

Small Ethnic Communities Plan

June 2022

Bangladesh: Climate Resilient Livelihood Improvement and Watershed Management in Chattogram Hill Tracts Sector Project

Output 4 – Rural non-farm skills improved and capacities of CHT institutions strengthened

Prepared by the Ministry of Chittagong Hill Tracts Affairs for Asian Development Bank.

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CURRENCY EQUIVALENTS

(as of 6 June 2022)

Currency unit	–	Bangladeshi taka, BDT
BDT 1.00	=	USD 0.01093
\$1.00	=	BDT 91.50

ABBREVIATIONS

ADB	-	Asian Development Bank
ADC	-	Additional Deputy Commissioner
AH	-	Affected Household
AP	-	Affected Persons
CCL	-	Cash Compensation Under Law
CHT	-	Chattogram Hill Tracts
CHTDB	-	Chattogram Hill Tracts Development Board
CRLIWM-CHT	-	Climate Resilient Livelihood Improvement and Watershed in the Chattogram Hill Tracts Sector Project
CHTRC	-	Chattogram Hill Tracts Regional Council
CHTRDP	-	Chattogram Hill Tracts Rural Development Project
CRO	-	Chief Resettlement Officer
DC	-	Deputy Commissioner
DPD	-	Deputy project director
DPMO	-	District project management office
EA	-	Executing Agency
FYP	-	Five Year Plan
GOB	-	Government of Bangladesh
GRC	-	grievance redress committee
GRM	-	grievance redress mechanism
HDC	-	Hill District Council
HH	-	Household
HIES	-	Household Income Expenditure Survey of Bangladesh, (2016)
IA	-	Implementing Agency
IP	-	Indigenous People
LGED	-	Local Government Engineering Department
M&E	-	monitoring and evaluation
MoCHTA	-	Ministry of Chittagong Hill Tract Affairs
NGO	-	non-governmental organization
O&M	-	operation and maintenance
PAM	-	Project Administration Manual
PD	-	project director
PISC	-	project implementation support consultant
PMO	-	project management office
PVM	-	Participatory Village Mapping
RF	-	resettlement framework
RP	-	resettlement plan
SEC	-	small ethnic communities

SECF	-	small ethnic communities framework
SECP	-	small ethnic communities plan
SPS	-	Safeguard Policy Statement 2009
WASH	-	water, sanitation and hygiene

GLOSSARY

Administrative System in CHT - Unlike other parts of Bangladesh, CHT has a dual administrative system under which, the general administrative government organs (e.g. Office of the Deputy Commissioner or DC, under which, there are Upazila Parishad/Thana, Union Parishad, in rural areas and Pourashava, in urban areas) work side-by-side with the traditional administrative structure, which is headed by the Chief (Raja) and the Headman and Karbari working under the Chief.

Bengali - People living mainly in the plain-land districts whose mother tongue is Bengali.

Bohmong Circle - The Bohmong Circle is one of three hereditary chiefdoms (or "circles") in the Chittagong Hill Tracts of modern-day Bangladesh. The jurisdiction of the Bohmong Circle encompasses parts of Bandarban District. The chiefdom's members are of Marma descent and are known as ragraisa.

Chakma Circle - Chakma circle, also known as the Chakma Raj, is one of three hereditary chiefdoms (or "circles") in the Chittagong Hill Tracts of modern-day Bangladesh. The Chakma Circle encompasses parts of Rangamati Hill District and Dighinala and Rajasthali Upazilas in neighboring Khagrachari District and Bandarban District respectively. The chiefdom's members are of Chakma descent.

Circle - The British divided the whole region of CHT into three demarcated areas naming as circle.

Circle Chief- The leader of a circle is known as circle chief who was previously known as "Raja".

Decimal - 100 Decimal = 1 Acre. Bangladeshi agrometrology unit of measurement, a traditional measuring unit.

Eksona Bandobasti - The system of leasing a particular plot of land to a certain individual, household, or community organization for one year by the respective Headman of the Mouza.

Headman - Person appointed by DC with the recommendation of Circle Chief, in charge of mouza with the power of revenue collection and local trial.

Jhum- Shifting (swidden, slash and burn) cultivation is the dominant farming system in the lower and upper hills of Chittagong Hill Tracts (CHT).

Karbari – Also known as "Village Headman", a person appointed by the Circle Chief, in charge of a village with the power of revenue collection and local trial.

Katcha houses - house with mud or bamboo floor, bamboo walls and roof of tin or leaves

Khas Land - In Bangladesh, claimed as Government Land but in CHT it is Small Ethnic Community Common Land.

Mauza - A Mouza Revenue Village is the lowest unit of land administration in Bangladesh. Mouza consists of more than two villages headed by Headman. Alternative spelling is Mauja.

Mong Circle - Mong Circle is one of three hereditary chiefdoms (or "circles") in the Chittagong Hill Tracts of modern-day Bangladesh. The jurisdiction of the Mong Circle encompasses parts of Khagrachari District. The chiefdom's members are of Marma descent and are known as phalansa.

Para - A neighborhood or locality, usually characterized by a strong sense of community.

PCJSS - The Parbatya Chattagram Jana Sanghati Samiti (PCJSS) [Bengali: পার্বত্য চট্টগ্রাম জনসংহতি সমিতি, English: United People's Party of the Chittagong Hill Tracts) is a political party formed to represent the people and indigenous tribes of the Chittagong Hill Tracts in Bangladesh.

Pourashava – Urban government of smaller town, to be distinguished from city corporation.

Pucca houses - houses with concrete floors and brick walls

Semi-pucca houses – houses with brick foundations, concrete or bamboo/wooden floors, possibly lower brick walls and wooden/bamboo upper walls and tin or leave roofs

Severely Affected Households- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.

Small Ethnic Communities- Groups or population identified as Indigenous Peoples within the context of ADB's Safeguard Policy Statement will be referred to in this Project as tribes, minor races, ethnic sects and communities, and collectively in this report referred to as Small Ethnic Communities (SEC) per 15 amendment article 23A of the constitution of Bangladesh.

Union Parishad (UP)- Union Parishad is one of the lowest administrative units in Bangladesh, part of a four- tier local government, namely Gram (Village) Parishad, Union Parishad, Upazila (Subdistrict) Parishad and Zila (District) Parishad.

Uthulies- Long-term squatters. Also called Informal Settlers, i.e., HHs on others' land with permission.

Vulnerable Households - Individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. According to ADB SPS, vulnerable groups are those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, physically challenged, and those without legal title to land.

NOTES

- (i) The fiscal year (FY) of the Government of Bangladesh and the Local Government Engineering Department ends on 30 June. "FY" before a calendar year denotes the year in which the fiscal year ends, e.g., FY2022 ends on 30 June 2022.
- (ii) In this report, "\$" refers to United States dollars unless otherwise stated.

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I. EXECUTIVE SUMMARY

Project Description

1. The Ministry of Chittagong Hill Tracts Affairs (MoCHTA) of the Government of Bangladesh (the Government) has undertaken the implementation of the Climate Resilient Livelihood Improvement and Watershed Management in the Chattogram Hill Tracts Project (“CRLIWM-CHT Sector Project” or “the Project”), with financial assistance from the Asian Development Bank (ADB). The CRLIWM-CHT Sector Project is the third major ADB financed project in Chattogram Hill Tracts (CHT) covering its all three districts - Rangamati, Khagrachari and Bandarban. The primary objective of the Project is to enhance sustainable livelihood opportunities and access to basic services for the CHT rural population. The project will serve communities drawing on the experience of the first two ADB loan projects in CHT - CHTRDP-I and CHTRDP-II, with emphasis on the areas not covered by the first two projects. The main outputs of the proposed project are expected to have: i) community infrastructure developed; ii) watershed management strengthened; iii) agriculture production, processing and marketing improved; iv) rural non-farm skills related to project objectives improved, and (v) rural roads rehabilitated.

1.

Component Description and Beneficiaries

2. Output 4 will target rural youth (both men and women), especially from small ethnic communities (SEC), to participate in skills training in sectors allied to the project’s main objectives. The skills component will specifically target employment opportunities that will arise from implementing this project itself – including the demand that will become realized once this project is implemented. Training will be delivered by specialized technical and vocational education and training (TVET) institutes and NGOs. Skills development will increase the resilience of rural communities by providing new non-farm employment and preparing them to cope with climate change impacts. The training will focus on developing rural non-farm skills that are relevant and in demand, enabling skilled youth to remain in the CHT. The component will also strengthen capacities of local government and project implementation entities for climate adaptation and disaster preparedness, especially in relation to the watershed and agriculture value chain components.

3. This Small Ethnic Communities Plan (SECP) is prepared for the agriculture production, storage, processing, and marketing component – output 3 of the Project. This SECP will be updated continuously during implementation of output 3. In case of unanticipated impacts identified during the project implementation, the PMO will update the SECP or develop a corrective action plan or a new SECP, if necessary. An IP safeguards impact screening checklist has been developed to screen the proposed and future subprojects and interventions of the project outputs.

Social Impact Assessment

4. The SECP provides guidance on the screening and categorization, assessment, planning, institutional arrangements, and other processes to be followed for identified components or subprojects during project implementation. The SECP combines the relevant legal framework and procedures for dealing with SEC in Bangladesh and related safeguards stipulated in the ADB’s Safeguards Policy Statement (SPS), 2009 to ensure compliance with the standards found in both policies.

2. All activities in relation with SEC under the project, including consultation, participation in project design and preparation, mitigation, etc. are/will be conducted in compliance with: (i) the rights and protection status to SEC, and (ii) ADB SPS 2009, as well as international treaties. SEC will be assessed following the processes outlined in the SPS, including meaningful consultation at all stages in the development of the subprojects.

Information Disclosure, Consultation and Participation

5. In preparing the Vocational Skills and Capacity Building Output and the proposed activities that are part of it, the main source of information were institutions in the CHT currently providing such vocational skills trainings, especially Technical Training Colleges, Youth Training Centres, and Bangladesh Small and Cottage Industries Corporation, which are all (semi-) government organisations and NGOs, which were SEC rooted. During the Inception, Mid-Term and Final workshops, the proposed scope of the Output and skills training to be included were then presented and feedback was taken from especially the CHTRC and HDCs, being the formal representatives of the various SEC groups of the CHT. Furthermore, the TRTA team conducted meaningful consultations with SEC in the paras covered by the subprojects under the four project Outputs from which future trainees to be selected for the skills development activities will be drawn.

Impact on SEC

6. The trainees to be selected for the vocational skills short and longer training courses will overwhelmingly (at least 70%) come from rural SEC communities. Participation in vocational skills training is expected to increase their employment opportunities, either as self-employed entrepreneurs or as employees of local small businesses. Having capacity and an organised approach to assist trainees in job placements will be part of the selection criteria of training institutes to be engaged by the project.

Capacity Building

7. To ensure the implementation of the SECP, various capacity building measures have been included in the methodology of the project. Capacity building of project implementation partners and CHT specific institutions is an integral part of Output 4. About 950 unique staff/employees/workers from Implementing agencies, INGOs and contractors will participate in these trainings, most of them will participate in several trainings during the projects lifetime. An estimate 5,300 community representatives will be included in different types of capacity building delivered under this component.

3.

4. Grievance Redress Mechanism

8. The Grievance Redress Mechanism (GRM) is a mechanism whereby queries, comments, and suggestion about the Project are responded to and issues and complaints are addressed and resolved at the lowest possible level (i.e., community level). Issues and complaints relating to environmental and social safeguards will be dealt with the three levels of the Grievance Redress Committees (GRCs) established for the project GRM. The GRM explains how the procedures are accessible to the SEC and is culturally appropriate and gender sensitive.

9. The GRM has three tiers. There are two types of tier one. Tier 1, type A refers to the Alternative Dispute Resolution Forum (ADRF) which will be located at subproject level and will address land disputes for output 5 (rural roads component). Tier 1, type B refers to the Para Development Committee (PDC) which will serve as tier one for all other social and environmental

safeguards concerns raised across project outputs 1-5 (i.e., Community Infrastructure, Watershed Management, Agriculture Production and Rural Roads). Tier two is represented by a Grievance Redress Committee (GRC) which is established at Hill District Council (HDC). At the apex of this structure is the Regional Advisory Council (RAC) at CHTRC level. In case complainants are not satisfied with the grievance resolution, they can opt to direct their grievances to the appropriate court of law at any stage. The affected person can also file a complaint through the ADB Accountability Mechanism.

Monitoring, Reporting and Evaluation

10. Project monitoring will be done at three levels: (i) village monitoring will ensure participation of communities in all stages of the project, and proper operation and maintenance of subprojects, (ii) internal monitoring will be done by executing and implementing agencies, with support from contracted Project Implementation Support Consultants and Non-government Organization, to track and report on progress of SECP implementation, and (iii) external monitoring will be undertaken by a qualified expert to review and verify progress and monitoring reports. CHTRC shall submit to ADB quarterly and annual reports as well as semi-annual social monitoring reports.

Institutional Arrangement

11. MoCHTA will be the executing agency and responsible for overall project implementation. The CHTRC will be the lead implementing agency for the rural non-farm skills output. A Project Management Office (PMO) headed by a Project Director (PD-PMO) will be established within the CHTRC, to manage and closely coordinate project activities across all agencies. A District Project Management Office (DPMO) will be established at the Khagrachari District attached to the relevant Hill District Council (HDC) and be headed by a Deputy Project Director (DPD). The DPD will report directly to the PD-PMO. The Project Implementation Support Consultants will support implementation of the project. It shall have a SEC Expert and Social Development Organizers to support implementation and monitoring of SECP related activities. CHTRC will enter MOUs and contracts with various TVET institutions to carry out the various skills development trainings.

I. DESCRIPTION OF THE PROJECT

A. Background

1. The Climate Resilient Livelihood Improvement and Watershed Management in Chattogram Hill Tracts Sector Project (“CRLIWM-CHT Sector Project” or “the Project”) aims to enhance sustainable livelihood opportunities and access to basic services for the rural population of the Chattogram Hill Tracts (CHT) by delivering five outputs, namely: (i) community infrastructure developed; (ii) watershed management strengthened; (iii) agriculture production, marketing, storage and processing improved; (iv) rural non-farm skills improved and capacities of CHT institutions strengthened; and, (v) rural road access improved. The outcome will be increased incomes, improved access to basic services, and more sustainable use of natural resources in the CHT. About 512,000 people of whom 250,000 women (50%) and at least 350,000 SEC (almost 70%) will benefit from the project.

2. The Project will contribute to improve livelihoods and sustainable use of natural resources in the CHT while increasing resilience to climate change. It will do so by addressing selected deficiencies in the five forms of capital that are needed to support holistic and sustainable development of livelihoods of communities. Specifically, the project will address physical capital by improving roads and bridges, water supply and irrigation schemes, collection facilities and providing agricultural equipment. It will build human capital by improving vocational skills in the rural farm and non-farm sector and developing capacity of CHT institutions and stakeholders. Social capital will be improved by strengthening the local government institutions to continue the system of participatory bottom-up planning and implementation of subprojects that has been established under the Second Chittagong Hill Tracts Rural Development Project (CHTRDP II). Natural capital will be improved by supporting the restoration of critical watersheds through village community forest management, improving sustainable agricultural land management practices, and implementing a few pilot projects in rural solid waste management. Finally, financial capital will be enhanced by channelling public funds for infrastructure development and promoting private investment in market links and basic agro-processing facilities.

3. B. Rural non-farm skills improved and capacities of CHT institutions strengthened

Output 4 will target rural youth (both men and women), especially from small ethnic communities (SEC), to participate in skills training in sectors allied to the project’s main objectives. The skills component will specifically target employment opportunities that will arise from implementing this project itself – including the demand that will become realized once this project is implemented. Training will be delivered by specialized TVET institutes and NGOs. Skills development will increase the resilience of rural communities by providing new non-farm employment and preparing them to cope with climate change impacts. The training will focus on developing rural non-farm skills that are relevant and in demand, enabling skilled youth to remain in the CHT. The component will also strengthen capacities of local government and project implementation entities for climate adaptation and disaster preparedness, especially in relation to the watershed and agriculture value chain components.

4. This Small Ethnic Communities Plan (SECP) is prepared for the rural non-farm skill component – output 4 of the Project. This SECP will be updated continuously during implementation of output 4. In case of unanticipated impacts, the PMO will update the SECP or develop a corrective action plan or a new SECP, if necessary.

5. The proposed project duration is seven years (2023-2029), and the budget is US\$125 million. Asian Development Bank (ADB) provides financing of US\$100 million and the Government of Bangladesh (GOB) US\$25 million. The budget for Output 4 is US\$ 6.11 million.

C. Description

6. The Project will include a stand-alone skills development component. This component will aim at generating off-farm rural employment in CHT by skills development trainings targeting rural youth especially those from SEC (both men and women). The component will have a focus on employment opportunities that will arise from the implementation of the other project components, such as for example the need to have sufficient mechanics and plumbers to cater for maintenance and repair of motor pumps, power tillers, PV solar panel, and water and sanitation infrastructure. However, during project preparation it was found that rural youth in the project areas have hardly any access to skills training. It was therefore decided that the component would support a broader range of skills trainings as long as these would contribute to local economic development and could make use of already existing training capacity, rather than providing support to new institutions, which would be outside the scope of the project. Skills development within the primary, agricultural sector such as livestock rearing, and mushroom cultivation have not been included here as these are covered by the project's Output 3-Agriculture production, storage, processing, and marketing improved.

7. Based on the analysis of rural employment in the CHT, feedback provided during the visits to the various TVET institutions and NGOs providing skills training, feedback provided by government representatives during the Inception and Mid-Term workshops, and findings of TA staff during interactions with community members during social mapping exercises, the following types of skill development clusters emerged.

1. Short vocational training courses

a. Mechanical training

8. The primary interest of the project would be to have trained mechanics capable of maintaining pump sets and power tillers. Technical Training Colleges (TTCs) and some NGOs provide training for mechanics, often focused on car and motorcycle repair. Such training could be easily extended to include agricultural equipment.

b. Masonry and carpentry

9. There is a general demand for masons and carpenters in rural areas, including a limited demand generated by project supported infrastructure development, such as the facility centres under the agricultural value chain component, and some watershed and WASH interventions. Courses of 3–months can be organized by local NGOs on a regular basis. Arrangements can then be included in bid documents making it mandatory that project contractors provided apprenticeships to trainees. It will be part of the NGO contracts to make such apprenticeship arrangements for all trainees.

c. Cement ring production

10. Cement rings are required for drinking water wells and for sanitary latrines. Some NGOs already have experience in providing training for this. This can therefore be added as an activity to contracts with implementing NGOs.

d. Food processing

11. Several resource persons have indicated that there is scope for value addition of agriculture produce by home industries and micro-enterprises primarily for markets within the CHT. Product could include banana and pineapple chips and pickles

e. Weaving and tailoring

12. Weaving and tailoring offer good employment and income opportunities to rural SEC women. Various SEC communities in the CHT have their own weaving traditions. In pre-colonial times, the CHT were known for their local cotton, but this has almost totally disappeared with yarn sourced from outside the region. Still tribal woven fabrics are in demand both from CHT SEC communities themselves and visitors, and there also is a market in India, especially Tripura, mostly from CHT SEC communities settled there. Stakeholders also pointed out that there is a local market for home-produced hand-made confection, such as school uniforms and children's clothing. Women can either work independently from home as seamsters or work for local small tailor businesses in nearby market towns. Many NGOs are experience in providing this kind of training.

f. Entrepreneurship training

13. After a few courses have been completed, a survey will be conducted to establish whether additional entrepreneurship training will be beneficial for some of the graduates and at what level this is best delivered.

g. Additional short courses

14. A provision for 'market studies' has been included in the output's budget with the intention that small studies can be commissioned during the first three project years to identify additional rural income generating activities that fit the component requirements.

2. Longer professional courses

15. For profession 3 to 6 months courses, the project will need to work with one or more of the national TVET NGOs providing such courses. Initial indications are that such courses cannot be provided within the CHT itself unless substantial additional investments are made. It is therefore recommended to enter into arrangement with these national TVET NGOs to enrol CHT trainees in their courses offered elsewhere in the country, preferably within the Chattogram Division.

16. Courses fitting the project profile, include the ones offered by UCEP as discussed in section 2.4, especially:

- Automotive Mechanics – there is a market for repair of various types of vehicles in the CHT, including power tillers and pumps.
- Electrical Installation and Maintenance – a general need.
- Mobile Phone Servicing – a general need at upazila levels, market to be assessed during implementation.
- Plumbing - directly relevant for the water and sanitation interventions.

3. Internships for young professionals from local communities

17. The CHT has a lack of qualified staff with a SEC background with technical background in civil engineering, watershed management and agricultural value chain development due to a lack of starter's positions in government agencies and projects. Especially the CHTRC and HDCs have a very limited number of sanctioned positions. At the other end, LGED has sufficient sanctioned positions, but youngsters have difficulty meeting the qualification and experience requirements. As a result, LGED struggles with a large number of vacancies for technical staff in the CHT. Private contractors of civil works face similar issues. Lastly, NGOs typically do not employ staff with a technical background but rely on informal arrangements with government line agencies for this. This scenario leads to SEC youngsters with a technical background leaving the CHT, and mid and senior level job opportunities then being filled by professionals from outside the CHT on temporary basis, often with great difficulty and with quality issues.

18. The project will seek to fill the existing gap by offering paid internships to SEC youngster with a diploma in a technical area relevant for the project but insufficient work experience to qualify for recruitment under regular conditions. Upon completion of their internship, youngsters will then be better positioned to find long-term employment with government agencies, the private sector including contractors, and development organisations including NGOs.

19. Civil engineering, watershed management, and agriculture have been identified as the three most promising areas for youngsters to find long-term employment if their skills and experienced have been honed during an internship with the project. Placement can be with PMO, DPMOs, PISC, and especially with implementing NGOs.

4. Capacity building of Implementing Agency staff

20. Capacity development of Implementing Agencies and contracted Implementing NGOs are part of the Skills Development and Capacity Building Component. This will be undertaken under the following categories.

a. Project orientation

21. Extended Project Orientation training will be conducted for all professional staff of PMO, DPMO and Implementation NGOs. Orientation training, apart from providing information on the Project and its proposed activities will cover a range of subjects including: (i) customary land rights; (ii) land acquisition and resettlement; (iii) environmental aspects; (iv) SEC people; and (v) training methodology.

22. Project Orientation training will be conducted for: (i) chairmen and members of upazila and union parishad; (ii) mouza headmen; and (iii) members of the community, such as office bearers of para development committees. This training will be confined to the officials and community members of those upazilas, unions, mouzas and villages with which the project will be actively engaged. Orientation training, apart from providing information on the project and its proposed activities will cover a range of subjects including: (i) customary land rights; (ii) land acquisition and resettlement; (iii) environmental aspects; and (iv) SEC people.

23. Preparation of Feasibility Studies and Reports. DPMO and Implementing NGO staff will be training in the preparation of subproject feasibility reports for the community infrastructure and watershed components of the project. This will be at Union level for the community infrastructure component and at sub-watershed level for the watershed management component. In total 85

Unions and 6 sub-watersheds will be covered during the implementation phase.¹ Training will cover:

- The project's participatory methodology
- Preparation of village resource maps (for community infrastructure) and resource and resource degradation maps for watershed management, including use of GPS
- Preparation of social and economic analysis based on gender specific data gathered through a structured questionnaire
- Conducting needs assessment based on focus group discussion held with men and women separately to arrive at a shortlisting of intervention by communities based on project's menu of interventions
- Preparation of social and environmental safeguards screening

b. Orientation on specific components

24. Watershed management. Although piloted in CHTRDP-II, is a very new approach for most of potential implementation partners. Hence both DPMO and INGO staff will require intensive training after completion of the project orientation training.

25. Bio-engineering. The project includes bioengineering interventions for roadside slope management in view of the substantial risk of hill slides and road bank erosion. LGED standard response to such risk are structural interventions. International best practices have demonstrated that 'soft' nature-based, bio-engineering solutions, often in combination with structural interventions, can be equally or more effective and are mostly cheaper. LGED only has a limit menu of bio-engineering options at present, and the project will there introduce a wider range of options. The TRTA Consultant prepared a Bioengineering Manual for this purpose. However, LGED district and subdistrict (upazila) staff will need to be trained to ensure they understand the methodology and are able to apply them in designs for rural roads in the CHT.

c. Safeguards

26. IP safeguards training will include orientation on SEC issues, as well as CHT history and culture. The training program will focus on officials in key institutions including (i) MOCHTA; (ii) CHTRC; (iii) the three HDCs and LGED at district and national levels. Training will also target staff of the Project Director's PMO within CHTRC, DPMOs within each of the three HDCs as well as staff of contracted NGOs. The training package will provide a comprehensive orientation on SEC concerns in development, the relevant safeguards instruments and mechanisms, as well as specific SEC issues in CHT. Training modules will include: (i) orientation on laws, regulations and policies related to SEC in Bangladesh, with a particular focus on CHT; (ii) International Human Rights Instruments and Mechanisms on SEC; (iii) International Safeguards for SEC and their implementation mechanisms, with a particular focus on the ADB Safeguard Policy Statement; (iv) Customary Land Rights and Natural Resources Management of the SEC in Bangladesh, particularly in the CHT; (v) Safeguards for SEC and the application of these safeguards, including good practice and examples from other countries; and (vi) grievance redress mechanism. Training may be conducted at ADB BRM Dhaka if circumstances require so.

27. Land acquisition and resettlement (LAR) training will target a similar group of officials and Project support staff as that for SEC orientation, however different aspects of LAR will be directed

¹ This is in addition to the 3 Unions and 3 sub-watersheds for which Feasibility Reports were prepared during project preparation by the TRTA team.

at officials at different levels – for instance, Dhaka based LGED and MoCHTA officials will receive training on ADB Safeguards and related GoB rules and regulations. Relevant staff of LGED district and upazila office and of the three DPMOs will receive also training in more practical aspects especially Involuntary Resettlement safeguards and voluntary land donation requirements and processes. Trainings will be provided by PMO, with the assistance of ADB BRM and PISC's Land Acquisition Expert and SEC Expert.

28. Environmental safeguards for Project staff will focus on officials (i) MOCHTA; (ii) CHTRC; (iv) the three HDCs, and (iv) LGED at upazila, district, and national levels. Training will also target staff of the Project Director's PMO within CHTRC, DPMOs within each of the three HDCs as well as staff of contracted NGOs. The training will focus on ADB Safeguards and related GoB rules and regulations as well how these are translated in the project context, including the preparation and implementation of EISA and EMPs. Trainings will be provided by PMO, with the assistance of ADB BRM and PISC.

29. Environmental safeguards for contractors will focus on contracted engaged by LGED for the construction of rural roads and bridge subprojects and contractors engaged by PMO/DPMO for the implementation community infrastructure and watershed management subprojects. They will be familiarized with EMP requirements and how these will need to be implemented and monitored. Trainings will be provided by LGED, with the assistance of PISC.

d. Project management

30. Financial management and financial reporting of ADB Projects is a crucial element of project management and it is necessary to satisfy the requirements of both the Government and ADB in this regard. It is proposed to conduct three training sessions. PMO staff will be introduced to the use of a standard accounting package such as Tally.

31. Project monitoring and evaluation Training, to be conducted early in the Project life, will be used to verify already established baseline indicators and put in place mechanisms necessary to effectively monitor project progress against these baseline indicators and in line with the monitoring mechanisms identified in the Project's Design and Monitoring Framework. Training will also extend to progress reporting – specific to the production of the monthly, quarterly and annual progress reports required by ADB and the Government.

32. International study tours aim to build strategic capacities of people in leadership positions in the EA, IAs and related government departments providing essential support to the EA and IAs. By exposing top management of the EA and IAs to international best practices directly relevant to the project, it is expected that they will enhance their capacity to provide leadership during implementation and place the project's objectives in a wider context. Exposure to strategic planning, programme developed, and best practices in environments that are similar to the CHT, are expected to assist leaders to improve visioning and strategic planning. Study tours on regional economic development of hilly regions and watershed management will be key topics for such study tours.

Selection of Trainees

33. Selection criteria for the vocational skills short and longer training courses will include the following parameters:

- In 18-35 age bracket

- Minimum participation of women in all skill training of 30% (but different minimum levels may be set for different courses)
- Minimum participation of SEC of 70%
- Minimum education requirements (to be determined per course in cooperation with course providers)
- Currently not a job holder (as government employee or private sector)
- Living in one of the project villages (rural roads, community infrastructure, watershed management, agriculture production, storage, processing, and marketing)
- Candidates for longer 3- or 6-month formal TVET courses should be graduates of short courses who have demonstrated they have used these skills to be proposed by the PDC and to be confirmed by field staff of the INGO

34. Participants in Capacity building of Implementing Agency staff activities will be selected in close consultation with the concerned agencies (CHTRC, HDCs, PMO, DPMOs, NGOs, LGED).

II. SOCIAL IMPACT ASSESSMENT

A. Background

35. The social assessment and SECP preparation have taken into consideration the following aspects of the project affected SEC ties to land, forests, water, wildlife, and other natural resources:

- SEC customary/traditional ties to ancestral domains and natural resources.

36. More than half of the SEC's population depends on their traditional lands for their livelihoods. Since the late 19th century SEC's access to forest has been limited by the creation of Reserve Forest and Protected Forest which are defined as State property to which SEC do not have access. The remaining lands consist of hill land on which jhum, shifting cultivation, is practiced, and valley 'plough' land in which sedentary agriculture is practiced as well as Village Common Forests (VCFs) which are governed and managed by SEC communities themselves. In the CHT customary land rights are administered by the traditional administrative structure codified in the CHT Regulations of 1900 (popularly called the CHT Manual) . This defines the region's administrative framework, revenue collection, power and authority of the traditional institutions (e.g., Circle Chief and Headmen) and justice system including the 'tribal justice' system. The CHT Regulations were amended several times, but they remain a key reference.

37. The customary structure governs land allocation and usage, and the community decides upon the modalities for land conservation and use. This includes the identification of certain areas as common lands. Dispute resolution is within the mandate of the indigenous administration. Individual land rights extend to the land required for specific agriculture and/or domestic purposes, while the rest of the surrounding hills, fields and rivers belong to the community. Individual land rights include the right to a particular *jhum*; the right to sufficient land for a home, the right to extract resources including forest produce, the right to hunt and fish, and the right to graze cattle on common lands. The community has the responsibility for resource-conservation within these areas, with the ultimate responsibility resting on the Headman.

38. Under the CHT Manual (1900), the Headman is a key authority/institution at the mouza level on land and revenue administration in the CHT. Headmen are comparable to the tehsildar

in the plains.² There are in total 378 mouzas in the CHT with a headman having one or more mouzas. For land titles and land acquisition, the headmen are the first contact, authority and primary official for revenue collection. Their main authority and responsibility include collecting land revenue, keeping land records, and aiding in land disputes. In matters of settlement, transfer, purchase or sale of landed property, the headman's consent is required. The Circle Chief, under the CHT Manual (1900), is the traditional apex of a hereditary chieftainship system. They were first incorporated in the formal government structure by the British in the latter part of 19th century. Considered 'custodian and repository' of the traditional value system of the SEC, they hold primary authority in the land and revenue administration and traditional justice system. The Circle Chiefs have the authority over headmen and the traditional institutions. Their authority is recognized by law and plays a pivotal role in both the land acquisition and titling process.

39. The customary land rights in the CHT are based on traditional occupations, with the land and its resources providing the enabling environment for subsistence activities. The land provides the material base for the enjoyment of their cultural rights, and their right to a separate identity as a distinct people. Customary land rights are conceptualized within the framework of a separate legal regime, distinct from that of the rest of the country. It is inherent and inalienable and is conceptualized within the framework of customary rights. The concept of land rights for the hill people is inextricably linked to collective rights. It is based on customs and usages and is held in common by the community as a whole, i.e., such rights are common rights. The modalities for land allocation are governed by customary practices and usage, and the community decides upon the modalities for land conservation and use. This includes the identification of certain areas as common lands, e.g. grazing grounds etc. Forest and surrounding areas are accessible to all. If any disputes should arise, the matter is placed before the headman/woman, and sometimes, an informal council of elders. Dispute resolution is within the mandate of the indigenous administration.

40. The concept of shared use is significant in this context. Although individual families have exclusive rights to specific areas such as houses and immediate surrounding areas, the community as a whole shares the right of access and use to the common lands which are the collective property of the entire community. The community has the responsibility for resource-conservation within these areas, with the ultimate responsibility resting on the Headman.

41. Individual land rights extend to the land required for specific agriculture and/or domestic purposes, while the rest of the surrounding hills, fields and rivers belongs to the community, individual land rights include the right to a particular jhum; the right to sufficient land for a home, the right to extract resources including forest produce, the right to hunt and fish, and the right to graze cattle on common lands. However, once a specific allotment is no longer in use or occupied by an individual, (e.g., an old jhum, or abandoned house), then the land reverts to the community. Thus, although individual land rights do exist in the CHT, the indigenous Jhummas have the inherent communal right to their customary lands, (i.e., a collective right). It is the community which owns the land, with individuals having specific rights of use, possession and title, like the concept of private property rights. It is tenancy arrangements, with ownership rights accruing to the indigenous peoples, vested in the persona of their traditional leaders, the Rajas.

42. Output 4 is concerned with non-farm skills training and does not include training programmes which are land based or will affect SEC land rights.

² Local revenue collector, at teshil level, Lowest union-level revenue unit comprising several mouza.

ii. Broad community support.

43. Output 4 will secure consent of affected SEC for all interventions through meaningful consultation. All facets of the development cycle from planning, implementation, monitoring, and evaluation will ensure that consultation and SEC engagement is free from coercion or manipulation and conducted with proper disclosure of information and in a culturally sensitive and socially appropriate manner. The SECP ensures that BCS will be conducted according to ADB SPS 2009 standards:

- a. Consultations begin early in the project preparation stage and will be carried out on an ongoing basis throughout the project cycle.
- b. Relevant and adequate information is disclosed in a timely manner and in a form understandable and readily accessible to affected SEC.
- c. The consultations are undertaken in an atmosphere free of intimidation and coercion.
- d. The process is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups.
- e. The process enables the incorporation of all relevant views of affected SEC and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
- f. Appropriate SEC representatives are identified.
- g. Methods used are appropriate to social and cultural values.
- h. Ultimately, a certificate signed by the headmen/karbaris to give its consent together with the BCS documentation will be secured before start of project implementation. The certificate from the karbaris together with the BCS documentation will be attached in this SECP. The BCS documentation template will also be used to record all consultations to be conducted in the future. The BCS documentation template is attached in Annex G.

44. After receiving community support/consent, the PMO will provide documentation detailing the process and outcomes of consultation with SEC and/ SEC organizations, including findings of social assessment, consultation briefs, additional measures (including subproject design modification that may be required for mitigating adverse impacts), and content of formal agreement with SEC and/ or SEC organizations. The PMO will submit all these documentation for review to ADB for investigation of broad community support. If investigation does not confirm community support, the subproject will be dropped for development under the project.

iii. Situation and concerns of women and youth in SEC.

45. Bangladesh is a country of cultural and ethnic diversity, with over 54 tribes, minor races, ethnic sects, and communities speaking at least 35 languages, along with the majority Bengali population. According to the 2011 census³, the country's tribes, minor races, ethnic sects and communities' population numbered 1,586,141⁴ which represented 1.8% of the total population. Representatives of tribes, minor races, ethnic sects, and communities in the country, however, claim that their population stands at some 5 million.⁵ According to 2011 Census, 53% of SEC reside in the three Hill Districts of the CHT, see table 1.⁶

³ The most recent detailed demographic data are for 2011 only, the year the last Census was conducted. The 2021 Census had to be postponed due to the Covid-19.

⁴ Bangladesh Bureau of Statistics. "Population and housing census 2011." p. 3. Government of the Peoples Republic of Bangladesh, 2011.

⁵ Barkat, Abul. "Political Economy of Unpeopling of Indigenous Peoples: The Case of Bangladesh." Paper presented at the 19th biennial conference, Bangladesh Economic Association, Dhaka, 8-10 January 2015.

⁶ Bangladesh Bureau of Statistics, 2020. *Statistical Yearbook Bangladesh 2019*, 39th edition.

Table 1: SEC Population in Bangladesh and CHT, 2011

Total Population	Total SEC Population	SEC % Population	SEC Population in CHT	SEC % in CHT
144,043,697	1,586,141	1.10%	845,541	53%

Source: Bangladesh Bureau of Statistics, 2020

46. Table 2 gives the breakdown of the SEC and non-SEC population for each of the three Hill districts, showing that the percentage of SEC is highest in Rangamati and lowest in Bandarban. It is generally assumed that the percentage of the Bengali population has further increased during the past decade due to continued spontaneous migration into the CHT, however, there are no confirmed statistical data as the 2021 census was postponed due to the Covid-19 pandemic.

Table 2. Demographic Composition (SEC and non-SEC) in three Hill Districts, 2011

District	Total Population	SEC Population	Non-SEC Population	% of IP Population
Bandarban	388,335	172,401	215,934	44%
Khagrachari	613,917	316,987	296,930	52%
Rangamati	595,979	356,153	239,826	60%
Total	1,598,231	845,541	752,690	53%

Source: Bangladesh Bureau of Statistics, 2020

47. Prior to 1960, SEC made up more than 90% of the CHT population. Following the importation of labor for the construction of Kaptai Dam in the late 1950s and subsequent transmigration programs to settle Bengali people from the mainland to CHT, the SEC portion of the population has declined to its present level of around 50%. Thus, the ethnic composition of CHT has been profoundly transformed during the second half of the twentieth century. There are thirteen ethnicities living in CHT of which 11 groups are considered Indigenous to the CHT as per the 1997 CHT Accord. The other two (Santal and Bengalis) are considered to have migrated from the plains to the CHT. The 11 ethnic multi-lingual minorities considered Indigenous to the CHT are: Bawm, Chak, Chakma, Khyang, Khumi, Lushai, Marma, Mro, Pankhua, Tanchangya, and Tripura. They each have their own unique language, culture, and heritage. The largest SEC in the CHT are the Chakma, Marma, and Tripura. Together they make up close to 90 percent of the SEC population of the region (Table 3). The smaller groups are generally more vulnerable than the larger ones.

48. Table 3: Distribution of Larger and Smaller SEC

	Large SEC Groups	
1	Chakma	50.49%

2	Marma	22.99%
3	Tripura	15.82%
CHTRDP-II Prioritized Small SEC Groups		
4	Mro	4.49%
5	Tanchangya	3.40%
6	Bawm	1.46%
7	Pankhua	0.27%
8	Chak	0.29%
9	Khyang	0.45%
10	Khumi	0.21%
11	Lushai	0.12%

49. Source: ADB TA 7432-BAN, Final Report, Supplementary Appendix D: Indigenous Peoples Plan (IPP), September 2011, pp 18.

50. SEC are also characterized by differences in religious faith and practices. The Buddhists have historically constituted the majority religious group in the CHT, with much smaller numbers of Hindus, Christians, and worshippers of nature.

51. In addition to the ethnicity, in terms of occupation, the secondary preferences to the SEC communities are shopkeeping, weaving, services, etc. From the two surveys conducted by the TRTA teams, it becomes clear there very few occupations outside the agricultural sector are open for rural households. The findings in terms of non-agricultural occupations are in table below:

Table 4: Non-agricultural occupations

Secondary occupations	Khagrachari		Bandarban		Rangamati		Total	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Shopkeeper	58	18.89	18	40.00	55	34.81	131	25.69
Artisans – bamboo works	9	2.93	6	13.33	15	9.49	30	5.88
Government service holders / private employees	69	22.48	17	37.78	56	35.44	142	27.84
Weavers	25	8.14	0	0.00	5	3.16	30	5.88
Garment workers	139	45.28	4	8.89	24	15.19	167	32.75
Others specify – carpenters, village doctor	7	2.28	0	0.00	3	1.90	10	1.96
Sub-total	307	100.00	45	100.00	158	100.00	510	100.00

Source: TRTA consultant assessment

B. Legal and Institutional Framework

52. The SECPF provides guidance on the screening and categorization, assessment, planning, legal framework, institutional arrangements, and other processes to be followed for identified components, subprojects and interventions during project implementation. The SECPF combines the relevant legal framework and procedures for dealing with SEC in Bangladesh and related safeguards stipulated in the ADB's Safeguards Policy Statement (SPS), 2009 to ensure compliance with the standards found in both policies. The SECPF is built on the IPPF prepared for the CHTRDP-I and CHTRDP-II.

53. The national laws of Bangladesh include policies that recognize the rights of indigenous peoples to pursue their own economic, social, and cultural development. The ADB IP safeguards are intended to “ensure projects are designed and implemented in a way that fosters full respect for indigenous peoples’ identity, dignity, human rights, livelihood systems, and cultural uniqueness as they define them.” The SECPF incorporates principles from both Bangladesh national laws and the ADB SPS 2009.

1. ADB’s Safeguard Policy Statement 2009

54. ADB’s safeguard policy framework consists of three operational policies on the environment, involuntary resettlement (IR) and Indigenous Peoples (IP) safeguards. These are accompanied by Operations Manual sections of which one is on IP safeguards. The ADB safeguard policies involve a structured process of impact assessment, planning, and mitigation to address the adverse effects of projects throughout the project cycle. The safeguard policies require that (i) impacts are identified and assessed early in the project cycle; (ii) plans to avoid, minimize, mitigate, or compensate for the potential adverse impacts are developed and implemented; and (iii) affected people are informed and consulted during project preparation and implementation. The policies apply to all ADB-financed projects and to all project components.

55. A basic principle of the ADB safeguard policies is that implementation of the provisions of the policies is the responsibility of the borrower/client. Borrowers/clients are required to undertake social and environmental assessments, carry out consultations with affected people and communities, prepare and implement safeguard plans, monitor the implementation of these plans, and prepare and submit monitoring reports. ADB’s role is to explain policy requirements to borrowers/clients, help borrowers/clients meet those requirements during project processing and implementation through capacity-building programs, ensure due diligence and review and provide monitoring and supervision. ADB staff, through their due diligence, review, and supervision, will ensure that borrowers/clients comply with these requirements during project preparation and implementation. ADB’s Safeguard Requirements 3 is concerned with Indigenous Peoples.⁷

56. The Objects of the ADB IP Safeguard Policy is to design and implement projects in a way that fosters full respect for Indigenous Peoples’ identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts because of projects, and (iii) can participate actively in projects that affect them. The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be considered. A group that has lost

⁷ SPS 2009, Appendix 3

collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage under this policy.

ADB's IP Safeguard Policy has nine Policy Principles:

1. Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.
2. Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples 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 intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.
3. Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) 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 (ii) in tailoring project benefits for affected Indigenous Peoples 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 Indigenous Peoples' concerns.
4. Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) 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 Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous 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.
5. 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 Indigenous Peoples 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.
6. Prepare an Indigenous Peoples plan (IPP) 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 Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected 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.

7. 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.

8. 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 Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.

9. 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. Bangladesh's Legal Framework related Small Ethnic Communities

57. The Constitution of Bangladesh. The constitution guarantees equal rights and equality before law of its citizens (Article 27). It does not use the term "indigenous peoples" but instead identifies "tribes, minor races, ethnic sects and communities" (Article 23A), and obliges the State to protect and develop their unique local culture and traditions. On citizenship, however, the Constitution identifies all the people of Bangladesh as "Bangalees" (Article 6.2). Nevertheless, the Constitution also identifies particularly disadvantaged sections of the population – those referred to as "backward sections" – for special provisions that include protection from all forms of exploitation (Article 14); outlawing of discrimination on grounds of religion, race, caste, sex or place of birth (Article 28); and equality of opportunity in public employment, while enabling the State to make special provisions to ensure adequate representation of these sections of the population (Article 29).⁸ These provisions protect those affirmative acts of the state that might otherwise amount to discrimination.⁹

58. Laws applied to SEC in the plains. Several laws relevant to the tribes, minor races, ethnic sects, and communities geographically define their scope of application (i.e., they are applicable to the plains or the CHT).¹⁶ In the case of the plains, the first law is applicable to the plains only, while the others now apply to all SECs in the country:

- **East Bengal State Acquisition and Tenancy Act, 1950 (Act XXVIII of 1950).** This restricts the transfer of land of "aboriginal castes and tribes" to non-aboriginals.
- Other laws that have implications for SEC in the plains include the Drugs and Alcoholic Substances Control Act, 1990 (Act XX of 1990); the Forest Act of 1927 (Act XVI of 1927); and the Social Forestry Rules of 2004. To be specific:

⁸ For more details: Bangladesh's Constitution of 1972, Reinstated in 1986, with Amendments through 2014. constituteproject.org.

⁹ The Chittagong Hill Tracts Accord was signed in reference to these two Articles of the Constitution.

- **Narcotics and Alcoholic Substances Control Act-1990.** Section 11 of this Act prohibits consumption of alcohol without permission but allows SEC to consume traditionally produced alcohol.
- **The Forest Act-2019 (amendment of Forest Act 1927).** Section 10 deals with claims relating to the practice of shifting cultivation. It stipulates that the practice of shifting cultivation shall in all cases Government will be entitled to control, restrict or abolish the practice. Furthermore, there is a provision in section 93 that “The traditional and customary rights of the ethnic minorities can be reserved under this law”.
- **The Social Forestry Rules-2004.** There is a provision in section 26 of this law of forming a national consultation forum which will include an SEC representative. Section 20 of the rules include a provision for local people to participate in social forestry and claim a profit up to 15%, but this doesn’t refer to SEC specifically.

59. Vested Property (Return) Act, 2011. This Act enables the return of land and property seized from both the Hindu minority and tribes, minor races, ethnic sects, and communities over the last four decades.¹⁰

The Project may encroach on individual or common land of tribes, minor races, ethnic sects, and communities. The principal legal instrument governing land acquisition in Bangladesh is the “Acquisition and Requisition of Immovable Property Act of 2017” (ARIPA 2017). As discussed in the Resettlement Framework (RF) of the Project ARIPA 2017 does not pertain to the CHT. In 2018 the President issued the “Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance”. This ordinance recognizes the customary land rights of tribes, minor races, ethnic sects, and communities. And the compensation rates have been now made equivalent to registered land, which is 200% premium on top of recorded rates to be provided as compensation as Cash Compensation by Law (CCL).

60. Therefore, under the project’s RF and SECPF, recognizable claims to land are those having (i) customary ownership or (ii) possess any other legal document to establish ownership. In addition to its domestic laws, Bangladesh is also signatory to most of the major international human rights instruments which are either directly or indirectly relevant to the rights of the tribal/ indigenous peoples. Furthermore, Bangladesh is signatory to the ILO Convention 107 on Tribal Populations although it is yet to ratify the other important ILO convention on tribal peoples, Convention No. 169 of 1989. It is also one of the select few countries to abstain from voting on the UN Declaration on the Rights of the Indigenous Peoples (UNDRIP) in 2007. Table 2 provides an overview of international treaties related to SEC and the year Bangladesh has ratified these. The Government of Bangladesh has embarked on its 8th Five-Year Plan (8FYP) for the period of FY2021 – FY2025 with the theme of “Promoting Prosperity and Fostering Inclusiveness”. Unlike the previous government’s five-year plans, this time several intentions have been included for the development of the country’s ethnic minorities and the CHT.

61. The 8FYP highlights the vulnerable situation of tribes, minor races, ethnic sects, and communities by referring to the more than 1.6 million people of ethnic communities who live in Bangladesh according to the Population Census 2011.¹¹ According to the analysis of the 8FYP, the ethnic communities in Bangladesh are deprived of economic, social, cultural, and political

¹⁰ For more details: Human Rights Report 2012 on Indigenous Peoples in Bangladesh. Kapaeeng Foundation, 10 January 2013.

¹¹ The 2021 Census was postponed due to the Covid-19 pandemic. As there are hardly any reliable demographic data collected after 2011, this report frequently resorts to the 2011 Census.

rights. The 8FYP presents the major problems faced by all ethnic minorities and the inadequacy of policies to protect the ethnic people.¹²

62. The 8FYP specifically aims to reduce poverty in lagging regions, and in this regard mentions that the CHT is “one of the most disadvantaged and vulnerable regions in the country in terms of almost all major development indicators” and that it “exhibits a large concentration of poor people, with two of the three districts in the CHT [Bandarban and Khagrachari] showing poverty in the 53-63 percentage range, which is more than twice the national average.” In response to this the 8FYP proposes interventions for lagging regions, including: spending on: infrastructure needs, irrigation, agriculture extension, growth of non-farm rural enterprises, support for marketing services, greater access to lab or training programs, strengthening partnerships with NGOs and CBOs in delivering relevant local services, and conducting in-depth district-level poverty assessments. the Plan’s chapter on social inclusion also includes the following measures to be promoted for the CHT specifically: empowerment of ethnic communities, income generating activities, marketing infrastructure, strengthening vocational and social skills, promoting sustainable development, mitigating climate related challenges, and strengthening the implementation capacity of local institutions, such as the CHTRC and HDCs.

Table 5. Bangladesh and SEC related International Treaties and Conventions

SL	Name of the Treaties/Conventions	Year of Adoption by UN	Year of Ratification by Bangladesh
1.	International Convention on the Elimination of All Forms of Racial Discrimination	1965	1979
2.	International Covenant on Civil and Political Rights	1966	2000
3.	International Covenant on Economic, Social and Cultural Rights	1966	1998
4.	Convention on the Elimination of All Forms of Discrimination against Women	1979	1984
5.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1984	1998
6.	Convention on the Rights of the Child	1989	1990
7.	Convention on Biological Diversity	1993	1994
8.	ILO Conventions No. 107 on Indigenous & Tribal Populations	1957	1972
9.	Convention on the Rights of Persons with Disabilities	2007	2008
10.	United Nations Declaration on the Rights of Indigenous Peoples	2007	Abstention
11.	ILO Conventions No. 169 on Indigenous & Tribal Populations	1989	Yet to ratify

3. Harmonization with ADB’s Policy

63. The following individuals and communities will be treated as SEC under the Project:
- self-identification as members of a distinct tribe, minor race, ethnic sect and communities/cultural group and recognition of this identity by others;
 - collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;

¹² Bangladesh Planning Commission. Ministry of Planning. Government of the People’s Republic of Bangladesh. “8th Five Year Plan FY2021 - FY2025: Promoting Prosperity and Fostering Inclusiveness.” 2020, p 765

- iii. customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture;
- iv. a distinct language, often different from the official language of the country or region.

64. The SEC related ADB policies are more specific and detailed than those in Bangladesh law. The Project will adhere to the more specific ADB safeguards. Primarily, ADB SPS (2009) includes (i) culturally appropriate measures, (ii) the requirement to ensure consent or broad community support from SEC, and (iii) community consultation, preparation, disclosure, implementation, and monitoring of the SECPs. All three will be applied in this Project.

65. In any of the project's subprojects where land acquisition and/ or resettlement of SEC becomes unavoidable, the Project's RF, and RPs will be applied. In case of any subproject to have impact on customary land, assets, access and impact on SEC culture or livelihood, a SECP is to be prepared to address culturally appropriate additional needs that may not be adequately addressed through a RP. The guiding principle is that the need for land acquisition and resettlement will be avoided as much as possible (see RF for details). Where this is unavoidable, mitigation measures will be ensured. In all cases, but particularly in the case of tribes, minor races, ethnic sects and communities, the mitigation measures will be culturally sensitive to the affected community. Under the RF as well as under this SECPF recognizable claims to land are those having (i) customary ownership or (ii) possess any other legal document to establish ownership.

4. The CHT Institutional Framework¹³

66. Historically, CHT had largely been a self-governed independent territory until its annexation to the then province of Bengal in 1860 by the British. The Chittagong Hill Tracts Regulation of 1900, enacted by the British, declared the CHT as an 'excluded area' prohibiting settlement of and purchase of land by, persons of non-indigenous origin in the SEC territory.¹⁴ In the constitutional amendment of Pakistan in 1962, the CHT was re-designated as 'tribal area' and the SEC could no longer exercise substantive autonomy as in earlier decades. Even after numerous amendments of the CHT Regulation of 1900, this law forms the basis of legal and administrative systems of the region.

67. The rights of the SEC of the CHT were progressively curbed by successive governments under the rules of Britain, India, Pakistan, and sovereign Bangladesh after its independence in 1971. Since the mid-50s, the SEC of the CHT have been displaced from their ancestral lands, firstly due to the Kaptai Hydroelectric Project (inundating 22,000 hectares of cultivable land and displacing more than 100,000 SEC, mainly Chakma), and later due to series of massive state-sponsored transmigration of settlers (around 400,000 persons) from the plains from 1979-1985. It led to an armed uprising for autonomy and the rights of SEC which had seen a two-decade long armed conflict which ended by signing of the CHT Accord in 1997 between then Bangladesh ruling government party and the SEC' political party PCJSS. The Accord formally recognized CHT as a 'tribal-inhabited area' and re-established partial autonomous self-government system.

68. The CHT has pluralistic legal and administrative system. While the region is comprised of three formal administrative boundaries, i.e. the districts (followed by smaller tiers of units of *upazillas*, unions and villages), it is also divided into three tiered traditional administrative

¹³ This section draws strongly on ADB 2011, Supplementary Appendix E, Institutional Assessment and Institutional Recommendations and Capacity Building, ADB TA 7432-BAN, September 2011.

¹⁴ *Compendium on National and International Laws & Indigenous Peoples in Bangladesh*, 2010, compiled by R. D. Roy, P. Chakma & S. Lira, pp 15-18.

boundaries termed 'Circle' headed by the Circle Chiefs (traditionally known as Raja/King). Circles are comprised of a few *mouzas* (smaller administrative unit headed by a Headman) each of which are comprised of *paras* (smallest administrative unit at village level) headed by a karbari. In this arrangement, "administrative authority in the region is shared by the central government through its district and sub-district officers, the traditional institutions of the chiefs, headmen and karbaris, and elected councils at the district and regional levels. All these institutions are supervised by the Ministry of Chittagong Hill Tracts Affairs.

69. The formal, national institutional governance arrangements for CHT are like those elsewhere in Bangladesh where the institutional set up for development intervention consists of bodies of elected people's representatives at three levels: (i) union councils; (ii) upazilla councils; and (iii) national parliament. Implementing line agencies exist at each level. Away from the CHT, agencies are coordinated at the upazilla level by the upazilla Executive Officer (UNO), at District level by the Deputy Commissioner (DC) and at national level by Cabinet. The upazilla is the lowest level in the administrative structure while the Union Council is the lowest tier in the local Government system. Upazilla and District Councils existed until 1991 when they were discontinued. Elected upazilla councils were reintroduced in 2009 but there is still no elected body at the district level.

70. In CHT there are three districts, 26 upazillas, 122 Unions, 379 Mouzas and 4,811 *para* or villages. The area of each of these units is up to four times greater than those in the rest of the country. The population of these units, however, is 3 to 6 times smaller than that of equivalent units in rest of Bangladesh. Mouzas is the exception as they are up to 15 times larger and have more inhabitants than an average mouza on the plains.¹⁵

Customary Institutions

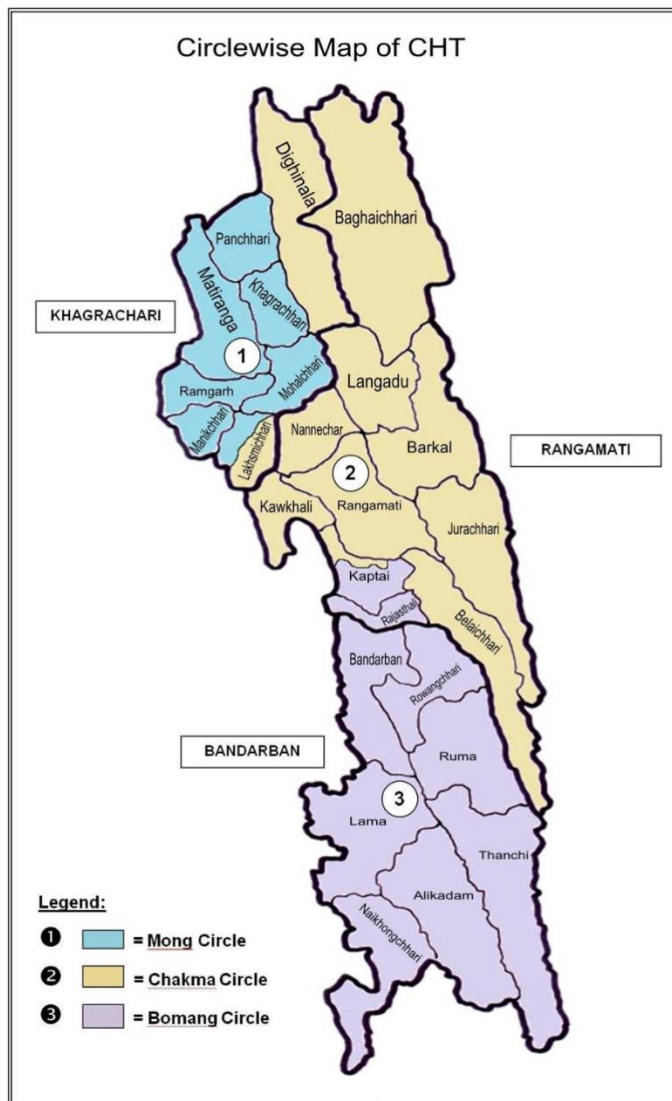
71. The three 'circles' are the Chakma Circle, the Bohmong Circle, and the Mong Circle. The chiefs, headmen and karbaries receive a small monthly honorarium from the government. In addition, the chiefs and headmen are entitled to retain a fixed percentage of the taxes on land, prior to submitting the Government's share of the tax in the national treasury. Apart from this, they receive no support for their office management from the Government.

72. The Chiefs and the Headmen perform very useful functions and are held in very high esteem by members of the ethnic communities. The Circle Chief system works for the protection of the minorities and there are three Circle Chiefs (roughly coincident with each of the CHT districts). The Bohmong Circle includes areas from Rangamati District; Chakma Circle has areas in Khagrachari District under its rule; and Mong Circle is wholly within Khagrachari District.¹⁶ Figure 1 show the three Circles territory.

Figure 1. Chakma, Mong and Bohmong Circles of the CHT

¹⁵ This is based on population figures of 2011. There has been no census since then and there are also no other reliable updated demographic data. However, there are no indications that these proportions have substantially changed over the last decade.

¹⁶ Based on ADB 2011, Supplementary Appendix D, ADB TA 7432-BAN, p. 23, for a more detailed discussion of these traditional institutions see the same pp.23-27.



52.

73. Para Development Council (PDC) have been established by the UNDP-CHTDF Project in the 2000s to bridge the gap between the lowest level of administration, the Union, and the actual habitations of people, paras, which in the CHT are mostly small villages with populations from a few households to several hundreds, but mostly will be particularly useful to support Project activities. The previous CHTRDP-projects used the PDCs to anchor its community infrastructure interventions.

74. Village Common Forests (VCF) is based on the CHT Regulation, 1900, which mandated Mouza headmen to manage Mauza Reserves as one of the categories of untitled customary lands. The headman for example was empowered to prohibit the removal of forest produce other than for domestic use. The NGO Taungya, with support from DANIDA, used this legal basis recently to strengthen the protection and management of VCFs, making the management of VCFs more structured, through elected committees, including women.²⁰ VCFs have become increasingly recognized, and UNDP with USAID support has been investing in further capacity development over the last few years.

75. Another The most important category of community-managed forests is the mouza forest commons or village common forests (VCFs). Traditionally, every village had a parcel of land (some as big as several thousands of hectares) earmarked for domestic uses (and never commercial) of its produce, such as timber, fruits, and bamboos. These are mostly small (average 50-300 acres), consisting of naturally grown or regenerated vegetation. Once every village used to have 'common forest', but they are rapidly vanishing. They are traditionally managed, protected and utilized by village communities under the leadership of the mouza Headmen and village karbaries (traditional elders). Under the laws specific to the CHT, the Headmen is responsible for USF maintenance and nurturance. The VCF are technically part of the USFs, but should be considered a separate category.

CHT Specific Institutions

76. Similar to national level agencies and local councils (upazilla and unions) and upazilla level agencies that exist elsewhere, there exists a CHT specific hierarchy of institutions. These are:

- iv. Ministry of CHT Affairs (MoCHTA)
- v. CHT Regional Council (CHTRC)
- vi. CHT Development Board (CHTDB)
- vii. Hill District Councils (HDCs)

i. Ministry of Chittagong Hill Tracts Affairs (MoCHTA)

77. After the signing of the CHT Accord (also known as the "Peace Accord") in December 1997, the Government established MoCHTA in mid-1998. The creation of MoCHTA was seen as evidence of the realization by the Government of the special importance and needs for accelerating the socio-economic development of the inhabitants of the CHT region in general and the SEC in particular. This was a positive and progressive step taken by the Government, which reflected appreciation of the hopes and aspirations of the indigenous people of the region.

78. MoCHTA is the apex institution concerning national level decision making for the CHT. It coordinates the functions of CHTRC, CHTDB, and the three HDCs and has a broad mandate covering legal, administrative, developmental, and financial matters pertaining to the region. Upon receipt of funds from the Ministry of Finance, it allocates them to several of the CHT institutions except the district level offices of the line ministries (which go directly from the line ministry concerned). MoCHTA allocates the annual development program (ADP) funds for CHTRC, CHTDB and the three HDCs. These funds are dispersed in response to the funding requests from these institutions. MoCHTA vets all CHT project proposals of other ministries and other Government agencies before they are approved by the Ministries of Planning and Finance. MoCHTA is Dhaka based and has no separate physical presence in CHT. The present arrangements (2022) are that the Prime Minister is the cabinet minister and the Member of Parliament (MP) from Bandarban is the Minister of State.

ii. Chittagong Hill Tracts Regional Council

79. The CHTRC is the apex regional institution in the CHT. Ultimately, CHTRC is to be indirectly elected by an electoral college consisting of the members of the three HDCs, both indigenous and Bengali. There has, however, been no election to the council since its inception in 1998. Pending elections, CHTRC is composed of an interim council with Government nominees. CHTRC was established by the Government through an Act of Parliament passed in May 1998 (Act no. 12 of 1998). The Act responded to the Government view at the time that:

- i. CHT were inhabited by underdeveloped "tribal" people

- ii. special arrangements were essential for development of the underdeveloped region
- iii. it was necessary to speed up political, social, cultural, educational, and economic development and to uphold the socio-political rights of all CHT people including the “tribal” inhabitants
- iv. an Agreement was entered into between the National Committee on CHT Affairs and the PCJSS on 2 December 1997; and
- v. it was desirable and essential to establish, as part of implementation of the Agreement, a regional council for the purpose of coordination of the activities of the three HDCs and for performing other related activities.

80. The most important CHTRC functions are of a supervisory nature, involving oversight authority over the HDCs, general administration and law and order (this would theoretically include the Deputy Commissioners and Upazilla Nirbahi Officers (UNOs)), development, NGO activities, local government councils, including (urban) municipalities, tribal traditions and practices, and heavy industries, among others.¹⁸ However, despite the legal provisions, the CHTRC has not been able to exercise its supervisory authority over the Deputy Commissioner, UNOs and upazilla, union and municipal councils. Similarly, MoCHTA has not exercised direct authority over these institutions despite inclusion of the matter in the Rules of Business of the Ministry.

81. CHTRC is expected to: (i) be consulted by the Government on legislation affecting CHT; (ii) advise the Government to remove, through legislation, inconsistencies between the HDC Acts of 1989 and the CHT Regulation 1900 and other laws and regulations; and (iii) advise the Government to amend any law that hinders the CHT development or is otherwise harmful to the interests of the tribal peoples. CHTRC's main source of funds is grants from the Government (through MoCHTA). Although CHTRC is also entitled to a share of the income of the three HDCs, this arrangement is yet to take place. Unlike the HDCs and CHTDB, CHTRC does not directly implement development or other projects, hence, the bulk of its budget is composed of funds for the salaries of its members and staff, travel costs, maintenance of its office, vehicles, and other logistical matters.

82. Since its establishment, the composition of CHTRC has remained unchanged – the same individuals continue to assume their responsibilities, and this includes the chairman.¹⁷ Only the chairmen of the three HDCs who are ex officio members have been changed.

iii. Chittagong Hill Tracts Development Board (CHTDB)

83. The CHTDB predates the Peace Accord. It was established as an autonomous body in 1976 with the mandate of undertaking region wide development programs and projects. As per the Peace Accord and the CHTRC Act, the CHTDB was assumed to be under the control of the CHTRC as an organ for socio-economic development of the region. This, however, is still to occur and the Board functions under the direct jurisdiction of MoCHTA. Of the CHT specific institutions within the CHT itself, CHTDB is the largest institution in terms of budget and manpower.

84. The chairman and other senior officials of CHTDB, including its vice chairman, are appointed by the Government. While previous chairpersons were either from the military, MPs, or civil servants, the current chairman is a common citizen with the rank of Secretary. This is in line with the CHT Accord of 1997, which states that preference will be given to an IP for appointment as chairman. The CHTDB Ordinance of 1976, provides for a consultative committee that includes

¹⁷ See ADB 2011, Final Report, Supplementary Appendix E, p. 8-9 for details on the membership of the CHTRC.

the three circle chiefs and representatives of union council chairmen and mauza headmen, and other public representatives. The representatives of the chairmen, headmen and others, apart from the chiefs (whose involvement is ex-officio), are nominated by the chairman of the CHTDB. The consultative committee meets every few months to vet project proposals, which are generally submitted through the Deputy Commissioners.

Many CHTDB projects, with a correspondingly large percentage of funds, involve physical infrastructure, including roads, buildings and dams. A far smaller number of projects (also with a smaller budget) are concerned with horticulture (orange and coffee plantations) and rubber plantations, water supply and sanitation, renewable energy and a yet smaller number with commensurately smaller budgets are involved in human development and technical training including supported by development partners.

85. CHTDB has no direct role in natural resource management. However, it runs a few projects on rubber cultivation, horticulture, and agro-forestry. It is expected to be the implementing agency of a Food and Agriculture Organization (FAO) project to be financed by the Adaptation Fund with the Ministry of Environment, Forest and Climate Change. This project focus on developing watershed management plans, forest and landscape restoration, and landslide early warning systems. It is likely to start late 2023 or early 2024. Therefore, the cooperation of the CHTDB could add synergy to the Watershed Management and Agriculture Value Chain components. At the least, close coordination will be required to avoid overlap and duplication.

iv. Hill District Councils (HDC)

86. The Chittagong Hill District Councils (HDC), previously known as Hill District Local Government Councils, were established by the Acts of Bangladesh Parliament in 1989 for the three Hill Districts (Act. No. 19 for Rangamati, Act No. 20 for Khagrachari and Act No. 21 for Bandarban). Creation of such institutions recognized the fact that these districts are a special area inhabited by different under-developed ethnic groups and it was considered desirable and necessary to make legal provisions for establishing the Councils for political, social, cultural, educational, and economic development of all citizens of the region including the indigenous population. The three HDCs are the most important administration and development related public institutions in the CHT. Each is headed by a chairman, who by law, must be from a SEC.

87. When the first councils took office in 1989 after elections, they consisted of one chairman each (a SEC) and thirty-three other members (two-thirds from SECs and one-third Bengali), including three women (two from SECs and one Bengali). In the future, when elections are held again for these councils, the same composition will be retained. However, no elections have been held since 1989, and instead interim councils were appointed by the Government. The interim councils are each composed of an SEC chairman, three SEC members and one Bengali member.

88. The Acts provide that the chairmen and the members of the three HDCs shall be elected by direct votes of the people with the chairmen being elected from the SECs. The chairmen have the rank, status, and the privileges of a Deputy Minister of the Government. However, no elections have been held since 1990, due to the unsettled issue of permanent voter list tied to 'permanent resident status' of the Bengali inhabitants. Meanwhile, an interim council continues to function with a chairman and four members, all nominated by the Government.

89. Considering the Agreement between the National Committee on CHT signed on December 2, 1997, some amendments were made to the three Acts in 1998 to implement several terms of the Agreement. The amended Acts made provision for three seats for women in each of the three Hill District Councils with one of these three seats reserved for non-IP. The tenure of

the Hill District Councils was increased from three years to five years with the amendment. There have been no further amendments to the act in recent years.

90. The Act lists 33 functions of the HDCs. Those relevant to the Project are: supervision, maintenance and improvement of law and order of the district through the police, and in the settlement of disputes related to social, cultural, and ethnic affairs according to tribal customs and practices

- (i) coordination of development activities of the local authorities of the district; review of implementation of their development projects and audit their accounts providing them with assistance, co-operation, and encouragement
- (ii) education (mainly primary education and adult education)
- (iii) public health
- (iv) agriculture and forestry
- (v) livestock development
- (vi) fisheries
- (vii) cooperatives
- (viii) construction, maintenance and development of roads, culverts and bridges which are not the responsibility of the government or any local authorities
- (ix) management of ferries not maintained by Government or any local authority
- (x) implementation of development plans entrusted to the HDCs by the Government
- (xi) drainage, water supply, construction of pucca roads and other essential public welfare activities
- (xii) preparation of designs for development of the local area
- (xiii) land and land management
- (xiv) protection and development of the environment; and
- (xv) *jhum* cultivation (shifting cultivation).

91. There is a provision in the Act which states that the Government, with consent of the HDC, may transfer any institution or work of the HDC to its management and control, and transfer any institution or work of the Government to the HDC. Many of these responsibilities have been transferred already and the transfer of others is in progress. The HDCs have disciplinary authority over the staff of the “transferred departments” dealing with the subjects mentioned above and can also appoint class III and class IV employees of the same departments. The salaries of the staff of these departments are generally paid through the HDCs. However, funds for any special projects undertaken by these departments are generally channeled directly by the mother line ministries to the department concerned. The council, chaired by their respective chairmen, coordinates the activities of these departments through monthly coordination meetings in the district headquarters.

92. The HDCs are to have direct authority over land administration officials. Moreover, the HDC Acts also vest the councils with the special authority whereby no lands may be settled, leased out, transferred, or compulsorily acquired without the prior consent of the councils. In practice, however, except in the case of transfer of land titles, the HDCs are seen to have no role in land administration. The only notable exception is the Rangamati HDC, which has also exercised its authority about the protection of village common forests or mauza reserves and the rights of the concerned village community.

93. The HDC Act provides that the Circle Chiefs (Rajas) can attend HDC meetings (Chakma Chief in Rangamati and Khagrachari, Bomong Chief in Bandarban and Rangamati, and Mong Chief in Khagrachari) and express their opinions on any item in the agenda if they wish or are invited to do so. The Act provides that the HDCs can constitute committees or sub-committees, if

deemed necessary, to assist the HDCs in their functions and fix the number of members of the committees, their terms of reference and procedures of business. Rangamati HDC has formed five sub-committees to assist in selection of development projects, supervision, coordination, and assistance of different transferred subjects / departments. The other HDCs, i.e. Khagrachari and Bandarban, have also formed similar sub-committees.

94. As a temporary arrangement, an interim Council with the Chairman and four other members is currently running the affairs of each HDC. This arrangement will continue until the general election of the Council is held and the elected Council assumes its duties. A monthly coordination meeting of the HDC is held with the five members of the Council (including the Chairman). The meeting is also attended by the representatives of the transferred Departments/agencies. Representatives of other non-transferred agencies/departments may also attend these meetings upon invitation.

95. For coordination, planning and implementation, most of the district line agencies have already been placed under the control of the HDCs. This means that the structure is more decentralized than in other districts where the vertical link between district line agencies and their Ministries is often more important than the horizontal links within the district. However, the Deputy Commissioners and the police administration remain under central government control.¹⁸

96. The 2011 Project Preparation Technical Assistance Final report for the preparation of the CHTRDP-II¹⁹ already presented an overview of the main functions of CHTRC and the HDCs together with an assessment of their major strengths and weaknesses. This is reproduced in the Table 6. A decade later this analysis is still largely correct.

97. The 8FYP, without going in detail, also underscores the need strengthen the implementation capacity of local institutions by increasing manpower and facilities with reference to MoCHTA, CHTRC, HDCs and the CHTDB.²⁰ It also recognizes the need to develop a Perspective Plan for the CHT. The project could directly and indirectly support both capacity development and the Perspective Plan, while ADB in its interaction with Government could raise the matter of adequate resourcing of the CHTRC and HDCs.

98. Lastly, several development affecting the CHT and its population, may undermine the precarious stability. As noted, the CHT specific institutions are still not fully empowered and several key aspects of the 1997 Peace Accord are yet to be implemented, most notably the stipulation related to land issues. The past decade has also witnessed an increasing fragmentation of the political landscape. Finally, the Rohingya refugee crisis and current conflict and realignments in Myanmar may have implication for the stability and security of the CHT. These developments may affect the project and the risk of a deteriorating security environment has therefore been included as a risk in the project's risk assessment and risk mitigation matrix.

Table 6. Assessment of CHT Institutions

Institutions	Main Functions	Strong Points	Weak Points
CHTRC	1. Overall supervision and co-ordination of	1. CHTRC is a superior body headed by a	1. The guidelines, rules and sub-rules supporting

¹⁸ ADB 2011, *Final Report, PPTA, Supplementary Appendix E*, Annex E1 provides an overview of the status of transfer of responsibilities to CHT specific agencies.

¹⁹ [Second Chittagong Hill Tracts Rural Development Project: Report and Recommendation of the President | Asian Development Bank \(adb.org\)](#)

²⁰ 8FYP, p. 772 and 774.

Institutions	Main Functions	Strong Points	Weak Points
	<p>all development activities of the HDCs, local councils, CHTDB;</p> <ol style="list-style-type: none"> Supervision and co-ordination of general administration, law and order; co-ordination and supervision of tribal laws, practices, customs and social justice. Co-ordination of activities of the NGOs. 	<p>chairman with rank and status of a State Minister.</p> <ol style="list-style-type: none"> The head of CHTRC is a popular leader of the people of the CHT. CHTRC has the potential for promoting development activities of the region as it is considered the representative of the people. It can regulate the activities which go against the interest of the people of CHT. 	<p>CHTRC administrative and financial operations is yet to be backed by adequate executive sanction.</p> <ol style="list-style-type: none"> It does not yet have adequate staff with requisite qualifications to initiate and manage its functions. CHTRC's role as a supervisor and coordinator is yet to become effective. Interaction between CHTRC and other related agencies is not effective. Logistic facilities including accommodation and office equipment are inadequate. CHTRC is still being run by an interim arrangement and hence cannot function properly.
HDCs	<ol style="list-style-type: none"> Supervision, maintenance and improvement of law and order. Settlement of disputes related to social, cultural and tribal affairs according to tribal customs and practices. Co-ordination of development activities of the local authorities, review of implementation of their development projects and audit of their accounts. Support, promote and oversee activities of the relevant Govt. agencies concerning the 'transferred 	<ol style="list-style-type: none"> HDCs are quite old, well established and experienced in managing, co-ordination and supervision of development projects. The HDC is supposed to be a popularly elected body with members from all the ethnic groups of the district. It is expected to look after the problems and needs of the various ethnic groups through their representatives. 	<ol style="list-style-type: none"> The planning, monitoring and evaluation functions are rather weak. There is a shortage of qualified professional staff to perform and strengthen certain functions. Logistic facilities are inadequate. The HDCs do not have follow a proper Management Information System. As a temporary arrangement, an interim council is still running the affairs. The present membership is very small and lacks representation of all groups.

Institutions	Main Functions	Strong Points	Weak Points
	subjects' (e.g. Agriculture, Livestock, Fisheries, Public Health, Education, Land management etc.)		

Source: ADB TA 7432-BAN, Final Report, Supplementary Appendix E: Institutional Assessment and Institutional Recommendation and Capacity Building, September 2011, pp 21-2

5. Key Subproject Stakeholders

99. The primary stakeholders will be the beneficiary communities of the other project outputs (1, 2, 3 and 5) from which trainees for the vocational skills component will be selected. During project preparation feasibility studies were prepared for three subprojects. All the beneficiaries of the Ghagra Union cluster community infrastructure subproject are SEC. During CHTRDP-II, 95% of beneficiaries of the community infrastructure component were SEC. It is expected that for the CRLIWM-CHT Sector Project, this percentage will be at least 70%, but most likely higher. For the Dighinala sub-watershed subproject and the Kalampati rural road subproject, likewise all beneficiaries were SEC. For watershed, it is expected the other 8 subprojects to be developed will likewise have a high percentage of SEC, while for rural roads this will be closer to 60% over the project's lifetime. Thus, the primary stakeholders for the Project's Output 4 will be SEC communities and the youngsters within those communities who will be trained.

100. Other stakeholders will be local entrepreneurs in the project areas, who will employ trained youngsters and thus be able to grow their businesses by providing higher quality and more reliable services. Those entrepreneurs will have a mixed background as they will come from SEC and Bengali communities, Bengali's planning a predominant role in the local formal and informal SME sector.

101. NGOs will also be among the beneficiaries as some youth will be trained skills relevant for their field of work, such as watershed management. Most of the local NGOs are fully SEC. They will thus be better positioned in implementing future projects and securing support for this from government and development partners.

III. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

6. Consultation and Participation

102. In preparing the Vocational Skills and Capacity Building Output and the proposed activities that are part of it, the main source of information were institutions in the CHT currently providing such vocational skills trainings, especially TTC, Youth Training Centres, and Bangladesh Small and Cottage Industries Corporation, which are all (semi-) government organisations and NGOs, which were SEC rooted. The list of institutions consulted, and the main findings and suggestions made by the interviewees are provided in Annexes B-D. During the Inception, Mid-Term and Final workshops, the proposed scope of the Output and skills training to be included were then presented and feedback was taken from especially the CHTRC and HDCs, being the formal representatives of the various SEC groups of the CHT. Furthermore, the TRTA team conducted meaningful consultations with SEC in the paras covered by the subprojects under the four project Outputs from which future trainees to be selected for the skills development activities will be drawn. These meetings find out whether communities had additional suggestions for skills to be included in Output 4. During the Inception, Mid-Term and Final Workshops, and face to face meetings, key CHT Institutions (MoCHTA, CHTRC, HDCs) were then asked for

feedback on proposed activities. This resulted in broad support from these institutions which are representing SEC interest for the Outputs and the proposed activities as recorded in the Inception, Mid-Term and Fact Finding Aide Memoires.

7. Perceptions of SEC

103. Most of the training institutions consulted in the CHT, have a strong SEC presence in their staff and trainees. This pertains especially to CHT NGOs which are all led and staffed by SEC. Their feedback was used as a proxy for SEC opinions on most relevant vocational skills trainings and is recorded in Annex C and D. Further consultations with the youth and women of SEC as part of ascertaining broad community support from SEC will be conducted during the Inception Phase when the skills trainings to be prioritized will be confirmed and the implementation arrangement will be worked out.

8. Information Disclosure

104. To ensure transparency of all processes and the continued involvement and information of stakeholders, this SECP will be published alongside the SEC Planning Framework (SECPF) on the ADB website (in English) and on the project and LGED website (in English and Bangla).

105. During Project Preparation, the TRTA team conducted community consultations and social and economic surveys in 54 paras as part of feasibility studies for the community infrastructure component. These consultations confirm that rural livelihoods in the CHT are still predominantly agricultural.²¹ This is confirmed by the findings of the PSA survey that 53 percent of the heads of households in its sample survey gave agriculture as their main occupation. This is followed by non-agricultural and agricultural day laborers 12.3 and 11.10 percent respectively. If farming and agriculture day labour are added, then 64 percent of households in the sample primarily rely on agriculture for their livelihoods. A further 15.60 percent of household heads are self-employed and engaged in (non-farm) micro enterprises at local level. These include small shopkeepers, drivers of 3-wheel motorized taxis and jeeps, small traders, and some weavers. Industrial employment is virtually absent in rural CHT, with the exception of some migrant workers mostly from peri-urban villages who are employed in the Ready-Made Garment (RMG) industry in Chattogram and Dhaka.

106. In terms of district-wide variations under the PSA survey, Bandarban has the highest number (65 percent) of households pursuing agriculture, followed by Rangamati at 49.30 percent and Khagrachari at 45.10 percent. The percentage of non-agricultural labourers is higher at 18.80 percent in Khagrachari and 14.60 percent in Rangamati while agricultural labourers are higher in Bandarban with 19.10 percent.

107. The district-wide variation shows that pursuit of non-agricultural occupations is lower in Bandarban district which is in consonance with the PSA data. The households working in the RMG industry are higher in Khagrachari district, as mentioned these are mainly migrant workers working in RMG factories in Chattogram or Dhaka.

108. While employment opportunities outside agriculture are limited, it should also be noted that farming is a marginal activity for most of the households that are primarily dependent on farming and agriculture labor. The Agriculture Component document²² indicates that land holdings

²¹ See Ghagra Union subproject feasibility study.

small and fragmented in the CHT, which is getting worse over time due to population growth and migration, including land grabbing. The fertility of so-called *jhum* land used for swidden cultivation is decreasing. Agricultural productivity in the CHT is low by national standards. Agricultural laborers do not find year-long employment as single cropping is quite common due to lack of irrigation facilities. There are some positive trends like the conversion of *jhum* land into horticulture for fruit and timber trees and the cultivation of other cash crops. Also, gradually irrigation infrastructure is improving which, together with mechanization, allows for increasing cropping intensities. Still these developments are piecemeal and slow. All in all, the hidden and open unemployment in rural communities in the CHT is likely to be as high or higher as found at national level.

109. For awareness on all subprojects to be supported under the project and the GRM, a project brochure will be prepared in English and Bangla in the first few months of the project and distributed to key stakeholders.

110. For subprojects with SECs, a subproject specific brochure (leaflet) will be prepared in English and Bangla, which summarises: (i) project information, (ii) subproject works and opportunities, (iii) the SEC with focus on the impacts on SEC and planned mitigation and compensation measures, (iv) the GRM, and (v) relevant laws and guidelines. The Khagrachari District Project Management Office (DPMO), supported by the INGO, will be responsible for distribution of the Booklet to local leaders and to the PDCs in order to enable them to read it by themselves and be aware of the Project's benefit / compensation available for the APs.

Impact on SEC

111. The trainees to be selected for the vocational skills short and longer training courses will overwhelmingly (at least 70%) come from rural SEC communities. Participation in vocational skills training is expected to increase their employment opportunities, either as self-employed entrepreneurs or as employees of local small businesses. Having capacity and an organised approach to assist trainees in job placements will be part of the selection criteria of training institutes to be engaged by the project.

112. Potential negative impact could be related to job placements with employers not providing a safe work environment.

113. Another potentially negative impact of vocational skills training could be that trained youth migrate from CHT to find gainful employment elsewhere. This is of course their personal choice and as such not a negative impact for the concerned individual. The local society may, however, benefit by talent being retained for the local community thus contributing the local economic development of rural areas and small towns in the CHT.

114. The CHTRC has expressed reservations toward including hospitality/tourism related training in the menu of trainings offered as it saw two risks: (i) large scale tourism in the region could create land issues, especially as some of the more attractive sites for development of resorts are SEC customary property, (ii) there is a risk of employees in the hospitality sector being exposed to sexual harassment.

115. The other trades for which skills training will be included (masonry, carpentry, mechanics) have less impact on SEC cultures, although youngsters moving outside their villages for training

or work will be exposed to other cultures and this is likely to impact on their own attitudes, beliefs and customs.

116. Participants in Capacity building of Implementing Agency staff activities will also most have a SEC background, except for engineering staff of LGED who mostly are Bengali. The project's capacity building activities are therefore expected to have a lasting impact on the implementation capacities if the project's implementing partners, who with the exception of LGED, all employ staff resident in the CHT, who will therefore apply their newly acquitted knowledge and skills in the CHT themselves after project completion.

117. All efforts have and will be made to minimize any adverse impacts and enhance positive impacts on SECs of the training and capacity building activities to be supported under this output.

118. As the activities carried out under the output do not include any construction works or other physical activity there will be no environmental impacts. To the extent the future trades for which trainees are trained may bring environmental concerns with them, these will be included in the training programmes, e.g. workplace health and safety concerns or the risk of environmental pollution related to oil spillage in motor repairs and maintenance. The availability of trained and skilled repairmen and women is expected to have a positive impact on the environment as it will reduce wastage.

Beneficial Measures

119. In view of the relative poverty of SECs within the CHT, a few measures are proposed to assure that SEC-areas receive social and economic benefits that are culturally appropriate and gender sensitive.

i. Giving Priority to SEC in Selection of Subprojects

120. Although the Skills development and capacity building Output does not have subprojects, the criteria used to select trainees includes a minimum percentage of SECs to be included, in view of their more marginal position in rural society in the SEC compared to non-SECs.

ii. Ensuring Proportionate Representation of Smaller SEC

121 The Chakma, Marma, and Tripura are the largest SEC communities, probably constituting around 90% of the total SEC population in the CHT. These larger communities are more resilient, mostly better educated and better represented than the smaller SEC, who often live in more remote areas and have been more dependent on jhum shifting cultivation. The project will make an effort to include smaller SEC communities as beneficiaries for the other four outputs. Trainees for vocational training will mostly be recruited from communities where the other outputs are implemented. When selecting trainees for vocational skills trainings, care will be taken to include youngsters from the smaller SECs in a proportionate manner.

1.1.1 The CHT has a lack of qualified staff with an SEC People background with technical background in civil engineering, watershed management and agricultural value chain development due to a lack of starter's positions in government agencies and projects. Especially the CHTRC and HDCs have a very limited number of sanctioned positions. At the other end, LGED has sufficient sanctioned positions, but youngsters have difficulty meeting the qualification and experience requirements. As a result, LGED struggles with a large number of vacancies for technical staff in the CHT. Private contractors of civil

works face similar issues. Lastly, NGOs typically do not employ staff with a technical background, but rely on informal arrangements with government line agencies for this. This scenario leads to SEC youngsters with a technical background leaving the CHT, and mid and senior level job opportunities then being filled by professionals from outside the CHT on temporary basis, often with great difficulty and with quality issues.

122. The project will seek to fill the existing gap by offering paid internships to SEC youngster with a diploma in a technical area relevant for the project but insufficient work experience to qualify for recruitment under regular conditions. Upon completion of their internship, youngster will then be better positioned to find long-term employment with government agencies, the private sector including contractors, and development organisations including NGOs.

1.1.2 Capacity development of Implementing Agencies and contracted Implementing NGOs are part of the Skills Development and Capacity Building Component, which will focus on SEC organizations based in CHT. This will be undertaken under the following headings:

- i. Project orientation
- ii. Project methodology
- iii. Safeguards GoB and ADB environmental and social safeguards
- iv. project and financial management

123. All training will include women as well as men and all training provided will be gender sensitive and promote gender awareness.

Mitigative Measures

124. Specific mitigative measures for the Skills output will be required to address potential negative impacts identified in the “Impact on SEC” section.

- Job placements with employers not providing a safe work environment: This will be one of the points of attention and discussion during the selection process of TVET and NGOs the project will partner with. The concerned service providers will be asked to pay specific attention to a safe working environment when selecting trainee partners and entrepreneurs where graduates can be placed after completion of the skills training. This will be part of their contract conditions.
- The risk of trained youth leaving the CHT to find gainful employment elsewhere will be mitigated by assisting trainees in job placements thus increasing the chances that trained youngster will stay in the region. Also, the project is expected to generate employment opportunities, especially for maintenance and repair related jobs.
- The impact of exposure to other cultures that comes with training and job placements outside youngsters’ home area, will be mitigated by counselling. The local NGOs who provide skills training will all have mostly SEC staff with whom SEC trainees can engage more easily. Skills training to be provided by accredited institutions in their centres outside the CHT, will be advised to pay special attention cultural and psychological counselling of SEC youngsters enrolled in their trainings.

IV. APACITY BUILDING

125. To ensure the implementation of the SECP, various capacity building measures have been included in the methodology of the project. Capacity building of project implementation partners and CHT specific institutions is an integral part of Output 4. About 950 unique staff/employees/workers from Implementing agencies, INGOs and contractors will participate in these trainings, most of them will participate in several trainings during the projects lifetime. An estimate 5,300 community representatives will be included in different types of capacity building delivered under this components, such as on participatory village mapping. Capacity building trainings will be undertaken under the following categories.

e. Project orientation

126. Extended Project Orientation training will be conducted for all professional staff of PMO, DPMO and Implementation NGOs. Orientation training, apart from providing information on the Project and its proposed activities will cover a range of subjects including: (i) customary land rights; (ii) land acquisition and resettlement; (iii) environmental aspects; (iv) SEC people; and (v) training methodology.

127. Project Orientation training will be conducted for: (i) chairmen and members of upazila and union parishad; (ii) mouza headmen; and (iii) members of the community, such as office bearers of para development committees. This training will be confined to the officials and community members of those upazilas, unions, mouzas and villages with which the project will be actively engaged. Orientation training, apart from providing information on the project and its proposed activities will cover a range of subjects including: (i) customary land rights; (ii) land acquisition and resettlement; (iii) environmental aspects; and (iv) SEC people.

128. Preparation of Feasibility Studies and Reports. DPMO and Implementing NGO staff will be training in the preparation of subproject feasibility reports for the community infrastructure and watershed components of the project. This will be at Union level for the community infrastructure component and at sub-watershed level for the watershed management component. In total 85 Unions and 6 sub-watersheds will be covered during the implementation phase.²³ Training will cover:

- The project's participatory methodology
- Preparation of village resource maps (for community infrastructure) and resource and resource degradation maps for watershed management, including use of GPS
- Preparation of social and economic analysis based on gender specific data gathered through a structured questionnaire
- Conducting needs assessment based on focus group discussion held with men and women separately to arrive at a shortlisting of intervention by communities based on project's menu of interventions
- Preparation of social and environmental safeguards screening

f. Orientation on specific components

129. Watershed management. Although piloted in CHTRDP-II, is a very new approach for most of potential implementation partners. Hence both DPMO and INGO staff will require intensive training after completion of the project orientation training.

²³ This is in addition to the 3 Unions and 3 sub-watersheds for which Feasibility Reports were prepared during project preparation by the TRTA team.

130. Bio-engineering. The project includes bioengineering interventions for roadside slope management in view of the substantial risk of hill slides and road bank erosion. LGED standard response to such risk are structural interventions. International best practices have demonstrated that 'soft' nature-based, bio-engineering solutions, often in combination with structural interventions, can be equally or more effective and are mostly cheaper. LGED only has a limited menu of bio-engineering options at present, and the project will there introduce a wider range of options. The TRTA Consultant prepared a Bioengineering Manual for this purpose. However, LGED district and subdistrict (upazila) staff will need to be trained to ensure they understand the methodology and are able to apply them in designs for rural roads in the CHT.

g. Safeguards

131. IP training will include workshop on SEC issues, as well as CHT history and culture. The training program will focus on officials in key institutions including (i) MOCHTA; (ii) CHTRC; (iii) the three HDCs and LGED at district and national levels. Training will also target staff of the Project Director's PMO within CHTRC, DPMOs within each of the three HDCs as well as staff of contracted NGOs. The training package will provide a comprehensive orientation on SEC concerns in development, the relevant safeguards instruments and mechanisms, as well as specific SEC issues in CHT. Training modules will include: (i) orientation on laws, regulations and policies related to SEC in Bangladesh, with a particular focus on CHT; (ii) International Human Rights Instruments and Mechanisms on SEC; (iii) International Safeguards for SEC and their implementation mechanisms, with a particular focus on the ADB Safeguard Policy Statement; (iv) Customary Land Rights and Natural Resources Management of the SEC in Bangladesh, particularly in the CHT; and (v) Safeguards for SEC and the application of these safeguards, including good practice and examples from other countries. Training may be conducted at ADB BRM Dhaka if circumstances require so.

132. Land acquisition and resettlement (LAR) training will target a similar group of officials and Project support staff as that for SEC orientation, however different aspects of LAR will be directed at officials at different levels – for instance, Dhaka based LGED and MoCHTA officials will receive training on ADB Safeguards and related GoB rules and regulations. Relevant staff of LGED district and upazila office and of the three DPMOs will receive also training in more practical aspects especially LARP requirements and processes. Trainings will be provided by PMO, with the assistance of ADB BRM and PISC.

133. Environmental safeguards for Project staff will focus on officials (i) MOCHTA; (ii) CHTRC; (iv) the three HDCs, and (iv) LGED at upazila, district, and national levels. Training will also target staff of the Project Director's PMO within CHTRC, DPMOs within each of the three HDCs as well as staff of contracted NGOs. The training will focus on ADB Safeguards and related GoB rules and regulations as well how these are translated in the project context, including the preparation and implementation of EISA and EMPs. Trainings will be provided by PMO, with the assistance of ADB BRM and PISC.

134. Environmental safeguards for contractors will focus on contracted engaged by LGED for the construction of rural roads and bridge subprojects and contractors engaged by PMO/DPMO for the implementation community infrastructure and watershed management subprojects. They will be familiarized with EMP requirements and how these will need to be implemented and monitored. Trainings will be provided by LGED, with the assistance of PISC.

h. Project management

135. Financial management and financial reporting of ADB Projects is a crucial element of project management and it is necessary to satisfy the requirements of both the Government and

ADB in this regard. It is proposed to conduct three training sessions. PMO staff will be introduced to the use of a standard accounting package such as Tally.

136. Project monitoring and evaluation Training, to be conducted early in the Project life, will be used to verify already established baseline indicators and put in place mechanisms necessary to effectively monitor project progress against these baseline indicators and in line with the monitoring mechanisms identified in the Project's Design and Monitoring Framework. Training will also extend to progress reporting – specific to the production of the monthly, quarterly and annual progress reports required by ADB and the Government.

137. International study tours aim to build strategic capacities of people in leadership positions in the EA, IAs and related government departments providing essential support to the EA and IAs. By exposing top management of the EA and IAs to international best practices directly relevant to the project, it is expected that they will enhance their capacity to provide leadership during implementation and place the project's objectives in a wider context. Exposure to strategic planning, programme developed, and best practices in environments that are similar to the CHT, are expected to assist leaders to improve visioning and strategic planning. Study tours on regional economic development of hilly regions and watershed management will be key topics for such study tours.

V. GRIEVANCE REDRESS MECHANISM

138. A dedicated multi-tier grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate the concerns and complaints of the affected people, if any, about the social and environmental performance at the project level. The GRM aims to ensure:

- (i) The basic rights and interests of every person affected by poor environmental or social performance of the project are protected; and
- (ii) Concerns arising from the poor environmental or social performance of the project during the conduct of pre-construction, construction and operation activities are addressed.

A. Principles of GRM

139. The GRM is anchored on the following principles that guide the Project:

Transparency. The Project will keep the affected person informed about the progress made in resolving the grievances and provide sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake. The SEC especially the *karbaris* must be (i) made aware of the complaints and issues reported, (ii) involved in their redress, and (iii) informed on progress made in resolving grievances. Confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.

Empowering and participatory. SEC, *karbaris*, affected persons, beneficiaries, INGOs and other stakeholders are encouraged to participate and bring complaints, issues and comments to the attention of Project management. More importantly, communities should be involved in problem solving.

Socially inclusive. The whole community is given the opportunity to raise concerns and the right to be accorded a response. The grievance system will allow anyone, especially the SEC, poor, the disadvantaged groups, the women, to raise grievance or complaints, be heard and involved on redressal process.

Culturally appropriate. ADRFs will be constituted for land dispute resolution where the *karbaris* and PDC in SEC will be members in grievance redress council.

Simple and accessible. Procedures to file complaints and seek redress are kept simple and easy to understand by the SEC and affected people. Complaints and queries may be sent through different accessible means such, as but not limited to, installation of grievance box in subproject areas, walk-in to district offices, PDC representatives, *karbari*, message or call to grievance hotline, or an email to the Project website.

Confidentiality. The identities of affected people and other stakeholders are kept confidential upon request. This encourages people to voluntarily participate in the GRM process, and file complaints and/or comments.

B. Functions of GRM

140. Response to grievance and comments is ensured within an acceptable timeline. The corresponding action is responsive and commensurate to complaint or issue. The GRM entails objective and independent practice to promote fair procedures and encourages people to use. Thus, GRM will enhance the Project's contribution to participatory development. In all instances, conflict of interest or perceptions of it will be investigated and avoided.

141. The GRM will establish multiple channels by which grievances can be received by the PMO. The procedures will be easy for all the diverse groups of affected persons to understand and be made known to them and consider the many facets involved in making the mechanism accessible including AP access to transportation and roads and their literacy and education levels, as well as their access to such communications facilities as telephones, mail, and the internet. The project will ensure consultation is organized in a congenial environment without intimidation and should be culturally appropriate and acceptable to SEC and gender sensitive.

142. To ensure the GRM is in line with the ADB SPS, the GRM will be a time-bound, simple, transparent, gender- and culturally- responsive in addressing feedback, concerns and suggestions of, and facilitation of solutions for, all the relevant stakeholders of the project (i.e., local community, contractors, and other members in the value chain, including from small ethnic communities (SECs), women, and other vulnerable groups). The GRM will include service standards and an implementation modality by assigning a Grievance Redressal Officer (GRO) at each IA to handle specific matters related to public grievances / complaints flagged to their respective offices.

143. Accessibility will be facilitated through provision of the following services: (i) grievance boxes in subproject areas, (ii) walk-in to district offices, (iii) speak to PDC representatives or *karbari*, (iv) message or call the grievance hotline, or (iv) email the Project website. The PMO is to establish a GRM hotline and project website for APs to contact. A phone number and web address will be defined during project readiness. Complaints received through the hotline and website will be documented and fed to the correct level of GRM for facilitation. Awareness of grievance redress procedures will be created through public awareness, outreach campaigns and clear signage with grievance focal person's contact details and procedure on how to file a complaint, including in Bangla or major SEC dialects on project sites. Redress through the GRM does not impede access to the country's judicial or administrative remedies.

144. Gender- and cultural- responsiveness will be supported through: (i) use of local issue resolution methods, (ii) membership of the SECs or their representative at the first tier GRM at field/village level; (iii) availability of the GRM form in local/SEC dialects or languages to the extent these have a written form and on information signage.

145. For any grievance filed by a marginalized or vulnerable person, such as a SEC member or poor person, extra attention will be paid to ensuring the following: (i) complainant will be aided in recording their grievance (field staff to write up verbal complaint verbatim), (ii) complainant can be represented and supported by a local leader (such as an SEC leader), (iii) the outcome of the grievance will be delivered in writing and in person by the GRO responsible, to ensure comprehension of the outcome and any follow up actions. All grievances shall be recorded in grievance register (including in Bengali or local language), and entire process shall be tracked and reported through quarterly and annual progress reports and semi-annual social and environmental safeguards monitoring reports. The GRM process shall include the following stages.

C. Levels of GRM

146. Before any grievances are brought to the GRM, efforts will be made to solve queries and complaints at village (*para*) level by involvement of the Headman or *karbari* through traditional conflict resolution methods.

147. The GRM has three tiers. There are two types of tier one. Tier 1, type A refers to the Alternative Dispute Resolution Forum (ADRF) which will be located at subproject level and will address land disputes for output 5 (rural roads component). Tier 1, type B refers to the Para Development Committee (PDC) which will serve as tier one for all other social and environmental safeguards concerns raised across project outputs 1-5 (i.e., Community Infrastructure, Watershed Management, Agriculture Production and Rural Roads). Tier two is represented by a Grievance Redress Committee (GRC) which is established at Hill District Council (HDC). At the apex of this structure is the Regional Advisory Council (RAC) at CHTRC level.

148. If the ADRF under Tier 1, type A, or the *karbari* under Tier 1, type B is unable to resolve the issue at para level to the satisfaction of the affected person, the issues can be forwarded to the GRC level in tier 2. If dissatisfaction remains at GRC level, the affected person can elevate the issue to tier 3 to the RAC level. The PMU will ensure the redressal of complaints, including anonymous complaints, and issues of non-compliance, in accordance with national regulations and the ADB Accountability Mechanism Policy 2012. However, the affected person has every right to bring their issue to a court of law. The overall model of GRM for this project is summarized in **Figure 2**.

i. Tier 1: Community level

a. Type A: Alternative Dispute Resolution Forum

149. ADRFs will be constituted for land dispute resolution. In Bangladesh, *Shalish* and *Mimangsha* are when the community takes the leading role in resolving disputes. These are usually undertaken through mediation, negotiation, and reconciliation. In the *Shalish* and *Mimangsha*, the community leaders delve deep into the root cause/s in the presence of both parties, hear viewpoints of disputants, and try to find a solution agreeable to the parties concerned.

150. Resolving disputes through community initiatives with the above tools are commonly known as alternative dispute resolution (ADR). As proposed, INGOs will be involved in the GRM process, and constitute ADRFs at subproject level for the Rural Road component. In Bangladesh, traditional *Shalish* agreements were enforced through village peer pressure. Agreements were announced and publicly proclaimed. Families would lose face if they do not comply with agreements. The reformed village mediation system, with support of INGOs, relies on traditional compliance mechanism and succeeds despite the lack of formal court enforcement. Not only does this conform with the traditions of the region, but use of a panel of mediators helps limit systematic corruption or bias. Measures for ADR in Bangladesh have been provided in the Code of Civil

Procedure 1908 which allows for the settlement of disputes outside the courts: the court may formulate the terms of a possible settlement and refer the same for arbitration, conciliation, mediation, or judicial settlement.

151. An Executive Order will be issued by MoCHTA for setting up ADRFs for the Rural Road Output covering membership, authority and responsibilities, and rules of business of the ADRF. ADRF membership will reflect the composition of the affected peoples of subprojects by incorporating members of SEC proportionately. Membership will be drawn from traditional and informal local leaders from the main subproject paras, thus guaranteeing that customary methods of conflict resolution will be applied where feasible. Before land issues are submitted to the ADRF an effort will be made to resolve them with the para through the *karbari*.

152. ADRFs will be composed of 3-5 members with the mouza Headman as its Chair, with a minimum of four members for each mediation. In cases where appropriate, the headmen may be replaced by the UP Chairman. The remaining members of the ADRFs will be drawn from the community elders, traditional leaders (e.g. the village *karbari*) or representatives of local government institutions (eg. UP Ward Members). At least one of the ADRF members shall be a woman. The INGO responsible for the RP will facilitate the identification of the ADRF members in consultation with the mouza Headman and DPMO. The NGO will further be responsible for facilitating the conduct of the ADRF's meetings and act as its Member Secretary. The grievance redressal and resolution at this stage is within seven days.

153. At any time, any affected person can submit a grievance/complaint in writing (and other means mentioned above) to the concerned UP Chairman, Headman or *Karbari* or the PDC, using the GRF with support from NGOs or Social Development Organizers. At the time of registering the complaint, a copy will be given to the affected person making the complaint for their record. The PMO will make sure that sufficient GRF is available in the site office and in the office of the concerned UP Chairman/Mouza Headman, Headmen or *karbari* and other local community leaders. Some cases may just require provision of required information or clarification and may thereafter not be required to be referred to Step 2. The GRF is in Annex E.

154. The ADRF is composed of:
- Mouza Headman as Chairperson
 - Union Parishad Chairman as Alternate Chairperson
 - Karbari as Member
 - One female local leader as Member
 - Resettlement INGO as Member Secretary

b. Type B: Para Development Committee

155. The PDC will be the first tier of the GRM for all social and environmental concerns, excepting land dispute resolution, caused by project components: community infrastructure, watershed, skills training, agriculture production outputs and the rural roads. The complaints resolution should be within seven days and will follow the same steps in filing the complaint as mentioned above. Any affected person can approach the *karbari* or any member of the PDC. The Social Development Organizers and NGOs will ensure to provide support throughout the grievance problem-solving process. The PDC will convene weekly to address all complaints lodged at the PDC level. If PDC is unable to resolve the issue at para level to the satisfaction of the affected person, the issues can be forwarded to the GRC level in tier 2 within seven days.

156. The PDC is composed of:
- Karbari as Chairperson
 - Two representatives from PDC as Members
 - One female local leader as Member

- Representative from contracted NGO as Member
- Social Development Organizer as Member Secretary

ii. Tier 2: Grievance Redress Committee - Hill District Council Level

157. For environmental or social safeguards related complaints that cannot be settled at the community level through the ADRF or PDC, the GRC at District level will provide a simple process for the affected person to raise their objection and get them resolved within seven days. The affected persons will be informed of their right to file complaints to the GRC.

158. The GRC will receive unresolved grievances of the affected persons through the ADRF and/or Resettlement INGO for the rural road output or through the concerned NGO or Social Development Organizer for community infrastructure, watershed, and agriculture production outputs. The ADRF and Resettlement INGO will assist the affected person in lodging their resettlement claims in a format acceptable to the GRC at Hill District Council. All complaints will be received at the office of the INGO, or by the GRC, with a copy to the Union Parishad representative. The INGO will operate through village consultation meetings and explain the process of grievance resolution, including the distribution of information booklet. The concerned INGO will explain the GRF in SEC dialect and ensure that the affected person understands.

159. The GRC at Hill District Council level will settle the issues within seven days after receiving complaints. The Resettlement INGO, as member secretary of the GRC, upon receipt of complaints, will organize a GRC meeting. The GRC at Hill District Council level will pass a resolution which will be formally conveyed to the concerned affected persons through the Resettlement INGO. The key functions of a GRC will be as follows:

- Record, categorize and prioritize any grievances;
- Settle grievances in consultation with affected persons/representatives, project staff and other stakeholders;
- Inform the aggrieved parties about the resolutions; and
- Forward any unresolved complaints to the Regional Advisory Committee.

160. The authorities and responsibilities of the GRC and its rules of business will be part of the MoCHTA Executive Order.

161. The GRC is composed of:

- Chairman of Hill District Council as Chairperson
- Deputy Project Director of PMO as Member
- Deputy Project Director of LGED PMU as Member
- Representative from the District Commissioner's Office as Member
- Land Officer of Hill District Council as Member
- Representative, Headmen Association
- Representative, Union Parishad as Member
- NGO representing women in the Hill Districts
- Resettlement INGO or the contracted NGO will provide as Member Secretary

162. If not resolved at the GRC level within seven days, the matter will be referred immediately to the Regional Advisory Committee.

iii. Tier 3: Regional Advisory Committee – Regional Council Level

163. Complaints that cannot be settled at the GRC level should be elevated to the Regional Advisory Council (RAC) at the Regional Council level for grievance redressal and resolution within 15 days. The RAC will meet whenever a case is brought to its attention and determine the merit

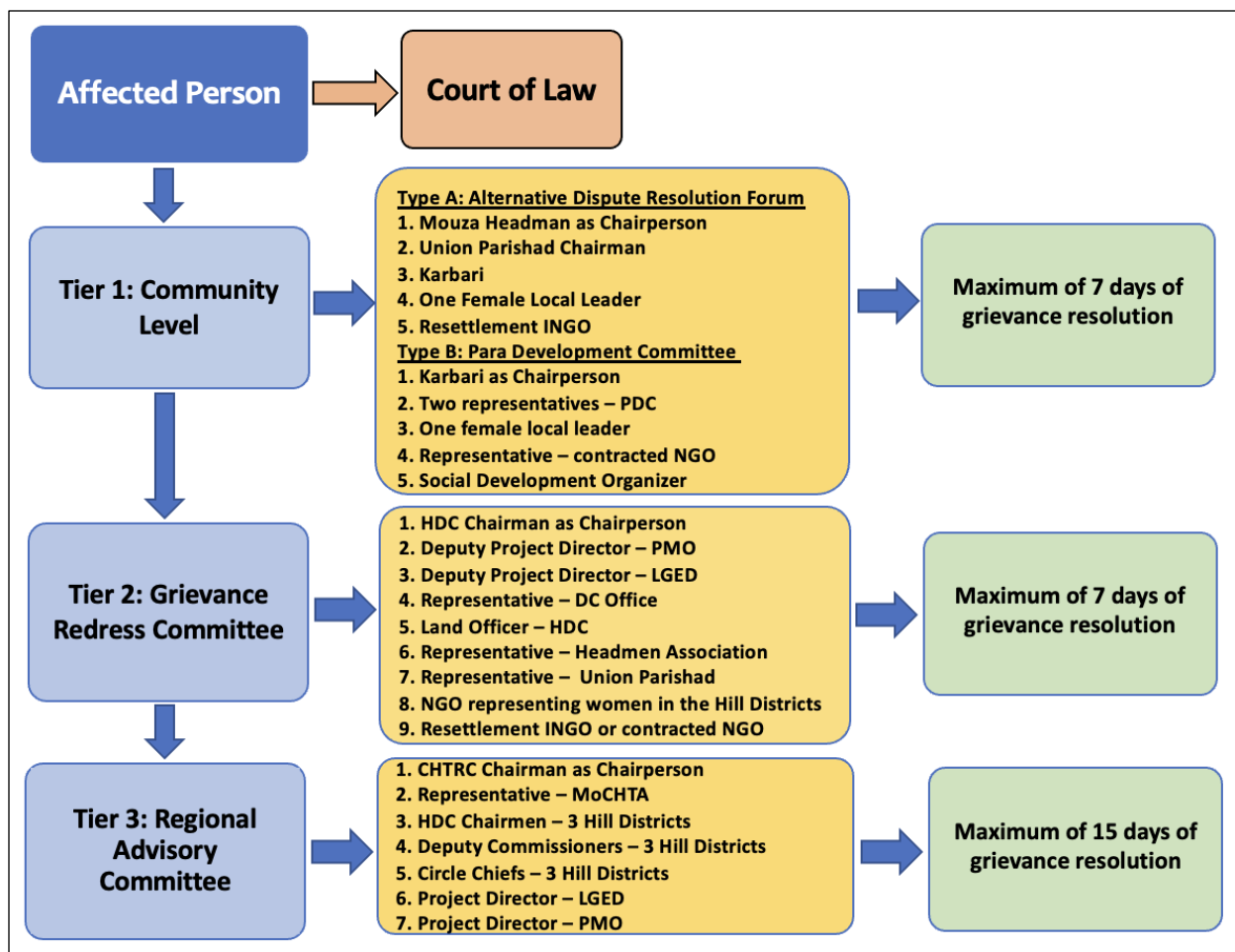
of each grievance brought to their level. The authorities and responsibilities of the RAC and its rules of business will be part of the MoCHTA Executive Order. The RAC secretary will provide feedback to the affected person.

164. The RAC is composed of:

- Chairman or Representative of Chattogram Hill Tracts Regional Council as Chairperson
- Representative from the Ministry of Chittagong Hill Tracts Affairs as Member
- HDC Chairmen of the three Hill Districts or their nominated councilor as Member
- Deputy Commissioners of the three Hill Districts or their nominated representatives as Member
- Circle Chiefs of the three Hill Districts Circles as Member
- Project Director LGED PMU or nominated representative as Member
- Project Director PMO as Member Secretary

165. None of the three levels of the GRM possess any legal mandate or authority to resolve land issues, they rather act as an advisory body or facilitator to try to resolve issues between the affected household/person and the CRLIWM-CHT Project. Any complaints of ownership or other suits, to be resolved by judicial system, will not be resolved by project's GRM. The affected person always has other recourse through the Government legal channels. However, every effort will be made to avoid this by applying traditional conflict resolution procedures in negotiating resolutions to complaints. Should an affected person wish to pursue legal recourse at any point prior to approaching, during interaction with, or after interacting with the GRM, the PMO, DPMO and Implementation NGOs (INGOs) will ensure that support is given to the affected person to prepare a case. No fees will be charged to the affected person for such assistance.

Figure 2. Project GRM



E. Relevant GRM Activities

166. Court of Law. The GRM notwithstanding, an aggrieved person will have access to Bangladesh Legal System at any stage, Accessing the court of law is not dependent on the outcome of the GRM.

167. ADB Accountability Mechanism. If the established GRM is not able to resolve the issue, the affected person can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters. Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make good faith effort to resolve their issues by working with the Bangladesh Resident Mission. Only after doing that, and if they are still dissatisfied, they could approach the Accountability Mechanism. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities.

168. Consultation and Information Dissemination. Consultation will include group meetings, and one-on-one discussion with affected persons, to be announced in advance and conducted at the time and day agreed on with the affected persons or their representatives. Non-literate affected persons will be assisted to understand the grievance redress process. The GRM process will be explained to them in SEC dialects by the Resettlement NGO, contracted INGOs, or the Social Development Organizers. The public especially the SEC and affected persons will be made

aware of the GRM through consultation meetings, focus group discussions and inclusion of the GRM hotline and relevant details in the Project information booklet.

169. Record Keeping. A grievance database system will be established by CHTRC. Records of all grievances received, including contact details of affected person, date of complaint/grievance received, nature of grievance, agreed actions and measures, dates of meetings conducted and resolutions with linked documentation are recorded in the database. The number of grievances recorded and resolved, and the outcomes will be displayed/disclosed in the PMO office, and on the website of PMO (to be developed in project readiness), as well as reported in the semiannual environmental, IR and SEC safeguards monitoring reports to be submitted to ADB. The PMO, with support from the GROs composed of the Environmental Management/Climate Adaptation Expert, Land Acquisition Expert, and SEC Expert, will be responsible for maintaining the grievance database system.

170. Costs. All costs involved in resolving the complaints (meetings, consultations, communication, and reporting/information dissemination) will be borne by the PMO. Cost estimates for grievance redress are included in resettlement cost estimates.

VI. MONITORING, REPORTING AND EVALUATION

171. The Project Output 4 monitoring will be done at three levels: (i) village monitoring will ensure participation of communities in all stages of the project, and proper operation and maintenance of subprojects, (ii) internal monitoring will be done by executing and implementing agencies, with support from contracted Project Implementation Support Consultants and Non-government Organization, to track and report on progress of SECP implementation, and (iii) external monitoring will be undertaken by a qualified expert to review and verify progress and monitoring reports. CHTRC shall submit to ADB quarterly and annual reports as well as semi-annual social monitoring reports.

A. Subproject and Intervention Village-level Monitoring

172. The community will be responsible for the O&M of the community assets and individual households for O&M of interventions on their own land. O&M committees will be formed to take on the responsibility for maintaining community watershed management assets. A sustainable O&M system is essential to make project interventions successful and sustainable over time. With support from the project, the community will be responsible to establish a financial and technical system to get proper resource for the future maintenance of the activities. O&M committee members and concerned beneficiary households will be trained on the O&M requirements. At least 50% of the women must be engaged in the O&M of the sub-project interventions.

173. Adequate financial resources are the key to effective O&M services. At the onset (selection of interventions), the community must discuss to prioritize interventions that will bring maximum benefits to participating households, and agree on a plan to raise required O&M fee from the beneficiary households of the watershed interventions. Thus, willingness and capacity to pay O&M fees (either in cash or in-kind) shall be among the considerations for selecting beneficiary households. O&M fee will be regarded as a payment for environmental services received which will result in higher production, more income and protection against natural disasters. The limited financial capacity of CHT rural communities needs to be considered, with contributions in kind maximized and cash contributions avoided where feasible.

B. Internal Monitoring

174. Internal monitoring will track progress of SECP and SECPF implementation to ensure all activities are carried out as planned and within budget and highlight compliance issues and corrective actions. Quarterly and annual progress reports will be submitted by PMO with support from customary institutions, PISC and NGOs. The monitoring reports shall describe the progress of the SECP activities, compliance issues, and any unanticipated impacts and corrective actions.

175. A separate Semiannual Indigenous Peoples' Safeguards Monitoring Reports (SMR) covering all project outputs will be prepared by CHTRC-PMO through the PISC's SEC Expert with support from the Social Development Organizers, contracted NGOs and Resettlement Implementing NGOs, and submitted to ADB for review within 30 days after each reporting period until a project completion report is issued by ADB. Monitoring will involve consultations with affected SEC households. The IP Safeguards SMR shall be prepared following the outline indicated in Annex F and reflect both positive and negative impacts, and implementation progress of SECP based on agreed internal monitoring indicators in Table 8. ADB-cleared IP SMRs will be disclosed on ADB website.

176. The PMO, through the Project Director, together with the Chief Resettlement Officer (CRO), the CHTRC, HDCs, LGED, the PISC and the Resettlement and other Implementing NGOs, will establish a monitoring and reporting system involving (i) collecting and (ii) analyzing the progress of RF/RP and SECPF/SECP implementation, and (iii) preparing the reports. SECPF/SECP implementation will be monitored by Implementing NGOs at district level, and collated and analyzed by PMO with assistance of the PISC. The PMO-Project Director will consolidate and compile all reports required by the Government and ADB.

177. The PISC, through the SEC Expert and M&E Experts, will conduct periodic review and supervision missions during the implementation stage. The PISC will submit report to PMO highlighting findings and support PMO in addressing the same.

178. In case of unanticipated IP safeguards impacts, CHTRC will carry out a social impact assessment and update the SECP or prepare a corrective action plan, if necessary.

Table 1. Indicators for Internal Monitoring

Monitoring Indicators	Basis for Indicators
Demographic baseline	<ul style="list-style-type: none">• The numbers of affected SEC by category of impact, gender, age, village, income, status and position• Number of households with handicapped, elderly or invalid members• Number of female headed households• Number of vulnerable households (poor, elderly)• Number of households by ethnic group• Number of births and deaths
Consultation and participation	<ul style="list-style-type: none">• Number of consultation and participation activities that occur—meetings, information dissemination, brochures; flyers, training• Percentage of SEC women as participants; number of meetings exclusively with SEC women• Percentage of vulnerable SEC groups represented/ attending meetings; number of meetings exclusively with vulnerable SEC groups.

Monitoring Indicators	Basis for Indicators
	<ul style="list-style-type: none"> • Languages used at meetings • Good faith negotiations—recording of process, participants, locations, correspondence • Broad community support—record of processes, participants, locations and agreement obtained • Consultation and participation progress against plan and budget • Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate leaflets been prepared and distributed? • Were separate consultations done for Indigenous Peoples? • Was the conduct of these consultations inter-generationally exclusive, gender fair, free from external coercion and manipulation, done in a manner appropriate to the language and customs of the affected SEC community and with proper disclosure? • How was the participation of SEC women and children? Were they adequately represented?
Mitigation measures	<ul style="list-style-type: none"> • Progress of implementation of mitigation/beneficial measures against plan • Number of activities that occur/completed—such as construction, livelihood restoration, disbursements, training • Percentage progress against timelines and budget
Grievance redress	<ul style="list-style-type: none"> • Total number of people/groups using the grievance redress procedure. • Number of distinct people/groups. Any SEC group with significantly more grievances? What were the outcomes? • How many times has a household submitted the same grievance? • Number of grievances resolved? • Length of time taken to be resolved? • Types of grievance categories and prevalence • Have any APs used the grievance redress procedures? • Have conflicts been resolved?
Budget and Timeframe	<ul style="list-style-type: none"> • Have capacity building and training activities been completed on schedule? • Are SECP activities being implemented and targets achieved against the agreed time frame? • Are funds for the implementation of the SECP allocated to the proper agencies on time? • Have agencies responsible for the implementation of the SEC received the scheduled funds? • Have funds been disbursed according to the SEC? • Has social preparation phase taken place as scheduled? • Have the consent of the SEC community in the affected project areas been obtained in accordance with BCS process?
Implementation problems	<ul style="list-style-type: none"> • Identified delays—(days, cost) due to personnel, capacity, insufficient funds, etc • Number of times implementation schedule revised
Benefits Monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation, production and resources use compared to the pre- project situation?

Monitoring Indicators	Basis for Indicators
	<ul style="list-style-type: none"> • What changes have occurred in income and expenditure patterns compared to pre-project situation? • What have been the changes in cost of living compared to pre-project situation? Have affected persons' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards • What changes have occurred for SEC? • Has the situation of the SEC improved, or at least maintained, as a result of the project? • Are SEC women reaping the same benefits as SEC men? • Are negative impacts proportionally shared by SEC men and women?

C. External Monitoring

179. To help ensure compliance with ADB SPS 2009 and other pertinent rules and regulations, an external monitor will be hired prior to commencement of works to conduct third-party compliance monitoring of social safeguards for the project. ADB will retain a qualified and experienced external monitor that is not involved in the day-to-day project activities. The External Monitor shall review progress and monitoring reports which shall be verified through site visits at least quarterly. Through site observations and review of progress and internal monitoring reports and other pertinent documents, the External Monitor shall provide technical guidance to CHTRC on SEC issues during implementation. The External Monitor shall prepare semi-annual independent social safeguards monitoring reports and submit it to the PMO for further submission to ADB. If any significant issues are found, CHTRC will prepare a corrective action plan and where necessary update the approved SECP.

Table 2. Indicators for External Monitoring

Monitoring Indicators	Basis of Indicators
Basic Information on SEC Households	<ul style="list-style-type: none"> • Location • Composition and structure, ages, educational and skill levels • Gender of Household heads • Ethnic identity of the household • Access to health, education, utilities and other social services • Housing type • Land and other resources and using pattern • Occupation and employment pattern • Income sources and levels • Agricultural production data
Consultation and Participation in Project	<ul style="list-style-type: none"> • Awareness of SEC issues among implementing stakeholders in each sector • Awareness of SECP mitigation and beneficial measures amongst recipients • Awareness of project details amongst stakeholders • SEC perception of effectiveness, cultural appropriateness and inclusiveness of consultation measures

Monitoring Indicators	Basis of Indicators
	<ul style="list-style-type: none"> • Attendance at consultation and participation activities • Level of involvement by SEC and representatives in the design and implementation of consultation and participation
Livelihoods and Living Standards	<ul style="list-style-type: none"> • Major asset inventory—e.g. vehicle, phone, tools, kitchen equipment • Changes in patterns of SEC occupation, production, and resource use • Changes in income and expenditure patterns among SEC households • Savings • Change in food used by SEC—amount, nutrition source • Cost of living changes—market prices etc. • Changes in key social parameters—gender roles of production • Vulnerable groups—status, relative income, livelihood • Education—literacy and numeracy level in national/ethnic language • School attendance of SEC children (by sex and age) • Key health indicators of SEC (by gender, age)
Enhanced dignity of SEC, integrity of traditional kinship networks and livelihood patterns	<ul style="list-style-type: none"> • Changes in religious/cultural practices • Changes in cultural governance • Participation in cultural governance (by gender, status) • Number of people (age and sex) who can speak national language and/or local dialect • Changes in condition of schools, community buildings, temples structures • Number of religious/cultural events and persons (monks shamans, priests etc.) • Participation in cultural/religious events (by gender, time/resources allocated) • Are special measures to protect SEC culture, traditional resource rights, and resources in place? • How are these being implemented? • Are complaints and grievances of affected SEC being documented? Are these being addressed? • Did the project proponent respect customary laws in the conduct of public consultation, SEC implementation, and dispute resolution? • Did the project proponent properly document the conduct of public consultations, the formulation and implementation of the SECP? • Were the public consultations inter-generationally inclusive? • Were women and children proportionally represented? • Were representatives of the SEC traditional structures present in the public consultations? During the monitoring of SECP implementation?
Reconstruction of Living Standards	<ul style="list-style-type: none"> • Were house compensation made free of depreciation, fees or transfer costs to the APs? • Have APs achieved replacement of key social and cultural element?
Levels of Satisfaction	<ul style="list-style-type: none"> • How much do the affected SEC know about the SECPF/SECP? • Do they know their rights under the SECP framework?

Monitoring Indicators	Basis of Indicators
	<ul style="list-style-type: none"> • How much do they know about the grievance procedures available to them? • Do they know how to access to it? • How do they assess the implementation of the SECP? • How much do IPs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanism?
Effectiveness of SEC Planning	<ul style="list-style-type: none"> • Were the SEC issues and concerns correctly assessed? Were these addressed by the project? • Were SEC affected persons and their assets correctly enumerated? • Was the time frame and budget sufficient to meet SECP objectives? • Were vulnerable groups identified and assisted? • How did implementers deal with unforeseen problems, SEC impacts?
Other Impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or income? • Were there unintended impacts to SEC culture, tradition and practices?

VII. INSTITUTIONAL ARRANGEMENT

180. MoCHTA will be the executing agency and responsible for overall project implementation. The CHTRC will be the lead implementing agency for the Watershed Management Output. A Project Management Office (PMO) headed by a Project Director (PD-PMO) will be established within the CHTRC, to manage and closely coordinate project activities across all agencies. The PD-PMO will consolidate and compile all reports required by the Government and ADB.

181. A District Project Management Office (DPMO) will be established at the Khagrachari District attached to the relevant Hill District Council (HDC), and be headed by a Deputy Project Director (DPD). The DPD will report directly to the PD-PMO.

182. The Project Implementation Support Consultants will support implementation of the project. It shall have a social and SEC safeguards experts to support implementation and monitoring of SECP related activities.

183. CHTRC will enter into MOUs and contracts with various TVET institutions to carry out the various skills development trainings. This PMO with support from the PISC will be responsible for SECP activities, except for activities related to involuntary land acquisition and resettlement required prepared of a Resettlement Plan, which as mentioned is not expected under this Output. For the latter a separate Resettlement NGO will be contracted. The PMO with support from DPMO and PISC will carry out consultations/public information campaigns, surveys and impacts assessments, and other activities related to SECP implementation, monitoring and reporting.

184. NGO

VIII. BUDGETING AND FINANCING

185. Because of the high percentage of SEC in the Project, the SECP activities are fully integrated in the projects main budget items.

Table 10. Budget for Output 4 – skills development and capacity building

Item	Description	Cost	
		USD	BDT
Capacity building	<ul style="list-style-type: none"> - Training on SEC issues and CHT context for project implementing agencies and NGOs - One focal person in the PMU will oversee all Social Safeguard requirements under the project - Social Safeguards Specialists to be included in PISC - Training events – SECs will be nominated for training - Brochure(s) in English and Bangla 	Under Output 4, Skills and Capacity Building a budget is available for training on safeguards for a total amount of BDT 14.7 million (USD160,000); and under Project Management the budget for social safeguard officer with the PMO is BDT8.0 million (USD 88,000).	

ANNEX A. INDIGENOUS PEOPLES SAFEGUARDS SUBPROJECT SCREENING CHECKLIST

A. GENERAL INFORMATION

Subproject/Intervention	
Details	

B. SELECTION CRITERIA (FUNDAMENTAL)

- All subprojects included in the ADB Prohibited Investment Activities List (List provided in Appendix 1) should be excluded from the Project;

C. SCREENING CHECKLIST

KEY CONCERNS	YES	NO	NOT KNOWN	Remarks
A. Small Ethnic Communities Identification				
1. Are there SEC groups present in or use the subproject area?				
2. Do such SEC groups self-identify as being part of a distinct social and cultural group?				
3. Do such SEC groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
4. Do such SEC groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
5. Do such SEC groups speak a distinct language or dialect?				
6. Has such SEC groups been historically, socially, and economically marginalized, disempowered, excluded, and/or discriminated against?				
B. Identification of Potential Impacts				
7. Will the skills training directly or indirectly benefit or target SEC?				

KEY CONCERNS	YES	NO	NOT KNOWN	Remarks
8. Will the skills training directly or indirectly affect SEC's traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
9. Will the skills training affect the livelihood systems of SEC Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				
10. Will the skills training be in an area (land or territory) occupied, owned, or used by SEC, and/or claimed as ancestral domain?				
C. Identification of Special Requirements <i>Will the skills training include:</i>				
11. Commercial development of the cultural resources and knowledge of SEC?				
12. Physical displacement from traditional or customary lands?				
13. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of SEC?				
14. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied, or claimed by SEC?				
15. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by SEC?				

D. Anticipated project impacts on Small Ethnic Communities

Rural Non-Farm Skills	Anticipated positive effect	Anticipated negative effect
1.		

2.		
3.		
4.		
5.		

ANNEX B. Skills Development Organizations visited

Name ²⁴	Organization & City	Date of Visit
Md. Shahjahan, Deputy Director	Youth Development, Rangamati	19/09/2021
Md. Shamsuddin Majumder, Assistant General Manager	BSCIC, Rangamati	19/09/2021
Engineer Md. Nuruzzaman, Principal	TTC, Rangamati	20/09/2021
Mr. Biplob Chakma, Executive Director	ASHIKA, Rangamati	21/09/2021
Ms Gorky Chakma, Program Coordinator	Progressive, Rangamati	22/09/2021
Didarul Anam Chowdhury, Director, Program & Innovations	UCEP Bangladesh, Dhaka	3/10/2022
Mr. Ripon Chakma, Executive Director	Trinamul, Khagrachari	22/11/2021
Mr. Mathura Bikash Tripura, Executive Director	Zabarang, Khagrachari	22/11/2021
Md. Mizanur Rahman, Deputy Director	Youth Development, Khagrachari	22/11/2021
Mr. Arun Kanti Chakma, Executive Director	ALO, Khagrachari	22/11/2021
Mr. Ching Shing Prue, Executive Director	Tahzingdong, Bandarban	23/11/2021
Ms Hal Shing Nue, Executive Director	BNKS, Bandarban	23/11/2021
Mr. Dinendra Lal Tripura, Program Officer	AKS, Bandarban	23/11/2021
Mr. Chaing Seing Mong, Executive Director	Gram Unnayon Songathon, Bandarban	23/11/2021
Mr. Palash Kumar Barua, Principal	TTC, Bandarban	23/11/2021
Mr. Shyam Sundar Saha	BRAC, Dhaka, Integrated Development Program	12/04/2022

²⁴ Only director or head of organization met are included. In most meetings other staff were also present.

ANNEX C: Visits to skills development institutions in Bandarban and Khagrachari

Date	District	Organization	Meeting with	Training activities				Suggestions		Remarks
				Course Name	Duration	Nos. of Participants per batch	Resource Person	Training	Training Venue Location	
22/11/202	Khagrachari	Trinamul Unnayan Sangstha	Executive Director: Mr. Ripan Chakma, Project Manager: Mr. Sui Ching Marma	1. Beekeeping, 2. Homestead gardening, 3. Mushroom Cultivation, 4. Local chicken farming, 5. Vermicomposting, 6. Handicrafts, 7. Food processing - Banana chips making, Pickle making	3-5 days	20-25 nos. 2-3 batches per year	Own trainer, Local trainer, Line department	1. Beekeeping, 2. Local chicken farming, 3. Mushroom cultivation, 4. Vermicomposting, 5. Homestead gardening, 6. Cow, Goat rearing, 7. Mobile servicing	District/Upazila level based upon the type of training	
		ZABARANG	ED: Mr. Mathura Bikash Tripura, Admin Officer: Mr. Dhaneshwar Tripura, Finance and Administration Officer: Ms. Popi Tripura	1. Health education, 2. Water Sanitation, 3. Kitchen Gardening, 4. Child right, 5. Sexual Harassment, 6. Advocacy			Local trainer, Line department	1. Mobile Servicing, 2. Mushroom cultivation, 3. Mechanical training, 4. Local chicken farming, 5. Pig, goat rearing	Upazila level	They have practical experience in school-based wash blocks and Toilet making with water facility on 10:1 scale
		Youth Development Centre	Deputy Director: Mr. Mizanur Rahman	1. Driving with a license	1 month	Continuous				They have own accommodation in district level . They have Upazila office but no accommodation in the Upazila level
				2. Dressmaking	3 months	Continuous				
				3. Computer (Basic)	6 months	2 batch				
				4. Mobile servicing	3 months	30				
				5. Livestock	1/3 months					
				6. Beautification	1 month	20				
				7. Fisheries	1 month					
		Assistance for the livelihood of the Origins (ALO)	ED: Mr. Arun Kanti Chakma	1. Micro entrepreneurship	3-5 days	25 (Female)	Local Trainer, Line department	1. Homestead gardening, 2. Mobile servicing, 3. Computer Servicing, 4. Primary Healthcare	Union and Upazila	

Date	District	Organization	Meeting with	Training activities				Suggestions		Remarks
				Course Name	Duration	Nos. of Participants per batch	Resource Person	Training	Training Venue Location	
				2. Mushroom, 3. Bee Keeping, 4. Livestock	3-5 days	20-25	Local Trainer, Line department	with Blood pressure machine and Diabetes tester machine		
				5. Refresher training on each trade	2 days	20-25	Local Trainer, Line department			
				6. Candle Making, 7. Soap Making, 8. Chanachur Making, 9. Tailoring, 10. Boutique, 11. Plumber	3-5 days	20-25	Local Trainer, Line department			
23/11/2021	Bandarban	TAHZINGDO NG	ED: Mr. Ching Sing Prue	1. Youth leadership, 2. Professional skill development, 3. Environment & Forest Conservation, 4. Agriculture, 5. Nursery, 6. Mobile repairing, 7. Tailoring, 8. Driving, 9. Computer	6 months (05 months residential training and 01 month internship)	8-10	Local Trainer, Line department	1. Driving, 2. Tailoring, 3. Local chicken farming, 4. Automobile workshop, 5. Fisheries, 6. Tourism (tour guide, waiter)	District level	Organized with the help of Youth Conservation Corps Program of Community Partnership to Strengthen Sustainable Development Program (Compass) Project held in YCC training center, La Bela resort, Inani, Cox's Bazar
		Bolipara Nari Kalyan Somity (BNKS)	ED: Hla Shing Nue, PM, AO, PC	Project based			Own trainer, Local trainer,	1. Handcrafts, 2. Cotton, 3. IT, 4. Tailoring, 5. Mobile, Computer Servicing,	Union and Upazila	They suggest an Internship after training and provide

Date	District	Organization	Meeting with	Training activities				Suggestions		Remarks
				Course Name	Duration	Nos. of Participants per batch	Resource Person	Training	Training Venue Location	
							Line department	6. Local chicken farming, 7. Electrical course, 8. Handloom		women with ideas to innovate with their traditional hand-woven fabrics and help to implement them.
		Ananya Kalyan Sangstha	PM: Mr. Dinendra Tripura, A.O. & F.O	1. Tailoring, 2. Beautification, 3. Mobile servicing, 4. Handicrafts	3 months	13-15	Line department	1. Beautification, 2. Tailoring, 3. Computer with photo printing, 4. Food processing, 5. Handicrafts, 6. Showpiece making, 7. Driving for females, 8. Motorcycle servicing, 9. Electrical course, 10. Welding workshop, 11. Paper packet making, 12. Screen printing, 13. Hand painting, 14. Candle making	District	
		Gram Unnayan Sangathon (GRAUS)	ED: Mr. Chaing Seing Moug	1. Youth skill training for cluster-based youth, 2. Masonry training, 3. Mechanical training, 4. Ring slab making training,	25-26 days	30	Local trainer, Line department	1. Poultry feed, fish feed making training, 2. Ring Slab making training, 3. Mechanical training, 4. Fruit nursery, 5. Fish nursery, 6. Motorcycle servicing, 7. Carpentry, 8. Handicrafts, 9. Masonry training	Union and Upazila	

Date	District	Organization	Meeting with	Training activities				Suggestions		Remarks
				Course Name	Duration	Nos. of Participants per batch	Resource Person	Training	Training Venue Location	
		TTC	Principal: Mr. Palash Kumar Barua	1. Electrical, 2. Driving, 3. Mechanical, 4. Wood Work, 5. Computer, 6.						They have own class room.

ANNEX D: Reports of visits to Vocational skills institutions in the CHT

54.

1. Government-related skill development providers in the CHT

55. The TRTA team mapped and visited existing technical and vocational skills training capacity available in the CHT. Annex C list all institutions visited. Due to the Covid-19 pandemic all trainings have been halted from April 2020 and were only gradually resumed from September/October 2021, so during the early visits only limited activities could be witnessed. As the institutions in Rangamati were visited first and they were generally best equipped these are discussed in detail below. Annex D provides the trainings offered by their peer institutes in Khagrachari and Bandarban.

1.1 Technical Training Centres

56. Each of the CHT district capitals has one Technical Training Centre (TTC). All three were visited. The one in Rangamati²⁵ is the largest of the three and is therefore discussed in more detail in this section. TTCs have their own campus, but do not provide residential facilities, students coming from outside the district capitals therefore need to provide their own accommodation.

57. The TTCs provide technical training in various light engineering trades to people in the 18–39-year age bracket. Students need to be available fulltime and not hold a job yet. The Rangamati TTC provide training in 13 trades, from 4-month courses for 3 batches of 30 students per year up to 2-year diploma courses. In general courses are 2-3 times are oversubscribed, but for some courses (driving, garments, tailoring) this goes up to 5 times. The majority of students are from SEC communities. Training subjects are decided on at national level and the district TTC has no influence in this regard.

58. The faculty of the CHT TTCs is limited, e.g. the Rangamati one has 42 staff members, of which 22 are teaching staff. The faculty did not keep pace with the increase in the number of courses offered, and the machinery used for hands-on trainings is often old.

59. The training courses provided by the TTC Rangamati are summarized in Table 1. In addition, training in entrepreneurship/SME management is included.

Table 1: Technical and vocational skills training provided by TTC Rangamati

2-year courses	4-month courses (project aided)
General Electrical Trade	Graphic Design
Automotive Trade	Electrical Installation & maintenance
Wood Working Trade	Plumbing & pipe fittings
General Mechanics Trade	Welding and Fabrication Trade
Electrical Maintenance Works Trade	Motor Driving with basic maintenance
General Electrical Works Trade	IT Support Technician
Refrigeration and Air Conditioning Trade	Sewing Machine Operation
Welding and Fabrication Trade	Graphic Design

60. The Rangamati TTC also provides Japanese language training for migrant workers. TTCs get support from several development partners including ADB and ILO/European

²⁵ Information provided by Mr Nurul Jaman, Principal

Union. ADB's ongoing support is for: teachers and staff, raw materials, learning materials. ADB is providing such support for 5 courses, the ILO (with EU financing) for 9 courses.

61. TTC Rangamati suggested that there is scope for additional courses on: hospitality industry/tourism; bakery; and food related in general. These are subjects the TTC currently cannot cover as all its teaching staff are engineers.

62. TTCs have very limited space to enrol additional students, unless financial support for additional courses is provided, including honoraria for teaching staff. Also, the TTCs are open to collaboration with the future project in the form of making teaching staff available, if the project is willing to design the training courses. Opportunities for collaboration could especially be related to wood technology (but the TTC would need carpentry machinery and tools), welding, electrical.

1.2 Youth Training Centres

63. Under the Ministry of Youth and Sports there are Youth Training Centers (YTCs) in every district attached to the District Office for Youth Development. Hence there are three YTCs in the CHT. The mission of YTCs is to provide skills development training to unemployed and dropout youngster in the 18-35 years age bracket. A YTC provides both residential and non-residential training. The Rangamati YTC has its own hostel with a capacity of 100 beds. The majority of the residential students are from SEC communities.

64. The residential courses are for students from all over the district. The courses are advertised in newspapers and youngster then can apply for the selection process, which includes a written test. Normally about two to three times the number of youngsters apply than there are seats. Courses are for three months, four hours per day. Four courses per year are provided with 60 students per batch. No fee is charged to students. Subjects of the residential trainings are livestock, fisheries and agriculture. The YTC has a few cows, a pond, and some land for training, but generally the agriculture facilities were found to be insufficient.

65. Non-residential courses are for six month, four hours per day. There are courses in computer basics and ICT applications; modern office management; electrical and house wiring; refrigeration and air conditioning. There also is a three-month course in dress making. When the TRTA Consultant visited a training in computer skills was ongoing.

66. The YTC do not have the capacity to take on additional students, but the project could make use of its trainings and perhaps also its facilities against an incentive payment.

67. The Ministry of Youth and Sports also provides formal courses (more than one month) and informal courses (mostly 1-3 weeks) at upazila level. Each upazila has a Youth Office with seven staff. They are responsible for the youth clubs. The informal courses at upazila level are all agriculture related, and cover subjects like mushroom cultivation, poultry, vegetable growing and fisheries.

68. Other agencies providing similar training (but not offering residential training):

- Social Welfare
- Department of Women Affairs
- Bangladesh Rural Development Board

69. 1.3 Bangladesh Small and Cottage Industries Corporation

70. The Bangladesh Small and Cottage Industries Corporation (BSCIC) provides support services to small, rural, and cottage industry in the small and cottage industries sector. Skill development for artisans and craftsmen is one of its tasks. It also provides

advisory services and works to strengthen linkages between small scale industries and large and medium-sized industries. The Rangamati district office provides the following trainings²⁶:

- Computer
- Handloom
- Batik print
- Tailoring
- Woodwork
- Bamboo and cane products
- Plastic bags

71. Trainings are from 2 to 6 months, in batches of 10 - 20 trainees. Trainees need to be in the 18-30 years age bracket. They are recruited through advertisements and announcements. Currently no fee is charged, but as there are too many applications the corporation is considering charging some fee in future.

72. Trainings are mostly provided at district level, but some also are delivered at upazila level. BSCIC has its own training centres at district level. The Rangamati centre is somewhat worn down and training equipment is limited. For some courses (computer and internet skills, plastic bag production) trainers come from outside BSCIC. For others BSCIC relies on its own staff, especially for handloom weaving, tailoring, woodwork and bamboo and cane products. BSCIC Rangamati indicated that some form of cooperation with an future project is feasible as training staff have time available. This would require an MoU between the project and BSCIC.

2. CHT NGOs

73. Several NGOs in the CHT were visited to assess their training capacity. While agricultural trainings are sometimes provided at village level, most of the trainings are delivered either at district or upazila level. Reasons for this are related to the remoteness of many villages and the lack of reliable electricity connections.

Ashika, Rangamati

74. Ashika is one of the longer established NGOs and its services are typical for the vocational trainings offered by NGOs in the CHT.²⁷ Ashika was part of the NGO consortium contracted as Implementation NGO to provide social mobilisation services for CHTRDP-II. It works in seven sectors: education, health, agriculture related livelihoods and income generating activities, environment, rights, gender, and culture & language.

75. The vocational trainings Ashika is or has been providing are generally part of larger livelihoods and rural development programmes, and include topics like mushroom growing, beekeeping, fruit and vegetable growing, vaccinating livestock, establishing nurseries, streamside plantation, and disaster risk reduction. It also provides specific skills trainings (partly in its Rangamati office, partly at field level) on weaving, tailoring, and the use of software packages.

76. Like the other NGOs and development programmes in the CHT, most of the trainers for technical skills training courses are insourced from government departments, such as the department for agricultural extension or the livestock and fisheries departments.

²⁶ information provided by Mr Shamsul Uddin Mazumdar, Assistant General Manager

²⁷ Ashika was visited on 21 September. Present were Biplab Chakma (Executive Director) and around 10 Ashika staff members.

77. Ashika recommended that rural communities might benefit from additional skills training in the following fields: food preservations and drying; seed production (e.g. for ladyfingers), production of banana and jackfruit chips as snacks for the local and regional market; production of brooms using local grasses; production of banana-fibre based products. Some of these would require the procurement of equipment and machinery and linkages to (micro-)financial institutions.

Progressive, Rangamati

78. Like Ashika, Progressive is providing some skills development training, with technical trainers mostly sources from other (government) organisations or training institutes. Table 2 provides an overview of trainings provided by this NGO and the duration of each course.

Table 2: Training offered by Progressive

Source: Progressive, August 2021

Training course	Duration
Tailoring	6 months
Block –batik and fashion design	7 days
Handicraft	15 days
Beauty parlour training	3 months
Journalism	1 month
Poultry rearing	5 days
Goat farming	5 days
Mushroom cultivation	1 month
Computer Operation	3 months
Online Marketing	1 month
Computer troubleshooting	1 month

79. Progressive sees scope for livelihood support by providing skills training for:

- the establishment of nurseries for fruit trees
- vegetable growing
- livestock raising (goats, cows)
- growing of ginger and turmeric

80. Reference was also made to the growth of online marketing of agricultural products in the CHT, and the opportunities this could offer to local farmers by establishing linkages. Lastly, the need for some training in business/entrepreneurial skills was mentioned.

81. 2 National NGOs

82. Two leading national NGOs specialized in TVET expressed an interest in supporting skills developed tailored to CHT needs.

UCEP Bangladesh²⁸

83. UCEP Bangladesh provides quality education to out of school children and decent work to youth and adults through its TVET, Entrepreneurship and Skills Development programs. It has a special focus on social inclusion and therefore gives priority women and girls, persons with disabilities and occupational minorities. UCEP Bangladesh has 32 general schools, 10 technical schools, 17 technical outreach technical training centres, 2 polytechnics and 2 technical institutes through which it is providing education, skills training, and technical assistance.

84. UCEP provides Competency-Based Training and Assessments (CBT&A) through these schools and centres. The Technical Schools are accredited by the Bangladesh Technical Education Board (BTEB) as Registered Training Organizations (RTOs) and Recognition of Prior Learning (RPL) assessment centres.

85. UCEP's Decent Employment & Enterprise Development (DEED) is the forward linkage programme of TVET and Skills Development programme which includes both wage-employment and self-employment supports to the graduates after completing the skills training at UCEP Bangladesh. The programme has strong linkages with over 2,000 industries and 1,000 enterprises to ensure decent employment of UCEP graduates. Around 90% graduates from its Technical Schools find employment within six months of graduation. At present, 40% of students are working children and can avail both education and technical training and 50% are female, 5% person with disability and 2% come from minority groups. Strengthening soft skills for enhancing employability and advocating for equity and equality of children and youth, especially those from disadvantaged backgrounds, are major focuses of the organisation.

86. Although UCEP doesn't have any training centres in the CHT, it could support the project in three manners: (1) by setting up dedicated training programmes in the CHT; (2) enrolling CHT youth in its regular trainings; (3) running dedicated trainings for CHT youth in its Chattogram facilities. UCEP pointed out that the first option would be less effective as it would take time to develop such programmes, identify appropriate trainings facilities, and most importantly teaching staff would have to be mobilized to the CHT which would be inefficient, costly and disrupt its regular programmes.

Table 3: UCEP Training Programmes at Chittagong

Technical Name & Location	Course	Workshop Capacity (Both Shift)	Residential capacity
UCEP Ambagan Technical School	1. Electrical Installation and Maintenance 2. Tailoring and Dress Making 3. Sewing Machine Maintenance 4. Quality Control and Management in RMG Sector 5. Beauty Care 6. Mobile Phone Servicing 7. Consumer Electronics	560	100

²⁸ Information in this section is based in a visit to UCEP in Mirpur Dhaka and materials provided during that visit, including *UCEP Bangladesh Profile*, n.d.

	8. Refrigeration and Air Conditioning 9. Wood Working Machine Operation 10. Lacquer Polishing 11. IT Support Technician 12. E-Commerce 13. Graphic Design		
A.K. Khan UCEP Technical School	1. Automotive Mechanics 2. Machine Shop Practice 3. Welding 4. Electrical Installation and Maintenance 5. Plumbing 6. IT Support Technician 7. Consumer Electronics 8. Sewing Machine Operation 9. E-Commerce 10. Graphic Design	470	100

87. Table 3 provides an overview of all courses UCEP runs in Chittagong. Out of these, the following courses were thought to be of initial interest for rural CHT youth offering increased local employment chances and being sufficiently aligned with the CRLIWM-CHT Sector project's objectives:

- Automotive Mechanics – there is a market for repair of various types of vehicles in the CHT, including power tillers and pumps (can also be provided by TTCs but for limited numbers)
- Electrical Installation and Maintenance – general need
- E-Commerce - could be combined with retail sales, in support of entrepreneurs in later stage of project
- Graphic Design
- Mobile Phone Servicing – a general need at upazila levels, market to be assessed during implementation
- Plumbing - directly relevant for the water and sanitation interventions
- Refrigeration and Air Conditioning – only relevant if cold storage emerges as option for agricultural value chain development
- Sewing Machine Operation – offers additional home-based employment for women, but can also be provided by local NGO
- Housekeeping- offers alternative employment for women and girls outside the CHT
- Food and Beverage – offers limited employment options in the hospitality industry within the CHT, and more outside

BRAC

88. BRAC is by far the largest NGO in Bangladesh. Skills development is one of its working areas. It does this under three types of programs:

- **Apprenticeships** – This is the largest skills interventions of BRAC. It started in 2012 and since then 88,000 trainees have graduated from the program. It targets adolescents who just are out of school. Youth, in batches of two or three, are placed with local micro-entrepreneurs for a 6-month period. The selection of business is based on a market survey conducted by the BRAC team. Entrepreneurs willing to take youngsters as trainees are then getting a 3-day training to equipment them for their role. BRAC has developed courses for 28 different sectors/crafts, including motor mechanics, refrigerating, electrics, tailoring, mobile phone repair, hospitality, construction. BRAC staff visits each of the enterprises on a weekly basis to check on progress made by trainees, provide support, and where needed provide extra support, e.g. for women and other vulnerable trainees in non-traditional businesses. One day per week the trainees attend a soft skills training at the local BRAC center. Upon completion of the 6-month apprenticeship, the trainee either continues with the same entrepreneur or BRAC finds an alternative employer for them. BRAC claims a 95% success rate with such placements. The BRAC approach is highly inclusive, especially by selecting women for non-traditional professions. For this it does not work with the entrepreneurs only, but also with the trainee's family. In any location 4-5 out of 28 courses/sectors would be prioritized. Care is taken to spread trainees around the region to prevent oversupply of the market. Both trainees and employer receive a stipend. Cost per trainee for the total course are \$380. The courses are accredited.
- **Entrepreneurship** – this is aimed at graduates of the apprenticeship program, of whom quite a few try to start their own business, normally after having been three or four years with a business as employees. Many do not survive due to lack of business skills. The entrepreneurship offers to support them in this. It consists of an 11-day training spread over 3 months, and consists of a mix of classroom training, group work and mentorship. BRAC also links these new entrepreneurs to a BRAC microfinance start-up loan product with is tailored to their requirements. Since this program started 5,000 trainees have attended the course. BRAC has noted that few girls attend as few take the leap to setting up their own business. Costs are \$170, excluding the start-up loan.
- **Industry-based skills training** – meant for 18+ youngster to equip them with skills required for employment in larger enterprises, e.g. in the ready made garment, construction, hotel and tourism sectors. From its 13 regional training centers BRAC offers 12 different courses of 2-3 months, all accredited. There is no presence in the CHT, the nearest training centers are in Cox's Bazar and Chittagong. This program started in 2017 and has reached 24,000 students so far. Cost are \$160/student for a course, excluding board and lodging. BRAC offers board and lodging, which would add \$50-80 per student.

89. These three programs run at 80-90% capacity. BRAC would be an alternative/competitor to UCEP for the residential longer courses. The apprenticeship program is quite unique. However, BRAC has tried to run this in the CHT, but decided to close it down as it could not agree with the CHTRC on the inclusiveness approach, especially placing girls in the hospitality industry. BRAC has done assessments in all three hill districts and see potential to work in cooperation with local NGO. The advantage for local NGOs of such a form of cooperation would be that they would be able to build their capacity in running such programs, and the fact that the BRAC program is accredited. This merits further discussion with the CHTRC.

ANNEX E. Grievance Recording Form

Ministry of Chittagong Hill Tracts Affairs

Climate Resilient Livelihood Improvement and Watershed Management in Chattogram Hill Tracts Sector Project

SL	GRIEVANCE RECORDING FORM			
1.	Date of Grievance Reporting			
2.	Full Name of AP / Complainant			
3.	Gender of AP/ Complainant		Male Female	
4.	ID of AP (voters ID/passport number/driving license/any other ID)			
5.	Address of AP/ Complainant			
6.	Contact Information	Phone:	Email:	
7.	Mode of communicating grievance (<i>circle the number below</i>)			
8.	Oral	Oral (but not AP)	Written	Written (by other)
	1	2	3	4
9.	Mode of Contact (<i>circle the number below</i>)			
	Phone	Email	UP Chairman/ Mouza Headman/ UP Member/ Karbari/ Local Community Leader	Others (specify)
	1	2	3	4
10.	Type of Grievance (<i>circle as many reported</i>)			
Unaware of project component boundary		1	Safety of women	7
Parcel missed in measurement		2	Damage to crops due to construction	8
Parcel measurement error		3	Inappropriate restoration scheme livelihood	9
Disagreement over rates used for valuation		4	Loss of access	10

Mistakes in compensation agreement/ID reference	5	Others (Specify)	11
Delay in compensation payment	6		

11.	Description of Grievance:		
12.	Frequency of Grievance (<i>circle the number</i>):		
	• One time incident	1	
	• Happened more than once	2	
	• On-going	3	
13.	Expected resolution to stated grievance:		
14.	Signature/Thumb impression of AP/Complainant		Date:
15.	Name and Signature of the Official recording grievance		Date:
16.	Has AP been handed a copy of the grievance form	Yes	No
Status of Resolution			
17.	By GRC		Date:
Resolution details:			
Has AP/ Complainant been notified?		Yes	No
Is Grievance resolved/closed?		Yes	Not resolved. Referred to Provincial Administrator
If case is closed, then Signature of AP/ Complainant to show agreement		Date:	
Name and signature of the Official		Date:	
18	By Hill District Council		Date:
Resolution details:			
Has AP/ Complainant been notified?		Yes	No
Is Grievance resolved/closed		Yes	Not resolved.

			Referred to IPMU/WAF
If case is closed, then Signature of AP/ Complainant to show agreement		Date:	
Name and signature of the Official		Date:	
19.	BY Regional Council	Date:	
Resolution details:			
Has AP/ Complainant been notified?		Yes	No
Is Grievance resolved/closed?		Yes	Not resolved. Referred to Court
If case is closed, then Signature of AP/ Complainant to show agreement		Date:	
Name and signature of the Official		Date:	
20.	By Court	Date:	
Resolution details:			
Is Grievance resolved/closed?		Yes	No
Name and signature of the Official		Date:	
DECISION OF THE COURT IS FINAL			

অভিযোগ সংরক্ষণ ফর্ম

পার্বত্য চট্টগ্রাম বিষয়ক মন্ত্রণালয়

পার্বত্য চট্টগ্রাম জলবায়ু স্থিতিস্থাপক জীবিকা উন্নয়ন ও জলাধার ব্যবস্থাপনা সেক্টর প্রকল্প

ক্রমিক	অভিযোগ সংরক্ষণ ফর্ম			
১.	অভিযোগ প্রতিবেদনের তারিখ			
২.	এপি /অভিযোগকারীর পুরো নাম			
৩.	এপি/অভিযোগকারীর লিঙ্গ		পুরুষ নারী	
৪.	এপি আইডি (ভোটার আইডি / পাসপোর্ট নম্বর / ড্রাইভিং লাইসেন্স / অন্য কোনও আইডি)			
৫.	এপি/অভিযোগকারীর ঠিকানা			
৬.	যোগাযোগের তথ্য	ফোন:	ইমেল:	
৭.	যোগাযোগের অভিযোগ করার পদ্ধতি (নীচের নম্বরটি বৃত্তাকার করুন)			
৮.	মৌখিক	মৌখিক (কিন্তু এপি নয়)	লেখা	লেখা (অন্যের দ্বারা)
	১	২	৩	৪
৯.	যোগাযোগের মোড (নীচের নম্বরটি বৃত্তাকার করুন)			
	ফোন	ইমেইল	ইউপি চেয়ারম্যান/মৌজা হেডম্যান/ইউপি সদস্য/কারবাড়ি/স্থানীয় কমিউনিটি লিডার	অন্যান্য (নির্দিষ্ট)
	১	২	৩	৪
১০.	অভিযোগের ধরণ (বৃত্ত হিসাবে অনেক রিপোর্ট করা হয়েছে)			
প্রকল্পের কম্পোনেন্ট সীমানা সম্পর্কে অবগত নয়		১	নারীর নিরাপত্তা	৭
		২	নির্মাণের কারণে ফসলের ক্ষতি	৮

পরিমাপে পার্সেল মিস হয়েছে			
পার্সেল পরিমাপ ত্রুটি	৩	অনুপযুক্ত জীবিকা পুনরুদ্ধার প্রকল্প	৯
মূল্যায়নের জন্য ব্যবহৃত হারের বিষয়ে মতানৈক্য	৩	অ্যাক্সেস হারানো	১০
ক্ষতিপূরণ চুক্তি/আইডি রেফারেন্সে ভুল	৫	অন্যান্য (নির্দিষ্ট করুন)	১১
ক্ষতিপূরণ প্রদানে বিলম্ব	৬		

১১.	অভিযোগের বিবরণ:		
১২.	অভিযোগের ফ্রিকোয়েন্সি (সংখ্যাটি বৃত্তাকার করুন):		
	• একবারের ঘটনা		১
	• একাধিকবার ঘটেছে		২
	• চলমান		৩
১৩.	অভিযোগ বিবৃত করার প্রত্যাশিত সমাধান:		
১৪.	এপি/অভিযোগকারীর স্বাক্ষর/থাম্ব ইমপ্রেশন	তারিখ:	

১৫.	অফিসিয়াল রেকর্ডিং অভিযোগের নাম এবং স্বাক্ষর	তারিখ:	
১৬.	এপিকে কি অভিযোগ ফর্মের একটি অনুলিপি দেওয়া হয়েছে	হ্যাঁ	না
রেজোলিউশনের বিস্তারিত:			
১৭.	জিআরসি দ্বারা	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না

অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?	হ্যাঁ	সমাধান হয়নি। প্রাদেশিক প্রশাসক
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য এপি/অভিযোগকারীর স্বাক্ষর	তারিখ:	
কর্মকর্তার নাম ও স্বাক্ষর	তারিখ:	

১৮	পার্বত্য জেলা পরিষদ	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না
অভিযোগ কি সমাধান করা হয়েছে/বন্ধ করা হয়েছে		হ্যাঁ	সমাধান হয়নি। উল্লেখিত IPMU/WAF
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য এপি/অভিযোগকারীর স্বাক্ষর		তারিখ:	
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:	
19.	আঞ্চলিক পরিষদ	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না
অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?		হ্যাঁ	সমাধান হয়নি। আদালতে রেফার করা হয়েছে
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য AP/অভিযোগকারীর স্বাক্ষর		তারিখ:	

কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:
২০.	আদালত দ্বারা	তারিখ:
রেজোলিউশনের বিস্তারিত:		
অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?	হ্যাঁ	না
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:
আদালতের সিদ্ধান্তই চূড়ান্ত		

Annex F. Outline for Semiannual Indigenous Peoples' Safeguards Monitoring Report

Cover page

Disclaimers

Currencies and units of measurement

Abbreviations

Glossary

Executive Summary

1. Introduction

1.1. Background of the project

1.2. ADB IP Safeguards and SEC Plan Framework

1.3. Purpose of the report

1.4. Scope of the report

1.5. Methodology

2. SEC in the CHT

3. Project description

4. Project organisation

4.1. Institutional and implementation arrangements

4.2. Organisation of social safeguards implementation, monitoring and reporting

4.3. Progress of the project

5. Monitoring of compliance with SEC Plan Framework requirements

5.1. Land acquisition – compensation for customary land

5.2. Support for small SECs

5.3. Participatory Village Mapping

5.4. Capacity Building on IP Safeguards and SEC issues

5.5. Grievance Redress

5.6. Compliance with respect to Loan Covenant

6. Conclusions and Recommendations

Annex G. Broad Community Support Documentation Template

Broad Community Support

I. Date and Venue

(Provide the date and location of the consultation meeting)

II. Participants

(Provide a summary of the attendees in paragraph form and attach the list of attendees. The minimum attendees should compose but not limited to the karbari or headmen, PDC, representative from IP women and youth, PISC's SEC National Expert, Implementing NGO, other relevant project staff, representative from the contractor, representative from CHT RC/MoCHTA or any government agency involved in the project)

III. Agenda

(Provide the agenda here. The minimum topics to be included are, but not limited to: broad community consent, project information, subproject details, disclosure of RF, RP, SECPF, and SECP, GRM, possible impacts to SEC, budget, implementation arrangement, monitoring, operation and maintenance, sensitization and information on costs that the community will need to cover for maintenance and instruction on how to achieve this, and any relevant topics)

IV. Discussion

(Provide in complete details the discussion per topic in the agenda)



Agenda	Discussion from Project team	Comments from SEC/Community	Remarks/Agreements
Broad Community Consent ¹			
Project Information			
Subproject Details			
Possible Impacts on Small Ethnic Communities (both positive and negative)			
Implementation Arrangement			
Budget/Resources Needed			

¹ Explain to the community that the purpose of the meeting is to ascertain, or otherwise, broad community consent and their rights in the process in alignment with the principles of free, prior and informed consent (FPIC).

Monitoring			
Operation and Maintenance			
Sensitization on payment and work required from community for maintenance			
GRM			
Resettlement Framework			
Resettlement Plan			
Small Ethnic Communities Planning Framework			
Small Ethnic Communities Plan			

V. Broad Community Support²

(Seek verbal consent from the karbaris or headmen and document the statement here)

VI. Memorandum of Understanding

(Discuss that an MOU will be drafted within 5 days to be signed by the karbaris or headmen and CHTRC based on the agreements reached and discussion during the BCS consultation)

VII. Attachment

A. Attendance

(Attach the signed and complete attendance sheet)

B. Photos

(Attach the photo documentation)

² The Asian Development Bank's Safeguard Policy Statement (2009), particularly on Indigenous Peoples safeguard policy, requires ascertaining broad community support of affected Indigenous Peoples communities as part of project preparation for all projects and investments (under any funding modality) that have activities that include the following: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) 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 Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous 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.