

SFG2703

SECONDARY EDUCATION IMPROVEMENT PROJECT (SEIP) IN CAMBODIA

Project Number: P157858

INDIGENOUS PEOPLES PLANNING FRAMEWORK (November 2016)



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PREFACE

This document is called the Indigenous Peoples Planning Framework (IPPF) for Secondary Education Improvement Project (SEIP) dedicated for Cambodia, called the Project. It is developed on a basis of outcomes from the Social assessment (SA) as a standalone document. The IPPF is part of the overall mitigation instrument namely the Environmental and Social Management Framework (ESMF) for the SEIP for Cambodia. This framework will be applied to all investments to be financed by the World Bank (WB) for technical and/or financial support from the Project that involves Indigenous Peoples (OP 4.10).

The Project comprises two components as specified in Section I of this document. The Project will be executed by the Ministry of Education, Youth, and Sport (MoEYS) who has established Project Management Committee (PMC) to manage the implementation. The Project implementation will be mainly carried out by Department of General Secondary Education; Department of Teacher Training; and Department of Construction with support from other relevant departments and sub-national level offices of MoEYS. Safeguard implementation will be carried out by the PMC and respective agencies.

This document is considered a living document and shall be modified and updated in line with the changing situation or scope of the activities. Close consultation with the World Bank and clearance of the revised IPPF will be necessary.

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ABBREVIATION

ADB	=	Asian Development Bank
CAS	=	Country Assistance Strategy
DDR	=	Due Diligent Report
EC	=	European Commission
EFA	=	Education for All
ESMF	=	Environmental and Social Management Framework
ESP	=	Education Strategic Plan
ICERD	=	International Convention on the Elimination of all Forms of Racial Discrimination
ICESCR	=	International Covenant on Economic, Social and Cultural Rights
ESA	=	Environmental and Social Assessment
IPP	=	Indigenous Peoples Plan
IPPF	=	Indigenous Peoples Planning Framework
SA	=	Social assessment
ISN	=	Interim Strategy Note
JICA	=	Japanese International Cooperation Agency
LSS	=	Lower Secondary School
M&E	=	Monitoring and Evaluation
MoEYS	=	Ministry of Education, Youth and Sports
NGO	=	Non Governmental Organization
OP	=	Operational Policy
PISA	=	Programme for International Student Assessment
PMC	=	Project Management Committee
PRA	=	Participatory Rapid Appraisal
RAP	=	Resettlement Action Plan
RPF	=	Resettlement Policy Framework
SA	=	Social Assessment
SEIP	=	Secondary Education Improvement Project
SIDA	=	Swedish International Development
TPAP	=	Teacher Policy Action Plan
U-BETT	=	Upgraded Basic Education Teacher Training
UN	=	United Nations
UNESCO	=	United Nations for Education, Science, and Culture Organization
UNICEF	=	United Nations Children's Fund
US\$	=	United State Dollars
WB	=	World Bank

EXECUTIVE SUMMARY

INTRODUCTION

1. **Project Development Objective:** The PDO is to expand lower secondary education of a minimum standard in target areas, and to provide immediate and effective response in case of an Eligible Crisis or Emergency. This will be achieved through two main components: (i) Improving Lower Secondary Education to Meet Standards through: provision of School Improvement Fund (SIF), upgrading lower secondary teachers, and improving school facilities; and (ii) Strengthening Project Management, Monitoring and Evaluation.
2. **Project Components:** The project will have two components. Sub-components 1.1 and 1.2 will use results-based financing to support the achievement of MoEYS secondary school standards through three interlinked dimensions: (i) strengthening school-based management and (ii) upgrading teachers. For each sub-component, there will be one or two Disbursement-Linked Indicators (DLI) with time-bond targets. These three components will make up the package (or packages) that will be sent to MEF for special arrangement approval. Investment Project Financing will be used for Sub-component 1.3, improving school facilities and Component 2: (i) project management and monitoring and evaluation (M&E) and (ii) Program for International Student Assessment (PISA) for Development.
3. **Indigenous People Planning Framework:** The World Bank's Operational Policy 4.10 on Indigenous Peoples is triggered for this Project. In compliance with the OP 4.10 and prior to project appraisal stage, an Indigenous Peoples Planning Framework (IPPF) is developed to ensure that indigenous peoples would be sufficiently and meaningfully consulted leading to their free, prior and informed consultation (FPIC) to project interventions, that they would have equal opportunity to share the project benefits, and that any potential negative impacts are properly mitigated. The IPPF will form a basis for project implementation and monitoring and evaluation of how the project deals with indigenous peoples issues. At project implementation stage, Indigenous People Plan (IPP) will be developed, based on this IPPF, after the target schools are approved and results of social screening confirmed adverse impact on IP communities.

BACKGROUND AND POLICY FRAMEWORK

4. **Indigenous People Groups:** The population of Cambodia is 13.7 million of which 90-95 percent are Khmer ethnicity. The remaining 5-10 percent is composed of ethnic minorities such as the Muslim Cham, Chinese and Vietnamese, and seventeen indigenous ethnic minority groups also called "Khmer Loeu" or "hill tribes" who are ethnically non-Khmer. These groups are estimated to comprise around 120,000 persons and constitute about 1 percent of the Cambodian total population. The seventeen indigenous minority groups which range from 300 to 19,000 members include Phnong, Kouy, Mil, Kraol, Thmorn, Khaonh, Tompoun, Charay, Kreoung, Kavet, Saouch, Lun, Kachak, Proav, Souy (Sa'ong), Stieng, and Kavet and other minority groups namely Vietnamese, Laotian and Khmer Islam¹. Indigenous groups constitute the majority in the provinces of Rattanakiri (67.9 percent) and Mondulkiri (59.3 percent). Stung Treng and Kratie also share higher percentage of indigenous groups.

Cambodia Policies, Laws, Rules and Regulations Applicable to IPs

5. **National Policy on the Development of Indigenous People:** The Policy was approved by the Council of Ministers April 24, 2009 and sets out government policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy.

¹ *Pathways to Justice: Access to Justice with a Focus on Poor, Women and Indigenous People*, Ministry of Justice, UNDP, September 2005, p. 59.

Together with the Land Law (2001) this policy gives recognition to the rights of indigenous peoples to traditional lands, culture and traditions.

6. **A Policy on Registration and Right to Use of Indigenous Communities** in Cambodia was approved by the Council of Ministers on April 24, 2009, and a Sub-decree on procedures of registration of Land of Indigenous communities was signed on June 9, 2009 by the Prime Minister. This policy takes as its basis the recognition in the Land Law of 2001, of the right of indigenous communities to possess and use land as their collective ownership.

7. **Cambodia Constitution (1993):** Article 31.2 stipulates that “Khmer citizens shall be equal before the laws and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth of origin, social status, resources, and any position”. Indigenous Peoples are Cambodian citizen.

8. **The Land Law 2001** recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. Article 23 in the law defines an indigenous community as:

- A group of people who manifest ethnic, social, cultural and economic unity,
- Who practice a traditional lifestyle, and
- Who cultivate the lands in their possession according to customary rules of collective use

9. **The Forest Law 2002** (Article 11, 15, 16, 40) guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas which these groups traditionally use and to practice their way of living in term of enjoyment of benefits from the forest.

Relevant International Agreements Cambodia Entered

10. Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples², as well as the Convention on Biological Diversity (1992), which recognizes the role of indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia. **UN Declaration on the Right of Indigenous People** was adopted by the United Nations General Assembly in September 2007. Many countries in the world including Cambodia have voted in favor of this nonbinding declaration. **International Convention on the Elimination of all Forms of Racial Discrimination (“ICERD”)**, Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training.

World Bank’s Operational Policy: Indigenous People (OP4.10)

11. The WB’s Operational Policy 4.10 (Indigenous Peoples) requires that special planning measures be established to protect the interests of indigenous peoples with a social and cultural identity distinct from the dominant society that may make them vulnerable to being disadvantaged in the development process. As a prerequisite for Project approval, OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected indigenous peoples and to establish a pattern of broad community support for the Project and its objectives. It is important to note that the OP 4.10 refers to social groups and communities, and not to individuals.

Gap Analysis

12. Despite Cambodia has Policy that recognize the right of indigenous people to culture, education, vocational training, health, environment, land, agriculture, water resources,

² This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

infrastructure, justice, tourism and industry, mines and energy, there is no decrees, sub-decree or procedure for specific safeguard or protect the interest of the indigenous peoples. They have generally been treated equally as Khmer citizens. However, Cambodia Land Law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. In practice, the procedure to register collective title take very long and only few indigenous communities (approx. 5) have received collective title since the land law enacted in 2001. Similarly, the Forest Law also guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas that they traditionally use and practice. Thus, there is no significant discrepancy between Cambodia laws and regulations and the World Bank's OP4.10. In addition, the Bank' OP4.10 comprehensively describe the objectives, principles and procedure to safeguard the indigenous peoples. The IPPF, therefore, will be prepared on the basis of the World Bank's OP4.10 by taking into consideration relevant Cambodia policies and regulation. Clear mechanism for free, prior and informed consultation in order to seek broad support of the Project from the indigenous communities will be used in the whole cycle of the Project. During implementation, a Grievance Redress Mechanism will be established so that every indigenous people can bring his/her voice, complaint or any un-satisfaction about the project.

KEY ISSUES AND POTENTIAL IMPACTS IN IP

Key Issues

13. Fieldwork and desk review conducted as part of the SA found that indigenous peoples are present majority in Rattanak Kiri, Mondul Kiri, Stung Treng and Kratie (the northeastern part of Cambodia). Other minority groups are living in Preah Vihear (Kouy), Kampong Speu (Souy), Sihanouk Ville (Sa'och), Kampong Cham (Stieng), Kampong Thom (Kouy), Banteay Meanchey (Kouy), and Odor Meanchey (mix). All IP communities are located in remote area of the provinces where accessibility (road) is difficult and infrastructures³ are limited. Most of their villages have only primary school with complete or incomplete grade. From stakeholders (villagers, teachers, and local authorities) consultative meetings confirmed that majority of IP students dropped schools at grade 6, as they could not afford to continue their study due to long distance from lower secondary school to their village. Poverty is the key obstacle for their access to education. Other factors cause dropout among IP students are early marriage for girl, do not see someone success resulted from higher education in their community (no role model), and parents have less concern over their child's education. For example, in Oral district, among 50 Souy students who entered grad 7 only 10 students were able to complete grad 9. Similar to this, at Borkeo secondary school, 60% of students are indigenous and has higher dropout rate compare to Khmer's students. All school principals interviewed reported that majority of IP students have short memory leading to lower quality of study. In addition, the school principals felt that the national teaching curriculum might not appropriate for majority of IP students.

Potential Impacts

14. Target schools will be selected from nationwide and thus exactly which IP groups will be benefited under the project will be known after the Project screening, when the exact list of target schools are finalized. In the context of SEIP, the indigenous peoples in the project areas are likely to receive a long term project benefits through the support on (i) access to education for from the construction of lower secondary school buildings in their communes presently without lower secondary schools (LSS); and/or (ii) construction of classrooms in the overcrowded lower secondary schools (e.g. two-shift schools); and/or (iii) construction of accommodation for math and science teachers in LSS (Component 1.3); and (iv) improve quality of teaching through improve the teaching force (Component 1.2). However, they may be risks associated to social exclusion that potentially can affect IPs by (i) inequitable access to newly built schools due to distance from their community to school and transport/road issues and (ii) possible land acquisition, particularly for 30 new school constructions. With regard to Component 1.2, indigenous teachers or teachers who are living in the remote indigenous village may have lesser opportunity to receive "scholarship for teacher" to update their skill equivalent to bachelor level compared with other teachers who are living in the urban or less remote rural area.

³ Infrastructures includes school, health center, water and electrical supply, and telecom

IMPLEMENTATION ARRANGEMENT, MONITORING, GRIEVANCE MECHANISM AND REPORTING

Implementation Arrangement

15. **Project Management Committee** is the highest level body established by MoEYS. The overall responsibilities for the oversight of the ESP in order to streamline policy development, strategic planning and implementation decision making processes. The Project Management Team (PMT), led by a Secretary of State provides support to the PMC and bears a central role in project implementation.

16. **Two Safeguard Focal Person** was appointed by PMC to be in charge of safeguard compliance as per approved ESMF, IPPF, RPF and possible IPP, and RAP. The responsibility include but not limit to (a) implementing activities as per IPPF and ensuring that indigenous and vulnerable peoples at rural and remote area are benefited from the Project; (b) Conducting public consultative meeting and social assessment in IP communities in order to identify needs for each specific project site, any potential adverse impact as result of site specific project's implementation, and possible project intervention; (c) Preparing minute of the meeting detailing information dissemination, discussed issues especially limitation to education access, concern raised by IP and possible project intervention; and (d) conducting consultations and updated social assessment related to Component 1 activities) and reporting. The outcome shall be summarized in a report and submitted to the PMC, which will compile the report and submit to the Bank.

17. **Provincial and District Office of Education** is sub-national level office of MoEYS. POE/DOE is a liaison between school and local community/authority and MoEYS. POE/DOE selected the target schools and proposed to MoEYS for consideration and screening. POE/DOE will cooperate with local authority to assure that school lands are secured for the Project.

18. **School Support Committee (SSC)** will be set up, if not yet exist, in every target schools and trained to use the project operational manual. The Committee will administer the construction works, ensure compliance of safeguard issues and monitor the implementation progress. Members of SSC will include women and elder who is representative of the IP community. SSC will be responsible for (a) coordinating and organizing consultative meeting and public announcement among the stakeholders particularly with student parents; (b) checking construction progress and ensuring compliance to all safeguard related issues; (c) receiving complaint from student parents and communities and send to Grievance Redress Committee for action.

Monitoring, Documenting and Disclosure

19. Given the small scope of civil works to be carried out within each target schools under the Project (Component 1) and the fact that selection of priority investment would follow the participatory planning and consultation process described in this policy, significant adverse negative impacts to indigenous peoples land and resources are not expected to occur. The project will therefore seek to strengthen the self-monitoring and problem resolution capacity of local communities, through school support committee, including but not limited to indigenous peoples communities. Participatory Monitoring and Evaluation (M&E) will be carried out during implementation to allow affected population to assess project effects and identify measures to broaden positive benefits and address negative impacts. Also, whether conflicts involving ethnic groups have occurred and been resolved in compliance with this document will be monitored and reported by project focal person. The PMT through its focal person will conduct regular internal monitoring and evaluation of the IPPF/IPP including review of monthly progress report submitted by site engineer.

Transparency and Grievance Mechanism

20. The World Bank's resettlement policy requires an investment project to establish

mechanism for grievance resolution in order to ensure indigenous peoples' satisfaction with implementation of IPPF related activities, and provide the IPs with a legal platform for on the ground monitoring and reporting on the implementation of IPPF related activities. Specifically, the purpose of the grievance mechanism is to allow IPs and persons who believe they are affected persons to seek satisfactory resolution to grievances they may have in relation possible land acquisition, resource restriction or other project interventions.

21. At the beginning of the project implementation with the approval and concurrence of the PMC, the grievance redress committees will be established at commune, districts, and provincial levels built on the existing structures consisting of concerned departments, NGOs, community organizations, women and ethnic representatives, if exist. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable to local communities and will be strengthened as the first tier conflict resolution mechanisms of the Commune/Sangkat Council. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints that may occur after project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively. The project will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by PAPs during the course and after the implementation of IPs related activities.

Capacity Building

22. Training need assessment (TNA) may be conducted in order to design training materials that relevant to the need. TNA will be conducted among PMT down to SSC and community. Training will cover the three safeguard policies and compliance, namely environment, involuntary resettlement and indigenous people. With specific to IPPF/IPP training shall include (a) overview of the World Bank OP4.10 and Cambodia relevant laws and regulation; (b) content of IPPF/IPP and its implementation issues; (c) institutional arrangement for the project implementation including role and responsibility; (d) how to conduct public consultation using free, prior and informed approach; (e) grievance redress procedure and issues; and (f) requirement for monitoring and reporting.

Budget

23. Budget for implementing IPPF will be part of the Project budget. It uses to cover costs of project staff allowances and consultants to prepare compliance reports including supervising and monitoring reports, data collection, and preparation of IPP etc. Below is a rough budget estimate for IPPF implementation. Budget for IPP implementation is separated. There are totally 130 target schools but assume that only 30 schools will be located in the IP communities or IP with attachment to the location where target schools are located. Assuming that IPPF will require project staff input of 10 days per target school, 5 days of consultant input per target school plus 5 days of transport. Lump sum amount will be used for data collection and other expanses. **Total budget for implementing this IPPF is estimated at US\$120,000.**

PUBLIC CONSULTATION AND DISCLOSURE

Approach used for Social Screening

24. Free, prior and informed consultation approach is required in all stages of the project. Firstly, it had been used during consultative meetings with local authorities, communities and school support committees during project preparation as part of SA. In subsequence stages, this approach will be used for project screening (school selection), social assessment (for preparing IPP), and project implementation and monitoring. Detail process and procedure describe in below Subsection. The social screening will be led by MoEYS's Department of Construction with participation of school support committee and commune/Sangkat councils.

25. SA conducted in March 2016 was confirmed that the indigenous peoples in the Project areas (Rattanakiri and Kampong Speu) would receive the overall positive impacts from the Project but may be adversely affected by (i) land acquisition for 30 new schools and some of which may be located in their communities and (ii) inequitable access to new school because some IP communities are far away. Agreement was reached between participants of consultation meetings, inter alia, local community members including IPs, local and national government officials, who are active in the Project areas.

Free, Prior, and Informed Consultation

26. The Project will adopt full consultation and stakeholder participation for both Components 1 and 2. During project screening (school selection process) communities, teachers, parents and local authorities are full consulted about benefits and potential impacts. As part of the preparation of IPP, a Social Assessment will be conducted with target schools where potential impacts on indigenous peoples, land and other resources are identified. Prior to consultation, the PMC will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities. During the consultation, detailed procedures would be determined on a village-by- village basis to determine the potential impact and possible supports under the project. Further, a conflict resolution system, through established grievance mechanism, would be defined to ensure reflection of voices of the affected people (particularly for land acquisition).

27. In the process, free, prior and informed consultations will be undertaken in a language spoken by, and location convenient for, potentially affected indigenous peoples. The views of indigenous peoples are to be taken into account during implementation of projects, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the periodical reports and submitted to the Bank for review. During implementation of the project, an updated social assessment shall also be carried out to monitor the positive and negative impacts of the project, and obtain feedback from the project-affected people.

Public Disclosure

28. The final draft of IPPF will be uploaded into the World Bank's InfoShop **dated to be confirmed**. The document will be translated into Khmer language and an Executive Summary section has been posted on the MoEYS's Public Information Board on 25th November 2016 including the Provincial Department of Education's Public Information Board.. MoEYS is in the process of developing the SEIP project website. Once it is developed the IPPF, in Khmer language, will be uploaded into the project website.

1. INTRODUCTION

1.1. COUNTRY AND SECTOR CONTEXT

1. Following more than two decades of strong economic growth, Cambodia has attained the lower-middle income status as of 2015, with GNI per capita reaching US\$ 1,070. Cambodia grew by an average annual rate per capita of 7.8 percent during 2004–2014, ranking among the top 15 economies in the world in terms of economic growth. The gross national income (GNI) per capita according increased by more than threefold in just two decades. The main drivers of growth have been garment, manufacturing, agriculture, tourism and, more recently, construction and real estate. Economic growth eased in the aftermath of the 2009 global crisis while remaining strong at 7.2 percent during 2010–2014, on average. Growth eased slightly to 7.0 percent in 2015, in the context of an economic slowdown in China and appreciating U.S. dollar, and is expected to remain at 7.0 percent in 2016. Resilient garment exports and stronger domestic demand, boosted by a construction boom, low oil prices, and fast credit growth, partly offset the moderation in the tourism and agriculture sectors.

2. Realizing education's potential to spur growth is a priority for Cambodia. The country's National Strategic Development Plan and Rectangular Strategy call for creating a competitive economy through knowledge and innovation. To lay a strong foundation, the Education Strategic Plan (ESP) focuses on two key issues: achieving universal access to high-quality basic education and promoting equal educational opportunities to increase income and employment.

3. Over the previous 20 years, Cambodia has expanded access to education. In primary school, net enrollments increased from 83.8 percent in 1992 to 98.4 percent in 2015. Lower secondary enrollments also increased from 31.9 percent in 2009 to 51.5 percent in 2015 and early childhood education enrollment rate for 5-year-olds rose from 24.6 percent in 2004 to 64 percent in 2015. Girls have equal access to educational opportunities too: The Gender Parity Index for net enrollment in 2011/12 was 0.99 in primary school (grades 1 to 6), 1.13 in lower secondary school (grades 7 to 9), and 1.05 in upper secondary school (grades 10 to 12).

1.2. RELATIONSHIP TO CAS AND ESP

4. This project is closely related to the objectives of the Country Assistance Strategy (CAS), which was last updated in May 2008, as well as the emerging Interim Strategy Note (ISN). The CAS proposed to build strong foundations for sustainable development and poverty reduction by investing in good governance, physical infrastructure, human capital, and the private sector.

5. The proposed interventions are also aligned with the Bank's twin goals of eradicating extreme poverty and increasing shared prosperity. The literature on human capital has documented the positive correlation between human capital investment and social and economic development. Investments in education significantly contribute to poverty eradication and wealth creation, as higher educational attainment significantly increases the probability of getting a paid job and has a large and positive impact on monthly wage earnings. This well-known contribution laid the foundation for one of the landmark pledges at the 2000 UNESCO-sponsored World Education Forum in Dakar that provided a sustainable and well-integrated sector framework – Education for All – that clearly linked education with poverty elimination and social and economic development.

6. Since the Dakar forum, international evidence has shown that access to and permanence in the education system, while necessary, are not sufficient to achieve reduced poverty and greater shared growth. Education systems need to be of sufficient quality to ensure that their graduates acquire the basic, soft, and sector-specific skills needed to function efficiently and effectively on the job, adapt as workers or managers in a rapidly evolving technological society, and innovate and compete as entrepreneurs not only in developing new products but also in adopting those produced elsewhere.

7. In addition to be aligned to the Bank's twin goals, the proposed project also complements various on-going interventions to implement Teacher Policy Action Plan (TPAP) by development partners, such as the United Nations Children's Fund (UNICEF), Japanese International Cooperation Agency (JICA), Swedish International Development Agency (SIDA), Asian Development Bank (ADB), and the European Commission (EC). Specifically, ADB is processing the new program on the expansion of upper secondary education with strong focus of math and science. JICA is also preparing their new loan for upgrading 6 Regional Teacher Training Centers to Teacher Education College so as to improve pre-service training for lower secondary teachers. In addition, UNICEF, EC and SIDA implement capacity development program for existing primary school teachers.

8. **Education Strategic Plan (ESP) 2014 – 2018** intends to continue to give highest priority to equitable access to high quality education, especially basic education (grade 1 to grade 9), in order to realize the National Education for All (EFA). ESP 2014-18 also gives a great emphasis on expanding early childhood education, non-formal education, technical and vocational training and opportunities to access secondary and post-secondary education through the continued and improved partnership among the government, development partners, private sector, non-governmental organizations, communities and parents.

1.3. PROJECT DEVELOPMENT OBJECTIVES

9. The PDO is to expand lower secondary education of a minimum standard in target areas, and to provide immediate and effective response in case of an Eligible Crisis or Emergency. This will be achieved through two main components: (i) Improving Lower Secondary Education to Meet Standards through: provision of School Improvement Fund (SIF), upgrading lower secondary teachers, and improving school facilities; and (ii) Strengthening Project Management, Monitoring and Evaluation.

1.4. PROJECT DESCRIPTION AND COMPONENTS

10. Overall, the project is designed to expand lower secondary school access and improve its quality. The project improves the effectiveness of teachers by supporting MoEYS' Teacher Policy Action Plan (TPAP), which aims to professionalize the teaching force in Cambodia. This project in particular will support the upgrading of lower secondary school teachers who do not currently hold a bachelor's degree in the subject area they teach. Moreover, the project will support the development of sub-national school management structures by providing additional support to 100 schools, their respective District Offices of Education (DOEs), and Provincial Departments of Education in all the 25 provinces and capitals. Project support will increase school-based management and financial capacity to achieve school-specific development needs as well as build the monitoring and evaluation systems at subnational education offices.

11. The project will have two components. Sub-components 1.1 and 1.2 will use results-based financing to support the achievement of MoEYS secondary school standards through three interlinked dimensions: (i) strengthening school-based management and (ii) upgrading teachers. For each sub-component, there will be one or two Disbursement-Linked Indicators (DLI) with time-bond targets. These three components will make up the package (or packages) that will be sent to MEF for special arrangement approval. Investment Project Financing will be used for Sub-component 1.3, improving school facilities and Component 2: (i) project management and monitoring and evaluation (M&E) and (ii) Program for International Student Assessment (PISA) for Development.

12. Component 1: Improving Lower Secondary Education to Meet Standards (US\$32.6 million equivalent). This component aims to support the goals of the ESP and the TPAP through the establishment of 100 effective lower secondary schools (i.e., schools that meet LSSSES) that can provide lessons to MoEYS as it increases expenditures in the sub-sector. This component targets approximately 8 percent of total lower secondary schools nationwide. This component will

be implemented using a holistic approach, targeting national, sub-national and school levels. This will be achieved through three sub-components: (i) strengthening school based management through the provision of the School Improvement Fund (SIF) at the POE, DOE and school levels; (ii) upgrading qualification of lower secondary school teachers (especially in math, physics, biology, chemistry, Khmer, and History subjects)⁴ and school directors to bachelor's degrees; and (iii) improving school facilities through construction and rehabilitation of 100 existing schools and construction of 30 new schools to provide enabling conditions for effective teaching and learning. The selection of the 100 existing schools and 30 new schools were: (a) need-based and drawn upon an extensive school mapping exercise; (b) based on schools that exhibit a strong community commitment to the project concept and willingness to meet the project's preconditions for selection; and (c) located in rural and remote areas. Component 1.1 targets only 100 existing schools and Component 1.3 targets both 100 existing schools and 30 new schools, while Component 1.2 targets teachers nation-wide with preference given to teachers and school directors/deputy directors from the 130 target schools. Each of these overlapping subcomponents are detailed below.

13. **Sub-component 1.1: Strengthening School-Based Management (approximately US\$14.7 million equivalent through DLI approach).** This subcomponent aims to support capacity development of POEs, DOEs and the 100 targeted Lower Secondary Schools to strengthen service delivery in efforts to: (i) strengthen school management through school development planning, monitoring/assessment of teachers and student performance, and community participation; and (ii) support teachers in improving teaching and classroom management practices, including lessons plan, workbooks, test items, and student assessment/feedback. To achieve the goals of this sub-component, the project will finance (1) SIFs⁵ at the POE, DOE and School-levels as well as (2) activities that capacity build staff members at each of these levels.

14. **Sub-component 1.2: Upgrading Teachers (US\$7.3 million equivalent through DLI approach).** Working through the national structure of TPAP, this subcomponent aims to upgrade the qualifications of 2,000 teachers and 310 school directors and deputy directors to bachelor's degrees. The first cohort to be upgraded will be the teachers and directors from the 100 target schools (see sub-component 1.3). The remaining teachers will be upgraded based on national needs identified by TPAP, thus creating a spillover effect. The proposed sub-component activities will focus on demand side scholarships, covering tuition costs and stipends (i.e., transportation and accommodation costs).

15. **Sub-component 1.3: Improving School Facilities (approximately US\$10.6 million through IPF traditional approach).** To complement the two above sub-components, this sub-component will support the physical improvement of 130 target Lower Secondary schools to expand access. This will include: (i) construction and rehabilitation of 100 existing schools⁶ and (ii) construction of 30 new schools in the communes lacking a lower secondary school. The schools will cover all 25 provinces in 78 districts. The construction plan of the 130 selected schools will include teacher accommodations where needed and will be carried out through

⁴ The teacher upgrading in math and science connects to the *Cambodia Industrial Development Policy, 2015-2025*, specifically as it relates to the areas of STEM.

⁵ The operational guidelines will describe: (i) the process of school self-assessment, planning and budgeting, monitoring and review; (ii) procurement of goods, services; and works; (iii) financial management; (iv) transparency and public reporting; (v) and teacher allowance procedures.

⁶ The selection of the 100 existing schools will be based on: (i) schools that exhibit a strong commitment to the project concept and are willing to meet the project preconditions for selection; and (ii) schools with high drop-out rates, low enrollment rates and high student/teacher ratios. The selection of the 100 existing schools excludes the more affluent and/or well-endowed schools (e.g. schools with sufficient teachers, flagship schools in the provincial center, etc.) or schools that receive supports from other donor programs.

community participation construction method. The selection of the schools will be need-based and draw upon the school mapping exercise undertaken by MoEYS..

16. The MoEYS survey team visited 30 school locations in eight provinces. The main objectives of the visit were to: i) site screen the school locations, ii) inform concerned parties – POEs (41), DOEs (33), School Support Committees, local authorities, students (304), parents/and communities (212) – about the project and assess their commitment to the project to improve learning outcomes. The team noted high level of enthusiasm from the sites visited. The team mentioned that visits to the remaining sites will be completed by October 2016 and the full need analysis will be completed by January 2017.

17. It was agreed that a standard MoEYS school design will be adopted for school facilities and will follow the successful model used and lessons learned in previously financed World Bank education projects - the Flood Emergency Rehabilitation and Cambodia Education Sector Support Projects. All construction will be permanent structures, with minimum expected lifespan of 25 years, meeting the requirements of the MoEYS School Construction Guidelines, which are described in detail in the Community Construction Manual (CCM). It was agreed that the technical specifications of the standard MoEYS school design would be reviewed by IDA mission by TBD. The updated CCM incorporates environmental safeguards aspects, a more cost effective school construction design to be implemented in rural areas and inclusion of protection against strong wind.

18. **Component 2: Strengthening Project Management and Monitoring and Evaluation (approximately US\$7.6 million equivalent *million through IPF traditional approach*).** This component will cover grant management as well as strengthen monitoring and evaluation capacity in the MoEYS. This component will also finance activities to support the PISA for Development (PfD) to strengthen assessment capacity of MoEYS in preparation for PISA 2021.

19. This component will also support day-to-day implementation, coordination and management of project activities on planning and execution, financial management, procurement, supervision and reporting, internal and external audits, third party verification for DLIs, environmental and social safeguards management, and monitoring and evaluation. These activities will ensure efficient program management and early identification of corrective measures to solve implementation problems. In addition, this component will provide necessary office equipment, vehicles, training/workshops, logistics, and operational costs to relevant MoEYS departments. Furthermore, the project will provide critical and strategic TA and capacity building to support and strengthen relevant departments at all levels during implementation, including TA to TPAP in order to ensure a strong pedagogical component in the upgrading curriculum of each service provider and for on-the-job training at the school level.

1.5. INDIGENOUS PEOPLE PLANNING FRAMEWORK (IPPF)

20. The World Bank's Operational Policy 4.10 on Indigenous Peoples is triggered for this Project. In compliance with the OP 4.10 and prior to project appraisal stage, an Indigenous Peoples Planning Framework (IPPF) is developed to ensure that indigenous peoples would be sufficiently and meaningfully consulted leading to their free, prior and informed consultation (FPIC) to project interventions, that they would have equal opportunity to share the project benefits, and that any potential negative impacts are properly mitigated. The IPPF will form a basis for project implementation and monitoring and evaluation of how the project deals with indigenous peoples issues. At project implementation stage, Indigenous People Plan (IPP) will be developed, based on this IPPF, after the target schools are approved and results of social screening confirmed adverse impact on IP communities.

2. BACKGROUND

2.1. OVERVIEW OF INDIGENOUS PEOPLES IN CAMBODIA

21. The Cambodian government has made reference to indigenous peoples (literal translation: “indigenous minority peoples”) in various laws and policies. Indigenous peoples are recognized separately to peoples such as the ethnic Lao living in northeastern Cambodia who are not generally considered “indigenous”, nor are the Chams or Vietnamese. However, the concept of indigenous peoples is not that clear-cut and Khmers (the dominant ethnic group) living in some areas share many characteristics with indigenous peoples.

22. The population of Cambodia is 13.7 million of which 90-95 percent are Khmer ethnicity. The remaining 5-10 percent is composed of ethnic minorities such as the Muslim Cham, Chinese and Vietnamese, and seventeen indigenous ethnic minority groups also called “Khmer Loeu” or “hill tribes” who are ethnically non-Khmer. These groups are estimated to comprise around 120,000 persons and constitute about 1 percent of the Cambodian total population. The seventeen indigenous minority groups which range from 300 to 19,000 members include Phnong, Kouy, Mil, Kraol, Thmorn, Khaonh, Tompoun, Charay, Kreoung, Kavet, Saouch, Lun, Kachak, Proav, Souy (Sa’ong), Stieng, and Kavet and other minority groups namely Vietnamese, Laotian and Khmer Islam⁷. Indigenous groups constitute the majority in the provinces of Ratanakiri (67.9 percent) and Mondulakiri (59.3 percent). Stung Treng and Kratie also share higher percentage of indigenous groups.

23. In Ratanakiri, there are 32,947 households, with total population of 156,705 (NCDD, 2010). Among these, 71.42 percent of the total population are contributed from 9 indigenous people and 3 minority groups namely: Phnong (466 persons equals to 0.30 percent of total population), Kouy (1 person, equals to 0.001 percent), Stieng (121 persons, equals to 0.08 percent), Tompoun (33,506 persons, equals to 21.38 percent), Charay (24,834 persons, equals to 15.85 percent), Kreoung (22,122 persons, equals to 14.12 percent), Kavet (2,497 persons, equals to 1.59 percent), Lun (492 persons, equals to 0.31 percent), Kachak (4,356 persons, equals to 2.78 percent), Proav (8,985 persons, equals to 5.73 percent) and other minority groups namely Khmer Islam (2,501 persons, equals to 1.6 percent), Vietnamese (795 persons, equals to 0.51 percent) and Laotian (11,249 persons, equals to 7.18 percent).

24. In Mondulakiri, there are 13,257 households, with total population of 62,218 (NCDD 2010). Among these, 70.70 percent are contributed from 9 indigenous people groups and 3 minority groups namely: Phnong (36,992 persons, equals to 59.46 percent of the total population within the province), Kuoy (23 persons, equals to 0.04 percent), Stieng (492 persons, equals to 0.79 percent), Mil (355 persons, equals to 0.57 percent), Kraol (1081 persons, equals to 1.74 percent), Thmorn (49 persons, equals to 0.08 percent), Tompoun (32 persons, equals to 0.05 percent), Charay (225 persons, equals to 0.36 percent), Kreang (80 persons, equals to 0.13 percent) and other minority group namely Khmer Islam (3,455 persons, equals to 5.54 percent), Vietnamese (87 person, equals to 0.13percent) and Laotian (1,130 persons, equals to 1.82 percent).

25. In Stung Treng Province, according to the provincial database in 2010 produced by the Ministry of Interior reported that there are 22,870 households, with total population of 112,237. Among these, 12.38 percent of the total population are contributed from 10 indigenous people groups and 3 other minority groups namely: Phnong (652 persons, equals to 0.58 percent), Kuoy (4,358 person, equals to 3.88 percent), Stieng (151 persons, equals to 0.13 percent), Tompoun (17 persons, equals to 0.02percent), Charay (3 persons, equals to 0.003 percent), Kreoung (882 persons, equals to 0.79 percent), Kavet (3,041 persons, equals to 2.71 percent), Lun (549 persons, equals to 0.49 percent), Kachak (3 persons, equals to 0.003 percent), Praov (591 persons, equals to 0.53 percent) and Khmer Islam (3,170 persons, equals to 2.82 percent),

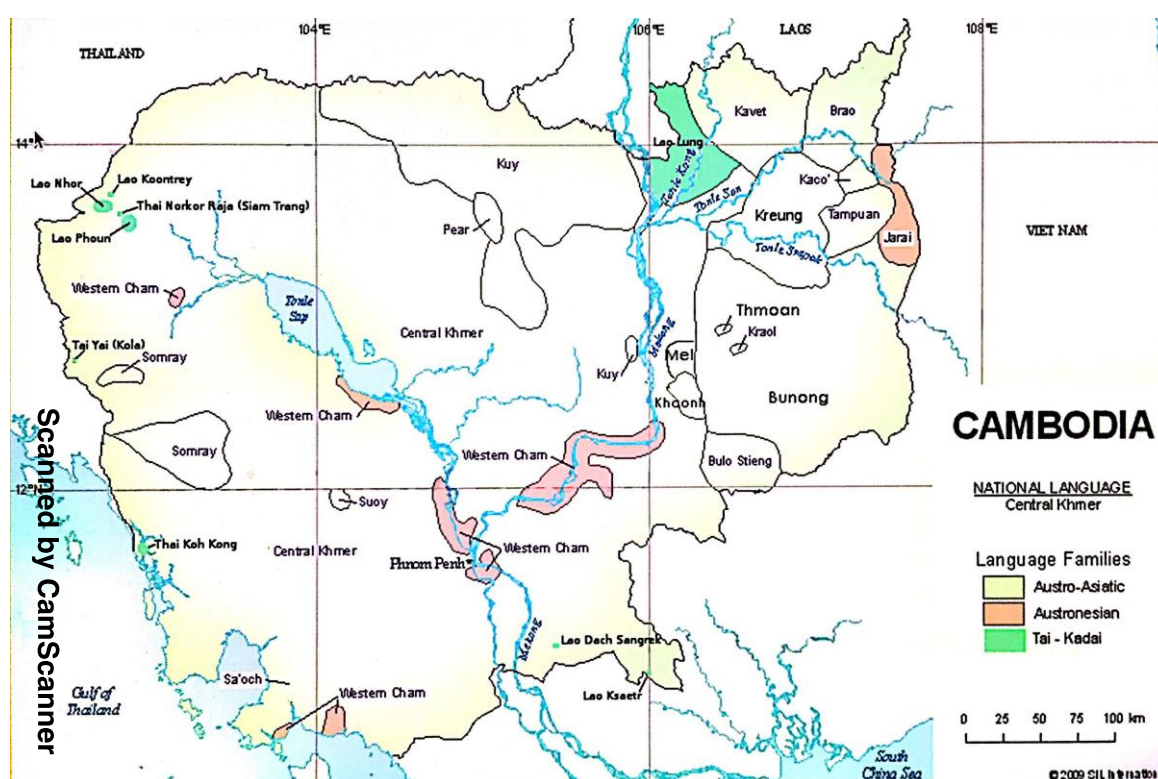
⁷ *Pathways to Justice: Access to Justice with a Focus on Poor, Women and Indigenous People*, Ministry of Justice, UNDP, September 2005, p. 59.

Vietnamese (437 persons, equals to 0.39 percent) and Laotian (43 persons, equals to 0.04percent).

26. In Kratie province, there are 68,171 households, with total population of 331,592 (NCDD, 2010). Among these, 17.18 percent of the total population are contributed from 7 indigenous people group and other 3 minority groups namely: Phnong (13,934 persons, equals to 4.20 percent), Kouy (9,194 persons, equals to 2.77 percent), Stieng (5,595 persons, equals to 1.69 percent), Mil (3,696 persons, equals to 1.11percent), Kraol (3,758 persons, equals to 1.13 percent), Thmorn (1,011 persons, equals to 0.30percent), Khoanh (871 persons, equals to 0.26 percent) and Khmer Islam (16,771 persons, equals to 5.06percent), Vietnamese (2,121 persons, equals to 0.64 percent) and Laotian (12 persons, equals to 0.004percent).

27. Kampong Speu, one of the project target province, has 857 inhabitants of Souy ethnicity living in Oral district.

Figure 1: Indigenous Peoples and Ethnic Minority Map



Source: UNESCO Poster on Ethnolinguistic Group of Cambodia, December 2011

Table 1a: Indigenous Peoples and Ethnic Minority Groups

Estimated EGIDS values for languages in Cambodia						
Name (English)	Name (Khmer)	Population	Primary Location	EGIDS	Khmer Orthography	Bilingual Education
Cham [cja]	ចាម	204,080	Multiple	6a	none	none
Kuy, Kui [kdt]	ក្លាយ	28,612	Preah Vihear	7	Yes, INL recognized	pilot NFE
Bunong, Phnong [cmo]	ឈ្មង	37,507	Mondulkiri	5	Yes, INL recognized MOEYS approved	NFE, pilot FE
Tampuan [tpu]	ចំពួន	31,013	Ratanakiri	6b	Yes, INL recognized MOEYS approved	NFE, pilot FE
Jarai [jra]	ចារ៉ាយ	26,335	Ratanakiri	5	In process	none
Kreung (Brao Tanap) [krr]	គ្រឹង	18,214	Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE, pilot FE
Brao Ombaa [brb]	ព្រៅ	7,027	Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE
Brao Kavet [krv]	កាវ៉េត	5,258	Stung Treng / Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE, pilot FE
Kachok [xkk]	កាចក់	3,365	Ratanakiri	6b	none	none
Stieng [sti]	ស្ទឹង	6,541	Kratie	6b	none	none
Kraol [rka]	ក្រោល	4,202	Kratie	6b	none	none
Mel	មីល (កាដ្រុក)	1,697	Kratie	8b	none	none
Thmoan	ថ្មូន	865	Kratie	7	none	none
Khaonh	ខោញ	743	Kratie	8b	none	none
Somray [smu]	សំរាយ	4,100	Pursat	8b	none	none
Pear [pcb]	ព័រ	1,674	Preah Vihear	8a	none	none
Sa'ong (Suoy)	សាអុង (ស្វយ)	857	Kampong Speu	7	none	none
Ch'ung (Saoch) [scq]	ស្ទួច	445	Kampong Som	8b	none	none
Lao [lao]	ឡាវ	18,515	Stung Treng	6b	none	none
Vietnamese [vie]	វៀតណាម	72,775	Multiple	4	none	private
Hakka [hak]	ចិនខី (ហាក់កា)	5,000	Multiple	6b	none	none (private Mandarin)
Cantonese [yue]	ចិនកន្លង	55,000	Multiple	6b	none	none (private Mandarin)
Hokkien [nan]	ចិនហុកកៀន	5,000	Multiple	6b	none	none (private Mandarin)
Teochiu [nan]	ចិនចាជីវ	440,000	Multiple	6b	none	none (private Mandarin)
Hainanese [nan]	ចិនហៃណាំ	15,000	Multiple	6b	none	none (private Mandarin)

Source: UNESCO Poster on Ethnolinguistic Group of Cambodia, December 2011

28. In terms of ethnic relations, the Cambodian people in Stung Treng, Kratie, Ratanakiri and Mondulkiri often refer to themselves as Nek Srok Lue (literally 'uplanders') which denotes people who inhabit the agricultural zone and who grow rice and cash crops for either their own consumption or for sale. Hill tribes or Khmer Lue, as they are collectively known, are concentrated in the mountainous regions of northeast Cambodia.

Table 1b: Existence of Indigenous Peoples in Cambodia by Provinces (2006)

No	Ethnicity	Rattanak Kiri	Mondul Kiri	Kracheh	Preah Vihear	Kampong Thom	Stung Treng	Odor Meanchey	Kampong Cham	Pursat	Kampong Spue	Banteay Meanchey	Battambang	Sihanoukville	Siem Reap	Koh Kong	Total
1	Kuoy			5,939	16,731	13,044	1,644	2,203				1,712	8				41,281
2	Phnong	267	26,866	12,454	24		430	699					3				40,743
3	Tumpoun	31,088	388		5		4	281					16				31,782
4	Chaaray	20,170	84				12	158					14				20,438
5	Kroeung	18,442	57				278	124									18,901
6	Stieng		648	10,593				27	2,564								13,832
7	Praov	7,968					444										8,412
8	Kaveat	2,379					2,710	18									5,107
9	Kraol		659	3,411				29									4,099
10	Mel			3,172													3,172
11	K'chak	2,887					1	52									2,940
12	Por				1,329					1,207							2,536
13	Kaonh			1,529									433				1,962
14	Chong									774						1,064	1,838
15	Souy										1,833						1,833
16	Thmoon		148	448				5									601
17	Lon	289					251										540
18	S'ouch													106			106
19	Raadea	2						16									18
20	Kek							15									15
21	Ro Ong																0
22	Stung																0
23	L'oeun																0
24	Samrae																0
Total		83,492	28,850	37,546	18,089	13,044	5,774	3,627	2,564	1,981	1,833	1,712	474	106	0	1,064	200,156

Source: Department of Indigenous Minority Development

2.2. RELEVANT LEGAL FRAMEWORK AND REGULATIONS

Cambodia Policies, Laws, Rules and Regulations Applicable to IPs

29. **National Policy on the Development of Indigenous People:** The Policy was approved by the Council of Ministers April 24, 2009 and sets out government policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy. Together with the Land Law (2001) this policy gives recognition to the rights of indigenous peoples to traditional lands, culture and traditions.

30. **A Policy on Registration and Right to Use of Indigenous Communities** in Cambodia was approved by the Council of Ministers on April 24, 2009, and a Sub-decree on procedures of registration of Land of Indigenous communities was signed on June 9, 2009 by the Prime Minister. This policy takes as its basis the recognition in the Land Law of 2001, of the right of indigenous communities to possess and use land as their collective ownership. The policy states that the registration of indigenous communities as collective ownership is different from the registration of individual privately owned land parcels because the land registration of the indigenous communities is the registration of all land parcels belonging to the communities as a whole, consisting of both State Public Land and State Private Land in accordance with the articles 25, 26, and 229 of the Land Law and related Sub-decrees. These land parcels are different in size and can be located within the same or different communes/sangkat. Therefore, the registration of land parcels of indigenous communities requires a separate Sub-decree supplementing existing procedure of sporadic and systematic land registration.

31. **Cambodia Constitution (1993)** supports the right to education, Education for All and 9 years basic education (Article 65, 66, 67 and 68). Article 48 states “the State shall protect the rights of children as stipulated in the Convention on Children, in particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.” Article 46 states “the state and society shall provide opportunities to women, especially to those living in rural areas without adequate social support, so they can get employment, medical care, and send their children to school, and to have decent living conditions.” Article 31.2 stipulates that “Khmer citizens shall be equal before the laws and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth of origin, social status, resources, and any position”. Article 44 guarantees the legal right to own land equally for all Khmer citizens: “All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land”.

32. **Law on Education** was enacted by the National Assembly on the 19th of October 2007. The objective of this law is to develop human resources of the nation by providing lifelong education for the learners to acquire knowledge, skills, capacities, dignity, good moral behaviors and characteristics, in order to encourage learners to know, love and protect the national identity, cultures and language.

33. **The Land Law 2001** recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. Article 23 in the law defines an indigenous community as:

- A group of people who manifest ethnic, social, cultural and economic unity,
- Who practice a traditional lifestyle, and
- Who cultivate the lands in their possession according to customary rules of collective use

34. Article 25 in the law defines indigenous community lands: “The lands of indigenous communities are those lands where the said communities have established their residencies and where they carry out their traditional agriculture”, and these lands “include not only lands actually cultivated but also includes reserves necessary for the shifting cultivation which is required by the agricultural methods they currently practice”. Article 25 also states “the measurement and

demarcation of boundaries of immovable properties of indigenous communities shall be determined according to the factual situations as asserted by the communities, in agreement with their neighbors". Article 26 states that "ownership of the immovable properties described in Article 25 is granted by the State to indigenous communities as collective property. This collective property includes all the rights and protections of ownership as are enjoyed by private owners".

35. **The Forest Law 2002** (Article 11, 15, 16, 40) guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas which these groups traditionally use and to practice their way of living in term of enjoyment of benefits from the forest.

Relevant International Agreements Cambodia Entered

36. Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples⁸, as well as the Convention on Biological Diversity (1992), which recognizes the role of indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia.

37. **UN Declaration on the Right of Indigenous People** was adopted by the United Nations General Assembly in September 2007. Many countries in the world including Cambodia have voted in favor of this nonbinding declaration.

38. **International Convention on the Elimination of all Forms of Racial Discrimination ("ICERD")**, Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training. Article 13 of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, includes the provision of free primary education irrespective of gender, ethnicity or any other consideration. Article 13 further commits the State Party to make secondary education generally available and accessible to all, including through the progressive introduction of free education, and to working towards the provision of equal access to tertiary education, including through the provision of free secondary education. Government of Cambodia ratified the ICESCR in 1992.

39. **UN Convention on the Rights of the Child (Article 28 - Right to Education)**, rectified by the Cambodia Government in 1992: Every child has the right to an education. Primary education must be free. Secondary education must be available to every child. Discipline in schools must respect children's dignity. Richer countries must help poorer countries achieve this.

2.3. WORLD BANK'S OPERATIONAL POLICY: INDIGENOUS PEOPLE (OP4.10)

40. The WB's Operational Policy 4.10 (Indigenous Peoples) requires that special planning measures be established to protect the interests of indigenous peoples with a social and cultural identity distinct from the dominant society that may make them vulnerable to being disadvantaged in the development process.

41. The Policy defines that indigenous peoples can be identified in particular geographical areas by the presence in varying degrees of the following characteristics:

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

⁸ This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

region.

42. As a prerequisite for Project approval, OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected indigenous peoples and to establish a pattern of broad community support for the Project and its objectives. It is important to note that the OP 4.10 refers to social groups and communities, and not to individuals. The primary objectives of OP 4.10 are:

- To ensure that such groups are afforded meaningful opportunities to participate in planning project activities that affects them;
- To ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and
- To ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

2.4. GAP ANALYSIS

43. Despite Cambodia has Policy that recognize the right of indigenous people to culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy, there is no decrees, sub-decree or procedure for specific safeguard or protect the interest of the indigenous peoples. They have generally been treated equally as Khmer citizens. However, Cambodia Land Law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. In practice, the procedure to register collective title take very long and only few indigenous communities (approx. 5) have received collective title since the land law enacted in 2001. Similarly, the Forest Law also guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas that they traditionally use and practice. Thus, there is no significant discrepancy between Cambodia laws and regulations and the World Bank's OP4.10. In addition, the Bank' OP4.10 comprehensively describe the objectives, principles and procedure to safeguard the indigenous peoples. The IPPF, therefore, will be prepared on the basis of the World Bank's OP4.10 by taking into consideration relevant Cambodia policies and regulation. Clear mechanism for free, prior and informed consultation in order to seek broad support of the Project from the indigenous communities will be used in the whole cycle of the Project. During implementation, a Grievance Redress Mechanism will be established so that every indigenous people can bring his/her voice, complaint or any un-satisfaction about the project.

3. KEY ISSUES AND POTENTIAL IMPACTS ON IP

3.1. KEY ISSUES ENCOUNTERED BY IPS

44. In March 2016, a team comprises of MoEYS's officers in charge and two safeguard consultants (one for social and another one for environmental) conducted series of stakeholder's consultative meetings in 9 selected secondary schools from four provinces, out of 25 Capital and provinces, as part of the Social assessment (SA). Free, prior and informed consultation approach was used together with participatory rapid appraisal (PRA) technique. These consultations aimed to determine causes of dropout by IP student, key issues encountered by their communities, and support the indigenous peoples screening process by providing additional data to identify ethnic minority communities in the project areas and also to confirm that the construction of new school building and/or classrooms and construction of teacher's accommodation within their communities receive broad and strong support from local communities and benefit them. Participants of such consultations expressed broad community support to the project. A social assessment (SA) report was prepared as a standalone document and its outcomes were used to prepare safeguard documents (including this IPPF and ESMF) of the Project.

45. Fieldwork and desk review conducted as part of the SA found that indigenous peoples are present majority in Rattanak Kiri, Mondul Kiri, Stung Treng and Kratie (the northeastern part of Cambodia). Other minority groups are living in Preah Vihear (Kouy), Kampong Speu (Souy),

Sihanouk Ville (Sa'och), Kampong Cham (Stieng), Kampong Thom (Kouy), Banteay Meanchey (Kouy), and Odor Meanchey (mix). All IP communities are located in remote area of the provinces where accessibility (road) is difficult and infrastructures⁹ are limited. Most of their villages have only primary school with complete or incomplete grade. From stakeholders (villagers, teachers, and local authorities) consultative meetings confirmed that majority of IP students dropped schools at grade 6, as they could not afford to continue their study due to long distance from lower secondary school to their village. Poverty is the key obstacle for their access to education. Other factors cause dropout among IP students are early marriage for girl, do not see someone success resulted from higher education in their community (no role model), and parents have less concern over their child's education. For example, in Oral district, among 50 Souy students who entered grad 7 only 10 students were able to complete grad 9. Similar to this, at Borkeo secondary school, 60% of students are indigenous and has higher dropout rate compare to Khmer's students. All school principals interviewed reported that majority of IP students have short memory leading to lower quality of study. In addition, the school principals felt that the national teaching curriculum might not appropriate for majority of IP students.

3.2. POTENTIAL IMPACTS IN IPS

46. Target schools will be selected from nationwide and thus exactly which IP groups will be benefited/affected under the project will be known after the Project screening, when the exact list of target schools are finalized. In the context of SEIP, the indigenous peoples in the project areas are likely to receive a long term project benefits through the support on (i) access to education from the construction of lower secondary school buildings in their communes presently without lower secondary schools (LSS); and/or (ii) construction of classrooms in the overcrowded lower secondary schools (e.g. two-shift schools); and/or (iii) construction of accommodation for math and science teachers in LSS (Component 1.3); and (iv) improve quality of teaching through improve the teaching force (Component 1.2). However, they may be risks associated to social exclusion that potentially can affect IPs by (i) inequitable access to newly built schools due to distance from their community to school and transport/road issues and (ii) possible land acquisition, particularly for 30 new school constructions. With regard to Component 1.2, indigenous teachers or teachers who are living in the remote indigenous village may have lesser opportunity to receive "scholarship for teacher" to update their skill equivalent to bachelor level compared with other teachers who are living in the urban or less remote rural area.

47. In this context, the IPPF sets out processes and procedures to be followed during the project screening and implementation to make sure that the indigenous peoples are adequately consulted with project activities, given an opportunity to voice concerns and participate in and benefit from the Project. Subsections below describe the activities that will be undertaken during preparation of SEIP and those to be carried out during implementation.

4. IMPLEMENTATION ARRANGEMENT, MONITORING, GRIEVANCE MECHANISM AND REPORTING

4.1. IMPLEMENTATION ARRANGEMENT

48. **Ministry of Education, Youth and Sports (MoEYS):** It is, therefore, proposed that the IPPF implementation will be a built-in to the existing MoEYS's institutional arrangement of the Project, no separate organizational structure will be specifically set up for the IPPF implementation. The SEIP will be implemented under the similar structure of the SESSP and ESSSUAP, which was implemented from July 2008 until recent. The project will be implemented at the national, provincial, district and school levels over a period of six calendar years (2017 to 2022). The MoEYS will assume overall responsibility for coordination and implementation of the Project, including procurement, disbursement and financial management. MoEYS established Project Management Committee (PMC) to manage the entire project.

49. **Project Management Committee:** PMC is the highest level body established by

⁹ Infrastructures includes school, health center, water and electrical supply, and telecom

MoEYS. The overall responsibilities for the oversight of the ESP in order to streamline policy development, strategic planning and implementation decision making processes. The PMC is comprised of MoEYS leaders, including Secretaries of State. The Project Management Team (PMT), led by a Secretary of State and comprised of Directors General and directors of various departments of MoEYS, provides support to the PMC and bears a central role in project implementation. Implementation arrangements have been designed to ensure that overall education policy direction is analyzed from a variety of angles and policy decisions are followed into implementation through the overall coordination of the Directors General. The overall project management structure is as follows:

- The Project Management Team (PMT), led by the Secretary of State in charge of TPAP, will act as Project Director;
- The Under Secretary of State in charge of administration and finance will act as Project Manager;
- The Deputy Director General for Education in charge of secondary education will act as School Grant Program Leader;
- The Deputy Director General of Policy and Planning will act as School Policy and Planning in charge of TPAP; and
- Deputy Director of General Secondary Education Department, in charge of secondary education, will act as Project Coordinator, and other members comprised of Directors General and directors of various departments of MoEYS, will provides support to the PMC and plays a central role in project implementation.

50. **Safeguard Focal Person:** PMC already appointed two focal persons (one for environment and another one for social safeguard) to be in charge of safeguard compliance as per approved ESMF, IPPF, RPF and possible IPP, and RAP. The responsibility include but not limit to (a) implementing activities as per IPPF and ensuring that indigenous and vulnerable peoples at rural and remote area are benefited from the Project; (b) Conducting public consultative meeting and social assessment in IP communities in order to identify needs for each specific project site, any potential adverse impact as result of site specific project's implementation, and possible project intervention; (c) Preparing minute of the meeting detailing information dissemination, discussed issues especially limitation to education access, concern raised by IP and possible project intervention; and (d) conducting consultations and updated social assessment related to Component 1 activities) and reporting. The outcome shall be summarized in a report and submitted to the PMC, which will compile the report and submit to the Bank.

51. **Provincial and District Office of Education:** POE/DOE is sub-national level office of MoEYS. POE/DOE is a liaison between school and local community/authority and MoEYS. POE/DOE selected the target schools and proposed to MoEYS for consideration and screening. POE/DOE will cooperate with local authority to assure that school lands are secured for the Project.

52. **School Support Committee (SSC):** School Support Committees of the target schools will be set up, if not yet exist, and trained to use the project operational manual. The Committee will administer the construction works, ensure compliance of safeguard issues and monitor the implementation progress. Members of SSC will include women and elder who is representative of the IP community. SSC will be responsible for (a) coordinating and organizing consultative meeting and public announcement among the stakeholders particularly with student parents; (b) checking construction progress and ensuring compliance to all safeguard related issues; (c) receiving complaint from student parents and communities and send to Grievance Redress Committee for action.

4.2. MONITORING, DOCUMENTING, REPORTING FOR SEIP

53. Given the small scope of civil works to be carried out within each target schools under the Project (Component 1) and the fact that selection of priority investment would follow the participatory planning and consultation process described in this policy, significant adverse

negative impacts to indigenous peoples land and resources are not expected to occur. The project will therefore seek to strengthen the self-monitoring and problem resolution capacity of local communities, through school support committee, including but not limited to indigenous peoples communities. Participatory Monitoring and Evaluation (M&E) will be carried out during implementation to allow affected population to assess project effects and identify measures to broaden positive benefits and address negative impacts. Also, whether conflicts involving ethnic groups have occurred and been resolved in compliance with this document will be monitored and reported by project focal person.

54. The PMT through its focal person will conduct regular internal monitoring and evaluation of the IPPF/IPP including review of monthly progress report submitted by site engineer. The said monitoring and evaluation is intended to help ensure that the IPPF/IPP are prepared according to the OP4.10 and relevant Government law and regulations and that it is implemented as planned. Internal monitoring will be bi-monthly conducted by the social safeguard focal person. All findings of the internal monitoring should be reported to the PMC (bi-monthly) and incorporated into project progress report submitted to the World Bank every six month. Monitoring indicators shall be clearly specified in the IPP document.

55. **A social safeguard specialist of the World Bank** will be providing supports for monitoring and implementation of IPPF/IPP, and compliance. The social specialist can (a) conduct regular site visit to project sites (at least twice per year) in order to check IPPF/IPP progress and compliance issues; (b) check whether or not the free, prior, and informed consultation with the affected Indigenous Peoples' communities was conducted by the PMC's focal person; (c) coordination of IPPF/IPP activities with construction schedule; (d) measure level of satisfaction of IP with the provisions and implementation of the IPPF/IPP's activities; (e) check grievance redress mechanism and procedure; and (f) conduct social safeguard training for MoEYS.

4.3. TRANSPARENCY AND GRIEVANCE MECHANISM

56. The World Bank's resettlement policy requires an investment project to establish mechanism for grievance resolution in order to ensure indigenous peoples' satisfaction with implementation of IPPF related activities, and provide the IPs with a platform for on the ground monitoring and reporting on the implementation of IPPF related activities. Specifically, the purpose of the grievance mechanism is to allow IPs and persons who believe they are affected persons to seek satisfactory resolution to grievances they may have in relation possible land acquisition, resource restriction or other project interventions. The key principles of the grievance mechanism are to ensure that:

- (a) The basic rights and interests of IPs are protected
- (b) The concerns of IPs arising from the project implementation process are adequately addressed; and
- (c) Entitlements or livelihood support for IPs are provided on time and accordance with the above stated government and World Bank's safeguard policies.
- (d) IPs are aware of their rights to access and shall have access to grievance procedure free of charge for the above purposes.
- (e) The grievance procedure will be part of the overall Commune/Sangkat's Planning Committee, Chief and Council mechanism and form an important part of the conflict resolution mechanism that is community-based, involving representatives of vulnerable groups, and therefore, collectively managed.

57. At the beginning of the project implementation with the approval and concurrence of the PMC, the grievance redress committees will be established at commune, districts, and provincial levels built on the existing structures consisting of concerned departments, NGOs, community organizations, women and ethnic representatives, if exist. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable

to local communities and will be strengthened as the first tier conflict resolution mechanisms of the Commune/Sangkat Council. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints that may occur after project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively. The project will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by PAPs during the course and after the implementation of IPs related activities.

58. As a normal practice if project involve implementation of land acquisition a Grievance Redress Committee is established for the Project. The GRC will deal all aspects of a proposed sub-project including, environment, resettlement and indigenous issues, if exist, through negotiations with the aim to reach a consensus. MoEYS or IRC (if IRC is involved in ARAP/RAP implementation) requests to the Provincial Governor to establish the Grievance Redress Committee (s) at local (provincial, district, and commune) levels to be headed respectively by the Provincial Governor or Provincial Vice-Governor, Chief of District, and Chief of Commune. At GRM Commune level, the members of GRM also comprise of representative of AH/IP (the representative of AH/IP shall be chosen among the PAPs or IP community). These committees will receive, evaluate and facilitate the resolution of PAP/IP and PAH concerns, complaints and grievances. The grievance redress committees will function, for the benefit of PAP/IP and PAH, during the entire life of SEIP and beyond.

59. PAPs or IPs, if not satisfied or unclear about the implementation of resettlement/IPPF related activities including the provision of compensation or livelihood improvement, may raise their complaints to the village committees or direct to commune council, the lowest level of GRC and can be brought further to provincial level if PAP/IP does not satisfy with the solution or clarification.

60. **At Commune level:** An aggrieved PAP/IP may bring his/her complaint to the commune chief directly or through school support committee or school principal. The commune chief will call for a meeting of the group to decide the course of action to resolve the complaint within 15 days, following the lodging of complaint by the aggrieved PAP/IP. The meeting of the group would consist of the commune chief, representative(s) from community including traditional leader. The commune chief is responsible for documenting and keeping file of all complaints that are directed through him/her. If after 15 days the aggrieved PAP/IP did not hear from Commune Council or school support committee, or if the PAP/IP is not satisfied with the decision taken at the first stage, the complaint may be brought to the District Office either in writing or verbally.

61. **At District level:** The District office has 15 days within which to resolve the complaint to the satisfaction of all concerned. If the complaints cannot be solved in this stage, the district office will bring the case to the Provincial Grievance Redress Committee.

62. **At Provincial level:** The Provincial Grievance Redress Committee, which consists of Provincial Governor or Deputy Governor as a committee chairman and Directors of relevant Provincial Departments as members will meet with the aggrieved party and tries to resolve the complaint. Within 30 days of the submission of the grievance to the Provincial Grievance Redress Committee a written decision must be made and inform to the PAP/IP in writing.

63. **Provincial Court:** If the aggrieved PAP/IP is not satisfied with the solution made by the Provincial Grievance Redress Committee based on the agreed policy in the RPF-RAP or IPPF-IPP, the PAP/IP can bring the case to the Provincial court. During the litigation of the case, RGC will request to the court that the project proceed without disruption while the case is being heard. If any party is unsatisfied with the ruling of the provincial court, that party can

bring the case to a higher court. The RGC shall implement the decision of the court.

64. In the target schools where Indigenous People (IP) are affected directly or indirectly, all complaints shall be discussed among the villagers in the presence of traditional village leader or elder and negotiations is carried out in the community or village where the PAP and PAH live. Where necessary, the construction proponents will provide assistance so that the rights of indigenous minorities are protected.

4.4. CAPACITY BUILDING

65. Training need assessment (TNA) may be conducted in order to design training materials that relevant to the need. TNA will be conducted among PMT down to SSC and community. Training will cover the three safeguard policies and compliance, namely environment, involuntary resettlement and indigenous people. With specific to IPPF/IPP training shall include (a) overview of the World Bank OP4.10 and Cambodia relevant laws and regulation; (b) content of IPPF/IPP and its implementation issues; (c) institutional arrangement for the project implementation including role and responsibility; (d) how to conduct public consultation using free, prior and informed approach; (e) grievance redress procedure and issues; and (f) requirement for monitoring and reporting.

4.5. SCHEDULE

66. An IPP shall be prepared as soon as the site-specific projects are selected and adverse impact on IP community and submitted to the Bank as part of the implementation plan. Prior to the commencement of the implementation, the IPP shall be disclosed on MoEYS website and the World Bank InfoShop. A copy of IPP with local language shall be placed in commune council of the target schools where indigenous peoples can access to.

4.6. BUDGET

67. Budget for implementing IPPF will be part of the Project budget. It uses to cover costs of project staff allowances and consultants to prepare compliance reports including supervising and monitoring reports, data collection, and preparation of IPP etc. Below is a rough budget estimate for IPPF implementation. Budget for IPP implementation is separated. There are totally 130 target schools but assume that only 30 schools will be located in the IP communities or IP with attachment to the location where target schools are located. Assuming that IPPF will require project staff input of 10 days per target school, 5 days of consultant input per target school plus 5 days of transport. Lump sum amount will be used for data collection and other expenses.

Table 3: Budget estimate for IPPF implementation

No.	Items	Unit	Rate	Quantity	Amount
1	Staff allowance	10	40	30	12,000
2	Consultant fee	5	300	30	45,000
3	Transport	5	200	30	30,000
4	Data collection	Lump sum	1000	30	30,000
5	Others	Lump sum	100	30	3,000
TOTAL (in US Dollars)					120,000

68. The IPP will include information on detailed cost of mitigation measures and other rehabilitation entitlements for indigenous peoples in the affected areas; and administrative and monitoring costs. Sources of funding for the various activities and financing plans for IPP will be indicated later when IPP is developed. Costs for land expropriation, if any, shall be financed by the counterpart funds, while the training and consultation cost shall be financed by the Bank (IDA).

5. PUBLIC CONSULTATION AND DISCLOSURE

5.1. APPROACH USED FOR SOCIAL SCREENING AND PREPARED RELEVANT SAFEGUARD DOCUMENTS

69. Free, prior and informed consultation approach is required in all stages of the project. Firstly, it had been used during consultative meetings with local authorities, communities and school support committees during project preparation as part of SA. In subsequent stages, this approach will be used for project screening (school selection), social assessment (for preparing IPP), and project implementation and monitoring. Detail process and procedure describe in below Subsection.

70. SA conducted during project preparation in March 2016 confirmed that the indigenous peoples in the Project areas (Rattanakiri and Kampong Speu) would receive the overall positive impacts from the Project but may be adversely affected by (i) land acquisition for 30 new schools and some of which may be located in their communities and (ii) inequitable access to new school because some IP communities are far away. Agreement was reached between participants of consultation meetings, inter alia, local community members including IPs, local and national government officials, who are active in the Project areas for the following approaches to be used in the upcoming Project cycle;

- a) Social Screening will be conducted by the MoEYS's Department of Construction with participation of school support committee and commune/Sangkat councils in order to identify whether Indigenous Peoples are present in, or have collective attachment to, the area of the target schools (see screening form is in Annex 2). Free, prior and informed consultation approach will be used.
- b) Conducting social assessment by the MoEYS's social safeguard focal person, with assistance from consultant who have social safeguard background, if the screening concludes that the indigenous peoples are presented in, or have collective attachment to, the project area. The breadth, depth, and type of analysis in the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether such effects are positive or adverse. Free, prior and informed consultation approach is used.
- c) Preparing Indigenous Peoples Plan (IPP) based on outcomes of the social assessment and consultation with the affected indigenous peoples. The IPP will ensure that Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for; and
- d) Disclosure of the draft Indigenous People Plan to the public. The draft IPP will be uploaded into the World Bank InfoShop and the MoEYS public information board and translated into local language and place a copy at the commune office and another copy at school where the indigenous peoples will have access to.
- e) Updating social assessment during project implementation as part of monitoring process in order to identify unexpected adverse impacts and to propose mitigation measures. If the impact is significant the IPP will also be updated to cover the current impacts. Likely, free, prior and informed consultation approach is used.
- f) Raising awareness about the availability of "scholarship for teacher" under the Project, upgrading math and science teachers to the bachelor equivalent level, to teachers in schools where IP exists; and
- g) Including scholarship for teachers into the IPP for supporting teachers who are indigenous peoples or local residence living in villages/communes of the Project area where IPs exist. Selection process including number of teachers to grant scholarship will

be detailed in IPP document.

5.2. FREE, PRIOR, AND INFORMED CONSULTATION

71. Participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. The decision to participate is the start of the whole participatory process in the project cycle. National Policy on the Development of Indigenous People did not provide clear guideline for public consultation. However, the World Bank' OP/BP4.10 did provide a clear guidance and direction to project proponents in both the public and private sectors, on the need for public consultation and participation and underscore the importance of getting PAPs informed about the project and, more importantly, getting their actual and active involvement in the planning and implementation.

a) Consultation During Project Preparation

72. Extensive consultations was conducted as part of the Social Assessment with free, prior and informed consultation leading to broad community support from ethnic communities in several provinces. . Prior to the fieldwork, the official in charge of the MOYES send letter to Provincial Director of EYS about the consultation process informing about the objective of the consultation process and the fieldwork and request him/her to make appointment with all relevant stakeholder as per schedule attached to the letter.

73. Consultation workshops including focus groups discussions have been conducted during the preparation of the social assessment. For fieldwork, consultant team meets with all relevant stakeholders as per schedule including (i) provincial directors (at his/her office); (ii) district chief of education and school principal (at school); and (iii) chief of commune and commune council members (at commune hall). FGDs are conducted separately with villagers at the villages with coordination of chief of village. Below is the schedule of fieldwork.

74. Prior to the start of the consultation meetings, brief information is provided to participants about the project objectives, scope of the project, its benefit and possible impact. Consultations are mainly on causes of school dropout, socioeconomic situation of the community, and potential impacts from the project. All participants, both male and female, are encourages speaking out and expressing their view. There are more women than men participated in the consultation meeting at village level. At the end of consultation the participants were sought for support from the project activities. All participants from national to sub-national and down to community level were fully support the project initiatives. Consultation meeting was also conducted in the indigenous communities.

75. In the process, free, prior and informed consultations was undertaken in a language spoken by, and location convenient for, potentially affected indigenous peoples. The views of indigenous peoples are to be taken into account during implementation of projects, while respecting their current practices, beliefs and cultural preferences. Two indigenous coordinators were hired to assist during the consultation meeting with the indigenous villagers.

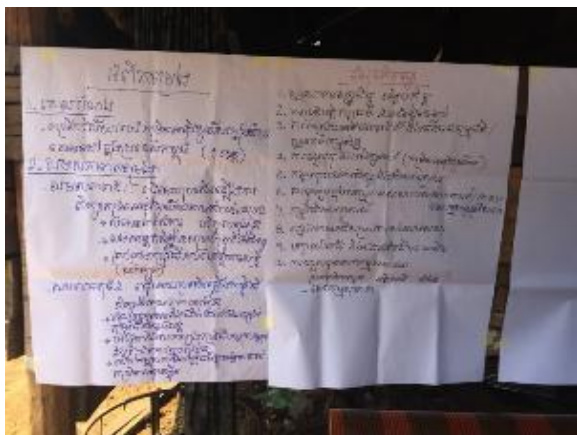
Table 4: Schedule for Fieldwork Activities and Consultation Schedule

SCHEDULE FOR FIELDWORK ACTIVITIES				
Vehicle needed:		When	# of Days	
1	To Kampong Speu (Completed)	28-29 Mar 2016	2	
2	To Banteay Meanchey	21-23 Apr 2016	3	
3	To Rattanak Kiri	24-26 Apr 2016	3	
4	To Kampot	27-28 Apr 2016	2	
	Total		10	
No.	Where to	When	Time	Where to meet
1	Kampong Speu	28-29 Mar 2016		
	Meeting with POE	28-Mar-16	10-11:30 AM	At POE office
	Meeting with Chief DOE of Chbar Mon and School Principal of Kampong Speu High School	28-Mar-16	1:30 PM - 3:00 PM	At School
	Meeting with Chief Commune, Village and Community of Kampong Speu High School	28-Mar-16	1:30 PM - 3:00 PM	At School
	Meeting with Villagers (10-12 persons)	28-Mar-16	3:00 PM - 3:30 PM	At School
	Meeting with Chief DOE of Oral and School Principal of Chhnen Lower High School	29-Mar-16	9:30 AM - 10:30 AM	At School
	Meeting with Chief Commune, Village and Community of Chhnen Lower High School	29-Mar-16	9:30 AM - 10:30 AM	At School
	Meeting with Villagers for different Villages (10-12 persons)	29-Mar-16	10:30 AM - 1:30 PM	At School
	Meeting with Chief DOE of Borsedh and School Principal of Ang Say Lower High School	29-Mar-16	2:30 PM - 3:30 PM	At School
	Meeting with Chief Commune, Village and Community of Ang Say Lower High School	29-Mar-16	2:30 PM - 3:30 PM	At School
	Meeting with Villagers for different Villages (10-12 persons)	29-Mar-16	3:30 PM - 3:50 PM	At Village
2	Banteay Meanchey	21-23 Apr 2016		
	Meeting with POE	21-Apr-16	3:00 PM - 3:30 PM	At POE office
	Meeting with Chief DOE of Serey Sophorn District and School Principal of Ambel High School	22-Apr-16	8:00 AM - 9:30 AM	At School
	Meeting with Chief Commune, Village and Community of Ambel High School	22-Apr-16	9:45 AM - 10:45 AM	At School
	Meeting with Villagers (10-12 persons)	22-Apr-16	9:30 AM - 1:00 PM	At Village
	Meeting with Chief DOE of Preah Neth Preah District and School Principal of Preah Neth Preah Lower High School	22-Apr-16	2:00 PM - 3:00 PM	At School
	Meeting with Chief Commune, Village and Community of Preah Neth Preah Lower High School	22-Apr-16	3:00 PM - 3:30 PM	At School
	Meeting with Villagers for different Villages (10-12 persons)	22-Apr-16	3:00 PM - 3:30 PM	At Village
	Travel back to Phnom Penh	23-Apr-16	8:00 AM - 10:00 PM	
4	Rattanak Kiri	24-26 Apr 2016		
	Departure from Phnom Penh	24-Apr-16	7:30 AM	
	Meeting with POE	25-Apr-16	8:00 AM - 9:00 AM	At POE office
	Meeting with Chief DOE of Borkeo District and School Principal of Borkeo Lower High School	25-Apr-16	9:30 AM - 10:30 AM	At School
	Meeting with Chief Commune, Village and Community of Borkeo Lower High School	25-Apr-16	10:30 AM - 1:30 PM	At School
	Meeting with Villagers Female Group (10-12 persons)	25-Apr-16	2:00 PM - 3:30 PM	At Village
	Meeting with Villagers Male Group (10-12 persons)	25-Apr-16	3:30 PM - 5:00 PM	At Village
	Meeting with Chief DOE of Kon Mom District and School Principal of Trapeang Chres Lower High School	26-Apr-16	8:30 AM - 9:30 AM	At School
	Meeting with Chief Commune, Village and Community of Trapeang Chres Lower High School	26-Apr-16	9:30 AM - 10:30 AM	At School
	Meeting with Villagers Female Group (10-12 persons)	26-Apr-16	8:30 AM - 10:00 AM	At Village
	Meeting with Villagers Male Group (10-12 persons)	26-Apr-16	10:00 AM - 1:30 PM	At Village
	Travel to Phnom Penh	26-Apr-16	Afternoon	
8	Kampot	27-28 Apr 2016		
	Meeting with POE	27-Apr-16	10:00 AM - 1:30 AM	At POE office
	Meeting with Chief DOE of Krong Kampot and School Principal of Preah Reach Samphear High School	27-Apr-16	2:00 PM - 3:00 PM	At School
	Meeting with Chief Commune, Village and Community of Preah Reach Samphear High School	27-Apr-16	3:00 PM - 4:00 PM	At School
	Meeting with Villagers Mix Gender (10-12 persons)	27-Apr-16	3:00 PM - 3:30 PM	At Village
	Meeting with Chief DOE of Angkor Chey District and School Principal of HS Angkor Chey Lower High School	28-Apr-16	8:00 AM - 9:00 AM	At School
	Meeting with Chief Commune, Village and Community of HS Angkor Chey Lower High School	28-Apr-16	9:00 AM - 10:00 AM	At School
	Meeting with Villagers Mix Gender (10-12 persons)	28-Apr-16	9:30 AM - 1:00 PM	At Village
	Travel to Phnom Penh	28-Apr-16	Afternoon	

76. During assignment, MoEYS/consultant team met and interviewed key stakeholders from national level down to village level. We met with leaders of Project Management Committee (PMC) at national levels; director of provincial education, youth and sports and his team; chief of district office of education; school principals and teachers; and members of commune councils include chief of communes and villages. A total of 235 persons were met and interviewed during the assignment. Below table indicates list of key stakeholders met and interviewed during the field study.

Table 5: List of Number of Key Stakeholders Met and Interviewed

No.		FGDs	KII	Meeting	Total
1	MoEYS			T = 4 (F=0)	4
2	Provinces (4)		T=18 (F=6)		18
3	Districts (8)		T=20 (F=5)		20
4	Communes (8)		T=28 (F=9)		28
5	Communities (9)	T=150 (F=103)			150
6	Schools (9)		T=15 (F=7)		15
Total		150	81	4	235



Left: Public posture of “Project Components” and “Key points for discussion”



Right: FGD activities in O’ Ambel Commune, Banteay Meanchey Province



Left: Meeting with POE in Kampong Spue at PoE Office



Right: Conducting FGD with Kroeung IP community in Tuen Commune, Rattanak Kiri with local facilitator

b) Consultation During Project Implementation

77. Participatory methodologies will be used for the implementation of the project in a culturally appropriate manner; for SEIP, participation is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), national agencies and line ministries, the project consultants, civil society and international donor agencies. Participation as a generic term usually encompasses two distinct dimensions: information exchange (i.e., dissemination and consultation) and varying forms of joint decision-making (i.e., collaboration or participation):

78. For Project implementation in areas where indigenous peoples are present, the Project will adopt free prior and informed consultation with a broad community support for both Components 1 and 2. During project screening (school selection process) communities, teachers, parents and local authorities are fully consulted about benefits and potential impacts. A Social Assessment will be conducted with target schools where potential impacts on indigenous peoples, land and other resources are identified.

79. Prior to consultation, the PMC will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse

impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities.

80. During the consultation, detailed procedures would be determined on a village-by- village basis to determine the potential impact and possible supports under the project. Further, a conflict resolution system, through established grievance mechanism, would be defined to ensure reflection of voices of the affected people (particularly for land acquisition). If a beneficiary community includes ethnic minority communities that do not belong to the majority ethnic group of the community, their representatives will be included in the conflict resolution mechanisms. This will ensure cultural appropriateness, and community involvement particularly of the ethnic groups in decision-making processes.

81. In the process, free, prior and informed consultations will be undertaken in a language spoken by, and location convenient for, potentially affected indigenous peoples. The views of indigenous peoples are to be taken into account during implementation of projects, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the periodical reports and submitted to the Bank for review.

82. During implementation of the project, an updated social assessment shall also be carried out to monitor the positive and negative impacts of the project, and obtain feedback from the project-affected people. Based on the outcome of the social assessment, further measures shall be taken to ensure full benefits and mitigation of the negative impacts envisaged. If necessary, additional activities for institutional strengthening and capacity building of indigenous people communities living within the project area shall be carried out. If unexpected impacts are so significant the IPP and/or RAP may need to be updated.

5.3. PUBLIC DISCLOSURE

83. The final draft of IPPF will be uploaded into the World Bank's InfoShop **dated to be confirmed**. The document will be translated into Khmer language and an Executive Summary section will be posted on the MoEYS's Public Information Board on 25th November 2016, the latest date and on Provincial Department of Education's Public Information Board at the later stage (25th November 2016). MoEYS is in the process of developing the SEIP project website. Once it is developed the IPPF, in Khmer language, will be uploaded into the project website.

ANNEXES

ANNEX 1: TECHNICAL GUIDELINES FOR CONSULTATION, AND PREPARATION OF IPP AND OTHER SAFEGUARD DOCUMENTS

1. The consultation framework is designed to help to ensure that indigenous peoples are well informed, consulted and mobilized to participate in the investments to be supported under the project. Their participation will not only make school management more sustainable but also provide benefits with more certainty, or protect them from any potential adverse impacts of investments to be financed by the project. The main features/process of the consultation framework includes an environmental and social impact assessment to determine the degree and nature of impact supported by the project. An Indigenous Peoples Plan (IPP) will be developed if indigenous peoples communities are found to be present in or have collective attachment to areas affected under the respective project implementation plan. Consultations with and participation of indigenous peoples, their leaders and local government officials will be an integral part of the overall IPP, which should be prepared along with other required project reports.

SELECTION OF TARGET SCHOOLS

2. Selection of the target schools will be carried out during project screening using the below criteria:

- (i) Schools that exhibit a strong commitment to the project concept and are willing to meet the project preconditions for selection; and
- (ii) Schools with high drop-out rates, low enrolment rates and high student/teacher ratios.

3. A free, prior, and informed consultation process involving indigenous groups would provide a comprehensive baseline data on social, economic and technical aspects of each investment particularly for those areas that have been identified with ethnic groups during the project screening (preparation). This also includes participatory mapping to determine exact location of school construction, land size requirement and also location of IP communities. The checklist for screening indigenous people will indicate whether or not the indigenous peoples exist in the project area and further identify potential social issues on indigenous peoples because of the investments. The MoEYS will undertake specific measures to consult with, and give opportunity to indigenous populations to participate in decision making related to the investments, should they so desire.

4. All target schools that have indigenous people communities and are candidates for project support will be visited (at the time of first consultation with communities) by the PMC's team including social safeguard focal person and relevant local authorities, including personnel with appropriate social science training or experience. Prior to the visit, the PMC will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities.

5. The project will identify and utilize the existing community grievance mechanism to take into account specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving issues— to ensure that the concerns of different ethnic groups are received and addressed during project preparation, implementation and beyond project completion. To achieve this, projects would (a) identify and determine culturally acceptable ways to address grievances from significantly different ethnic groups within affected communities, including different ethnic or cultural groups within the project-affected area; (b) understand cultural attributes, customs, and traditions that may influence or impede their ability to express their grievances, including differences in the roles and responsibilities of subgroups (especially women) and cultural sensitivities and taboos; and (c) agree on the best way to access grievance mechanisms, taking into consideration the ways communities express and deal with grievances.

6. At this visit, the PMC's focal person or relevant official with social expertise will undertake a screening for indigenous peoples with the help of indigenous people leaders and local authorities. The screening will check for the following:

- a) Names of ethnic groups in the affected villages/commune;
- b) Total number of ethnic groups in the affected villages/commune;
- c) Percentage of ethnic people in affected villages/communes; and
- d) Number and percentage of ethnic households within a described zone of influence of the proposed investments. (The zone of influence should include all areas in which investments-related benefits and adverse impacts are likely to be relevant.)

7. Once target schools have been selected by the MoEYS through screening process and impact on indigenous peoples is potential a social impact assessment will be conducted using inventory of affected assets, baseline socioeconomic survey, and PRA method. Social and economic profile of beneficiary population or project-affected people will be collected. Free, prior and informed consultations will be carried out for each of the beneficiary/affected communities/villages and the respective communes, ascertaining their broad community support and determining the potential impacts and possible support under the Project. The outcome of this process will be the basis to develop safeguard documents as part of the project implementation plan that include:

- **Indigenous People's Plan (IPP)** is to be developed under the Project. The outline of the IPP is described below subsection of this document;
- **Resettlement Action Plan** is to be developed provided that land acquisition exists. Outline of RAP and guideline for preparation is described in the Resettlement Policy Framework (RPF); or
- **Due Diligent Report** is to be prepared if no land acquisition or impact on indigenous peoples.

8. If unexpected impacts (both on indigenous or land acquisition) occur during project implementation (particularly during construction) and it is significant the IPP and RAP will be updated. IPP and RAP shall be implemented prior to construction commencement.

Table 1A: Matrix of Project Phase Vs. Safeguard Documents Required

Project Phase	Pre-selection of target schools (Project Concept)	Selection of target schools (Project Screening)	Selected target schools with potential impact (Approval of target schools)	Construction of school's facilities (Project Implementation)
Assessment	Social assessment	Safeguard Screening	Social Assessment	Updated Social Assessment
Safeguard Required	Preparation of IPPF and RPF input into ESMF	<ul style="list-style-type: none"> List of target schools with potential impacts Prepare DDR for schools with no impact Documentation of consultative meetings 	<ul style="list-style-type: none"> Prepare IPP; Prepare RAP if land is acquired; 	<ul style="list-style-type: none"> Update and Implementation of IPP and RAP; Monitoring reports

SOCIAL ASSESSMENTS

9. In addition to the social assessment that was carried out at the pre-selection of the target schools, a social assessment will be undertaken among the selected target schools that have potential impact. The SA will be conducted by qualified social development specialist knowledgeable about the culture of the concerned ethnic minorities. At this stage, the social assessment will not only gather relevant information on demographic data; social, cultural and economic situation, but also project impacts covering and social and economic aspects, either

positive or negative. The breadth, depth, and type of analysis required for the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples. Outcomes of the assessment will be used to prepare IPP.

10. The social assessment includes the following elements, as needed:

- (a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- (b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (c) Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of project preparation and implementation.
- (d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.
- (e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

11. Free, prior and informed consultations will be conducted through a series of meetings, including separate group meetings: ethnic village chiefs; ethnic men; and ethnic women, especially those who live in the zone of influence of the proposed work under the target schools. All consultation will be conducted in easily accessible locations. All will be carried out in relevant local languages. Discussions will focus on investments impacts, positive and negative; and recommendations for design of investments. If during the series of consultation meetings the communities reject the proposal even after all measures to mitigate negative impacts are considered, the investments will not be approved (and therefore no further action is needed).

12. Updated social assessment will also be carried out periodically during project implementation as part of monitoring process in order to identify unexpected adverse impacts and to propose mitigation measures. Experience from previous projects indicates unexpected adverse impacts occurred during construction or cause by overlooked issues during the project screening. If the impact is significant IPP will be updated based on outcome of updated social assessment. Likely, the free, prior and informed consultation process will be applied.

INDIGENOUS PEOPLE PLAN (IPP)

13. On the basis of the social assessment and in consultation with the affected Indigenous Peoples' communities, the PMT will prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the SEIP will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. The IPP is prepared in a flexible and pragmatic manner and its level of detail varies depending on the specific project and the nature of effects to be addressed. The borrower integrates the IPP into the project design. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, the elements of an IPP should be included in the overall project design, and a separate IPP is not required. In such cases, the Project Appraisal Document (PAD) includes a brief summary of how the project complies with the policy, in particular the IPP requirements.

14. The IPP includes the following elements, as needed:

- (a) A summary of the information about (a) legal and institutional framework applicable to Indigenous Peoples and (b) baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (b) A summary of the social assessment.
- (c) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during project preparation and that led to broad community support for the project.
- (d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during project implementation.
- (e) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
- (f) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (g) The cost estimates and financing plan for the IPP.
- (h) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities arising from project implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

15. To prepare IPP below information is required:

- The basic census, socio-economic data and inventory of affected assets;
- Household ownership of economic and productive assets
- Annual income from primary and secondary employment opportunities
- Economic information of community (e.g. brief information on economic and natural resources, production and livelihood systems, tenure systems)
- Social information of community (e.g. description of kinship, value system, types of social organizations of formal and informal groups)
- Potential impact of proposed project activities on basic social services (e.g. water supply, health clinics and schools)
- Potential impact of project activities on the social and economic livelihood.

ANNEX 2: PRELIMINARY SCREENING OF INDIGENOUS PEOPLE

When to do the screening?	At the time of the first consultation with a commune/village			
What information to be collected?	Demographic data of Indigenous People who live within the school catchment			
How to collect the information?	It can be obtained from ethnic leaders, village leaders and commune chief			
Who will do the screening?	Consultants or PMC staff			
Province: _____ District: _____ Commune: _____ School: _____				
Name of village within school catchment	Name of indigenous group within school catchment	Number of IP households	Number of IP population	
			Total	Female

