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WORLD BANK

PROGRAM-FOR-RESULTS FINANCING

BETTER EDUCATION SERVICE DELIVERY FOR ALL
(BESDA)
(P160430)

ENVIRONMENT AND SOCIAL SYSTEMS ASSESSMENT
(ESSA)

Prepared by the World Bank

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List of Acronyms

ASC	Annual School Census
APC	All Progressives Congress
BESDA	Better Education Service Delivery for All Operation
CPS	Country Partnership Strategy
CSO	Civil Society Organization
DfID	(UK) Department for International Development
DLIs	Disbursement-linked Indicators
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Mitigation Plan
ESSA	Environmental and Social Management System Assessment
FMOE	Federal Ministry of Education
GDP	Gross Domestic Product
GER	Gross Education Rates
GoN	Government of Nigeria
ICT	Information and Communication Technology
IDP	Internally Displaced Person
IPF	Investment Project Financing
LGEA	Local Government Education Authority
MSP	Ministerial Strategic Plan 2016-1019
NEMA	National Emergency Management Agency
NEMIS	Nigeria Education Management Information System
NEDS	National Education Data Survey
NGO	Non-Governmental Organization
OHS	Occupational Health and Safety
PAP	Program Action Plan
PDO	Program Development Objective
PforR	Program for Results
SBMC	School Based Management Committee
SDI	Service Delivery Indicator
SEMA	State Emergency Management Agency
SUBEBs	State Universal Basic Education Boards
ToR	Terms of Reference
TVET	Technical and Vocational Education and Training
UBEC	Universal Basic Education Commission
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development

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EXECUTIVE SUMMARY

Background

1. The Government of Nigeria's Better Education Service Delivery for All (BESDA) Operation is being supported under the World Bank's Program-for-Results (PforR) financing instrument along with a TA component which uses the Investment Project Financing (IPF) modality. The Program Development Objective (PDO) of the PforR is to increase equitable access and improve literacy for out-of-school children in focus States, and strengthen accountability for results, in basic education. The operation, which amounts to US\$500 million, builds on the ongoing interventions under the country's Universal Basic Education (UBE) program. The Ministerial Strategic Plan 2016-2019, adopted by the National Council on Education on September 29, 2016, is a strategic document and represents a recommitment to the UBE goal in Nigeria while the primary vehicle for ensuring UBE remains the UBE program as implemented by the Universal Basic Education Commission (UBEC).

2. The Environmental and Social System Assessment (ESSA) for BESDA examines Nigeria's existing environmental and social management system that is the legal, regulatory, and institutional framework guiding the PforR Program, defines measures to strengthen the system, and integrates these measures into the overall UBEC program. The ESSA is undertaken to ensure consistency with six "core principles" outlined in paragraph 8 of the World Bank Policy for Program-for-Results Financing in order to effectively manage Program risks and promote sustainable development.

Potential Environmental and Social Effects of the BESDA

3. This Program is not expected to involve any major civil works that will have significant adverse environmental impacts. The civil works under the Program will focus on rehabilitation, renovation, and expansion of existing schools with limited cases of building new schools. These impacts are site specific and manageable provided that adequate measures are taken during the design, implementation, and operation phases of sub-projects. However, if these physical works are not implemented in a timely and environmentally sustainable manner, the Program could have potentially adverse environmental impacts associated with health and safety concerns of workers, students, teachers, and the community. For example, the possible increase of enrolment under the Program could overwhelm the capacity of existing school resources, which would potentially lead to even less conducive learning conditions. The potential environmental impacts may include:

- i) **Community and workers health and safety risks associated with the construction/rehabilitation work**, such as pollution of air from dust generated by excavation, inappropriate storage of construction materials and debris, water and soil; noise and vibration generated by construction equipment; solid wastes; communicable disease; traffic safety; lack of and or inconsistent use of personal protective equipment; and use of hazardous building materials, such as asbestos containing materials and chemical hazardous paints used in the school buildings;

- ii) **Inadequate water supply (including potable water) and gender-friendly sanitation/latrines facilities in schools**, which are not only a health hazard, but also affect school attendance, retention and educational performance. Inadequate water supply and sanitation facilities in schools in Nigeria has been a persistent problem over decades contributing to poor learning environment, absenteeism, underperformance and higher dropout rates, in particular for girls. After reaching puberty, girls in particular are less likely to attend school regularly if toilet and hygiene facilities are inadequate or non-existent;
- iii) **Poor indoor air quality** and insufficient ventilation in classrooms resulting from construction materials or furnishings can give off vapors and odors, increased dust and combustion fumes, and cause ventilation problems. Civil works such as changes in floor plans, renovations, and replacement of building components like carpeting, roofing materials, or heating and ventilation equipment can all affect the air quality inside the school;
- iv) **Inadequate facilities for safety (including perimeter fence) and access for students with disabilities** in schools;
- v) **Disaster/fire safety and weak emergency response arrangements** such as area signage and muster point, especially if the schools are located in sensitive areas prone to natural hazards; and
- vi) **Flooding and erosion are clear environmental risks in the southern States**. Schools in States such as Rivers and Ebonyi are particularly vulnerable to flooding and erosion.

4. The overall social impacts of the Program are likely positive, owing to the program being designed to improve access, equity, and quality of basic education in Nigeria. The potential adverse social impacts of the Program are not expected to be significant. For example, the Program will not have significant adverse impacts related to land acquisition or loss of access to natural resources. There are no Indigenous Peoples in the Program areas. However, it should be noted that the Program will operate in a country where the political and governance risks are generally high. Since independence in 1960, Nigeria's history has been turbulent, punctuated by periods of urban riots and socio-political confrontation. Different parts of Nigeria remain adversely affected by different types of conflicts that might flare up again and potentially affect the implementation of the Program. Specifically to this Program, the ESSA has identified following types of key potential social risks: (A) existing social risks that the Program will aim to address; (B) social risks that may potentially be exacerbated by the Program; and (C) social risks that may hinder the implementation of the Program:

(A) Existing social risks that the Program will aim to address

- i) **Exclusion of vulnerable groups of children from education services**. Children do not go to school in Nigeria for a wide range of demand- and supply-side reasons that vary by state and geographic location. On the demand side, household poverty prevents children from enrolling in schools as families face many indirect costs, including the opportunity cost of child work. On the supply side, classrooms can be overcrowded and ill-equipped. Unless the wide range of

these complex issues are addressed successfully by the Government programs to be supported under the Program, vulnerable social groups of out-of-school children will remain excluded or further left out from the education services. The vulnerable groups of children will include:

- **girl children**, who constitute the majority of out-of-school children in Nigeria, who are either never enrolled in schools or withdrawn from schools for a wide range of reasons such as early marriages, domestic chores, hawking, etc. In recognition of the need to increase female enrolment in basic education, the Girl-Child Education Program, one of the UBEC's flagship programs, seeks to establish all-girls' schools with female teachers, and has embarked on the construction of these schools. The Program will support targeted initiatives such as the provision of girl-friendly infrastructure and amenities (e.g. latrines) that not only increase enrolment rate among girls, but also enhance the quality of learning, which will contribute to retention of girls in school. The lack of understanding by parents on the value of the education for girls is a key risk. During consultations, stakeholders emphasized the importance of the sensitization activities for parents and communities, which will be one of the key activities to be supported under the Program;
- **children of nomadic pastoralists, farmers, and fishermen**, who are among the most educationally disadvantaged in the country with very high out-of-school and literacy rates. Nomadic schools have minimal permanent structures, and most learning takes place outdoors. Additional accommodation is needed. The Program will support the flexible Nomadic Education program which provides qualitative, functional, and inclusive basic education for the children of pastoral nomads and migrant farmers and fishermen outside the regular formal education systems;
- **children with disabilities**, who have various forms of disabilities, including physical disabilities, hearing or visual impairment, and mental and learning disabilities. The National Policy on Inclusive Education is intended to address the challenges associated with the inclusion of Nigerian children with disabilities and unmet learning needs into the school system. Under the Vision "A society with an inclusive education system with unhindered access to quality education and active participation of all learners in the same safe school environment," the policy sets out policy framework, monitoring and evaluation mechanism, and the implementation guideline. The general poor access and quality of education in the country poses increased risk of exclusion to children with disabilities;
- **Almajiri-children**, who are often boys from poorer households and attend religious, informal residential schools that have only one curriculum, the Qur'an, which date back to pre-colonial days in the northern states. These schools are common and numerous throughout northern Nigeria. The schools are led by a Mallam (religious teacher) or an Alaramma, who is responsible for the care of the students. Many of the students have been brought to the schools by their parents from other villages because they are unable to feed them. During the class break, Almajiri children are sent to the streets with small bowls to beg for food. Almajiri schools are classified as informal schools that fall outside the mainstream conventional structure of education. They

constitute a significant percentage of out-of-school children in the country. The Almajiri Education Program, which is another UBEC flagship program from 2011-2015, sought to establish integrated Almajiri model schools that include formal education subjects in the curriculum. Close to 300 such schools were established and supplied with textbooks and teachers' guides. Mainstreaming such integrated schools and development of teachers to these schools pose challenges. The Program will support initiatives such as integration of core subjects into Quranic education, provision of special Almajiri schools, providing free meals and uniforms to the children, and provision of instructional materials and grants to Mallams. Addressing Almajiri children's education will likely require concerted efforts with community leaders to address concerns on the nature of the education provided in addition to provisions of any necessary infrastructure;

- **boy children**, who drop out in the South East and South South zones, and the so-called "area boys" (loosely organized gangs of mostly male street children and teenagers) in the South West. The FME set up a Ministerial Technical Committee in 2012 to prepare and implement a plan to address the out-of-school boy child syndrome in the South. The Program will support initiatives such as the UBE Boy-Child Program to retain boys in basic education through the establishment of vocational basic education schools in which the curriculum is skill-based and where the beneficiaries acquire technical, vocational and entrepreneurship trades within the framework of basic education;
- **orphans**¹, whose parents are lost due to AIDS and any other causes. UNICEF reported 10 million Nigerian orphans due to all causes in 2013, with 2.3 million orphans due to AIDS. They are easily exploited and less likely to attend schools. The stigma and discrimination attached to AIDS culturally are transferred to orphans whose parents died of AIDS, hence they are excluded from their communities. They lack access to education, healthcare, and other social services. There are various national policies and programs to address the needs of orphans, such as counselling, care and reduction of stigma and discrimination; and
- **unaccompanied/displaced children** whose parents are missing due to the North East conflict and who have lost access to education service. Under the Safe School Initiative, some children in the conflict states have been transferred to safe, expanded boarding schools outside the conflict zones and in neighboring states (in agreement with their parents/guardians). The safety of schools is also being enhanced with perimeter fencing and other measures, including deploying school marshals. In addition to address the needs of traumatized children, accommodation of the inflow of large number of IDP children into neighboring states requires a concerted effort and coordination among stakeholders.

(B) Social risks that may potentially be exacerbated by the Program

¹ The Nigerian Constitution defines an orphan as a child (0-17 years) who has lost one or both parents.

- ii) **Potential risks associated with land acquisition for school buildings.** The rehabilitation, renovation, and expansion of existing schools and limited cases of building new schools to be supported under the Program may require minor land acquisition. The nature of compensation and impact mitigation under the national Land Use Act is limited when viewed from the perspective of international best practice. If compulsory land acquisition is allowed for the Program, it could increase potential risk of inappropriate involuntary resettlement. To minimize this risk, the Program will prepare environmental and social guidelines to clarify that it does not support activities that lead to involuntary resettlement and economic displacement, including for squatters. The guidelines will also clarify that, where land acquisition is inevitable, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system.
- iii) **Potential increased risk of violence against children² and internal clashes at school.** During the consultations conducted for the present ESSA, some stakeholders raised concerns about potential cases of violence against children (including emotional, physical and sexual abuse) from other students, teachers or older youth either at school or during commuting if school attendance is expanded without effectively addressing such risks. Other stakeholders raised similar concerns in badly-managed boarding schools. While not much is known about violence against children at schools, these perceived risks could also affect parents' decisions to send their children to school. The Program will aim to address such risks through mainstreaming well-defined functional grievance redress and other legal systems and providing related capacity building to stakeholders. Teacher and SBMC training programs to be supported under the Program will also help mitigate these risks.

(C) Social risks that may hinder the implementation of the Program

- iv) **Negative social impacts from ongoing insecurity in the North East conflict.** Nigeria is facing a range of complex conflict and security challenges, although the incidence and causes of violence differ significantly among Nigeria's 36 states. The conflicts in the North of the country, where the majority of out-of-school children exist, include the insurgency of radical Islamists in the North East. Also, as the Sahel and farms encroach on pastures and grazing areas, conflicts between herdsmen and farmers have intensified across Nigeria's "middle belt" (in particular, in Kaduna State). The ethno-religious, inter-communal violence, whether riots or fighting between insurrectional groups and the police, tends to occur at specific flashpoints in the North West, whose populations are religiously and ethnically very mixed. The conflict in

² According to a national survey on violence against children in Nigeria conducted by UNICEF in 2014, before the age of 18 years, approximately 6 out of every 10 children experience some form of violence in the home, neighborhood or other places. Perpetrators include their parents, relatives, peers, community members, authority figures and strangers. Over half had their first experience of violence between the age of 6 and 11. Half of all children experience physical violence. One in four girls and one in ten boys experience sexual violence. One in six girls and one in five boys experience emotional violence. For more information, see UNICEF. *Violence Against Children in Nigeria: Findings from a National Survey 2014 Summary Report*.

the South includes kidnappings, armed robbery and conflicts over oil spills especially in the South East; and, ongoing efforts to reintegrate militants under an Amnesty provision in the Niger Delta. Among these conflicts, the conflict in the North East requires particular attention as it has caused significant impacts on education service delivery in the affected States and the insurgency of radical Islamists regard education services with hostility. Since 2009, the Boko Haram conflict has affected nearly 15 million civilians and left widespread devastation in North-East Nigeria on a level unprecedented since the civil war of 1960-1970. An estimated 20,000 people have lost their lives, and nearly two million peoples are displaced internally or across international borders and an estimated 2,000-7,000 people have gone missing, including abducted children and women. In April 2014, 200 school-girls from Chibok in Borno State in the North East were abducted, and the majority remains in captivity. Schools have been partly transformed into shelters for Internally Displaced Persons (IDPs). During ESSA consultations, stakeholders pointed out that lack of education and exploitation of excluded vulnerable groups of children is one of the root causes of the ongoing conflict in the North East. The benefit of addressing the exclusion of vulnerable children in the North East will outweigh the risk of operating in such a challenging environment. To address the children in the North East conflict areas, a Safe School Initiative has been promoted under Presidential Commission on North East Initiative (PCNI), whereby school safety and security is improved through various measures (such as perimeter fencing and deployment of school marshals) and in some cases students are transferred (in agreement with parents) to other schools in States not affected by the fighting. In a challenging operational environment where transition from conflict to peace remains fragile, a concerted effort across Federal, State, and Local actors will be necessary to minimize the negative impacts on the Program implementation in the North East states. The Program will aim to support such ongoing efforts and closely coordinate and communicate with agencies and civil society groups working in the conflict areas of the North East. The Program will consider possible third party monitoring by civil society to confirm that environmental and social measures have been carried out. The Program will also closely coordinate with ongoing Bank-financed projects and activities in the North East.

Government Environmental and Social Management Systems

5. The Government of Nigeria has a number of well-defined policies, instruments and laws which support environmental and social management and the environmental and social impact assessment processes. There are a number of sectoral policies which provide directives to integrate environmental and social considerations in the decision making process to avoid or minimize impacts associated with program implementation.

6. The Federal Ministry of Environment (FMEnv) is mandated to coordinate environmental protection and natural resource conservation for sustainable development. The FMEnv has developed statutory documents to aid in the monitoring, control and abatement of industrial waste. These guidelines stipulate standards for industrial effluent, gaseous emissions, and hazardous wastes. The FMEnv will ensure that the Program implementation conforms to the statutory guidelines. The National Environmental Standards and Regulations Enforcement Agency (NESREA) is mandated to ensure compliance with environmental standards, guidelines and regulations. The State Ministries of Environment (SMEnv) are concurrently charged with establishing guidelines and standards for the management and monitoring of the environment in the

Nigerian States. Furthermore, SMEnv is responsible for managing environmental problems caused by or arising within the Program areas including waste management and environmental guidance.

7. In the education sector, the institutional responsibilities are shared by three tiers of Government – Federal, State, and Local. These institutions will play a differentiated key role in addressing social risks and impacts of the Program. **At the Federal level**, FME has a policy formulation and coordination mandate in the education sector. The National Council on Education coordinates policy making across the different tiers of government, gathering more than 1200 stakeholders including the Federal Minister of Education and all state level Commissioners of Education. It plays an important role in ensuring the effectiveness of the basic education policy across the country as a collegial decision making body. The Council decides on the national curriculum and has been instrumental in the institutionalization of SBMCs across the states. UBEC is the executive agency of the Federal government responsible for basic education policy implementation. The board members of UBEC are appointed by the President upon recommendation from the Minister of Education, and represent various stakeholders, including FME, the teachers' union, parent/teachers' associations, and women's groups. The National Commission of Nomadic Education (NCNE) is responsible for addressing the education of children of migrant farmers and nomadic people. The National Commission for Mass Literacy, Adult and Non Formal Education (NCME) is the agency which works for national literacy agendas.

8. **At the State level**, the SME for each State will have primary responsibility for coordination and implementation in their respective States in conjunction with other agencies and institutions. The SME has the mandate for monitoring and evaluation, quality assessment and control, and coordination, and providing information on a range of procedural and project management issues. The operational responsibility for basic education rests with State Universal Basic Education Boards (SUBEBs), with some variations in the institutional framework: in some instances, secondary education falls under a separate executive agency, the State Education Board (SEB), and the SME.

9. While the institutional framework is not clearly delineated **at the local level**, LGEAs – the local arm of SUBEBs -- are in charge of basic education, and Local Governments are involved in the management and financing of primary education. At the local government level, the governance framework of basic education rests in principle on participatory school-level management and school supervision by the State Government through LGEAs.

10. **At the school level**, public schools are managed by school principals and head teachers, assisted by functional SBMCs that support the schools in developing education improvement plans, and manage activities under such plans. In addition, SBMCs, assisted by NGOs, will be responsible for organizing meetings with relevant community members.

11. Regarding the institutional framework for addressing the conflict in North East of Nigeria, Nigeria's National Emergency Management Agency (NEMA), in coordination with State Emergency Management Agencies (SEMAs) is responsible for monitoring IDPs' movements and providing a range of relief support to affected communities. NEMA has taken the lead in camp coordination and management of and has deployed personnel to provide technical support to SEMAs and the Nigerian Red Cross, to manage the IDP camps in the North East. Emergency

education for displaced children became a major priority after unprecedented Boko Haram attacks on students, teachers, and school infrastructure.

Operational Performance and Institutional Capacity Assessment in Managing Environmental and Social Impacts

12. Based on a review of the available data and detailed analysis of the environmental and social effects of the Program and the institutional context, the main findings in the ESSA are summarized as follows, organized by each of the six Core Principles outlined in Bank Policy and Directive for Program-for-Results Financing:

(i) Core Principle 1: Environmental Sustainability

System Strengths

- There exist well-defined legal/regulatory systems for safeguarding the environment.
- The FME and States have experience in integrating rules and procedures for environmental and social management in individual projects.
- EIA capacity training for FME has been conducted under Bank and other donors' existing programs.

Gaps

- Key challenges include multiple regulations; weak enforcement; overstretched regulatory authorities; and weak monitoring and implementation.
- There is need to mainstream community involvement.

(ii) Core Principle 2: Natural Habitats and Physical Cultural Resources

The program will pose no risks to natural habitats and physical cultural resources, though a “chance finds” procedure will be included in the environmental guidance for the Program, in case physical cultural resources are found.

(iii) Core Principle 3: Public and Worker Safety

System Strengths

- There are national policies and guidelines addressing public and worker safety, including: environmental pollution control; labor laws; occupational health and safety regulations; and standards for workplace environmental emissions and discharges.

Gaps

- General lack of awareness on public health and safety issues is a key concern. In particular, most debris handlers are unaware of the potential risks involved in handling wastes resulting from demolition of and rehabilitation of existing school buildings. Workers often do not have adequate personal protection equipment. Even in situations where personal protection equipment is provided, workers seldom use these in a consistent manner.
- Implementation capacities need to be strengthened for relevant authorities' staff.

(iv) Core Principle 4: Land Acquisition

System Strengths

- Currently, the land required for school buildings in Nigeria is obtained through voluntary land donation from the community; willing seller-willing buyer system; or land acquired by the State.

- Functioning laws and practice governing land administration exist for voluntary land donation and willing seller-willing buyer system.

Gaps

- While the Land Use Act of 1978 governs all land in Nigeria, the nature of compensation and impact mitigation under the Act is limited when viewed from the perspective of international best practice.
- There is a long history of public distrust of government compulsory acquisition, and poor track record in terms of compensation and land governance.

(v) Core Principle 5: Vulnerable Groups

System Strengths

- Commitment is strong at the Federal, State and Local levels to reduce inequity in education and improve access to education services by vulnerable groups of children.
- There are various flagship UBE programs and other interventions to address vulnerable groups of children.

Gaps

- UBEC program implementation has been hindered by poor project supervision, poor funding and lack of capacity, and in some cases, lack of commitment from state governments and insufficient community involvement.
- The complex institutional framework comprising federal, state and local governments has hampered coordination.
- Accountability mechanisms along the service delivery chain are inadequate. Existing monitoring and evaluation systems are incomplete and unreliable.

(vi) Core Principle 6: Social Conflict

System Strengths

- There is a state of emergency in Adamawa, Borno and Yobe in the North East of the country. NEMA, in coordination with SEMAs, is responsible for providing a range of relief support to affected communities.
- There is also an ongoing Bank-financed project “Multi-sectoral Recovery Project for Northeastern Nigeria,” which supports the education sector in the reconstruction and repair of damaged school infrastructure such as classrooms, fences and other associated service delivery interventions.
- Public schools are managed by school principals and head teachers, assisted by SBMCs; this can help alleviate/address violence against children and internal clashes.

Gaps

- The delivery of education services could be challenging in those States where a state of emergency exists. It may be also difficult to confirm if results have been achieved.
- Accountability mechanisms along the service delivery chain are inadequate, and institutionalized social accountability mechanisms, such as SBMCs, are not yet fully operational. The grievance redress systems are not well defined in all areas and may not be fully functional.

Proposed Program Action Plan for Environmental and Social Performance

13. The ESSA presented above identifies strengths, gaps and opportunities in Nigeria's environmental and social management system with respect to effectively addressing the environmental and social risks associated with the Program. This section translates these gaps and opportunities into a viable strategy to strengthen and monitor environmental and social management capacity and performance at the national and local level during Program implementation. The analysis identified the following main areas for action in order to ensure that the Program interventions are aligned with the Core Principles of Bank Policy for Program-for-Results Financing. These could be further refined during the consultation process and during implementation, as required. The ESSA therefore identifies the following key measures to be taken as part of Program Action Plan for improved environmental and social due diligence in the BESDA:

- a) Prepare and mainstream environmental and social guidelines based on national and state laws and regulations as well as good international practice on the following environmental and social issues:
 - (1) Land acquisition (The Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters. Where land acquisition is inevitable, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system.);
 - (2) Grievance redress mechanisms for key stakeholders, including teachers, children and their communities; and
 - (3) Measures for environmental and social management, building codes, debris management protocols, work and safety standards, security measures, and a "chance finds" procedure for physical cultural resources;
- b) Regularly coordinate and communicate with agencies and civil society groups working in the conflict areas of the North East on environmental and social issues. Possible third party monitoring by civil society to confirm that environmental and social measures have been carried out; and
- c) Conduct annual monitoring of progress on environmental and social issues, including mitigation measures for handling social risks.

Stakeholder Consultations and Disclosure

14. *Consultation Event for Preparing ESSA (January 2017)*: For the preparation of this ESSA, World Bank specialists undertook a series of meetings and consultations with different stakeholders, including federal, state and local government agencies, development/funding partners, CSOs and representatives of teachers, parents, community and youth leaders. They also followed up with some field work, including visits to schools in Kaduna and Gombe. The outcomes of the consultations have been incorporated into the ESSA and the proposed Program Action Plan. Main issues discussed in the consultations and incorporated into the ESSA include:

- 1) The importance of acknowledging **socio-economic and cultural challenges and opportunities for different types of out-of-school children**, including girls; Almajiri children; children with disabilities; children of nomadic/migrant people; unaccompanied/displaced children;

- 2) The importance of including **sensitization** activities in the Program for parents and community members on the value of education, in particular for girls;
- 3) The recognition of the impact of **North East conflict**, and addressing school safety and IDP children;
- 4) The need for **better staffing, budget and capacity building of teachers**, including female teachers in rural schools;
- 5) Risk management associated with **land acquisition** for schools;
- 6) The need for better community involvement in **school governance** and mainstreaming of grievance redress mechanism;
- 7) Consideration of **worker and community health and safety** issues in construction/rehabilitation of school infrastructure under the Program;
- 8) Addressing physical aspects of schools, such as **water supply, latrines, electricity and furniture**; and
- 9) Enhanced **data collection and monitoring and evaluation** system.

15 ***Consultation Event for Finalizing ESSA (February-April 2017)***: Further consultations were undertaken during and after appraisal, which consisted of a formal consultation with a large group of stakeholders along with field level meetings in selected states (Kaduna, Kano, Sokoto, Adamawa and Borno). The inputs were considered and incorporated into the final ESSA. Main issues discussed in the visited states include:

- 1) The importance of including **sensitization** activities in the Program for parents and community members on the value of basic education;
- 2) The importance of **integrating the basic education curriculum in Almajiri schools**;
- 3) The need for provision of facilities, such as shades and plumbing for **non-integrated Almajiri schools**;
- 4) The need for **more instructional materials** in core basic education subjects;
- 5) The need for **trained teachers in core basic subjects**;
- 6) The need for more funds to pay for **food and lodging in under-enrolled Almajiri schools** where school facilities could accommodate significantly more pupils;
- 7) Addressing **road safety for school children** by putting in place appropriate road signs, speed bumps and speed breakers;
- 8) Ensuring social inclusion especially for integration of **children with special needs** and other vulnerable children;
- 9) The need for a strict code of conduct for teachers and construction workers to protect children from **violence and child labor**;
- 10) Ensuring adequate **security and psycho-social support** for children particularly in the North East;
- 11) The key challenge for IDP children in Borno (North East) is to overcome the trauma/fear and lack of trust with regards to security. IDPs prefer to remain in host communities, which makes **facilities in host communities overstretched**. To address the pressure on facilities in host communities, Borno State is providing mobile school, additional furniture and learning centers. To address trauma, some psychosocial training has been provided but more needs to be done;

- 12) The challenge for **school safety** in Borno is the lack of school fencing. There are ongoing efforts to set-up fences with barbwire, community policing, and put in place a system for notifying authorities;
- 13) A positive aspect of **IDP camps** in Borno is that many of the children are attending school for the first time – either because it is set up in IDP camps or because they are influenced positively by their peers in host communities. Some IDPs have better access to schooling now, with most of them being concentrated in a small number of urban areas. A similar positive phenomenon has been observed in terms of vaccination of IDP children in Borno since the Boko Haram insurgency; and
- 14) The need to put in place a '**sick bay**' (**clinic**) **in school** with intensive referral to hospitals.
- 16 A Formal consultations were held on March 1 and April 27, 2017 in Abuja where the draft ESSA was presented and stakeholders including Federal, State and local government agencies, and CSOs covering both the Northern and Southern States were invited to offer inputs on the findings and recommended actions in an interactive format. Main issues raised during and after the consultation and Bank staff responses are summarized as follows:

Topics	Issues Raised	Bank Staff Responses
Environmental risks	1. Many local governments in Niger State are located along rivers. Three dams are prone to flooding , which affects the riparian communities, which in turn affects school attendance.	Natural hazards such as flooding have been reflected in the ESSA as an environmental risk. It is proposed that the environmental and social guidelines to be developed under Program Action Plan will include measures to address these risks.
	2. Natural disasters affect schools and the safety of children. School grounds are uneven due to inundation and erosion . We need to have tree planting for schools.	
	3. We should look at landscaping in primary schools. There are environmental risks, such as rough surfaces and dead tree trunks .	
Health risks	4. The toilets in many public schools are in terrible condition. One of the reasons that parents do not let their children go to school is problems with toilets.	Health risks including latrines and water supply facilities have been reflected in the ESSA as an environmental risk. It is proposed that the environmental and social guidelines to be developed under Program Action Plan will address these risks, building on existing
	5. Inadequate toilets are a health hazard . Maintenance of clean toilets is important for both children and teachers.	
	6. We need guidelines on school construction, including health issues . There is a standard for this located in Federal Ministry of Education on environment and public health.	
	7. Hygiene related to food from vendors is	

Topics	Issues Raised	Bank Staff Responses
	also a risk. There are schools near roads and shops which may present hygiene and health issues for children.	National School Health Policy and guidelines.
	8. One threat is lack of potable drinking water . In some schools, the water level is too high. In other places, children are late to school because they are looking for water.	
	9. Children need to have extracurricular activities, like sports . They should have club days. Associated risks need to be addressed in manuals.	
Land acquisition	10. Some schools, especially in urban areas, may need to buy land for school expansion . Land cannot always be obtained through willing buyer/willing seller arrangements. The Nigerian Land Use Act authorizes the government to procure land in the public interest. We may have to take one or two houses and this is the reality in the country. This would not create the serious disruption that the Bank is concerned about.	To ensure the consistency with the <i>Bank Policy for Program-for-Results Financing</i> and to minimize the risk of significant economic and physical displacement across all elementary schools in the Program, the Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters. It is proposed to clarify in the environmental and social guidelines that, where land acquisition is inevitable under the Program, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer
	11. Some neighbors encroach on school lands. This is a serious issue.	
	12. The State collaborates with the community on voluntary land donation . Nevertheless, people expect some payments, which is a serious concern for us.	
	13. There are cases where descendants of people who have handed over land to schools are demanding the land back and want to take over schools.	
	14. Problems on land acquisition are mostly in urban centers. Most of the vulnerable children are in rural areas. So, we should focus on schools in rural areas , rather than urban areas.	

Topics	Issues Raised	Bank Staff Responses
		system.
Gender and vulnerable groups	15. Gender mainstreaming should be promoted in this Program.	Addressing out-of-school girl children and other vulnerable groups of children is one of the key objectives of the Program. Orphans are added in the ESSA as one of the vulnerable groups.
	16. Orphans should be added as one of the vulnerable groups of children. One out of ten orphans are being exploited.	
	17. Specific measures and incentives to upscale vulnerable and girl-child education should be developed.	
Violence against children	18. Sexual harassment and abuse is common. There is a case where a girl was raped by three men. Her peers have refused to go to school. The State and UBEC are also looking into a case where girls are being sexually abused by stepfathers. Minor girls end up sleeping with older men and they are subject to human trafficking. SBMCs and school governing boards in secondary schools can really help tackle these issues.	The feedback received during the consultations varies depending on the stakeholders. It is proposed to address this potential risk through mainstreaming well-defined functional grievance redress and other legal systems and providing related capacity building to stakeholders under the Program Action Plan.
	19. There are not much child abuse in schools in our State, but probably outside schools or at home. The school has no system to address it.	
	20. So called “ area boys ” abuse girls and also female teachers.	
Security	21. In the Boko Haram conflict, many teachers were kidnapped and killed. Teachers need assurance for school safety.	Security risks have been reflected in the ESSA as a social risk. The Program will support the country’s efforts to improve the safety of schools. It is proposed that the Program Action Plan includes a coordination and communication mechanism with agencies working in the conflict areas of the North East on environmental and social issues. Possible third party monitoring
	22. There is major concern about natural disasters. In Bayelsa State, 3000 children became unaccompanied due to flash flood . They were left unattended by their communities and have become bandits and killers.	
	23. During the time that Boko Haram was active in the Northeast, 300,000 children became unaccompanied and they live in camps. Some children have been adopted, while communities are returning gradually to their homes. The Bank should intervene to help unaccompanied traumatized children.	
	24. Schools are in areas where attacks by Fulani herdsmen take place.	

Topics	Issues Raised	Bank Staff Responses
	25. How to deal with schools in insurgency areas ? We need collaboration with traditional leaders.	by civil society will be also considered to strengthen the local capacity. It is also proposed that the environmental and social guidelines to be developed under the Program Action Plan will include security measures at schools.
	26. Parents do not want their children to be in school in insecure areas . So, they take the children with them.	
	27. The schools also need perimeter walls for safety.	
	28. Appropriate lighting systems should be considered and installed in participating boarding schools to improve security. This will be in addition to vigilant groups or community policing.	
	29. Ensuring sustainable human rights impacts assessment in areas and communities with security lapses or state of emergencies are a challenge from our findings. Therefore, it is recommended that requisite capacities should be built up in this regard.	
Teachers	30. One way to avoid strikes by teachers is to pay for teachers regularly, and minimize volunteer teacher arrangements.	The risk of teacher strikes will be considered as part of political and governance risks to the Program, rather than the environmental and social risks. Teachers' training will be addressed under the Program.
	31. The World Bank should get UBEC to ensure teacher governance .	
	32. Teachers should be trained to build personal relationships with children to help protect them from harm.	
	33. The incentive is lacking to promote teachers . They just get promoted but they lose interest in teaching. We need to improve the overall teaching framework.	
Monitoring	34. States' Environment ministries will work with FMEnv to provide information on environmental issues for annual monitoring .	Strengthening accountability for results is one of the Results Areas of the Program.
	35. We need to share research with CSOs . We need real data, regardless of "good, bad and ugly" data.	
Implementation	36. The ESSA proposes to prepare manuals for environmental and social issues for schools. The manuals should accompany training, and should involve the community including CSOs.	It is proposed that capacity building activities will be conducted to operationalize the environmental and
	37. Mother's Associations should also be	

Topics	Issues Raised	Bank Staff Responses
	involved in schools. They should work with SBMCs, and build their capacity.	social guidelines. This will involve the community and key stakeholders.
	38. As an incentive for parents , provision of microfinancing for parents to send children to school should be considered.	Participating States will implement measures to achieve the results agreed under the Program. They will include measures to help sensitize and incentivize parents to send their children to school.
	39. To incentivize girls, vocational training should be included in school program, such as tailoring. School feeding is also an effective incentive.	Participating States will implement measures to achieve the results agreed under the Program.
	40. Proper implementation and political commitment are critical to achieve results. We should double our commitment.	This is an important aspect of the Program as a whole.
	41. Contractors' commitment to environmental health and social sustainability should be a condition for pre-qualification and procurement.	It is proposed that the environmental and social guidelines to be developed under the Program Action Plan will be used in the procurement process.
	42. An Environmental and Social Management Plan should be prepared to specify how the likely environmental and social risks associated with this project will be managed. It is also suggested that adequate monitoring program should be jointly designed and corresponding budget provided for in the cost table. If all UBEC state instruments/guidelines are the same, then a generic environmental health and social management plan (EHSMP) would suffice. If not, states-specific EHSMPs would have to be prepared.	Unlike environmental and social assessments and plans for Investment Project Financing, the ESSA is prepared for PforR program. The environmental and social guidelines to be developed under the Program Action Plan will be used by participating states as generic guidelines to manage environmental
	43. Proper construction and termination of	

Topics	Issues Raised	Bank Staff Responses
	drains in around the schools, location of school buildings away from areas liable to flooding and erosion , and public sensitization could help mitigate the potential risk of flooding and erosion.	and social risks and impacts associated with the Program. Under the Program Action Plan, it is also proposed to conduct annual monitoring of progress on environment and social issues, which will be designed and funded under the Program.
Disclosure	44. Nigeria has its own provisions for disclosure for environmental assessment. The disclosure cost has to be borne by the Program for the transmittal of the documents to the display centers, public notices informing the public of the public review and disclosure exercise. The disclosure requirement is 21 working days. Public notice has to be in 2 national dailies plus one local paper for all areas in the Program. This has to be legally acceptable to FMEnv. The names and telephone numbers of contact officers would be required.	Unlike environmental and social assessments and plans for Investment Project Financing, the ESSA is the World Bank's assessment of the country's environmental and social systems. The Bank is responsible for disclosing it, per the Bank's own Disclosure Policy.

14. **Document Dissemination and Public Disclosure:** The draft ESSA was shared with the FMOE and UBEC, and publicly disclosed and shared with other stakeholders involved with environmental and social management issues in Nigeria before the formal consultation. The final report will be disclosed publicly in-country and at the World Bank's Infoshop.

SECTION I: BACKGROUND

- 1 The Government of Nigeria's Better Education Service Delivery for All (BESDA) Operation is being supported under the World Bank's Program-for-Results (PforR) financing instrument, along with a TA component which uses the Investment Project Financing (IPF) modality. The PforR innovatively links the disbursement of funds directly to the delivery of defined results and builds on increased reliance on borrower safeguard and oversight systems. The Program Development Objective (PDO) of the PforR is to increase equitable access and improve literacy for out-of-school children in participating States, and strengthen accountability for results, in basic education. The Ministerial Strategic Plan 2016-2019, adopted by the National Council on Education on September 29, 2016, is a strategic document and represents a recommitment to the UBE goal in Nigeria with the primary vehicle for ensuring UBE remains the UBE program as implemented by the Universal Basic Education Commission (UBEC).
- 2 The Environmental and Social System Assessment (ESSA) for BESDA examines Nigeria's existing environmental and social management system that is the legal, regulatory, and institutional framework guiding the PforR Program, defines measures to strengthen the system, and integrates these measures into the overall UBE program. The ESSA is undertaken to ensure consistency with six "core principles" outlined in paragraph 8 of the World Bank Policy for Program-for-Results Financing in order to effectively manage Program risks and promote sustainable development.
- 3 Those six principles are:
 - i. Promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts
 - ii. Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program
 - iii. Protect public and worker safety against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the Program; (ii) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards
 - iv. Manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards
 - v. Give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups
 - vi. Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

- 4 The ESSA analyzes the system for environmental and social management as relevant for the program vis-à-vis each of these principles. The gaps identified through the ESSA and subsequent proposed actions to fill those gaps directly contribute to the Program's anticipated results to enhance institutional structures in education. The ESSA analysis, presents a detailed description of the Program activities and the current baseline conditions for existing environmental and social management systems. This Report draws on baseline information and presents an analysis of the existing system vis-à-vis the core principles for environmental and social management in the Bank Policy and Directive for Program-for-Results Financing, and presents an Action Plan that will be incorporated into the overall program.

SECTION II: COUNTRY AND SECTORAL AND INSTITUTIONAL CONTEXT

Country Context

- 5 Nigeria's 2015 presidential elections brought to power Muhammadu Buhari, an opposition candidate whose political platform included commitments to improve security, address corruption, and promote more inclusive and job-enhancing growth – in reaction to the country's security challenges, endemic governance issues, and weakened economy. Today, Nigeria continues to face several security challenges. Though an army offensive in late 2015 drove Boko Haram from much of the territory it held in the North East zone, the militants periodically strike back with suicide bombings and attacks on civilians. In parallel, as the Sahel and farms encroach on pastures and grazing areas, conflicts between herdsmen and farmers have intensified across Nigeria's "middle belt". Finally, militant attacks on oil and gas infrastructure in the Niger Delta more than halved crude oil production in 2016. Production has recovered since, although uncertainties remain.
- 6 Until oil prices began to decline end of 2014, Nigeria enjoyed strong growth over the 2003-14 decade, but the reduction in the poverty rate was not commensurate with the rapid growth³. Average annual gross domestic product (GDP) growth during 2003-2014 was 6.7 percent, anchored in the services sector and private consumption, which in turn benefited from the spillovers of the oil economy. But, rapid growth did not translate into quick poverty reduction, as poverty rates in Nigeria declined by 10 percentage points, from 46.0 percent in 2004 to 36.1 percent in 2013. Estimates of the growth elasticity of poverty (GEP) indicate that for every 1.0 percent growth in GDP per capita poverty declined by only 0.6 percent, so that Nigeria's GEP is half that of the regional average and only a fourth of that of lower-middle-income countries.
- 7 The low responsiveness of poverty reduction to growth is primarily due to the stagnation in poverty rates in the North East and North West zones, which in turn has been driven by

³ World Bank. 2016. *Poverty Reduction in Nigeria in the Last Decade*.

lower urbanization, human capital, and job opportunities in these zones compared to the South. The slow progress in poverty reduction in rural areas is linked to slow structural transformation in the agricultural sector. In the North East and North West, two-thirds of the population is in farming and wage jobs are only 10 percent of total employment (compared to only one in five workers in South West in farming and one in four in wage work)⁴. Whereas 40 percent of the labor force in the North has never attended school, in the South the proportion of the labor force without any education is around 20 percent⁵. In agriculture in particular, considered an important growth sector for the country, nearly 45 percent of the labor force has never attended school. Yet for agriculture to be competitive, there will need to be a shift in the production model towards more mechanization and capital intensity, which in turn increases the demand for workers with the necessary technical, professional, and managerial skills. The South is already experiencing an increase in the use of cognitive skills, reflecting a shift in economic production toward the knowledge economy, and the demand for skilled workers and technicians is already acute.

- 8 Today, Nigeria's economy is in recession and the policy intent of the approved 2016 Federal budget and the proposed 2017 budget, framed as a "budget of recovery and growth", is to provide fiscal stimulus and support longer-term growth through higher capital spending. The 2016 approved budget adopted an overall expansionary fiscal stance with total planned expenditure increasing from 5.0 percent of GDP in 2015 to 5.9 percent of GDP in 2016. To support growth, the composition of spending shifted markedly to capital, which comprises 26 percent of the planned expenditure, up from 13 percent in the previous year. The 2016 budget also included a substantial allocation of NGN500 billion (8 percent of the budget) to a new program targeting the poor and vulnerable: the '*National Social Development Program*' comprising of the five areas of job creation, school-based feeding, conditional cash transfers, an enterprise program, and education grants. The 2017 budget has a proposed total expenditure that is 20.4 percent higher (in nominal terms) than that of the 2016 estimate. Over 30 percent of the total budget is allocated to capital expenditure in order to spur economic growth. The bulk of the capital expenditure is targeted at the following priority sectors: power, works, and housing (26 percent of the capital budget); transport (13 percent); special (welfare) intervention programs (7 percent); education (7 percent); and, defense (7 percent).
- 9 However, the Government has faced considerable challenges to implement the 2016 budget, beginning with delays in its approval, as well as actual revenues falling well short of budget targets. The latter is partly due to the slowdown in the economy as well as unrealistic targets for non-oil revenue and inadequate policy measures to mobilize revenues. As of the end of 2016, total revenue accruing to the Federal Government only reached 50 percent of the budget target. Consequently, growth-supporting capital expenditure is expected to be significantly under-executed, as expenditure rationalization would mostly be borne by capital programs, rather than through cuts in recurrent spending. At the same time, some States reported several months of delay in paying teacher salaries in 2016.

⁴ World Bank. 2015. *More, and More Productive, Jobs for Nigeria: A Profile of Work and Workers*.

⁵ World Bank. 2015. *Nigeria: Skills for Competitiveness and Employability*.

Sectoral and Institutional Context

- 10 The Nigerian government is politically and legally committed to free, compulsory, and universal basic education under the Universal Basic Education (UBE) Act of 2004, which also earmarks fiscal resources to the UBE program – yet, basic education remains the weakest link in the education chain. The Nigerian education system can be described as a “6-3-3-4” system: six years of primary followed by three years of junior secondary education, which together comprise basic education; the next three years are senior secondary education⁶, followed by four years of tertiary education. A pre-primary year has been introduced recently, and is considered part of basic education. The gross enrolment rates (GER) for senior secondary education was 64 percent in 2013, i.e. almost twice the rate for sub-Saharan Africa and comparable to the rate in middle income countries. Similarly, the tertiary education GER stood at 13 percent in 2012, compared to 8 percent for sub-Saharan Africa that year. By contrast, the most recent available data (2015 Nigeria Education Data Survey, NEDS) show an 87 percent GER in primary education (compared to 100 percent for sub-Saharan Africa), and while the rate for junior secondary education (65 percent) is above the average for sub-Saharan Africa, it remains well below universal. Enrolment rates in basic education are also marked by gender disparities, as well as wide variation across zones of Nigeria, with the North East and North West demonstrating lower outcomes. As Table 1 summarizes, the gender parity index (i.e. the ratio of females to males) in GERs is below 1 across pre-primary, primary, and junior secondary education, and lowest in primary. In addition, enrolment rates across all three levels of education are consistently lowest in the North West and North East, and these two zones also demonstrate the widest gaps in terms of gender parity, with a gender parity index as low as 0.84 in junior secondary education and 0.86 in primary education in the North West.
- 11 The quality of basic education, measured in terms of student learning outcomes, is low in Nigeria. According to international standards, children who have completed grade 3 are expected to be fully literate. Yet in Nigeria only 66 percent of public school students can read at least one of three words and 78 percent can add single digits after completing grade 4 (2015 NEDS). In terms of variation across the States, a test administered to grade 4 pupils as part of the 2013 Service Delivery Indicator (SDI) Survey produced an overall low score of 32 percent, with the two southern states leading the ranking (59 and 54 percent) and the two northern states with significantly lower scores (23 and 20 percent). In addition, pupils in private schools significantly outperformed those in public schools. Poor learning also results in low pass rates at the end of secondary school: 31 and 39 percent of registered students passed the 2014 and 2015 West Africa Senior School Certificate Examination (WASSCE), respectively.

⁶ Senior secondary education can be either general academic or technical and vocational education and training (TVET).

Table 1: Education access and quality indicators in 2015, by geographic zone (percent)

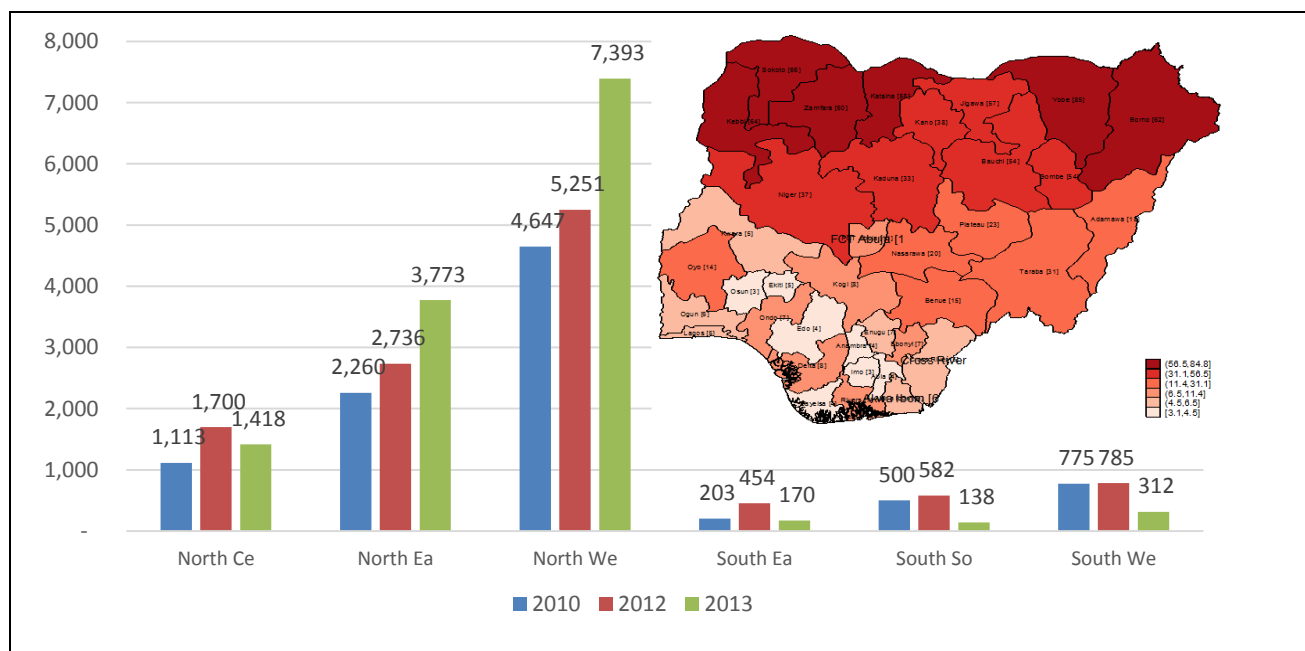
Zone	Gross enrolment ratio						Literacy for 5-16 year-olds	Numeracy for 5-16 year-olds	Textbooks freely available at primary school
	Pre-primary		Primary		Junior secondary				
	Total	Gender parity index	Total	Gender parity index	Total	Gender parity index			
North Central	60.9	0.92	101.9	0.98	69.4	0.93	43.7	53.6	44.7
North East	21.2	0.88	60.3	0.96	34.5	0.91	27.6	28.6	29.2
North West	16.9	1	69.2	0.86	41.6	0.84	27.5	27.7	38.8
South East	113.2	0.91	107.9	1.02	80.5	1.04	60.7	74.4	52.6
South South	97.6	0.98	104.7	1	86.2	1	71.5	78.5	34.9
South West	102.1	0.96	100.6	0.97	89	1.08	73.3	82.8	65.8
Total	59.8	0.98	87.3	0.96	65.2	0.99	48.5	54.5	43.8

Source: National Population Commission and RTI International. 2016. *2015 Nigeria Education Data Survey (NEDS)*. Washington, DC, USAID.

- 12 Nigeria stands out globally in its number of out-of-school children. Though the number is debated in the country, the latest estimates (based on the 2013 Demographic and Health Survey, DHS) indicate that 13.2 million of basic education school age children, i.e. age 6-14 years old, are out of school⁷. This figure includes children who never entered school as well as dropouts. Unfortunately, the trend is also negative, as this figure represents an increase of 3.3 million from the 2010 estimate. An overwhelming majority of out-of-school children -- 12.6 million -- are in the North (see Figure 1). Out-of-school rates are also higher among girls, in rural areas, and among the poorest in society. At the national level, the out-of-school rate increased from 24 percent in 2010 for children ages 6-14 years to 30 percent in 2013 and remained highest in 2013 among girls (32 percent vs. 28 percent for boys), in rural areas (41 percent vs. 11 percent in urban areas), and among the poorest (72 percent for the poorest quintile vs. 3 percent for the richest). At the same time, there is variation in the composition of the out-of-school population across different geographic zones in Nigeria, with relatively higher out-of-school rates among: girls in the North in particular; children of nomadic pastoralists throughout the country; boys who drop out in the South East and South South zones; the so-called area boys (loosely organized gangs of mostly male street children and teenagers) in the South West; children of migrant fishermen in the South South; and, the children in the North East displaced by the Boko Haram insurgency. Though out-of-school children are a phenomenon throughout Nigeria with varying manifestations by zone and underlying supply- and demand-side drivers, broadly speaking, most out-of-school children in the North never attended school, while in the South they are mostly dropouts.

Figure 1: Numbers of out-of-school children by zone (2010-13) and rates of out-of-school children by state (2013)

⁷ It is important to note that this number signifies children who do not attend any type of basic education institution, whether public (representing 77 percent of enrolment), private (20 percent), or religious schools (4 percent). The latter take many forms that integrate formal subjects to varying degrees with religious instruction, are more prevalent in the North, and enrolment is higher among children from poorer families. By contrast, private education is more prevalent in the South and is dominated by children from wealthier families. Enrolment in public schools tends to accommodate children from poorer families at the basic education level.



Source: General Household Survey Panel 2010/11 and 2012/13, and Demographic and Health Survey 2013

Constraints to Improving Access and Quality of Basic Education

Weak basic education governance, management, and accountability

- 13 Education is a shared responsibility of the three tiers of Government – Federal, State, and Local – and suffers from insufficient interagency and intergovernmental coordination. Basic and secondary education remain mostly under the jurisdiction of the State and Local Governments, while the Federal Government is responsible for the administration of federally-owned universities and Federal Unity Colleges that were set up to serve as model secondary schools. At the Federal level, the Federal Ministry of Education (FMOE) has a policy formulation and coordination mandate, the National Council on Education coordinates policy-making across the different tiers of Government, and the Universal Basic Education Commission (UBEC) is the executive agency of the Federal Government responsible for basic education policy implementation. At the State level, operational responsibility for basic education rests with State Universal Basic Education Boards (SUBEBs), with some variations in the institutional framework: in some instances, secondary education falls under a separate executive agency, the State Education Board (SEB), and the State Ministry of Education (SMOE). At the local level, the institutional framework is not clearly delineated since Local Government Education Authorities (LGEAs) – the local arm of SUBEBs -- are in charge of basic education, whereas local governments are involved in the management and financing of primary education.
- 14 The established institutional framework does not ensure effective policy-making and implementation. Conflicts of jurisdiction between the three tiers of government undermine policy coordination. Accountability mechanisms along the service delivery chain are inadequate, and institutionalized social accountability mechanisms, i.e. School

Based Management Committees (SBMCs), are not yet fully operational. Existing monitoring and evaluation systems are incomplete and hardly reliable, and consequently not fit to inform policy-making or implementation. In addition, human resource management does not focus on enhancing teacher effectiveness in improving learning outcomes. Finally, regulatory oversight and policy on non-state providers, including private and religious providers, are ineffective.

Insufficient and ineffective public spending on basic education

- 15 Total public spending on education has hovered around 1.7 percent of GDP and increased marginally from 10.2 to 12.5 percent of total public spending over the 2009-2013 period, i.e. levels well below the averages for sub-Saharan Africa (4.6 percent of GDP and 17 percent of total public expenditure). When considering total public as well as private spending on education, household out-of-pocket private payments make up the largest share of spending on education (40 percent); public spending by the Federal Government amounts to 21 percent; State Government, 13 percent; and Local Government, 25 percent. Federal spending includes fiscal transfers to the States for basic education managed by UBEC – the UBE Intervention Fund. The States receive an annual allocation of at least 2 percent of the Federal Government budget under the 2004 UBE Act. This means that the allocation to the UBE Intervention Fund, while guaranteed every year, is procyclical in nature and dependent on execution of the Federal budget. Consequently, weak performance of Federal and State budgets (reflected in low execution rates) and of fiscal transfers reduces already scarce resource allocations. Since 2014, the fiscal crisis has deteriorated budget performance further and several States report delays in their ability to pay teachers' salaries.

Demand- and supply-side factors impede access to education

- 16 Children do not go to school in Nigeria for a wide range of demand- and supply-side reasons that vary by State and geographic location. On the demand side, household poverty prevents children from enrolling in school as families face many indirect costs, including the opportunity cost of child labor. Lack of belief in the benefits of education, especially for girls, and the appropriateness of different types of education, is also an important contributing factor. In the conflict-affected areas of the North East, given Boko Haram's targeting of schools and its notorious kidnapping of the female students of the Chibok Secondary School, demand-side constraints are particularly severe. On the supply side, classrooms can be overcrowded and ill-equipped, and in the conflict-affected North East, in dire need of repairs. The 2013 SDI Survey tracks the availability of minimum teaching and learning materials and equipment in schools (pens, pencils, notebooks, textbooks, black boards, chalk, and so forth) and minimum infrastructure, including clean, private, and accessible toilets. In terms of teaching equipment, only 55 percent of schools surveyed in the four States had the required minimum. In terms of availability of textbooks, only 38 percent of pupils had a mathematics and English textbook. This figure is roughly comparable to the figure reported in the 2015 NEDS on availability of free textbooks in primary schools (see Table 1). A lack of proper infrastructure was observed, with only 19 percent of schools having the minimum. Significantly, given the well-

documented adverse effects on female enrolment, in particular, only 27 percent of toilets in schools were clean, 44 percent private, and 38 percent accessible. Table 2 below reproduces in its entirety a table on supply- and demand-side obstacles to education in Nigeria from the *UBE Program 5-Year (2015-2020) Road Map* (dated October 2015), which includes in addition budget constraints and inconsistencies in the policy environment on the supply side.

Table 1: Supply-side and demand-side obstacles to education

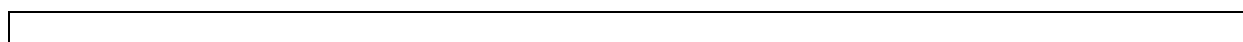
DEMAND	SUPPLY
<p>A. Socio-economic factors</p> <ul style="list-style-type: none"> • Poverty • High costs (fees, uniforms, transportation, levies) • High opportunity costs/low rates of return • Children needed for household/ agricultural/ petty trading tasks • Residence in remote, sparsely populated areas • Limited employment opportunities for school leavers <p>B. Cultural factors</p> <ul style="list-style-type: none"> • Parents' low level of education • "Western" education perceived as incompatible with traditional/ cultural beliefs and practices • Skeptical attitudes towards the benefits and outcomes from education 	<p>C. Political/ institutional factors</p> <ul style="list-style-type: none"> • Budget constraints • Insufficient public support for the poor • Political instability • Inconsistency in educational policies • Poor quality of educational programmes • Ill-adaptation of educational systems to local learning needs <p>D. Factors linked to the school</p> <ul style="list-style-type: none"> • Limited school/ classroom space • High school fees • School curricula and school organization in conflict with traditional culture • School calendar incompatible with farming cycle • Lack of school canteens or school feeding facilities

Source: UBEC. October 2015. *UBE Programme 5-Year (2015-2020) Road Map*, page 25, Table 7 (reproduced verbatim in its entirety).

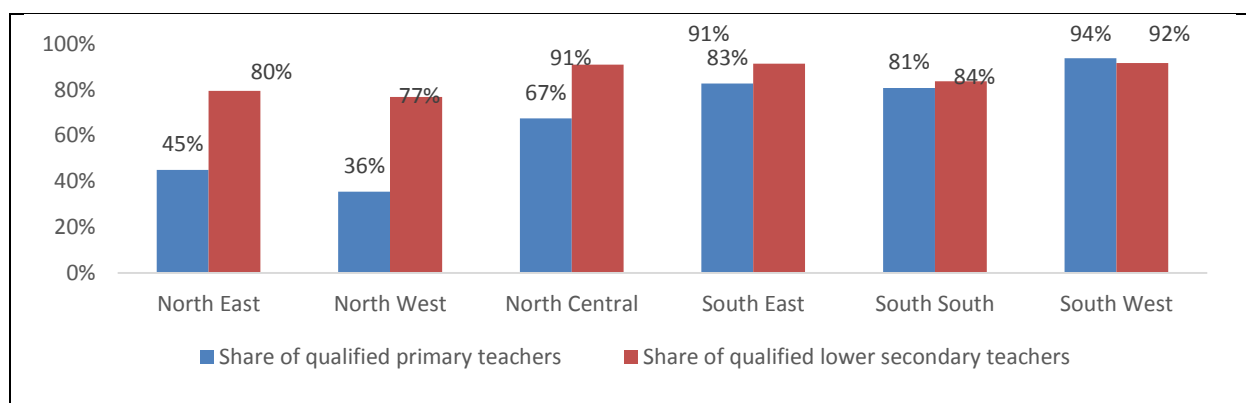
Low teacher competencies impede education quality

- 17 Most basic education teachers lack the formal qualifications as well as required content knowledge and skills for effective teaching. In 2010, on average, 32 percent of teaching staff in pre-primary education, 40 percent in primary education, and 15 percent in junior secondary education lacked formal qualifications. In addition to being concentrated in the South (see Figure 3), qualified teachers tend to be in urban areas and private schools. As part of the 2013 SDI Survey in two northern and two southern states, actual teacher skills were assessed. The average score on the English and mathematics assessments, among English and mathematics teachers, was 32.9 percent, with only 3.7 percent of the teachers managing to obtain a score of at least 80 percent on these assessments. These findings indicate that teachers in Nigeria do not have the knowledge and technical competencies to teach their subject matter. In addition, there is some evidence of overcrowded classrooms in urban areas and poorly staffed schools in rural areas, so that recruitment and deployment of teachers is a concern.

Figure 2: Formally qualified teachers, by education level and zone (percent share in 2013)



Source: Education Management Information System 2013



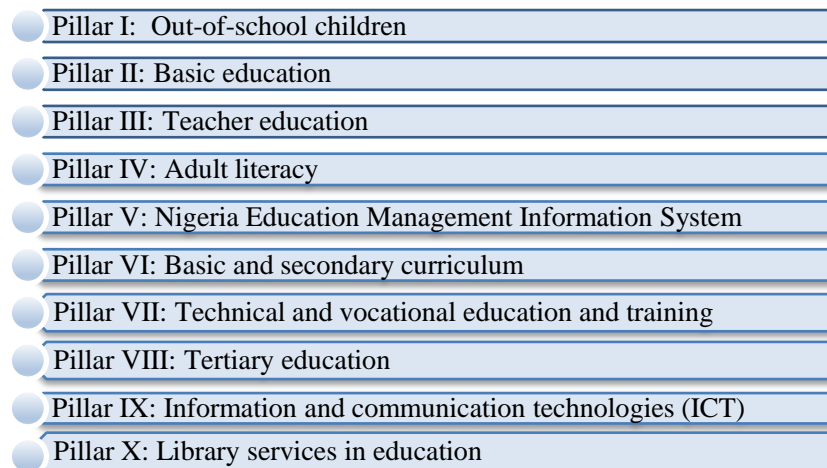
Government Strategies to Lift Constraints to Improved Access and Quality of Basic Education

- 18 The Government's primary vehicle for ensuring universal access to quality education is the UBE program. The objectives of the UBE program are to⁸:
 - Ensure unfettered access to free and compulsory nine years of formal basic education for children of school-going age;
 - Reduce drastically the incidence of drop-out from the formal school system, through improved relevance, quality, and efficiency; and
 - Ensure the acquisition of appropriate levels of literacy, numeracy, manipulative, communicative, and life skills as well as the ethical, moral, and civic values needed for laying a solid foundation for life-long learning.

- 19 In 2016, the FME prepared the *Ministerial Strategic Plan 2016-2019* (MSP), which is built around the three results areas of access, quality, and systems strengthening; and is comprised of ten pillars, the first of which focuses on out-of-school children (see Figure 3). The MSP affirms that the security and stability of the country hinge to a large extent on its ability to provide functional education to its citizens, and that no nation can achieve economic prosperity without a sound and functional education system. The Government's expectations in terms of the MSP's impact are manifold: tackling the issue of out-of-school children by creating opportunities and providing incentives; bridging the gender gap in enrolment, retention, and completion by addressing the problems of girl-child education; improving pupils' learning achievements, including literacy and numeracy; and, addressing the crisis of inadequate and low quality teachers with training, re-training, and recruitment. In addition, the MSP aims to prepare Nigeria's youth to take competitive advantage of the 21st century knowledge-driven economy within and outside the country; address the issues of quality and access to higher education and improve the global ranking of Nigeria's tertiary institutions; and, resolve the skills gap by deploying a workable and comprehensive technical and vocational education and training policy. The MSP aims to strengthen the education system overall by "improving evidence-based decision making that will assist transparency, governance, accountability, and innovation in education delivery" (page 20). In short, the MSP is the Government's vision for the education sector as a whole and confirms its commitment to its reform.

⁸ See <http://ubeconline.com/> accessed on January 13, 2017.

Figure 3: Ministerial Strategic Plan 2016-2019 Pillars



- 20 The MSP is a strategy document that defines activities to be implemented by various Federal as well as State-level actors and programs, notably the UBE program when it comes to basic education reforms. The MSP was adopted by the National Council on Education, but its national goals have not yet been translated to State-level goals and activities. In addition, costing of foreseen interventions has only been completed for Federal activities – and to date, no budgetary allocations have been made towards these activities. The MSP includes several activities, e.g. expansion of school infrastructure, which it tasks UBEC with. However, the MSP also contains some activities that are related to reforming the UBE program and UBEC’s operations. These activities relate to, for example, decreasing the counterpart funding from States, in order to facilitate States’ access to the Federal matching grant earmarked for the financing of school infrastructure. The MSP does not, however, fundamentally reassess the UBE program as a whole and UBEC’s achievements to date.

SECTION III: PROGRAM DESCRIPTION

- 21 The UBE program, funded by the UBE Intervention Fund that is channeled through UBEC, represents the relevant Government program as well as the PforR Program boundary. As explained in an earlier section, the UBE program has been in place at least since 2004, and yet it has not achieved its stated objectives. In defining the UBE program as the PforR Program boundary, this Operation aims to incentivize three key behaviors that will lead to the desired change, i.e. improved performance of the UBE program:
- a) Allocation of funds to those States that demonstrate the greatest need and performance;
 - b) Addressing constraints to access to basic education in a holistic manner, i.e. both demand- and supply-side constraints, where relevant; and

- c) Adopting a results-oriented approach that fosters mutual accountability for Federal and State actors.

22 The current formulation of the UBE Intervention Fund allocates equally across all States over 82 percent of the Fund for supply-side interventions, regardless of States' rates of out-of-schooling or other education outcomes. Table 1 provides an overview of the allocation of the UBE Intervention Fund⁹. The matching grants allocation is to be used for the provision of infrastructure such as classrooms, toilets, furniture, workshops, libraries, and equipment – and is allocated equally across all States and Federal Capital Territory (FCT). Recognizing that accessing textbooks and other reading materials is key for learning achievement, the UBE program allocates 15 percent of the UBE Intervention Fund for the provision of core textbooks (4 in primary and 5 in junior secondary education) and funding is shared equally amongst the States and FCT¹⁰. To support the capacity building programs for teachers and school managers, the UBE Intervention Fund allocates 10 percent annually to teacher professional development, shared equally among the 36 States and FCT¹¹. The funding can be used for in-service teacher development programs (covering both subject content and pedagogy) which are provided by the National Teaching Institute, the National Institute of Education Planning and Administration, Faculties of Education, Colleges of Education, and other appropriate training providers. Special education receives 2 percent of the Intervention Fund allocation, 70 percent of which is distributed equally across the States and the FCT (for infrastructure, learning materials, and teacher training), with the remaining 30 percent distributed to private providers selected by UBEC. Despite its stated objective of addressing equity and inclusiveness, half of the 14 percent allocated to the Educational Imbalance Fund are, in fact, distributed equally across the States and FCT – again for purposes of infrastructure and textbooks, primarily. The other half of the Educational Imbalance Fund – some 7 percent of the UBE Intervention Fund -- goes towards building of model schools and supplying them with learning materials in disadvantaged States and targeting specific population groups, e.g. girls. Alone, the grants for good performance -- which are intended for the 3 top performers in UBE program implementation in each geopolitical zone and the national winner – allow differentiated amounts across the States. However, though 22 States benefited from the good performance grants between 2005 and 2009, these awards have not been made to any State since 2010.

Table 3: UBE Intervention Fund Allocations

⁹ Based on information in the *UBE Programme 5-Year (2015-2020) Road Map, Volume I & II*.

¹⁰ Textbook demand is determined by the State Commissioner for Education and SUBEB Executive Chair. Over 126,500,000 books were distributed to States during 2009-2014.

¹¹ Over 1 million teachers were trained during 2009-2014.

Fund	Share of total	Type of activities	Geographic scope
Matching grants	50	Provision of infrastructure such as classrooms, toilets, furniture, equipment	Equal allocations to 36 States+FCT
Instructional materials	15	Core subject textbooks and reading materials	Equal allocations to 36 States+FCT
Educational imbalance	14	Provision of model schools, textbooks, and teachers' guides	50% allocated equally to 36 States+FCT; 5% girls' education; 10% <i>almajiri</i> education; 35% community self-help projects
Teacher professional development	10	In-service training for teachers and education managers	Equal allocations to 36 States+FCT
Good performance	5	Encourage States implementing UBE program well	3 top performers in each zone and the national winner
Special education	2	Provision of infrastructure, learning materials, and teacher training	70% allocated equally to 36 States+FCT; 30% to private providers selected by UBEC
UBE monitoring	2	UBEC monitoring State implementation of UBE program	
UBE implementation	2	UBEC operations	

- 23 Past UBEC interventions used a share of the Educational Imbalance Fund to target out-of-school groups such as the Almajiri (the Almajiri Education Program) and girls (the Girl-Child Education Program), primarily through school construction. The Almajiri are pre-adolescent to early teen pupils who attend residential Islamic religious schools, common throughout northern Nigeria, that have only one curriculum, the Qur'an, and are led by a Mallam who is responsible for the care of the students. Pupils are predominantly male, with many of them having been brought to the schools by their parents from other villages, but urban spread has made it possible to have girls as pupils, participating as day students and rarely going beyond the elementary stage of schooling. Students are assessed on their mastery of the Qur'an, so that Almajiri schools are classified as informal schools that fall outside the mainstream structure of education. The Almajiri Education Program has, therefore, sought to establish integrated Almajiri model schools that include formal basic education subjects in the curriculum. Close to 300 such schools were established and supplied with textbooks and teachers' guides over 2011-15, though deployment of teachers to these schools posed a challenge, as did the non-integration of the existing instructors. Similarly, the Girl-Child Education Program sought to establish all-girls' schools, with female teachers, and embarked on the construction of these schools – with 67 schools constructed to date.
- 24 The UBE Intervention Fund also allocates 2 percent of funds towards UBE program monitoring, and this monitoring is conceived very much as UBEC, or the Federal level, ensuring that Federal funds are put to the correct use by the States. This, in turn, is based on plans and reports submitted by SUBEBs and agreed with UBEC, for example in terms of new school construction or teachers to be trained, the execution of which by the SUBEBs is

then verified by UBEC. The verification entails on-site visits by UBEC, and, in the case of teacher training, for example, the presence of a UBEC official at this training to monitor items, such as food and accommodations, provided to the trainee teachers. The monitoring is therefore very output- rather than outcome-based, in the sense that numbers of teachers trained and textbooks provided are collected without information on how this may have had impacts on student learning outcomes. On the other hand, data on spending by UBEC to achieve certain outputs are not always publicly disclosed. With respect to the matching grant, i.e. 50 percent of the UBE Intervention Fund, available data report only on funds released and accessed by States (meaning States put up the counterpart funding), but not on actual construction completed or equipment purchased with the funds, let alone on their impact on enrolment and learning outcomes.

- 25 In defining the PforR Program boundary to be one and the same as the Government's UBE program, this Operation aims to: provide additional funds to States that have greater needs; incentivize homegrown solutions to out-of-schooling that address demand- and supply-side constraints; and, foster a results orientation. The UBE program's objectives are currently being pursued through a formulation of the UBE Intervention Fund allocation formula that is subject to revision, if deemed necessary¹². In fact, a revision of the allocation formula in favor of more funds for enhancing quality of education was proposed in the 2015-2020 Road Map though it has not been implemented to date, and currently proposals are being entertained to reduce the State counterpart funding requirement to facilitate States' access to the infrastructure matching grant. The key notion here is, therefore, that supporting the UBE program does not mean necessarily relying on the current allocation formula of the UBE Intervention Fund and its range of activities. Instead of the UBE Intervention Fund's approach of equal allocation to all States, a subset of States will be eligible for the Operation funds dedicated to increasing access to basic education and improving literacy. At the same time, given the importance of strengthening accountability and results-orientation for the education sector as a whole, all States will be able to access the funds dedicated to this end.
- 26 Under Results Area 1, this Operation will support increased equitable access to basic education for States with the highest rates of out-of-schooling by incentivizing these States to address their binding demand- and supply-side constraints. As already described, the present approach in the UBE program has acknowledged the existence of different populations of out-of-school children and sought to target them – but mostly with the same supply-side driven interventions of construction of schools and provision of inputs. It is worth noting here that out-of-school children are largely children who have never been to school (92 percent nationally¹³), and more than half of Nigerian out-of-school children do not attend school because either their parents, or they themselves, do not think it is important to have an education. This belief is most prevalent among parents with low levels of education, those working in the agricultural sector, and living in rural areas. Lower

¹² The allocation formula is determined by the UBEC Board of Directors and its revision requires the approval of the Federal Executive Council (or Cabinet).

¹³ World Bank. 2015. *Governance and Finance Analysis of the Basic Education Sector in Nigeria*.

participation among girls is also tied to parental preference regarding girls' education, their distrust of conventional schooling, and lack of adequate school infrastructure (such as availability of toilets for girls). Therefore, demand-side factors play a key role in families' decisions whether to send their children to school. Today, several States have recognized the importance of these factors and launched school feeding programs that have attracted children to school in 2016 – following up on a Federal promise to co-fund these programs that has not been fulfilled to date. School feeding is therefore one option that States might decide to pursue in order to enroll children under this Operation. Other options include conditional cash transfers for girls – also an approach that has been tried successfully in Nigeria in the past, but discontinued. Addressing Almajiri children's education will likely require concerted efforts with community leaders to address concerns on the nature of the education provided in addition to provision of any necessary infrastructure. Nomadic children will require flexible approaches to education provision that cater to their particular circumstances. In the conflict-affected North East, a combination of demand- and supply-side interventions that will likely vary over time will be necessary, as displaced populations decide to return to their original communities.

- 27 Under Results Area 2, this Operation focuses on improving literacy in the same States that are increasing access in order to ensure that the two go hand-in-hand. The focus on literacy is important for many reasons: increased literacy will demonstrate the benefits of education to families and encourage continued school enrolment; as described earlier, literacy rates – the fundamental building block for education -- are very low even among those already in school; and, literacy and numeracy are key fundamental skills required in life in general and in gainful employment in particular. In addition, Nigeria has ongoing interventions in literacy supported by development partners that are currently implemented in some States only, with valuable lessons and results. The focus on literacy demands targeting of the early grades of primary 1-3 in terms of interventions. At the same time, literacy gains made in those early grades will be maintained throughout basic education and beyond so that the Operation measures literacy rates of the basic education age group of 5-15 year-olds. Also, with the likely intake of out-of-school overage children into primary 1-3, the wider age group is more appropriate. By incentivizing a focus on increased literacy in particular, as opposed to general improvement in the quality of education through teacher training and textbook provision, this Operation aims to unlock a virtuous cycle of better learning outcomes.
- 28 Under Results Area 3, this Operation aims to strengthen the accountability for results of Federal and State actors through greater availability and use of key data on the education sector. As already mentioned, the current 2015-2020 Road Map stresses the need for better policy making and system management that is based on reliable data, including on learning outcomes. However, currently data on basic system attributes (e.g. numbers of schools, teachers, and students), learning achievement, and associated public spending either do not exist at all, or only partially across the States. Though the FME aims to conduct an Annual School Census in every State every year, States undertake and pay for the data collection and many States have not done so, so that the last complete exercise was held in 2013 and the resulting data remain unavailable to the public. A key dilemma that the education system faces in this regard is the definition of roles of the key actors – FME and UBEC in particular

– in terms of responsibility for data collection given UBEC’s role as the FME’s executive arm for basic education. This dilemma also impacts the country’s learning assessment, where both FME and UBEC have previously conducted an exercise and aim to revive it in 2017. This Operation will therefore incentivize the preparation and deployment of one national learning assessment – in order to reliably gauge progress in learning achievement in the country as a whole. In order to complete the picture on basic education, public spending data are key, whether these are Federal funds channeled through UBEC or the State-level spending. On the first, UBEC does provide data on outputs, but often not with associated spending, and in the case of the matching grant, data on disbursements are available but without the associated outputs. For the States, data on education spending are often incomplete given the role played by Federal transfers into local government accounts. UBEC is also mandated to report to the Federal government on progress achieved under the UBE program but has not done so for a number of years. This Operation will therefore incentivize UBEC to monitor program effectiveness, disclose more data publicly and the States to collect and report public spending data on basic education. The aim is to use data on the system, its learning achievement, and the associated spending to plan and monitor achievements of the UBE program at Federal and State levels in a transparent manner that improves intergovernmental coordination and the effectiveness of fiscal federalism for service delivery.

SECTION IV: ESSA SCOPE AND METHODOLOGY

- 29 The Analysis section focusses on the strengths, gaps, potential actions, and risks associated with Program systems with respect to the nature, scale and scope. This is structured to examine arrangements for managing the environmental and social effects (i.e., benefits, impacts and risks) of the Program. The analysis also examines whether the system as written in policies, laws, and regulations compares to how it is applied in practice at the national and local levels. In addition, the analysis examines the efficacy and efficiency of institutional capacity to implement the system as demonstrated by performance to date.
- 30 The analysis presents a scenario on whether the current system: (i) mitigates adverse impacts; (ii) provides transparency and accountability; and (iii) performs effectively in identifying and addressing environmental and social risks. The overarching objectives are to: ensure that the risks and impacts of the Program activities are identified and mitigated; and, to strengthen the system and build capacity to deliver the program in a sustainable manner. The ESSA for BESDA proposes measures to strengthen the system. This section translates these gaps and opportunities into a viable strategy to strengthen environmental and social management capacity and performance at the national and local level.

- 31 The ESSA is an ongoing process designed to assess the environmental and social management system that will be applied to BESDA. This process includes: (i) analysis of the national system for environmental and social management for planning and implementing programs in the education sector for consistency with the standards outlined in Bank Policy and Directive for Program-for-Results Financing; (ii) identifying where there are procedural and policy gaps with Bank Policy and Directive for Program-for-Results Financing as well as performance constraints in carrying out environmental and social management processes; and, (iii) developing a set of viable actions to strengthen the system and improve performance.
- 32 For the ESSA the following activities were undertaken:
- i. Review of the relevant laws, regulatory frameworks, and guidelines and identifies inconsistencies with the social and environmental elements of Bank Policy and Directive for Program-for-Results Financing;
 - ii. Review and assessment of the institutional roles, responsibilities, and coordination and analysis of current capacity and performance to carry out those roles and responsibilities; and
 - iii. Consideration of public participation, social inclusion, and grievance redress.
- 33 The baseline information/data reviewed include socioeconomic, infrastructure, and environmental (existing conditions), the potential environmental and social effects (including benefits and negative impacts) of Program activities, and then the relevant system for managing those effects.
- 34 The ESSA has benefited from various inputs and consultations, including a legal and regulatory analysis; a desk review of World Bank implementation reports from related projects, such as the Nigeria Partnership for Education Project (Global Partnership for Education Fund Grant), the State Education Sector Project (IPF using a results-based financing approach), and, Saving One Million Lives (the health sector PforR)); various reports prepared by the World Bank, development partners and the Government of Nigeria (including the FMoE's Ministerial Strategic Plan 2016-2019; the World Bank's Governance and Finance Analysis of the Basic Education Sector in Nigeria; and the North-East Nigeria Recovery and Peace Building Assessment prepared in partnership with the European Union, United Nations and the World Bank). In addition, field visit to schools were conducted to assess environmental and social conditions and institutional capacity; and meetings and consultations with different stakeholders, including federal, state, and local government agencies, development/funding partners, CSOs and representatives of teachers, parents, community and youth leaders, were held to inform this ESSA. World Bank Specialists have worked closely with FMoE, UBEC and other stakeholders to develop the ESSA, and prepare the Action Plan as a guide to identify and mitigate impacts and strengthen the management system.
- 35 The ESSA Analysis was conducted using a Strengths-Weaknesses-Opportunities-and-Threats (SWOT) approach - the "weaknesses", or gaps with Bank Policy and Directive for Program-for-Results Financing, are considered on two levels: (i) the system as written in

laws, regulation, procedures and applied in practice; and (ii) the capacity of Program institutions to effectively implement the system.

SECTION V: POTENTIAL ENVIRONMENTAL AND SOCIAL EFFECTS OF BESDA

36 Overall, the Program has the potential to have a number of environmental and social benefits, particularly owing to its Program design to improve access, equity, and quality of basic education in Nigeria. The table below provides a summary of potential key environmental and social risks and benefits described in this Section associated with each results area of the Program.

Results Areas	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
Results Area 1: Increasing equitable access for out of school children in focus States	<ul style="list-style-type: none"> • Avoidance of exposure to toxic materials • Protection from rain storms and winds • Improved water supply and sanitation facilities • Better indoor air quality • Improved safety and accessibility 	<ul style="list-style-type: none"> • Community and workers health and safety risks associated with construction/rehabilitation work • Inadequate water supply and sanitation facilities • Poor indoor quality • Inadequate facilities for safety and accessibility • Disaster and fire safety issue • Flooding and erosion 	<ul style="list-style-type: none"> • Inclusion of vulnerable social groups of children in education services • Reduced gender and regional disparities in education • Alleviation of social needs/tension in conflict areas in education 	<ul style="list-style-type: none"> • Exclusion of vulnerable groups of children from education services • Land acquisition for school buildings • Violence against children and internal clashes at school • Ongoing insecurity, particularly in the North East
Results Area 2: Improving literacy in focus States	Negligible	Negligible	<ul style="list-style-type: none"> • Inclusion of vulnerable social groups of children • Reduced gender and regional disparities • Alleviation of social needs/tension in conflict areas 	<ul style="list-style-type: none"> • Exclusion of vulnerable groups of children from education services • Ongoing insecurity, particularly in the North East
Results Area 3: Strengthening	Negligible	Negligible	Negligible/indirect benefits	<ul style="list-style-type: none"> • Ongoing insecurity,

Results Areas	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
accountability for results				particularly in the North East

5.1 Potential Environmental Benefits and Risks

- 37 This Program is not expected to involve any major civil works that will have significant adverse environmental impacts. The civil works under the Program will focus on rehabilitation, renovation, and expansion of existing schools with limited cases of building new schools. These impacts are site specific and manageable provided that adequate measures are taken during the design and implementation phases of subprojects.

Potential Environmental Benefits

- 38 The overall environmental impact of the Program is likely to be positive. The potential environmental benefits of the Program are ensuring a safe, clean and sustainable learning environment in schools, which are recognized as basic prerequisites for ensuring a conducive learning and teaching environment. Such potential environmental benefits will include:
- i. Avoidance of exposure to toxic materials, such as asbestos and chemical hazardous paints;
 - ii. Protection of schools from destructions that result from annual rain storms and winds and creation/fostering of an enabling ambiance conducive for learning;
 - iii. Improved water supply and gender-friendly sanitation/latrines facilities;
 - iv. Better indoor air quality; and
 - v. Improved safety and accessibility to schools.

Potential Environmental Risks

- 39 The potential adverse environmental impacts of the Program are not expected to be significant. The program is not envisaged to have significant adverse impacts on natural habitats and physical cultural resources. However, if the expansion of school infrastructure under the Program is not implemented in a timely and environmentally sustainable manner, the Program could have potentially adverse environmental impacts associated with health and safety concerns of workers, students, teachers, and the community. For example, the possible increase of enrolment under the Program could overwhelm the capacity of existing school resources, which would potentially lead to even less conducive learning conditions. The potential environmental risks may include:

Potential Risks related to design

Some of these activities (sub-projects) can generate adverse impacts during construction/rehabilitation and implementation phases if the engineering design for school infrastructure and environmental management does not comply with appropriate standards.

Potential Risks related to construction/rehabilitation phase

Environmental impacts associated with the rehabilitation, renovation and expansion of existing schools are specific to construction/rehabilitation sites. These include:

- i. **Community and workers health and safety risks associated with the construction/rehabilitation work**, such as pollution of air from dust generated by excavation, inappropriate storage of construction materials and debris, water and soil; noise and vibration generated by construction equipment; solid wastes; communicable disease; traffic safety; lack of and or inconsistent use of personal protective equipment (PPE); and use of hazardous building materials, such as asbestos containing materials and chemical hazardous paints used in the school buildings;
- ii. **Inadequate water supply (including potable water) and gender-friendly sanitation/latrines facilities** in schools, which are not only a health hazard, but also affect school attendance, retention and educational performance. Inadequate water supply and sanitation facilities in schools in Nigeria has been a persistent problem over decades contributing to poor learning environments, absenteeism, underperformance and higher dropout rates, in particular for girls. After reaching puberty, girls in particular are less likely to attend school regularly if toilet and hygiene facilities are inadequate or non-existent;
- iii. **Poor indoor air quality** and insufficient ventilation in classrooms resulting from construction materials or furnishings can give off vapors and odors, increased dust and combustion fumes, and cause ventilation problems. Civil works such as changes in floor plans, renovations, and replacement of building components like carpeting, roofing materials, or heating and ventilation equipment can all affect the air quality inside the school;
- iv. **Inadequate facilities for safety** (including perimeter fence) and **access for students with disabilities** in schools;
- v. **Disaster/fire safety** and emergency response arrangements such as area signage and muster point, especially if the schools are located in sensitive areas prone to natural hazards; and
- vi. **Flooding and erosion** are clear environmental risks in the southern States. Schools in States such as Rivers and Ebonyi are particularly vulnerable to flooding and erosion.

Potential Risks associated with the implementation phase

During the implementation phase, adverse impacts that may occur are usually due to inadequate design, lack of maintenance and servicing or insufficient application of security

measures. They may cause a malfunction or deterioration of structures and generate some adverse impacts of the same type as the construction/rehabilitation phase (health and safety, water, air pollution etc.) thereby calling into question the merits of the sub-project.

5.2 Potential Social Benefits and Risks

Potential Social Benefits

- 40 The overall social impacts of the Program are likely to be positive, owing to the project design to improve access, equity, and quality of basic education in Nigeria. Such potential social benefits will include:
- i. Inclusion of vulnerable social groups in education services: The Program aims to improve the access and quality of education for out-of-school children;
 - ii. Reduced gender and regional disparities in education: While enrolment rates in basic education in the country are marked by gender disparities, in particular in the North West and North East, the Program will improve the gender and regional equity through focusing on such areas; and
 - iii. Alleviation of social tension in conflict areas in education: The conflict with the Boko Haram insurgency in the North East of the country has had a particularly high impact on the education system. Schools have been damaged and destroyed, teachers threatened and in some cases killed. Increased population density in many urban areas due to displacement has led to greater competition for access to education. The government is promoting a “Safe Schools Initiative” to provide safe education services, in cooperation with donors, teachers, parents, police and the community leaders. The Program will further alleviate the damages and reduce the social tension in the education service system in the North East.

Potential Social Risks

- 41 The potential adverse social impacts of the Program are not expected to be significant. For example, the Program will not have significant adverse impacts related to land acquisition or loss of access to natural resources. There are no Indigenous Peoples in the Program areas. However, it should be noted that the Program will operate in a country where the political and governance risks are generally high. Since independence in 1960, Nigeria’s history has been turbulent, punctuated by periods of urban riots and socio-political confrontation. Different parts of Nigeria remain adversely affected by different types of conflicts that might flare up again and potentially affect the implementation of the Program. Specifically to this Program, the ESSA has identified following types of key potential social risks: (A) existing social risks that the Program will aim to address; (B) social risks that may potentially be exacerbated by the Program; and (C) social risks that may hinder the implementation of the Program:

(A) Existing social risks that the Program will aim to address

- i. **Exclusion of vulnerable groups of children from education services.** Children do not go to school in Nigeria for a wide range of demand- and supply-side reasons that vary by state and geographic location. On the demand side, household poverty prevents children from enrolling in schools as families face many indirect costs, including the opportunity cost of child work. Lack of belief in the benefits of education, especially for girls, and the appropriateness of different types of education, are also important contributing factor. On the supply side, classrooms can be overcrowded and ill-equipped. Unless the wide range of these complex issues are addressed successfully by the government programs to be supported under the Program, vulnerable social groups of out-of-school children will remain excluded or further left out from the education services. The vulnerable groups of children whom various UBE programs are addressing include:
 - **girl children**, who constitute the majority of out-of-school children in Nigeria, who are either never enrolled in schools or withdrawn from schools for a wide range of reasons such as early marriages, domestic chores, hawking, etc. In recognition of the need to increase female enrolment in basic education, the Girl-Child Education Program, one of the UBEC's flagship programs, seeks to establish all-girls' schools with female teachers, and has embarked on the construction of these schools. The Program will support targeted initiatives such as the provision of girl-friendly infrastructure and amenities that not only increase enrolment rate among girls, but also enhance the quality of learning, which will contributed to retention of girls in school. The lack of understanding by parents on the value of the education for girls is a key risk. During consultations, stakeholders emphasized the importance of the sensitization activities for parents and communities, which will be one of the key activities to be supported under the Program;
 - **children of nomadic pastoralists and farmers**, who are among the most educationally disadvantaged in the country with very high out-of-school and literacy rates. In Kaduna State, for example, there are 324 nomadic schools with enrolment of 22,353 males and 24,253 females. There are 2,184 male teachers and 2,876 female teachers. Ninety percent of the nomadic families have been settled. However, nomadic schools in the State have minimal permanent structures, and most learning takes place outdoors. Additional accommodation is needed. The Program will support the flexible Nomadic Education program which provides qualitative, functional and inclusive basic education for the children of pastoral nomads and migrant farmers outside the regular formal education systems;
 - **children with disabilities**, who have various forms of disabilities, including physical disabilities, hearing or visual impairment, and mental and learning disabilities. The National Policy on Inclusive Education is intended to

address the challenges associated with the inclusion of Nigerian children with disabilities and unmet learning needs into the school system. Under the Vision “A society with an inclusive education system with unhindered access to quality education and active participation of all learners in the same safe school environment,” the policy sets out policy framework, monitoring and evaluation mechanism, and the implementation guideline. The general poor access and quality of education in the country poses increased risk of exclusion to children with disabilities;

- **Almajiri-children**, who are often boys from poorer households and attend religious, informal residential schools that have only one curriculum, the Qur’an, which date back to pre-colonial days in the northern states. These schools are common and numerous throughout northern Nigeria. The schools are led by a Mallam (religious teacher) or an Alaramma, who is responsible for the care of the students. Many of the students have been brought to the schools by their parents from other villages because they are unable to feed them. During the class break, Almajiri children are sent to the streets with small bowls to beg for food. Almajiri schools are classified as informal schools that fall outside the mainstream conventional structure of education. They constitute a significant percentage of out-of-school children in the country. The Almajiri Education Program, which is another UBEC flagship program from 2011-2015, sought to establish integrated Almajiri model schools that include formal education subjects in the curriculum. Close to 300 such schools were established and supplied with textbooks and teachers’ guides. Mainstreaming such integrated schools and development of teachers to these schools pose challenges. The Program will support initiatives such as integration of core subjects into Quranic education, provision of special Almajiri schools, providing free meals and uniforms to the children, and provision of instructional materials and grants to Mallams. Addressing Almajiri children’s education will likely require concerted efforts with community leaders to address concerns on the nature of the education provided in addition to provisions of any necessary infrastructure;
- **boy children**, who drop out in the South East and South South zones, and the so-called “area boys” (loosely organized gangs of mostly male street children and teenagers) in the South West. The FME set up a Ministerial Technical Committee in 2012 to prepare and implement a plan to address the out-of-school boy child syndrome in the South. The Program will support initiatives such as the UBE Boy-Child Program to retain boys in basic education through the establishment of vocational basic education schools in which the curriculum is skill-based and where the beneficiaries acquire technical, vocational and entrepreneurship trades within the framework of basic education;

- **orphans¹⁴**, whose parents are lost due to AIDS and any other causes. UNICEF reported 10 million Nigerian orphans due to all causes in 2013, with 2.3 million orphans due to AIDS. They are easily exploited and less likely to attend schools. The stigma and discrimination attached to AIDS culturally are transferred to orphans whose parents died of AIDS, hence they are excluded from their communities. They lack access to education, healthcare, and other social services. There are various national policies and programs to address the needs of orphans, such as counselling, care and reduction of stigma and discrimination; and
- **unaccompanied/displaced children** whose parents are missing due to the North East conflict and who have lost access to education service. Under the Safe School Initiative, some children in the conflict states have been transferred to safe, expanded boarding schools outside the conflict zones and in neighboring states (in agreement with parents). The safety of schools is also being enhanced with perimeter fencing and other measures, including employing school marshals. In addition to address the needs of traumatized children, accommodation of the inflow of large number of IDP children into neighboring states requires a concerted effort and coordination among stakeholders.

(B) Social risks that may potentially be exacerbated by the Program

- ii. **Potential risks associated with land acquisition for school buildings.** The rehabilitation, renovation, and expansion of existing schools and limited cases of building new schools to be supported under the Program may require minor land acquisition. The nature of compensation and impact mitigation under the national Land Use Act is limited when viewed from the perspective of international best practice. If compulsory land acquisition is allowed for the Program, it could increase potential risk of inappropriate involuntary resettlement. To minimize this risk, the Program will aim to prepare environmental and social guidelines to clarify that it does not support activities that lead to involuntary resettlement and economic displacement, including for squatters. The guidelines will also clarify that, where land acquisition is inevitable, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system.
- iii. **Potential increased risk of violence against children¹⁵ and internal clashes at**

¹⁴ Nigerian Constitution defines an orphan as a child (0-17 years) who has lost one or both parents.

¹⁵ According to a national survey on violence against children in Nigeria conducted by UNICEF in 2014, before the age of 18 years, approximately 6 out of every 10 children experience some form of violence in the home, neighborhood or other places. Perpetrators include their parents, relatives, peers, community members, authority figures and strangers. Over half had their first experience of violence between the age of 6 and 11. Half of all children experience physical violence. One in four girls and one in ten boys experience sexual violence. One in six girls and one in five

school. During the consultations conducted for the present ESSA, some stakeholders raised concerns about potential cases of violence against children (including emotional, physical and sexual abuse) from other students, teachers or older youth either at school or during commuting, if school attendance is expanded without effectively addressing such risks. Other stakeholders raised similar concerns in badly-managed boarding schools. While not much is known about violence against children at schools, these perceived risks could also affect the parents' decision to send their children to school. The Program will aim to address such risks through mainstreaming well-defined functional grievance redress and other legal systems and providing related capacity building of stakeholders. Teacher and SBMC training programs to be supported under the Program will also help mitigate these risks.

(c) Social risks that may hinder the implementation of the Program

- iv. **Negative social impacts from ongoing insecurity in the North East conflict.** Nigeria is facing a range of complex conflict and security challenges, although the incidence and causes of violence differ significantly among Nigeria's 36 states. The conflicts in the North¹⁶ of the country, where the majority of out-of-school children exist, include the insurgency of radical Islamists in the North East. Also, as the Sahel and farms encroach on pastures and grazing areas, conflicts between herdsman and farmers have intensified across Nigeria's "middle belt". The ethno-religious, inter-communal violence, whether riots or fighting between insurrectional groups and the police, tends to occur at specific flashpoints in the North West, including Kaduna¹⁷, whose populations are religiously and ethnically very mixed. The conflict in the South includes kidnappings, armed robbery and conflicts over oil spills especially in the South East; and, ongoing efforts to reintegrate militants under an Amnesty provision in the Niger Delta. Among these conflicts, the conflict in the North East requires particular attention as it has caused significant impacts on education service delivery in the affected states and the insurgency of radical Islamists regard education services with hostility. Since 2009, the Boko Haram conflict has affected nearly 15 million civilians and left widespread devastation in North-East Nigeria on a level unprecedented since the civil war of 1960-1970. An estimated 20,000 people have lost their lives, and nearly two million peoples have been displaced internally or across international borders, and an estimated 2,000-7,000 people have gone missing, including abducted children and women. In April 2014, 200 schoolgirls from Chibok in Borno State in North East were abducted and the majority remains in captivity. Schools were partly transformed into shelters for Internally Displaced Persons (IDPs). From February 2015 onwards, the Multinational Joint Task Force (MJTF), a coalition of troops from Nigeria and neighboring countries, undertook joint military operations and recaptured most of the territory taken by Boko Haram. However, attacks continue throughout the North East region, which has caused further displacement and espoused additional

boys experience emotional violence. For more information, see UNICEF. *Violence Against Children in Nigeria: Findings from a National Survey 2014 Summary Report*.

¹⁶ See International Crisis Group. *Northern Nigeria: Background To Conflict, Africa Report N°168*. 20 December 2010

¹⁷ See Professor Jibrin Ibrahim, Senior Fellow, Center for Democracy and Development, Abuja. *Conflict Analysis for Kaduna State: 2015 to 2017*. February 2017

humanitarian needs without fully enabling humanitarian access. In April 2015, the president, Muhammadu Buhari, declared that he would take a hard line on Boko Haram, and ordered the immediate relocation of the military command center from Abuja to Maiduguri, Borno. Following this relocation, the actions of government security forces in the region have been more successfully coordinated. Therefore, the potentials risks from the North East conflict on the implementation of the Program will be lower than before. During ESSA consultations, stakeholders pointed out that lack of education and exploitation of excluded vulnerable groups of children is one of the root causes of the ongoing conflict in the North East. The benefit of addressing the exclusion of vulnerable children in the North East will outweigh the risk of operating in such a challenging environment. To address the children in the North East conflict areas, a Safe School Initiative has been promoted under Presidential Commission on North East Initiative (PCNI), whereby school safety and security is improved through various measures (such as perimeter fencing and deployment of school marshals) and in some cases students are transferred (in agreement with parents) to other schools in States not affected by the fighting. In a challenging environment where transition from conflict to peace remains fragile, a concerted effort across Federal, State, and Local actors will be necessary to minimize the negative impacts on the program implementation in the North East states¹⁸. The Program will aim to support such ongoing efforts and closely coordinate and communicate with agencies and civil society groups working in the conflict areas of the North East. The Program will consider possible third party monitoring by civil society to confirm that environmental and social measures have been carried out. The Program will also closely coordinate with ongoing Bank-financed projects and activities in the North East.

¹⁸ See “*North-East Nigeria Recovery and Peace Building Assessment 2015*” conducted by the Federal Republic of Nigeria in partnership with the EU, UN and World Bank.

SECTION VI: OVERVIEW OF RELEVANT GOVERNMENT ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS

6.1 Description of policy and legal framework

- 42 The GON has a number of policies, instruments and laws which support environmental and social management and environmental and social impact assessment processes. There are a number of sectoral policies which provide directives to integrate environmental and social considerations in the decision making process to avoid or minimize impacts associated with program implementation.

6.1.1 Environment:

This sub-section describes the GON's environmental management systems in relation to the core principles incorporated into the Bank Policy Program for Results Financing: (i) general principles of environmental and social impact assessment and management; (ii) mitigation of adverse impacts on natural habitats and physical cultural resources; and, (iii) protection of public health worker safety.

- 43 The **National Policy of Environment (1988)**: The National Policy of the Environment is a national policy framework that aims to achieve sustainable development in Nigeria, and in particular to:

- secure a quality of environment adequate for good health and well-being;
- conserve and use the environment and natural resources for the benefit of present and future generations;
- restore, maintain and enhance the ecosystems and ecological processes essential for the functioning of the biosphere to preserve biological diversity and the principle of optimum sustainable yield in the use of living natural resources and ecosystems;
- raise public awareness and promote understanding of the essential linkages between the environment, resources and development, and encourage individuals and communities participation in environmental improvement efforts; and
- cooperate with other countries, international organizations and agencies to achieve optimal use of trans-boundary natural resources and effective prevention or abatement of transboundary environmental degradation.

- 44 The **Federal Environmental Protection Agency Degree No 58 (1988)**: The Federal Environmental Protection Agency (FEPA) was established by Decree No. 58 of 1988 and charged with the responsibility for environmental protection. Following the upgrading of the agency to a Federal Ministry of Environment (FMEnv) in January 2007, the Ministry was mandated to coordinate environmental protection and natural resources conservation for sustainable development. The FMEnv has developed statutory documents to aid in the monitoring, control and abatement of industrial waste. These guidelines stipulate standards for industrial effluent, gaseous emissions and hazardous

wastes.

- 45 National Guidelines on Environmental Management Systems (1999): The National Guidelines on Environmental Management System in Nigeria to guide the incorporation and implementation of environmental management systems into industrial operations and facilities throughout the country in order to improve the quality of the environment and to free it from pollutants and other environmental and health hazards.
- 46 The **National Environmental Standards and Regulations Enforcement Agency (NESREA) Act (2007)**: To assist the FMEnv, the National Assembly established NESREA to ensure compliance with environmental standards, guidelines and regulations.
- 47 Table 1 summarizes the existing national legal instruments applicable to environmental protection.

S/N	Regulations	Year	Provisions
1	National Environmental Protection (Effluent Limitation) Regulations	1991	The regulation makes it mandatory for industrial facilities to install anti-pollution equipment, makes provision for effluent treatment and prescribes a maximum limit of effluent parameters allowed.
2	National Environmental Protection (Pollution and Abatement in Industries in Facilities Producing Waste) Regulations	1991	Imposes restrictions on the release of toxic substances and stipulates requirements for monitoring of pollution. It also makes it mandatory for existing industries and facilities to conduct periodic environmental audits.
3	National Environmental Protection (Management of Solid and Hazardous Wastes) Regulations.	1991	Regulates the collections, treatment and disposal of solid and hazardous wastes from municipal and industrial sources.
4	Harmful Wastes (Special Criminal Provisions etc) Decree No. 42	1988	Provides the legal framework for the effective control of the disposal of toxic and hazardous waste into any environment within the confines of Nigeria
5	Environmental Impact Assessment Act (Decree No. 86).	1992	The decree makes it mandatory for an EIA to be carried out prior to any industrial project development
6	National Guideline and Standard for Environmental Pollution Control	1991	The regulations provide guidelines for management of pollution control measures.

7	Workmen Compensation Act	1987	Occupational health and safety
8	Urban and Regional Planning Decree No 88	1992	Planned development of urban areas (to include and manage waste sites)
9	Environmental Sanitation edicts, laws and enforcement agencies	-	General environmental health and sanitation. Enforcing necessary laws
10	State waste management laws	-	Ensure proper disposal and clearing of wastes
11	Public Health Law	-	Covering public health matters
12	National Guidelines on Environmental Management Systems (EMS)	1999	Recognizes the value of EMS to EIA and sets out objectives and guideline on general scope and content of an EMS
13	National Policy on the Environment	1988	The policy identifies key sectors requiring integration of environmental concerns and sustainability with development and presents their specific guidelines
14	National Guidelines and Standards for Water Quality	1999	It deals with the quality of water to be discharged into the environment, sets standards and discharge measures for a wide range of parameters in water discharged from various industries. It also sets out the minimum/maximum limits for parameters in drinking water
15.	National Air Quality Standard Decree No. 59	1991	The World Health Organization (WHO) air quality standards were adopted by the then Federal Ministry of Environment (FMEnv) in 1991 as the national standards. These standards define the levels of air pollutants that should not be exceeded in order to protect public health.
16.	National Environmental Standards and Regulations Enforcement Agency (NESREA Act)	2007	Established to ensure compliance with environmental standards, guidelines and regulations.
17.	National Policy on Flood and Erosion Control (FMEnv)	2006	This policy addresses the need to combat erosion in the country utilizing the procedures outlined in the National Action Plan for Flood and Erosion Control and Technical Guidelines, developed by the WIC Environmental Committee which was set up to plan an operational platform for these issues

18.	National Oil Spill Detection and Response Agency (NOSDRA Act)	2005	This statutory regulation makes adequate regulations on waste emanating from oil production and exploration and its potential consequences to the environment.
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- 48 These statutory documents clearly state the restrictions imposed on the release of toxic substances into the environment and the responsibilities of all industries whose operations are likely to pollute the environment. Such responsibilities include provision of anti-pollution equipment and adequate treatment of effluent before being discharged into the environment, etc.
- 49 FMEnv also has put in place procedural and sectoral guidelines detailing the EIA process including a categorization of environmental projects into Categories I, II, III. These guidelines require that a complete EIA be performed for Category I projects. Category II projects may not require an EIA depending on the screening criteria, while Category III projects do not require an EIA. The sectoral guideline on infrastructure development applies to school project as schools construction is classified as a Category II project.
- 50 Specifically for school infrastructure, UBEC has put in place the Minimum Standards for Infrastructure Development, which were developed in line with international best practice for infrastructural development in basic education schools (see Annex VII). The guidelines include environmental aspects such as standards for latrines, water supply, waste disposal and fire safety.

6.1.2 Social:

This sub-section describes the GON's social management systems in relation to the core principles incorporated into the Bank Policy Program for Results Financing: (i) management of land acquisition; (ii) consideration of the needs of vulnerable groups; and (iii) avoidance of exacerbating social conflict/consideration of conflict risks.

Management of Land Acquisition

51 Land Use Act (1978)

The legal basis for land acquisition and resettlement in Nigeria is the Land Use Act of 1978 which was modified in 1990. The following are selected relevant sections:

- Section 1: Subject to the provision of this Act, all land comprised in the territory of each state in the Federation is hereby vested in the Governor of each state and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provision of this Act.

- Section 2: (a) All land in urban areas shall be under the control and management of the Governor of each State; and (b) all other land shall be under the control and management of the local government within the area of jurisdiction in which the land is situated.

52 Therefore, according to the Land Use Act, all land in Nigeria is vested in the Governor of each State, and shall be held in trust for the use and common benefit of all people. The administration of land area is divided into urban land which will be directly under the control and management of the Governor in each State; and non-urban land, which will be under the control and management of the Local Government. The Governor of each State will have the right to grant statutory rights of occupancy to any person or any purpose; and the Local Government will have the right to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes. Currently, the land required for school buildings in Nigeria is obtained through voluntary land donation from the community; willing seller-willing buyer system; or compulsory land acquisition by the State.

53 **Compulsory Land Acquisition:** The nature of compensation and impact mitigation for compulsory land acquisition under the Act is limited when viewed from the perspective of international best practice. Only crops and improvements are compensated, often using scheduled rates that are out-of-date and non-aligned with market value. No compensation is required for traditionally-held common lands. The law does not require that alternatives be explored to minimize the need for displacement. There is no reference to mitigating livelihood impacts, although there is reference to giving land-for-land compensation to agriculturalists who may be displaced. Provisions for ex ante consultation, monitoring and grievance mechanisms are generally lacking, and there is no provision for the reversion of land to original owners in the event a proposed investment does not materialize. In practice, there is a long history in Nigeria (as in the most countries on the continent) of public distrust of government compulsory acquisition, particularly when used in support of a commercial private actor, and a poor track record in terms of compensation and governance.

54 **Willing Buyer-Willing Seller Arrangement (land market transaction):** The complex land transaction procedures under the Land Use Act contributed to the growth of a vibrant informal land market. If the land is registered, depending on the title of the land (such as “Certificate of Occupancy”, “Right of Occupancy”, “Deed of Conveyance”, “Governor’s Consent”), the seller prepares a “Deed of Assignment” noting that the land has been sold to the buyer once there is a transfer of interest on the land. The Deed is then registered at the land registry of the Governor’s consent by the buyer. Without registering the Deed, the transfer would not be recognized in the eyes of the law. If there is no prior registration on the land, the buyer is required to prepare “Land Purchase Agreement”, “Sale of Land Agreement” or “Deed of Assignment” along with the receipt of purchase from land owning person and register same with the land registry.

- 55 **Voluntary Land Donation:** The process of voluntary land donation is slightly different if the land in question has a registered title or not. If it is a registered land, the land owner is free to donate his/her land to anyone or institution. However, for such an exchange to be recognized in the context of the law, a Deed of Gift must be prepared and registered with the land registry at the state or Federal Capital Territory (FCT) for the consent of the State Governor or the Minister of the FCT as the case may be (subject to payment of applicable taxes and fees). In case of unregistered land, a Deed of Assignment must be prepared from the donor to the donee.

Consideration of the Needs of Vulnerable Groups

56 **Constitution of the Federal Republic of Nigeria (1999)**

The Constitution (Section 18) provides the basis for the national education policy, which through which the government shall eradicate illiteracy by ensuring that there are equal and adequate educational opportunities at all levels. To what extent practicable, the government shall ensure: free compulsory and universal primary education; free secondary education; free university education; and, free adult literacy program.

57 **Child Rights Act (2003)**

The Child Rights Act codifies the rights of children in Nigeria. The Act was designed to incorporate into its laws all the rights guaranteed in the United Nations Convention on the Rights of the Child adopted in 1989. It defines a child as a person below the age of 18 years, consolidates all laws relating to children into a single law and specifies the duties and obligations of government, parents and other authorities, organizations and bodies. The Act gives full protection to privacy, honor, reputation, health and prevention from indecent and inhuman treatment through sexual exploitation, drug abuse, child labor, torture, maltreatment and neglect to a Nigerian Child. It declares that every child has a right to life, to be allowed to survive and develop. The Act also confers responsibilities on children, which include working towards the cohesion of their families, respecting their parents and elders, contributing to the moral well-being of society, and strengthening social and national solidarity. The Act mandates parents, guardians, institutions and authorities to provide the necessary guidance, education and training to enable the children to live up to these responsibilities. To support the principle of creating institutions for servicing the needs and welfare of children living in difficult circumstances, like orphans, street children and children with physical disabilities, the Act contains provisions for the establishment, registration, regulation and monitoring of those institutions. The Act stipulates supervisory functions and responsibilities of the Ministry which include monitoring, provision of financial support, and research and reporting on activities of these homes. Having been enacted at the national level, the states are expected to formally adopt and adapt the Act for domestication as state laws. The Act has been promulgated into law (passed by the state assembly and assented to by the state governor) in 24 states¹⁹.

¹⁹ UNICEF. *Nigeria-Fact Sheet: Child rights legislation in Nigeria*. Updated April 2011

58 National Policy on Education (2004)

The education system in Nigeria is based on the National Policy on Education (NPE). The policy document addresses the issue of imbalance of in the provision of education in different parts of the country with regard to access, quality of resources and girls' education. It seeks to inculcate national consciousness, unity, training and appropriate skills acquisition as well as mental and physical competence for the survival of the individual and Nigerian society.

59 Universal Basic Education Act (2004)

The Universal Basic Education Act provides the legal framework for the implementation of the UBE Program, which makes basic education not only free but also compulsory. Subsequently, the UBE Commission (UBEC) was established as a way of ensuring the proper implementation of the UBE Program. The commission is responsible for the coordination of the activities of the program.

60 National Policy on HIV and AIDS for the Education Sector in Nigeria (2005)

The Policy acknowledges that HIV&AIDS is a critical national issue that must be addressed as a matter of priority, if Nigeria is to achieve Education for All and MDGs. The Policy provides the basis to address issues and complications from the epidemic as well as strategies to respond to them. For orphans and vulnerable children, the Policy requires the education sector to: (i) ensure that the HIV status of a child or parents is not used as a criterion for admission or exclusion from school activities; (ii) enforce the principle of non-discrimination and non-stigmatization of such children; (iii) sensitize all staff and learners to the special physical and psychosocial needs of such children and provide medical, psychosocial support and counselling services for them; (iv) ensure that such children have free access to education and advocate for the removal of all barriers that prevent them from obtaining quality education; and (v) ensure that such children have access to bursaries, loans and scholarships for higher education.

61 National Gender Policy (2006)

The Government of Nigeria adopted the National Gender Policy in 2006 as a substitution of the Women's Policy adopted in 2000. The goal of the National Gender Policy includes the following: (i) eliminate cultural/ religions gender-based biases and harmful cultural and religious practices which rise to inequalities in gender-role relations in the Nigerian society; (ii) in order to tap the potential of women for development, a gender policy which entrenches equity between men and women for development is key. All forms of gender-based violence must be eliminated; (iii) women education is a priority because it is the key to gender equity, justice and poverty reduction, improved skills and technological knowledge, as well as the general socio-economic development of the nation. A major policy goal is to ensure equal access to women, boys and girls to both formal and informal education; (iv) women empowerment is a key entry point to gender equality in the society. A major policy goal is to ensure that women have access to critical resources and invest in

their human capital as a means of reducing extreme poverty in families; and (v) many harmful traditional cultural practices still put the health of women at very high risk. There is the need for improved health services and better reproductive health care for all. Gender equality in Nigeria recently suffered a setback when the National Assembly rejected a gender and equality opportunities bill in early 2017. The bill looked to protect Nigeria women from the violence and provide them with the same marital rights as their male counterparts including the rights of widows to inherit their husband's property. The bill did not pass the second reading as opponents rejected it as an attack on religious beliefs and the Nigerian constitution. Despite the failure of this legislation, there are still laws and policies at both the Federal and State level that aim to protect and enhance the interests of women and girls. The Nigerian Government has also committed to promoting gender equity and social inclusion. For example, the Government has established the Ministry of Women Affairs at both Federal and State levels in 1999. It also signed various treaties that promote gender equality and empowerment including the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW) in 2000 and the African Union (AU) Protocol on Women Rights.

62 National School Health Policy (2006)

In 2001, the Federal Ministry of Health and the Federal Ministry of Education in collaboration with WHO conducted a Rapid Assessment of School Health System in Nigeria to ascertain the status of school health. The assessment noted the several health problems among learners, the lack of health and sanitation facilities in schools, and the need for urgent action in school health. The National School Health Policy is aimed at promoting the health of learners to achieve the goals of Education For All, outlining roles of relevant line ministries like Education, Health, Environment, Water Resources, Information and other stakeholders. The Policy and its implementation guidelines promote School Health Programme that comprises of all projects and activities in the school environment for the promotion of the health and development of the school community. It includes (i) Healthful School Environment; (ii) School Feeding Services; (iii) Skill-Based Health Education; (iv) School Health Services; and (v) promotion of School, Home and Community Relationship.

63 National Policy on Inclusive Education in Nigeria (2016)

The policy document is intended to address the challenges associated with the inclusion of Nigerian children with disabilities and unmet learning needs into the school system. Under the Vision "A society with an inclusive education system with unhindered access to quality education and active participation of all learners in the same safe school environment," the policy sets out policy framework, monitoring and evaluation mechanism, and the implementation guideline.

64 Ministerial Strategic Plan (MSP) (2016-2019)

The FMOE drafted the Ministerial Strategic Plan 2016-2019 (MSP), which was adopted by the National Council on Education on September 29, 2016. The MSP affirms that the security and stability of the country hinge to a large extent on its ability to provide functional

education to its citizens, and that no nation can achieve economic prosperity without a sound and functional education system. The government's expectations in terms of the MSP's impact are manifold: tackling the issue of out-of-school children by creating opportunities and providing incentives (including girls; children of nomadic pastoralists; children of migrant farmers; children with disabilities; Almajiri-children; and unaccompanied/displaced children; bridging the gender gap in enrolment, retention, and completion by addressing the problems of girl-child education; improving pupils' learning achievements, including literacy and numeracy; and addressing the crisis of inadequate and low quality teachers with training, re-training, and recruitment. In addition, the MSP aims to prepare Nigeria's youth to take competitive advantage of the 21st century knowledge-driven economy within and outside the country; address the issues of quality and access to higher education and improve the global ranking of Nigeria's tertiary institutions; and resolve the skills gap by deploying a workable and comprehensive technical and vocational education and training policy. In short, the MSP is the government's vision for the education sector as a whole and confirms its commitment to its reform.

Avoidance of Exacerbating Social Conflict/Consideration of Conflict Risks

65 Violence Against Persons (Prohibition) Act (2015)

The Violence Against Persons Prohibition Act was adopted in 2015. This has brought to a successful conclusion the 14-year-long social and legislative advocacy by women's groups and gender activists towards the passage of this law that will protect women and girls from all forms of violence. This Act is aimed to eliminate violence in private and public life, prohibit all forms of violence, including physical, sexual, psychological, domestic, harmful traditional practices; discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders. This Act covers most of the prevalent forms of violence that could be categorized into: Physical violence; Psychological violence; Sexual violence; Harmful traditional practices; and Socio-economic violence. The following are offences punishable under the Act: Rape, Inflicting Physical Injury on a Person, Female Circumcision or Genital Mutilation, Forceful Ejection from Home, Depriving a Person of his/her Liberty, Forced Financial Dependence or Economic Abuse, Forced Isolation or Separation from Family and Friends, Emotional Verbal and Psychological Abuse, Harmful Widowhood Practices, Abandonment of Spouse, Children and Other Dependent without Sustenance, Spousal/Partner Battery, Indecent exposure, Harmful Traditional Practices, Political Violence, and Violence by State Actors. Other innovations in this Act includes the prohibition and punishment for stalking, substance attack, criminalizing incestuous conducts, protection order for victims and persons under threat of violence, and compensation for victims of violence. It provides for a register for convicted sexual offenders, which shall be maintained and accessible to the public. The Act contains provisions on effective remedies, including the rights of victims to assistance. Victims are entitled to be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them. Furthermore, it provides that: "Victims are entitled to rehabilitation and re-integration programme of the State to enable victims to acquire, where applicable and necessary, pre-requisite skills in any vocation of the victim's choice and also in necessary formal education or access to micro

credit facilities.”

66 Conflict in the North East of Nigeria and the Federal Government’s Response

From February 2015 onwards, the Multinational Joint Task Force (MJTF), a coalition of troops from Nigeria, Chad, Cameroon, and Niger (with Benin subsequently joining in), undertook joint military operations and recaptured most of the territory taken by Boko Haram. However, attacks continue throughout the North East region, which caused further displacement and espoused additional humanitarian needs without fully enabling humanitarian access. The government has formulated regional initiatives in the form of the President Initiative for the North East, and the North East States Transformation Strategy. The government is also promoting a “Safe Schools Initiative” to provide safe education services in the North East, in cooperation with donors, teachers, parents, police and the community leaders. Under this initiative, children have been transferred to safe, expanded boarding schools outside the conflict zones and in neighboring states (in agreement with parents). The safety of schools is also being enhanced with perimeter fencing and other measures. However, the recent sharp fall in the price of oil will likely dramatically reduce the fiscal space for the government’s response to the crisis, whether military, humanitarian or developmental. The conflict has had a particularly high impact on the education system, which was heavily targeted by Boko Haram. Schools were damaged and destroyed, teachers were threatened and in some cases killed, and schools were transformed into shelters for IDPs. Schools that are in operation across the North East States are overcrowded and are largely unable to meet the needs of the host population and IDPs.

6.2 Description of institutional framework

The main institutions with key responsibilities for environmental and social management are as follows:

- 67 In the **environmental** sector, the institutional responsibilities are shared by three tiers of government – federal, state, and local. The Federal Ministry of Environment (FMEnv) is mandated to coordinate environmental protection and natural resource conservation for sustainable development at the federal level. The FMEnv has developed statutory documents to aid in the monitoring, control and abatement of industrial waste. These guidelines stipulate standards for industrial effluent, gaseous emissions and hazardous wastes. The FMEnv will ensure that the program implementation conforms to the statutory guidelines. The National Environmental Standards and Regulations Enforcement Agency (NESREA) is mandated to ensure compliance with environmental standards, guidelines and regulations. At the state level, the State Ministry of Environment (SMoEnv) is charged with establishing guidelines and standards for the management and monitoring of the environment in the States. Furthermore, SMoEnv is responsible for managing environmental problems caused by or arising within the Program areas, including waste management and environmental guidance. The local authorities are responsible for implementation of the guidelines and standards established by the SMoEnv.

- 68 In the **education** sector, the institutional responsibilities are also shared by three tiers of government – federal, state, and local. These institutions will play a differentiated key role in addressing social risks and impacts of the Program. **At the federal level**, the Federal Ministry of Education (FMOE) has a policy formulation and coordination mandate in the education sector. The National Council on Education (NCE) coordinates policy making across the different tiers of government, gathering more than 1200 stakeholders including the Federal Minister of Education and all state level Commissioners of Education. It plays an important role for the effectiveness of the basic education policy across the country as a collegial decision making body. The NCE decides on the national curriculum and has been instrumental in the institutionalization of SBMC across the states. The Universal Basic Education Commission (UBEC) is the executive agency of the federal government responsible for basic education policy implementation. The board members of UBEC are appointed by the President upon recommendation from the Minister of Education, and represent various stakeholders, including FMOE, the teachers’ union, PTA and women’s groups. The National Commission of Nomadic Education (NCNE) is responsible for addressing the education of children of migrant farmers and nomadic people. The National Commission for Mass Literacy, Adult and Non Formal Education (NCME) is the agency which works for national literacy agendas.
- 69 **At the state level**, the State Ministry of Education (SMOE) for each state will have primary responsibility for coordination and implementation in their respective states in conjunction with other agencies and institutions. The SMOE has the mandate for monitoring and evaluation, quality assessment and control, and coordination, and providing information on a range of procedural and project management issues. The operational responsibility for basic education rests with State Universal Basic Education Boards (SUBEBs), with some variations in the institutional framework: in some instances, secondary education falls under a separate executive agency, the State Education Board (SEB), and the State Ministry of Education (SMOE).
- 70 While the institutional framework is not clearly delineated **at the local level**, Local Government Education Authorities (LGEAs) – the local arm of SUBEBs -- are in charge of basic education, and local governments are involved in the management and financing of primary education. At the local government level, the governance framework of basic education rests in principle on participatory school-level management and school supervision by the state government through local administrative units (LGEAs).
- 71 **At the school level**, public schools are managed by school principals and head teachers. In 2005, the National Council of Education decided that a School Based Management Committee (SBMC) should be established in every primary and secondary school across the country; since then the agenda has been supported by UBEC and the Federal Ministry of Education. In 2011, UBEC issued guidelines to frame the organization, role and activities of the SBMCs. Subsequently, most states issued policy and guidelines with UBEC and donor support, including from DfID under the Education Sector Support Program in Nigeria (ESSPIN). As of 2012, the Federal Ministry of Education estimated

that SBMCs were functional in only 40 percent of primary schools. In 2013, the National Council of Education pursued its policy thrust by mandating the Federal Ministry of Education and state governments to “direct Head-Teachers and Principals to constitute functional SBMCs in their schools.” Since then, UBEC has provided guidance and financial and logistical support to ensure the mainstreaming of SBMCs across the country. It has revised its guidelines for the development of SBMCs to allow for flexible implementation at state level and provides training to state officials, including SUBEB directors of social mobilization. The FMOE has also prepared a policy framework on school-based management in 2015. SBMCs are supporting the schools in developing education improvement plans, and managing activities under such plans. In addition, SBMCs, assisted by NGOs, are responsible for organizing meetings and engagement activities with relevant community members.

- 72 Regarding the institutional framework for addressing the conflict in North East of Nigeria, Nigeria’s National Emergency Management Agency (NEMA), in coordination with State Emergency Management Agencies (SEMAs) is responsible for monitoring Internally Displaced Persons (IDPs) movements and providing a range of relief support to affected communities. NEMA has taken the lead in camp coordination and management of and has deployed personnel to provide technical support to SEMAs and the Nigerian Red Cross, to manage the IDP camps in the North East. Emergency education for displaced children became a major priority after unprecedented Boko Haram attacks on students, teachers, and school infrastructure. A “Safe School Initiative” has also been promoted under Presidential Commission on the North East Initiative (PCNI), whereby school safety and security is improved and in some cases student are transferred (in agreement with parents) to other schools in states not affected by the fighting.
- 73 On grievance redress, there are grievance redress systems for the primary education sector in Nigeria at the federal/state level (under Servicom: servinigeria.com.ng), local level (under LGEA) and school level (under SBMC and disciplinary committee). Measures will need to be undertaken to ensure that they are all operational and effective.

SECTION VII: OPERATIONAL PERFORMANCE AND INSTITUTIONAL CAPACITY ASSESSMENT IN MANAGING ENVIRONMENTAL AND SOCIAL IMPACTS

74 Based on a review of the available data and detailed analysis of the environmental and social effects of the Program and the institutional context, the Analysis presented here is organized by each of the six Core Principles outlined in Bank Policy and Directive for Program-for-Results Financing and synthesizes the main findings using the SWOT (Strengths-Weaknesses-Opportunities-Threats) approach, which is adapted and applied to the PforR context in the following way:

- Strengths of the system, or where it functions effectively and efficiently and is consistent with Bank Policy and Directive for Program-for-Results Financing;
- Inconsistencies and gaps (“weaknesses”) between the principles espoused in Bank Policy and Directive for Program-for-Results Financing and capacity constraints
- Actions (“opportunities”) to strengthen the existing system.
- Risks (“threats”) to the proposed actions designed to strengthen the system
- Information from this analysis – and identification of gaps and opportunities/actions – are used to inform the recommendations for action which follow this section.

Summary of System Assessment

Core Principle 1: General Principle of Environmental and Social Management

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in Program design; (b) avoid, minimize or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program’s environmental and social effects.

Bank Directive for Program-for-Results Financing: Program procedures will:

- Operate within an adequate legal and regulatory framework to guide environmental and social impact assessments at the program level.
- Incorporate recognized elements of environmental and social assessment good practice, including
 - (a) early screening of potential effects;
 - (b) consideration of strategic, technical, and site alternatives (including the “no action” alternative);
 - (c) explicit assessment of potential induced, cumulative, and trans-boundary impacts;
 - (d) identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized;
 - (e) clear articulation of institutional responsibilities and resources to support implementation of plans; and
 - (f) responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measures.

Applicability: Applicable.

While the program activities with physical footprint will focus on rehabilitation, renovation and expansion of existing schools with limited cases of building new schools, it could cause localized

adverse risks and impacts at the project site. (The system assessment on social risks are found under Core Principles 5 and 6.)

<p><i>System Strengths</i></p> <ul style="list-style-type: none"> • There exist well-defined legal/regulatory systems for safeguarding the environment and for avoiding or mitigating activities that are likely to have significant adverse impacts on the environment. • The national EIA system (EIA Act No. 86 of 1992) provides a comprehensive legal and regulatory framework for environmental and social impact assessment that are broadly consistent with the Core Principle 1 of the Bank Policy and Directive. FMEnv and FMOE are aware of ensuring compliance with EIA procedures. • FEPA Sectoral guideline: FEPA's Guideline covering infrastructure projects deals with both the procedural and technical aspects of EIA for construction projects. The guideline stresses the need to carry out an EIA at the earliest stage possible. Draft building code (2006) exists to provide comprehensive standards and guidelines for construction/rehabilitation management. • The states and FMOE have experience of integrating rules and procedures for environmental and social management in individual projects generally. EIA capacity training for FMOE has been conducted under Bank and other donor's existing programs. 	<p><i>Gaps</i></p> <ul style="list-style-type: none"> • Weak enforcement capacity is a major concern. While there seem to be adequate legal and institutional frameworks for managing environmental issues, the ability of the relevant institutions to enforce the existent laws is rather weak and would require further strengthening. • The implementation of the existing legal/regulatory provisions faces challenges, such as multiple regulations; overstretched regulatory authorities, weak monitoring; inadequate and mismanaged funding; and a low degree of public awareness of environmental issues. • EIA Act No 86 of 1992: Under the Act, the public and interested third party stakeholders make an input in the assessment process only during public review, which takes place after preparation of the draft report (which is often not well publicized). Early public participation during scoping and preparation of the Terms of Reference (TOR) will contribute greatly to the success of the project. Also, infrastructure project EIAs have been conducted rather loosely, and are often taken as a supplementary requirement to overall economic and engineering issues. There is need for mainstreaming the approach to sustainability planning, with community involvement throughout the program life cycle.
<p><i>Actions and Opportunities</i></p> <ul style="list-style-type: none"> • Capacity building of key sector institutions such as the FMEnv EA Department and federal, state and local authorities and other stakeholders in the education sector (training should also 	<p><i>Risks</i></p> <ul style="list-style-type: none"> • Poor implementation of the strengthened environmental and social management rules and procedures is a possible risk. • Not strengthening institutional capacity

include budgetary aspects of environmental and social management) and strong monitoring for environmental issues would support the implementation of the program. The Annual School Census under NEMIS can be used for regularly informing the program managers and policy makers regarding the status of the environmental and social management processes.	particularly and the inability to enforce the current environmental regulations in a timely fashion are the key risks that could lead to localized environmental issues affecting local population and surrounding environment. These risks should be mitigated through a combination of improved monitoring and implementation of specific actions included in the PforR Program Action Plan, as well as Bank's implementation support.
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Core Principle 2: Natural Habitats and Physical Cultural Resources

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to avoid, minimize and mitigate against adverse effects on natural habitats and physical cultural resources resulting from program.

Bank Directive for Program-for-Results Financing: As relevant, the program to be supported:

- Includes appropriate measures for early identification and screening of potentially important biodiversity and cultural resource areas.
- Supports and promotes the conservation, maintenance, and rehabilitation of natural habitats; avoids the significant conversion or degradation of critical natural habitats, and if avoiding the significant conversion of natural habitats is not technically feasible, includes measures to mitigate or offset impacts or program activities.
- Takes into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects.

Applicability: Not applicable

The program activities with physical footprint will focus on rehabilitation, renovation and expansion of existing schools with limited cases of building new schools. Any adverse impacts on natural habitats shall be avoided. To ensure that no adverse impacts are made on physical cultural resources, a “chance finds” procedure will be followed in the event of the discovery of socio- cultural artifacts during the implementation of the project.

Core Principle 3: Public and Worker Safety

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to protect public and worker safety against the potential risks associated with (a) construction and/or operations of facilities or other operational practices developed or promoted under the program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.

Bank Directive for Program-for-Results Financing:

- Promotes community, individual, and worker safety through the safe design, construction, operation, and maintenance of physical infrastructure, or in carrying

<p>out activities that may be dependent on such infrastructure with safety measures, inspections, or remedial works incorporated as needed.</p> <ul style="list-style-type: none"> ▪ Promotes use of recognized good practice in the production, management, storage, transport, and disposal of hazardous materials generated through program construction or operations; and promotes use of integrated pest management practices to manage or reduce pests or disease vectors; and provides training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with international guidelines and conventions. ▪ Includes measures to avoid, minimize, or mitigate community, individual, and worker risks when program activities are located within areas prone to natural hazards such as floods, hurricanes, earthquakes, or other severe weather or climate events. 	
<p>Applicability: Applicable</p> <p>The construction/rehabilitation work could expose the public and workers to work-related injuries, pollution of air water, solid waste and toxic or hazardous materials at site.</p>	
<p>System Strengths</p> <ul style="list-style-type: none"> • The legal/regulatory system of the country includes provisions for protecting people and environment that is applicable to regulating hazardous wastes and materials. • There are national policies and guidelines addressing public and worker safety and school health, including for school infrastructure. These cover a range of key aspects including environmental pollution control; labor laws; occupational health and safety regulations; and standards for workplace environmental emissions and discharges. 	<p>Gaps</p> <ul style="list-style-type: none"> • The national EIA system does not comprehensively encompass aspects of public and worker safety • There is general lack of awareness on public health and safety issues, particularly in relation to exposure to hazardous materials, workplace safety aspects in hard prone areas. In particular, most debris handlers are unaware of the potential risks involved in handling wastes resulting from demolition of and rehabilitation of existing school buildings. In most cases workers do not have adequate personal protection equipment (see annex VI). • Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety. • While UBEC has put in place the Minimum Standards for Infrastructure Development which were developed in line with international best practice for infrastructural development in basic education schools, school air quality, electricity, water, gender-sensitive toilets continue to be the major concerns and constraints to creating

	conducive learning environment for out-of-school children.
<i>Actions and Opportunities</i> <ul style="list-style-type: none"> • The school construction/rehabilitation guidelines should be strengthened and the implementation monitored. • The Annual School Census under NEMIS will allow the FMOE to monitor compliance with all recommended public and worker safety measures embedded in the Program's design (see Annex V). 	<i>Risks</i> <ul style="list-style-type: none"> • Systematic implementation of these provisions requires enhancing awareness in the key sector organizations and strengthened monitoring.

Core Principle 4: Land Acquisition

<i>Bank Policy for Program-for-Results Financing:</i> Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving, or at least restoring, their livelihoods and living standards.	
<i>Bank Directive for Program-for-Results Financing:</i> As relevant, the program to be supported: <ul style="list-style-type: none"> ▪ Avoids or minimizes land acquisition and related adverse impacts; ▪ Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy; ▪ Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access; ▪ Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and ▪ Restores or replaces public infrastructure and community services that may be adversely affected. 	
<i>Applicability</i> Applicable The rehabilitation, renovation, and expansion of existing schools and limited cases of building new schools to be supported under the program may require minor land acquisition.	
<i>System Strengths</i> <ul style="list-style-type: none"> • Currently, the land required for school buildings in Nigeria is obtained through voluntary land donation from the community; willing seller-willing buyer system; or land acquisition by the State. • Among them, functioning laws and practice governing land administration 	<i>Gaps</i> <ul style="list-style-type: none"> • While the Land Use Act of 1978 governs all land in Nigeria, the nature of compensation and impact mitigation under the Act is limited when viewed from the perspective of international best practice. • There is a long history of public distrust of government compulsory

exist for voluntary land donation and willing seller-willing buyer system.	acquisition, and poor track record in terms of compensation and land governance.
<p><i>Actions and Opportunities</i></p> <ul style="list-style-type: none"> • To ensure the consistency of the Program with Core Principle 4 and to minimize the risk of significant economic and physical displacement across all elementary schools in the Program, it has been agreed with the Borrower that environmental and social guidelines to be prepared under the Program Action will address land acquisition for the Program based on national and state laws and regulations as well as good international practice as follows: • The Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters. Where land acquisition is inevitable, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system. 	<p><i>Risks</i></p> <ul style="list-style-type: none"> • Poor implementation of the guidelines on land acquisition is a possible risk. Systematic implementation of the guidelines would require enhancing awareness and capacity building in key sector organizations at Federal, State and community levels and strengthened monitoring.

Core Principle 5: Indigenous Peoples and Vulnerable Groups

<p><i>Bank Policy for Program-for-Results Financing:</i> Due consideration is given to cultural appropriateness of, and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.</p>
<p><i>Bank Directive for Program-for-Results Financing:</i></p> <ul style="list-style-type: none"> • Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for the program. • Ensures that Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples. • Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.
<p><i>Applicability:</i> Applicable except for Indigenous Peoples, since there are no Indigenous Peoples in Nigeria identifiable under the World Bank Policy.</p>

<p><i>System Strengths</i></p> <ul style="list-style-type: none"> • As discussed under Section V (<i>Potential Environmental and Social Effects of BESDA</i>), vulnerable groups of children are excluded from education services for a wide range of demand- and supply-side reasons that vary by state and geographic location. For example, household poverty prevents children from enrolling in schools as families face many indirect costs, including the opportunity cost of child work. Lack of belief in the benefits of education, especially for girls, the availability and quality of different types of education (such as special schools for children with disabilities, religious and nomadic schools), and the ongoing conflict in the North East of the country are also important contributing factors. • As demonstrated in UBEC program and MSP, there is a strong commitment at the Federal, state and local levels to reduce inequity in education and to improve access to education services by vulnerable groups of children. • There are various flagship UBE programs and other interventions to address the vulnerable groups of children (see Section V), including the Almajiri Education Program; the Girl Child Education Program; the UBE Boy-Child Program; integration policy and programs for nomadic/migrant children; National Policy on Inclusive Education for disabled students; National Policy on HIV and AIDS for the Education Sector which addresses the needs of orphans who lost their parents due to AIDs; the Safe School Initiative for displaced children; the school feeding program; and, conditional cash transfers. 	<p><i>Gaps</i></p> <ul style="list-style-type: none"> • The UBE program implementation has been hindered by poor project management and supervision, insufficient funding, lack of capacity, and in some cases, lack of commitment from state governments and insufficient community involvement. • The UBE program objectives are also duplicated in other agencies such as the National Mass Education Commission and National Commission for Nomadic Education. The complex institutional framework comprising federal, state and local governments has hampered coordination. • Another major hindrance includes the shortage of qualified primary and junior secondary school teachers, including female teachers in rural areas. In addition, human resource management does not focus on enhancing teacher effectiveness in improving learning outcomes. • Existing monitoring and evaluation systems are incomplete and unreliable, and consequently not fit to inform policy making or implementation. Also, regulatory oversight and policy on non-state providers, including private and religious providers, are ineffective.
<p><i>Actions and Opportunities</i></p>	<p><i>Risks</i></p>

<ul style="list-style-type: none"> • The program activities under the Program will strengthen the UBE programs to address the vulnerable groups of children. • Robust stakeholder engagement strategy (sensitization on the value of education, consultation, information disclosure and grievance mechanism) should be developed as part of the outreach program targeting the vulnerable groups. • Improved stakeholders training should be provided in social inclusion issues and methodology for improved outreach work. • Better alignment between Federal objectives and state and local activities would help achieve the objectives of the program. 	<ul style="list-style-type: none"> • Lack of clarity and consistency regarding the implementation mechanism for consultation and stakeholder engagement could keep poor and vulnerable groups away from the school. • There are still deep-rooted socio-cultural barriers to utilization of education services may hinder progress towards achieving the objective of increased equity.
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Core Principle 6: Social Conflict

<i>Bank Policy for Program-for-Results Financing:</i> Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.	
<i>Bank Directive for Program-for-Results Financing:</i> Considers conflict risks, including distributional equity and cultural sensitivities.	
<i>Applicability:</i> Applicable	
<i>System Strengths</i> <ul style="list-style-type: none"> • As discussed in Section V, Nigeria is facing a range of complex conflict and security challenges, although the incidence and causes of violence differ significantly among Nigeria's 36 states. Among them, the conflict in the North East requires particular attention, as it has caused significant impacts on education service delivery in the affected states. There is a state of emergency in Adamawa, Borno and Yobe in the North East of the country. Nigeria's National Emergency Management Agency (NEMA), in coordination with State Emergency Management Agencies (SEMAs) is responsible for monitoring Internally Displaced Persons (IDPs) movements 	<i>Gaps</i> <ul style="list-style-type: none"> • According to the December 2015 DTM (Displacement Tracking Matrix) report, there are currently over 1.8 million IDPs displaced as a result of the Boko Haram related violence. The majority of IDPs are in Borno (close to 67 percent), followed by Adamawa (6 percent) and Yobe (6 percent). Close to 56 percent of IDPs are children, and over 28 percent are five years old or younger. The number of school-age IDP children by state over the 2014-2019 period amounts to between 550,000 and 600,000. The overwhelming majority of IDPs are with host communities, and, in many instances, IDPs children attend school with host community children, if not

<p>and providing a range of relief support to affected communities. NEMA has taken the lead in camp coordination and management of and has deployed personnel to provide technical support to SEMAs and the Nigerian Red Cross, to manage the IDP camps in the North-East. Emergency education for displaced children became a major priority after unprecedented Boko Haram attacks on students, teachers, and school infrastructure. The government is promoting a “Safe Schools Initiative” to provide safe education services in the North East, in cooperation with donors, teachers, parents, police and the community leaders. Under this initiative, children have been transferred to safe, expanded boarding schools outside the conflict zones and in neighboring states (in agreement with parents). The safety of schools is being enhanced with perimeter fencing and other measures.</p> <ul style="list-style-type: none"> • Also, there is an ongoing Bank-financed project “Multi-sectoral Recovery Project for Northeastern Nigeria” in the States of Borno, Adamawa and Yobe, which supports the education sector in reconstruction and repair of damaged school infrastructure, such as classrooms, fences and other associated service delivery interventions. This project will complement the interventions incentivized under the Program. • Experience in restoring education services in conflict-affected areas show that community level empowerment and engagement is critically important. It will be of paramount importance to ensure sufficient community involvement in any reconstruction and rehabilitation effort. In Nigeria, the suitable institution exists by law and 	<p>during the regular shift, then often during a second afternoon shift, However, there are often instances where schooling facilities are not available for IDPs children, and teaching takes place either in tents or mobile classrooms.</p> <ul style="list-style-type: none"> • Accountability mechanisms along the service delivery chain are inadequate, and institutionalized social accountability mechanisms, such as SBMCs, are not yet fully operational. • The grievance redress systems are not well defined in all areas and may not be fully functional.
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<p>often in practice: the SBMC. These committees include members of school staff, parents of children, as well as community figures, and are as such well suited to spearhead the reconstruction and recovery effort.</p> <ul style="list-style-type: none"> • As discussed in Section V, potential increase in violence against children and internal clashes (where the increase of enrolment could overwhelm the capacity of school resources) are social risks that may be caused by the implementation of the Program. One of the system strengths to address this potential risk is that SBMCs are assisting school principals and head teachers in managing public schools. They also support the schools in developing education improvement plans and engage actively in addressing school-related conflict resolution. • With regard to grievance redress, there are grievance redress systems for the primary education sector in Nigeria at the federal/state level (under Servicom: servinigeria.com.ng), local level (under LGEA) and school level (under SBMC and disciplinary committee). 	
<p><i>Actions and Opportunities</i></p> <ul style="list-style-type: none"> • In an environment where transition from conflict to peace remain fragile, a concerted effort across Federal, State, and local actors will be necessary to minimize the negative impacts on the Program implementation in the North East states. SBMCs should be involved, with the participation of displaced population representatives to ensure that the needs of IDPs children as well as host community children are addressed. Other actors at the Federal level include NEMA, which has been instrumental in responding to IDPs 	<p><i>Risks</i></p> <ul style="list-style-type: none"> • The delivery of BESDA could be challenging in those states where a state of emergency exists. It may be also difficult to confirm if Program results have been achieved. • Delivery of education services in North East conflict-affected areas could be seen with hostility by those who believe that these services should not be delivered for political, social or cultural reasons. • Stakeholder consultation reveals that not much is known about violence against children in schools. Victims might not resort to grievance

<p>needs to date, as well as the Presidential Committee for the North-East (PCNI), whose role is to coordinate intervention in the North East across the different sectors. Finally, third party monitoring by civil society could help confirm the implementation of environmental and social measures. The Program will also closely coordinate with ongoing Bank-financed projects and activities in the North East.</p> <ul style="list-style-type: none"> • To address the potential violence against children and internal clashes, the strengthening and mainstreaming of grievance redress mechanisms among SBMCs, primary school educators and authorities will be critical. • Guidance and training on environmental and social measures, supported by the World Bank, could help SUBEBs and SBMCs manage the risks more effectively. 	<p>mechanisms for various socio-cultural reasons.</p>
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SECTION VIII: RECOMMENDED REMEDIAL MEASURES TO STRENGTHEN SYSTEMS PERFORMANCE

75 The BESDA ESSA Analysis presented above identifies strengths, gaps and opportunities in Nigeria's environmental and social management system with respect to effectively addressing the environmental and social risks associated with the Program. This section translates these gaps and opportunities into a viable strategy to strengthen and monitor environmental and social management capacity and performance at the national and local level. The analysis identified the following key areas for action in order to ensure that the Program interventions are aligned with the Core Principles of Bank Policy for Program-for-Results Financing. The table below indicates the breakdown of actions to be included in the Program Action Plan with indicative timeline, responsibility for implementation and indicators for measuring the completion of such actions. These actions may be further refined and adjusted during the consultation process and the implementation of the Program, as required:

- i. **Formulation of guidelines and manuals:** while the country has well-defined regulatory systems for safeguarding the environment and addressing social issues, they can be supplemented or further mainstreamed through formulation of clearer guidelines and manuals focused on the implementation of the Program. This includes guidelines and manuals to (1) mainstream stakeholder engagement process, such as sensitization of parents and the community on the value of the education and grievance redress system to address potential tension among teachers, parents and children, and risk of violence against children in or around school; (2) manage environmental, health and safety risks associated with rehabilitation and construction of school facilities including debris management, perimeter fencing and green environment; and (3) manage land acquisition. In particular, while the analysis under ESSA has identified a significant gap in the country's legal framework for land acquisition, it is important to ensure that the Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters; and the program will develop clear guidelines on the boundaries for the land acquisition for schools.
- ii. **Capacity building on key sector institutions:** the analysis conducted under ESSA has revealed that weak enforcement capacity is a major concern. The ability of the relevant institutions to enforcing the existent laws and regulations is rather weak and would require further strengthening. Poor implementation of the strengthened environmental and social management guidelines and manuals as discussed above is a possible risk. These risks should be mitigated through a combination of capacity building of key sector institutions (FMOE, UBEC, SMOE, SUBEBs, SBMCs, etc.) and monitoring and implementation support by

the Bank. While these institutions have differentiated tasks and responsibilities that range from policy formulation (FMOE) to nation-wide coordination and monitoring (UBEC) to state level implementation (SUBEBs) and community and school level engagement (SBMCs), more detailed capacity building programs should be developed during the implementation process of the Program.

iii. **Coordination mechanism for operations in the North East conflict areas:**

There is a state of emergency in Adamawa, Borno and Yobe States in the North East of the country. NEMA, in coordination with SEMAs is responsible for monitoring IDPs' movements and providing a range of relief support to affected communities including education services. The Presidential Committee for the North-East Initiative (PCNI) is coordinating a "Safe Schools Initiative" to provide safe education services in the North East. Other institutions, donors and CSOs are also actively operating in education service programs in cooperation with teachers, parents, police and the community leaders. Not all institutions involved are conventional partners in the education sector. In an environment where transition from conflict to peace remains fragile, a concerted effort across Federal, State, and Local actors through a coordination mechanism will be necessary to minimize the negative impacts on the program implementation in the North East states. While it may be difficult to confirm if environmental and social results have been achieved in such areas, third party monitoring by civil society could help the implementation and monitoring of environmental and social measures.

iv. **Monitoring of environmental social performance:** existing monitoring and evaluation systems in the education sector including for environmental and social performance are incomplete and unreliable. They are consequently not fit to inform policy-making or implementation. Also, regulatory oversight and policy on non-state providers, including private and religious providers, are ineffective. Considering this, annual monitoring of environmental and social performance needs to be conducted during the implementation of the Program, including for the actions indicated in table below. Annual School Census under NEMIS can be also used as a tool for regularly informing the policy makers and program managers regarding the status of the environmental and social performance.

Action Description	Due Date	Responsible Party	Completion Measurement
1. Prepare and mainstream environmental and social guidelines based on national and state laws and regulations as well as good international practice on the following environmental and social	Before physical works are started, or land is obtained under the Program	UBEC	Completed guidelines disseminated to stakeholders, training provided, and the guidelines

issues: (1) Land acquisition (The Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters. Where land acquisition is inevitable, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system.); (2) Grievance redress mechanisms for key stakeholders including teachers, children and their communities; and (3) Measures for environmental and social management, building codes, debris management protocols, work and safety standards, security measures, and a “chance finds” procedure for physical cultural resources.			operationalized
2. Regularly coordinate and communicate with agencies and civil society groups working in the conflict areas of the North East on environmental and social issues. Possible third party monitoring by civil society to confirm that environmental and social measures have been carried out.	Ongoing	UBEC	Coordination mechanism established and operationalized (regular meeting held and minutes recorded)
3. Conduct annual monitoring of progress on environmental and social issues.	Within 12 months of end of each FY	UBEC	Completed report with recommendations about E&S issues, including the progress of the implementation of actions indicated in this table. Follow-up measures to the recommendations

			taken in the following FY.
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SECTION IX: FINDINGS FROM STAKEHOLDER CONSULTATIONS

- 76 The ESSA process includes extensive stakeholder consultations and disclosure of the ESSA Report, in accordance with the World Bank Policy and Directive for Program-for-Results Financing and Access to Information Policy. At present, the ESSA consultation process is embedded in the Program consultation process. Feedback from stakeholders has been instrumental in designing and revising the Program Action Plan, indicators, and technical manual.
- 77 Initial consultations held by the government with a large group of stakeholders over a period of time led to the formulation of BESDA Program. The outcomes of those consultations are embedded in this Program and influenced its design. Supervision reports were reviewed for understanding the implementation record of complementary Bank funded projects in education sector.
- 78 ***Consultation Event for Preparing ESSA (January 2017):*** For the preparation of this ESSA, World Bank specialists undertook a series of meetings and consultations with different stakeholders, including federal, state and local government agencies, development/funding partners, CSOs and representatives of teachers, parents, community and youth leaders. They also followed up with some field work, including visits to schools in Kaduna and Gombe (For more details, see Annex II “Summary of ESSA Consultations” and Annex III “Participants List”). The outcomes of the consultations have been incorporated into the ESSA and the proposed Program Action Plan. Main issues discussed in the consultations and incorporated into the ESSA include:
- 1) The importance of acknowledging **socio-economic and cultural challenges and opportunities for different types of out-of-school children**, including girls; Almajiri children; children with disabilities; children of nomadic/migrant people; unaccompanied/displaced children;
 - 2) The importance of including **sensitization** activities in the Program for parents and community members on the value of education, in particular for girls;
 - 3) The recognition of the impact of **North East conflict**, and addressing school safety and IDP children;
 - 4) The need for **better staffing, budget and capacity building of teachers**, including female teachers in rural schools;
 - 5) Risk management associated with **land acquisition** for schools;
 - 6) The need for better community involvement in **school governance** and mainstreaming of grievance redress mechanism;
 - 7) Consideration of **worker and community health and safety** issues in construction/rehabilitation of school infrastructure under the Program;
 - 8) Addressing physical aspects of schools, such as **water supply, latrines, electricity and furniture**; and

9) Enhanced **data collection and monitoring and evaluation** system.

79 **Consultation Event for Finalizing ESSA (February-April 2017):** Further consultations were undertaken during appraisal, which consisted of a formal consultation with a large group of stakeholders along with field level meetings in selected states (Kaduna, Kano, Sokoto, Adamawa and Borno). The inputs were considered and incorporated into the final ESSA. Main issues discussed in the visited states include:

- 1) The importance of including **sensitization** activities in the Program for parents and community members on the value of basic education;
- 2) The importance of **integrating the basic education curriculum in Almajiri schools**;
- 3) The need for provision of facilities such as shades and plumbing for **non-integrated Almajiri schools**;
- 4) The need for **more instructional materials** in core basic education subjects;
- 5) The need for **trained teachers in core basic subjects**;
- 6) The need for more funds to pay for **food and lodging in under-enrolled Almajiri schools** where school facilities could accommodate significantly more pupils;
- 7) Addressing **road safety for school children** by putting in place appropriate road signs, speed bumps and speed breakers;
- 8) Ensuring social inclusion especially for integration of **children with special needs** and other vulnerable children;
- 9) The need for a strict code of conduct for teachers and construction workers to protect children from **violence and child labor**;
- 10) Ensuring adequate **security and psycho-social support** for children particularly in the North East;
- 11) The key challenge for IDP children in Borno (North East) is to overcome the trauma/fear and lack of trust with regards to security. IDPs prefer to remain in host communities, which makes **facilities in host communities overstretched**. To address the pressure on facilities in host communities, Borno State is providing mobile school, additional furniture and learning centers. To address trauma, some psychosocial training has been provided but more needs to be done;
- 12) The challenge for **school safety** in Borno is the lack of school fencing. There are ongoing efforts to set-up fences with barbwire, community policing, and put in place a system for notifying authorities;
- 13) A positive aspect of **IDP camps** in Borno is that many of the children are attending school for the first time – either because it's set up in IDP camps or because they are positively influenced by their peers in host communities. Some IDPs have better access to schooling now with most of them being concentrated in a small number of urban areas. A similar positive phenomenon has been observed in terms of vaccination of IDP children in Borno since the Boko Haram insurgency; and
- 14) The need to put in place a **'sick bay' (clinic) in school** with intensive referral to hospitals.

80 Formal consultations were held on March 1 and April 27, 2017 in Abuja where the draft ESSA was presented and stakeholders including Federal, State and local government

agencies, and CSOs covering both the Northern and Southern States were invited to offer inputs on the findings and recommended actions in an interactive format (see Annex III “Participants List”). Main issues raised during and after the consultation and Bank staff responses are summarized as follows:

Topics	Issues Raised	Bank Staff Responses
Environmental risks	1. Many local governments in Niger State are located along rivers. Three dams are prone to flooding , which affects the riparian communities, which in turn affects school attendance.	Natural hazards such as flooding have been reflected in the ESSA as an environmental risk. It is proposed that the environmental and social guidelines to be developed under Program Action Plan will include measures to address these risks.
	2. Natural disasters affect schools and the safety of children. School grounds are uneven due to inundation and erosion . We need to have tree planting for schools.	
	3. We should look at landscaping in primary schools. There are environmental risks, such as rough surfaces and dead tree trunks .	
Health risks	4. The toilets in many public schools are in terrible condition. One of the reasons that parents do not let their children go to school is problems with toilets.	Health risks including latrines and water supply facilities have been reflected in the ESSA as an environmental risk. It is proposed that the environmental and social guidelines to be developed under Program Action Plan will address these risks, building on existing National School Health Policy and guidelines.
	5. Inadequate toilets are a health hazard . Maintenance of clean toilets is important for both children and teachers.	
	6. We need guidelines on school construction, including health issues . There is a standard for this located in Federal Ministry of Education on environment and public health.	
	7. Hygiene related to food from vendors is also a risk. There are schools near roads and shops which may present hygiene and health issues for children.	
	8. One threat is lack of potable drinking water . In some schools, the water level is too high. In other places, children are late to school because they are looking for water.	
	9. Children need to have extracurricular activities, like sports . They should have club days. Associated risks need to be addressed in manuals.	
Land acquisition	10. Some schools, especially in urban areas , may need to buy land for school expansion . Land cannot always be obtained	To ensure the consistency with the <i>Bank Policy for</i>

Topics	Issues Raised	Bank Staff Responses
	<p>through willing buyer/willing seller arrangements. The Nigerian Land Use Act authorizes the government to procure land in the public interest. We may have to take one or two houses and this is the reality in the country. This would not create the serious disruption that the Bank is concerned about.</p> <p>11. Some neighbors encroach on school lands. This is a serious issue.</p> <p>12. The State collaborates with the community on voluntary land donation. Nevertheless, people expect some payments, which is a serious concern for us.</p> <p>13. There are cases where descendants of people who have handed over land to schools are demanding the land back and want to take over schools.</p> <p>14. Problems on land acquisition are mostly in urban centers. Most of the vulnerable children are in rural areas. So, we should focus on schools in rural areas, rather than urban areas.</p>	<p><i>Program-for-Results Financing</i> and to minimize the risk of significant economic and physical displacement across all elementary schools in the Program, the Program will not support activities that lead to involuntary resettlement and economic displacement, including for squatters. It is proposed to clarify in the environmental and social guidelines that, where land acquisition is inevitable under the Program, the land shall be obtained through (i) well-documented voluntary land donation from the community; (ii) public vacant land with no claims or encroachers; or (iii) a well-documented willing seller-willing buyer system.</p>
Gender and vulnerable groups	<p>15. Gender mainstreaming should be promoted in this Program.</p> <p>16. Orphans should be added as one of the vulnerable groups of children. One out of ten orphans are being exploited.</p> <p>17. Specific measures and incentives to upscale vulnerable and girl-child education should be developed.</p>	<p>Addressing out-of-school girl children and other vulnerable groups of children is one of the key objectives of the Program. Orphans are added in the ESSA as one of the vulnerable groups.</p>
Violence against children	<p>18. Sexual harassment and abuse is common. There is a case where a girl was raped by three men. Her peers have refused to go to</p>	<p>The feedback received during the consultations varies depending on the</p>

Topics	Issues Raised	Bank Staff Responses
	<p>school. The State and UBEC are also looking into a case where girls have been sexually abused by stepfathers. Minor girls end up sleeping with older men and they are subject to human trafficking. SBMCs and school governing boards in secondary schools can really help tackle these issues.</p> <p>19. There are not much child abuse in schools in our State, but probably outside schools or at home. The school has no system to address it.</p> <p>20. So called “area boys” abuse girls and also female teachers.</p>	<p>stakeholders. It is proposed to address this potential risk through mainstreaming well-defined functional grievance redress and other legal systems and providing related capacity building to stakeholders under the Program Action Plan.</p>
Security	<p>21. In the Boko Haram conflict, many teachers were kidnapped and killed. Teachers need assurance for school safety.</p> <p>22. There is major concern about natural disasters. In Bayelsa State, 3000 children became unaccompanied due to flash flood. They were left unattended by their communities and have become bandits and killers.</p> <p>23. During the time that Boko Haram was active in the Northeast, 300,000 children became unaccompanied and they live in camps. Some children have been adopted, while communities are returning gradually to their homes. The Bank should intervene to help unaccompanied traumatized children.</p> <p>24. Schools are in areas where attacks by Fulani herdsmen take place.</p> <p>25. How to deal with schools in insurgency areas? We need collaboration with traditional leaders.</p> <p>26. Parents do not want their children to be in school in insecure areas. So, they take the children with them.</p> <p>27. The schools also need perimeter walls for safety.</p> <p>28. Appropriate lighting systems should be considered and installed in participating boarding schools to improve security. This will be in addition to vigilant groups or community policing.</p>	<p>Security risks have been reflected in the ESSA as a social risk. The Program will support the country’s efforts to improve the safety of schools. It is proposed that the Program Action Plan includes a coordination and communication mechanism with agencies working in the conflict areas of the North East on environmental and social issues. Possible third party monitoring by civil society will be also considered to strengthen the local capacity. It is also proposed that the environmental and social guidelines to be developed under the Program Action Plan will include security measures at schools.</p>

Topics	Issues Raised	Bank Staff Responses
	29. Ensuring sustainable human rights impacts assessment in areas and communities with security lapses or state of emergencies are a challenge from our findings. Therefore, it is recommended that requisite capacities should be built up in this regard.	
Teachers	30. One way to avoid strikes by teachers is to pay for teachers regularly, and minimize volunteer teacher arrangements.	The risk of teacher strikes will be considered as part of political and governance risks to the Program, rather than the environmental and social risks. Teachers' training will be addressed under the Program.
	31. The World Bank should get UBEC to ensure teacher governance .	
	32. Teachers should be trained to build personal relationships with children to help protect them from harm.	
	33. The incentive is lacking to promote teachers . They just get promoted but they lose interest in teaching. We need to improve the overall teaching framework.	
Monitoring	34. States' Environment ministries will work with FMEnv to provide information on environmental issues for annual monitoring .	Strengthening accountability for results is one of the Results Areas of the Program.
	35. We need to share research with CSOs . We need real data, regardless of "good, bad and ugly" data.	
Implementation	36. The ESSA proposes to prepare manuals for environmental and social issues for schools. The manuals should accompany training, and should involve the community including CSOs.	It is proposed that capacity building activities will be conducted to operationalize the environmental and social guidelines. This will involve the community and key stakeholders.
	37. Mother's Associations should also be involved in schools. They should work with SBMCs, and build their capacity.	
	38. As an incentive for parents , provision of microfinancing for parents to send children to school should be considered.	Participating States will implement measures to achieve the results agreed under the Program. They will include measures to help sensitize and incentivize parents to send their children to

Topics	Issues Raised	Bank Staff Responses
		school.
	39. To incentivize girls, vocational training should be included in school program, such as tailoring. School feeding is also an effective incentive.	Participating States will implement measures to achieve the results agreed under the Program.
	40. Proper implementation and political commitment are critical to achieve results. We should double our commitment.	This is an important aspect of the Program as a whole.
	41. Contractors' commitment to environmental health and social sustainability should be a condition for pre-qualification and procurement.	It is proposed that the environmental and social guidelines to be developed under the Program Action Plan will be used in the procurement process.
	42. An Environmental and Social Management Plan should be prepared to specify how the likely environmental and social risks associated with this project will be managed. It is also suggested that adequate monitoring program should be jointly designed and corresponding budget provided for in the cost table. If all UBEC state instruments/guidelines are the same, then a generic environmental health and social management plan (EHSMP) would suffice. If not, states-specific EHSMPs would have to be prepared.	Unlike environmental and social assessments and plans for Investment Project Financing, the ESSA is prepared for PforR program. The environmental and social guidelines to be developed under the Program Action Plan will be used by participating states as generic guidelines to manage environmental and social risks and impacts associated with the Program. Under the Program Action Plan, it is also proposed to conduct annual monitoring of progress on environment and social issues, which will be designed and funded under the Program.
	43. Proper construction and termination of drains in around the schools, location of school buildings away from areas liable to flooding and erosion , and public sensitization could help mitigate the potential risk of flooding and erosion.	
Disclosure	44. Nigeria has its own provisions for disclosure for environmental assessment.	Unlike environmental and social assessments

Topics	Issues Raised	Bank Staff Responses
	The disclosure cost has to be borne by the Program for the transmittal of the documents to the display centers, public notices informing the public of the public review and disclosure exercise. The disclosure requirement is 21 working days. Public notice has to be in 2 national dailies plus one local paper for all areas in the Program. This has to be legally acceptable to FMEnv. The names and telephone numbers of contact officers would be required.	and plans for Investment Project Financing, the ESSA is the World Bank's assessment of the country's environmental and social systems. The Bank is responsible for disclosing it, per the Bank's own Disclosure Policy.

- 81 ***Document Dissemination and Public Disclosure:*** The draft ESSA was shared with the FMOE and UBEC, and publicly disclosed and shared with other stakeholders involved with environmental and social management issues in Nigeria before the formal consultation. The final report will be translated and disclosed publicly in-country and at the World Bank's Infoshop.

Annex I

ESSA Core Principles

Paragraph 8 of Bank Policy for Program-for-Results Financing outlines what the ESSA should consider in terms of environmental and social management principles in its analysis. Those core principles are:

- a. Promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts
- b. Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program
- c. Protect public and worker safety against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the Program; (ii) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards
- d. Manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards
- e. Give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups
- f. Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

The ESSA considers the consistency of the Program systems with these principles on two levels: (1) as systems are defined in laws, regulation, procedures, etc, and (2) the capacity of Program institutions to effectively implement the Program environmental and social management systems. ESSA Vol. 1 (Analysis) considers the baseline information presented in this volume and compares this to how the system performs in practice vis-à-vis the core principles in the PforR policy outlined below.

Core Principle 1: General Principle of Environmental and Social Impact Assessment and Management

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in Program design; (b) avoid, minimize or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's environmental and social effects.

Bank Directive for Program-for-Results Financing: Program procedures will:

- Operate within an adequate legal and regulatory framework to guide environmental and social impact assessments at the program level.
- Incorporate recognized elements of environmental and social assessment good practice, including (a) early screening of potential effects; (b) consideration of strategic, technical, and site alternatives (including the “no action” alternative); (c) explicit assessment of

potential induced, cumulative, and trans-boundary impacts; (d) identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized; (e) clear articulation of institutional responsibilities and resources to support implementation of plans; and (f) responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measures.

Core Principle 2: Environmental Considerations – Natural Habitats and Physical Cultural Resources

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to avoid, minimize and mitigate against adverse effects on natural habitats and physical cultural resources resulting from program.

Bank Directive for Program-for-Results Financing: As relevant, the program to be supported:

- Includes appropriate measures for early identification and screening of potentially important biodiversity and cultural resource areas.
- Supports and promotes the conservation, maintenance, and rehabilitation of natural habitats; avoids the significant conversion or degradation of critical natural habitats, and if avoiding the significant conversion of natural habitats is not technically feasible, includes measures to mitigate or offset impacts or program activities.
- Takes into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects.

Core Principle 3: Environmental Considerations – Public and Worker Safety

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to protect public and worker safety against the potential risks associated with (a) construction and/or operations of facilities or other operational practices developed or promoted under the program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.

Bank Directive for Program-for-Results Financing: Promotes community, individual, and worker safety through the safe design, construction, operation, and maintenance of physical infrastructure, or in carrying out activities that may be dependent on such infrastructure with safety measures, inspections, or remedial works incorporated as needed.

- Promotes use of recognized good practice in the production, management, storage, transport, and disposal of hazardous materials generated through program construction or operations; and promotes use of integrated pest management practices to manage or reduce pests or disease vectors; and provides training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with international guidelines and conventions.
- Includes measures to avoid, minimize, or mitigate community, individual, and worker risks when program activities are located within areas prone to natural hazards such as floods, hurricanes, earthquakes, or other severe weather or climate events.

Core Principle 4: Social Considerations – Land Acquisition

Bank Policy for Program-for-Results Financing: Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving, or at least restoring, their livelihoods and living standards.

Bank Directive for Program-for-Results Financing: As relevant, the program to be supported:

- Avoids or minimizes land acquisition and related adverse impacts;
- Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy;
- Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access;
- Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and
- Restores or replaces public infrastructure and community services that may be adversely affected

Core Principle 5: Social Considerations – Indigenous Peoples and Vulnerable Groups

Bank Policy for Program-for-Results Financing: Due consideration is given to cultural appropriateness of, and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.

Bank Directive for Program-for-Results Financing:

- Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for the program.
- Ensures that Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples.
- Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.

Core Principle 6: Social Considerations – Social Conflict

Bank Policy for Program-for-Results Financing: Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

Bank Directive for Program-for-Results Financing:

Considers conflict risks, including distributional equity and cultural sensitivities.

Annex II

Summary of ESSA Preparatory Consultations

For the preparation of the Environmental and Social Systems Assessment (ESSA) of BESDA Program for Results Operation, Bank Specialists undertook a series of meetings and consultations with different stakeholders including federal, state and local government agencies, development/funding partners and CSOs, and followed up with some field work including visits to schools. The summary of the consultations is as follows:

January 17, 2017 in Abuja

- **Consultation with National Emergency Management Authority (NEMA)**

1. **Orphans and unaccompanied children:** Lack of education is one of the root causes of the ongoing conflict in the North East. If children grow up without education, the conflict will be repeated in 10-15 years. There are thousands of orphans and unaccompanied children as a direct result of the conflict. Without education, their future is bleak. So we are grateful for this program.
2. **Almajiri children:** Aside from the ongoing conflict, there are millions of out of school children (OSC). They do not go to school. This is not by choice, but because of the way the social system is set up. When parents are unable to take care of their children, they transfer the responsibility to Almajiri teachers. Teachers do not have the capacity to meet all of these needs. These children are vulnerable and easily exploited. Addressing the needs of these children will go a long way in solving the crisis. These children require a safety net after school. This is a longstanding problem, for which a solution must be found.
3. **Skill acquisition:** Education is not limited to the classroom. Skill acquisition is vital for life after leaving school. This will lead to reduced social tension. We hope that basic skill acquisition is included in the program.
4. **Safe School Initiative:** This has been transferred from NEMA to Presidential Commission on North East Initiative (PCNI). The chairman of NEMA is also a member of the technical committee. Under Safe School Initiative, children are transferred to safe, expanded boarding schools outside the conflict zones and in other states including Yobe and Gombe. They are provided with food and transportation. The safety of schools is also increased with perimeter fencing.
5. **IDP camps:** It is not advisable to use schools in conflict areas, as Boko Haram is targeting such schools. Also, many boarding schools in conflict areas are being used as IDP housing for years. NEMA is advising SEMAs not to use schools for IDP housing, as such use is becoming long-term, which hinders the delivery of education service to children.

- **Consultation with Universal Basic Education Commission (UBEC)**

1. **Girl child and boy child:** The reasons that children in Nigeria do not attend school are different for girls and boys. Some parents do not see the value of sending girls to school. Others deem it unsafe to send girls to a confined boarding school. Boys- particularly street boys in the south- are more interested in general skill acquisition than formal schooling in order to find a job.
2. **Almajiri children:** The ESSA should acknowledge the risk of exclusion of Almajiri children. Whatever strategy we take, feeding these children is very important to keep them

off the street. Children become Almajiri when their family is unable to feed them. Also, any legislation to ban the Almajiri system will not succeed without cooperation with traditional rulers and mallams (Almajiri teachers). To integrate them into school system, it is important to expand the present primary schools. More trained teachers are required.

3. **Land for schools:** Currently, land for schools are obtained either from public land, voluntary land donation from the community, or willing buyer-willing seller arrangement. In the North East, many schools have been completely demolished in the conflict. In such areas, new schools may be necessary.
 4. **Sensitization:** The sensitization on the value of education is key in addressing OSC. Poor families don't send their children to school. But poverty is not the sole reason. Many wealthy families do not send their children to school either. Parents, traditional rulers and religious leaders should all understand the value of education.
 5. **Children of migrant populations:** In Nigeria, OSC of migrant farmers and nomadic people must be addressed. Trained teachers are also required for these children. The National Commission of Nomadic Education (NCNE) is responsible for addressing this issue. There are two types of schools for migrant children: Schools at water points and mobile schools where teachers come to teach. There are also educational radio programs. The National Mass Education Commission (NMEC) is one agency involved in this issue.
 6. **Children with special needs/disabilities:** Currently most schools are not inclusive. There are some schools for children with special needs in each state. Based on the National Policy of Inclusive Schools, we are moving towards inclusive schools in which children with special needs are integrated into mainstream schools.
 7. **School governance:** The School-Based Management Committee (SBMC) has been set up to address school governance. 16 States and FCT have draft policy on school governance, among which 6 states have institutionalized SBMC. The involvement of key community members, such as traditional rulers, is key in achieving the objective of SBMC.
- **Consultation with Civil Society Organizations (CSOs)**
 1. **Specific needs of OSC:** While the majority of OSC are in the North, they are present everywhere in the country. It is important to address specific needs of different types of OSC. Poverty is an important risk. But adult illiteracy is also a risk.
 2. **Almajiri children:** To address the issues of Almajiri children, Imams and community leaders must be consulted. There are specific time of day to allow them to bring to school.
 3. **Role of CSOs:** Civil Society Action Coalition on Education for All (CSACEFA) is a good platform in which 600 CSOs are represented. It has access to social intervention fund. CSOs can play a key role in community engagement, including sensitization for parents and other key community members.
 4. **SBMC:** SBMC is designed in a gender-sensitive manner. However, cultural factors may influence whether or not women speak up, even if they are present.
 5. **Data collection:** Lack of reliable data is an issue in Nigeria. Nigeria Education Management Information System (NEMIS) is an important data collection system.

January 19, 2017 in Kaduna State (North West)

- **Consultation with Kaduna State Universal Basic Education Board (SUBEB)**

1. **School feeding:** The state has seen some success with addressing out-of-school children. With the introduction of school feeding program, enrolment in primary schools has increased from 1.1 million to 1.6 million. Budgetary constraint is a challenge for this program while food prices continue to increase.
 2. **Political will:** The strong political will of the State leadership also plays a key role in mainstreaming public schools and addressing OSC. Senior level state officials are ordered to send their children to public schools, instead of private schools.
 3. **Need for new schools:** With the sharp increase in enrolment, the State would need new schools. Expansion of existing schools would be unable to accommodate all OSCs.
 4. **Collaboration with the community:** The State is closely collaborating with religious leaders, CSOs and School Based Management Committees (SBMCs) to address the OSC issue. There is no resistance from religious leaders.
 5. **Land for schools:** The land required for schools is obtained either by land donation from the community or purchase through willing buyer-willing seller arrangement. The state may also provide its land to the school. The SBMC plays the key role for voluntary land donation from the community.
 6. **Religious schools:** To address children in religious schools, the State is working on integrating religious schools into public school system through Integrated Quranic Teaching Schools (IQTS).
 7. **Nomadic children:** In Kaduna, there are 324 nomadic schools with enrolment of 22,353 males and 24,253 females. There are 2,184 male teachers and 2,876 female teachers. 90 % of the nomadic families in Kaduna have been settled. Nomadic schools in the State have minimal permanent structures, and most learning takes place outdoors. Additional accommodation is needed. On the national level, National Commission on Nomadic Education (NCNE) is responsible for nomadic issues.
 8. **Disabilities:** Kaduna State has a state policy for inclusive school for children with disabilities. New school buildings are built with accessible design. Also, UBEC has special grant for special needs education which can be used for scholarships, teacher training, and equipment for children with disabilities.
 9. **Contractor for construction/rehabilitation of schools:** For quality assurance, the state uses only prequalified contractors for school construction and rehabilitation. New schools have access to water, electricity, perimeter fencing and furniture.
 10. **Grievance redress mechanism:** There are grievance redress mechanisms at state (SERVICOM), local (LGEA) and school levels (SBMC and disciplinary committee). Typical grievances on school include land dispute (encroachment in school premise), leakage, erosion, stone damages, furniture, and teacher conflict. There is also capacity building training for SBMCs organized by NGOs.
- **Multi-stakeholder consultation (Kaduna SUBEB, Zamfara SUBEB, CSOs)**
 1. **Access to school:** The bulk of OSC is girls. The challenge is access to school. The infrastructure of the existing schools is unable to accommodate all OSC. In particular, in remote areas, the access to school is not easy. Some children have to walk more than 3 km, crossing the river, which is unsafe.
 2. **Almajiri children:** There are a huge number of Almajiri children who do not attend public school. The government has built some schools for Almajiri children, but this has been insufficient. Much more assistance is needed for them.
 3. **Poverty:** Many children do not go to school because of poverty. Measures such as

conditional cash transfer would be required for these children.

4. **Orphans:** There are children who have lost both parents and live with their grand-parents. They cannot go to school as they have to help their grand-parents with daily tasks such as collecting water and fuel.
5. **Teacher welfare:** Teacher welfare is an important attribution to OSC. Teachers should be trained and incentivized, including paying the salary regularly. Also, while there is a shortage of teachers – especially female teachers- in remote areas, provision of hostels/accommodation for teachers will help address the OSC in remote areas. This will also alleviate the congestion of teachers in urban areas.
6. **Transition support:** Completion and transition support is important for keeping OSC in school. Teachers should be trained so that they can provide mentoring. Mentoring is particularly necessary for girls going through challenging periods. It is also important to provide safe spaces for girls in these schools.
7. **Security issues:** There are many schools without perimeter fencing. While security agencies have no capacity to protect individual schools, some SBMCs and the community are collaborating to make the school environment safer. Security in remote schools is also challenging, with increased risk of kidnapping or insurgency.
8. **Skill acquisition:** Some parents ask if sending children to school is economically viable. So it is important to include some skill acquisition in the school program, in particular for job-seeking after school.
9. **Violence against children:** Not much is known about violence against children in schools. But there were 126 cases in Kaduna last year among which one case was handled by police.
10. **Role of CSO:** CSOs can help the government address the OCS with SBMC training, data collection such as Annual School Census (ASC), and stakeholder engagement with associations including for blind or albino children. CSOs have experience working with Global Partnership Education (GPE).

January 24, 2017 in Gombe State (North East)

- **Multi-stakeholder consultation (Gombe SUBEB, Bauchi SUBEB, CSOs)**

1. **IDP children:** In Gombe State, children who fled from North East conflict live in IDP camp and are being integrated into existing schools. Some schools have been expanded to accommodate them. The State is also starting school feeding program. In Bauch State, the inflow of about 39,000 IDPs is affecting the capacity of school facilities. The schools need to be expanded or newly built. There are some trust funds to provide them with shelter and normalize their life.
2. **Security:** Direct impact is limited in Gombe from the insurgency in the North East. But the situation around school safety remains unpredictable. The state is taking some security measures for schools, including hiring school marshals and enhancing school perimeter fencing.
3. **Land:** Currently, land for schools is donated by the community. Some communities build the school and donate it to SUBEB. In some cases, the government pays partial compensation for such donations.
4. **Almajiri children:** There are about 20,000 Almajiri children. Gombe State is addressing Almajiri by integrating them into normal school systems.
5. **Worker and community safety:** The state is aware of the safety for workers and

community and taking safety measures in construction and rehabilitation of schools.

6. **Teacher training:** To address OSC, staffing and capacity-building is important, in addition to enhancing the school infrastructure. Monitoring is also key.
7. **Trauma healing:** Special counseling is necessary to address the trauma of IDP children. Creative International, an NGO, is providing such a trauma healing program funded by USAID.

January 27, 2017 in Abuja

- **Consultation with Federal Ministry of Education (FMOE)**

The consultation with FMOE was focused on the education under the North East conflict. The main topics discussed include:

1. **The need for security measures school safety;**
2. **Weak Capacity of teachers and the need for training;**
3. **Donor coordination under Presidential Commission on North East Initiative (PCNI);**
4. **Scholarship for children from poor households; and**
5. **Standard curriculum.**

- **Wrap-up Meeting with UBEC**

The mission team had a wrap up meeting with the Executive Secretary and directors of UBEC. The team debriefed the results of consultations they conducted in Abuja, Kaduna and Gombe, and shared with them the team's preliminary assessment of the Program's potential environmental and social strengths, weaknesses and areas for improvement. The team and the directors agreed on the timeline and processes to hold the final consultation in Abuja in late February/early March to finalize the ESSA. Other topics discussed include:

1. **Land acquisition for schools and the need for documentation;**
2. **The need for capacity building of parents, program implementers, NGOs and local communities;**
3. **The importance of sensitization activities on the value of education, in particular for girls;**
4. **Lack of female teachers and incentives;**
5. **Safety measures for construction of school infrastructure;**
6. **North East conflict and IDP children;**
7. **Inclusion of children with special needs; and**
8. **Teaching curriculum in English and local languages**

School Visits

- **LEA Mararaba Jos School, Kaduna State (January 19, 2017)**



Students studying in the school yard due to lack of classroom



Tents are used as provisional classroom for newly enrolled students



No perimeter fencing for safety of school



Latrines without water supply

- **LEA Lokoja Road Rigasa School, Kaduna State (January 19, 2017)**



School building



Capacity building of SBMC for grievance redress

- **Government Junior Secondary School Hassan Central, Gombe State (January 24, 2017)**



IDP children and local children integrated in the classroom



Girl students in uniform in front of rehabilitated school buildings

Annex III
ESSA CONSULTATION MEETINGS
PARTICIPANTS LIST

January 17, 2017, Abuja

Consultation with National Emergency Management Authority (NEMA)

Organization	Full Name	Title/Designation
National Emergency Management Authority (NEMA)	Kayode Fagbemi	Acting Director, Relief and Rehabilitation
NEMA	Benjamin O. Oghenah	Deputy Director (DD) Disaster Risk Reduction (DRR)
NEMA	Daniel E. Obot	DD Relief and Rehabilitation
NEMA	Sanusi Ado	Assistant Director
NEMA	Nnaji Ifeanyi	Snr. Relief Officer
NEMA	Aisha Bukar Goni	DDRRO II
NEMA	Ajayi Oluwatope	PRRO

Consultation with Universal Basic Education Commission (UBEC)

Organization	Full Name	Title/Designation
Universal Basic Education Commission (UBEC)	Dr. Sharon 'Rowo Oriero-Oviemuno'	Deputy Executive Secretary
UBEC	Muh'd U. Hassan	DD-FA
UBEC	Usman A. Kaoje	Director Special Duties
UBEC	Jibo Abdullahi	DQA
UBEC	Aliyu M. Kardi	DTP
UBEC	Sadiq Daas	DD-RP
UBEC	Fatima G. Yusuf	Hou Legal
UBEC	Chijoke Onwuzurike	ACSMO
UBEC	Dauda Alhassan	Ag DSP
UBEC	Bello Kagara	DCM

UBEC	Wadatau Madawaki	Ag. DACS
UBEC	Iro Umar	Project Coordinator
UBEC	Mahmud Abubakar	Program Analyst
UBEC	Yamai Madachi	PRO/PROTOCOL
UBEC	Idris A. Suleiman	TPO 1

Consultation with Civil Society Organizations (CSOs)

Organization	Full Name	Title/Designation
Grassroot Entrepreneurship Skill Acquisition Initiative (GESAI)	Chynthia I.O. Evans	National Coordinator
GESAI	Kingsley Eze	Project Coordinator
Civil Society Action Coalition on Education for All (CSACEFA)	Chioma Osuji	Policy Advisor
CSACEFA	Abanka J. Musa	Focal person
CSACEFA	Adelik Damian-Mary	Program Officer
Public and Private Development Centre (PPDC)	Margaret Lawrence	Procurement Monitor

January 19, 2017, Kaduna

Consultation with Kaduna State Universal Basic Education Board (SUBEB)

Organization	Full Name	Title/Designation
SUBEB	Nasiru Umar	Chairman
	Mary Ambi	PMI
	Shehu S. Othman	PMII
	Kande Nama Bage	Permanent Secretary
	Adamu M. Shuaibu	Ag. DHR
	Garba Hassan	DFA
	Ibrahim Sanusi	DDED
	Yahaya Khalid	DDSS
	Kabir Lawal	DD (SMD)
	Tanko S.M Aliyu	DDQA

	Ibrahim A. Parah	AD/SMD
	Aliyu A. Abubakar	C. Internal Auditor
	Bldr. Monday B. Madaku	DDPM
	Musa Lawal Imam	Director PL REA & Statistics

Multi-stakeholder consultation (Kaduna SUBEB, Zamfara SUBEB, CSOs)

Organization	Full Name	Title/Designation
SUBEB	Maryam Y. Shantali	DPRS ZSOBEB
	Kande Nana Bage	Permanent Secretary
	Shehu S. Othman	PMII
	Nasiru Umar	Chairman
	Ibrahim Sanusi	DDED
	Aliyu A. Abubakar	C. Internal Auditor
	Garba Hassan	DFA
	Musa Lawal Imam	Director PL REA & Statistics
	Ibrahim A. Parah	AD/SMD
	Bldr. Monday B. Madaku	DDPM
	Kabir Lawal	DD (SMD)
CSACEFA	Umma Ihyasu-Mohd	State Coordinator
	Joy Anthony	Secretary
	Theresa M. Biniyat	Vice Coordinator
GESA Initiative	Amina Unekwuajo Shaibu	
	Eche Austine	
UBEC	Bashir Sani L.	Architect 1
UBEC	Abubakar Musa Umar	Building Officer I
UBEC	Mansur Idirs	Director North West
LEA Mararaba Jos Primary School	Shehu T Mhid	Chairman SBMCs
	Abdullahi Sark	CSO
	Mohammed T. Lawal	CSO
	Danladi Mamman	Chairman PTA
	Salisu Sadi	Member SBMC
	Suwaiba B. Musa	Head Teacher
	Ola Seyi Ayodele	Community Specialist, ESSPIN
	Hadiza Umar	Access and Equity Specialist, ESSPIN

LEA Lokoja Road Rigasa	Mohammed Kabir Mohammed	Executive Secretary
	Lawal Salisu O.S	Councilor
	Abdulareez Muhid Imam	SBMC Treasurer
	Lawal A. Fatsika	SBMC Chairman
	Rakiya U. Adamu	Head Teacher
	Aliyu Adamu	SSO
	Muha Basiru	Youth Leader, SBMC

January 24, 2017, Gombe

Multi-stakeholder consultation (Gombe SUBEB, Bauchi SUBEB, CSOs)

Organization	Full Name	Title/Designation
SUBEB	Arc. Halilu M. Shinga	Agch
	Garba Junguao	Fulltime Member
	Adamu M. Salamad	Board Secretary
	Abubakar Udong	Director Q/A
	Zolaihatu Madugu	Director School Services
	Suleman Malambu	CIA
	Abubakar B. Usman	Quantity Survey/Planner
	Jonathan John	DPRS
	Abubakar Mansu Abdu	DPRS
	Usman A. Abba	DPRS
	Haruna Bako	D/O Action Plan
	Sani Mohammed	Technical Officer
CSACEFA	Sunusi Usman Mohd	Financial Officer
	Clabas James	State Focal Person
	Idirs Maigari Lawanti	Mobilization Officer
Government Junior Secondary School Hassan Central	Abubakar Bilazim	Principal
	Ali Baba	Head Teacher
	Abdullahi Saleh	ES

January 27, 2017, Abuja

Consultation with Federal Ministry of Education (FMOE)

Organization	Full Name	Title/Designation
FMOE	Osisioma Nkiru C.	Deputy Director/National Coordinator Education in Emergency, Presidential Committee on North East Initiative National Task Force on North East Humanitarian
FMOE	Ogwuche John Itodo	Assistant Director

Wrap-up Meeting with UBEC

Organization	Full Name	Title/Designation
UBEC	Hameed Bobboyi	Executive Secretary
UBEC	Mal. Garba Y. Kwandi	Representing DPRS
UBEC	Chijoke Onwuzurike	Representing DSM
UBEC	Muh'd U. Hassan	DDFA
UBEC	Dauda Alhassan	Ag. DSP
UBEC	Jibo Abdullahi	Director
UBEC	Rt. Rev Edwin Jarumai	Director (Admin)
UBEC	Arc. Nora Ibrahim	Chief Arc. (DPP Rep)
UBEC	Moses Oyiye	SPO
UBEC	Iro Umar	Deputy Director
UBEC	Njidda U.M	DDQA

March 1, 2017, Abuja**Formal Consultation on the draft ESSA with Stakeholders**

Organization	Full Name	Title/Designation
Adamawa SUBEB	Jiddah U. Boijam	DPRS
Adamawa SUBEB	Adimatu Alfa	DSM
Bauchi SUBEB	Prof Y. I Yero	Exe Chairman
Bauchi SUBEB	Abubakar Mansur Abdu	DPRS
Bauchi SUBEB	Mohammed Maikudi	DSM

Benue SUBEB	Ihyagh Sylvester	DSM
Benue SUBEB	Jibo Dooshima	Dr. DA
Benue SUBEB	Igba A. David	DPRS
Beyond Mentors Care	Khadijah Abdullahi Iya	Founder / Exe Director
Beyond Mentors Care	Adetola RemiJohn	Staff
Borno SUBEB	Dr. S. B. Kullima	Exe Chairman
Borno SUBEB	Abba Kura Maliu	DPRS
Borno SUBEB	Alh. Bukar Dogo	DSS
FMEnv	Mrs. R. A. Odetoro	DD
FMEnv	H. D. Ladula	ADPR
GESA Initiative	Cynthia Evans	National Cordinator
GESA Initiative	Kenneth Idoho	Logistics
GESA Initiative	Kingsley Eze	Project Cordinator
GESA Initiative	Odeh David	cordinator
Gombe SUBEB	Prof. M. G Dukka	Chairman
Gombe SUBEB	Abubakar U. Dong	DSM
Gombe SUBEB	Usman A. Abba	DPRS
ITMB Plc	Aderemi Apatira	Head
Jigawa SUBEB	Garba G. Makama	Dir. PRS
Jigawa SUBEB	Aishatu Idris	Dir. Schools
Jigawa SUBEB	Uboje Barau	DSM
Kaduna SUBEB	Nasiru Umar	Exe Chairman
Kaduna SUBEB	Halima Mulid Jumau	DSS
Kaduna SUBEB	Saidu N. Komsiri	DPA
Kaduna SUBEB	Ibrahim Aminu	Ag. DDSM
Kaduna SUBEB	Musa Lawal Imam	DPRS
Kano SUBEB	Gaji Abdullahi	Dir Soc Mob
Kano SUBEB	Baffa Sateh	Dir Schools
Kano SUBEB	Mustapha Aminu	DD PRS
Kano SUBEB	Zakari I. Bagrozi	Exe Chairman
Katsina SUBEB	Lawal Buhari	Exe Chairman

Katsina SUBEB	Sada Isa Umar	CEO Com
Katsina SUBEB	Muhd Z. Ibrahim	DSM
Kebbi SUBEB	Ayuba D. Dabair	DPRS
Kebbi SUBEB	Ibrahim Sani Bena	DQA
Kebbi SUBEB	Saniru H. Zamare	DD SM
N SUBEB	Maayrood Sanib	DSS
NAN	Oke Akubuike	Reporter
Nassarawa SUBEB	Saleh M. Abdul	DSM
Nassarawa SUBEB	Isah Salisu	DQA
Nassarawa SUBEB	Otukpo O. Michael	DPRS
Nassarawa SUBEB	Yakubu Ahmed Ubangari	Exe. Sec
Niger SUBEB	Alhassan B. M. Niworu	Chairman
Niger SUBEB	Halidu B. Kangiwa	DSM
OSUN SUBEB	Prince Felix Awofisayo	CHR
OSUN SUBEB	Dr. Yemi Adegoke	DPRS
Oyo SUBEB	Billy T. Ogunjimi	D(SIVI & ICT)
Oyo SUBEB	Adekunle I A	D (PR&I)
Oyo SUBEB	Ladipo Olaide A	DD (SS)
Plateau SUBEB	Sunday Iwusa	Statistician
Plateau SUBEB	Gabriel Ayuba	DDWKS
Plateau SUBEB	Prof M. N Sule	Exe Chairman
Plateau SUBEB	Bulus Izam	DAUA
Sokoto SUBEB	Junaidu Umar J.	DSM
Sokoto SUBEB	Umaru Mohd Yabo	DPRS
Sokoto SUBEB	Abdullahi Adamu	DQA
SUBEB	Garba Darman	DPRS
SUBEB	Aisha N. Isyaku	DPRS
SUBEB	Faruk Sheifu	CHR
SUBEB	Rev. Dr. Philip Tachin	EC
SUBEB	Sanusi Nalavo	Project Manager
SUBEB	Baba Mohammed	DSS

Taraba SUBEB	Mohammed Bashir Suleiman	DPRS
Taraba SUBEB	Monica D. Bukumi	DQA
Taraba SUBEB	Patt T. Kyafa	DSM
Taraba SUBEB	Yakubu Agbaizo	Chairman
UBEC	Usman Aliyu Kaoje	Dir. Special Duties
UBEC	E. Nwainaku	ACCS
UBEC	Ekweogwu Stella	ACAPO
Yobe SUBEB	Yakubu Y. Dokshi	DSS
Yobe SUBEB	Achuji Samaila Balon	DSM
Zamfara SUBEB	Sambo G. Marofa	PM III (Chair)
Zamfara SUBEB	Maryam Y. Shuntali	DPRS
Zamfara SUBEB	Ibrahim Yusuf Gusau	DPE
Zamfara SUBEB	Yusuf Abubakar	DSM

April 27, 2017, Abuja

Formal Consultation on the draft ESSA with Stakeholders from Southern States

Organization	Full Name	Title/Designation
UBEC	Umar Iro	Project Coordinator
Oyo SUBEB	Eniola Lucy Bola	Executive Secretary
Oyo SUBEB	Mr I.A Adekunle	Director PRS
Oyo SUBEB	Mrs O.A Ogunsina	SBMC Desk Officer
Ebonyi SUBEB	High Chief Hyacinth E. Ikpor	Exe Chairman
Ebonyi SUBEB	Engr. Offia Innocent	Head Physical Planning
Ebonyi SUBEB	Mrs. Nnachi Pricilla A.	D. F&A
Ebonyi SUBEB	Oselebe Maria O.	Director Social Mobilization
Ebonyi SUBEB	Eze Cyprian Agwu	Director Quality Assurance
Rivers SUBEB	Ven. Dr. F.N Akah	Exe Chairman
Rivers SUBEB	Emmanuel Ogbubu	Director PRS

Rivers SUBEB	Ibe A. Ogwe	Director Social Mobilization
Rivers SUBEB	Stella Weekse-Pepple	Director Special Project
Rivers SUBEB	Mrs Joy Ojirika	Unit Head EMIS
GESA Initiative	Cynthia Evans	National Coordinator
GESA Initiative	Kenneth Idoko	Executive team
GESA Initiative	Chidiebere Eze	Rivers State Coordinator
GESA Initiative	Odeh David	Ebonyi State Coordinator
PPDC	Magaret Azubuike	Procurement Monitor

Annex IV

Technical Reports and Government Sources

In addition to the laws, policies, and regulations cited in this report, the ESSA has drawn from a range of sources including GoN documents, technical reports, and project documents. This annex lists key sources that were consulted in the preparation of the ESSA.

FMoE. *Education for Change: A Ministerial Strategic Plan 2016-2019*, Draft

The Federal Republic of Nigeria in partnership with the EU, UN and World Bank. *North-East Nigeria Recovery and Peace Building Assessment*. 2015

World Bank. *Governance and Finance Analysis of the Basic Education Sector in Nigeria*. September 2015

Saving One Million Lives PforR, Environmental and Social System Assessment, March 2015

Nigeria Partnership for Education Project, Environmental and Social Management Framework. January 2014

State Education Sector Project, Environmental and Social Management Framework. October 2006

Professor Jibrin Ibrahim, Senior Fellow, Center for Democracy and Development, Abuja. *Conflict Analysis for Kaduna State: 2015 to 2017*. February 2017

International Crisis Group. *Northern Nigeria: Background To Conflict, Africa Report N°168*. 20 December 2010

ANNEX V

Environmental Guidelines for Civil Work Contracts

The contractors are required to use environmentally acceptable technical standards and procedures during the implementation of construction of works. All construction contracts will contain the following requirements:

- Take precautions against negative influence on environment, any environmental damage or loss through prevention or suppression measures (where it is possible) instead of liquidation or mitigation of negative consequences.
- Observe all national and local laws and rules on environmental protection. Identify officers responsible for the implementation of activities on environmental protection conforming to instructions and directions received from the construction and design or environmental protection agencies.
- Store and dispose of construction waste consistent with national regulations and the sub-project (site-specific) EMP
- Minimize dust emission to avoid or minimize negative consequences influencing air quality.
- Provide pedestrian crossing and roads and access to the public places.
- Provide markets with light and transient roundabout connections to assure safety and convenience.
- Prevent or minimize vibration and noise from vehicles during explosive activities.
- Minimize damages and assure vegetation recovery.
- Protect surface and underground water from soil pollution. Assure water collection and distribution.

Safeguards Procedures for Inclusion in the Technical Specifications of Contracts (for rehabilitation/repairs activities)

I. General

The Contractor and his employees shall adhere to the mitigation measures set down and take all other measures required by the Engineer to prevent harm, and to minimize the impact of his operations on the environment.

Remedial actions which cannot be effectively carried out during construction should be carried out on completion of each subproject and before issuance of the “Taking over certificate”:

- these subproject locations should be landscaped and any necessary remedial works should be undertaken without delay, including grassing and reforestation;
- water courses should be cleared of debris and drains and culverts checked for clear flow paths; and

- borrow pits should be dressed as fish ponds, or drained and made safe, as agreed with the land owner.
- The Contractor shall limit construction works to between 6 am and 7 pm if it is to be carried out in or near residential areas.
- The Contractor shall avoid the use of heavy or noisy equipment in specified areas at night, or in sensitive areas such as near a hospital.
- To prevent dust pollution during dry periods, the Contractor shall carry out regular watering of earth and gravel haul roads and shall cover material haulage trucks with tarpaulins to prevent spillage.
- To avoid disease caused by inadequate provision of water and sanitation services, environmentally appropriate site selection led by application of the environmental and social screening form provided in this ESSAF, design and construction guidance, and a procedure for ensuring that this guidance is followed before construction is approved. Ensure engineering designs include adequate sanitary latrines and access to safe water.
- To prevent unsustainable use of timber and wood-firing of bricks, the contractor should replace timber beams with concrete where structurally possible. In addition, the contractor should ensure fired bricks are not wood-fired. Where technically and economically feasible, substitute fired bricks with alternatives, such as sun-dried mud bricks, compressed earth bricks, or rammed earth construction.
- The Contractor shall conduct appropriate disposal of waste materials and the protection of the workforce in the event of asbestos removal or that of other toxic materials.

Prohibitions

- The following activities are prohibited on or near the project site:
 - Cutting of trees for any reason outside the approved construction area;
 - Hunting, fishing, wildlife capture, or plant collection;
 - Use of unapproved toxic materials, including lead-based paints, asbestos, etc.
 - Disturbance to anything with architectural or historical value;
 - Building of fires;
 - Use of firearms (except authorized security guards);

II. Transport

- The Contractor shall use selected routes to the project site, as agreed with the Engineer, and appropriately sized vehicles suitable to the class of road, and shall restrict loads to prevent damage to roads and bridges used for transportation purposes. The Contractor shall be held responsible for any damage caused to the roads and bridges due to the transportation of excessive loads, and shall be required to repair such damage to the approval of the Engineer.
- The Contractor shall not use any vehicles, either on or off road with grossly excessive, exhaust or noise emissions. In any built up areas, noise mufflers shall be installed and maintained in good condition on all motorized equipment under the control of the Contractor.

- Adequate traffic control measures shall be maintained by the Contractor throughout the duration of the Contract and such measures shall be subject to prior approval of the Engineer.

III. Workforce

- The Contractor should whenever possible locally recruit the majority of the workforce and shall provide appropriate training as necessary.
- The Contractor shall install and maintain a temporary septic tank system for any residential labor camp and without causing pollution of nearby watercourses.
- The Contractor shall establish a method and system for storing and disposing of all solid wastes generated by the labor camp and/or base camp.
- The Contractor shall not allow the use of fuel wood for cooking or heating in any labor camp or base camp and provide alternate facilities using other fuels.
- The Contractor shall ensure that site offices, depots, asphalt plants and workshops are located in appropriate areas as approved by the Engineer and not within 500 meters of existing residential settlements and not within 1,000 meters for asphalt plants.
- The Contractor shall ensure that site offices, depots and particularly storage areas for diesel fuel and bitumen and asphalt plants are not located within 500 meters of watercourses, and are operated so that no pollutants enter watercourses, either overland or through groundwater seepage, especially during periods of rain. This will require lubricants to be recycled and a ditch to be constructed around the area with an approved settling pond/oil trap at the outlet.
- The Contractor shall not use fuel wood as a means of heating during the processing or preparation of any materials forming part of the Works.
- The Contractor shall conduct safety training for construction workers prior to beginning work. Material Safety Data Sheets should be posted for each chemical present on the worksite.
- The Contractor shall provide personal protective equipment (PPE) and clothing (goggles, gloves, respirators, dust masks, hard hats, steel-toed and –shanked boots, etc.) for construction and pesticide handling work. Use of PPE should be enforced.

IV. Quarries and Borrow Pits

- Operation of a new borrow area, on land, in a river, or in an existing area, shall be subject to prior approval of the Engineer, and the operation shall cease if so instructed by the Engineer. Borrow pits shall be prohibited where they might interfere with the natural or designed drainage patterns. River locations shall be prohibited if they might undermine or damage the river banks, or carry too much fine material downstream.
- The Contractor shall ensure that all borrow pits used are left in a trim and tidy condition with stable side slopes, and are drained ensuring that no stagnant water bodies are created which could breed mosquitoes.
- Rock or gravel taken from a river shall be far enough removed to limit the depth of material removed to one-tenth of the width of the river at any one location, and not to disrupt the river flow, or damage or undermine the river banks.

- The location of crushing plants shall be subject to the approval of the Engineer, and not be close to environmentally sensitive areas or to existing residential settlements, and shall be operated with approved fitted dust control devices.

V. Earthworks

- Earthworks shall be properly controlled, especially during the rainy season.
- The Contractor shall maintain stable cut and fill slopes at all times and cause the least possible disturbance to areas outside the prescribed limits of the work.
- The Contractor shall complete cut and fill operations to final cross-sections at any one location as soon as possible and preferably in one continuous operation to avoid partially completed earthworks, especially during the rainy season.
- In order to protect any cut or fill slopes from erosion, in accordance with the drawings, cut off drains and toe-drains shall be provided at the top and bottom of slopes and be planted with grass or other plant cover. Cut off drains should be provided above high cuts to minimize water runoff and slope erosion.
- Any excavated cut or unsuitable material shall be disposed of in designated tipping areas as agreed to by the Engineer.
- Tips should not be located where they can cause future slides, interfere with agricultural land or any other properties, or cause soil from the dump to be washed into any watercourse. Drains may need to be dug within and around the tips, as directed by the Engineer.

VI. Historical and Archeological Sites

- If the Contractor discovers archeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the Contractor shall:
- Stop the construction activities in the area of the chance find.
- Delineate the discovered site or area.
- Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible local authorities take over.
- Notify the supervisory Engineer who in turn will notify the responsible local authorities and the Ministry of Culture, Youth and Sports immediately (less than 24 hours).
- Contact the responsible local authorities and the Ministry of Information, Culture and Communication who would be in charge of protecting and preserving the site before deciding on the proper procedures to be carried out. This would require a preliminary evaluation of the findings to be performed by the archeologists of the relevant Ministry of Information, Culture and Communication (within 72 hours). The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, including the aesthetic, historic, scientific or research, social and economic values.
- Ensure that decisions on how to handle the finding be taken by the responsible authorities and the Ministry of Information, Culture and Communication. This could include changes in the layout (such as when the finding is an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage.

- Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the Ministry of Information, Culture and Communication; and
- Construction work will resume only after authorization is given by the responsible local authorities and the Ministry of Information, Culture and Communication concerning the safeguard of the heritage.

VII. Disposal of Construction and Vehicle Waste

- Debris generated due to the dismantling of the existing structures shall be suitably reused, to the extent feasible, in the proposed construction (e.g. as fill materials for embankments). The disposal of remaining debris shall be carried out only at sites identified and approved by the project engineer. The contractor should ensure that these sites: (i) are not located within designated forest areas; (ii) do not impact natural drainage courses; and (iii) do not impact endangered/rare flora. Under no circumstances shall the contractor dispose of any material in environmentally sensitive areas.
- In the event any debris or silt from the sites is deposited on adjacent land, the Contractor shall immediately remove such, debris or silt and restore the affected area to its original state to the satisfaction of the Supervisor/Engineer.
- Bentonite slurry or similar debris generated from pile driving or other construction activities shall be disposed of to avoid overflow into the surface water bodies or form mud puddles in the area.
- All arrangements for transportation during construction including provision, maintenance, dismantling and clearing debris, where necessary, will be considered incidental to the work and should be planned and implemented by the contractor as approved and directed by the Engineer.
- Vehicle/machinery and equipment operations, maintenance and refueling shall be carried out to avoid spillage of fuels and lubricants and ground contamination. An oil interceptor will be provided for wash down and refueling areas. Fuel storage shall be located in proper bounded areas.
- All spills and collected petroleum products shall be disposed of in accordance with standard environmental procedures/guidelines. Fuel storage and refilling areas shall be located at least 300m from all cross drainage structures and important water bodies or as directed by the Engineer.

Annex VI

Protocols Principles for Managing Debris Resulting from Rehabilitation of Buildings

The program is not expected to have any large-scale, significant and/or irreversible impacts. This annex depicts Principles for Managing Debris Resulting from Rehabilitation of Buildings. All of these mitigation measures will be incorporated into the design of the project.

Rehabilitation of existing Buildings: Rehabilitation and refurbishment of existing buildings, including laboratories will be financed through the BESDA program. The adverse impacts during rehabilitation would include dust and noise emissions, generation of construction waste, disturbance of traffic, and discharge of untreated sewage. Others include sources of construction wastes such as: waste wood, concrete rubble and tiles, asbestos materials, Paints, Pesticides, PCBs, excavated soil piles and demolition debris, planks, empty cement and plastic bags, etc. These adverse impacts will be mitigated by including in the construction contract a clause regarding observation of standards for good construction practices.

This waste management protocol will follow the standard principles of waste management consistent with the policies and regulations for Debris and Construction Waste Management in Nigeria. The steps shall involve waste minimization, collection, segregation, recycling, and disposal to approved dumpsites.

The protocol for debris and construction waste management is a requirement that is aptly contained in the construction contract agreements for sustainable construction project implementation in Nigeria. The responsibility for waste management is that of the developer or project proponent. In a situation where the proponent carries out the construction work through contracting, the responsibility for compliance to the protocols/standards in debris waste management is transferred to the contractor by the proponent and is regulated through the contract agreement, while the proponent monitors the implementation to ensure that the contractor complies fully to the waste management obligations.

The protocols are presented as follows:

1) General

- Contractor shall implement all measures necessary to avoid undesirable adverse environmental and social impacts wherever possible, restore work sites to acceptable standards, and abide by any environmental performance requirements specified in an Environmental management plan or in the environmental clause of the contract. In general these measures include but not be limited to:
- Minimize the effect of dust on the surrounding environment resulting from earth mixing sites, asphalt mixing sites, dispersing coal ashes, vibrating equipment, temporary access roads, etc. to ensure safety, health and the protection of workers and communities living in the vicinity of dust producing activities.

- There should be adequate number of garbage bins and containers made available at strategic areas of the site. The use of plastic bin liners should be encouraged.
- Solids, sludge and other pollutants generated as a result of construction or those removed during the course of treatment or control of wastewaters will be disposed of in a manner that prevents their direct or indirect re-entry into any watercourse or ground waters.
- Any waste material that is inadvertently disposed in or adjacent to watercourses will be removed immediately in a manner that minimizes adverse impacts, and the original drainage pattern should be restored original drainage pattern should be restored.

2) Campsite Waste Management

- All vessels (drums, containers, bags, etc.) containing oil/fuel/surfacing materials and other hazardous chemicals shall be banded in order to contain spillage. All waste containers, litter and any other waste generated during the construction shall be collected and disposed off at designated disposal sites in line with applicable government waste management regulations.
- All drainage and effluent from storage areas, workshops and camp sites shall be captured and treated before being discharged into the drainage system in line with applicable government water pollution control regulations.
- Used oil from maintenance shall be collected and disposed off appropriately at designated sites or be re-used or sold for re-use locally.
- Entry of runoff to the site shall be restricted by constructing diversion channels or holding structures such as banks, drains, dams, etc. to reduce the potential of soil erosion and water pollution.
- Construction waste shall not be left in stockpiles along the road, but removed and reused or disposed of on a daily basis.
- If disposal sites for clean spoil are necessary, they shall be located in areas, approved by the SE, of low land use value and where they will not result in material being easily washed into drainage channels. Whenever possible, spoil materials should be placed in low-lying areas and should be compacted and planted with species indigenous to the locality.

3) New extraction sites

- Shall not be located in the vicinity of settlement areas, cultural sites, wetlands or any other valued ecosystem component, or on high or steep ground or in areas of high scenic value, and shall not be located less than 1km from such areas.
- Shall not be located adjacent to stream channels wherever possible to avoid siltation of river channels. Where they are located near water sources, borrow pits and perimeter drains shall surround quarry sites.

- Shall not be located in archaeological areas. Excavations in the vicinity of such areas shall proceed with great caution and shall be done in the presence of government authorities having a mandate for their protection.
- Shall not be located in forest reserves. However, where there are no other alternatives, permission shall be obtained from the appropriate authorities and an environmental impact study shall be conducted.
- Shall be easily rehabilitated. Areas with minimal vegetation cover such as flat and bare ground, or areas covered with grass only or covered with shrubs less than 1.5m in height, are preferred.
- Shall have clearly demarcated and marked boundaries to minimize vegetation clearing.
- Stockpile areas shall be located in areas where trees can act as buffers to prevent dust pollution. Perimeter drains shall be built around stockpile areas. Sediment and other pollutant traps shall be located at drainage exits from workings.
- The Contractor shall deposit any excess material in accordance with the principles of these general conditions, and any applicable ESMP, in areas approved by local authorities and/or the SE.

4) Rehabilitation and Soil Erosion Prevention

- To the extent practicable, the Contractor shall rehabilitate the site progressively so that the rate of rehabilitation is similar to the rate of construction.
- Always remove and retain topsoil for subsequent rehabilitation. Soils shall not be stripped when they are wet as this can lead to soil compaction and loss of structure.
- Topsoil shall not be stored in large heaps. Low mounds of no more than 1 to 2m high are recommended.
- Revegetate stockpiles to protect the soil from erosion, discourage weeds and maintain an active population of beneficial soil microbes.
- Locate stockpiles where they will not be disturbed by future construction activities.
- To the extent practicable, reinstate natural drainage patterns where they have been altered or impaired.
- Remove toxic materials and dispose of them in designated sites. Backfill excavated areas with soils or overburden that is free of foreign material that could pollute groundwater and soil.
- Identify potentially toxic overburden and screen with suitable material to prevent mobilization of toxins.
- Ensure reshaped land is formed so as to be inherently stable, adequately drained and suitable for the desired long-term land use, and allow natural regeneration of vegetation.

- Compacted surfaces shall be deep ripped to relieve compaction unless subsurface conditions dictate otherwise.
- Revegetate with plant species that will control erosion, provide vegetative diversity and, through succession, contribute to a resilient ecosystem. The choice of plant species for rehabilitation shall be done in consultation with local research institutions, forest department and the local people.

5) Water Resources Management

- The Contractor shall avoid conflicting with water demands of local communities.
- Abstraction of both surface and underground water shall only be done with the consultation of the local community and after obtaining a permit from the relevant Water Authority.
- Abstraction of water from wetlands shall be avoided. Where necessary, authority has to be obtained from relevant authorities.
- No construction water containing spoils or site effluent, especially cement and oil, shall be allowed to flow into natural water drainage courses.

6) Blasting & Quarrying

- Blasting activities shall not take place less than 2km from settlement areas, cultural sites, or wetlands without the permission of the SE.
- Blasting activities shall be done during working hours, and local communities shall be consulted on the proposed blasting times.
- Contractor shall obtain appropriate licenses/permits from relevant authorities to operate quarries or borrow areas.
- The location of quarries and borrow areas shall be subject to approval by relevant local and national authorities, including traditional authorities if the land on which the quarry or borrow areas fall in traditional land.

7) Disposal of Unusable Elements

- Unusable materials and construction elements such as electro-mechanical equipment, pipes, accessories and demolished structures will be disposed of in a manner approved by the SE. The Contractor has to agree with the SE which elements are to be surrendered to the Client's premises, which will be recycled or reused, and which will be disposed of at approved landfill sites.
- Unsuitable and demolished elements shall be dismantled to a size fitting on ordinary trucks for transport.

Table 1: Summary of types of construction and demolition wastes and procedures for their management

S/N	Type of Waste	Principle for Recycling Disposal Method
1	<i>Site Clearing and dredging materials</i> – These are materials or objects that are displaced during the preparation of a construction or demolition site. They include vegetation stripping, trees & tree stumps, rubble, dirt, rocks and excavated soil piles	<p>1) Minimize/reduce waste by planning and sticking to appropriate engineering design and specification such as the size of land area to be cleared and depth of earth to be excavated.</p> <p>2) Re-use soil materials for backfilling and wood as materials for construction</p> <p>3) non-recyclable should be separated and regularly disposed in approved dumpsites</p>
2	<i>Building material waste</i> - insulation, nails, electrical wiring, rebar, wood, plaster, scrap metal, cement, and bricks, Concrete, asphalt and waste tiles	These materials may be damaged or unused, but can be recycled or reused in other forms. Waste wood can be recovered and recycled into wood for new building projects. Cement, bricks, plaster and asphalt can be crushed and reused as aggregate materials in other construction or building projects.
3	<i>Electronic wastes and Aluminum materials</i> – desktop computer, television, mobile devices, air conditioners, rail	Electronic wastes and aluminum materials shall be recycled after dismantling and crushing;
4	Timber and Furniture from Buildings	Re-use materials or recycle as appropriate. Potential usages include: 1) particle board, charcoal, papermaking material; 2) use as fueling cement kilns; 3) energy recovery from incineration
5	<i>Hazardous waste</i> – such as Asbestos-containing buildings materials (roofs and ceilings); paints, PCB, lead, pesticides, batteries, insulated materials for asbestos, etc	<p>1) Controlled management undertaken as necessary for each type of waste.</p> <p>2) An inspection of building materials for the presence of asbestos and lead hazards must be conducted prior to initiating renovation and demolition.</p> <p>3) Handling of hazardous wastes must follow proper procedures regarding collection, storage, transportation and disposal in approved landfill</p>
6	Waste water, Waste oil, lubricant, sludge	<p>1) Ensure effluent collection measures and treatment of effluent before discharging into sewage system</p> <p>2) Establish and enforce daily site clean-up</p>

		<p>procedures, including maintenance of disposal facilities for construction debris.</p> <p>3) Ensure that all equipment maintenance activities, including oil changes, are conducted within demarcated maintenance areas designated for such.</p> <p>4) Ensure that oil or other lubricants are never dumped on the ground, in designated areas.</p>
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Annex VII

AN OVERVIEW OF THE UBEC MINIMUM STANDARDS FOR INFRASTRUCTURAL DEVELOPMENT

The UBEC Minimum standards for Infrastructural development are technical guidelines developed in line with international best practices to guide the SUBEBs in the preparation of their Action Plans for proposed infrastructural development in Basic Education schools. The Infrastructural Development programme involves mainly the following:

- The addition of new facilities
- The renovation of existing facilities in bad condition.
- The construction of completely new schools based on new site plans.
- The construction and supply of furniture items.
- The provision of drinking water.
- It is expected that all infrastructural development programme are based on a definite layout (i.e. either existing or new). The SUBEBs are expected to comply with the following technical guidelines as the minimum requirement during the project design of their Infrastructural development.

- 1.0 SPACE NORMS: For some major facilities in schools based on maximum number of 40 pupils per classrooms
- 1.1 Mandatory area per pupil including circulation for classroom = 1.4m^2 therefore size of classroom for 40 pupils = $1.4 \times 40 = 56.0\text{ m}^2$ e.g. 7.0 x 8.0 metres size of classrooms
- 1.2 Mandatory area per reader for library = 3.0m^2 and for a whole class of 40 pupils therefore, size of library = $3.0\text{m}^2 \times 40 = 120.0\text{m}^2$ e.g. 10 x 12 metres size of library
- 1.3 Mandatory area per pupil for laboratories and workshops = 3.5 m^2 and for a whole class of 40 pupils = $3.5\text{m}^2 \times 40 = 140\text{m}^2$ e.g. 10 x 14 metres size of workshop or laboratory
- 1.4 Provide two ventilated pit latrines for every 40 pupils in rural and semi urban schools assuming an equal number of boys and girls. Allow 0.12m^2 per pupil in an urban school where water system is feasible.
- 1.5 Administrative spaces
 - (a) Head teachers office = 24.0m^2
 - (b) Assistant Head teacher = 18.0m^2
 - (c) General store = 24.0m^2
 - (d) Staff Room = 4.0m^2 per staff
 - (e) First Aid Room = 18.0m^2

NOTE: Above space norms did not take care of ECCE

1.6 TABLE OF SPECIFICATIONS

S/N	ELEMENT	MINIMUM SPECIFICATION	SPECIAL CASES	REMARKS
1	FOUNDATION	Combination of strip foundation with pad foundation	Reinforced strip foundation (Ground beams) Raft or short piles for soils with low bearing capacity or water logged areas	
2	DPC	150mm Mass Concrete With BRC wire mesh		
3	WALLS (LOAD BEARING)	High quality 225mm sandcrete Blocks		
4	COLUMNS	225 x 225mm Reinforced concrete (1:2:4)		
5	BEAMS	225 x 225mm Reinforced concrete (1:2:4)		
6	SLABS	150mm Reinforced concrete (1:2:4)		
7	ROOF TRUSSES	Well seasoned timber	For larger span use steel members	
8	ROOF SLOPE	30 Degrees		
9	ROOF COVERING	0.55mm oven-baked long span aluminum or 0.35mm alu-zinc		

10	ROOF EAVES	900mm correctly oriented and hidden from the direction of the windstorm		
11	ROOF TYPES	Hipped roof (mansard roofs) or symmetrical roofs with adequate eaves		
12	CEILING	Hardboard	For termite infested areas use PVC ceiling	
13	DOORS/WINDOWS	18 gauge metal doors/windows purpose made		
14	FLOORING	32mm terrazzo floors		
15	SHOULDERS	600mm in Mass concrete round the building		
16	PAINTS	High quality paint selected from single source for uniformity		
17	BLACK BOARDS	High quality plywood but		

		strongly recommending the use of magnetic boards		
18	FURNITURE ITEMS	<p>All constructed or renovated classrooms should be provided with furniture items.</p> <p>2-seater pupil desk for primary schools, single seaters with round tables for ECCE and single seater for JSS.</p> <p>Materials for furniture items can be hard wood only or combination of wood/metal or plastic.</p> <p>For ECCE furniture plastic is strongly recommended</p>		

1.7 External Works

External works must be provided at each site depending on the peculiarity of the site e.g. storm water drainage, landscaping, walkways etc.

1.8 SERVICES

1.8.1 ELECTRICITY

- Artificial lighting should be used as the minimum standard since school hours are during day time however in situations where the artificial lighting is not encouraging, the lighting should be limited to approximately 100 watts per 56.0m² for all rooms except the library, special rooms and covered walkways should have more than the 100 watts.
- At least two 15A sockets outlets should be provided in every learning space to cater for present and future electronic visual-aids etc.
- Ventilation should be purely by natural means and not ceiling fans etc. The openings must be at least 1/3 of the floor area approximately.

1.8.2 WATER SUPPLY

- Urban schools are to be connected with metropolitan water mains
- Semi-urban and rural schools are to be provided with deep wells or boreholes. The construction of boreholes must be preceded with geophysical survey of the locations of the proposed boreholes.

1.8.3 WASTE DISPOSAL

- Each school should have a designed waste collection or disposal point. In addition an incinerator is to be constructed for each schools based on the availability of funds.

18.4 FIRE FIGHTING EQUIPMENT

- Smoke detectors with fire extinguishers should be provided for some facilities e.g. laboratories, workshops, dining halls, classrooms (especially storey buildings), hostel blocks etc.