentage of SEC against the total population of the village -

Signature:

Name (of the PIU Consultant):

