

# Indigenous Peoples Development Planning Document

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Indigenous Peoples Development Framework  
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## NEP: Education Sector Program I

Prepared by the Government of Nepal for the Asian Development Bank (ADB).

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## **ESP I VULNERABLE COMMUNITY DEVELOPMENT FRAMEWORK**

### **A. Program**

1. The guiding principles of the Nepal Education for All (EFA) Core document 2004 – 2007 emphasize gender mainstreaming and social inclusion as primary approaches. The strategies for implementation also refer to social equity and mitigating socio-cultural barriers. ESP I will directly support EFA in achieving these strategies.

### **B. Background**

2. The inadequate response of the political system has until recently reinforced many of the problems of exclusion of women, indigenous people and other vulnerable groups. Political government has not been representative of the overall population, particularly women, marginalized indigenous groups and Dalit. The system has taken little account of the interests of the poor and excluded and has been rather centralized. In the past few years several conflict-related human rights abuses have been reported. Progress with decentralization has been slow. In April 2006 the people of Nepal brought down the autocratic government of the King through nation-wide protests. There is a great hope among the Nepali people that peace will prevail through a newly elected inclusive government and will ensure the participation of the overall population, including women, Dalit and other marginalized and vulnerable groups into decision making process.

3. The guiding principles of the Nepal EFA Core document 2004 – 2007 emphasize gender mainstreaming and social inclusion as primary approaches. The strategies for implementation also refer to social equity and mitigating socio-cultural barriers. The current educational efforts may not sufficiently address inequalities and other issues between the marginalized groups and better off groups of the population. In such a situation, it could be argued that there is a need to improve some educational provisions and administration modalities to enable mitigation of negative effects that perpetuate the underlying causes of conflict. Hence it is very important for ESP I to support EFA to ensure positive effects on access, inclusion and greater equity of excluded and poor population groups as well as representation of these groups in the education sector. Some of these issues are listed for consideration by the ministry in Annex A.

### **C. Legal Framework**

4. In Nepal, the indigenous population is popularly known as 'Janajati', which is also recognized by the government and constitutes about 37.2% (8.4 million) of Nepal's total population. Some of the key characteristics of these ethnic groups are defined as: distinct collective identity; own language (other than Nepali), tradition and culture; own traditional egalitarian social structure (which is distinct from mainstream varna or caste system); written or oral history. Based on these traits, the Government has declared 59 groups as Janajatis.

5. The constitution of Nepal 1990 banned untouchability abolished discriminatory legal provisions and enshrined in the Constitution statements ensuring equality for all citizens irrespective of caste, creed or gender. Long marginalized by the rest of society, even today they are expected to earn their living by performing menial jobs. Discriminating practices have not completely ceased. Given their limited income earning opportunities, lack of land ownership and limited access to education and other public resources, it is likely that two thirds of Dalits, who make up 15% of the population in Nepal (Census 2001), currently live below the poverty line.

#### **D. Objective of ESP I Vulnerable Community Development Framework (VCDF)**

6. The ESP I Vulnerable Communities Development Framework (VCDF) is to ensure that the ESP I program will not have any negative impact on women, girls, indigenous peoples i.e. marginalised ethnic groups and castes i.e. Dalits, in Nepal. The VCDF ensures that the requirements of ADB's policy on gender, Indigenous, Dalit and other vulnerable people are met.

7. This VCDF for ESP I supports implementation and monitoring of the Ministry of Education's EFA Program Vulnerable Community Development Plan (VCDP) which is under implementation. The Ministry's VCDP was developed in 2004 for the EFA program with the assistance of the World Bank as part of the Bank's process of social assessment and social safeguards assurance. All pooling donors put forward their suggestions for areas for improvement during the EFA bi-annual reviews. A VCDP working group has been established comprised of pooling donors and the Department of Education. The working group is currently in the process of assessing the status of implementation of the EFA program's VCDP recommendations and it is expected that ESDPI will participate in the VCDP working group upon joining the donors pool.

8. This VCDF is to be used to support implementation of ESDPI relating to gender, caste, ethnicity, social inclusion and equity issues within the ongoing EFA program. It should be applied in conjunction with the Ministry's VCDP and EFA program indicators. This VCDF provides additional suggestions of issues that need to be considered and addressed to enable continued improvements to be made in the EFA program and beyond that benefits the poor, women, girls, marginalized indigenous and Dalit men and women. Through working group and other processes the ESP I program, along with other pooling donors, will promote and support greater representation of women and marginalized groups in decision-making bodies at policy, district and community levels and build capacity at all levels for greater social, economic and political inclusion of girls and women, Dalits, Janajatis and other marginalized groups.

9. The Ministry of Education's VCDP focuses on language-based social exclusion in primary education and assesses the capacity of the EFA program to meet the learning needs of girls, indigenous people (IPs) and linguistic minorities. It lays out a number of steps that should be taken to comply with the World Bank's social safeguards requirements on women, girls, indigenous people and other vulnerable groups. It provides measures to ensure that vulnerable groups obtain equal access to program benefits. A summary of measures include:

- Introducing home to school language transition program in areas where children do not speak Nepali
- Incentives for recruitment of local bilingual women as teachers
- Segregation of EMIS data by gender, caste and ethnicity and tracking of inclusive education objectives
- Social mapping to identify out-of-school children from poor households/vulnerable communities
- Lobby for SMC membership to better reflect gender, caste and ethnic groups
- Social audits to track allocation of funds from school block grants, particularly to ensure that scholarships go to most needy Dalits and girls.

#### **E. Proposed Strategies for Supporting Nepal's EFA Program**

10. This Vulnerable Communities Development Framework (VCDF) has been developed for ESP I to essentially support implementation and monitoring of the stated objectives and

outputs of the government's EFA action plan and VCDP, but also contains suggestions on areas for improvement for the ESP I to put forward for consideration at the EFA bi-annual review meetings with MOES and the EFA pooling donors. The four main suggestions are:

- (i) The Ministry's Policy Committee to consider incorporating a gender and inclusion 'lens' in reviewing and planning policies and strategies, budget allocation and monitoring processes and ensure that all six central departments can be mobilized to meet objectives to provide full access for women, girls, Dalits, janajatis and other vulnerable groups are met. To achieve this the Education Policy Committee could consider.
- (ii) Establishing a Gender Equity and Social Inclusion thematic working group/task force to ensure effective coordination of policies and to conduct a systematic analysis of the EFA program and future proposed policies to identify barriers to access for women, Dalits, Janajatis and other vulnerable groups and propose specific mechanisms and incentives to overcome barriers.
- (iii) At leadership levels, the MOES could initiate dialogue with the Public Service Commission to set targets and establish quotas to increase the number of women gazetted staff in MOES and DOE at central and district levels, including an increase in representation of marginalized Janajati and Dalit groups.
- (iv) The MOES gender focal point requires additional capacity building and resourcing. Also, the post requires a clear mandate for institutional and sector capacity building for greater gender equality and social inclusion. Finally, adequate resources should be allocated to implement the above (e.g. provide personal development skills training and IT support).

Equity and inclusion issues which present barriers to achieving related EFA objectives identified in the PPTA analysis which ESP I will encourage the Ministry to address include:

**1. Reducing overcrowding in schools (teacher/student ratios)** caused by conflict driven migration and prioritise districts/schools most badly affected and which was not anticipated under NEFAP. (See section 2.6.1 in volume v of the main PPTA report)

**2. Inequities in scholarship allocation and distribution.** (See sections 4.2.4, 4.2.5, 4.2.6 and 4.5.1 in volume v.) Specifically this would focus on:

2.1 Address delays in distribution of scholarship funds from DEOs to schools; to ensure children receive scholarships on time

2.2 Ensure DEOs have sufficient budgets to meet scholarship requirements to prevent schools from having to reduce the number of eligible students or reduce scholarship amounts

2.3 Explore mechanisms to ensure schools submit scholarship requirements on time in budgetary process and cross verify schools' scholarship requirement requests to prevent inflated requests by schools.

2.4 Consider establishing classification of marginalized Janajati groups and allocate scholarships to those marginalized groups which are currently excluded under EFA

2.5 Consider role of PTAs in identifying eligible scholarship candidates for increased equity and transparency

2.6 Identify inequities and solutions in student scholarship application process e.g. problems of Dalit students competing student data forms which present barriers to access and requirement by some schools to have birth registration to apply. In some cases birth registration is still being demanded by schools for enrolment in school. Also the current classification for Dalits does not include all Dalit groups and hence Dalit children from these groups are reported to be excluded. A revised classification of Dalit groups is recommended in consultation with all DEOs to prevent barriers to access to scholarships by those groups not in the list

**3. Increasing recruitment and distribution of female, Dalit and marginalized Janajati teachers to increase retention of children from these groups** (see sections 2.3, 2.4, 4.5.2 and 4.5.3 in volume v)

- 3.1 Propose how to ensure trained female primary teachers have access to teacher employment. Consider raising the targets for recruitment of more female teachers at primary level and explore how to ensure current regulations for numbers of female teachers in schools are enforced by DEOs and SMCs (strong policy directives and incentives are also needed in lower secondary and secondary schools which have an acute shortage of female teachers)
- 3.2 Propose targets, strong policy directives and incentives to ensure an increase in Dalit and marginalized Janajati female and male trained teachers, including bilingual and multi-lingual, are recruited.

**4. Make Codes of Conduct Effective.** (See sections 4.5.4 and 4.5.5 in volume v)

- 4.1 Consider revising codes of conduct for head teachers, teachers, students, SMCs and PTAs to promote non-discriminatory behaviour and practices on grounds of gender, caste, ethnicity, disability and other disadvantaged groups. Consider possible mechanisms which address how discriminators should be held accountable and to whom. Stakeholders (including Teachers' Unions, head teachers, teachers, SMCs, PTAs, legal forums) should be involved in such a review to ensure codes of conduct and processes are not imposed and impractical to implement, monitor and evaluate. ESAT is also planning to meet with Teachers' Unions on this issue with a view to establishing a working group, hence inclusion of this working group is necessary.

**5. Advocacy and awareness raising for inclusive school and classroom environments.** (see sections 4.2.2, 4.5.4 and 4.5.6 in volume v)

5.1 Initiate dialogue with the Faculty of Education for developing gender and social inclusion sensitivity training and related skills for all pre-service teacher training (BEd and IEd) courses. Revised codes of conduct and related revised regulations could also be incorporated into future training courses.

5.2 Liaise with NCED to ensure in-service teacher and head teacher training, as well as training for DEOs and SMCs addresses issues of discriminatory behaviour and practice in schools and promotes girl-friendly and culture-friendly environments in all districts.

5.3 Review training packages already under implementation. Under the TEP project NCED has already conducted training to stakeholders in 12 districts. Inclusive Education Section also runs an innovative but small-scale training program under EFA for primary schools and stakeholders with training materials which it developed in close consultation with the Gender Equity and Development unit. Demand for this training package is growing and this could be substantially scaled up to cover many more schools and districts. Future training content could include dissemination of revised codes of conduct and any related revised regulations.

With NCED consider developing an appropriate related two day awareness training to be delivered to staff in MOES and DOE six central level departments.

5.4 Consider how to evaluate impact of training to all groups.

**6. Committee representation by gender, caste and ethnicity** (see section 3.4 in volume v)

6.1 Consider how SMC membership could become more representative of school communities by gender, caste and ethnicity and review roles/responsibilities and capacity building needs of SMCs and PTAs in consultation with them from a social and economic inclusion perspective.

6.2 Consider how DEO scholarship committees could become more transparent and representative by gender, caste and ethnicity and inclusive of stakeholders relating to equitable allocation and distribution of scholarships. Case studies of good practice could be disseminated.

**7. Rational distribution of ECDs** (see section 4.1.1 in volume v)

7.1 Review distribution and impacts of ECDs on poor families, with a focus on targeting conflict-affected/poor and deprived areas including access by marginalized Janajati, Dalit and other disadvantaged groups to 1) relieve overcrowding by under-aged children in grade 1, 2) provide vital child care support for poor families and 3) release girls from child-caring to enable them to attend schools

**8. Equity issues in examination system** (see section 2.1 in volume v)

8.1 Initiate dialogue with OCE on findings of the 2005 SLC study and all representative groups on gender, poverty and equity issues relating to examination failure in schools and to consider strong affirmative action of SLC study recommendations to reduce disparities and increase equitable outcomes.

**9. Respecting cultural diversity in curriculum development** (see section 2.3 in volume v)

9.1 Ensure curriculum development and revision informs and reflects the diverse cultures of Nepal.

9.2 Ensure the current process of translating existing curriculum into indigenous languages places equal emphasis on recruiting the curriculum content to reflect the inclusive nature of culture and not just the 'dominant culture' from which the original curriculum originates. Involvement of stakeholders will ensure appropriate curriculum content.

**10. Inclusion of children in especially difficult circumstances** (see section 4.2.7 in volume v)

10.1 Conduct a review of the current program and budgetary gaps in providing access to education for the identified groups in this category and propose improvements. Budget allocations for those groups who are being addressed under EFA are currently inadequate to meet demand of e.g. disabled and street children.

10.2 In the event of an end to armed conflict a program could be considered to reintegrate child/youth soldiers back into mainstream education. Provision of scholarships and the ability to accommodate over-age children/youths wishing to re-enter

mainstream education as well as prospects for skills for employment need to be considered to avoid frustration and disappointment, factors which contributed to the armed conflict.

10.3 Consider how teachers could assess and address psycho-social impacts of armed conflict, natural disasters, family bereavement and other inflicted trauma on children. Consider integrating basic training for teachers in existing pre-service and in-service training courses to enable them to identify trauma in children and develop listening/counselling skills.

## **11. Safe drinking water and separate toilets for girls and boys**

11.1 Consider liaising with DWSS to conduct up to date district level assessments and prioritization of schools for safe drinking water and separate toilet provision for girls/boys/teachers, particularly for girls' menstruation management. This will contribute to reducing lost school days, particularly for girls.

## **F. Roles for monitoring and research**

12. For the above interventions monitoring and evaluation will play an essential role. The Flash reports and the TRSE process initiated by the donors have already brought to light a range of important issues and provide reliable data on which decisions and discussions can be based. Additional monitoring indicators could be incorporated into these existing mechanisms. Areas for focus in the future could also include:

- Monitor reduction in overcrowding by district
- Establishment of ECD/PPC centre in targeted needy districts and impacts on poor children and families
- Causes of repetition and drop-out of girls and boys by caste, ethnic and socio-economic group at primary level, particularly after grade 5 when scholarships are very limited
- Equitable distribution and amounts/impact of scholarship on retention/achievement for target groups
- Monitor possible negative impacts in terms of exclusion. Within the EFA programme, scholarships for Dalits are an important element.
- Female, Dalit and Janjati teachers (ratios and distribution by district)
- Exam success/failure of boys/girls by caste and ethnicity
- Fee-charging in all types of government school primary/lower secondary and secondary and trends/impacts on poor/girls retention/drop out