



*BANGLADESH MUNICIPAL WATER SUPPLY
AND SANITATION PROJECT (BMWSSP)*

**SMALL ETHNIC COMMUNITY
PLANNING FRAMEWORK (SECPF)**

DRAFT

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MINISTRY OF LOCAL GOVERNMENT, RURAL
DEVELOPMENT & COOPERATIVES
GOVERNMENT OF THE PEOPLES
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ABBREVIATIONS

<i>BMWSSP</i>	Bangladesh Municipal Water Supply and Sanitation Project
<i>CBO</i>	Community Based Organization
<i>CHT</i>	Chittagong Hill Tracts
<i>DPHE</i>	Department of Public Health Engineering
<i>FSTP</i>	Fecal Sludge Treatment Plant
<i>GAP</i>	Gender Action Plan
<i>GOB</i>	Government of Bangladesh
<i>GRC</i>	Grievance Redress Committee
<i>GRM</i>	Grievance Redress Mechanism
<i>IDA</i>	International Development Agency
<i>IP</i>	Indigenous Peoples
<i>IPP</i>	Indigenous Peoples Plan
<i>LGD</i>	Local Government Division
<i>MOLGRD&C</i>	Ministry of Local Government, Rural Development & Cooperatives
<i>NGO</i>	Non-Government Organization
<i>OP 4.10</i>	Operational Policy 4.10 on Indigenous Peoples
<i>OP 4.12</i>	Operational Policy 4.12 on Involuntary Resettlement
<i>PD</i>	Project Director
<i>PM</i>	Project Manager
<i>PMU</i>	Project Management Unit
<i>SEC</i>	Small Ethnic Community
<i>SECPF</i>	Small Ethnic Community Planning Framework
<i>SECP</i>	Small Ethnic Community Plan
<i>SWTP</i>	Surface Water Treatment Plant
<i>UP</i>	Union Parishad
<i>UZP</i>	Upazila Parishad
<i>WB</i>	World Bank

SMALL ETHNIC COMMUNITY PLANNING FRAMEWORK

EXECUTIVE SUMMARY

PROJECT BACKGROUND

1. The Department of Public Health Engineering (DPHE) has proposed this Small Ethnic Communities Planning Framework (SECPF), to address social safeguard issues that may concern peoples who belong to the Small Ethnic Communities (SECs, referred to as Indigenous Peoples in the World Bank's OP 4.10) under the proposed Bangladesh Municipal Water Supply and Sanitation Project (BMWSSP). The project is being designed to provide piped water to households and fecal sludge treatment facilities to 30 selected Paurasabhas. Treatment facilities will also be built to treat raw waters from surface sources like rivers. The project is being prepared by DPHE under the Local Government Division (LGD), Ministry of Local Government, Rural Development & Cooperatives, and will be implemented, with financial support of the World Bank.

2. While pipelines within the towns (the areas that will be served by piped water and other WSS services) will be laid along the existing roads, the treatment facilities for wastewater and sludge, and drinking water from surface sources in some cases, and laying the carrying pipelines may have to use private lands. Pending social screening, it is assumed that some of the towns may have peoples of SEC in their vicinities. Since many of them use lands without legal titles, possibilities are there to use such lands that are recorded as public. As required by the World Bank's OP4.10, DPHE will use this SECPF to comply with the Bank's safeguard requirements. *The SECPF as proposed here outlines principles, policies, guidelines and procedure to identify the impact issues and potential risks and, if required, formulate and execute site-specific Small Ethnic Community Plans (SECP), wherever project activities are found to cause adverse impacts on SECs.*

DEFINING THE SEC PEOPLES

3. Although the SECs of Bangladesh are well recognized locally, DPHE / Paurasabhas will examine the following characteristics to make formal identification:
- Self-identification as members of a distinct tribal cultural group and recognition of this identity by others;
 - Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
 - Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
 - A tribal language, often different from the official language of the country or region.

OBJECTIVES OF SECPF

4. The objectives are to ensure that activities funded under the project do not adversely affect SECs, and that they do not threaten their culture and traditional way of life. This will require DPHE / Paurasabhas to,

- Select the sites for treatment facilities for wastewater and fecal sludge, and drinking water drawn from surface sources like rivers, avoiding or minimizing adverse impacts on SECs.
- Where adverse impacts on SECs are unavoidable, adopt and implement socially and culturally appropriate measures to mitigate them.
- Wherever possible, adopt measures – in addition to those for impact mitigation – to strengthen and promote any available opportunities for socioeconomic development of the SECs.

SEC PARTICIPATION AND CONSULTATION

5. Where adverse impacts on SECs are likely, DPHE / Paurasabhas will undertake free, prior and informed consultations with the would-be affected SECs, as well as those who work with and / or are knowledgeable of SEC development issues and concerns. The primary objectives of consultations are to examine whether there is a broad community consensus in support of the selected sites and to seek SEC inputs / feedbacks to avoid or minimize the adverse impacts and identify the impact mitigation measures; and assess and adopt economic opportunities which DPHE / Paurasabhas could promote to complement the measures required to mitigate the adverse impacts. To facilitate effective participation, DPHE / Paurasabhas will follow a time-table (provided in the main text) to consult the would-be affected SECs at different stages of the process leading to site selection, design and implementation of the civil works.

IMPACT MITIGATION & DEVELOPMENT MEASURES

6. Impacts mitigation due to displacement from lands will be considered in terms of tenure: (i) legal rights to the lands used for living and livelihood, and (ii) customary rights as may have been in practice. *To use private and public lands and avoid or minimize adverse impacts on SECs, DPHE / Paurasabhas will apply the same principles and guidelines adopted in the RSMF which is prepared in accord with the OP 4.12 on Involuntary Resettlement. Eligibility and standards for compensation will also use those proposed therein.* Choice of appropriate and culturally compatible development measures will largely depend on preferences and priorities of the affected members of SECs. Wherever feasible and opportunities exist, these measures will be undertaken beyond those meant for adverse impact mitigation.

GRIEVANCE REDRESS MECHANISM (GRM)

7. DPHE will establish a Grievance Redress Mechanism (GRM) for the entire project, and constitute a Grievance Redress Committee (GRC) in each of the selected Paurasabhas. The GRCs will deal with complaints and grievances about any irregularities in applying the provisions adopted in the SECPF, as well as other issues transpiring from other project activities. The complaints may range from land-related issues to household connections to piped water supply. Based on consensus, the GRCs will basically try to resolve grievances / complaints amicably and quickly, to facilitate implementation of the WSS activities, and any issues that may concern land availability for the treatment facilities. *A decision agreed at any level of hearing would be binding on DPHE / Paurasabhas. But a GRC decision will not preempt a complainant's right to seek redress in the courts of law.* (Details in the main text.)

PUBLIC DISCLOSURE OF SECPF

8. The SECPF and all mitigation plans will be subjected to World Bank review and clearance prior to public disclosure that must be done *before* project appraisal. DPHE will disclose Bangla translation of this SECPF to the public in Bangladesh by posting it in its website, and authorize the World Bank to disclose it at its Country Office Information Center and in its website Infoshop. (Details are in the main text.)

BANGLADESH MUNICIPAL WATER SUPPLY & SANITATION PROJECT
SMALL ETHNIC COMMUNITY PLANNING FRAMEWORK

INTRODUCTION

1. This Small Ethnic Community Planning Framework (SECPF)¹ is proposed to deal with social safeguard issues and impacts that may arise under the Bangladesh Municipal Water Supply and Sanitation Project (BMWSSP) in Paurasabhas inhabited, among others, by the peoples of small ethnic communities, as well as to identify and address their socioeconomic development concerns under the project's scope of works. BMWSSP is aimed at helping the Paurasabha Parishads (PSPs) to develop institutional and physical infrastructures for piped water supply with household connections and sanitation, drainage systems, and treatment facilities for wastewater and fecal sludge, as well as for raw surface water drawn from rivers and other waterbodies. The Department of Public Health Engineering (DPHE) under the Local Government Division (LGD), Ministry of Local Government, Rural Development and Cooperatives (MOLGRD&C) is preparing the project and will implement it with financial support of the World Bank.

2. As to financial support, the project financing policy of the World Bank requires the borrowers to assess potential social safeguard issues and impacts during project preparation, and adopt and implement appropriate mitigation measures, in compliance with its specified operational policies on social safeguards: OP 4.10 on Indigenous Peoples, and OP 4.12 on Involuntary Resettlement. And it is determined that BMWSSP would trigger both OP 4.10 and OP 4.12, of which the latter is operationalized separately in the Resettlement and Social Management Framework (RSMF). As a *standalone* document, the principles and guidelines adopted in this SECPF are consistent with the OP 4.10. Applicability of the OP 4.10 on Indigenous Peoples will generally depend on the presence of the peoples of SECs in the selected Paurasabhas and whether or not the civil works related to WSS services threaten their culture and way of life, including the present livelihood activities.

BMWSSP & ITS SOCIAL SAFEGUARD IMPLICATIONS

3. The project is designed to have four components: (a) Policy Advisory Support and Capacity Strengthening; (b) Investment for Water Supply Infrastructure; (c) Improving Sanitation and Drainage; and (d) Project Implementation and Management Support. Each of these components has multiple subcomponents. Of these, the activities under the components (b) and (c) are may give rise to social safeguard issues and impacts. The component (b) will support building water supply infrastructures in some 30 selected Paurasabhas. They will include (i) surface or ground water intake facility depending on availability and sustainability of

¹ The Government of Bangladesh does not recognize the terminology "indigenous" and refers to them as peoples belonging to small ethnic community. It is thus decided that the "indigenous" peoples in the Bank's operational policy would be referred to as peoples of Small Ethnic Communities. But for all operational purposes SECs in this document fully correspond to the definition of indigenous peoples given in the OP 4.10. In this document, SECs will always mean "indigenous peoples", except where references are made to the Bank policy.

sources; (ii) water treatment facility based on raw water quality; (iii) clean water reservoirs; (iv) transmission and distribution pipe network; (v) household connections including meters; and (vi) related appurtenances of the water supply system.

4. Not all selected Paurasabhas are likely to have peoples of SECs among the residents. In terms of spatial distribution, the largest proportion of the country's small population of SECs lives in the three districts of the Chittagong Hill Tracts (CHT): Bandarban, Rangamati and Khagrachari. These districts are also heavily populated by mainstream peoples especially after planned migration of plains peoples that started in the late 1970s. The rest of the SECs is dispersed in the plains districts where they generally live in physically separated settlements among the mainstream communities. As a result, impacts on SECs would vary in terms of geographical locations; kinds of land-based WSS activities that will be implemented; and most importantly the tenure to the lands they live in and use them in any manner for their livelihood, including access to common property resources.

5. The nature and magnitude of impacts on SECs will be known only after the 30 Paurasabhas and their locations are selected and screened to identify the actual impacts, and consultations are carried out with the SECs and other relevant stakeholders. Some Bank-supported projects, which helped the urban local bodies to build small-scale infrastructures like drainage systems, roads and sidewalks, culverts, etc., caused no impacts on the peoples of SECs in manners to affect their culture and way of life that could be distinguished from those on mainstream peoples. Those who have been living in Paurasabhas alongside mainstream peoples have become used to various services that have been provided for all. After planned migration of mainstream peoples, which still goes on to a lesser extent, it is extremely unlikely that there are SEC-only Paurasabhas even in the CHT which still have the largest concentration of SECs. In any case, it is decided that DPHE should formally adopt this SECPF to address SEC issues and concerns, as and when WSS services activities are planned for Paurasabhas where peoples of SECs are among the residents. *The proposed SECPF outlines principles, policies, guidelines and the procedure to identify impact issues and potential risks and, if required, formulate and execute Small Ethnic Community Plans (SECPs).*

SECPF OBJECTIVES

6. The primary objective is to ensure that WSS services infrastructures funded by the project do not adversely affect peoples of SECs and that they receive culturally compatible social and economic benefits. This will require DPHE and Paurasabhas to work with the following strategic objectives:

- Determine whether peoples of SECs are among the Paurasabha residents, or live in its vicinities or the general area, and the distance of the nearest SEC settlement from the Paurasabha.
- Jointly with the SEC representatives, screen locations of all civil works, including travel paths of the underground water pipelines, drainage layout, and the wastewater and fecal sludge treatment facilities, to determine whether, or how, they impact peoples of SECs, where they are among the Paurasabha residents.
- Carefully examine the tenurial arrangements (such as, legal ownership, lease agreements, customary rights, etc.) where DPHE / Paurasabha need to use lands that are presently

under use by peoples of SECs. To obtain such lands, DPHE / Paurasabha will use the same options suggested in the RSMF ('voluntary contribution' or 'contribution against compensation') – even if the lands are being used under customary tenure.

- Adopt socially and culturally appropriate measures to mitigate the unavoidable adverse impacts, in keeping with preferences and priorities of the SECs.
- Wherever feasible, adopt special measures – in addition to those for impact mitigation – to reinforce and promote any available opportunities for socioeconomic development of the affected SEC communities.

DEFINING THE SEC PEOPLES

7. As SECs, who are indigenous peoples in the Bank's OP 4.10, are found to live in varied and changing contexts, no single definition can adequately capture their diversity. As such, DPHE and Paurasabhas will use the World Bank's guidelines to identify SECs in particular geographic areas by examining the following characteristics:

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

LEGAL FRAMEWORK FOR SEC PLAN

8. In general, there are two forms of tenure under which the peoples of SECs use lands in the CHT and plains districts. In the latter, where they often live in separate settlements alongside mainstream communities, most of them are assumed to have legal titles to the lands they use for living and livelihood. On the contrary, prevalence of customary tenure, which is administered by traditional SEC institutions, is still likely to be the most prominent form of tenure in the 3 CHT districts. Only the SECs living in and around the urbanized district and upazila headquarters -- many of which are now named as Paurasabhas -- are likely to have titles to the lands they use for residential purposes. Yet the lands in the vicinities that many SECs use for agricultural and other forms of productive purposes are most likely to be under customary tenure. Away from the urban centers -- and more and more into the interiors -- all lands that SECs use are under customary tenure. By all likelihood, mitigation of adverse impacts on SECs, regardless of wherever they live, will be based on (i) legal rights to the lands used for living and livelihood, and (ii) the customary rights as presently prevail.

9. The present Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982*, does not recognize the customary rights and, as a result the SECs are not legally entitled to compensation for loss of lands or anything of value, including homesteads (home-lots, houses / structures, etc.). In this regard, it is extremely important to note that the lands being used under customary tenure are most likely to be recorded as *khas*, meaning public lands under the

ownership of Land Ministry or other ministries and departments. Considering the general vulnerability of SECs everywhere, DPHE / Paurasabhas would strictly adhere to the following guidelines while fixing alignment of the underground pipelines, drainage, as well as location of the treatment plants for wastewater and fecal sludge and, wherever required, for treating raw waters drawn from surface sources like rivers and other waterbodies.

- In order to protect their social relationships and support networks, DPHE / Paurasabhas will not displace any SEC households from the present homesteads – even if they are located on lands under customary tenure -- and isolate any household from others who have been living together in the same settlement. *This will apply irrespective of wherever they live – in the plains or CHT districts and regardless of tenures under which they use the lands for living.*
- In cases where the lands are under customary tenure, DPHE / Paurasabhas will try to identify another site (e.g., for treatment facility) that is not under any use by SECs.
- To use private and public lands and avoid or minimize adverse impacts on SECs with legal title, DPHE / Paurasabhas will apply the same options, such as voluntary contribution, contribution against compensation, etc., proposed in the RSMF.
- To use lands under customary use, DPHE / Paurasabha will work out the impact mitigation measures in close consultations with the SECs, with the provisions that they do not become economically worse-off and their traditional / cultural ways of life remain protected.

10. Choice of appropriate and culturally compatible development measures will largely depend on preferences and priorities of the affected SECs and their communities, as may have been suggested during consultations. Such measures may include providing credits where SECs are found to engage in the production of marketable goods, such as handicrafts, handlooms, small-scale horticulture; employment in construction and maintenance activities; basic water supply and sanitation facilities; and those, such as schools, that could be used by the communities as a whole. If credit programs are found appropriate, DPHE / Paurasabha will call upon civil society organizations like NGOs to organize and administer them.

SECP BASIC PLANNING PRINCIPLES

11. In Paurasabhas that are also inhabited by peoples of SECs, if the civil works for laying the underground pipelines, drainage, and location of the wastewater and fecal sludge treatment facilities are likely to affect them adversely, DPHE / Paurasabhas will,

- Ensure that SECs in general and their organizations, if any, are fully included in the selection of particular locations of the WSS services infrastructures and design and implementation of the civil works.
- Screen the civil works activities, together with SECs, for a preliminary understanding of the nature and magnitude of potential adverse impacts, and explore alternatives to avoid or minimize them. *(A Social Safeguard Screening Form is provided in Annex 1)*
- Where alternatives are infeasible and adverse impacts are unavoidable, immediately make an assessment of the key impact issues, together with SECs and others knowledgeable of this SEC culture and concerns.

- Undertake the necessary tasks to identify the impact details and the most appropriate mitigation measures, through consultations with the affected persons of the SEC communities, SEC organizations, civil society organization like NGOs and CBOs, professionals, and the like.

SEC PARTICIPATION AND CONSULTATIONS

12. Participation of SECs in selection, design and implementation of the WSS services activities will largely determine the extent to which the SECP objectives would be achieved. Where adverse impacts on SECs are likely, DPHE / Paurasabhas will undertake free, prior and informed consultations with the affected SECs and those who work with and/or are knowledgeable of SEC development issues and concerns. To facilitate effective participation, DPHE / Paurasabhas will follow a time-table to consult the would-be affected SECs at different stages of the planning, design and implementation process. *The primary objectives are to examine whether there is broad community consensus in support of the WSS activity and to seek SE community inputs / feedbacks to avoid or minimize the adverse impacts associated with the proposed land-based activity and identify the impact mitigation measures; and assess and adopt economic opportunities which DPHE / Paurasabhas could promote to complement the measures required to mitigate the adverse impacts.*

13. Consultations will be broadly divided into two parts. Prior to selection of an alignment for the pipelines / drainage and location of sludge treatment facility in an area predominantly inhabited by SECs, DPHE / Paurasabhas will consult the SECs about what are needed for the WSS activities and the probable positive and negative impacts associated with them. Prior to detailed assessment of the impacts at community and household levels, the main objectives of consultation at this stage would be to ascertain,

- How the SECs in general perceive of the need for undertaking the WSS activity in question and any inputs / feedbacks they might offer for better outcomes;
- Whether or not the SE communities broadly support the proposed WSS works for development; and
- Any conditions based on which the SE communities may have provided broad-based support to the proposed WSS activity, which are to be addressed in project design and SECP

14. To ensure free, prior and informed consultations, DPHE / Paurasabhas will:

- Ensure widespread participation of SEC communities with adequate gender and generational representation; customary/traditional SEC organizations; community elders / leaders; civil society organizations like NGOs and CBOs; and groups knowledgeable of SEC development issues and concerns.
- Provide them with all relevant information about the nature of development and land-based construction activities, including those on potential adverse impacts, and organize and conduct these consultations in a manner to ensure full coverage of SECs in the scheme locales and free expression of their views and preferences.
- Document and share with the World Bank the details of all community consultation meetings, with SEC perceptions of the proposed civil works and the associated impacts,

especially the adverse ones; any inputs / feedbacks offered by SECs; and the minutes stating the conditions that may have been agreed during the consultations and provided the basis for *broad base community support* for the proposed scheme.

15. Once a broad-based community consensus is established in favor of the WSS activity, DPHE / Paurasabhas will assess the impact details at the household and community levels, with particular focus on the adverse impacts perceived by the SECs and the probable (and feasible) mitigation and community development measures. To ensure continuing informed participation and more focused discussions, DPHE / Paurasabhas will provide SECs with the impact details -- both positive and negative -- of the proposed WSS services activities. Other than those that are technical in nature, consultations will cover topics / areas suggested under paragraphs 13 and 14 (above) and those the SECs consider important. Beginning with those for broad base support for the project, community consultations will continue throughout the preparation and implementation period, with increasing focus on the households which would be directly affected. *Consultation timing, probable participants, methods, and expected outcomes are suggested in a matrix in Annex 2.*

CONTENTS OF SEC PLAN

16. The SECP will primarily aim at mitigating adverse impacts, and reinforcing and promoting any existing development opportunities with an emphasis on the SECs who would be directly affected. The contents of the SECP will generally consist of the following:

- *Baseline data and impacts*, including analysis of cultural characteristics; social structure and economic activities; land tenure; customary and other rights to the use of natural resources; relationship with the local mainstream peoples; and other factors that have been suggested by SECs during consultations and are to be addressed in the SECP and location and design of WSS activities. (Key areas of investigation are also suggested below.)
- *Strategy for local consultation*, indicating timing of consultation and the participants, such as affected SE communities and organizations, and individuals and entities that could provide useful feedbacks and inputs.
- *Mitigation measures and activities*, which will generally follow SEC preferences and priorities, including those agreed between the SE communities / organizations and DPHE / Paurasabha.
- *Institutional capacity*, taking into account DPHE / Paurasabha capacity and experience, and SEC and civil society organizations in designing and implementing SECPs.
- *SECP implementation schedule*, taking into consideration minimizing disruption to the livelihood and other activities of SECs.
- *Monitoring and evaluation*, with participation of SEC representatives and organizations, as well as other civil society organizations that may have been operating in areas populated by SECs.
- *Financing the SECP*. Budgets and sources of funds required to implement the mitigation measures and development activities that may have been agreed between the SECs and DPHE / Paurasabha.

SEC SOCIOECONOMIC CHARACTERISTICS & CONCERNS

17. Baseline data and identification of social concerns will primarily focus on the cultural and socioeconomic characteristics of SECs and the potential vulnerability that might be caused by the proposed scope of WSS services activities. Data on the following socioeconomic characteristics are expected to indicate the nature and scale of adverse impacts and provide the essential inputs for SECP.

18. Social & Cultural Characteristics

- Relationships with the areas where they live -- relating to religious / cultural affinity with the ancestral lands, existence and use of livelihood opportunities, etc.
- Use of any languages for social interactions and their use in reading materials and for instruction in formal/non-formal educational institutions in SEC localities.
- Food habits/varieties that may differ from mainstream peoples and the extent to which they are naturally available for free or can only be grown in the SEC territories, and which are considered important sources of protein and other health needs of SECs.
- Interactions and relationships with other SECs in the same and other areas.
- Presence of customary social and political organizations – characteristics indicating internal organization and cohesion of the communities, and their interaction with those of the mainstream population in these areas.
- Presence of SEC organizations, like community based organizations (CBOs) / NGOs, working with SEC development issues, and their relationships with the mainstream organizations engaged in community development activities.
- Other cultural aspects likely to be affected or made vulnerable by the proposed WSS services activities.

19. Settlement Pattern/Organization

- Physical organization of homesteads – indicating organizational patterns with the existing community facilities, such as schools, places of worship, cremation/burial grounds and others, water supply and sanitation, etc.
- The extent to which the SEC settlements / neighborhoods are spatially separated from those of the mainstream peoples, indicating levels of interactions and mutual tolerance of each other.
- Present distance between the SEC settlements/neighborhoods and the selected location of the WSS services activities.

20. Economic Characteristics

- Prevailing land tenure -- indicating legal ownership and other arrangements that allow SECs to reside in and cultivate or otherwise use lands in the selected locations of the WSS activities and in the general area.
- Access to natural resources -- prevailing conditions under which SECs may have been using natural resources like forests, water bodies, and others that are considered important sources of livelihood.

- Occupational structure -- indicating relative importance of the households' present economic activities, and the extent to which they might be affected or benefited because of the proposed WSS activities.
- Level of market participation -- engagement in activities that produce marketable goods and services, and how and to what extent market participation would be affected or enhanced by the proposed WSS activities.

GRIEVANCE REDRESS MECHANISM

21. DPHE will establish a Grievance Redress Mechanism (GRM) for the project as a whole, and constitute a Grievance Redress Committee (GRC) in each of the selected Paurasabhas. The GRCs will deal with complaints and grievances about any irregularities in applying the provisions adopted in the SECPF, as well as other issues transpiring from the planned project activities. The complaints may range from land-related issues to household connections to piped water supply. Based on consensus, the GRCs will basically try to resolve grievances / complaints amicably and quickly, in order to facilitate implementation of the civil works, and any issues that may concern land availability for wastewater and fecal sludge treatment facilities.

22. Where decisions at the Paurasabha levels are found unacceptable by the aggrieved persons, GRCs will refer such unresolved cases to the PIU with details of the complaints and hearings, for a decision by the Project Director. If a decision made at PIU level still remains unacceptable, the case will be referred to the Local Government Division (LGD) of the line ministry. *A decision accepted by an aggrieved person at any level of hearing will be binding on the Paurasabha and DPHE. It is also important to note that the GRM does not pre-empt an aggrieved person's right to seek redress in the courts of law.*

23. GRC memberships, as suggested below, would be gender-representative and consist of individuals of good repute – known in the Paurasabhas for their personal integrity and fairness. Female members will account for at least a third of the total number of GRC members. In Paurasabhas where a considerable proportion of the residents belong to SECs, GRC membership will include their representatives.

GRC Membership

- An Unelected Paurasabha Representative (Convener – non-voter)
- An Elected Member of the Union Parishad or Upazila Parishad
- A Female Member of the Union or Upazila Parishad
- Headmaster of local Higher Secondary School
- A female who is known to work on or advocate for women development
- A woman representative of an NGO working in the area
- A social/environmental specialist of DSM Consultant (Member Secretary – non-voter)

24. As noted above, Paurasabhas with a sizable SEC population GRC membership will include their representatives. The representatives would be selected either from the existing SEC traditional conflict resolution body, or in consultation with the SECs. The GRM procedure – from lodging of grievances and hearings to final decision will follow

the same guidelines as those adopted in the Resettlement and Social Management Framework (RSMF).

PUBLIC DISCLOSURE OF SECPF

25. As required, the SECPF and all mitigation plans will be subjected to review and clearance by the Bank's Regional Safeguards Advisor (RSA). After receipt of the Bank clearance, DPHE will disclose Bangla translation of the SECPF to the public before project appraisal, and authorize the Bank to disclose it at its Country Office Information Center and in its Infoshop. DPHE will also ensure that copies of the translated document are made available at its Headquarters, District and Upazila Offices, and all selected Paurasabha Offices, public libraries, and other places accessible to the public. As to disclosure, DPHE will inform the public through notification in two national newspapers (Bangla and English) about this SECPF and where it could be accessed for review and comments.

Annex 1: SCREENING FORM FOR SOCIAL SAFEGUARD ISSUES

[To be filled in jointly by DPH / Paurasabha and Consultant for each of the proposed WSS activity sites where peoples of Small Ethnic Communities (SECs) are a sizable group among the townspeople and / or live in the town's vicinities and are likely to be affected by the facilities that would be built outside the town. The Consultant will summarize the impacts and mitigation requirements in the Screening Report and attach copies of the filled-in screening forms. Wherever necessary, the Consultant can use multiple screening forms for each site and related works, and add any important information that may not have been included in this form.]

A. NAME & LOCATION OF PAURASABHA

1. *Paurasabha Name:* *District:*
Upazila:
2. *Distance (km) of the town from:* *District headquarters:*
Nearest town/trading center:
3. *Population size: Paurasabha:*; *Town that will be provided with WSS:*
4. *Proposed WSS services and off-site support infrastructures are located in an area where residents are:*
 All Mainstream Peoples (None who belong to SECs / Tribal Community)
 Majority Mainstream Peoples (Approx. % of SEC peoples:)
 Majority SEC peoples (Approx. % of Mainstream Peoples:)
5. *Distance (km) of the SEC settlements nearest to the town:*
6. *Brief account of the prominent economic activities of the peoples of SECs in and outside the town:*
7. *Brief description of the land-based works (pipelines, deep tube-wells, sludge treatment facilities, surface water treatment facilities, reservoirs for treated clean water, etc.):*
Within the Town:
.....
Outside the Town:
.....
8. *Names of SEC members and organizations who participated in screening:*
9. *The SECs in general and those who would-be affected have been made aware of the potential positive and negative impacts and consulted for their feedback and inputs:*
 Yes No
10. *There has been a broad base community consensus on the WSS sites and support works?*

Annex 2

SMALL ETHNIC COMMUNITY CONSULTATION MATRIX

Timing	Consultation Participants		Consultation Method	Expected Outcome
	Project Authority	SEG Community		
Reconnaissance of locations under consideration for WSS activities	DPHE / Paurasabha, NGOs / CBOs and others working with SEC issues	SEC Communities, including SEC organizations, community leaders / elders	Open meetings & discussions, visit of SEC settlements & surroundings	<i>First-hand assessment of SECs' perception of potential social risks and benefits, and prospect of achieving broad base support for the proposed WSS activities</i>
Preliminary Screening of the travel path of pipelines, drainage layout & sludge treatment facility	DPHE / Paurasabha, NGOs/CBOs and others working with SEC issues	SEC Communities, including would-be affected SECs, SEC organizations, community leaders/elders, key informants	Open meetings, focus group discussions, spot interviews, etc.	<i>Identification of major impact issues, feedback from SECs communities and would-be affected persons / households, and establishing broad base community support for the subproject</i>
Feasibility Study taking into consideration, inter alia the conditions that led to community consensus	DPHE / Paurasabha, Consultant (Social Specialist), NGOs / CBOs, other knowledgeable persons	Would-be affected SECs, SEC organizations, community leaders / elders, key informants	Formal / informal interviews; focus group discussions; hotspot discussion on specific impacts, alternatives, and mitigation; etc.	<i>More concrete view of impact issues & risks, and feedback on possible alternatives and mitigation measures; inventory of common property resources; and information on other key impacts</i>
Social Impact Assessment	DPHE / Paurasabha, project consultant (Social Specialist)	Adversely affected individual SECs / households	Structured survey questionnaires gathering quantitative & qualitative information	<i>Inputs for SECP, and identification of issues that could be incorporated in engineering design</i>
Detailed Design	DPHE / Paurasabha, project consultant (Social Specialist) and other stakeholders	SEC organizations, community leaders / elders, adversely affected SECs	Group consultations, hot spot discussions, etc.	<i>Preparation of SECP, and incorporation of SIA inputs into engineering design to avoid / minimize adverse impacts, and SEC development programs</i>

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Annex 2 (Contd.)

SMALL ETHNIC COMMUNITY CONSULTATION MATRIX

Timing	Consultation Participants		Consultation Method	Expected Outcome
	Project Authority	SEG Community		
Implementation	DPHE / Pourasabha, project consultant (Social Specialist) & other stakeholders	Individual SECs and their organizations, community leaders/elders & other stakeholders	Implementation monitoring committees (formal or informal)	<i>Quick resolution of issues, effective implementation of SECP</i>
Monitoring & Evaluation	DPHE /Pourasabha, World Bank, project consultant (Social Specialist), NGOs & CBOs	SEC organizations / groups and individuals	Participation in review and monitoring	<i>Identification & resolution of implementation issues, effectiveness of SECP</i>