



**THE IPF COMPONENT OF THE BANGLADESH TRANSFORMING  
SECONDARY EDUCATION FOR RESULTS PROGRAM**

**Government of the People's Republic of Bangladesh**

**Tribal Peoples Planning Framework (TPPF)**

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**MINISTRY OF EDUCATION**

**Government of the People's Republic of Bangladesh**

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## ACRONYMS AND ABBREVIATIONS

|              |   |
|--------------|---|
| ADB          | - Asian Development Bank  |
| CHT          | - Chittagong Hill Tract   |
| CHTRC or RC  | - Chittagong Hill Tracts Regional Council                           |
| DLI          | - Disbursement-linked indicator                                     |
| DoE          | - Department of Environment   |
| DP           | - Development Partners  |
| DPHE         | - Department of Public Health Engineering                           |
| DSHE         | - Directorate of Secondary and Higher Education                     |
| EA           | - Environmental Assessment  |
| ECA          | - Environmental Conservation Act                                    |
| ECC          | - Environmental Clearance Certificate                               |
| ECR          | - Environment Conservation Rules                                    |
| ESSA         | - Environmental and Social Systems Assessment                       |
| GoB          | - Government of Bangladesh  |
| GRC          | - Grievance Redress Committee                                       |
| HDC          | - Hill District Council   |
| IP           | - Indigenous Peoples  |
| MoCHTA       | - Ministry of CHT Affairs   |
| MoE          | - Ministry of Education   |
| PAP          | - Program Action Plan   |
| PCJSS or JSS | - Parbatya Chattagram Jana Sanghati Samity                          |
| PDO          | - Program Development Objective                                     |
| PforR        | - Program-for-Results   |
| SDGs         | - Sustainable Development Goals                                     |
| TP           | - Tribal Peoples  |
| TPP          | - Tribal Peoples' Plan  |
| TPPF         | - Tribal Peoples Planning Framework                                 |
| SEDP         | - Secondary Education Development Program                           |
| SEQAEP       | - Secondary Education School Quality and Access Enhancement Project |
| WB           | - World Bank  |
| WSS          | - Water Supply and Sanitation                                       |

### Bangla Term

|                  |                                    |
|------------------|------------------------------------|
| Upazila          | - Sub-district administrative area |
| Upazila Parishad | - Sub-district administrative unit |

## 1. Background

As Bangladesh aspires to move up the value chain and become a middle-income country (MIC), there has to be significant gains in quality and relevance of skills imparted by the secondary education system (both for higher level of education and better jobs in an expanding workforce). Each year, 1.3 million youth join the labor market, but in the face of what is required for the country to reach MIC status, the current composition of the labor force is inadequate. It is under-educated – less than 25% of the 57 million workers in the domestic labor market have secondary education – and 89% of workers are in the informal market. To foster skills-led economic growth via diversification of economic activities, increasing the pool of medium- to high- skilled workforce is critical.

A decade ago, in 2005, World Bank’s engagement in the Bangladesh education portfolio focused primarily on increasing access to primary and secondary schools and innovations to improve the quality of school education. Over the past decade, the Bank has supported second-generation reform programs in primary and secondary education, and responded to client demand for post-secondary education—higher education and skills development. The Bank’s support in secondary education started with the pioneering female secondary school stipends programs (1993-1999, 2002-2007) that have resulted in dramatic increase in girls’ enrolment in the sub-sector. Building on the earlier successful secondary education female stipends projects that have helped achieve gender parity at secondary level, the current Bank financed Secondary Education Quality and Access Enhancement Project (SEQAEP: 2008-2017, IDA US\$396 million) introduced a second-generation stipends program where the former gender-targeted stipend scheme was revised as poverty-targeted stipends – using the Proxy Means Testing (PMT) selection method - to target the neediest group of children for improving their access to and retention in secondary education and currently benefits 2 million students annually. Importantly, SEQAEP has also piloted a number of innovative quality improvement interventions. These include: (i) provision of books, facilitators and technical support to schools to enhance reading habit and skills, currently benefiting more than 2 million student readers in 12,000 secondary institutions; (ii) provision of additional teachers in English, mathematics and science in 1500 targeted schools; and (iii) provision of performance-based incentives/grants to students, teachers and schools covering 12,000 secondary institutions. These three pilots have gone through refinements during the project period and have the potential for expansion nationally<sup>1</sup>. SEQAEP project’s geographic coverage has been limited to less than half of the country’s geography and interventions have been largely on access and less on large-scale quality enhancement or on sub-sector’s system delivery and efficiency in the absence of a common sector program.

As a result, despite remarkable achievements in gender parity in secondary education level through a combination of supply side (in terms of increased number of schools and teachers) and demand-side (female stipends program), continued partnership between the Government and non-government providers, subsequent move towards a pro-poor targeting and piloting of quality enhancing interventions, much remains to be done on student learning and system strengthening at this sub-sector.

The proposed Program is well aligned with the World Bank Group’s Country Partnership Framework (FY2016–2020). Specifically, the Program supports the Country Partnership Framework objective 2.1, which focuses on improved equity in access, quality, and relevance in education. Consistent with the

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<sup>1</sup> Additional Teachers in English, mathematics and science pilot and developing the reading habit pilot are being impact-evaluated and the findings are expected to be available by end of this calendar year.

National Education Policy (2010), the Seventh Five Year Plan (2016-20) and Sustainable Development Goals 4, the proposed program will focus on quality and results. The proposed program also draws upon lessons learned from the World Bank's engagement in the country's education programs but also on the recommendations provided in the most recent analytical sector work carried out by the Bank "Education Sector Review - Seeding Fertile Ground: Education That Works for Bangladesh (ESR 2013)" and strategic goals described in the draft Bangladesh Education Strategy Note (2016).

The proposed sector program through a Program-for-Results (PforR) modality would be an opportunity to bring all the to-date parallel project activities by various Development Partners into an integrated implementation and policy structure. The Bank's positive experience in the primary education sector wide approach through a DLI-based IPF instrument will be a value-added engagement as the Bank supports the design and implementation of the secondary sector program.

## **2. Program Description**

The proposed operation consists of two components: (i) a Program for Results (PforR) component to support the government's harmonized secondary education sector program; (ii) a Technical Assistance Facility component that aims to strengthen the capacity of Ministry of Education (MOE) and other implementing agencies and provide support facility for achieving the results in the priority areas. The Government's Secondary Education Development Program (SEDP) will be implemented over the course of five years from the financial year (FY) 2017/18 to FY 2021/22, and it will cover Grades 6-12, annually supporting more than 12 million students and 357,000 teachers from more than 20,300 general schools, 9,400 madrasahs and 1,190 school-based vocational/technical institutions across the country. SEDP spans the entire activities of MOE excluding those for higher education (post Grade 12), technical and vocational education and training under the Directorate of Technical Education (DTE) and Bangladesh Technical Education Board (BTEB). The following preliminary Results Areas have been identified for this component:

- Result Area 1: Enhanced quality of secondary education
- Result Area 2: Increased equitable access and retention
- Result Area 3: Strengthened Governance and Management

The proposed Program Development Objective is to improve student outcomes in secondary education and the effectiveness of the secondary education system. (Student outcomes refer to retention, completion and learning levels).

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A subset of the SEDP interventions, outputs, and outcome across the three results areas is chosen as the DLIs.

**Table 1. Results Areas and DLIs**

| <b>Results Area</b>                                     | <b>Potential DLIs</b>  |
|---|--|
| Results Area 1: Enhanced quality of secondary education | <ol style="list-style-type: none"> <li>1. Effective and relevant curriculum in place</li> <li>2. A national assessment and examination quality assurance system in place</li> <li>3. Improved teaching/learning in Bangla, English, Mathematics and Science</li> <li>4. Improved teacher management and accountability</li> <li>5. Improved secondary level institution management accountability</li> </ol> |
| Results Area 2: Improved equitable access and retention | <ol style="list-style-type: none"> <li>6. Improved grade retention and cycle completion for disadvantaged students</li> <li>7. Enhanced cycle completion rate for girls</li> </ol>   |
| Results Area 3: Strengthened governance and management  | <ol style="list-style-type: none"> <li>8. Institutional capacity strengthened</li> <li>9. Enhanced fiduciary management and Data Systems</li> </ol>  |

SEDP will be financed primarily from Government sources, with support from development partners, including the World Bank and ADB. The World Bank Operation is clustered around three SEDP results areas under the PforR component (US\$490 million) and a separate Technical Assistance Facility (TAF, US\$20 million) using the Investment Project Financing (IPF) instrument (US\$10 million from IDA and US\$10 from GFF). This Tribal People’s Policy Framework (TPPF) pertains to the Technical Assistance (TA) component of the program which will be supported through an Investment Project Financing (IPF) instrument. A total amount of US\$20 million (US\$10 million from IDA and US\$10 million from GFF) will be allocated towards the TA component.

### **3. Project location and Implementation Arrangements**

The project (TA component) is expected to be spread all over the country. Technical Assistance Facility would primarily include provision and utilization of services, skills, knowledge and technology in the form of short-term and long-term advisors and consultants, consulting firms and non-consulting agencies to support and strengthen the capacity of the program implementation and deliver results. Therefore, no significant, long term adverse social impacts are anticipated from the interventions/activities of TA. No lands are to be secured as the interventions are exclusively ‘services’ oriented and devoid of civil works. However, the project is spread across the country and the interventions could take place in the tribal areas. While no adverse impacts on tribal people is expected, project interventions have been designed such as to ensure ‘inclusion’ of tribal communities.

The earlier projects in secondary education sector (SEQAEP and SEQAEP AF’s) had an effective implementation arrangement, an achievement of MoE along with the assistance of IDA and other development partners. The SEDP-TA due to be implemented from FY 2017/18 to FY 2021/22 will use the government system for program implementation, oversight, financial management (FM), procurement, safeguards, monitoring and evaluation (M&E), and reporting arrangements. The MOE/Secondary and Higher Education Division will serve as the executing agency (EA) and will have overall responsibility for policy guidance, coordination and oversight for program implementation. A Program Coordination Unit (PCU) headed by Additional Secretary will be established under the

MOE/Secondary and Higher Education Division, with representatives from the Technical Education and Madrasah Division. DSHE is the main implementing agency and will be responsible for overall implementation and coordination of the SEDP activities across the DSHE and other implementing agencies with support from the Program Support Unit. An Inter-Ministerial Program Steering Committee (IPSC) will be established to oversee the coordination, monitoring, and implementation of the SEDP. A Program Coordination Unit (PCU) headed by Additional Secretary (Development-MOE) will be established under the MOE/Secondary and Higher Education Division, with representatives from the Technical Education and Madrasah Division. It will mainly be responsible for: (a) coordinating the preparation of an integrated Annual Operation Plan (AOP), including budget covering program and activities of DSHE and other associated implementing agencies (AIA) or co-implementing agencies (CIA)<sup>2</sup> under MOE; (b) coordinating all development partner financing in secondary education; (c) conducting annual reviews on program progress; and (d) reporting to the Inter-Ministerial Program Steering Committee. This unit will be headed by the Additional Secretary, and include two deputed staff, and two consultants.

DSHE with DG DSHE as a Program Director be the main implementing agency (IA) and primarily responsible for: (a) planning, budgeting, program implementation and monitoring and evaluation, with support of AIA/CIA; (b) supporting AIA/CIA in program activities delivery at the field level; and (c) undertaking procurement and financial management. The SEDP Implementing Committee (IC), with representation from the Madrasah Board and the Madrasah Education Directorate under the DSHE will be responsible for overall implementation and coordination of the SEDP activities across the DSHE and AIA/CIA. Zonal Offices, District Education Offices, and Upazila Secondary Education Offices (USEOs) will execute the program at field level and report to the DSHE. The USEOs will support SMC/MMC/Governing body and PTA in carrying out school-level activities.

#### **4. Scopes and Objectives of the Tribal Peoples Planning Framework (TPPF)**

The TA component will not finance any civil construction works and consequently World Bank's OP 4.12 on Involuntary Resettlement is not triggered. The World Bank's OP 4.10 on Indigenous/Tribal Peoples, which is triggered for the project, stipulates that SEDP planned and implemented in areas inhabited by TPs, should ensure that they are not adversely affected, and that they receive culturally compatible social and economic benefits. This TPPF is thus prepared for the purpose of clarification of the objectives that MoE will require to take in compliance of the OP 4.10:

- Screen all development interventions to determine presence of TPs and, if so, ensure their direct participation in selection, design and implementation of the project's activities;
- Adopt socially and culturally appropriate measures to mitigate the unavoidable adverse impacts; and
- Wherever feasible, adopt special measures – in addition to those for impact mitigation – to reinforce and promote any available opportunities for socioeconomic development of the affected TP communities.

#### **5. Defining The 'Tribal Peoples' under the SEDP**

The terminology 'tribal peoples' in the case of SEDP, will mean 'indigenous peoples' as defined in the World Bank's OP 4.10 on the Indigenous Peoples. However, tribal peoples are found to live in varied

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<sup>2</sup> ADB's SESIP program uses the word co-implementing agency (CIA) where as for the purpose of PforR, they will be considered as central/regional associated implementing agencies (AIA).



and changing contexts and hence, no single definition can capture their diversity. As such, MoE will use the World Bank's guidelines to identify TPs in particular geographic areas by examining the following characteristics:

- Self-identification as members of a distinct tribal cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- A tribal language, often different from the official language of the country or region.

## **6. Tribal Peoples in Bangladesh**

Bangladesh is by and large religiously, ethnically and linguistically homogeneous. Its population of nearly 160 million is roughly 90 percent Muslim, with about 7% Hindus and others mainly following Buddhism and Christianity. Close to 99 percent speak Bangla and could be ethnically and culturally described as Bengali.

However, all across its territory, a large number of minority groups inhabit with their distinct ethnic traits, social institutions, linguistic and cultural traditions. In other words, many of them could be taken as 'indigenous peoples' as defined in various UN human rights instruments, including the World Bank's safeguards policy OP 4.10.

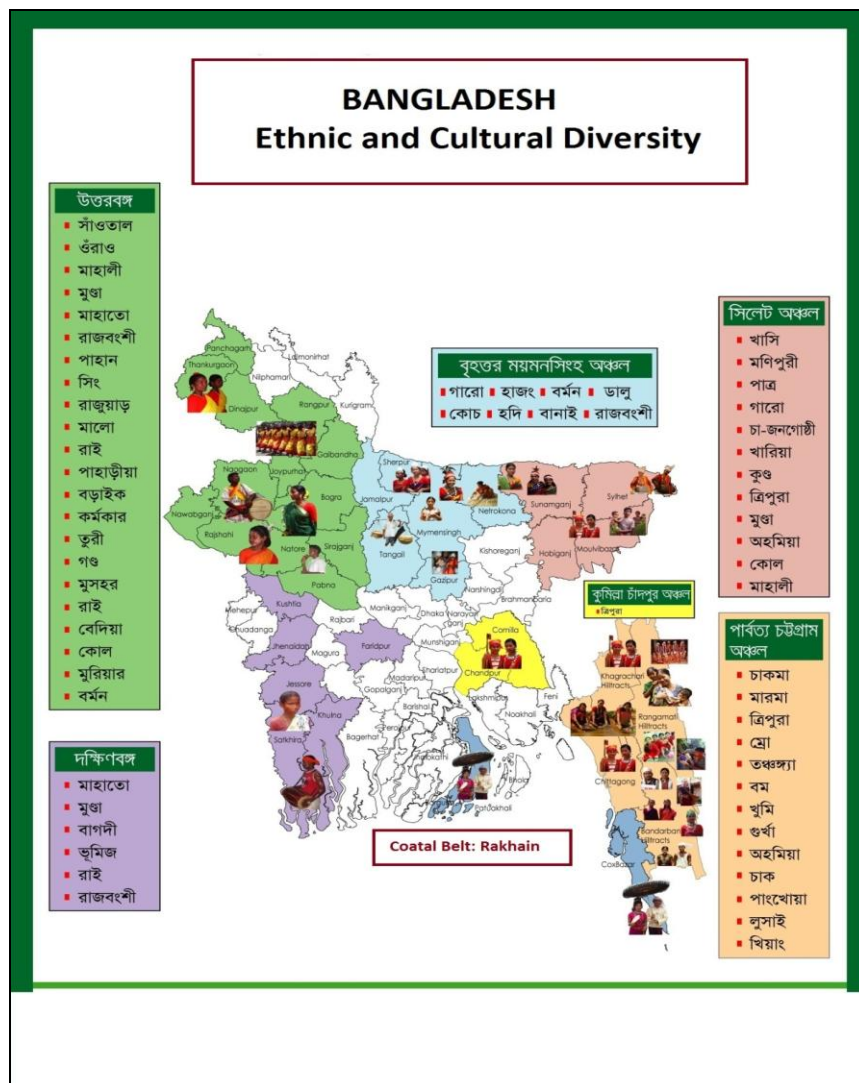
Tribal Peoples in Bangladesh are a small minority in Bangladesh. However, the precise number of their population is a subject of much debate. The government statistics are sketchy at best; the most recent census figures (2011) do not provide ethnically disaggregated data, so the only useful reference point is the previous census conducted in 1991, which put their total population at 1.2 million. Taking into account the average demographic growth rate of the country, their population at present should be around 1.5 million. However, the representatives of the tribal peoples and their organizations have expressed disagreement with this figure. The Bangladesh Adivasi Forum, an apex advocacy and networking organization of the ethnic minorities, has given a figure of 3 million as their total population. In any event, tribal peoples should constitute no more than between 1-2% of the total population of Bangladesh.

The total number of tribal groups is also a matter of much disagreement. The 1991 census mentions 29 groups. The recently adopted Small Ethnic Minority Cultural Institution Act (April 2010) mentions 27 different groups, which is at present under revision and proposes 50 different groups. The Bangladesh Adivasi Forum mentions as many as 45 indigenous groups in one of their publications (Solidarity, 2003). A proposed draft law, called Bangladesh Indigenous Peoples' Rights Act, by Bangladesh Parliamentary Caucus on Tribal Peoples – a group of parliamentarians who advocate for the rights of the country's tribal peoples – enlists as many as 59 distinct ethnic minority groups. The reason stems partly from a vibrant movement of ethnic minority communities in recent years – particularly since the signing of the CHT Accord in December 1997 - with more marginalized groups increasingly becoming aware and assertive of their identity (The detailed list of the various ethnic minority groups as per the various laws and organizations is provided in Annex – 1).

Although the tribal peoples are scattered all over Bangladesh, they are overwhelmingly concentrated in several geographical pockets; namely North-West (Rajshahi & Dinajpur), North-East (Sylhet), Central region (Dhaka and Mymensingh), South (Barisal & Patuakhali), with the most significant concentration in the southeastern corner – the Chittagong Hill Tracts. The location of the

various ethnic minority groups by region is broadly as follows (The map in the next page shows the geographical regions in Bangladesh where most ethnic minorities are concentrated);

- North-west region (Rajshahi division - includes Rajshahi, Naogaon, Chapainawabganj, Natore, Sirajganj, Pabna, Joypurhat, Dinajpur, Thakurgaon, Rangpur, Bogra and Gaibandha district): major adivasi communities are: Santal, Uraon/Oraon, Munda, Mahato, Paharia, Malo, Pahan, Rajbangshi, Rajooar, Karmakar and Teli);
- North-east region (Sylhet division - includes Sylhet, Sunamganj, Habiganj and Moulvibazar district: major adivasi communities are; Khasi, Patro, Monipuri, Garo, Tripura and tea garden communities)
- Central region (Greater Mymensingh and Dhaka - includes Gazipur, Tangail, Sherpur, Jamalpur, Netrokona, Mymensingh): major adivasi communities are: Garo, Hajong, Koch, Banai, Rajbangshi, Dalu, Barman and Hodi
- Coastal region (Khulna, Chittagong and Barisal division - includes Patuakhali, Barguna, Chandpur, Chittagong, Cox's bazar, Khulna, Satkhira): major Adivasi communities are- Rakhhaime, Tripura, Munda and Ranbangshi.



- Chittagong Hill Tracts (Bandarban, Rangamati and Khagrachari): the indigenous communities are; Chakma, Marma, Tripura, Tanchangya, Mro, Lushai, Khyang, Khumi, Chak, Pangkhua, Bawm, Santal, Rakhaine, Asam/Asamese and Gorkha

By all accounts, tribal peoples in Bangladesh are some of the poorest and most marginalized in the country as illustrated in the box below:

| <b>BOX – 1</b>   |
|--|
| <b>Socio-economic facts on the Ethnic Minorities in Bangladesh</b>   |
| <ul style="list-style-type: none"> <li>• Poverty rate is higher than national average (approx. 30%): 65% in CHT and above 80% in the plains</li> <li>• Average income is less than national average (84,000 taka): 26% less in CHT, 41% less in the plains</li> <li>• Overwhelming dependence on agricultural sector: (80% in the plains, 72% in CHT)</li> <li>• Salaried jobs/business; 3% in CHT, less than 1% in the plains.</li> <li>• On average two-thirds of the tribal peoples in the plains are functionally landless. For certain groups, this is even higher (Santals, Mahato, Pahan, etc) - as high as 93%.</li> <li>• As high as one-third of the tribal communities in the CHT remain dependent on Jum cultivation, variously known as shifting/slash and burn/swidden cultivation</li> <li>• Overall, ethnic minorities living in the North (South and West) are more marginalized and poor.</li> <li>• Access to credit/micro-finance: in CHT (54%), in the plains (62%) including from moneylenders (10%).</li> </ul> |

(Source: Baseline survey by UNDP/CHTDF (2007) and Oxfam (2009))

## **7. Legal and Institutional Framework for the TPPF**

### **Constitution of the People's Republic of Bangladesh, 04 November 1972**

The Constitution of Bangladesh guarantees equal rights and equality before law of its citizens Article 27 of Bangladesh Constitution guarantees equality of citizens before the law and Article 28 prohibits discrimination on grounds of religion, sex, caste, race and place of birth. The same article also stipulates measures of 'affirmative actions' by the State in favor of the backward section of the citizens<sup>3</sup>. The Constitution defines the rights of every citizen to have access to education where the State is responsible for the provision of Basic Necessities for the citizens. Article 17 of the Constitution indicates of Free and compulsory education where the State shall adopt effective measures by:

- (a) Establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children to such stage as may be determined by law;
- (b) Relating education to the needs of society and producing properly trained and motivated citizens to serve those needs; removing illiteracy within such time as may be determined by law.

Article 19 (1) of the Constitution also stresses on Equality of opportunity where the State shall endeavor to ensure equality of opportunity to all citizens.

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<sup>3</sup> The CHT Accord was signed in reference to these two Articles of the Constitution.

Article 23 stressing on National Culture demands that the State shall adopt measures to conserve the cultural traditions and heritage of the people, and so to foster and improve the national language, literature and the arts that all sections of the people are afforded the opportunity to contribute towards and to participate in the enrichment of the national culture.

Besides the Constitution, there is also a corpus of legal, institutional and policy dispositions for the safeguards of the tribal peoples’ rights in Bangladesh. Much of it is focused for the CHT; however, there are also specific laws for the tribal peoples in the plains. Some of these laws were enacted during the colonial period (but still in force), but most have been adopted in recent years and, in the case of the CHT, after the signing of the CHT Accord in 1997.

**ILO Convention on Tribal People, 1989 (No.169)**

Bangladesh has ratified several international human rights treaties, including ILO Convention on Indigenous and Tribal Populations, 1957 (Convention No. 107), and its accompanying Recommendation 104 (which supplements with detailed guidelines the broad principles contained in Convention 107).

**Other Legal frameworks:**

The Chittagong Hill Tracts Regulation 1900, popularly called ‘CHT Manual 1900’ is the oldest and one of the most frequently cited laws with regard to CHT. It was enacted by the British colonial administration in 1900 and defines land and revenue administration, the administrative system based on the Traditional Chieftainships (i.e. Circle Chiefs or Raja as popularly called in Bengali), customary land rights and tenure systems including on Jum cultivation as well as mitigation and arbitration of social disputes based on traditional customs of the peoples in the region. In subsequent decades, the Act was amended several times but, it still remains in force and serves as the key reference point for land administration and traditional customary governance of the region.

The government signed the CHT Accord with *Parbattya Chattagram Jana Samhati Samity* (PCJSS or JSS) in December 1997. Its signing was followed by a series of laws intended to strengthen the specific (unique in the context of Bangladesh, too) administrative set-up of the region. The Accord itself, deserves to be considered a quasi-legal document and remains the main reference for all subsequent legislation for CHT (elaborated under the section 7.2: Institutional Setup). In contrast to the CHT, there are fewer laws specific to the indigenous peoples in the plains. The State Acquisition and Tenancy Act, 1950 (East Bengal Act No. XXVIII of 1951) is the most relevant and important in this regard; it regulates land rights for the tribal groups (referred as ‘aborigines’ in the Act) in the plains through prohibiting the sale of land owned by the tribal peoples to non-tribal persons without the permission of the local Revenue Officer. The measure was explicitly taken to protect the indigenous groups from being dispossessed of their lands by the more powerful and influential non-indigenous persons.

In addition to its domestic laws, Bangladesh is also signatory to most of the major international human rights instruments which are either directly or indirectly relevant to the rights of the tribal/indigenous peoples. Furthermore, Bangladesh is signatory to the ILO Convention 107 on Tribal Populations although it is yet to ratify the other important ILO convention on tribal peoples, Convention No. 169 of 1989. It is also one of the select few countries to abstain from voting on the UN Declaration on the Rights of the Indigenous Peoples (UNDRIP) in 2007. The table below provides a comprehensive picture (the 2 relevant ILO Conventions and the UNDRIP are added to the list);

| SL | Name of the Treaties/Conventions | Year of | Year of Ratification |
|----|----------------------------------|---------|----------------------|
|----|----------------------------------|---------|----------------------|

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

#### **Relevant GoB Documents and Policies supporting SEDP-TA's coverage of TPs**

##### ***Proxy Mean Testing Stipends dedicated for the Tribal, Disable and Dropped Out Students Stipend and Tuition Program***

MoE, under the SEQAEP, implemented a pro-poor targeting program for providing stipends and tuition/only tuition based on Proxy Mean Testing (PMT) results to increase access and retention of poor girls and boys using Local Government Engineering Department (LGED). At a later time, it accommodated the disabled and the Dropout students and expanded its domain beyond indigenous households. The first phase focused on indigenous households/tribal population (TP) since academic year 2008-2009 with 61 out of 122 Upazilas in 46 districts under 6 administrative divisions covering 3342 schools. Adequate Social Screening was conducted to avoid non-tribal benefitting as tribal students. Out of 776358 applicants (only 8474 tribal students some 1.09% of total applicants and only 5691 enrolled), some 521911 students were awarded with Category 1 i.e. both stipend and tuition (all tribal students received Category 1 support) while 129387 students were awarded with tuition benefits. This trend of putting tribal applicants in Category 1 stipend continued in the subsequent years. The issue of Disable students were brought up since 2011 and they too got the same treatment as tribal students, i.e. Category 1 stipend and tuition benefits. The PMT based Stipend & Tuition Program was found very effective in reducing dropouts from secondary education and need to be expanded further.

## **8. Institutional Setup**

Following the signing of the CHT Accord, the Ministry of CHT Affairs (MoCHTA) was established in 1998 as the key government nodal agency in coordinating and supervising the development and administrative activities of the government, in most cases supplanting the role of the relevant line ministries in Dhaka. In this regard, it functions as the 'gateway of development services' for the region.

The CHT Accord also led to the creation of a number of institutions specific to CHT. The CHT Regional Council (CHTRC or RC) was established in 1998 by an act of Parliament in 1998. Its explicit mandate was to 'coordinate and supervise' development and administrative business of the government in the region. Following the Accord, the former Local District Councils of Bandarban, Rangamati and Khagrachari were transformed into the Hill District Councils (HDCs), each established by separate acts of parliament. Their role and mandate are identical except for some minor differences; besides various administrative roles, they are assumed to be the principal organs for implementation of development projects. Altogether, they have been given responsibility for supervising and implementing 33 broad areas of interventions, popularly known as 'transfer subjects'. As of now the government has formally transferred a number of agencies/departments as 'transfer subjects', which also include Department of Health and Department of Family Planning.

The Traditional Institutions comprising the village Karbari, mouza Headmen and Circle Chief still play a major role for ethnic minorities in the Chittagong Hill Tracts. Over the past decades, their role and authority have been somewhat curtailed by various laws, but they are still entrusted by law to play very important roles in land and revenue administration and traditional justice. Similar traditional social structures also do exist among the tribal communities in the plains although unlike their peers in the CHT, they do not have legal recognition.

In contrast with CHT, there is almost no comparable institutional set up for tribal peoples in the plains. The Special Affairs Division (SAD) was set up in 1989 with, among other issues, the CHT and tribal peoples' affairs under its responsibility. But following the establishment of the MoCHTA in 1998 it was dissolved. Nevertheless, an officer in the Prime Minister's Office (PMO) is assigned to look after the matters of the tribal communities in the plains and his role consists essentially of channeling government grant money to the designated districts and upazillas (as per the most recent available information, this includes 62 upazillas in 36 districts), where there are substantial numbers of tribal population. The Upazilla Nirbahi Officer (UNO) supervises the distribution of the grants on behalf of the Deputy Commissioner (DC) at the field level, usually through a tribal people-led NGOs/CBOs. The entire process is managed by a Committee, chaired by the UNO with members from various relevant government agencies and including one or two ethnic minority representatives who are selected by the Deputy Commissioner.

## **9. Consultation and Participation**

Participation of TPs in selection, design and implementation of the TA activities will largely determine the extent to which the TPPF objectives would be achieved. Where adverse impacts on TPs are likely, MoE will undertake free, prior and informed consultations with affected TP communities to ensure their broad community support for the SEDP interventions. Such consultations may also involve individuals or experts who work with and/or are knowledgeable of TP development issues and concerns. To facilitate effective participation, MoE will follow a time-table to consult the would-be affected TP communities at different stages of the program cycle. The primary objectives are to examine whether there is broad community support for the project activities and to seek the inputs/feedbacks of the TPs to avoid or minimize the adverse impacts; identify the impact mitigation measures; and assess and adopt economic opportunities, which MoE could promote to complement the measures required to mitigate the adverse impacts. In case of absence of broad community support from the TPs, World Bank will not proceed further with financing of the related activities of the project.

To ensure broad community support through free, prior and informed consultations with the tribal communities, MoE will:

- Ensure widespread participation of TP communities with adequate gender and generational representation; customary/traditional TP organizations; community elders/leaders; civil society organizations like NGOs and CBOs; and groups knowledgeable of TP development issues and concerns.
- Provide them with all relevant information about the nature of the development activities, including that on potential adverse impacts, organize and conduct these consultations in manners to ensure full coverage of the TPs and free expression of their views and preferences.
- Document and share with the Bank the details of all community consultation meetings, with TP perceptions of the proposed activities and the associated impacts, especially the adverse ones; any inputs/feedbacks offered by TPs; and the minutes stating the conditions, if any, that have been agreed during the consultations, which may have provided the basis for their broad base community.

## **10. Special Measures to strengthen activities relating to the Tribal People Communities**

- a) Recognizing social, economic, cultural and linguistic differences of the tribal people, improve coverage of education services:
  - Review coverage of service by CCs in tribal/ethnic minority areas. For households that are far from the closest school or disconnected by stream/river/steep slope, appropriate measures could be considered to extend the coverage.
  - Support to infrastructure and service delivery in the public sector to fill in gaps and make the services more user friendly. If applicable, complement the public sector service delivery by engaging the private sector, more so at the community level.
  - Manpower development by way of better recruitment, training and rewards systems.
- b) Behavior change communication (BCC) plan: A BCC plan that specifically addresses the needs of the small ethnic and vulnerable communities (tribal people) will be developed. This will be guided by the existing BCC policies/guidelines of the MoE to address all the issues that are likely to improve the sensitivity of providing secondary education services, particularly the prevalent socio-cultural beliefs and gender disparities.
- c) Capacity enhancements of school teachers, School Managing Committees and communities:
- d) Leverage the roles that the traditional leaders could play for involvement of small ethnic and vulnerable communities (tribal people). Traditional leaders are expected to play an important role in enhancing access to secondary education by tribal students. They are highly respected and wield considerable influence in shaping the perception of their community. The traditional leaders involvement during various stages of implementation are important, especially for:
  - Increasing awareness of the communities and soliciting their feedback.
  - Ensuring involvement of and dissemination of information to the communities.
  - Overall cooperation in implementation of SEDP activities.
  - Provide leadership roles in organizing the communities.
  - Overcoming misconception and distractions keeping people away from utilizing quality education services.
  - Playing the role of advisor to providers and communities.
- e) Systems for social management:

- Citizens' oversight system functioning of the schools.
  - DLI 6 under SEDP will support gender inclusiveness..
- Activities addressing the needs of the tribal people need to be incorporated in and implemented by the relevant operational plans.
- f) Systems for information disclosure and stakeholder consultation will need to be conducted through strengthening the Grievance Redressal Mechanism of the MOHFW, will enable availability of information on grievances received and addressed and thereby improve transparency and disclosure. The MoE will use its existing citizen engagement mechanisms to seek feedback and continue with stakeholder consultations, particularly with the tribal people.

## **11. Implementation Arrangement**

MoE will designate a specific official with relevant knowledge and skills, responsible for the implementation of the TPPF. The designated official (Tribal Peoples/Social Safeguards Specialist) could be either a direct employee of the MoE or recruited from the market and his/her responsibility will include ensuring that the provisions of the TPPF are implemented as and when the SEDP are found to give rise to social safeguard issues and for this will prepare Tribal Peoples' Plan as required. A template for TPP is attached in Annex-2.

During the implementation phase, MoE will prepare a TPP in each upazila where there are significant concentrations of the tribal peoples. In concrete terms, this will include all the upazillas where there are presence of tribal peoples communities. The implementation of SEDP activities will also involve other government mandated institutions as relevant and applicable. In the case of the CHTs, this will include the MoCHTA, CHTRC and HDCs. In both CHT and the plains regions, MoE will also involve the representatives of the traditional institutions and community elders in the implementation of the TPPs. Special focus will be made to include the women and youth of the tribal peoples' communities.

The TPPs will also spell out the appropriate intervention mechanisms to reach out to the potential TP beneficiaries given that many TPs continue to live in remote and hard-to-reach areas and normal government intervention mechanism usually fail to reach them.

## **12. Grievance Redress Mechanism**

The exact sources of grievances and complaints will remain unknown until they are formally lodged. The GOB believes in free flow of information and people's right to information and enacted 'The Right to Information Act, 2009 Bangladesh'. The right to information shall ensure that transparency and accountability in all public, autonomous and statutory organizations and in private organizations run on government or foreign funding shall increase, corruption shall decrease and good governance shall be established. The GOB has developed a dedicated web portal ([http://www.grs.gov.bd/home/index\\_english](http://www.grs.gov.bd/home/index_english)) where the aggrieved ones could vent complaints and seek remedial measures. The MoE is committed to effective grievance redressal in its service delivery and has made arrangements of grievance and complaints using phones, short-messaging services, and web based platforms.

However, the system is yet to be fully developed and made functional. At service provision and decision making levels, limited information on grievances and complaints are available resulting extremely limited or no action to redress grievance. The MoE will strengthen its GRS, thereby enhancing greater responsiveness and transparency to the public. Considering the need, MoE will establish a procedure to address complaints and grievances about any irregularities in application of



the guidelines adopted in this TPPF for assessment and mitigation of social safeguard impacts. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly and, in some cases saving the aggrieved persons resorting to expensive, time-consuming legal actions. The GRM will however not pre-empt a complainant’s right to seek resolution in the courts of law.

Within this context, in areas where there are significant numbers of tribal people living, MOHFW will form a Grievance Redress Committee (GRC) at the district level with the following composition as suggested;

GRC Membership

|   |          |
|---|----------|
| District Secondary Education officer  | Convener |
| Upazilla Parishad Chairman  | Member   |
| Union Parishad Chairman   | Member   |
| Concerned Local Level School teachers   | Member   |
| 2 members of the TP community (1 male, 1 female)  | Member   |
| A CBO representative (preferably tribal in the plains)<br>and in CHT a representative of Traditional Institution) | Member   |

The purpose of the GRCs is to ensure proper presentation of complaints and grievances, as well as impartial hearings and transparent decisions. Membership composition of the GRCs will take into account any traditional conflict resolution arrangements that TP communities may have in practice. If the aggrieved person is a female, MoE will ask a female UP Member or Municipal Ward Commissioner to participate in the hearings. Females will be encouraged to be part of the GRC.

If a resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings to the relevant Joint Secretary of MoE. The JS, who is expected to be fully aware of TP concerns as being addressed under the project will make a decision -- with guidance, if needed, of the MoE Secretary. A decision agreed with the aggrieved person(s) at any level of hearing or review will be binding on MoE.

All cases at the local level will be heard within four weeks of their receipt. At the ministry level, decisions on unresolved cases will be made and communicated to the GRC in no more than four weeks.

To ensure impartiality and transparency, hearings on complaints will remain open to the public. The GRCs will record the details of the complaints, the reasons that led to acceptance or rejection of the particular cases, and the decision agreed with the complainants. MoE will keep records of all resolved and unresolved complaints and grievances and make them available for review as and when asked for by World Bank.

World Bank’s Grievance Redress Service. Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanism or the WB’s Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB’s Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank’s attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank’s corporate Grievance Redress Service (GRS), please visit [www.worldbank.org/grs](http://www.worldbank.org/grs). For information on

how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

### **13. Public disclosure of TPPF**

The present TPPF will be disclosed by MoE to the TP communities, general public and relevant stakeholders following clearance from World Bank. It will be translated in to Bangla and together with the English version will be made available at its headquarters and district offices, concerned government offices in the project districts, and other places accessible to the TPs. Further, MoE will also post the entire TPPF and translated summary in its website, and inform the public through notification in two national newspapers (Bangla and English) about where they could be accessed for review and comments. MoE will also authorize the World Bank to disclose it at its Country Office Information Center and Infoshop. The disclosure will take into account the issue of language that is understandable to the concerned TP communities although it is generally understood that majority of them are able to read, write and communicate in Bangla.

### **14. Funding for implementation of the TPPF**

The MoE will make specific budgetary provisions for the implementation of the present TPPF. Besides the salary and other entitlements of the personnel engaged in the implementation of TPPF, MoE will also make earmarked budgetary allocations from SEDP project budget for the TPs. The budgetary allocations will be clearly mentioned in the TPPs to be prepared for upazila level. This is particularly important as many TPs live in remote and hard-to-reach areas which are generally outside the normal catchment areas and for which they require special attention.

### **15. Monitoring and reporting of the TPPF/TPP**

Monitoring essential to ensure the proper adherence to the stipulations in this TPPF. The Tribal Peoples/Social Safeguards Specialist will prepare the relevant monitoring tools and make regular monitoring visits in the field. S/he, in collaboration with the project's monitoring unit, will also prepare periodic safeguards reports for the SEDP. The monitoring data will include dis-aggregated data collected from field level project offices and maintained systematically in the project Head Office's central database.

It is also recommended that third party monitoring is carried out to oversee the implementation of TPPF to ensure greater accountability and transparency of the SEDP activities as regards the TPPF provisions.

## **Annex- 1: TP Communities as per various laws and census data**

### **A. Bangladesh Adivasi Forum, 2005 (BAF), 2005**

1. Asam, 2. Bawm, 3. Banai, 4. Bediya, 5. Bhumij, 6. Bagdi, 7. Chakma, 8. Chak, 9. Dalu, 10. Garo, 11. Gurkha, 12. Hajong, 13. Khasi, 14. Kharia, 15. Khyang, 16. Khumi, 17. Koch, 18. Kole, 19. Karmakar, 20. Khasriya Barman, 21. Khondo, 22. Lusai, 23. Marma, 24. Mro, 25. Monipuri, 26. Mahato, 27. Munda, 28. Malo, 29. Mahali, 30. Muriyar, 31. Musohor, 32. Oraon, 33. Pangkhu, 34. Paharia, 35. Pahan, 36. Patro, 37. Rakhaing, 38. Rajuar, 39. Rai, 40. Rajbongshi, 41. Santal, 42. Shing, 43. Turi, 44. Tangchangya, 45. Tripura

### **B. East Bengal State Acquisition and Tenancy Act (EBSATA), 1951**

1. Banai, 2. Bhuiya, 3. Bhumij, 4. Dalu, 5. Garo, 6. Gond, 7. Hadi, 8. Hajang, 9. Ho, 10. Kharia, 11. Kharwar, 12. Koch (Dhaka Division), 13. Kora, 14. Mache, 15. Maghs (Bakerganj District), 16. Mal and SauriaPaharia, 17. Mundai, 18. Munda, 19. Oraon, 20. Sonthal, 21. Turi.

### **C. Small Ethnic Groups' Cultural Institution Act (SEGCI), 2010**

1. Barman, 2. Bawm, 3. Chak, 4. Chakma, 5. Dalu, 6. Garo, 7. Hajong, 8. Khasia/Khasi, 9. Khumi, 10. Koch, 11. Kol, 12. Kyang, 13. Lushai, 14. Malpahari, 15. Manipuri, 16. Marma, 17. Mong, 18. Mro, 19. Munda, 20. Orao, 21. Pahari, 22. Pankgua, 23. Rakhain, 24. Santal, 25. Tanchangya, 26. Tripura, 27. Ushai

*The law is currently being revised by the government with advice from an 'expert' panel on indigenous peoples in Bangladesh. The proposed draft corrects the errors of the existing law and also includes for consideration additional communities who are excluded in the current version. The proposed communities are:*

28. Mahato, 29. Kondo, 30. Gonju, 31. Gorat/Gorait, 32. Malo, 33. Teli, 34. Patro, 35. Banai, 36. Bagdi, 37. Bediya, 38. Baraik, 39. Bhumij, 40. Mushohor, 41. Mahali, 42. Rajoar, 43. Lohar, 44. Shabar, 45. Hadi, 46. Ho, 47. Kora, 48. Bheel, 49. Bhumali, 50. Gurkha

### **D. Bangladesh Indigenous Peoples' Rights Act (BIPRA),**

1. Asam, 2. Badia/Bedia, 3. Bagdi 4. Banai 5. Barman/Khatriya Barman 6. Bawm 7. Bhumali 8. Bhuiyan 9. Bhumij 10. Bonaj/Buna 11. Boraik 12. Chai/Chaimal 13. Chak 14. Chakma 15. Dalu 16. Garo/Mandi 17. Gond 18. Gorat 19. Gorkha 20. Hadi 21. Hajong 22. Karmakar 23. Kharia 24. Kharwar 25. Khasi 26. Khyang 27. Khumi 28. Koch/Rajbangshi 29. Kol 30. Konda 31. Kora 32. Lohar/Lahara 33. Lushai 34. Mahali 35. Mahato/Marmi/Murmi, 36. Malo 37. Manipuri 38. Marma 39. Mro/Murong 40. Munda/Mundari/Murari 41. Musohar 42. Oraon 43. Pahan 44. Paharia/Malpahari/Saoria/Pahari 45. Palla/Palia 46. Pankhua 47. Patra/Laleng 48. Pundra/Pod 49. Rai 50. Rajuar 51. Rakhain 52. RanaKarmakar 53. Raotia/Shing 54. Sabar 55. Santal 56. Tanchangya 57. Teli 58. Tripura 59. Turi

At the end of the proposed draft, it includes the following 5 different communities, under the category, "under consideration":

1. Bin/Bind 2. Karnidas 3. Nunia 4. Rabidas 5. Ruhidas

## **Annex- 2: CONTENTS OF TRIBAL PEOPLES PLAN**

### **A. Socio-economic Assessment of the TP Communities**

- Include information and analysis cultural characteristics; social structure and economic activities; land tenure; customary and other rights to the use of natural resources; relationship with the local mainstream peoples; and other factors that have been suggested by TPs during consultations and are to be addressed in the TPP and project design.

### **B. Strategy for participation and consultation**

- Indicate timing of consultation and the participants, such as affected TP communities, TP organizations, and individuals and entities who could provide useful feedback and inputs.
- Describe in detail how the methodology of ‘free, prior and informed consultations’ with the TP communities has been ensured.

### **C. Mitigation measures and activities**

- Describe in detail the TP preferences and priorities, including those agreed between the TP communities/TP organizations and MOHFW during consultations.

### **D. Institutional arrangement**

- Describe the specific role of the institution(s) responsible in the implementation of the FTTP
- Take into account the staff’s experience, consulting services, and TP and civil society organizations involved in the implementing of the TPPS and make the suggestions/recommendations as necessary.

### **E. Grievance Redress Mechanism**

- Based on the outlines provided in the FTTP, customize it for TPPs, taking into account any traditional conflict resolution arrangements that may have been in practice in the area

### **F. Budgetary provisions**

- Please mention the budgetary allocations for the specific measures to be taken for the purpose of the TPPs. The allocation should have direct reference to the recommendations/suggestions made in the consultations with the tribal peoples.

### **G. implementation schedule**

- Point out the deadlines for specific initiatives for the TP communities under the HSSP

### **H. Monitoring, Reporting and evaluation,**

- A scheme along with monitoring indicators relevant to the TPP

### Annex- 3: Tribal People Screening for SEDP

[To be filled in for upazila by the designated government officials]

#### A. Identification

1. Name of Upazila: .....

District/City

Name:

.....

2. Screening Date(s): .....

#### B. Participation in Screening

3. Names of official who participated in screening:

4. Is the subproject site located in an area inhabited by small ethnic community peoples?

Yes

No

If the answer is no, skip this section of the form.

5. If the answer is Yes, is there any TPs Impacted by any interventions of the project?

Yes

No

6. If the answer is Yes to question no. 5, is there any TPs also likely to be benefited from the subproject?

Yes

No

7. If the answer is Yes to question no. 5, is there any TPs likely to be affected by the subproject?

Yes

No

If the answers to questions 5, 6 and/or 7 are no, skip the following sections of the form.

8. Have the TP community and the potential affected TPs been made aware of the potential positive and negative impacts and consulted for their feedback and inputs?

Yes

No

13. Has there been a broad-based community consensus on the proposed interventions?

Yes

No

9. Total number of would-be affected TP households: .....

10. The potential affected TP households have the following forms of rights to the required lands:

Legal: # of households: .....

Customary: # of households: .....

Lease agreements with any GoB agencies: # of households: .....

Others (Mention): ..... # of households: .....

11. Does the project affect any objects that are of religious and cultural significance to the TPs?

Yes

No

12. If 'Yes', description of the objects:

.....

.....  
13. The following are the three main economic activities of the potential affected TP households:  
a. ....  
b. ....  
c. ....

14. Social concerns expressed by TP communities/organizations about the works proposed under the subproject: .....  
.....  
.....

15. The TP community and organizations perceive the social outcomes of the subproject:  
 Positive       Negative       Neither positive nor negative

16. Names of TP community members and organizations who participated in screening:  
.....

***This Screening Form has been filled in by:***

Name: .....      Designation: .....  
Signature: .....      Date: .....