

# Small Ethnic Communities Planning Framework

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## BAN: MFF Skills for Employment Investment Program (SEIP)

Prepared by the Finance Division under the Ministry of Finance for the Asian Development Bank.

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## ABBREVIATIONS

ADB	Asian Development Bank
CHT	Chittagong Hill Tracts
EA	executing agency
ESSU	environment and safeguard unit
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
NGO	nongovernment organization
PD	project Director
PIC	Project Implementation Committee
PMU	Project Management Unit
RF	Resettlement Framework
SDCMU	Skill Development Coordination and Monitoring Unit
SEC	Small Ethnic Community
SECP	Small Ethnic Communities' Plan
SECPF	Small Ethnic Communities' Planning Framework
SPS	Safeguards Policy Statement
TOR	Terms of Reference
UF	Unclassified Forest
VCF	Village Common Forest

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## I. INTRODUCTION

### A. Project Description

1. The Skill for Employment Program or SEIP (the program) will support the Bangladesh Government's plan to arrange a system for supplying sufficient skilled manpower to priority economic growth sectors by 2021. While the ultimate aim is to ensure increased income from an enhanced skills and education base of the population especially of the working age population of 15 years and above, the project will pursue comprehensive policy, institutional, and structural developments required for sustainable process of skill development facilities all over Bangladesh. The program endeavors to achieve four outputs: (i) market responsive inclusive skills training; (ii) quality assurance system strengthened; (iii) skills development systems and institutional strengthened; and (iv) effective program management. Under SEIP, ADB will support \$350 million in three tranches in seven years from FY2014 to FY2021 through multitranche Financing Facilities (MFF).

2. The project will support formulation of several policies and subsequent approval of these policies by GoB; upgrading the training facilities and equipment of selected public organizations; strengthening quality assurance and assessment system and capacity development measures of the public and private organization as well as develop a structure to cater private fund into government supported project. Activities under tranche 1 of the MFF (known as project1) will be implemented during FY2014–FY2018. It will help lay the foundation for scaling up high quality training programs, enhancing quality assurance system that is recognized internationally, strengthening the institutional arrangements for funding and overall coordination, and enhancing the M&E and governance of skills development.

3. More specifically the project has main focus towards developing an employable workforce equipped with contemporary technical skills and knowledge with special attention to the unskilled people from remote areas of the country and disadvantaged groups, including ethnic minorities (indigenous people in Bangladesh are recognized by the Government as Small Ethnic Community), that will support the Government to facilitate a sustainable supply of skilled labor force for domestic and international labor market in 6 priority industry sectors.

4. The project will support more equitable access to skill development in a manner that will support the development of indigenous students from some particular areas including Chittagong Hill Tracts, Sylhet-Mymensingh-Netrokona region, Rajshahi and others areas where concentrations of ethnic minority people are prominent.

5. The project 1 activities will not have any adverse impact on the Indigenous Peoples (IP), named as Small Ethnic Communities (SEC) of Bangladesh, but will likely have benefit to the IPs. The Program has a target of providing skill training to 249,600 people<sup>1</sup> throughout the country, among which 40,000 people will be from disadvantaged groups. As a part of nationwide approach 3 hill districts of Bangladesh and the SEC population of plain land are also included in the program, and 3,500 peoples<sup>2</sup> from Hill Districts are targeted for the skill training. The Training programs will also have open opportunities of participation from the plain land SECs.

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<sup>1</sup> 32 public training providers under three ministries will train 47,400 people, and 8 associations (192,400), Palli-Karma Sahayak Foundation(10,000) and Bangladesh Bank Small and Medium Enterprise Department(10,000) will train 212,600 people

<sup>2</sup> Rangamati and Khagrachari Technical Training Centers (TTC) will train 2,700 trainees under SEIP program. BGMEA will impart training to 1,800, peoples through Bandarban and Rangamati TTCs. More than 50% of the total trainees will be from the indigenous communities living there.

Although ratio of such participation is not significant (1.3%), the program will have some positive impact on the livelihood / employment for SEC population. Therefore, the Project is classified under category B for indigenous people's safeguards. To comply with the safeguards requirement 4 of ADB's Safeguards Policy Statement (SPS) for processing MFF<sup>3</sup> and to mitigate any future unanticipated adverse impact on the IPs/SECs, a SEC Planning Framework (SECPF) has been developed. Since no particular IP dominant area or SEC population was specifically identified as a subproject during the Program design stage (PPTA stage), no IP/SEC plan (SECP) could be prepared. However, a standard template of SECP has been attached with the framework (attachment 1), which would be used as a guideline throughout the program for preparing any location specific SECP, if ADB's safeguards requirement 2 for IP triggers for that area.

## **II. OBJECTIVES AND POLICY FRAMEWORK**

### **B. Objective of the SECPF**

6. The general objective of the SECPF of the Skills for Employment Investment Program is to ensure that the project process recognizes the community and individual needs of all ethnic minority (EM) groups and to equally ensure that, if any negative impacts occur, they are quickly identified and mitigation measures are immediately put in place.

### **C. Small Ethnic Communities' Planning Framework (SECPF)**

7. The SECPF outlines the principles and methodology to design and implement the SEIP in a way that fosters full respect for Small Ethnic Communities' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the communities themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of the project, and (iii) can participate actively in the project that affect or would benefit them.

8. There are four main IP Safeguards components in the SEIP's SECPF:

- (i) Payment for SEC's common lands or customary used lands mainly in CHT to the legal owners of land taken for the Project to develop skill development facilities, if land is required during the detail project design.
- (ii) Targeted identification of such technical training centers where unskilled populations are from ethnic minority groups to create equal opportunity for them to integrate themselves with the mainstream economy of the country.
- (iii) Monitoring the need to provide targeted assistance to the trainees of small SEC groups, who are vulnerable for enhancement/ development of their skill.
- (iv) Raising awareness among GoB officials working in the areas SEC population and in the central administration in Dhaka on SEC issues, history, customs and nature of their vulnerabilities.

9. These components are very much consistent with ADB safeguard requirements. ADB's SPS 2009 recognizes the rights of the SECs to direct the course of their own development. SECs need special attention to receive benefit of development of a project planned and implemented by the people in the mainstream or dominant population in the country. Special

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<sup>3</sup> ADB.2013. *Operation Manual section F1/OP*. Manila, para 45

efforts are required to engage the SECs in the planning stage of development programs that affect them, in particular, development programs that are supposedly designed to meet their specific needs and aspiration.

#### **D. GoB Policy towards Small Ethnic Community (SEC) Population**

10. Many of the laws that are related to the ownership of land and acquisition of land applicable to most of the areas of the country are also applicable for the plain land SEC/EM and non-ethnic minority people, including the *Code of Civil Procedure 1908*, the *East Bengal State Acquisition and Tenancy Act 1950*, and the *Land Acquisition Ordinance 1982*. However, these laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of SEC people lives. The *CHT Regulation of 1900* is the single most important law for the CHT. The Regulation functions in the nature of a constitutional legal instrument and vets the application of other laws that apply to CHT, among others, by specifying the nature and extent of application of those laws. Other special laws that apply to the CHT include the *CHT Land Acquisition Regulation 1958*, the *Hill District Councils Acts of 1989*, the *CHT Regional Council Act of 1998*, and the *CHT Land Disputes Resolution Commission Act of 2001*.

11. SEC's customary use of land in the CHT is not recognized by the Government and is considered as Unclassified Forest (UF), Village Common Forest (VCFs), and Government (*khas*) lands, although SECs' of the CHT have been using such lands from immemorial times as common or ancestry land of common use. As this project primarily is not aimed to acquire any land for the project purpose, acquisition of common ancestry land will not come in forth. However, if such situation arise during detail project ,design this document will serve the purpose of their safeguards.

#### **1. ADB Indigenous Peoples Policy**

12. The ADB's 2009 *Safeguard Policy Statement (SPS)* summarizes ADB's IP Safeguard Policy, as follows:

##### **a. Objectives:**

- To design and implement projects in a way that fosters full respect for Indigenous Peoples'/SECs' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they
  - Receive culturally appropriate social and economic benefits,
  - Do not suffer adverse impacts as a result of projects, and
  - Can participate actively in projects that affect them.

##### **b. Policy Principles:**

- Screen early on to determine
  - Whether IPs are present in, or have collective attachment to, the project area; and
  - Whether project impacts on IPs are likely.
- Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on IPs. Give full consideration to options the affected IPs prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous

Peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on IPs.

- Undertake meaningful consultations with affected IP communities and concerned Indigenous Peoples organizations to solicit their participation
  - In designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and
  - In tailoring project benefits for affected IP communities in a culturally appropriate manner.
- To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the IP's concerns.
- Ascertain the consent of affected IP communities to the following project activities:
  - Commercial development of the cultural resources and knowledge of IPs;
  - Physical displacement from traditional or customary lands; and
  - Commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of IPs. For the purposes of policy application, the consent of affected IP communities refers to a collective expression by the affected IP Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.
- Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected IP communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.
- Prepare an Indigenous Peoples Plan (IPP)/SECP that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected IP communities. The IPP includes a framework for continued consultation with the affected and benefitted Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.
- Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.



- Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that IPs have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.
- Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.

## 2. SEIP's SEC Policy

12. The SEIP's SEC policy will include full compensation<sup>4</sup> for SECs of CHT for acquiring 'Ancestral', 'Customary' or 'Common' lands under the *CHT Regulation of 1900*, recognizing both (i) titled land for SECs residing on or using common land and (ii) communal rights by SECs who have been living on common land with the recognition from Karbaris and Headmen. SECs in other parts of Bangladesh (other than CHT) will also be treated as vulnerable and eligible to get full benefit of any land disputed for 'Customary' or 'Ancestry' right and other assistance under the safeguard policy framework. In this respect, the ADB policy on Involuntary Resettlement (IR) and the IR framework of the Project produced under the policy will carry out this SECPF policy component.

13. The Project's IP policy will support a project design that prioritizes the SEC people's involvement in the project areas containing any SEC. This prioritization will be supported by extensive consultation with the authorities of the respective districts where presence of SEC is identified. Special attention will be paid so that enough number of populations from SECs receives skill training.

14. Finally, the Project will also undertake an inclusive skill development curriculum and other measures necessary for the relevant stakeholders on SEC safeguards as well as on customary land rights, ADB's IP safeguards and other relevant topics.

## III. SMALL ETHNIC COMMUNITY PEOPLES IN BANGLADESH

15. Bangladesh is a rich mosaic of ethnic groups but outstandingly predominated by the plain land Bengalis. Here indigenous people (IP) are often referred to as *Adibashi*, Small Ethnic (SE) groups, Small Ethnic Communities (SEC), Hill People (HP) or *Paharis*, and Forest People (FP). In this document by Small Ethnic Communities (SEC) it is meant to those people who are small in numbers but possess distinct cultural heritages and life styles than that of the Bengalis, the main inhabitants of Bangladesh and who have been living in this region from the time immemorial and some of them are often called as the sons of the soil. Ethnic communities migrated from neighboring regions hundreds of years ago, when no state border was designated, are also included in this category. The Government is preferred to identify this diverse range of small communities as Small Ethnic Community.

16. In Bangladesh there were more than 400,000 ethnic households in 2004 and spread over in about 11,000 villages/wards and constituted about 1.5% percent of total population of the country. These ethnic groups can be identified in a particular geographical area by the presence of the following traits/characteristics in a varying degree: (i) a close attachment to

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<sup>4</sup> Subject to triggering of ADB policy on Involuntary Resettlement

ancestral territories and natural resources in the area, (ii) language often different from the national language, (iii) presence of customs and primarily subsistence-oriented production, and most importantly (iv) self identification and identification of others as members of a distinct cultural group. In fact, social and cultural identity distinct from the dominant society makes them vulnerable to being disadvantaged in the development process (Rafi 2006).

17. On the other hand ethnic group has been identified as tribal group by Bangladesh Bureau of Statistics (BBS) and identified 30 tribal groups in Bangladesh in 1991 census (Latest available relevant data). They are from different ethnic communities and commonly identified as representatives of different tribes and the Bangladesh Population Census identified them as Tribal people. Distribution of different ethnic (tribal) population by division is shown in the table below.

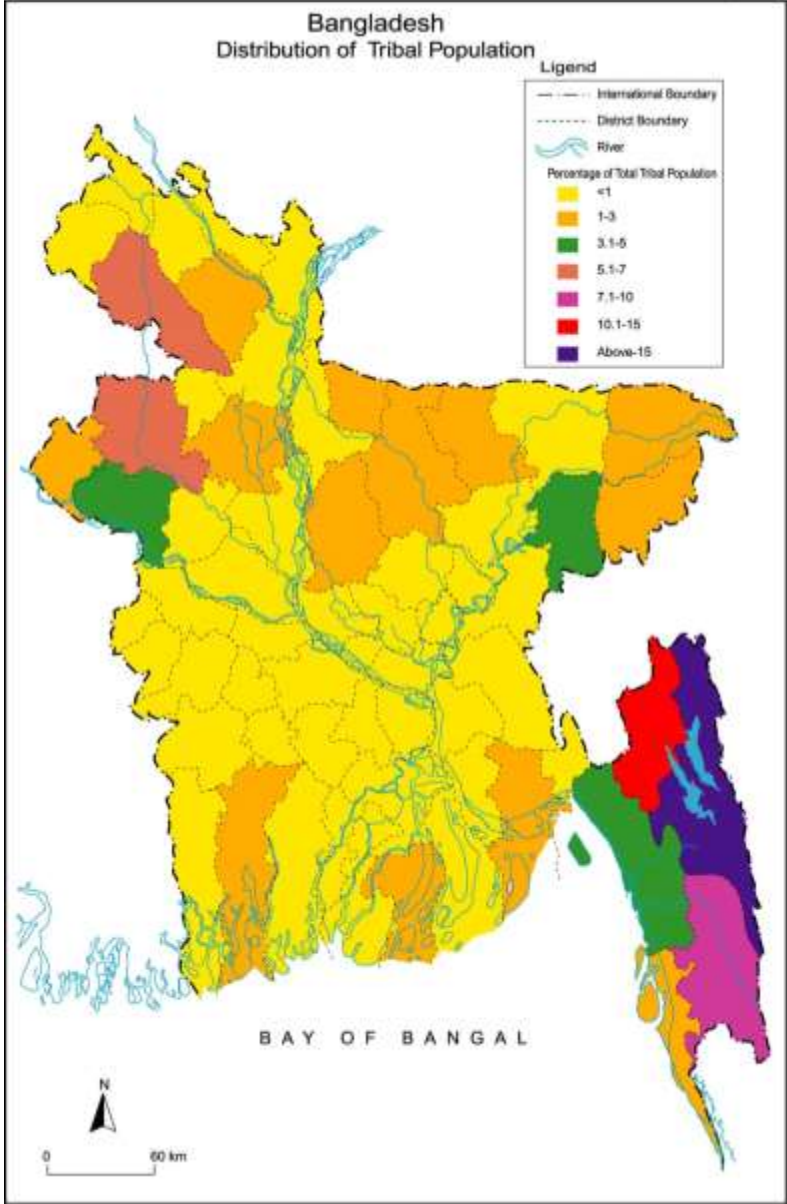
**Areas of Small Ethnic Community People (Tribal People) Concentration in Bangladesh<sup>5</sup>**

Sl. #	Areas of SEC Concentration	Predominant SECs	% National SECs	% of District Populations
<b>Plains</b>				
1	Rajshahi Division, Naogaon, Dinajpur Rajshahi, Rangpur & Joypurhat Districts	Santal, Munda and Oraon	36	4
2	Sylhet Division, Maulavibazar and Hobigonj Districts	Khasia, Manipuri, Patro, Garo and Tripura	8	3
3	Madhupur Area of Dhaka Division	Garos/Mandi	7	2
4	Patuakhali (Barisal Division) and Cox' Bazar (Chittagong Division)	Rakahain	6	
5	Khulna Division, in <i>Sundarbans</i>	Munda	2	
<b>Hills</b>				
6	Chittagong Hill Tracts	Chakma, Marma & Tripura	41	44
<b>Total</b>			<b>100</b>	<b>1.5% of national population</b>

SEC = small ethnic community.

18. In terms of the place of residence, the ethnic groups can be grouped into two broad categories—those living in hills, predominantly reside in the Chittagong Hill Tract (CHT); and those living in plain lands. According to Statistical Year Book of Bangladesh (2008) about 41% of the total ethnic people of the country live in CHT in three districts namely Rangamati, Bandarban and Khagrachari. There is a high concentration of ethnic groups in North Bengal (Naogaon, Dinajpur, Rajshahi, Rangpur and Joypurhat districts of Rajshahi division) which covers about 36% of the ethnic population. Presence of 6 ethnic groups is identified in these areas dominated by Santals. This ethnic group population constitutes less than 4% of the total population of the respective districts. The zonal distribution of the remaining 23% SECs in 9 districts are also summarized in table 1 (sl. 2-5). Distribution of ethnic population by percentage of the district population is shown in the figure below.

<sup>5</sup> Formulated from Bangladesh Bureau of Statistics (BBS), 2001.



Map Showing Major SEC Concentrated Areas in Bangladesh

### Potential Positive and Adverse Effects of the Project on Small Ethnic Communities

20. The project will have certain positive impacts and may induce negative impacts during detail project design stage on the SEC people. These are summarized as below:

- (i) Unemployed or underemployed labor force from SEC/EM groups will have the opportunity to enhance their skills and increase their employability. This will help in reducing poverty of SEC households and help the community on a greater extent.
- (ii) Reduction of poverty of the SEC people will help them to get rid of their marginal condition and make them able to contribute in the mainstream economy.
- (iii) Potential lose of property and livelihood by the SEC for possible infrastructural development of the training centers sub-components of the SEIP during detail project design. However, possibility of such displacement is nominal as there is no land acquisition or large-scale infrastructure development component in the program.

#### IV. SOCIAL IMPACT ASSESSMENT AND SECP FOR SUBPROJECTAND/OR COMPONENTS

21. Category B projects for IP safeguards do not require any social impact assessment. However, if any of the future subprojects/ project components in the following tranches is likely to have significant impacts on IP/SECs, then the project would be re-categorized as A. In such case, the Skill Development Coordination and Monitoring Unit or Project Management Unit (SDCMU/PMU) or EA agency with the assistance from Environment and Social Safeguard Unit (ESSU), established before project planning and designing of next tranche of the project will conduct a Social Impact Assessment (SIA) and inventory of SECs in SEC inhabited areas shown in table-1 for (i) screening and classification; and (ii) preparation of an Small Ethnic Communities' Plan<sup>6</sup> (SECP). The social impact assessment will discuss the following items:

- (i) Review the legal and institutional framework applicable to Small Ethnic Communities in project context.
- (ii) Provide baseline information on the demographic, social, cultural, and political characteristics of the affected Small Ethnic Communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend, if such areas will come into purview of the project.
- (iii) Identify key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Small Ethnic Communities at each next tranche project preparation and implementation, taking the review and baseline information into account.
- (iv) Based on the meaningful consultation with the potentially affected Small Ethnic Communities assess the potential adverse and positive effects of the project. A gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Small Ethnic Communities is critical to the determination of potential adverse impacts, given their particular circumstances and close ties to land and natural

<sup>6</sup> ADB's Operation Manual (OM) Section F1/OP, page3: if any of the subprojects/ project components is likely to have significant impacts on Indigenous Peoples, the project is to be re-classified to category A, and an Indigenous Peoples Plan (IPP), including assessment of social impacts would be required.

resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.

- (v) Include a gender-sensitive assessment of the affected Small Ethnic Communities' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) Identify and recommend, based on meaningful consultation with the potentially affected Small Ethnic Communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/ or compensate for such effects and to ensure that the Small Ethnic Communities receive culturally appropriate benefits under the project.
- (vii) Conduct detail survey on the CBOs, NGOs and private sector training institutes which are operated or managed by the people of the SECs as well as also identify the people from SECs who are working the public or private sector training organizations to facilitate their possible deployment in the development of core or master trainers.
- (viii) Design special information dissemination programs for well informing the SECs about the skill development project and its benefits.

## **V. SMALL ETHNIC COMMUNITIES PLANNING FRAMEWORK**

22. The SECPF will comprise a set of achievements to be obtained from within the Project Framework. These are represented by the following targets for all SECs in the country. Following criteria would be adopted for screening and selecting components, and/or subprojects:

- The populations from those areas where large concentration of SEC is present irrespective of hill and plain land will get preference in receiving project benefits. The areas are summarized in para 18 and table1.
- In the training programs to be conducted in TTCs of 3 Hill Districts, more than 50% of the total trainees to be from the indigenous communities living in the adjacent areas.
- Project will ensure to accommodate all the applicants from the SECs in the skill development training in the SEC concentrated districts. In the course of development of trainers or master trainers, the project will also give enough opportunity to develop master trainers from SECs in the SEC concentrated areas.
- Project will ensure appropriate information dissemination measures in the SEC concentrated areas so that they will remain informed about this project, it's objectives and it's benefits in improving their living standard without encroaching their cultural heritage and customs.
- Community Organizations, NGOs and private sector training institutes owned and/or managed by the SECs from SEC concentrated districts will get preferential treatment in the selection procedures if they have equal infrastructure for providing skill training.
- Where SEC would be losing any ancestral/ customary/ common land for construction/development of training / resource centers during detail project design, should get full compensation for resettlement and rehabilitation.
- Living standard of the SEC will be improved by improved employment opportunities through enhancing access to skill training. Access to quality skill training would enhance their competencies and chances for higher employment opportunities, thus contributing towards poverty alleviation.

## VI. CONSULTATION, PARTICIPATION AND DISCLOSURE

23. The SDCMU/PMU will conduct meaningful consultation with SECs, their communities and civil society for every subproject/ project component identified as having involuntary resettlement impacts or other significant adverse impact on SECs during detail project design. Meaningful consultation will take place through a series of consultation all through the project cycle from inception to post project period that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to SECs; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the need of SECs and vulnerable groups; and (v) enables the incorporation of all relevant views of SECs and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. Consultation will be carried out in a manner commensurate with the impacts on affected communities with assistance from the implementing NGOs<sup>7</sup> or Safeguard Specialist of ESSU. The PMU will continue to arrange public consultations, and take the following steps:

SDCMU will organize public meetings and will appraise the communities about the progress in the implementation of resettlement, social, environmental and SEC development activities (if applicable);

All monitoring and evaluation reports of the SECP of the project will be disclosed in the same manner as that of the Resettlement Plan (RP); and

Attempts will be made to ensure that vulnerable groups and SECs understand the process to take their specific needs into account.

Attempts will be made to ensure proper information about project benefits that are supposed to be incorporated in the project for SECs well being and their empowerment.

24. To provide for more transparency in planning and for further active involvement of Small Ethnic Communities and other stakeholders the project information will be disseminated through disclosure of SECPF documents. A summary SECPF/SECP will be translated and disclosed in publicly accessible locations shortly after government's endorsement of the draft documents. The PMU will keep the SECs informed about the impacts, the mitigation measures and assistances proposed for them and facilitate grievance redressed. The SECP/SECPF will also be made available at a convenient place of the SCE habitat districts or any other place deemed convenient to the SECs. A copy of the SECP/SECPF will be disclosed on the ADB website.

25. The EA will submit the following documents to ADB for disclosure on ADB's website:

The SECPF endorsed by the EA;

A updated SECPF, and a corrective plan prepared during project implementation, if any;

A new SECP, if any of the subprojects/ project components is likely to have significant impacts on Small Ethnic Communities, and the project is to be re-classified to category A; and

The SECPF monitoring reports.

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<sup>7</sup> Need based, subject to requirement of SECP

## VII. GRIEVANCE REDRESS MECHANISM

26. The project grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of affected SEC people's concern, complaints and grievances about the SECP/SECPF performances at the grass-root level of the project implementation, if SCEP policy triggers during the detail project design. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve SECs personal and community concerns linked to the project.

27. Grievance Redress Committee (GRCs) will be formed at each SECs habitat district level for any grievances involving resettlement benefits, mitigation of any adverse impact on the SECs people as individual or community, and other assistance as mentioned in SECP. The community leaders of the SEC and 1 female IP must be included in the GRC. A gazette notification on the formation and scope of the GRCs will be required from the EA.

28. The PMU shall make the SCE people aware of the GRM through public awareness campaigns. INGO will extend cooperation to the SECs to express their grievance by submitting complaints in writing to PMU<sup>8</sup>. The project information brochure will include information on the GRM and shall widely disseminate throughout the project area by the safeguard officer in the PMU/ ESSU with support from the INGO.

## VII. IMPLEMENTATION

29. A wide-range of interactive discussion process with potential beneficiaries from major ethnic minority groups will be conducted during project implementation of first and second tranche of the project. To make such process meaningful the quantitative component activities should be regarded as indicative. If safeguards requirement 3 of SPS triggers during detail project design and during implementation of later tranches, more elaborate discussion process should be carried out.

30. The annual operation plans will be fully discussed between the agencies engaged for training and the intended beneficiaries to establish local priorities and capture changes in community needs.

31. The overall responsibility for ensuring this participatory planning and review process is carried out, and monitoring of the expected achievements of the SECPF will rest with Project Management Unit (PMU). The agencies engaged for the individual components will be responsible for organizing and conducting the discussion meetings and workshops with beneficiaries and ensuring all the needs and concerns of major ethnic minorities are taken into accounts.

32. Through its consulting support the PMU will be responsible for planning the training of trainers and beneficiary training for the relevant stakeholders on SEC safeguards in particular on customary land rights, ADB's IP Safeguards and other relevant topics. For the master trainers, suitable local consulting firms/ safeguards specialists will be contracted who would carry out the training program of local non-governments (NGOs), participating government agencies, traditional governance leaders and local community groups.

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<sup>8</sup> If SCEP is not required (see footnote3), Safeguard focal point at PMU will be in-charge.

## VIII. MONITORING

33. The primary monitoring of the SECPF will be the responsibility of the PMU. The PMU has been provided with a Monitoring and Evaluation Officer and he/she will prepare progress reports on the achievements of SEC Safeguards compliances for the Government and the Bank. These will be reviewed as part of the project supervising process. The partner agencies will provide the PMU with details of ethnic groups involvement in their components and will be responsible for advising the PMU on any negative impacts from the project which may occur.

34. The PMU will use results of the Benchmark and Socioeconomic Survey to be undertaken at the beginning of the project to establish indicators for all project monitoring purposes prior to Project startup. In depth evaluations of the SECPF will be prepared as part of the major project reviews at the conclusion of tranche-1 and tranche-2.

35. EA will ensure that monitoring and evaluation procedures include indicators for monitoring impact on the Project's beneficiaries. PMU will provide ADB and other DPs with the following information for their review of performance and compliance with the SPS.

- Social safeguard screening: As and when requested, filled-out screening form for all contract packages included in the civil works program.
- Updates for Project review missions, which would include summary information on project components that have significant adverse impacts on SECs.
- Bi-Annual reports on compliance of safeguard requirements on SECs, if safeguard requirement triggers during detail project design.

## IX. BUDGET AND FINANCING

35. All SEC development fund will be provided by the Government of Bangladesh, and all the mitigation measures will be taken before completion of the project for any negative impact that might take place during implementation of the project. The EA will be responsible for the timely allocation of the funds needed to implement the SECPF. All land acquisition related expenses, rehabilitation, training, consultation and administrative expenses, monitoring and consultation cost, mitigation of negative impacts and restoration cost will be considered as integral part of the project costs, if necessary.

### References:

- BBS. 2008. Statistical Yearbook of Bangladesh. Dhaka: Bangladesh Bureau of Statistics.
- Gain.P. 2000. *The Chittagong Hill Tracts Life and Nature at Risk*. Edited by Philip Gain. Dhaka: SEHD.
- Rafi. M. 2006. *Small Ethnic Groups of Bangladesh A Mapping Exercise*. Dhaka: BRAC.



## **OUTLINE OF AN INDIGENOUS PEOPLES /SEC PLAN**

This outline is part of the Safeguard Requirements 3. An Indigenous Peoples plan (IPP) is required for all projects with impacts on Indigenous Peoples. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on Indigenous Peoples. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

### **A. Executive Summary of the Indigenous Peoples Plan**

This section concisely describes the critical facts, significant findings, and recommended actions.

### **B. Description of the Project**

This section provides a general description of the project; discusses project components and activities that may bring impacts on Indigenous Peoples; and identify project area.

### **C. Social Impact Assessment**

This section:

- (i) reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- (ii) provides baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) identifies and recommends, based on meaningful consultation with the affected Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

#### **D. Information Disclosure, Consultation and Participation**

This section:

- (i) describes the information disclosure, consultation and participation process with the affected Indigenous Peoples communities that was carried out during project preparation;
- (ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected Indigenous Peoples communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- (iv) describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and
- (v) confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.

#### **E. Beneficial Measures**

This section specifies the measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, and gender responsive.

#### **F. Mitigative Measures**

This section specifies the measures to avoid adverse impacts on Indigenous Peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Indigenous Peoples groups.

#### **G. Capacity Building**

This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address Indigenous Peoples issues in the project area; and (b) Indigenous Peoples organizations in the project area to enable them to represent the affected Indigenous Peoples more effectively.

#### **H. Grievance Redress Mechanism**

This section describes the procedures to redress grievances by affected Indigenous Peoples communities. It also explains how the procedures are accessible to Indigenous Peoples and culturally appropriate and gender sensitive.

#### **i. Monitoring, Reporting and Evaluation**

This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected Indigenous Peoples in the preparation and validation of monitoring, and evaluation reports.

**J. Institutional Arrangement**

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

**K. Budget and Financing**

This section provides an itemized budget for all activities described in the IPP.