

Ethnic Group Development Framework

March 2018

Myanmar: Climate-Friendly Agribusiness Value
Chains Sector Project

Prepared by the Ministry of Agriculture, Livestock and Irrigation for the Asian Development Bank.

This Ethnic Group Development Framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

CONTENTS

I.	INTRODUCTION	1
II.	SOCIO ECONOMIC AND DEMOGRAPHIC INDICATORS IN THE CENTRAL DRY ZONE	2 2
III.	MYANMAR MAIN ETHNIC GROUPS	3
	A. Ethnicity in the Project Areas	4
IV.	ADB AND GOVERNMENT POLICY FOR ETHNIC GROUPS	6
	A. Myanmar Laws and Policies	6
	B. ADB's 2009 Safeguard Policy Statement	8
V.	SUBPROJECT SCREENING AND EG IMPACT	9
VI.	PROJECT ACTIVITIES	9
VII.	RECOMMENDATIONS FOR ETHNIC GROUP DEVELOPMENT	9
	A. Grievance Redress Mechanism	10
	B. GRM Steps and Timeframe	11
	C. Implementation of Ethnic Group Development Recommendations	13
	D. Monitoring and Evaluation and Reporting	17
VIII.	BUDGET	17
	ANNEX I: IP/EM SCREENING CHECKLIST	18

CURRENCY EQUIVALENTS

(As of 26 March 2018)

Currency unit	–	Myanmar Kyat (MK)
MK1.00	=	\$0.000753
\$1.00	=	MK1,328.00

ABBREVIATIONS

ADB	–	Asian Development Bank
CDZ	–	Central Dry Zone
DMS	–	detailed measurement survey
DOA	–	Department of Agriculture
EMO	–	external monitoring organization
FPIC	–	free, prior and informed consent
GAP	–	gender action plan
GRM	–	grievance redress mechanism
IEP	–	independent external party
IPP	–	indigenous peoples plan
IWUMD	–	Irrigation and Water Utilization Management Department, MOALI
LAA	–	Land Acquisition Act
LARP	–	Land Acquisition Resettlement Plan
LUC	–	land use certificate
MOALI	–	Ministry of Agriculture, Livestock and Irrigation
NGO	–	non-government organization
PCU	–	project coordination unit
PMU	–	project management unit
PPTA	–	project preparatory technical assistance
PSC	–	project steering committee
REA	–	rapid environmental assessment
RCS	–	replacement cost study
REGF	–	resettlement and ethnic group framework
REGP	–	resettlement and ethnic group plan
ROW	–	right of way
SPS	–	Safeguard Policy Statement
WUG	–	water user group

NOTE

In this report “\$” refers to United States dollars.

I. INTRODUCTION

1. The Climate Friendly Agriculture Value Chains Project will be implemented in the Central Dry Zone (CDZ) region of Myanmar. In particular, implementation will occur in Sagaing, west Mandalay and Magway regions and in particular townships such as Shwebo and Pakokku. Although Myanmar is one of the most ethnically diverse countries in the world there are very few ethnic minorities living in the CDZ. In the three subprojects subject to detailed feasibility study under CFAVC project preparation, no ethnic minorities households were encountered and local officials confirmed that there were no ethnic minorities in the project areas. Despite the project being assessed as category C¹ for this safeguard area, it is remotely possible that a future subproject identified during implementation is assessed as category B for ethnic minority. This is considered unlikely, but in the event of such a case, this Ethnic Group Development Framework (EGDF) is prepared in order to guide implementation in any subproject where an ethnic minority household or group of households are part of the beneficiary community, in order to ensure ethnic group inclusion, consultation and participation on an equal basis.

2. About 70% of Myanmar's 51.5 million people reside in rural areas and are dependent on agriculture for part of their livelihood.² Nationally, about one in four people are considered poor³ and the poverty rate in 2013 in rural areas was 1.8 times higher than in urban areas.⁴ The CDZ has a high incidence of poverty, particularly in rural areas where 85% of the population is classified as poor. Most poor households are engaged in agricultural activities and/or have household members employed as casual laborers. Out-migration of unskilled males to countries such as the Malaysia, People's Republic of China, the Republic of Korea, and Thailand support rural families through remittances. Lack of adequate income-generating opportunities and employment are the main drivers of out-migration in rural areas. Rural households which are dependent on rain-fed cropping, experience unreliable and irregular rainfall patterns leading to frequent crop failure. Farming households have become locked into a debt cycle where money is borrowed to pay off old debts and new debts are taken on in order to obtain working capital for agricultural production.

3. Estimates of landless laborers, who are more vulnerable to poverty, vary between 30% and 50%.⁵ The cultivable land available per person is 0.3 hectares (ha).⁶ For all of Myanmar, it is estimated that there is 1.6 meter (m) of water available per acre and 6.3 m for one acre of cultivable land. In 2010, 99.5% of household crop holdings were managed by single households and just over 22% of household crop holdings were irrigated.⁷

¹ ADB SPS (2009): proposed project is assigned to one of the following categories depending on the significance of the potential impacts on Indigenous Peoples: (i) Category A. A proposed project is classified as category A if it is likely to have significant impacts on Indigenous Peoples. An Indigenous Peoples plan (IPP), including assessment of social impacts, is required; (ii) Category B. A proposed project is classified as category B if it is likely to have limited impacts on Indigenous Peoples. An IPP, including assessment of social impacts, is required; (iii) Category C. A proposed project is classified as category C if it is not expected to have impacts on Indigenous Peoples. No further action is required.

² 2014 Myanmar Population and Housing Census, A Changing Population: Union Figures at a Glance, Ministry of Immigration and Population with technical support from UNFPA, May 2015.

³ Myanmar: Unlocking the Potential, Country Diagnostic Study, ADB 2014.

⁴ A Regional Perspective on Poverty in Myanmar, UNDP 2013.

⁵ USAID Country Profile: Property Rights and Resource Governance Burma, undated.

⁶ Outline of the Irrigation Department, October 2013.

⁷ Report on Myanmar Census of Agriculture, 2010. Republic of the Union of Myanmar, Ministry of Agriculture and Irrigation, Settlement and Lands Record Department, 2013. In collaboration with FAO.

II. SOCIO ECONOMIC AND DEMOGRAPHIC INDICATORS IN THE CENTRAL DRY ZONE

4. The CDZ is one of the most food insecure, water-stressed, climate sensitive and natural resource poor regions in Myanmar. It has the second highest population density in Myanmar but remains one of the least developed. Access and availability of water resources are key determinants of rural poverty with livelihoods largely dependent on the southwest monsoon.

5. The country is geographically and administratively divided into seven regions. The majority population is Bamar. The seven states are ethnic minority areas named after the largest population group in them: the Chin, Kachin, Kayin, Kayah, Mon, Rakhine and Shan. These states are not ethnically homogenous and there are many smaller groups and sub-groups. It is estimated there are about 135 ethnic groups that speak 116 languages.⁸ The World Directory of Minorities and Indigenous People has identified the following ethnic groups as communities at risk: Chin (Zomis), Kachin, Karenni, Karen, Mons, Rakhine, Shan, and Wa.⁹ Some members of the Chin ethnic group reside in the eastern border area of the CDZ but the majority of the CDZ population is not from a minority ethnic group.¹⁰ The CFAVC will be implemented in the central and western region of the CDZ.

6. Although household incomes within the CDZ are low, 12% earned less than Kyat 25,000 per month, 42% less than Kyat 50,000 and 84% less than Kyat 100,000 per month, the proportion of households with incomes below Kyat 50,000 per month was lower than in either the coastal, delta or upland areas of the country.

Table 1: Project Area Socio Economic Indicators

Indicator and unit	Mandalay Region	Magway Region	Sagaing Region
Population (# of people)	6,165,723 (52.5% female)	3,917,055 (53.69% female)	5,325,347 (52.74% female)
Population density (# of people per km ²)	199.6	87.4	56.8
Mean household size (# of people per household)	4.4	4.1	4.6
Literacy rate (persons aged 15 years and over)	All: 93.8 (Male: 97.3; Female: 90.9)	All 92.2 (Male: 96.5; Female: 88.9)	All: 93.7 (Male: 96.6; Female: 91.4)
Employment to population ratio for age 15 to 64 years (%)	All: 65.7 (Male: 82.8; Female: 50.7)	All 69.0 (Male:84.1; Female:56.4)	All: 69.7% (Male: 84.5; Female: 56.8)
Under 5 years of age mortality rate (# of deaths per 1000 live births)	66	108	70
Households with electricity as main source of lighting (%)	39.4	22.7	24.2

⁸ Myanmar: Unlocking the Potential, Country Diagnostic Study, Asian Development Bank 2014.

⁹ The United Nations' High Commission for Refugee's World Directory of Minorities and Indigenous People at <http://peoplesunderthreat.org/countries/myanmar/> Accessed 24 May 2015.

¹⁰ Stimson 2014 cited in A Nutrition and Food Security Assessment of the Dry Zone of Myanmar in June and July 2013. Save the Children, World Food Programme and the Ministry of Livestock, Fisheries and Rural Development, 2014, Myanmar: Unlocking the Potential, Country Diagnostic Study, Asian Development Bank 2014.

Households with improved source of drinking water (%)	85.6	76.6	81.1
Households with improved sanitation (%)	79.8	68.4	71.6

Source: 2014 Myanmar Population and Housing Census, Region/State reports.

7. It is estimated, in the CDZ, that seven to ten acres of average land (or 15–20 acres of poor quality land) are required to sustain minimum standards of living for a family in this area, assuming no complementary income sources.¹¹ In 2010, the average areas per holdings (household and special holdings) were 4.97 acres in Mandalay Region, 5.57 acres in Magway region, 8.51 acres in Sagaing Region and 3.7 acres in Kayah State.¹² Rice, cotton, ground nut, sesame, pigeon pea, green gram, chili, onion and tomato are common crops in the CDZ.

III. MYANMAR MAIN ETHNIC GROUPS

8. The biggest ethnic group in Myanmar is the Bamar. The government recognizes 135 distinct ethnic groups which together constitute about 35% of the total national population. The largest minority groups are the Shan (9%) and the Karen (7%), while the remaining groups – which include the Akha, Chin, Chinese, Danu, Indian, Kachin, Karenni, Kayan, Kokang, Lahu, Mon, Naga, Palaung, Pao, Rakhine, Rohyinga, Tavoyan, and Wa groups – each constitute 5% or less of the population.¹³ The Chin, Mon, Kayin, Kayah, Kachin, Rakhine, and Shan have states named for them: this naming reflects their attachment to a specific landscape and geographical space. Figure 1 shows the spatial distribution of the main ethnic groups. As clearly indicated, the CDZ is almost solely Bamar ethnicity.

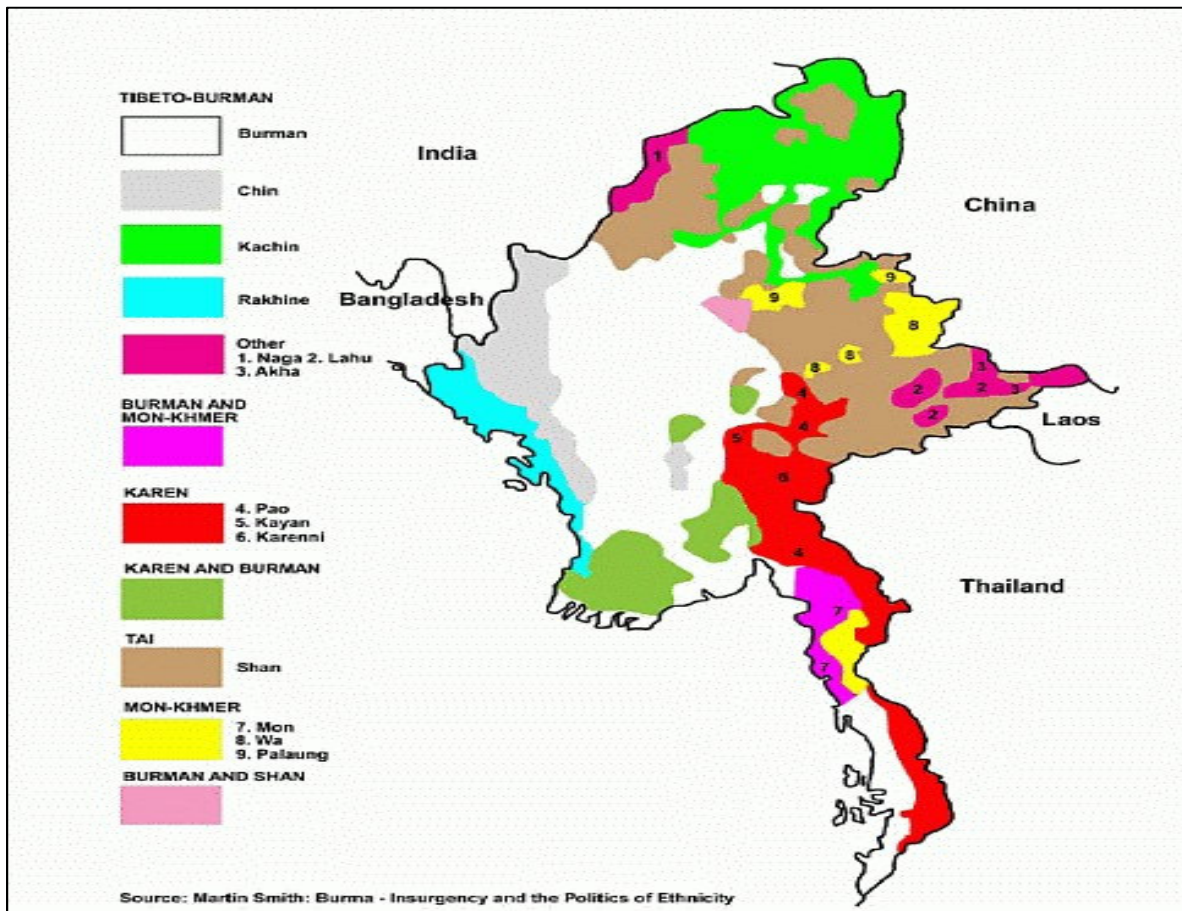
9. The vast majority of the population in the project areas is Bamar. During prefeasibility site visits (September 2016 to January 2017) undertaken by the social safeguards team and project engineers to three irrigation schemes in Pakokku, all households identified themselves as Bamar, and local leaders and staff from the Integrated Water User Management Department (IWUMD) of Ministry of Agriculture, Livestock and Irrigation (MOALI) also confirmed 100% Bamar ethnicity in the community. The same situation was found in site visits to the Shwebo Seed farm and also the beans and pulses processing subproject.

¹¹ USAID Land Tenure Burma Profile, undated.

¹² Report on Myanmar Census of Agriculture 2010, Republic of the Union of Myanmar, Ministry of Agriculture and Irrigation, Settlement and Lands Record Department, 2013. In collaboration with FAO.

¹³ USAID Land Tenure Burma Profile, undated.

Figure 1: Location of Ethnic Groups in Myanmar



A. Ethnicity in the Project Areas

10. As shown in the tables below the ethnic minority population in Pakokku is approximately 0.188%, meaning there would be less than two ethnic minority household for every 1,000 Bamarn households. In Magway the ratio is 0.21% ethnic minority households, equating to 2.1 ethnic minority households for every 1,000 Bamarn households in the area. Mandalay is slightly higher due to the upland and highland areas to the north east, but basically exhibits the same local ethnic minority frequency in lowland areas. The CFAVC is being implemented in the lowland, flat areas of the CDZ.

11. Mandalay city has a very large contingent of ethnic Chinese (perhaps even over 40%), who have arrived in the past 20 years to pursue economic opportunities. There is also a sizeable Indian community in Mandalay city. These two main ethnic minority groups are not engaged in farming but rather in trade and commerce and they are most unlikely to be involved in any CFAVC subprojects. In any case, the Chinese and Indian groups are not considered to be within the context of the ADB SPS (2009) in regards to social safeguards, but may be more accurately considered as economic opportunists.

12. These ethnic minority households that are residing in the project townships are no longer living by traditional means. Traditionally, the ethnic minority groups in Myanmar live in upland and highland areas, however, the ethnic minority found in the CDZ have moved into lowland urban,

peri urban and rural areas over several generations and have assimilated into Bamar society and are all pursuing identical livelihoods as their Bamarn neighbors. They speak the official Myanmar language and send their children to local schools. For all intents and purposes, they are not distinguishable from the Bamarn.

13. According to township authorities, the few ethnic minority households in each township are based in urban and peri urban areas and are unlikely to be found farming on any irrigation schemes. Given the nature of the subprojects likely to be implemented under CFAVC, it is unlikely that any ethnic minority household will be encountered under works proposed for seed farms or commodity processing factories, however, it could be that a member of an investment circle is from an ethnic minority background. As mentioned, such ethnic minority are totally assimilated into the mainstream Bamar communities in which they live and pursue identical livelihoods. If any ethnic minority households are present in any subproject selected for implementation, the ethnic minority household will be provided full consultation and participation rights as other Bamar households in the subproject. All households will be considered equally.

1. Population and Ethnic Ratio by Township

Table 2: Pakokku Population

Urban/Rural	18 years above			Under 18 years			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Population in urban	31187	39653	70840	15808	16917	32725	46995	56570	103565
Pop in rural	66629	78078	144707	33182	35357	68539	99811	113435	213246
Total	97816	117731	215547	48990	52274	101264	146806	170005	316811

Source: Township General Administration Department, March 2016, Pakokku

Table 3: Pakokku Ethnic Groups

Sr	Ethnic nationals	No. of EM Population	Total population of Township	Percentage EM
1	Ka-chin	35	316,811	0.011 %
2	Ka-yah	3	316,811	0.001 %
3	Ka-yin	81	316,811	0.026 %
4	Chin	222	316,811	0.070 %
5	Mon	15	316,811	0.005 %
6	Ba-mar(Myanmar)	316,247	316,811	99.822 %
7	Ra-khine	133	316,811	0.042%
8	Shan	53	316,811	0.017 %

Source: Township General Administration Department, March 2016, Pakokku

Table 4: Magway Population

Urban/Rural	18 years above			Under 18 years			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Population in urban	25160	31114	56274	13309	13542	26851	38469	44656	83125
Pop in rural	64895	73505	138400	30960	30875	61835	95855	104380	200235
Total	90055	104619	194674	44269	44417	88686	134324	149036	283360

Source: Township General Administration Department, March 2015, Magway

Table 5: Magway Ethnic Groups

Sr	Ethnic nationals	No. of EM Population	Total population of Township	Percentage EM
1	Ka-chin	77	283360	0.027 %
2	Ka-yah	113	283360	0.039 %
3	Ka-yin	100	283360	0.035 %
4	Chin	138	283360	0.048 %
5	Mon	39	283360	0.013 %
6	Ba-mar (Myanmar)	282,782	283360	99.79%
7	Ra-khine	54	283360	0.019%
8	Shan	37	283360	0.013 %

Source: Township General Administration Department, March 2015, Magway

Table 6: Mandalay Population

	Total population			
	Both sexes	Male	Female	Sex ratio
MANDALAY	6,165,723	2,928,367	3,237,356	90.5
- MANDALAY Urban	2,143,436	1,033,433	1,110,003	93.1
- MANDALAY Rural	4,022,287	1,894,934	2,127,353	89.1

Source: 2014 National Census

IV. ADB AND GOVERNMENT POLICY FOR ETHNIC GROUPS

14. ADB's SPS uses the term indigenous people however in Myanmar 'ethnic groups' is more commonly used. Myanmar does not have any specific regulations to guide the planning and delivery of projects which impact on ethnic groups. ADB's SPS is based on the premise that ethnic peoples (both women and men) should have a voice in planning and be involved in decisions that have an impact on their community's development, rights, and traditional resource use and management systems. Recognition of, and respect for especially, land and natural resources are fundamental to many ethnic belief systems.

A. Myanmar Laws and Policies

15. With regards to treatment of ethnic groups, Clause 22 of the 2008 Constitution of Myanmar, commits the government to assisting in developing and improving the education, health, language, literature, arts, and culture of Myanmar's "national races". The constitution provides equal rights to the various ethnic groups included in the national races and a number of laws and regulations aim to preserve their cultures and traditions. This includes the establishment of the University for the Development of the National Races of the Union which was promulgated in 1991 to, among other things, preserve and understand the culture, customs and traditions of the national races of the Union, and strengthen the Union spirit in the national races of the Union while residing in a friendly atmosphere and pursuing education at the University.

16. The Development of Border Areas and National Races Law (1993) aims to develop economic, social works and road and communications of the national races at the border areas in accordance with the aims of non-disintegration of the Union. There is also a 1998 Protection and Preservation of Cultural Heritage Regions Law which addresses tangible cultural heritage.

17. A draft National Land Use Policy (October 2014) that has many proposed provisions relevant to ethnic minorities was subject to extended stakeholder consultations in June 2015. The

revised draft has been sent to the Land Use Scrutiny and Allocation Central Committee for approval.

18. In 2015 the Protection of the Rights of National Races Law was enacted. gives further effect to Article 22 of the 2008 Constitution which identifies that the Union will assist:

- (i) to develop language, literature, fine arts and culture of the national races;
- (ii) to promote solidarity, mutual amity and respect and mutual assistance among the national races; and
- (iii) to promote socio-economic development including education, health, economy, transport and communication, so forth, of less-developed national races.

19. The purpose of the Law is to aim for the socio-economic development of less-developed national races including education, health, economics and transportation. While Article 3 of the law provides for '*access to equal citizenship rights for all ethnic groups*', and '*for ethnic groups to have full access to rights enshrined in the Constitution*', it does not explicitly protect ethnic minorities against discrimination.¹⁴

20. The Law also states that no one can behave with intent to incite hatred, animosity and disunity among national races and that ethnic rights and entitlements cannot be restricted without a sound reason. Chapter 4 establishes a Minister for National Races to be appointed by the President with the approval of the Union Legislature. The Ministry's mandate is defined in Chapter 5 of the Law as supporting activities related to education, health, economics and transportation of less developed national races for their socio-economic development as well as activities to develop, maintain, protect and improve language, literature, arts, culture and traditions of minority and endangered national races.¹⁵ The Law also states that ethnic minorities should receive complete and precise information about extractive industry projects and other business activities in their areas before project implementation so that negotiations between the groups and the government or company, can take place.

21. Table 7 below indicates international conventions related to indigenous people and human rights and Myanmar's ratification status.

Table 7: Ratification of IP Conventions

International conventions Myanmar has ratified	International conventions Myanmar has not ratified
<ul style="list-style-type: none"> • International Convention on the Prevention and Punishment of the Crime of Genocide 1948 • Convention on the Elimination of All Forms of Discrimination against Women 1979 • Convention on the Rights of the Child 1989 	<ul style="list-style-type: none"> • International Convention on the Elimination of All Forms of Racial Discrimination 1965 • International Covenant on Civil and Political Rights 1966 • International Covenant on Economic, Social and Cultural Rights 1966 • ILO 111 Discrimination (Employment And Occupation) Convention 1958 • ILO 169 Convention Concerning Indigenous and Tribal Peoples in Independent Countries 1989

¹⁴ Myanmar ICT Sector-Wide Impact Assessment, p 222, Groups At Risk, 4.8, MCRB/IHRB/DIHR, <http://www.myanmar-responsiblebusiness.org/swia/ict.html>.

¹⁵ Ibid.

International conventions Myanmar has ratified	International conventions Myanmar has not ratified
	<ul style="list-style-type: none"> • International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 1990 • ICC Rome Statute of the International Criminal Court 1998

Source: State of the World's Minorities and Indigenous Peoples, Events of 2013. Minority Rights Group International, July 2014.

22. The US-Myanmar Joint Statement on Good Governance and Transparency in the Energy Sector states that it is the objective of both governments to manage the energy sector transparently. The statement emphasizes that transparency also helps companies to operate with the free prior consent (FPIC) of affected communities.¹⁶ Myanmar's draft Environmental Impact Assessment Procedures (June 2015 draft) sets out definitions of environmental impacts (which importantly include social impacts) and indigenous peoples.

23. In terms of addressing general vulnerability among the population, the Social Security Law (2012) has the following objectives:

- (i) to support the development of the State's economy through the development of production by causing to enjoy more security in social life and health care by the workers who are major productive force of the State by the collective guaranty of the employer, worker and the State;
- (ii) to enjoy more security in social life and medical care by the public by effecting their insurance voluntarily;
- (iii) to raise public confidence upon the social security scheme by providing benefits which are commensurate with the realities;
- (iv) to have the right to draw back some of the contributions paid by the employers and the workers as savings, in accord with the stipulations; and
- (v) to obtain the right to continued medical treatment, family assistance benefit, invalidity benefit, survivors' benefit, unemployment benefit, the right to residency and ownership of housing after retirement in addition to health care and pecuniary benefit for sickness, maternity, death, employment injury of the workers.

B. ADB's 2009 Safeguard Policy Statement

24. ADB's Safeguard Requirement on Indigenous Peoples (SR3) uses indigenous peoples in a specific way to define 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
- (ii) recognition of this identity by others;
- (iii) collective attachment to geographically distinct habitats or ancestral territories in the Project area and to the natural resources in these habitats and territories;
- (iv) customary, cultural, economic, social or political institutions, that are separate from those of the dominant society and culture; and
- (v) a distinct language, often different from the official language of the country or region.

¹⁶ US State Department media note, [Joint Statement on Good Governance and Transparency in the Energy Sector](#), 20 May 2013.

25. The degree of impacts on indigenous peoples is determined by assessing the level of vulnerability of the group with the magnitude of impacts on: (i) customary rights of use and access to land and natural resources; (ii) socioeconomic status; (iii) cultural and communal integrity; (iv) health, education, livelihood, and social security status; and (v) the recognition of indigenous knowledge. This is done through meaningful consultation, socio-economic surveys, and analysis of available secondary data.

26. The main objective of SR3 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 people themselves so that they:

- (i) receive culturally appropriate social and economic benefits;
- (ii) do not suffer adverse impacts as a result of projects; and
- (iii) can participate actively in projects that affect them.

V. SUBPROJECT SCREENING AND EG IMPACT

27. All potential subprojects must be screened during scoping and identification, using the indigenous people/ethnic minority (IP/EM) screening checklist shown at Annex 1. Application of the screen will indicate presence of ethnic group households and the extent of ethnic group impact likely. As mentioned, CFAVCP is assessed as category C for Safeguard Area 3 (IP/EM), however, it is possible that a subproject could be identified during Project implementation that may impact on ethnic group households and therefore be classed as category B. In any event, CFAVCP will only accept either category B or category C subprojects for implementation.

28. Where ethnic group households are members of target beneficiaries, a very limited but focused number of actions are prescribed for the EGDP ad based upon this EGDF. The primary objective is inclusion, consultation and participation. As already noted, the ethnic group households located in the project areas are already fully integrated into Bamar society, using Bamar official language and are sending their children to government schools. They are not new arrivals into these lowland towns but have been there over several generations and are no longer living pursuing traditional ethnic group lifestyles.

VI. PROJECT ACTIVITIES

29. The table below indicates the project impact, outputs and outcomes. The main target interventions and beneficiaries will be farmers on irrigation schemes getting an improved water supply and distribution system, improved farm access roads, government seed farms and agricultural training centers, pulse, bean and other agricultural processing enterprises, government research centers and agencies involved in establishing trade and commodity standards, processing and export regulations.

VII. RECOMMENDATIONS FOR ETHNIC GROUP DEVELOPMENT

30. As described in the Land Acquisition and Resettlement Framework (LARF) prepared for the CFAVCP, some land acquisition will be necessary under Output 1 – namely narrow strips of land to accommodate new or improved irrigation tertiary canals, installation of tubewells and rehabilitation of farm access roads. Road improvements will be made to existing alignments. In regard to irrigation improvements, the main activity will be to replace earthen tertiary canals with

concrete and this will not require additional land. New canals may be constructed in some subprojects identified during project implementation. Any land acquired for irrigation or road improvement will be through negotiated settlement based on market rates or voluntary donation. The LARF document contains details of the criteria that govern voluntary donation. Land donations are not to be accepted from vulnerable or poor households, and this will of course apply if an affected household is that of a poor ethnic group family.

31. Any ethnic minority households will also be made aware of the subproject grievance redress mechanism (GRM). The GRM is disclosed to the community as early as possible in the project cycle, and at least at feasibility stage. The GRM is outlined below:

A. Grievance Redress Mechanism

32. A grievance redress mechanism (GRM), consistent with the requirements of the ADB Safeguard Policy Statement (2009) will be established to prevent and address community concerns, and reduce risks. The GRM is also an integral part of the monitoring and information system. It aims to ensure that feedback is received, that the voices from the poor and marginalized groups are heard, and that the issues raised are resolved effectively and expeditiously. It helps ensure that vulnerable households are treated equitably.

33. The GRM will be accessible to diverse members of the community and stakeholders. Multiple types of media, including face-to-face meetings, written forms, telephone conversations, or e-mail, will be available for raising issues, concerns and grievances. A description of the GRM must be included in project information materials.

34. The GRM will handle any grievance arising from the project, including land acquisition activities, ethnic group issues and labor practices. The design of the GRM will be included in the project administration manual (PAM). Grievances must be sorted, categorized, and logged and reported disaggregated by sex and ethnicity. After investigation and agreement on the action plan, remedial activities will be monitored and evaluated. Staff and community members involved in project implementation will be trained in the GRM in order that they in turn are able to provide quality advice to any AH seeking help. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the executing agency.

35. The proposed GRM follows the existing approach taken for managing complaints about local issues by members of the public in Myanmar. Residents' complaints or concerns are generally taken to local government (village and township level) representatives for resolution; therefore this system is integrated into the GRM.

36. In their capacity as implementing agencies, the IWUMD and Department of Agriculture (DOA) will establish a Public Complaints Unit (PCU) within the PMU early during project implementation prior to the start of planning and design of sub-projects and prior to negotiations for land acquisition. The PCU will deal with complaints from affected people and stakeholders throughout implementation of the project. This can include nearby residents, construction workers, and will involve village and township level government. PMU staff (in particular the social and gender specialists), and the contractor's land negotiators will have roles to play in explaining and helping community members use the GRM.

37. The PMU will be responsible for ensuring the setting up and coordination of the GRM at a local level and will staff the PCU. The loan implementation environmental and social consultants

will coordinate its set up and the sender and social specialist will be responsible for the day to day PCU activities: maintaining the grievance register, organizing investigations, acknowledging and communicating results to the affected person, and monitoring for the closing out of the issue. The PMU will be the key contact point for local government representatives who may require information about the project or who have an issue they would like to discuss. The PMU will issue public notices and leaflets in local languages early in the subproject design process to inform people and organizations within the project area of the GRM. The PCU's phone number, fax, address, email address will be disseminated.

38. The PMU will maintain a complaints database which indicates the household making the grievance, the nature of the issue, the date the report was received and also dealt with and the result. Dispute receipt and resolution will be reported regularly in project quarterly reports.

B. GRM Steps and Timeframe

39. Procedures and timeframes for the grievance redress process are as follows:

- (i) **Stage 1: Access to GRM.** If a concern arises, the affected person may resolve the issue of concern directly with the contractor, or make his/her complaint known to either the PCU directly, or through the local village or township government, whichever level of authority he/she is most comfortable with;
- (ii) **Stage 2: Official Complaint to PCU.** If a complaint is filed at local government level, the government representative will submit an oral or written complaint to the PCU. For an oral complaint the PCU must make a written record. For each complaint, the PCU must assess its eligibility. If the complaint is not eligible, for instance it is determined that the issue is outside the scope of the project, PCU will provide a clear reply within five working days to the affected person;
- (iii) **Stage 3: PCU Complaint Resolution.** The PCU will register the complaints informing the respective local and district government, the PMU, contractors, and ADB. The PCU, with support of the SS and other PICs depending on the issue will take steps to investigate and resolve the issue. This may involve instructing the contractor to take corrective actions. Within seven days of the redress solution being agreed upon, the contractor should implement the redress solution and convey the outcome to the PMU and ADB;
- (iv) **Stage 4: Stakeholder Meeting.** If no solution can be identified by the PCU or if the affected person is not satisfied with the suggested solution under Stage 3, within two weeks of the end of Stage 3, the PCU will organize a multi-stakeholder meeting under the auspices of the head of local government, where all relevant stakeholders will be invited. The meeting should result in a solution acceptable to all, and identify responsibilities and an action plan. The contractor should implement the agreed redress solution and convey the outcome to the PMU and ADB within seven working days. The invitees to this meeting will depend on the nature of the complaint. For example if the complaints relate to health, land disputes, or labor issues, the appropriate specialist in this field will be invited to the stakeholder meeting. This may include officers from the Department of Agricultural Land Management and Statistics (land rights issues), Myanmar Chamber of Commerce (business/commercial issues), various non-government organizations

(NGOs) (gender or equity issues), Ministry for Ethnic Affairs; Ministry of Health (health issues), Ministry of Environmental Conservation and Forestry (environmental issues), and Ministry of Labor (labor issues); and,

- (v) **Stage 5: District Administration Officer Resolution.** If the multi-stakeholder meeting cannot resolve the problem, and the affected person remains unsatisfied, the PCU will set up a meeting with the District Administration Officer to identify a solution.

40. In respect of the GRM, the responsibilities of the PCU are as follows:

- (i) The PCU will instruct contractors and construction supervisors to refer any complaints that they have received directly to the PCU. Similarly, the PCU will coordinate with local government departments to capture complaints made directly to them;
- (ii) The PMU, as the focal point of the PCU, will log complaints and date of receipt onto a complaints database and inform the implementing agency;
- (iii) The PCU will investigate the complaint to determine its validity and to assess whether the source of the problem is because of project activities, and identify appropriate corrective measures and responsible persons;
- (iv) The PCU will inform the affected person of investigation results and the action taken;
- (v) If a complaint is transferred from local government agencies, the PMU will submit an interim report to local government agencies on status of the complaint investigation and follow-up action within the time frame assigned by the above agencies;
- (vi) The PCU will review the contractor's response to the identified corrective measures, and the updated situation; and
- (vii) The PCU will undertake additional monitoring, as necessary, to verify as well as review that any valid reason for complaint does not reoccur.

1. Other Dispute Redress Mechanisms

41. Affected persons, if not satisfied with the GRM results, always have legal recourse to judicial processes as a last resort. If efforts to resolve disputes using the GRM remain unresolved or unsatisfactory, affected households also have the right to directly discuss their concerns or problems with the ADB Environment, Natural Resources and Agriculture Division, Southeast Asia Department at ADB Headquarters through the Philippines Country Office.

42. ADB's accountability mechanism allows people affected by ADB-supported Projects to submit complaints to ADB. This is a separate resolution mechanism from the GRM described above. The accountability mechanism provides an independent forum that allows people to voice their problems and seek resolution, and report alleged violations of ADB's operational policies and procedures.

43. The accountability mechanism has two separate but related phases. First is problem solving, led by ADB's special project facilitator, to assist project-affected people in finding solutions to their problems. Second is compliance review led by a three-member panel that investigates alleged violations of ADB's operational policies and procedures, including safeguard policies, that have already resulted in, or are likely to result in, direct adverse and material harm

to project-affected people. It recommends how to ensure project compliance with these policies and procedures.

C. Implementation of Ethnic Group Development Recommendations

44. The PMU and PCU have responsibility to ensure that this ethnic group framework is applied whenever ADB safeguard for ethnic minorities is identified and triggered. The social specialists will be required to provide executing agency and implementing agency staff and their district staff with training on when and how to use the framework recommendations. This training will be included in social safeguard training given at project start up. DOA, IWUMD district staff in particular will need training on how to operationalize the EGDF.

45. The table below also indicates project implementation action that must be taken should project activities involve any ethnic minority households. The actions are needed in order to ensure inclusion, consultation and participation, even though it is expected that any ethnic minority household encountered will be fully literate and fully conversant in the Burmese language. It is not expected that each subproject that has EG households will require a separate EGDP, rather, all EGDPs will reflect the recommendations made below.

Table 8: Project Framework

Impact and Outcome		Mitigation Needed for Ethnic Groups (EG)
<p>The impact of the project will be increased productivity, quality and safety, value addition and rural household incomes through the development of climate friendly agribusiness value chains.</p> <p>The outcome will be climate friendly value chains for inclusive and environmentally sustainable economic growth.</p>		
Outputs		
Output 1 – Critical Agribusiness Value Chain Infrastructure Improved and Made Climate Resilient.		
Sub-Outputs	Outcomes	
Sub-output 1.1. Infrastructure for Production and Certification of Rice Seed	<p>By 2024, the following outcomes will be achieved:</p> <p>Ten Department of Agriculture (DOA) Seed Farms in the Central Dry Zone (CDZ) have their infrastructure improved, including the renovation of irrigation and drainage canals, the repairing of the farm feeder roads, the construction of modern buildings for seed storage, seed laboratory, machinery, training, and warehousing, new farm and post-harvest machinery and equipment, seed testing equipment, meteorological stations, transformer, laptop computers and accessories (2015/16 baseline: 31 tons of registered and certified seed of Paw San rice (Chepa Seed Farm), 378 tons HYV rice, 36 tons of green gram, 25 tons of chickpea, and 20 tons of sesame.)</p> <p>Fifty cleaning, drying, and storage facilities owned and operated by lead Seed Growers associated with 50 Farmer Groups, Seed Growers Associations, Agricultural Cooperatives, and/or organizations registered with the Small-Scale Industries Department of the MOALI (2017 baseline: 0)</p>	Any EG household (HH) producing seed or are members of farmer groups are fully consulted and provided opportunities for benefits on equal basis as other members of the group or cooperative and for participating in programs.
Sub-output 1.2. Infrastructure for Seed Production and Processing of Pulses and Beans	One processing plant with a capacity for processing 14 tons/shift of pulses, beans, and sesame in Pakokku commissioned (2017 baseline: 0)	Processing plants with owners or shareholders from EG backgrounds are equally eligible to apply for PPP arrangements and participation in other project supported programs.
Infrastructure for Food Safety and Quality 1.3.	<p>The testing infrastructure (equipment and instrumentation) of three government laboratories, the PPD Pesticide Analytical Laboratory, the PPD Food Safety Testing Lab (FSTLAB), and the Commodity Testing & Quality Management Laboratory (CTQM), upgraded to (PPD) having a more wide ranging capability of testing the contents of pesticides being registered, (FSTLAB) having the capability of trace analysis of pesticide residue in agricultural products, and (CTQM) having the capability of testing processed products for mycotoxins, MRLs, heavy metals, bacteria, and other contaminants, respectively (2016 baseline: PPD pesticide residue testing of 23 pesticides only, total of about 400 tests run each year; FSTLA runs only a few edible oil tests for mostly MITS of MOC; CTQM has the capability of testing for only 7 pesticides; total of about 700 test run per year, collects 30,000 MK per sample)</p> <p>10,000 rapid tests for mycotoxins conducted at field testing sites, including storage facilities and collection points supported by the Project; 3000 MRLs tested of processed products of the Pakokku processing plant (2017 baseline: 0)</p>	Any technical staff from EG backgrounds are equally eligible for training and given equal opportunity to develop skills.

Sub-output 1.4. Infrastructure for Climate Smart Irrigation and Water Management, and Farm Roads	9,669 acres are supplied irrigation water by 56.3 kilometers of rehabilitated minor canals; 2700 acres are supplied irrigation by 135 diesel-powered tubewells and 12 solar-powered tubewells; 15 community-owned small reservoirs rehabilitated and used for irrigating 2250 acres of land of the lead seed growers and their associated Farmers' Groups (2017 baseline: 0)	Irrigation and road SPs are selected on basis of technical and financial/economic measures. Any EG community is equally entitled. Any EG HH in the irrigation area is consulted and participates in project planning and shares benefits on equal basis. Poor EG HHs should not be required to lose or donate any land.
Output 2 – Strengthened Agribusiness Policy And Capacity Support Services		Mitigation Needed for Ethnic Groups
Sub outputs		
Sub-output 2.1. Climate – Smart Agribusiness Policies and Standards.	<p>An agribusiness policy cell, with a Director and two research officers, within the DOP of MOALI conducting systematic policy research, analysis, and advocacy. Policies advanced include: fertilizer and pesticide policy implementation and enforcement, emergency seed reserve, Shwebo Paw San rice registered as a GI rice, the ASEAN code of practice for commodity drying and storage adopted by Myanmar Government, ag trade weights and measures follow int'l standards, a framework for public-private partnerships in agribusiness; and the TC of the NSC aligning national standards to market driven int'l standards (2017 baseline: 0)</p> <p>Two non-shattering, climate resilient varieties of sesame introduced, trials run, the varieties are released, and the multiplication into the various class of seeds is initiated (2017 baseline: 0)</p> <p>With the advent of systematic agribusiness policy reforms within the MOALI and the development of product standards, workshops for communicating and enforcement of regulations and standards are conducted regularly and an annual forum held for strategic planning of agribusiness policies on priority topics. Over 300 rice millers, 100 pulses/beans/sesame processors/exporters participated in these workshops and the fora. Over 80% of those participating follow the regulations and employ the standards in their processing businesses (2017 baseline: 0)</p> <p>ICT platform for climate smart agribusiness established in 20 DOA and other offices where Project related implementation activities are being supported (2017 baseline: not available).</p> <p>Training and technical assistance in standards development provided to the Technical Committees (TCs) of the NSC. TCs</p>	Information on standards and access to improved varieties, other project benefits are available to EG members on equal basis.
Sub-output 2.2. Capacity Building for Climate Smart Agriculture and Agribusiness	<p>300 Seed Growers provided TOT training in certified seed production methods, CSA, and codes of practice for drying and storage. The percentage of seeds that passes the certification test when samples are tested at the seed Testing Laboratory reaches 90% by the end of 2024. The post-harvest seed storage losses drop below 5% (2016 baseline: private Seed Growers have about 50% of their rice seed samples certified when tested by Upper Myanmar Seed Testing Center in Mandalay post-harvest storage losses of Seed Growers above 20%)</p> <p>13,500 farmers trained by Seed Growers, DOA/Extension, and PIC Consultants in adoption of CSA/GAP, codes of practice, and traceability mechanisms. Additionally, 200 collectors, 30 primary processors, 10 value added processors, and 5 exporters of rice, pulses, beans, and/or sesame trained in traceability mechanisms and good hygienic practices (GHP). Over 4500 farmers, 15 primary processors, and 5 value added processors strictly following the traceability mechanisms and GHP integrated into the value</p>	Information on improved technology, processes, standards and access to training, improved varieties, other project benefits are available to EG members on equal basis.

	<p>chains. Five value added processors marketed high quality commodities that have met high international export standards (2017 baseline: 0)</p> <p>4,830 farmers, who are members of Water User Groups, trained in Irrigation and Water Use Efficiency (WUE) technologies (2017 baseline:0)</p> <p>Training to Pakokku processing plant technical staff in (i) the use & troubleshooting of its processing machinery & equipment, (ii) the development of a brand, and (iii) product promotion and marketing techniques for pulses and sesame. Technical staff at Pakokku proficient in use of the machinery & equipment, develop and apply a brand at other marketing techniques for marketing their products (2017 baseline:0)</p> <p>Six value added processors of pulses, beans, and sesame products and MOC staff attend international trade shows on processed pulses, beans, and sesame (2017 baseline: n.a.)</p> <p>Two technical staff members of the FASLAB participate in regional training in testing for food safety and laboratory techniques. (2017 baseline: 0)</p>	
Sub-output 2.3. Green Financing Crop Insurance	<p>300 Lead seed growers and 2250 farmers trained in weather indexed crop insurance; 300 lead seed growers participate in the Project's pilot crop insurance program with subsidized insurance payments to the 300 Seed Growers and 700 farmers (2017 baseline: 0)</p> <p>Three Workshops conducted for seed growers to gain an understanding of the Advanced Market Guaranty program. Over 1000 seed growers participate in the AMG program for certified seed production and marketing.</p> <p>About tons of certified seed of rice, pulses, and sesame produced and sold annually under the AMG program. Eighty percent of the seed growers will have sold 100% of their seed in the marketplace by the end of the 5th year on Project implementation.</p> <p>Twenty-five steel bins installed and used for the emergency seed reserve; the bins installed at the 15 DOA Seed Farms in the CDZ.</p>	<p>EG members will be eligible for training on equal basis.</p> <p>For the AMG Program: any Lead seed grower from EG background is equally eligible to apply, participate and benefit.</p> <p>For the AMG Program: any EG farmer is equally entitled to training.</p>

D. Monitoring and Evaluation and Reporting

46. The social specialist will work with the project M&E specialist to establish monitoring indicators for ethnic groups and implementation of this framework. The actual indicators will depend upon the specific subproject. However, in general the project M&E system will disaggregate all project participation data by sex and ethnicity. This will then track and enable reporting on the number of ethnic men and women consulted, impacted and benefitting from the project activities.

VIII. BUDGET

47. No separate budget is provided under this framework. Given that any ethnic group household encountered under the project will have been integrated into Bamar society and local communities already over a long term basis, these households will be fluent in Myanmar's national language and will have attended local government schools.

48. The issue of implementation of the framework is not one of budget, but one of ensuring a fully inclusive, consultative and participatory implementation methodology.

ANNEX I: IP/EM SCREENING CHECKLIST

Screening Form for Impacts on Ethnic Groups						
Key concerns (Please provide elaborations on the remarks column)		Yes	No	Not Known	N/A	Remarks
A	Indigenous People Identification					
1	Are there socio-cultural groups present in or use the project area who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities), or “indigenous communities” in the project area?		X			Only a few EG HHs (about 2 Hhs per 1,000 Hhs) in project townships
2	Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, schedules tribes, tribal peoples, national minorities, or cultural communities?		X			
3	Do such groups self-identify as being part of a distinct social and cultural group?		X			EG HHs in project towns are fully assimilated into Bamar society and pursuing identical livelihoods as Bamarns
4	Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		X			EG HHs have relocated to project townships of their own free will over generations.
5	Do such groups maintain cultural, economic, social and political institutions distinct from the dominant society and culture?		X			The few EG HHs in project areas are fully integrated and assimilated.
6	Do such groups speak a distinct language or dialect?		X			These EG HHs are fluent in official language, educated in government schools.
7	Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?		X			The few EG HHs in project areas are fully integrated and assimilated.
8	Are such groups represented as “Indigenous peoples” or as “ethnic minorities” in any formal decision-making bodies at the national or local levels?		X			The few EG HHs in project areas are fully integrated and assimilated.
9	Will the project directly or indirectly benefit or target indigenous peoples?		X			
10	Will the project directly or indirectly affect indigenous peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		X			
11	Will the project affect the livelihood systems of indigenous peoples? (e.g. food production, system, natural resource management, crafts and trade, employment status)		X			
12	Will the project be in an area (land or territory) occupied, owned, or used by indigenous peoples, and/or claimed as ancestral domain?		X			
C	Identification of Special Requirements: Will the project activities include:					
13	Commercial development of the cultural resources and knowledge of indigenous peoples?		X			
14	Physical displacement from traditional or customary lands?		X			

15	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 indigenous peoples?		X			
16	Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		X			
17	Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		X			

Anticipated project impacts on Indigenous Peoples		Anticipated positive effect	Anticipated negative effect
Subproject activity			
1	Output 1	If amongst SP participants - Infrastructure improved, reduced production costs, higher yields, higher product value.	None
2	Output 2	If amongst SP participants - Policy, standards, quality and technological improvements, better yields, higher crop prices/values.	None

a. B. Project Data

b. Country/Project No./Project Title **c. :** **d. Myanmar - Climate-friendly Agribusiness Value Chain Sector Project**

e. **f.** **g.**

h. Department/ Division **i.** Southeast Asia Department/ Environment, Natural Resources and Agriculture Division (SERD)

j. Processing Stage **k. :** **l.**

m. Modality **n.** **o.**

Project Loan Program Loan Financial Intermediary General Corporate Finance

Sector Loan MFF Emergency Assistance Grant Other

C. Indigenous Peoples Category

New Re-categorization – Previous Category

Category A Category B Category C Category FI

D. Project requires the broad community support of affected Indigenous Peoples communities. Yes No

E. Comments

There are very few if any EG HHs in the project areas. Those present are living in lowland townships and no longer pursue traditional lifestyles. They have assimilated and integrated into local Bamar society and communities. Although there is no perceived impact on IP/EMGs, a development framework has been prepared in case EG HHs are encountered in target communities.

SDES Comments: