

Ministry of Education Programs Benefiting from World Bank Support

Decentralizing Funding for Schools Project (DFSP),
Inclusive Access to Quality Education Project (IAQE)
and
Additional Financing (AF) to the IAQE Project

Environmental and Social Management Framework
November 2020

Ministry of Education
Myanmar

Table of Contents

1	<i>Introduction and Objective</i>	9
2	<i>Proposed Project Objectives and Design</i>	10
2.1	Financing	11
2.1.1	School Improvement Support Program	11
2.1.2	Stipends	11
2.1.3	Public Financial Management	11
2.1.4	Education for Children on the Move (ECMP)	12
2.2	Teachers and Human Resource Management	12
2.2.1	Mentoring and Cluster	13
2.2.2	Early Grade In-service Training	13
2.2.3	Peace and Inclusive Education In-service Training	13
2.3	Non-Formal and Alternative Education	14
2.4	Ethnic Basic Education Providers	15
2.5	Assistance to Rakhine state	15
2.6	Support in Response to COVID-19	16
3	<i>Legal, Sectoral and Institutional Context</i>	17
3.1	Legal and Policy Framework	18
3.1.1	The 2008 Constitution	18
3.1.2	Other Education-related Laws Include:	18
3.1.3	Laws on Ethnic Groups	19
3.1.4	Laws on Land Acquisition	20
3.1.5	Laws on Environmental Protection	22
3.1.6	Standard Operating Procedures for COVID-19	22
3.2	Education Sector Review	23
4	<i>Applicable World Bank Operational Policies</i>	26
5	<i>Potential Project Risks and Impacts</i>	27
6	<i>Implementation Arrangements</i>	32
7	<i>Monitoring Arrangements</i>	33
7.1	Activities, Responsibilities, and Content	33
7.2	Rakhine	36
7.3	Use of data	36
8	<i>Grievance Mechanism</i>	37
8.1	Prior Practices	37
8.2	Improved Grievance Redress Mechanism	37
8.2.1	Principles	37

8.2.2	Protocols and Procedures for Routine Grievances	38
8.2.3	Protocols and Procedures for Serious Grievances	41
8.2.4	Designated Grievance Counsellors	41
8.2.5	Protocols and Procedures for Workers' Grievances	42
9	<i>Consultations.....</i>	42
9.1	AF for DFSP	42
9.2	IAQE	43
9.3	AF to IAQE.....	45
9.4	Disclosure and Consultations on the ESMF	45
10	<i>Budget for Implementing ESMF</i>	48
11	<i>Description of Annexes.....</i>	48
12	<i>Annex A: Community Participation Planning Framework</i>	50
12.1	Objective and Policy Framework.....	50
12.2	Principles	51
12.3	Key Findings and Recommendations from the Social Assessment	53
12.4	Eligibility, Targeting and Protocol and Procedures for Free, Prior and Informed Consultation and Participation.....	56
12.4.1	Participation at the community level	57
12.4.2	Eligibility and targeting communities (schools/center/institutions) within townships	60
12.4.3	Targeting townships within States and Regions.....	64
12.5	Implementation and Monitoring Arrangements	66
12.5.1	Implementation arrangements	66
12.5.2	Monitoring arrangements	67
12.5.3	Capacity Building of Key Stakeholders	67
12.6	Grievance Redress mechanisms	68
12.7	Rakhine.....	68
12.7.1	More on the screening process for schools serving IDPs in Rakhine	69
13	<i>Annex B: Resettlement Policy Framework</i>	72
13.1	Objective and Policy Framework.....	72
13.2	Principles	72
13.3	Eligibility and Protocols and Procedures of Voluntary Land Donations	73
13.3.1	Eligibility	73
13.3.2	Protocol and Procedures	74
13.4	Implementation and Monitoring Arrangements	75
13.4.1	Implementation arrangements	75
13.4.2	Monitoring.....	76
13.4.3	Funding.....	77

13.5	Grievance redress mechanisms	77
13.6	Rakhine.....	78
13.7	Myanmar Legal Framework on Land Acquisition	78
14	Annex C: Voluntary Land Donation Form	1
15	Annex D. Environmental Code of Practice	3
15.1	Context and Safeguards Issues.....	3
15.1.1	Context	3
15.1.2	Key Environmental Safeguard Issues.....	4
15.2	Applicable National Laws and World Bank Safeguard Policies.....	5
15.2.1	Myanmar Environmental Regulations and Guidelines.....	5
15.2.2	World Bank Safeguard Policies Triggered.....	6
15.3	Implementation and Monitoring Arrangements	6
15.3.1	Institutional Responsibility for Civil Works Oversight	6
15.3.2	Operational Performance and Institutional Capacity Development for Managing Civil Works.....	7
15.4	Environmental Codes of Practice	7
15.4.1	Purpose of Preparing Environmental Codes of Practice.....	7
15.4.2	General Requirements for Environmental Codes of Practice for School Civil Works.....	8
15.4.3	Environmental Quality Control.....	9
15.4.4	Changes Involving Loss of Physical Cultural Heritage.....	11
15.4.5	Building Safety and Community Health and Safety.....	11
15.4.6	COVID-19 Specific Community Health and Safety Considerations	12
16	Annex E. Labor Management Procedures.....	18
16.1	Use of Labor under WB Supported MoE Programs.....	18
16.2	Labor Risks.....	18
16.3	Relevant Myanmar Labor Legislation	19
16.4	Policies and Procedures.....	20
16.5	COVID-19 Specific Policies and Procedures.....	21
16.6	Review of MOE Policies and Procedures.....	21
16.7	Responsible Staff.....	22
16.8	Grievance Redress Mechanism	23
16.8.1	Routine Grievances	23
16.8.2	COVID-19 Related Grievances	23
16.8.3	Serious Grievances	24
16.8.4	Designated Grievance Counsellors	24
16.9	Occupational Health and Safety.....	24
16.9.1	Personal Protective Equipment.....	25
17	Annex F. Child Protection and Gender-Based Violence Codes of Conduct	27

17.1	Background.....	27
17.2	Child Protection Code of Conduct	27
17.3	Code of Conduct Against Gender-Based Violence	29
18	<i>Annex G. COVID-19 Specific Stakeholder Engagement Measures.....</i>	<i>31</i>
19	<i>Annex H. Maps.....</i>	<i>33</i>

Abbreviations

ACM	Asbestos Containing Material
ADRA	Adventist Development and Relief Agency
AE	Alternative Education
AE-QASF	Alternative Education Quality Assurance Standards Framework
AE-QIC	Alternative Education Quality Improvement Committee
AF	Additional Financing
ATEO	Assistant Township Education Officer
BMY	Buthidaung, Maungdaw, and Yathedaung
CESR	Comprehensive Education Sector Review
COVID-19	Corona Virus Disease 2019
CPD	Continuous Professional Development
CSC	Citizenship Scrutiny Cards
CSO	Civil Society Organization
CBO	Community Based Organization
CD	Compact Disc
CIF	Cluster Improvement Fund
CPP	Community Participation Plan
CPPF	Community Participation Planning Framework
DAE	Department of Alternative Education
DALMS	Department of Agricultural Land Management and Statistics
DBE	Department of Basic Education
DEO	District Education Officer
DERPT	Department of Education Research, Planning, and Training
DFSP	Decentralizing Funding to Schools Project
DLI	Disbursement-Linked Indicator
DM&E-R	Department of Monitoring and Evaluation - Research
DP	Donor Partner
DTVET	Department of Technical and Vocational Education and Training
EA	Environmental Assessment
EAO	Ethnic Armed Organization
EBEP	Ethnic Basic Education Provider
EC	Education College
ECMP	Education for Children on the Move Program
ECOP	Environmental Codes of Practice
EGT	Early Grade InIn-Service Training
EIA	Environmental Impact Assessment
EiE	Education in Emergencies
ELP	Early Learning Program
EMP	Environmental Management Plan
EU	European Union
ESMF	Environmental and Social Management Framework
ETVSCG	Education and Technical and Vocational Education Sector Coordination Group
FGD	Focus Group Discussion
FM	Financial Management
GAD	General Administration Department
GDP	Gross Domestic Product

GRM	Grievance Redress Mechanism
HCT	Humanitarian Coordination Team
HR	Human Resource
HRM	Human Resource Management
IAQE	Inclusive Access to Quality Education
IEE	Initial Environmental Examination
ID	Identification
IDP	Internally Displaced Person
ILO	International Labor Organization
INGO	International Nongovernmental Organization
KEC	Kachin Education Consortium
KEF	Kachin Education Foundation
KIO-ED	Kachin Independence Organization Education Department
KED	Karen Education Department
KNDP	Karen National Democratic Party
KNLA	Karen National Liberation Army
KNPP	Karenni National Progressive Party
KNU	Karen National Union
KNUJC	Karenni National United Joint Committee
KSED	Karen State Education Department
KSPMN	Kayah State Peace Monitoring Network
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MMK	Myanmar Kyat
MNEC	Mon National Education Committee
MNS	Mon National Schools
MOE	Ministry of Education
MOECAF	Ministry of Forestry and Environmental Conservation
MONREC	Ministry of Natural Resources and Environmental Conservation
MOPF	Ministry of Finance and Planning
MP	Member of Parliament
NCA	National Ceasefire Agreement
NER	Net Enrollment Rate
NESP	National Education Strategic Plan
NFE	Non-formal Education
NFMS	Non-formal Middle School
NFME	Non-formal Middle School Education
NFPE	Non-formal Primary Education
NGO	Nongovernmental Organization
NLD	National League for Democracy
NMSP	New Mon State Party
NRC	National Registration Card
OG	Operational Guidelines
PAP	Project Affected Person
PFM	Public Financial Management
PLCC	Pa-O Literature and Cultural Committee
PPE	Personal Protective Equipment
PNO	PaO National Organization
PNLO	PaO National Liberation Organization

PT	Peace and Inclusive Education
RPF	Resettlement Policy Framework
SA	Social Assessment
SC	School Characteristics
SH	School Head
SIF	School Improvement Fund
SIP	School Improvement Plan
SISP	School Improvement Support Program
SQASF	School Quality Assurance Standards Framework
SQIC	School Quality Improvement Committee
SQIC-CV	SQIC Civil Works
SQIP	School Quality Improvement Plan
SREO	State and Region Education Office
SSP	Student Stipends Program
SSPP	Shan State Progressive Party
SSWG	Sub-Sector Working Group
TA	Technical Assistance
TCSF	Teacher Competency Standards Framework
TEO	Township Education Office
TSGC	Townships School Grant Committee
TQAC	Township Quality Assurance Committee
TLS	Temporary Learning Space
TMCSP	Teacher Mentoring and Cluster Support Program
TVET	Technical and Vocational Education and Training
UN	United Nations
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund
WB	World Bank

1 INTRODUCTION AND OBJECTIVE

In the years to come, the World Bank (WB) will provide technical and financial support to the implementation of several MOE programs, components and activities of the National Education Strategic Plan (NESP). This support is and will be channeled through the DFSP (under implementation since 2014 and having been granted AF to continue to provide support and increase scope and scale), the IAQE (effective since July 2020) and AF to the IAQE (expected to be approved in February 2021 as additional support in the context of the COVID-19 pandemic).

MOE programs benefiting from WB support include the School Improvement Support Program (SISP; including transfer of budget to schools to cover operational expenses as well as minor and major repairs of infrastructure), the Students Stipends Program (SSP) to poor and vulnerable students, teacher professional development (including framework, mentoring, and specific in-service training activities), assessment of learning outcomes of students in early grades, non-formal education (NFE) services, working towards partnerships with ethnic basic education providers (EBEPs), and management of public finance and human resources (HR).

For the DFSP, a Community Participation Planning Framework (CPPF) was prepared and disclosed in April 2014¹. It focused on the first MOE programs implemented with support from the WB, namely the SISP (previously called “School Grants”) and the SSP. The CPPF, which is part of the Environmental and Social Management Framework (ESMF), was thereafter revised in 2016 to reflect lessons learned and additional MOE programs to be supported through the AF to DFSP, namely the Teacher Mentoring and Cluster Support Program Cluster Support Program (TMCSP).

For the IAQE, the ESMF was comprehensively revised to further update lessons learned and experiences, to cover new MOE programs to be supported through the IAQE project, to better mitigate risks around access to quality education services by all groups, including but not limited to all populations living in Rakhine State, and especially in the state’s three northern townships of Buthidaung, Maungdaw and Yathedaung (BMY), and to ensure that all activities are done in an environmentally and socially sustainable manner. The social assessment (SA) report for WB-supported MOE programs was also revised and expanded and informed the revision of the ESMF. The SA and the ESMF were disclosed and consulted on 2019, through a comprehensive and deliberative process from February to May 2019 in all Myanmar states and regions.

For the IAQE AF, similarly, the SA and the ESMF have been revised to reflect the changed COVID-19 context on the ground and the new activities that will be funded under the IAQE AF, to identify new risks and issues raised by the COVID-19 pandemic and the new activities, and to propose appropriate and COVID-19 sensitive measures to manage these risks. The SA and ESMF drafts were disclosed on October 2 and virtual consultations were held with stakeholders in Chin, Kachin, Shan and Rakhine states on October 27-28, as well as with civil society organizations in Yangon on October 9. The finalized SA and ESMF

¹ In March 2013, wide-ranging consultation with key stakeholders including, but not limited, to ethnic minorities took place to share and get feedback on the original OGs for SISP and SSP.

incorporating feedback from consultations are being disclosed by the MOE and the WB on their respective websites.

2 PROPOSED PROJECT OBJECTIVES AND DESIGN

The DFSP's original objective beginning in 2014 was "to help improve and expand Myanmar's School Grants Program and SSPSP." The updated objective under the AF for 2018-2021 is "to improve inclusiveness of school funding management and enhance support to teachers' professional development while increasing transition rates of poor and at-risk students." Support to MOE programs through the AF for the DFSP program is in the form of a \$54 million grant.

DFSP comprises four components: (a) expansion and improvement of the SISP, (b) expansion and improvement of the SSP, (c) capacity improvement support to strengthen monitoring and implementation of programs which comprises the Early Learning Program (ELP), and (d) the TMCSP. Currently, some programs under the DFSP, such as the SISP are operating in every school in every township countrywide, while other programs are operating in select schools in select townships, such as the stipend program, which is currently implemented in 55 townships. To mitigate risks around social inclusion and discrimination in the country in general, eligibility for AF funding under the SISP and SSP will be more restrictive while all schools and education officials will remain eligible for support under the TMCSP and capacity improvement activities.

The IAQE project is comprised of \$180 million in funding (\$80 million in grants and \$100 million in credit). The IAQE is expected to be implemented over four school years, beginning in 2019–2020 and ending in 2022–2023. The primary objectives are "to improve equitable access to, and quality of, basic education delivered through formal, non-formal and complementary institutions and providers". This will be achieved through four program components: (a) improving quality and inclusion in formal basic education schools, (b) enhancing access to quality education services for children at risk of being excluded, (c) strengthening public financial management (PFM) system and capacity, and (d) technical assistance (TA).

The IAQE AF provides \$14.75 million in funding to the deepen the support of the IAQE project to beneficiaries in conflict-affected Chin, Kachin, Shan and Rakhine states in the context of the COVID-19 pandemic. These states are among those identified by Myanmar's Humanitarian Response Plan 2020, and the activities to be supported are among those identified by the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector. The objective of the AF remains the same as IAQE, with specific emphasis on education access disrupted by the COVID-19 pandemic. An added component will support (a) improving access to and quality of formal basic education in conflict-affected areas for continued learning, (b) improving access to, and quality of, alternative education in conflict-affected areas for continued learning and (c) Strengthening management support and school-based planning for education delivery during conflicts and other emergencies.

For the purposes of the SA and ESMF, subcomponents in both projects and AF fall under the following categories of MOE programs to be supported: Financing, teacher and human resources management (HRM), NFE/ alternative education (AE), ethnic education providers, assistance to Rakhine State, and support in response to COVID-19. All supported programs are aligned with different strategies and chapters of the NESP and the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector. These categories are addressed individually below.

2.1 FINANCING

The financing category includes WB support to PFM reforms (planning and budgeting), School Improvement Funding (SIF), and individual student stipends. While these MOE programs received ongoing WB support as part of the existing DFSP, the IAQE funding extends WB support to MOE's SSP and SISP through top-up SIFSIF and linkage with quality standards and initiate support to larger PFMPFM reforms in the sector.

2.1.1 School Improvement Support Program

Since 2009-2010 and with support from the WBWB from 2014 onwards, a nationwide SISP is providing a transparent, reliable and flexible source of resources to all government and monastic basic education schools, reaching all 48,000 government-sanctioned and registered monastic basic education (primary, middle, and high) schools.

Through the AF DFSP, nationwide SIFSIF continue to be supported. The yearly amount of SIF ranges between US\$250 and US\$15,000 per school depending on student enrollment and funds are managed by the schools in line with a School Improvement Plan (SIP) and budget prepared in collaboration with a SIF committee and publicly disclosed on school notice boards. The SIF is a key part of ensuring access to free and compulsory primary education as it greatly decreases the need for parents to contribute to basic school operational costs.

Through the IAQE, schools in about one-third of all townships in Myanmar (about 15,000 formal government schools) are eligible for top-up funding. This allows for 3 million students to benefit from attending better-financed and better-planned schools. Top-up funding averages US\$1000 per school and targets the most disadvantaged schools. Major repairs and upgrading of school facilities, which are currently managed outside of the SISP framework, are now allowed. Schools are able to secure funding for major repairs and the IAQE will support strengthening of training and engineering support and actions to mitigate the risk of incentives to bend the rules to access the funds raise concerns on the quality of planning for land use and construction, as well as completeness and structural soundness of the facilities.

2.1.2 Stipends

Stipends are currently being paid to close to 200,000 (in 2017-18) poor students to reduce poor households' financial burden and resulting (demand-driven) drop-outs. This is a significant increase from the MOE'S previous stipend program, which reached 11,000 students in 2014. The AF DFSP extends the stipend program to two additional townships in Rakhine state. The two additional townships receiving student stipends in Rakhine state have uniform coverage, meaning the program is available to all schools and all students.

2.1.3 Public Financial Management

Through the IAQE project, the WB is supporting the strengthening of PFM institutional capacity and systems in the education sector, aligned with PFM reforms of Ministry of Finance and Planning (MOPF), through specific improvements in planning and budgeting, budget execution and reporting, and internal control and oversight. Institutional strengthening and capacity development includes an initial mapping

of the horizontal and vertical financial management (FM) functions, the preparation of a PFM assessment and debottlenecking analysis and process-driven road map, and the development and delivery of a basic PFM curriculum for all budget and finance officers (on both national and subnational levels). In planning and budgeting, efforts will focus on the gradual introduction of a multiyear performance-based approach, which will involve expanding the scope of the NESP planning platform and current e-submission of the budget templates as well as designing links between planning and budgeting for the consolidation of output-based budget information. On budget execution and reporting, the bulk of the work will support the strengthening of the existing MOE accounting system in alignment with MOPF reforms.

2.1.4 Education for Children on the Move (ECMP)

Through the IAQE project, the WB is supporting the establishment and implementation of the ECMP. The ECMP aims to institutionalize mechanisms to ensure formal schools are adequately serving the needs of children from displaced and migrant households. Schools under the ECMP will be regular formal schools, i.e. branch or fully sanctioned schools, staffed by government teachers teaching the MOE curriculum during regular school hours and receiving SIF and other regular government contribution. The differences between these schools and others will be that they will receive targeted support to account for the special need of the children in their catchment areas. The program targets three main groups of children (a) children from households displaced by conflicts and/or natural disasters or from migrant households relocating to host villages already served by a formal school, (b) children from households displaced by conflicts and/or natural disasters or from migrant households relocating to new settlement not served by a formal school, and (c) children displaced by conflict and living in internally displaced persons (IDPs) sites in Rakhine. For children in category (a) and (b), support may take the form of additional funding to build temporary facilities (using the major repair funding stream) to house one or more additional classrooms, teachers and teacher assistants (language) potentially receiving additional incentives, and material and SIF, etc. For children in category (c), the ECMP will frame the progressive transfer of responsibilities of the temporary learning spaces (TLSs) from humanitarian partners to MOE and improvements in the inclusiveness of services delivered by MOE schools already operating in IDP sites. It therefore applies to all schools or TLSs serving IDP children whether they live in a location called a camp, a village, or a transit site. This framing will take the form of “plans for inclusive education service delivery” that the World Bank will review and the Education and Technical and Vocational Education Sector Coordination Group (ETVSCG) will endorse. The plans must be consistent with the positions of HCT and EiE partners for this particular site and be compliant with the World Bank safeguard policies. For schools/TLSs in an IDP site to continue to receive ECMP support, M&E data must confirm that the plan is implemented satisfactorily. The above-mentioned conditions are set out in the ECMP OGs. They must be met before schools/TLSs in an IDP site is considered eligible to receive financial or in-kind support under the project. However, financial support for “major repairs” will never be eligible.

2.2 TEACHERS AND HUMAN RESOURCE MANAGEMENT

There are nearly 350,000 basic education teachers in Myanmar and, their training, competencies, and practices vary widely and are unevenly distributed in key dimensions such as townships, urban/rural, category of schools, etc. Substantial progress is being achieved on pre-service teacher education reforms (upgrade of the education colleges (ECs) from 2-year diploma to 4-year degree awarding institutions,

drafting of a Teacher Competency Standards Framework (TCSF), etc.) but progress on in-service training has been slower. Currently, teachers only get ad-hoc, sporadic in-service professional development and there is a lack of cohesive framework: materials (courses, modules) are available, but the mechanism for harmonizing them for wider usage and ties to career progression and promotion are missing. Because of the promotion system leading to the assignment of less experienced and less qualified teachers in lower grades and because of literature shows that gaps in achievement in early grades tend to be magnified over time, disparities in teacher's competencies are likely to have the most lasting impact on children in early grades.

DFSP and IAQE support MOE in strengthening the skills, motivations and performance of basic education teachers through mentoring and in-service training (including on peace and inclusive education (PT) and early grades literacy and numeracy) as well as through continuous professional development (CPD) linked to HRM reform.

2.2.1 Mentoring and Cluster

The mentoring element of the TMCSP targeting teachers with less than four years of experience was successfully launched and piloted in 40 townships in 2016–17, then expanded to an additional 40 and 70 townships in 2017–18 and 2018–19, respectively, for a total of now 150 participating townships in 2018–19. Over the duration of the DFSP AF, the program scope will continue to expand, ultimately covering all townships in 2020–21.

The additional funding also provides support for school clusters that meet regularly bringing teachers together to discuss a variety of learning and teaching issues, and Cluster Improvement Funds (CIFs) to provide food, transport, and materials for selected clusters. Clusters of 4-8 schools (on average) in each area are not limited to government schools and will include teachers from complementary basic education providers such as ethnic based education provider (EBEPs) and monastic schools.

2.2.2 Early Grade In-service Training

The early grade in-service training (EGT) program, informed by MOE's early grade learning assessments and pilot of an early reading intervention, trains teachers and head teachers on strategies and methods to effectively promote literacy and numeracy in children from different backgrounds and ethnicities. The program trains teachers and head teachers on interactive teaching methods and skills, best-practices pedagogical strategies, use of languages, strategies to promote literacy/numeracy-enhancing environment, use of formative/classroom-based assessments, etc. It also provides trainees with scripted lessons and activity booklets and specific teaching and learning material. The content of the program is delivered through (a) face-to-face training in township-level multiplier training and review workshops, cluster meetings, and in-school visits; (b) an online learning platform (accessible on computer and mobile); and (c) in state/region level seminars where most performing early grade teachers would present success stories and challenges.

2.2.3 Peace and Inclusive Education In-service Training

The PT program trains teachers, head teachers, and parents on topics including peace, addressing interpersonal and community conflict, psychosocial wellness, human rights (and child rights), cultural and

gender sensitivity, tolerance, non-discrimination, and so on. Specific content and strategies will be informed by prior and ongoing experiences such as the peace education resources for teacher training developed with support from the United Nations Educational, Scientific, and Cultural Organization (UNESCO), training module on child rights developed by the MOE for the mentors, and other resources and experiences of civil society organizations (CSOs) (including those participating in the education for peace working group).

2.3 NON-FORMAL AND ALTERNATIVE EDUCATION

The NFE subcomponent supports scaling up supply of the NFE services through government and innovative public-private partnerships with accredited AE providers (nongovernmental organizations (NGOs), CSOs, etc.). In consultation with relevant stakeholders, MOE is developing a framework for the MOE's Department of Alternative Education (DAE) to have contracts with non-state alternative or NFE providers, establish accreditation mechanisms for AE providers, and to expand the scope of services provided and managed directly by DAE.

WB financial support will allow DAE to provide grants to outside AE providers for their services. The AE partners will be responsible for managing the entire value chain supporting the service they are providing, including teachers/facilitators; premises/location;² carrying out enrollment campaigns to attract students; and delivering quality teaching using the approved MOE curriculum, teaching/learning materials, and using appropriate mode/language of instruction. The AE providers will receive an implementation grant between Myanmar kyat (MMK) 25,000 and MMK 35,000 per month per student from the DAE to cater to all associated expenses and their teachers/facilitators will undergo compulsory training by MOE/DAE-sanctioned entities.

Applying a two-tier model (AE provided by the Government or AE providers) to most effectively address the issue of high out-of-school children, especially in marginalized states and regions such as Shan, Chin, and Rakhine, and townships will allow the MOE/DAE to effectively increase supply where local providers currently do not exist or are of an insufficient standard, and in more hard-to-reach areas. About 77,000 students will benefit from quality and accredited accelerated NFE programs delivered in the targeted townships. The priority areas for the expansion will be in disadvantaged communities within the targeted townships of this operation with the highest number of children (a) having never been to school, (b) dropping out of their local (formal) primary schools, (c) lacking access to a formal primary school, and (d) having been displaced by conflict.

The DAE will also develop/expand the national exam and certification system. Learners who graduate from either the DAE's or AE's NFE programs will be issued an MOE-recognized completion certificate to enable them to either continue their education pathway to formal schools or enroll in other AE programs or enter the labor market.

² The NFE classes will be delivered in a range of existing infrastructure, such as community libraries (established and supported by local communities), community halls, and existing primary schools.

2.4 ETHNIC BASIC EDUCATION PROVIDERS

With WB support, the MOE is also embarking on structured dialogue to inform potential partnership with EBEPs. This program is informed by past experiences as well as deliverables from the ongoing preparatory study. Future support will allow for the continued facilitated dialogue between the MOE, EBEPs, and other stakeholders (including the large religious schools' network) to develop appropriate roadmaps toward establishing a minimum and coherent unionwide education framework (one system with several systems) to promote and protect children's access to quality education even in the middle of political and armed conflicts.

Establishing formal partnership mechanisms (roadmaps) between the EBEPs and MOE will contribute to equitable access to quality education for children in Myanmar. However, this will require agreements on ways for state and non-state providers (EBEPs) to interact and work together on a common (or at least connecting) platform of mutual respect and understanding. Currently, the MOE and complementary providers engage in various forms (formal/informal) of collaboration and levels of interaction but none have so far reached the level of formal partnership agreements.

The partnership framework would be operationalized via the roadmaps, and the MoE and complementary providers (EBEPs and religious schools) would design, pilot and then scale-up selected joint initiatives. These initiatives may include designing and delivering CPD activities for teachers/leaders, developing equivalency in core curriculum (aligned with jointly agreed upon national quality standards), delivering local curriculum (languages, culture, history), using different language of instructions, developing certification mechanism to recognize students' education achievement and credentials, etc. Transfer of funds or in-kind goods will not be eligible for WB support. Finally, MOE and complementary providers would take the dialogue one more step forward to develop the coherent and Union wide partnership framework recognizing the role of non-state providers in states and regions education development plans. It is estimated that about 70,000 students will benefit from quality education delivered through EBEPs partnering with the MOE.

2.5 ASSISTANCE TO RAKHINE STATE

The approach for implementing MOE programs benefiting from WB financial and technical support in Rakhine state is slightly different from other states and regions. In terms of targeting, to minimize social tension and in light of the high needs in Rakhine state, otherwise targeted MOE programs have adopted a full state approach for SISP, teacher in-service training (PT and EGT), and NFE (rather than targeting and selection of some schools/teachers). Furthermore, for townships in Rakhine benefitting from the student stipends program, implementation differs from other states and regions, and has uniform coverage for all schools and all students receiving school stipends. Finally, as indicated above, the ECMP will frame the progressive transfer of responsibilities of the TLSs from humanitarian partners to MOE and the improvement of the inclusiveness of education delivered in schools managed by MOE and serving IDPs.

While the repatriation timeline for Muslim³ refugees from Rakhine State currently in Bangladesh is unknown, in the Northern Rakhine State townships of BMY, WB support will enable the DAE and/or AE local partners in getting ready to systematically offer the NFE classes to returnees (when repatriation happens) to accelerate reintegration in the formal system. The NFE classes could serve as a platform for returnees to catch up (accelerated learning programs provided by nongovernment entities, for a transition period) and complete formal education to the level they would have without the displacement. The local AE providers everywhere, but especially in Rakhine, are required to meet minimum standards around inclusion and languages (in accordance with WB OP 4.10) to be accredited and receive implementation grants. Specific content will also be designed to meet the needs of youth, of all communities including returnees and remaining Muslim, Rakhine and other ethnic groups in the state.

A map of townships where different programs are and will be operating (if information is available) can be found in Annex H.

2.6 SUPPORT IN RESPONSE TO COVID-19

The AF to IAQE will support activities in Chin, Kachin, Shan and Rakhine states in the context of the COVID-19 pandemic. These activities will address, within the targeted geographical areas, a number of urgent issues related to education access, quality, equity, and school management as identified by the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector. The activities in the AF fit within the broad categories of activities supported by IAQE (e.g., school infrastructure upgrades, teacher capacity building, delivery of early grade teaching, strengthening monitoring and evaluation, etc.), and the AF does not propose any activities that present environmental and social risks meaningfully different than activities supported by IAQE.

The additional resources would be used to extend the scope of existing activities within the four states to address new issues raised by the Covid-19 pandemic. These Covid-19 sensitive new measures are listed below:

- On access: Provision of additional learning spaces in IDP camps and additional temporary classrooms in existing schools for social distancing (renovations and new construction on existing school footprint); provision of individual moveable desks for children; and provision of learning kits and book corners for schools and students (including in ethnic languages) for use both in school and at home.
- On quality: Development and implementation of classroom-based student assessments to identify students needing remedial education, especially due to school closures or difficulty in access; capacity building of teachers in the delivery of remedial education; introduction of mechanisms for teachers to remain connected to students during extended school closures; training of teachers/facilitators in IDP camps on early grade teaching, and teaching to children with disabilities; recruitment, training and deployment of volunteer teachers, language teachers and teaching assistants in schools and temporary learning centers; and

³ In line with the Kofi Annan Advisory Commission report on Rakhine State (2017), we neither use the term “Bengali” nor “Rohingya” but refer to this population as “Muslims” or “the Muslim community in Rakhine”. This does not include the Kaman Muslims in Rakhine or other Muslims in the country.

development of CPD modules for distance learning; and provision of pre-loaded equipment (e.g., tablets and MP players) to schools and selected teachers to provide access to such modules.

- On school management: Supporting the preparation and implementation of school-based plans to resume face-to-face classes safely after closures and to prepare responses to local outbreaks and other emergencies; provision of psycho-social support to teachers and students; and implementation of a survey of school-aged children, particularly to collect information on out-of-school children.

3 LEGAL, SECTORAL AND INSTITUTIONAL CONTEXT

Myanmar gained independence from the British empire in 1948, but long-standing grievances from over a century of colonial rule⁴ continue to impact contemporary dynamics. There is a widespread perception that the British colonial administration privileged certain groups over others. When negotiations for the formation of the independent state of Burma were held, efforts were made to bring all of the territory of British Burma, much of which had previously enjoyed considerable autonomy, into the independent state of Burma. While the compromise known as the Panglong Agreement was reached in 1947, following independence civil war broke out on multiple fronts between multiple political and ethnic armed organizations (EAOs). In some areas of the country, with the exception of some ceasefire periods, armed conflict has continued for the past 70 years.

The ongoing armed conflict, coupled with international isolation and desire for continued autonomy in frontier areas, has led to large swathes of the country, particularly in Shan, Kachin, Karen and Mon states where Myanmar government services currently (or until very recently) do not reach. Students in these areas rely on EBEPs or monastic or other religious schools where available.

In 2011, the country embarked on a range of political, economic and administrative reforms, and since then *successfully* held national democratic elections (November 2015), which saw a landslide victory for the National League for Democracy (NLD). The second democratic elections since the transition began are scheduled for 2020.

The National Ceasefire Agreement (NCA), between the Myanmar Government and 10 EAOs, has initiated a political dialogue aimed at resolving many issues, including decentralization of service delivery to subnational levels of the Government. Education was not one of the services discussed in-depth as part of the NCA. Due to this, there is still an absence of formal partnership mechanisms between the MOE and EBEPs and, as a result, an absence of formal recognition of ethnic students completing grades/levels with the EBEPs.

One of the key political issues both in the NCA and nationwide is that of decentralization. Education is highly centralized in Myanmar and part of the issue in creating a framework for partnership between the

⁴ Myanmar was annexed to British India in stages, with Arakan and the Tenasserim conquered in the First Anglo-Burmese War 1824-1826, Pegu (including Yangon) in 1852, and Upper Burma in 1885.

MOE and EBEPs is the need for a one-size fits all approach, which would not be able to fully take into account local dynamics and differences amongst EBEPs.

3.1 LEGAL AND POLICY FRAMEWORK

3.1.1 The 2008 Constitution

The fundamental law of Myanmar is the Constitution of 2008, which serves as the foundation for Myanmar's democratic transition. The Constitution of 2008 describes the obligations and duties of the Union with regard to education and establishes the right of all Myanmar citizens to education. Most importantly, in clause 366, the Constitution describes its obligation to citizens regarding their right to education (Chapter 8: Citizens, Fundamental Rights and Duties of Citizens):

Article 366. Every citizen shall, in accord with the educational policy laid down by the Union: a) have the right to education; b) shall be given basic education which the Union prescribes by law as compulsory; c) have the right to conduct scientific research, explore science, work with creativity and write, to develop the arts, and conduct research freely [with] other branches of culture.

Notably, supporting compulsory primary education is one the duties of a citizen set forth by the Constitution, and the Government of Myanmar is obliged to implement the free and compulsory primary education system. More importantly, the government is required by the Constitution to enact necessary law to ensure that citizens have the opportunity participate in matters related to the education system.

3.1.2 Other Education-related Laws Include:⁵

The National Education Law of 2014 (amended in 2015) delineates the type of education in Myanmar (primary, vocational and higher education), the type of schools, sets up the National Education Commission which is responsible for education policy but not management, and firmly places universities under the MOEMOE, but allows them to be independent and self-administered. The law allows for the language of teaching to be English and/or Burmese at all levels and Burmese and an ethnic language at primary level and places the expansion of ethnic language teaching in higher grades at the behest of division and state governments. It also allows for technical and vocational education training (TVET), special education and distance education. It also allows for monastic schools. Notably and controversially, the law does not allow for student or teacher unions. The National Education Law mandates 12 years of education following kindergarten.

Basic Education Law of 1964 (repealed in 1973, amended in 1989) that currently mandates the education system as 5 years of primary-level education, followed by 4 years of lower secondary-level education, and

⁵ Two other laws concerning education are the Myanmar Board of Examination Law of 1973 and the Education Research Law of 1973.

2 years of upper secondary-level education. A new draft Basic Education Law to repeal and replace the 1973 law was sent to parliament in January 2018.

University Education Law of 1973 (amended in 1998) that mandates ministries in 13 specific sectors (currently 13) to manage universities in their sector allows for arts and sciences universities and professional institutions. Limits degree granting at the tertiary level to institutions formed in compliance with this law.

Private Education Law of 1984 and 2006 which prohibits teachers in public schools from practicing fee-based teaching after school hours,

Technical Agricultural and Vocational Education Law of 1974 (amended in 1989) governs the activities of the Department of Technical and Vocational Education and Training (DTVET).

Private School Registration Law of 2011. The law allows for registration of private schools provided they teach the MOE curriculum, which they can supplement with other courses. Private schools cannot be established with foreign aid or with the aid of a foreign organization nor can they be missionary schools. However, in 2018 the Myanmar Investment Commission issued a notification allowing foreign investment in private schools, including 100 percent foreign ownership.

Private Education Law (Draft). Drafting of a new Private Education Law began in 2015 and has yet to be completed. Upon enactment the law will revoke the 2011 Private School Registration Law and the 1984 (2006 amended) Private Education Law.

3.1.3 Laws on Ethnic Groups

According to the 2014 census, Myanmar has a population of 51.4 million. While ethnically disaggregated data from the census are not yet available, estimates suggest that the Bamar are the largest ethnic group, comprising around two-thirds of the population, with a large number of ethnic groups accounting for about one-third. The majority Bamar population mainly lives in the central and delta parts of the country (divided into seven administrative Regions) while the ethnic groups live mainly, though not exclusively, in the mountainous border areas (roughly corresponding to the country's seven States: Kayah, Kayin, Kachin, Chin, Mon, Rakhine, and Shan). Main minority groups include Shan, Kayin, Rakhine, Chin, Mon, Kachin, and Kayah. These eight "ethnic races," including the majority Bamar, are subdivided into 135 officially recognized ethnic groups and belong to five linguistic families (Tibeto-Burman, Mon-Khmer, Tai-Kadai, Hmong-Mien, and Malayo-Polynesian); there are no population figures for ethnic group.

According to Chapter 1, clause 22 of the 2008 Constitution of Myanmar, the Union Government of Myanmar is committed to assisting in developing and improving the education, health, language, literature, arts, and culture of Myanmar's "national races." It is stated, that the "Union shall assist:

- to develop language, literature, fine arts and culture of the National races;
- to promote solidarity, mutual amity and respect and mutual assistance among the National races; and
- to promote socio-economic development including education, health, economy, transport and

communication, [and] so forth, of less-developed National races.”

The Ethnic Rights Protection Law (The Comprising of Pyi Thu Hluttaw and Amotha Hluttaw (Pyi daung su Hluttaw) Law No.8, 2015), 24th February 2015. This law provides definitions of ethnic groups, Ministry, Union minister, Ministry of State or Region, State or Region minister, roles and responsibilities of the Ministry of Ethnic Affairs in ethnic affairs which means to promote sustainable socio-economic development that is including language, literature, fine arts, culture, customs and traditions of the national races, religious, historical heritages, peace and the included opportunities in 2008 Constitution of Myanmar. The constitution provides equal rights to the various ethnic groups included in the national races and a number of laws and regulations aim to preserve their cultures and traditions. This includes the establishment of the University for the Development of the National Races of the Union which was promulgated in 1991 to, among other things, preserve and understand the culture, customs and traditions of the national races of the Union, and strengthen the Union spirit in the national races of the Union while residing in a friendly atmosphere and pursuing education at the University. However, the list of recognized ethnic groups has not been updated since 1982.

Since independence, there have been recurring conflicts between the Government and a number of ethnic armed groups over a range of issues, including relating to greater autonomy, recognition of cultural rights, and governance of natural resources. The Government’s peace initiative, launched in 2011, has seen the conclusion or renewal of a number of ceasefire agreements with some ethnic armed groups, although conflict continues in several areas, including in Kachin State, northern Shan State, and Rakhine State. Following a number of bilateral ceasefire agreements between the Government and ethnic armed groups, some ethnic groups have been granted authority over political and economic affairs in their areas, which in some cases are sizeable. Social and other public services were developed by ethnic authorities, often with support from NGOs, and are still operating in several areas. Under the current government, a free media is developing, and ethnic parties and associations are politically active. CSOs also play an active role.

3.1.4 Laws on Land Acquisition

The 2008 Constitution grants the union government ultimate ownership of all land and natural resources within the country's national territory, whether located above-ground, sub-soil or underwater. However, it also provides for ownership and protection of private land property rights. There are over 30 laws governing land use, with more than 20 different government departments responsible for land administration.⁶

At a framework level, a National Land Use Policy offers a vision to harmonize existing laws but needs to be followed up by applicable laws, rules, and regulations. The National Land Use Policy was drafted in 2016 after an extensive 2-year consultation process with various stakeholders and is largely seen as a framework in line with international good practice. It assures equitable land access for smallholders and landless people, with consideration of customary tenure and gender equality.⁷ It identifies issues related to IDPs, who previously left their land due to conflict, and acknowledges their right to return and to

⁶ Open Development Myanmar, *Land* (June 20, 2016).

⁷ *National Land Use Policy*, (The Republic of the Union of Myanmar, January 2016).

restitution although with certain limitations.⁸ The National Land Use Policy has not yet been followed by any applicable legislation, leaving the document as a broad vision statement.

The 1894 Land Acquisition Act remains the legal basis for land acquisition in Myanmar. The 1894 Act states that the government will acquire or occupy lands for public purpose. The Act sets procedures for land acquisition and compensation. Section 23 determines suitable amounts of compensation to be made for affected persons when the government acquires the land. The Act and associated Land Acquisition Rules (1932) further outline relevant procedures for notice periods, objections of interested persons to acquisition, methods of valuation of land, temporary land occupation, court processes and appeals, and acquisition of land for companies and economic development.

There are two laws newer than the 1894 Land Acquisition Act that govern land issues in rural areas:

- **The Farmland Law (2012)** stipulates the right to farm as well as the right to sell, mortgage, exchange, lease, or donate the land held under a land use certificate issued by the local farmland management committee at the township level. The law divides “farmland” into multiple categories — low land (paddy land), upland (*ya*), silty land (*Kaing Kyun*), hill-side land (*taung-ya* land),⁹ perennial crops land, nipa palm land (*dani*), garden land or horticultural land, and alluvial land — with different types of land subject to differing rules administered by different government agencies (at times, with overlapping jurisdiction). The Department of Agricultural Land Management and Statistics (DALMS), the General Administration Department (GAD) and the Central Committee for the Management of Vacant, Fallow and Virgin Lands are all responsible for the farmland.¹⁰ Amendments to the law are under discussion in Parliament.
- **The Vacant, Fallow and Virgin Land Law (2012)** legalizes land concessions of “unused” land to investors or companies for commercial cultivation; it is widely viewed as legitimizing the taking of land from farmers who use the land without official documents. Under the law, land designated as vacant, fallow, or virgin by the government can be converted to commercial agricultural use, with concession rights given to a company. If the company has not used the land for a certain amount of time, the land reverts to the government. Farmers without documents, who have produced crops on such lands for a certain period, can use The Farmland Law (2012) to obtain a land use certificate in order to change the land use from vacant to farmland with all the attendant rights. In application, farmers face various difficulties obtaining land use certificates, and a recent amendment to the law requesting that everyone had to obtain land use certificates to prove legal status within a very limited time frame attracted some criticism.

A gap analysis between Myanmar law and WB policies is included in Annex B, as part of the Resettlement Policy Framework (RPF), even though no involuntary land acquisition under the project will be eligible.

⁸ Myanmar Center for Responsible Business (MCRB), 2017, *Legal and Policy Analysis of the Myanmar Oil Palm Sector*.

⁹ Taung-ya is a system shifting cultivation. The practices consist of land preparation for tree plantation, growing agricultural crops for 1 to 3 years after the tree plantation and moving on to another area to repeat the cycle.

¹⁰ *Legal Review of Recently Enacted Farmland Law and Vacant, Fallow and Virgin Lands Management Law* (Forest Trends, November 2012).

3.1.5 Laws on Environmental Protection

Myanmar's environmental and social legislation includes the Environmental Conservation Law 2012; Environmental Conservation Rules 2014; the Environmental Impact Assessment (EIA) pEIA procedures and guidelines. The 2012 Conservation Law provides a general mandate for the former Ministry of Forestry and Environmental Conservation (MOECF), the actual Ministry of Natural Resources and Environmental Conservation (MONREC), to implement environmental conservation policies, prescribe environmental quality standards, hazardous waste and waste management and pollution control produce an Environmental Assessment (EA) System. The 2012 Conservation Law also gives MOECF the mandate to protect cultural resources. The EIA rules and procedures were approved on December 29th, 2015. The EIA procedures specifically stipulate type and size of activities requiring EA, an initial Environmental Examination (IEE) or Environmental Management Plan (EMP), the content of the EA, the review and approval process, monitoring, etc. Given a small-scale rural infrastructure to be supported under the project, it is unlikely that sub-project will require IEE/EIA under this notification. There are also other laws with environmental policy implications such as the 1992 Forest Law and several international laws and conventions that Myanmar has ratified.

3.1.6 Standard Operating Procedures for COVID-19

In response to COVID-19, the government of Myanmar has prepared and issued a number of plans and guidelines in different sectors, such as health, education and construction. The ones relevant for the World Bank supported programs in the education sector are:

- **The Myanmar COVID-19 National Response and Recovery Plan for the Education Sector.** The plan discusses short and medium measures needed to minimize and manage COVID-19 transmission risks, as well as measures for continued access to quality education in the pandemic context with possible school closures. Measures include social distancing in schools, provision of additional learning kits to take home, remedial classes for students who fall behind, mechanisms for teachers to remain connected to students during school closures, provision of pre-loaded tablets to schools, and emergency/response plans for local outbreaks. The IAQE AF is specifically designed to fund some of these measures.
- **Guidelines for Precautionary Measures at the Workplace,** issued in April 2020. These guidelines apply to construction sites among other workplaces. These include guidelines for employers to isolate anyone with Covid-19 symptoms, make available necessary PPE and hand washing/sanitization equipment/stations, provide training to employees, ensure that employees work at a distance to the extent feasible, and maintain a record of daily attendance of the employees at the sites. These guidelines and the World Bank's ESF/Safeguards Interim Note: COVID-19 Considerations/Civil Works Projects provide the basis for COVID-19 specific measures for construction sites in this ESMF, under the Environmental Code of Practice and the Labor Management Procedures.

3.2 EDUCATION SECTOR REVIEW

Myanmar's basic education services are delivered through both government and non-government education systems/providers. The MOE is the largest provider of education services (formal education) in Myanmar, accounting for 83 percent of public spending in the sector,¹¹ but there is also a sizable nongovernment sector (complementary education) delivering (mostly primary) education services. The largest non-state basic education provider categories are religious schools (mostly monastic—Buddhist—but also some Christian and Islamic) and non-*Bamar* ethnic groups.

The government has identified education and poverty alleviation as key drivers to support the democratic and peace-building process and to achieve the national goal of Myanmar becoming a Middle-Income Country by 2030. In the education sector, achievement of these objectives is framed by the NESP, which came out of the Comprehensive Education Sector Review (CESR), which began in 2012. The NESP provides a 'roadmap' for sector-wide education reforms over five years (2016–2021) that would dramatically improve equitable access to quality education for students at all levels of the national education system. It also emphasizes the need for education benefits to be shared among broad segments of the population, and for excluded groups not to be left behind.

As a testament to the Government's education priority, public funding for education has significantly increased, on a yearly basis, between 2011–2012 when the government made primary education free and compulsory, and 2016–2017. It went from MMK 310,000 million (about US\$230 million equivalent) in 2011–2012 to more than MMK 2,177 million (about US\$1.4 billion equivalent) in 2018–19. This commendable increase reflects growth in education budgets that outstripped spending in other sectors (except economic affairs, general public services, and defense). Nevertheless, public education spending, as a percentage of Government expenditure (at around 8.7 percent) and as a percentage of gross domestic product (GDP) (at around 2.2 percent), remains considerably lower than in neighboring and comparator countries.

In recent years, Myanmar made significant progress in access to basic education, but dropout rates and the number of out-of-school children and youth remain significant. The primary net enrollment rate (NER) increased from 88 percent in 2009–2010 to 93 percent in 2014–2015, while it went from 53 percent to 55 percent at the secondary level and to 58 percent and 27 percent in middle and high school respectively.¹²

Until recently, the overall governance of basic education in Myanmar was characterized by highly centralized and nontransparent decision making. With the establishment of free primary education in 2009–2010, requiring the provision of operating funds to schools, the MOE launched a program to transfer funding (grants) to schools through township education offices (TEOs). A basic framework for the amounts and flow of funds was established, but the initiative lacked a formal program with objectives, descriptions of responsibilities, performance indicators, provision for monitoring, or manuals and training to explain how the program is to be implemented. Other challenges included the absence of clarity on how SIPs will

¹¹ The remaining 17 percent is managed by 14 other ministries providing vocational and higher education services with their own budgets. For example, the Ministry of Health runs and finances health-related universities. (World Bank. 2015. *Myanmar Public Expenditure Review 2015: Realigning the Union Budget to Myanmar's Development Priorities*.)

¹² MOPF and World Bank (forthcoming).

become a key-planning tool in this context and the limits to schools' ability to use the resources where their needs are the greatest.

Since 2014, the DFSP has supported Myanmar in strengthening the transfer of funding to schools (initially called school grants and now SISP) by (a) giving SHSH teachers and communities a greater say in how resources are spent; (b) providing a transparent, reliable, and flexible source of resources to schools; and (c) encouraging parents to be involved in their allocation. This has been a powerful signal from the MOE and the Government that education is a priority, aimed at easing that financial burden on households, at the availability of more learning materials in classrooms, and, ultimately, at better learning outcomes.

Non-formal basic education is defined as accelerated learning programs, aligned with the official MOE curriculum, delivered outside regular school hours by Government or nongovernmental institutions leading to the acquisition of core competencies comparable to formal education. Non-formal primary education (NFPE) classes have been offered since 2007 and non-formal middle school education (NFME) classes are being piloted (since 2016, with support from United Nations Children's Fund (UNICEF)).¹³ Although the 2014 National Education Law explicitly allows for NFE provided by community based organizations (CBOs) and NGOs, the AE sector is substantially underdeveloped considering the need and demand nationwide, particularly in the poorest and conflicted townships.

An estimated 2.7 million children between ages 5 and 26 (about 23 percent of children and youth) in 2015-2016 have either never enrolled in school or have dropped out of the formal education system in Myanmar. These children often reside in the most marginalized and conflict-affected townships and areas. But school attendance also correlates with income: 6 out of 10 children starting grade 1 drop out before the end of middle school and among families belonging to the bottom 40 percent of the consumption distribution, this figure is 7 out of 10. The dropout rates are high for both boys and girls and differences in dropouts across richer and poorer households dwarf gender gaps. In addition to drop out rates or lack of school attendance, only about one-third of students sitting for the matriculation exam pass.

The MOE's intention is to provide realistic and achievable pathways for out-of-school and marginalized children, including those displaced by conflict or natural disasters, to enter/reenter the (formal) education system or enter the labor market equipped with recognized education achievements and necessary basic skills. In the NESP, alternative and NFE programs are proposed as strategies to reach these marginalized children, in the short to medium term.

The two current AE programs, under the responsibility of the newly formed DAE, are (a) the NFE targeting out-of-school children and youth, and (b) the summer basic literacy and functional literacy program for youth and adults. NFPE classes have been offered since 2007 and non-formal middle non-formal middle school (NFMS) classes have been piloted since 2016 by the MOE (with support from UNICEF). In addition to the Government-provided NFE services, many NGOs (including international nongovernmental organizations (INGOs), United Nations (UN) agencies, representatives of civil society and philanthropic entities) offer AE opportunities to out-of-school children. The MOE NFE programs currently include the NFPE and a pilot of NFME. Currently, an NFPE graduate must enter the formal system for a year, to

¹³ UNICEF is currently conducting an evaluation of the NFME pilot program which will inform the future roll-out and scale-up.

complete grade 5, and then pass the regular grade 5 exam to obtain a primary education certificate. There is no approved certificate issued after completing NFPE level 2.

The key challenges currently facing the NFE program include the lack of access for the majority of out-of-school children and youth who are working either full or part-time (including home-based work), poor quality of classes resulting in low pass rate and re-enrollment into the formal school system, lack of relevance for students and their parents leading to sporadic attendance and dropouts, lack of attention to incorporating life and employability skills, and difficulties in obtaining approved certificates recognizing achievements and credentials.

Complementary basic education is defined as education services, some of which are aligned with the official MOE curriculum while most are not, delivered during school hours by institutions not fully sanctioned by the MOE such as TLS in IDP camps' and ethnic education or religious providers, including monastic schools under the purview of the Ministry of Religious Affairs and Culture.

Some EAOs hold large areas of territory, which in some cases have never been controlled by the Central Government, and operate parallel, state-like agencies, delivering a range of services, including education. Some EAOs and other ethnic organizations have strong reservations about interacting with the Central Government and prefer to stay autonomous from state control and serve their own communities.

Kayin, Mon, Kayah and Kachin EAOs began running their education service delivery in their respective states in various forms in the years following the 1962 military coup when all schools were nationalized. Curriculum and school facilities were all managed by the respective EAOs and/or subordinate entities of the EAOs. Their schools were set up in their control areas where MOE and other government civil servants have no access and are not allowed to travel without permission by the respective EAOs.

Different EBEPs and state-based education providers provide education services to over 300,000 children, with well-established systems operating (by EAO controlled EBEPs) in Karen, Mon, Kachin, and Kayah States, among others, as well as a wide diversity of community schools, some of which are networked and/or supported by a range of NGOs, CSOs, Faith Based Organizations, or local ethnic/cultural organizations. There are also a significant number of TLSs in IDPs camps in Rakhine and elsewhere or serving returnees (from Thailand, for example).¹⁴

Meanwhile, increases in Government spending on education and new ceasefires have recently allowed the MOE to reach new populations in ethnic areas, with the consent of the EAOs, including in "mixed" schools, particularly in Mon and Karen States. While offering communities many potential benefits, many ethnic education stakeholders consider that the MOE expansion has been poorly managed and is sometimes perceived as intrusive, leading to a range of political and administrative challenges.

Many ethnic nationality communities are striving for a more devolved system of locally owned education provision. Research shows that ethnic nationality demands differ widely with regard to the core aspects of these provisions (varying from accepting the Government curriculum, to expecting some locally relevant content, to having their own locally based curriculum and teaching purely in the mother tongue,

¹⁴ It is estimated that there are roughly 100,000 refugees still in Thailand and the United Nations High Commissioner for Refugees also estimates that as many as 15,000 have already returned outside the formal channels.

through mother tongue based to bilingual provision, or even having ethnic languages taught as a second language). These demands are correlated with the level of conflict in which they live.¹⁵

While some conflict-affected communities (for example, Mon, Karen, and Kachin) have developed very systematic and wide-ranging education provision run by local education departments, other communities have relied on religious institutions to provide language courses in the summer or after school (for example, PaO, Chin).

Most of the major ethnic systems (EBEPs) have their own policies, management, curricula, learner assessment frameworks, and teacher recruitment, training and professional development strategies. A political dialogue aimed at resolving many issues, including decentralization to subnational levels of service delivery such as education was initiated by the NCA between the Myanmar Government and eight EAOs, but has yet to pay dividends.

The key challenge is that most students attending non-state education institutions have difficulties transitioning to other systems, or having their credentials recognized. Recognition of credentials from EBEP and transfer between systems is one of the most pressing issues for inclusive access to education.

4 APPLICABLE WORLD BANK OPERATIONAL POLICIES

The projects trigger the following World Bank Operational Policies: Environmental Assessment (OP 4.01), Indigenous Peoples (OP 4.10), and Involuntary Resettlement (OP 4.12).

OP 4.01: Environmental Assessment. This policy requires the environmental and social assessment of investments proposed for WB financing to help ensure that they are environmentally sound and sustainable, and not harmful to communities. The depth and type of analysis depend on the nature, scale, and potential environmental impact of the proposed activities. The EA process takes into account the natural environment (air, water, and land), human health and safety, social aspects (involuntary resettlement, indigenous peoples, and cultural property), and trans-boundary and global environmental aspects. Given that sub-projects will be identified by during implementation and are expected to be small civil works, a framework approach will be followed as outlined in this ESMF, utilizing Environmental Codes of Practice (ECOPs) included in Annex D, Labor Management Procedures (LMP) included in Annex E, and Child Protection and Gender-Based Violence Codes of Conduct included in Annex F. COVID-19 Specific Stakeholder Engagement Measures included in Annex G provide guidelines for stakeholder engagement across the WB-supported MoE programs for the COVID-19 context.

OP 4.10: Indigenous Peoples. The policy is applicable since ethnic group communities would be present in the project areas of influence. The project will continue having consultations, conducting local SAs, and reaching out to potentially excluded groups at the village level. Free, prior and informed consultations will be conducted with villagers, including ethnic groups, leading to broad community support for proposed sub-projects. The key principles, processes and procedures are described in the CPPF in Annex A.

¹⁵ South and Lall (2016). *Schooling and Conflict: Ethnic Education and Mother Tongue-based Teaching in Myanmar*. The Asia Foundation. Available at: <https://asiafoundation.org/resources/pdfs/SchoolingConflictENG.pdf>

OP 4.12: Involuntary Resettlement. Most sub-projects financed under the project support small-scale civil works to repair, rehabilitate, and expand schools, and are unlikely to require acquisition of private land or loss of private assets. The sub-projects are expected to be on existing school or camp facility physical footprints. However, since sub-projects are developed on a community/school driven basis, minor land acquisition or loss of assets cannot be fully ruled out. For this reason, OP 4.12 is triggered. Sub-projects that will require involuntary land acquisition will not be eligible under WB financing. Any school funding request will be screened for land-related impacts with a view to avoiding involuntary land acquisition. The RPF in Annex B provides guidelines for voluntary land donation in case this is needed.

COVID-19. While not an Operational Policy, in response to COVID-19, the World Bank has issued the ESF/Safeguards Interim Note: COVID-19 Considerations/Civil Works Projects and the LMP Template for COVID-19 Response, including a plan for safe disposal of used PPEs. The Environmental Code of Practice and the Labor Management Procedures annexed under this ESMF are guided by these notes in order to ensure that transmission of COVID-19 risks among workers and communities are minimized and appropriately managed.

5 POTENTIAL PROJECT RISKS AND IMPACTS

Potential risks and impacts were identified by stakeholders in the preparatory design consultations in 2017-2019 and in periodic monitoring and evaluation (M&E), spot checks, and SAs of existing programming under the DFSP and IAQE. As much as possible program design has focused on mitigating the identified risks.

Potential risks and impacts associated with small civil works. The rehabilitation, renovation, and expansion of the existing schools raise construction site management, occupational health and safety, and community health and safety risks during construction. Most of the small civil works are expected to have low or moderate environmental risks associated with dust and noise, waste generation, as well as operational health and safety (OHS). The project does not fund any activities that will generate any medical waste. Workers may pose increased transmission risk of COVID-19 to surrounding communities if precautions are not taken. The environmental risks are expected to be site-specific, moderate and short-lived with low to moderate probability, and severity of harm and can be easily mitigated.

Given that sub-projects will be identified during implementation and are expected to be small civil works, these risks will be mitigated by utilizing Environmental Codes of Practice (ECOPs) in Annex D of the ESMF. The ECOP, as well as the Labor Management Procedures (LMP) in Annex E of the ESMF, includes COVID-19 sensitive measures to protect community health and safety, such as preference for local hiring, provision of personal protective equipment and hand washing stations, sensitization and training for workers and communities.

Labor and working conditions risks. For direct workers hired by MOE (such as facilitators, trainers, monitoring agents or teachers for alternative education) or contracted workers (such as workers mobilized by firms hired to repair, expand, rehabilitation or build classroom at school and temporary learning centers) there may be labor and working conditions risks such as:

- Terms and conditions of employment of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Non-discrimination, equal opportunity and equal pay of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Child labor
- Workplace accidents, particularly when operating construction equipment, when working at height on building construction, and when handling heavy equipment and materials
- Risks from exposure to hazardous substances (dust, cement, chemicals used in construction etc.)
- Accidents or emergencies
- Gender-based violence or violence against children
- Conflicts between workers and communities, particularly if there is influx
- Transmission of COVID-19 among workers or nearby communities, especially if workers are not hired locally and arrive to civil works locations from elsewhere
- Transmission of COVID-19 among workers, especially if COVID-19 specific precautions are not in place at work sites and worker accommodation sites
- Spread of COVID-19, especially if strict reporting and escalating is not in place

For MOE civil servants, such as staff and full-time teachers, a subset of these labor and working conditions risks may also be present:

- Terms and conditions of employment of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Non-discrimination and equal opportunity of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Accidents or emergencies
- Occupational health and safety risks while visiting construction sites
- Gender-based violence or violence against children
- Transmission of COVID-19 among to communities, while conducting school/site visits for staff and teachers not living with the community

For all workers under MOE programming supported by the WB, these risks will be mitigated by the Labor Management Procedures (LMP) included in Annex E of the ESMF. These procedures, as well as the Child Protection and Gender-Based Violence Codes of Conduct in Annex F of the ESMF, aim to mitigate above risks by (i) responding to the specific health and safety issues posed by COVID-19, (ii) protecting workers' rights in accordance with the objectives of WB's labor and working conditions standards, and (iii) including management measures to manage risks gender-based violence and violence against children. As part of the LMP, DBE will put in place a worker grievance mechanism to allow workers quickly inform management of labor issues. The worker grievance mechanism will be put in place before the beginning of the 2021 school year in May, in time to be included in the annual MOE training for staff and teachers.

Child Protection and Gender-Based Violence. In contexts related to program activities (and around school construction sites), there may be a risk that women or children experience serious mistreatment such as harassment, intimidation, abuse, violence, discrimination or injustice. Given that the project will only fund minor construction works, with most workers being hired locally, the risk is not expected to be high in this context however. To manage such risks, all project workers, including contractors, are expected to follow the Child Protection and Gender-Based Violence Codes of Conduct included in Annex F of the ESMF. The worker grievance mechanism for workers and the broader project grievance mechanism will allow for

confidential reporting of gender-based violence and violence against children incidents, with dedicated procedures.

Potential risks and impacts associated with land acquisition. The rehabilitation, renovation, and expansion of existing schools may require minor land acquisition. Any involuntary land acquisition is not eligible for project financing. If the land required belongs to a private owner who may want to donate their land for the project, such land can be acquired under the project as long as certain conditions are fulfilled, including prior and informed consent of the owner. The RPF and the Voluntary Land Donation form in Annex B and C of the ESMF describe the conditions that need to be met before any voluntary land donations can be made,

Risks associated with potential exclusion of vulnerable groups of children, including ethnic minorities, from education services. There is a risk of exclusion of children-affected by conflict, children in IDP camps, ethnic minorities, differently-abled children and other vulnerable children from the education system across the Education Sector in Myanmar, because (i) there may be travel restrictions due to conflict that affect access to schools, (ii) the children may not be able to access quality education due to other factors (proximity to and availability of schools, teachers, and teachers who teach in the mother tongue), or (iii) the children may be able to access ethnic education provider taught schools, but quality or reciprocity/acceptance into the MOE school system may be low. In Rakhine, all of the above difficulties with access are exacerbated. For Muslim children not in IDP camps, there are stricter travel restrictions and lower availability of qualified teachers compared to the rest of the country. For Muslim children in IDP camps, physical access to schooling may not be an issue; but quality of teaching and availability of teachers may be issues. Given these exclusion risks, IAQE and the AF activities are designed to mitigate these risks as much as possible, by targeting the most vulnerable communities and students based on administrative data and inclusive planning. The Community Participation Planning Framework (CPPF) included in Annex A of the ESMF details the measures taken under different programs to target and include schools and children at risk of being excluded as project beneficiaries through multiple mechanisms, including free, prior and informed consultations with communities. For example, preparation of school level social/vulnerability assessments and Community Participation Plans are part of project design for assessing needs and disbursing funds every school year, and are monitored ex-post by third parties. These include specific targeting, screening and monitoring measures in project design to ensure that benefits reach those who are most vulnerable without discrimination. The proposed AF activities are measures to ensure that benefits under the IAQE reach their intended recipients, given the conditions exacerbated by COVID-19 and the increased risk of exclusion in access to education for children living in conflict areas.

Risks associated with decision-making regarding school improvement funding and the school stipend funding. Decision/power over how the school should spend the funding and how the stipends should be allocated to students is delegated to a school committee. As per guidelines and instructions from the MOE, the committee should bring together the head teacher, teachers and parents, and parent members should be representative of the composition of the catchment area and some of them should be women/mothers. Based on available evidence, school committees are on average 35 percent women including female teachers, but this proportion varies, and no data is currently available to quantify the ethnic composition.

Difficulties in having the required representativeness on the school committee may be explained by language barriers, adult literacy rates, gender roles in certain culture/ethnic/religious groups, or economic constraints (unavailability to attend meeting because of job/work). For example, in northern Rakhine townships, many head teachers of schools attended by both Rakhine and Muslims report having difficulties getting Muslim women to come and participate in school committees. Non-representative school committees have the potential to be captured and to give power (over school resources) to certain groups. As such, expenditures may be better aligned to the need of that group and disproportionately benefit students from a particular population. To mitigate this risk disbursement of SISP and SSP is contingent on school level social/vulnerability assessments and Community Participation Plans, as well as reporting on outreach and inclusive consultations and adherence to a policy of non-discrimination.

Risks associated with expanding funding for NFE and AE. While NFE is included in the National Education Law of 2014, there is no legislation that specifically governs NFE. As NFE and AE programs can be followed part-time, there is a slight risk that their expansion may incentivize families to keep children working or caring for family members at home, or for children to drop-out and work for a few years and finish their schooling through NFE/AE programs later. With SISP and SSP decreasing out of pocket costs for families to have children attend school, this risk should decrease with time as there will be less of a push factor for children to leave school in the first place.

Risks associated with expansion of programs to Temporary Learning Spaces. TLSs are not currently eligible for SSP or SISP support as they are not MOE recognized. Risks around making the TLS eligible for programing include incentivizing/supporting the permanency of IDP camps and current practices including lack of freedom of movement and access to services. TLS in IDP camps for which responsibilities will be transferred to MOE can become eligible to receiving financial and in-kind support if they satisfactorily implement an approved plan for inclusive education service delivery. Among other things, this plan will require strategies to promote social cohesion and expansion of supply accessible to all children living in the camp or site.

Potential risks associated with engagement with ethnic education providers. High-level political support, and will, is likely going to be needed to engage in a constructive dialogue with the EBEPs, not only from the MOE, but also from the EAOs (political and social arm, including EBEPs). As EAO signatories of the NCA have been removed from the list of Unlawful Associations, those that are not signatories have not been removed, legal and bureaucratic barriers to engagement with some groups remain in place. It is uncertain if the political support required to engage in a meaningful dialogue will be granted to all EAOs/EBEPs or MOE.

Furthermore, even with political support, there is a risk that this dialogue may lead to unintended (negative) consequences if, for example, intentions are misinterpreted, or certain groups are/feel excluded. The risk here is not just to the inclusion of ethnic minority areas and children in educational services, but potentially to the larger NCA process. This is particularly important as education was not explicitly part of the NCA but EAO's substantial roles in education are acknowledged in the NCA. Education policy and language of instruction remain deeply related to ethnic conflicts and the peace process in Myanmar.

Collaboration with the MOE should be approached not as a process of EBEPs gradually or quickly becoming state schools, but as a coordinated and collaborative effort to increase access to education. Attitudes

toward the type and extent of involvement or collaboration the MOE should have with EBEPs may vary by EBEP or even by local community. Free, prior and informed consultations with ethnic groups will be the core principle of MOE engagement with EBEPs.

Risk associated with 2020 elections. In 2020 Myanmar will undergo the second democratic elections since the transition began. A major election in a nascent democracy during a project cycle brings with it substantial risks as new officials or platforms may not be as willing to implement the programs embarked upon by their predecessors. To mitigate this risk, broad political and community level support for the programs is necessary.

Risks associated with continued, expanded or renewed conflict. Given the challenges around the ongoing peace process and the historical context, the risks that current armed conflicts will continue or expand and that new conflicts will (re-) emerge is important. Increased difficulties in reaching conflict-affected areas mean that a significant group of marginalized children will be left out. The perception of selective targeting of specific groups could lead to exacerbation of conflict.

Research has shown that conflict affects attitudes towards government education and Burmese language education. EBEPs and communities reliant on EBEPs may be less incentivized to collaborate or dialogue if there is continued, increased or renewed conflict.

While the increased funding will largely target formal and NFE (government-provided/financed) services as well as complementary providers, including the EBEPs, monastic, and other religious schools, not all types of education providers will have access to all types of programs. SISP and SSP (in selected townships) may exacerbate conflict since only government schools (and registered monastic schools) will (or are eligible to, in the case of SSP) benefit from this funding while financial needs of non-state schools and their students are potentially important.

COVID-19 Risks. The possible risks presented by COVID-19 have been described in some of the relevant sections above, and are summarized below:

- For school construction sites, there may be risks of increased transmission among workers or communities. Mitigation measures for these risks are included in the ECOP and the LMP.
- For regular schooling and educational programs, there may also be risks of increased transmission among students and teachers. Mitigation measures for these risks are included in AF activities, as outlined in the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector. These include building temporary classrooms for social distancing, provision of learning kits in case of school closures, provision of remedial education in case of school closures or disruption to access, and preparation and implementation of school-based plans to resume face-to-face classes safely.
- Given the existing risks of exclusion of certain groups or vulnerable children from access to quality education, COVID-19 restrictions or health concerns may exacerbate access and quality issues. Mitigation measures for these risks are included in AF activities (such as needs assessment and targeting of remedial education and additional teachers to vulnerable children, children affected by conflict, children in IDP camps) and the CPPF.
- Lastly, given that the programs are designed to operate based on stakeholder engagement and community decision making, COVID-19 restrictions and health concerns may require that MOE plans for alternative ways of community engagement to large public gatherings. Measures and

guidelines for stakeholder engagement during the COVID-19 pandemic are included in the CPPF and the COVID-19 Specific Stakeholder Engagement Measures included in Annex G of the ESMF.

6 IMPLEMENTATION ARRANGEMENTS

Implementation of this ESMF is organized at the Union, state/region, township, and school/centers/community levels. The key principle is for the plans that need to be prepared under the ESMF, such as the community participation plan (CPP), are prepared at the lowest level, with most familiarity with the communities. For example, the school quality improvement committees, under the guidance of the school head, conduct the social/vulnerability assessments and prepare the CPPs in consultation with the community. The assessments and the CPPs are then reviewed at the township level by the TEOs. Once reviewed and approved, the CPPs are disclosed at the school or learning center at the community level, and are implemented by the school quality improvement committees. The TEOs supervise the implementation of the CPPs, as well as collate the CPPs in their township for reporting and periodic supervision by the state/region and Union levels. At the Union level, DBE keeps digital copies of CPPs and the Voluntary Land Donation protocols.

The roles and responsibilities of the different levels are summarized in more detail below.

- (a) Schools and non-formal education/alternative education centers. Schools and NFE/AE centers as well as the communities they serve are the ultimate beneficiaries of the supported programs. Schools and NFE/AE centers are responsible for establishing a representative and inclusive school quality improvement committees (school quality improvement committees (SQICs) or alternative education quality improvement committees (AE-QICs) and relevant sub-committees (e.g. to manage implementation of the SSP). These committees will assess a school's and/or center's needs and prepare the school/center's improvement plan, including the CPP, in consultations with the community in the school's or center's catchment areas. This committee will be chaired by the school or center head and comprise as members teachers from the school/center and representative of the communities including ward/village administrators. To the extent possible, school committee members should be elected. Its capacity will be strengthened, trained, and advised as needed by TEOs and other relevant technical experts. It will supervise implementation of programs and ensure it is done according to OGs, including elements relevant to this ESMF

The CPP is disclosed at the schools or education centers as a physical copy, after being reviewed by the TEOs to ensure that these plans meet the requirements outline in this ESMF.

For civil works, again, if the SQIC determines that upgrading, rehabilitation and expansion of the school facilities is a priority for the given school year, they will be required to establish a subcommittee responsible for oversight, monitoring, and management of the school quality improvement committee - civil works (SQIC-CV). This subcommittee will comprise members from the school and community (ideally representative with relevant skills and knowledge) and will be strengthened, trained, and advised as needed by contracted engineers and TEOs. The SQIC-CV

will supervise the implementation of the civil works in accordance with the ECOP in Annex D and LMP in Annex E and report regularly to the TEO and the larger community and parents about progress in implementation. The SQIC-CV is also responsible for preparing the request for funding (through the major repairs funding stream), which includes ensuring that all eligibility criteria and conditions for voluntary land donation (if needed), as laid out in the RPF in Annex B, are met. For example, the SQIC-CV will ensure that no physical land transfer occurs before the voluntary land donation form is signed by the affected household(s), and that any civil works are done in accordance with the ECOP.

- (b) Township. At the township level, the TEO assume primary responsibilities for day-to-day implementation of WB-supported MOE programs including this ESMF. The TEOs review the CPPs or the voluntary land donation forms submitted from the schools and education centers to ensure that these plans meet the requirements outlined in this ESMF. Each TEO will receive support from technical experts and from the Union level departments (Department of Basic Education (DBE), DAE, Department of Education Research, Planning, and Training (DERPT), Department of Monitoring and Evaluation – Research (DM&E-R))) on issues including compliance with safeguards, FMFM, procurement, MM&E, grievance management and others.
- (c) State/region. State and region education offices (SREO) will be responsible for overseeing implementation of programs, including this ESMF, in their townships. They will also facilitate the selection of townships for the targeted programs through inclusive consultations of stakeholders in their state/region.
- (d) Union. Implementation and compliance with the ESMF ultimately is the responsibility of DBE and DAE, which is responsible for implementation of the supported programs. DBE and DAE will also be responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through monitoring visits, to identify issues of non-compliance or potential negative impacts of programs requiring actions to be remediated, minimized or mitigated. DBE and DAE will officially report on the status of the implementation of and compliance with the ESMF to the WB annually as part of MOE's reporting on program implementation. They will also immediately notify the WB on any evidence of possible non-compliance with this ESMF and negative impact of the programs as well as on actions taken in every such case.

7 MONITORING ARRANGEMENTS

Throughout the implementation of WB-supported MOE programs, several mechanisms are being/will be used to monitor and evaluate processes and outcomes including compliance with the OGs in general and with this ESMF, as well as any negative impacts that may arise.

7.1 ACTIVITIES, RESPONSIBILITIES, AND CONTENT

As an integral part of implementation arrangements, MOE will lead the following monitoring activities:

- (a) Administrative data. Each program will be implemented according to detailed protocols and responsibilities described in the program OGs. These OGs will include processes and forms for compiling program information at different level and specify the responsibilities, format and frequency for reporting this data. Union level staff of DAE, DBE, and DERPT will compile the submitted data and prepare summaries highlighting trends, achievements, and challenges.

For example, detailed sociodemographic and ethnic composition of school catchment areas and enrollment collected through the local SASA process described in the CPPF will be captured in a form to be filled at the school-level, entered in a database at the TEOs which will automatically create a township-level report. TEO will then submit this data to DBE and send a copy to the SREO who will also be provided with a tool to create its own state/region-level report. Along with this disaggregated data, schools will also report in a form provided to this effect on the consultations and outreach activities (number, participants, feedback received, etc.). Administrative data on compliance with other aspects of the CPPF, RPF, ECOP, LMP and from the GRM process will also be compiled using specific forms and reporting format and compiled and summarized at the Union level.

Progressively and to the extent possible, some of the forms to be filled in by schools or education offices will be made available through smart phone-based applications. This aims to move away from an exclusively paper-based approach and to reduce the burden of data entry of Union and decentralized offices. Data entry burden at townships increases continuously and is unsustainable and detracts effort from the real job of oversight and guidance. Currently, the paper printing cost of one round of national survey costs around 20,000 dollars. The cost of using phone-based approaches will be a fraction. The use of a digital app will also improve timeliness, granularity, credibility, and transparency of the data and reduce errors potential.

- (b) Inspection, monitoring and quality assurance. As part of their regular inspection/monitoring visits to all schools, the TEO team will confirm compliance with key elements of this ESMF using a specifically designed checklist and reporting format. DBE, in coordination with the World Bank, will develop the checklist for environmental and social aspects, to be included in the MOE training before the 2021 school year. Furthermore, additional quality assurance and monitoring of the compliance with the RPF, ECOP and LMP will be carried out by the contracted townships engineers who will review documents, visit civil works sites at key milestones in the implementation, and be in a position to receive feedback from the school and the wider community. Union level staff also undertakes monitoring visits to townships and schools. On these occasions, to the extent possible, the visit aim will include assessing and reporting on compliance with this ESMF.
- (c) Joint monitoring visits. Twice a year, MOE will organize and lead monitoring visits in a sample of schools from a team made up of representatives from key departments (DBE, DAE, DM&E-R, DERPT) and donor partners (DPs). The visit will assess achievement and challenges in project implementation, including compliance with this ESMF, as well as investigate selected questions meant to gather a deeper understanding of issues coming out of other monitoring activities.

To complement MOE's work (and carry-out its role as supervision entity), the WB will lead the following monitoring activities:

- (d) Qualitative assessment, process monitoring and spot-checks. Visits to schools/centers, TEOs, and SREOs by an external agent recruited by the WB will be carried-out on a continuous basis throughout each year of implementation. The spot-checks aim to compare administrative data collected by MOE per above information gathered at the schools/centers and in education offices. The process monitoring aims to identify protocols or procedures that do not work well (due to misunderstanding, lack of capacity, inadequate design, etc.) and to gather comments and feedback from community member, parents, as well as school/center, township, and state/region staff with regards to the implementation and perceived positive and negative impacts of programs. The qualitative assessment is designed to dig deeper into specific questions identified as crucial at the outset or as being problematic in earlier rounds or other monitoring activities. All of these will provide detailed insights into how the programs are being implemented and ensure that issues, including with regards to this ESMF, are identified early. During the visits, information will be collected through reviews of documents and forms, key informant interviews, focus groups, as well as observations of classes, meetings, training, etc.
- (e) Quantitative surveys. Every year, different quantitative surveys managed by a recruited survey firm will be rolled-out in a sample of schools, centers, households, communities, etc. These surveys are designed to rigorously measure final and intermediate outcome variables as well as inputs and outputs that capture the quality and scope of program implementation and could potential explain observed outcomes. The sample and methodology for these surveys will be designed, to the extent possible, to allow for rigorous identification of impacts that can be attributed to specific WB-supported MOE programs.
- (f) Phone-based snapshots. Starting in 2020, a smart-phone based data collection app will be downloaded by all SHs on their phone (or the phone of one of their teachers) to fill-in short questionnaires aimed at gathering simple but useful information regarding their schools and the implementation of WB-supported MOE programs. Written and video instructions will be shared through Facebook and Viber. Guidance and technical support will be available from a focal person at the TEO and trained agent in an externally recruited call center. This monitoring will be progressively transferred to MOE.
- (g) Financier supervision visits. On a bi-yearly basis, a team from the WB and the DPs will carry-out their own supervision and monitoring visits. On this occasion, the team will be provided with a checklist of key elements to investigate which will include checks on compliance with this ESMF using screening forms prepared for this purpose. The team will also investigate specific qualitative questions according to their internal processes and requirement.
- (h) Phone-based beneficiary engagement survey. To complement the rest of the activities, beneficiary engagement surveys will be carried-out through phone calls and text messages. Through this mean, SHs, members of SQIC/AE-QIC, parents, community members, etc. will be reached and asked, among other things, "satisfaction"- type of questions. This method will allow

to expand the reach of external monitoring activities to communities, schools and centers country-wide and particularly in remote and conflict areas that are more difficult to cover through in-person visit.

Beyond assessing efficiency and compliance with processes and protocol, the above monitoring activities will include an important focus on social inclusion and equity and explore issues such as access to education by different populations; accuracy of the school-level social/vulnerability assessment; composition of parent-teachers' associations and other school committees, of participants to consultations/meetings on programs, and of stipend applicants and beneficiaries in comparison to demography (ethnic, gender, and citizenship status) per village/village tract; presence and impacts of segregation of the student population within schools in mixed communities on implementation of the programs; challenges related to deployment of and support to teachers in various areas. To the extent possible, data collected will be disaggregated by gender, location, and ethnicity/disability/income level.

7.2 RAKHINE

All of the above monitoring activities will include Rakhine townships, schools, centers, and communities. However, given the social risks around implementation in this state, monitoring in the state will be more intensive with regards to the number of schools, centers, communities, and townships covered and number of indicators collected. There will also be questions which will be investigated in more details such validity of SA data, adherence to principles of non-discrimination and inclusion, coverage of different groups through consultation meetings and outreach, use of language, etc.

7.3 USE OF DATA

All reports and data sets will be filed at the Union-level and accessible for review and analysis on a need-basis. With technical support from the WB, all data and information collected through the above activities will be carefully analyzed on a bi-yearly basis to track achievement, progress towards results target on outputs and outcomes, highlight key challenges, understand positive and negative impacts, identify lessons learned and design recommendations for improvements. These analyses will be shared and discussed in bi-yearly meetings (MM&E group, technical working group, and steering committee meetings) to identify and decide on modifications to program design and key activities to be carried-out in the following 6 months to improve implementation of programs, including this ESMF.

Information specifically gathered through the MOE-led monitoring activities will be summarized and presented in the MOE annual status report. This will include a summary of achievement, an update on relevant results indicators, and a summary of compliance on key elements of this ESMF such as local assessment and consultations, voluntary land donations, negative impacts, and grievances. Timeline submission of this report, in a format and with content acceptable to the WB, is a condition for disbursement under both DFSP and disbursement-linked indicator (DLI).

8 GRIEVANCE MECHANISM

8.1 PRIOR PRACTICES

An internal (to the MOE) monitoring and reporting mechanism is currently used in the case of grievances and complaints. Communities are expected to submit feedback and complaints about the programs to SHSH, township, district, or state/region officials, or to the Central Government (DBE, State Counsellor Office, Parliament, and so on).

Monitoring information indicates that those with concerns or complaints usually go to the classroom teachers or the SHSH. If the concerns or complaints are resolved at this level, the case is not officially recorded or reported. The complaint is officially recorded if it reaches the MOE at the Union level.

In 2018, 96 cases were recorded within the budget section of the Department for Basic Education. Most of the complaints came from township auditors through their audit reports while some emanated from the communities. The MOE handled the cases with disciplinary measures by management teams (demotion, transfer, or strong warning) and ineligible expenditures were reimbursed according to Financial Rules and Regulations (as indicated by auditors).

In 2019, MOE received 44 complaints, 89 feedback submissions and 262 positive suggestions on School Improvement Fund (school grants) implementation. Most complaints focused on the financial management of school committees, lack of information about the school improvement planning process, and poor transparency on disclosure of the expenditure. The feedback and suggestions have been taken into account to inform day-to-day implementation of school activities. Upon receiving the complaints at the school and township levels, MOE ensures that these are investigated by the township education officers, who resolve most of the complaints and refer some cases that are beyond their capacity to resolve to district offices where the complaints are solved. A few cases are forwarded to state/region offices for resolution. The resolution of complaints is then communicated at the local level to stakeholders by the township education officers and the school heads. Of the 44 complains mentioned above, 27 were resolved at the township level and the rest were resolved at the district and regional levels.

The current system is working to some degree, but reporting and access could be improved. Furthermore, monitoring data indicates that parents consider the strengthening of the feedback/grievance mechanism valuable.

8.2 IMPROVED GRIEVANCE REDRESS MECHANISM

8.2.1 Principles

MOE is committed to strengthening the grievance redress mechanism (GRM) for the programs relevant to this ESMF as well as all for other MOE programs. Complaints and grievances will be dealt with using the MOE GRM to ensure that programs are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously. Any stakeholders including parents, other community members, contractors, MOE staff, authorities, and other involved parties may file a grievance if they consider that their right to information

is interfered, inappropriate intervention by an outside party is found, fraud and corruption have taken place, the rights and entitlements granted in this ESMF are violated, or that any of the WB supported programs' principles and procedures have been violated.

Improvements to the GRM will focus on:

- (a) Wider dissemination. Information on the GRM (including responsibility and contact information e.g. phone numbers, email addresses, etc. of relevant person/office) will be summarized on posters to be hung in all schools and pamphlets to be distributed during all school-level and townships level consultations meeting (including consultations relevant to the implementation of this ESMF), on the MOE's website and Facebook page, through radio and TV spots, and through text messages sent to school and townships committees to motivate further sharing with the community they represent as well as to parents.
- (b) Increased number of channels or ways to submit feedback and complaints. It will be possible to submit feedback and complaints in-person at different levels (school, townships, state and regions, union), individually or in the context of consultation meetings, in writing through letter/suggestion boxes place in all schools/communities or letters/emails sent to key addresses at the state/region or union level, and by phone using a hotline number.
- (c) More systematic recording and handling of complaints. Detailed processes for reviewing, recording, escalating, resolving, and reporting grievances/feedback will be included in OGs of the different programs as well as training material for all education officials playing a role in implementation arrangement of this ESMF. In the beginning of the 2018-2019 school year and the 2019-2020 school years, the OGs were reviewed and revised to describe the strengthened GRM. MOE officials were trained as part of the annual training that cascades from the union level to state/region level and township level. OGs will be further reviewed based on lessons learned and this revised 2020 ESMF and education officials will be trained on this improved version at the beginning of the 2021-2022 school year (school year starts in May and runs into March of the following year). At the Union level, a GRM Focal Point will be assigned to systematically compiling information received, as per guidelines, from the different levels and producing a bi-yearly report on grievances received and actions taken. Key issues will be made public on MOE website and Facebook page (without any personal information about those who submit grievances).

8.2.2 Protocols and Procedures for Routine Grievances

Detailed protocols and procedures, which will be integrated into the program OGs, are as follows. The grievance handling system is divided into six steps a) dissemination; b) intake; c) sorting; d) verification, mediation and resolution and follow-up; e) improvements to program implementation; and f) public disclosure and annual reporting.

- (a) Dissemination. Dissemination of the GRM will be supported by an information campaign, OGs, and training programs. Community members in programs' schools/centers will be informed of the GRM and contact details will be shared at public meetings on multiple occasions. Brochures/pamphlets and posters that describe the program, MOE's policy on non-discrimination and "no child left behind" and the grievance protocol and procedures will be developed (some

already exist) and posted on school notice boards, advertised on local radio/TV, distributed to community members. Local languages will be used to the extent possible to ensure that all stakeholders, including ethnic language speakers, understands and have access to the GRM.

(b) Intake. Feedback and complaints related to MOE programs can be submitted either in-person, in writing, or by phone. There is no charge for filing a grievance.

(i) *In person*. School and NFE/AE centers committees will be the first tier of the GRM to receive, address, and record the complaints and feedbacks. Two focal points, one man and one woman, of the SQIC and AE-QIC will be empowered to receive verbal grievances and work with school headmasters to address them. The focal points must be fair, respectful and able to keep confidentiality. The aggrieved person can directly contact the focal points to submit their grievances or share it publicly during one of the school or NFE/AE centers meetings.

(ii) *In writing*. Written feedback and complaints can be placed into a special letter box or sent by letter or email to one of the several available addresses. A letter box for this purpose will be located at a safe but easily accessible spot (school, village administrative office, monastery, church, etc.). The location of the box will be identified at the beginning of the school year consultation meeting with participation the wider community (see Annex A describing the CPPF). Assistant township education officers (ATEOs) will be responsible for opening the letter box during their monitoring school visits, solving the issues in ATEO capacity and compile the complaints/feedbacks in a format and report back monthly. Letters to the MOE, Office Building (13), Nay Pyi Taw; the SREO, a relevant member of parliament, the office of the State Counsellor, or emails can be sent to dpsoffice@moe-mm.com. This e-mail address, as well as a summary of the grievance procedures, will be posted on the MOE website and relevant MOE Facebook pages.

(iii) *By phone*. A call can be placed to a “hotline” number, which will be publicly disseminated. To start with, the “hotline” number will connect the aggrieved person to a call center financed by the WB on behalf of the MOE. This responsibility will be progressively transferred to MOE.

(c) Sorting. Feedback and complaints received at different levels and through the various available channels will be sorted to determine appropriate actions to be taken. Both anonymous and non-anonymous feedback and complaints will be compiled and reported on according to location and nature of the complaints. In-person grievances received at a given level will be compiled and the report prepared by the relevant focal point. All reports will be submitted to the Union MOE departments on a bi-yearly basis. Phone-based complaint will be systematically recorded by the call center using an electronic template designed for this purpose. They will be submitted to MOE on a monthly basis. Grievances submitted to MOE website and Facebook page will be compiled by the Union level focal point. Actors outside of the MOE, i.e. by a member of parliament or the office of the State Counsellor, will be requested to share information related to the grievance with MOE, if deemed appropriate.

- (d) Verification, follow-ups, mediation and resolution. All complaints will be subject to verification and follow-up. Township or state/region or union MOE officials, as appropriate, will verify if grievances submitted are valid, and identify solutions if grievances are found to be valid. Verification normally includes site visits, a review of documents, a meeting with the complainant (if known and willing to engage), and a meeting with those who could resolve the issue.

When the aggrieved person is known and willing to engage, follow-ups will be more extensive (than in the case of anonymous complaints). Local language, through native speaking moderators, will be used when needed. The contacted body (committee or education offices) having received the complaint may meet and discuss matters raised by aggrieved persons or mediate between parties to the conflict for mutually agreeable resolutions. They may also provide assistance to aggrieved persons to escalate the grievances to a higher level. For example, if the complaint is submitted to one of the SQIC focal points but satisfactory resolutions cannot be found at this level, the issue will be elevated and referred to the TEO. The contacted body will communicate the timeframe and the course of action to aggrieved person within 2 weeks of receipt of the grievance. The contacted body will communicate the decision made and the actions taken in writing or verbally to the aggrieved person (if known) or in the next consultations meeting (if unknown). If the action proposed is considered unsatisfactory, the aggrieved person may file a new grievance, which will be handled at the next higher level.

All grievances, including anonymous cases, shall be responded to within 30 days and resolved within 90 days from the time the grievance was originally received. Focal points and education officials will receive training in the provisions of this ESMF and keep records of grievances received and actions taken. For specific actions, the MOE will continue to use the sanction procedures stipulated in chapter 6 “managing to curb offences” of the MOE AMOE Administration and inspection guidelines. In principle, a final decision will be made by the newly formed MOE “Feedback, suggestions and complaints committee”, chaired by DG DBE and composed of MOE senior officials. Responsibilities of this committee will be detailed in the program OGs.

- (e) Improvements to program implementation. All grievances received through the different channels as well as information gathered through verification visits will be reported on a bi-yearly basis. These reports will inform MOE’s decisions on how program implementation, and compliance with the ESMF, can be improved upon. The content of these reports will be summarized and discussed on bi-yearly basis at the program’s MM&E groups, technical groups and steering committee meetings, where decisions on how to improve program implementation to reduce the risks and issues highlighted through these complaints.
- (f) Public disclosure and annual reporting. The summary of grievances will be disclosed publicly, but anonymously, on the MOE website. The MOE union departments will post on the website a bi-yearly snapshot of the GRM including the number, location, nature of the grievances received and acted on. A summary of grievances will also be reported on in the annual reports prepared by union MOE. These reports will include information on grievance resolution and trends: number, geographic location, nature, number of cases resolved at each level, type of resolution, average time taken to resolve a grievance, etc.).

8.2.3 Protocols and Procedures for Serious Grievances

In case a stakeholder to the MOE programs supported by the WB (including parents, students, other community members, contractors, MOE staff, workers or volunteers) experiences serious mistreatment such as harassment, intimidation, abuse, violence, discrimination or injustice in a context related to program activities, the person may raise the case, verbally or in writing directly to the SQIC or AE-QIC grievance focal points or the TEO. The SQIC or AE-QIC grievance focal points or the assistant to the TEOs will immediately investigate the case respecting confidentiality and anonymity of the person.

In case the person for whatever reason feels uncomfortable bringing the case to the SQIC or AE-QIC grievance focal points or the TEO, the person may directly contact one of the designated grievance counsellors (see below) at the central level in MOE, who will then investigate the case. In case the TEO is unable to resolve the grievance, the TEO shall bring the case to the GRM Focal Point at the Union level.

Protocols and procedures for serious grievances will be developed jointly by DBE GRM Focal Point and the WB after project effectiveness, in time to be included in the annual training for MOE staff, school head and teachers before the 2021-2022 school year. The protocols and procedures should be based on the following principles:

- All complaints received will be filed and kept confidential. For statistical purposes, cases will be anonymized and bundled to avoid identification of persons involved.
- After reaching a solution to a case, the TEO or the Grievance Counsellor as the case may be, will follow-up to ensure that the solutions are effective.
- Criminal cases will be referred to the public prosecutor.

8.2.4 Designated Grievance Counsellors

Upon project effectiveness, the DBE will call for interested persons (including government civil servants in the ministry) to apply for the position as grievance counsellors. The department will select 5 candidates (gender balanced, ethnic groups representation) who will then receive training from an experienced professional specialized in this area in investigating serious grievances, relevant laws and regulations, and World Bank standards including the rights of people who file a grievance. This trainer will be mobilized before the 2021-2022 school year begins, as part of the technical assistance and capacity building components and financing under the programs. The DBE GRM Focal Point and the WB will jointly develop culturally-sensitive and locally-appropriate roles and responsibilities, and procedures for the position of grievance counsellors. The counsellors will be trained to treat complainants as clients and their work as a service to the clients.

8.2.5 Protocols and Procedures for Workers' Grievances

In addition to the general grievance mechanism available to relevant stakeholders, MOE will put into place Worker GRM for project workers (including civil servants, direct workers, contracted workers and community workers) according to the process outlined in more detail in Annex E on Labor Management Procedures. The Worker grievance mechanism will be put in place before the next school year starting in May 2021. Workers will be informed about the relevant Grievance Redress Mechanism upon their recruitment and their right to redress, confidentiality and protection against any reprisals from the employer will be stated in the contract. Similar to the general grievance mechanism, the Worker grievance mechanism has different procedures for routine grievances and serious grievances, as well as grievances related to COVID-19. At the Union level, DBE will designate a focal person for the Worker grievance mechanism.

9 CONSULTATIONS

Consultations with stakeholders regarding the WB's support for the MOE programs since 2014 have been extensive in terms of number of participants, geographic reach, type of engagement and number of evaluations, spot checks, discussions and consultations. Public consultations with a wide range of stakeholders (including CSOs and NGOs) on the original DFSP design (focusing on SISP and SSP) were held in Yangon and in Nay Pyi Taw, in February and March 2014 and an open-door presentation on DFSP achievements so far and AF design was held in Yangon in 2017. State/region level consultations to select townships for SSP in all states and regions in March 2015 and similar ones will take place in Rakhine State in 2019. Workshops, focus group discussions (FGDs), and key informant interviews were conducted across the country, and particularly focused on ethnic states in 2018 for consultations around extended and new support. The WB also engaged extensively with development partners through coordination groups involved in ethnic education and AE as well as the Rakhine INGO initiative.

Findings, lessons learned, and recommendations for the SA and the ESMF come directly from consultations with relevant stakeholders regarding implementation of previous elements of the DFSP and IAQE such as the SSP or SISP. Feedbacks gathered through the consultations regularly fed into improvements to the protocol and process of programs implementation. Lessons learned and recommendations also come from extensive consultations with stakeholders during the design of the IAQE and AF DFSP over the past two years. The following section details the consultations that provided feedback into the design of DFSP, IAQE and the AF to the IAQE, as well as the SA and the ESMF for these programs.

9.1 AF FOR DFSP

For support to the SSP, education directors at the township level organized consultations and meetings in their areas with state/region prime ministers and social ministers, and invited MPs, departmental representatives, TEOs, religious leaders, CSOs and ethnic leaders in all 55 townships where the program is implemented. TEOs then selected 3 communities for initial consultations on the stipend program based on local SAs conducted in 2015. Communities selected were the township's poorest, a mixed community

and a single ethnicity community. All township consultations were in Myanmar language with TEOs assigned as translators where needed. Following the SASA, committees for the implementation of the township school stipend were formed. Township level committees include head teachers, township level officers and CSO/NGO representatives. Generally, these committees had low ethnic and religious diversity but a high percentage of women.

Free, prior, and informed consultations held in all townships with vulnerable groups, including ethnic minorities, indicated strong appreciation and broad community support for both the SSP and SISP. There were no signs of discrimination against religious or ethnic minorities in the implementation of the programs.

Respondents reported that despite the stipend amount being relatively small, the program has shown positive signs of enabling students from poor families who face financial and other difficulties to enroll in school and stay in school. Stipend money has helped vulnerable families to cover student costs for school uniforms, an umbrella, shoes, school texts, notebooks and other supplies, lunches, snacks, and transportation. Respondents also mentioned that getting an education was important for children. However, consultation with stakeholders revealed that poor and vulnerable groups, including ethnic minorities, often face greater challenges than just financial ones in enrolling their children in school and supporting them while they complete their education. A rapid conflict assessment also highlighted several areas where there are intra-community and intercommunity tensions generated by the presence of armed groups in some states where conflict is ongoing.

Key stakeholders include the MOE and other government agencies and officials, TEOs, State/Region education directors, communities, parents, students, and teachers. NGOs and CSOs have also been included since 2014 as stakeholders in ongoing consultations regarding the DFSP. MM&E reports from the DFSP project show broad level support from stakeholders and significant interest in program expansion. Stakeholders expressed broad support and interest in project expansion in terms of amount of funding, geographic reach, and number of beneficiaries.

9.2 IAQE

In addition to ongoing consultations with parents, students and local school board members, for the new project elements in the IAQE, some new stakeholders were consulted, particularly EBEPs, EAOs, parliaments, ethnic political parties, ethnic language and culture committees, and NGOs and CSOs involved in NFE provision. Consultations with this group of stakeholders on program impacts, activities and design included workshops, key informant interviews, and FGDs. Consultations held in Kachin, Kayin, Mon, Shan (Central, Northern, Eastern and Southern), and Kayah states included a minimum of 20 interviews per location and a minimum of three FGDs with community members and parents, with some consultations, like Central Shan State including up to 17 FGDs. In Chin state, a state level workshop was held in Hakha in August 2018 with 50 participants.

Throughout 2018, most of the major EAOs and all the largest EBEPs were consulted about the programs, its potential benefits and adverse impacts, its design and needed mitigation measures. Generally, EBEPs have shown interest in collaboration with MOE and with each other. Some have requested more support in interacting with the MOE, others have requested more of a focus on language. As part of the project consultations, some EBEPs have held meetings directly with the MOE, others have indicated interest in

doing so. For others, particularly in areas of ongoing conflict, it is unlikely that meetings will be able to be held before the project commences – this will be revisited during the project period.

In Mon State, consultations were held with the leadership of the New Mon State Party (NMSP) and the Mon National Education Committee (MNEC), head teachers from the Mon National Schools (MNS), Mon State Members of Parliament (MPs), representatives of Mon political parties, Mon CSOs and the Mon Literature and Culture Committee.

In Kachin State, consultations were held with the Kachin Education Consortium (KEC), Kachin Education Foundation (KEF), Kachin Independence Organization Education Department (KIO-ED), three local Literature and Culture Committees, two Kachin State MPs, and representatives from ethnic political parties from Kachin State.

In Karen State, discussions were held with the Karen State Education Department (KSED), the Karen Education Department (KED), Karen Women's Organization, Karen National Union (KNU)/Karen National Liberation Army (KNLA)/ Peace Council, Seventh-day Adventist Schools, Pa-O Literature and Cultural Committee (PLCC), and Karen National Democratic Party (KNDP).

In Shan State, consultations were held with EAOs, EBEPs, CSOs, and ethnic political parties. Those consulted include: Parami Development Network, Shan Literature and Culture Association, Shan State Progressive Party (SSPP) Education Department, PaO National Organization (PNO), PaO National Liberation Organization (PNLO), members of the PaO SAZ Leading Body, PaO MPs, the PaO ECEC principal, head teachers in schools serving PaO communities, and a PaO Monastic SHSH monk. Representatives of minorities within minority ethnic groups were also consulted including representatives of the Khun Tai, Lahu, Wa, Danu and Intha.

In Kayah State, the Karenni National Progressive Party (KNPP), Kayah State Peace Monitoring Network (KSPMN), Literature and Cultural Committees, the Karenni National United Joint Committee (KNUJC) and local CSOs, schools, TEOs and TEOs were consulted.

In the design of the MOE program supported through the IAQE, the MOE greatly benefited from feedbacks and suggestions gathered in consultations (aa) with partners and CSOs such as the Sub-Sector Working Groups (SSWGs) and the ; (ETVSCG; (b) with decentralized officials, state government officials, and community members, especially in Rakhine State where MOE Union level staff including several DGs have made numerous visits since August 2017; and (cc) with specific development partners¹⁶ working closely with EBEPs.

MOE programs' design also benefited from feedback and suggestions compiled by the WB based on discussions held at the Education in Ethnic States and Regions (EESR) Coordination Group¹⁷, a presentation at the AEAE CSO coordination group, facilitated by myMe (an AE organization) on the 3rd of April 2018 which was attended by 39 CSO AE providers, WB frequent meetings and consultations with representatives from the United Nations High Commission for Refugees (UNHCR), UNICEF and the Rakhine INGO Initiative convened by Save the Children to discuss in detail the situation and challenges in Rakhine

¹⁶ These include: Myanmar Education Consortium (MEC), European Union (EU), DfID, the Australian Embassy (AusAID), UNESCO, ADB, UNICEF, Adventist Development and Relief Agency (ADRA), DANIDA and others.

¹⁷ The members of the coordination group are: MEC, ADRA, PACT, Save the Children, DFID, World Education, PLAN, The Royal Danish Embassy, VSO, EU, the Australian Embassy, World Vision International, Norwegian Peoples Aid, UNICEF and Norwegian Refugee Council.

with special attention to BMY and the situation of IDPs, discussions with members of the education in emergencies (EiEs) coordination group.

Geographic distribution of the consultations can be seen in green in the map provided in Annex H.

9.3 AF to IAQE

Myanmar confirmed its first two official cases of COVID-19 on 23 March 2020. Within the week, MoE called for the closing of all schools, higher education institutions and technical and vocational education training institutes. Since then, in response to varying COVID-19 cases in different regions, MOE has followed differing closing and opening regimes, balancing reducing the risk of transmission with reducing the risk to disruption to learning.

In order to respond more comprehensively and systematically to the COVID-19 context, MOE, in collaboration with UNESCO and in consultation with development partners working in the Education Sector Coordination Group, developed the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector. This plan is holistic, covers all States and Regions in Myanmar, as well as all education sub-sectors under MoE and provides an overall framework of strategies and interventions that aim at: i) ensuring education continuity for all learners in Myanmar despite the likely scenario of education facility closures beyond June, ii) ensuring a proper planning for the reopening of education institutions, and iii) contributing to safer and more resilient education environments. Given the critical need to develop a plan for a coordinated national approach, the plan was elaborated through a rapid consultative process with education stakeholders.

The AF will fund a subset of activities in line with the Myanmar COVID-19 National Response and Recovery Plan for the Education Sector, selected in close consultations with all stakeholders to ensure that there is no duplication of efforts and funding is used most effectively.

9.4 DISCLOSURE AND CONSULTATIONS ON THE ESMF

For AF to ADSP and IAQE, MOE disclosed the ESMF on its website on January 25, 2019. Following disclosure, consultations were held in Yangon, Naypyidaw, Rakhine State and Shan State during the weeks of February 11 and February 18. Then, further consultations were held in all other states and regions between February 20 and May 3, 2019. In total, the consultations covered all states and regions in Myanmar. Myanmar language and relevant ethnic languages were used in consultations as appropriate. Participants to the consultations included state/region and townships education officer, representatives from the state government and parliament, from civil society organizations including religious and ethnic-based organization, private schools and community leaders. The following table summarizes the consultations process.

Table 1. Consultation process on the IAQE ESMF

No	State/Region	Date	Language used	Number of Participants
1	Rakhine	16 Feb 2019	Rakhine, Bamar	62
2	Shan (East)	20 Feb 2019	Shan, Bamar	56
3	Nay Pyi Taw	24 Feb 2019	Bamar	45
4	Yangon	27 Feb 2019	Bamar	142
5	Sagaing	19 Mar 2019	Bamar	120
6	Mandalay	19 Mar 2019	Bamar	91
7	Kachin	21 Mar 2019	Kachin, Bamar	55
8	Chin	21 Mar 2019	Chin, Bamar	108
9	Kayah	25 Mar 2019	Kayah, Bamar	55
10	Bago (East)	25 Mar 2019	Bamar	105
11	Magway	25 Mar 2019	Bamar	100
12	Shan (North)	26 Mar 2019	Shan, Bamar	74
13	Taninthayi	28 Mar 2019	Dawei, Bamar	61
14	Shan (South)	29 Mar 2019	Shan, Bamar	76
15	Bago (West)	30 Mar 2019	Bamar	60
16	Mon	30 Mar 2019	Mon, Bamar	70
17	Kayin	2 May 2019	Kayin, Bamar	90
18	Ayeyarwady	2 May 2019	Bamar	114

For AF to IAQE, MOE disclosed the ESMF on its website on October 2, 2020. Following disclosure, virtual consultations were held with stakeholders in Chin, Kachin, Shan and Rakhine states (which are the target states for AF activities) on October 27 - 28, and civil society in Yangon on October 9. All consultations were held in Myanmar language and relevant ethnic languages as appropriate. Participants to the consultations included state/region and townships education officers, representatives from the state government and parliament, from civil society organizations including religious and ethnic-based organization, private schools, and community leaders. The following table summarizes the consultations process.

Table 2. Consultation process on the IAQE AF ESMF

	State/Region	Date	Language used	Number of Participants
1	Chin	October 27, 2020	Chin, Bamar	34
2	Kachin	October 27, 2020	Kachin, Bamar	39
3	Shan	October 28, 2020	Shan, Bamar	26
4	Rakhine	October 28, 2020	Rakhine, Bamar	37
5	Yangon	October 9, 2020	Bamar	35

Most stakeholders approved of the programs and processes proposed. Feedback and discussions focused on the following topics: Land use and voluntary land donation, gender-based violence risks during civil works, equal pay for men and women, volunteer teachers knowing ethnic languages, delivery of home-based learning school kits to remote or conflict-affected areas, township selection, ensuring inclusion of all children in IDP camps, non-discrimination towards children of ethnic armed group members.

Recommendations focus on strengthening these processes even further. The following table summarizes key recommendations per topic. When relevant, changes were made to clarify and strengthen the instruments along the lines suggested.

Table 3. Summary of recommendations from stakeholders during consultations

Categories	Recommendations
Consultation & Participation	Being creative in ways of reaching out to all members of community including ethnic groups; electing instead of selecting the members on school committee; inviting teachers or representative of school committee who can speak ethnic language; including ward/village administration on school committee.
Inclusion	Volunteer teachers should be recruited based on their ability to speak ethnic languages; all children, including children of ethnic armed group members and children in IDP camps, should have access to project benefits; transportation costs should be covered for delivery of home-based learning school kits to children in remote and conflict-affected areas.
Civil works	Need assessments should be carried-out; appropriate field monitoring and training will be required to enforce the ECOP; community members and/or professional (qualified engineers) should participate and assess impacts of work sites; school committee should supervise construction sites regularly, and findings and problems should be reported to TEO regularly; signs should be displayed in ethnic languages; and there should be no noise during school hours; men and women should be paid equally for same skill levels; civil works contractors/laborers should be aware of Codes of Conduct on Gender-Based Violence and Child Protection.
Land	Some agreed with the percentage of land to be donated, but others thought it was too limited; consent of other family members (sons/ daughters) and recommendations from ward/village administration could be requested; systematic record of donation and ownership should be kept; and detailed procedures of voluntary land donation should be disseminated, with awareness raising that people cannot donate more than a certain percentage of their land.
GRM	GRM must be accessible to people who cannot use Bamar language; action to complaints should be fair and be based on an investigation of the validity (screening) of each complaint; action should be taken only if personal data is provided; complainant should be informed of the action taken; action should also be taken against malicious complaints; care should be taken that the mechanism does not create more social harm than good; record keeping should be systematic and complaint handling timely (even in remote areas). Endorsement of ward/ village administrator could be requested; summary of grievances should be submitted to DBE; and persons who can speak ethnic languages should act as moderators during discussions. Channels for complaining should be numerous (including, but not limited to, social media) and disseminated widely; and summary of yearly grievance report should be made public.

10 BUDGET FOR IMPLEMENTING ESMF

The implementation of the ESMF will be integrated into program implementation. Capacity building to TEOs on the ESMF and the safeguards requirements will be done through integrating these procedures into the operational guidelines (OGs) for TEOs and including these in the annual training curriculum delivered by MOE to all TEOs. MOE will incorporate the revised policies and procedures in this ESMF (including the CPPF, RPF, ECOP, LMP, Codes of Conduct and grievance requirements) into the operational procedures and training curriculum and will have these ready before the 2021-2022 school year, starting in May 2021. Given the integration of ESMF measures into project design and general operational cycle of MOE, no additional, specific costs are expected for the implementation of the ESMF. There may be additional training needs and trainers with specific sets of expertise, however. As such needs arise, these potential costs will be covered under the technical assistance and capacity building components under the programs, as both the IAQE and the AF have such components.

11 DESCRIPTION OF ANNEXES

Annex A: Community Participation Planning Framework. The CPPF provides the MOE with the operational framework to ensure that WB-supported programs are transparent, fair, and participatory through free, prior and informed consultations and enhanced community involvement resulting in broad community support. The Bank's OP 4.10 policy applies to most MOE programs benefiting from ongoing and future WB support because they will be implemented in areas where ethnic minorities (as defined in OP 4.10¹) that meet the eligibility criteria of the Bank OP 4.10 are present.

Annex B: Resettlement Policy Framework. The RPF provides the summary of policies, processes, procedures and implementation and monitoring arrangements regarding land acquisition under the WB-supported MOE program of civil works. It aims to ensure that any negative impacts related to implementation of these civil works are avoided, minimized and properly managed. It includes a protocol for voluntary land donation. No expansions requiring involuntary land acquisition or physical relocation of households is eligible for WB financing.

Annex C. Voluntary Land Donation Form. This form will be used by MOE to document all instances requiring voluntary land donation. It aims to screen for eligibility criteria, for example, noting that no one can donate more than 5% of their land. It provides affected people with the knowledge that they can choose not to donate their land and they can submit grievances to the grievance system. It requires confirmation by male and female head of households.

Annex D. Environmental Code of Practice. The ECOP for civil works under the project is prepared to establish in-house best environmental management practices and specifications relating to project development, construction and management. It contains a template for Environmental and Social Management Plan which each sub-project will complete and implement using detailed information of site-specific environmental and social impacts/issues, mitigation measures, monitoring and institutional

arrangements before, during and post construction phases. The ECOP both sets out the environmental management system for civil works and the duties and roles for implementing this system.

Annex E. Labor Management Procedures. The LMP provides policies and procedures applicable to project workers, contractors and civil servants based on Myanmar national legislation, WB standards and guidance on COVID-19 risk at construction sites. The LMP also includes provisions for a worker grievance redress mechanism, which should be response to routine worker grievances, COVID-19 related grievances, and more serious grievances on sexual exploitation, abuse or harassment.

Annex F. Child Protection and Gender-Based Violence Codes of Conduct. The Codes of Conduct aim to minimize the risk of child abuse and gender-based violence that may occur at schools or near construction sites by providing basic principles and guidance. The Code of Conduct applies to all project staff, contractors, teachers.

Annex G. COVID-19 Specific Stakeholder Engagement Measures. This Annex offers guidelines for managing public consultations and stakeholder engagement, when due to the outbreak and spread of COVID-19, people have been advised or mandated by national law to exercise social distancing and specifically to avoid public gatherings to prevent and reduce the risk of the virus transmission.

Annex H. Maps and List of Townships. These maps and lists indicate how townships eligible for funding under the program were selected after a needs assessment, ranking and consultations.

12 ANNEX A: COMMUNITY PARTICIPATION PLANNING FRAMEWORK

12.1 OBJECTIVE AND POLICY FRAMEWORK

In the years to come, the WB will provide technical and financial support to the implementation of several MOE programs, components and activities of the NESP. This support will be channeled through the DFSP (under implementation since 2014), the IAQE (declared effective May 2020) and the AF to the IAQE.

MOE programs benefiting from WB support will include the SISP (including transfer of budget to schools to cover operational expenses as well as minor and major repairs of infrastructure), student stipends to poor and vulnerable students, teacher professional development (including framework, mentoring, and specific in-service training activities), assessment of learning outcomes of students in early grades, NFE services, working towards partnerships with EBEP, and management of public finance and human resources.

This CPPF applies to most MOE programs benefiting from ongoing and future WB support because they will be implemented in areas where ethnic minorities (as defined in OP 4.10¹) that meet the eligibility criteria of the Bank OP 4.10 are present.

Specifically, the CPPF aims to ensure the following:

- (a) Free, prior and informed consultations and participation. Poor and vulnerable groups, including but not limited to ethnic minorities, are afforded meaningful opportunities to participate in planning and oversight of implementation of activities that affects them, including geographical targeting and selection of programs areas when relevant;
- (b) Benefits. Poor and vulnerable groups, including but not limited to ethnic minorities, are given opportunities to receive culturally appropriate benefits;
- (c) Negative impacts. Any project impacts that adversely affect poor and vulnerable groups, including but not limited to ethnic minorities, are avoided or otherwise minimized and mitigated.

This CPPF is fully consistent with and responsive to the Banks' relevant policy (WB OP 4.10 *Indigenous Peoples*)¹⁸. The CPPF development was informed by (a) lessons learned in the context of the ongoing DFSP including as it relates to the prior CPPF (prepared for the original DFSP); (b) assessments, extensive consultations with EBEP, representatives of ethnic groups, civil society, development partners and other relevant education stakeholders carried-out during preparation of the IAQE project and its AF; and (c) MOE's and other partners' experience in supporting and implementing similar activities. Key findings and

¹⁸ The OP 4.10 aims to achieve the following objectives: (a) Affected ethnic groups are afforded meaningful opportunities to participate in planning that affects them; (b) They are given opportunities to receive culturally appropriate benefits; and (c) Any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

recommendations are presented in the updated SA report¹⁹ and briefly summarized below. A record of the extensive stakeholder engagement and consultations for the preparation of the project, SA and the CPPF are summarized in Section 9 of this ESMF.

The original CPPF for the DFSP was prepared and disclosed in April 2014²⁰. It focused on the first MOE programs implemented with support from the WB, namely the SISP (previously called “School Grants”) and the SSP. The CPPF was thereafter revised in 2016 and 2019 to reflect lessons learned and additional MOE programs to be supported through the AF to DFSP, and the IAQE. The present document is, therefore, the fourth version of the CPPF, which was further updated to reflect new lessons learned and experiences, to cover new MOE programs to be supported through the AF to the IAQE project, and to better mitigate increased risks around access to quality education services by all groups, including all populations living in Rakhine State (especially in the state’s three northern townships of BMY), populations living in conflict-affected areas, and populations affected by the COVID-19 pandemic.

12.2 PRINCIPLES

The principles outlined in the WB Policy on Indigenous People were adopted in preparing this document. Therefore, this CPPF aims to ensure that all WB-supported MOE programs will be implemented in a socially equitable and sustainable manner and in line with the WB’s OP 4.10.

Specifically, the following principles will govern implementation of the WB-supported MOE programs regarding participation of poor and vulnerable groups including, but not limited, to ethnic minorities:

- (a) Operational guidelines. All program OGs (new and revised) will be aligned with this CPPF as well as shared and updated in consultations with key stakeholders in the country (including but not limited to ethnic minority communities). Detailed protocols, procedures, and implementation arrangements of the CPPF are and will continue to be spelled out in the program OGs.
- (b) Information and language. The public in general, students, and their parents are and will continue to be informed widely and regularly of the protocols and procedures described in this CPPF. This should include, to the extent possible, having teachers or representatives of the school committee who can speak ethnic language support communication during meetings. Content will summarize relevant elements of the CPPF and OGs and highlight, among others, the “no child left behind” and “no discrimination” policy of the MOE. Relevant local languages (to the extent possible) as well as highly visual design will be used in the dissemination of this information.
- (c) Conflict sensitivity. Implementation of programs and consultations will be carried-out in a manner appropriate to context, considerate of sensitivities, promoting intercommunal dialogue and social cohesion, and based on “do no harm” principles.

¹⁹ Decentralizing Funding to Schools Additional Financing Project and Inclusive Access and Quality Education Project Social Assessment (October 2020).

²⁰ In March 2013, wide-ranging consultation with key stakeholders including, but not limited, to ethnic minorities took place to share and get feedback on the original OGs for SISP and SSP.

- (d) COVID-19 sensitivity. Stakeholder engagement and community decision-making activities and processes will be carried out in a manner to minimize the risk of COVID-19 transmission, and following the guidelines noted in Annex G of the ESMF.
- (e) Local social/vulnerability assessment. A local social/vulnerability assessment process will be conducted by all supported schools, NFE centers, and AE providers to identify groups of people whose socio-economic standings or ethnic background in local communities may subject them to risk of exclusion from the WB-supported MOE programs. Free, prior, and informed consultations will be conducted as part of this SA process with communities leading to their broad support to the programs. Since this is a key pillar of the CPPF, if public gatherings are not possible due to COVID-19 risks, smaller socially distant meeting clusters, as well as Facebook and WhatsApp groups, will be used in order to seek free, prior and informed input from community members.
- (f) Community participation plans. Based on the findings of the local social assessments, CPPs – called “outreach” or “action plans” in OGs – will be developed by the schools, NFE centers, and AE providers, summarized by TEOs, and submitted to the relevant Union level MOE departments. They will then be reviewed annually, and updated as needed, in line with the provisions of this CPPF. Similar to the local social assessments above, COVID-19 sensitive approaches will be used to seek input from all community members. A copy of the CPPs will be posted at the schools, NFE centers and AE providers.
- (g) Review and disclosure of school-level assessments and plans. The local social/vulnerability assessments and the community participation plans prepared at the school level will be reviewed by TEOs to ensure that they follow the requirements and guidelines outlined in this CPPF, before any program financing is provided to the schools in accordance with the plans. Once the TEOs review and clear the plans, the assessments and plans will be disclosed at the community level, by hanging physical copies in schools or other education centers.
- (h) Targeting. Selection criteria of townships, schools, and students (in the case of targeted programs and activities) will be informed by evidence and available data as well as local knowledge through inclusive consultations.
- (i) Grievances. Mechanisms currently in place to collect and address grievances, accessible to affected people, are being reviewed and strengthened, as described in Section 8 of this ESMF.
- (j) Capacity. The capacity of MOE to manage environmental and social impacts in general has been strengthened in the past with trainings. Capacity to manage implementation of this CPPF in particular will be strengthened after the AF to the IAQE becomes effective. Township level officials (TEO and NFE focal points) will be trained to increase cultural awareness of issues related to ethnicity, religion and marginalization. CPPF procedures and additional training content is being and will be included in the annual training materials used by MOE before the next school year, starting in May 2021.

- (k) Monitoring. Qualitative monitoring, quantitative surveys, beneficiary assessments, spot-checks, etc. focusing among other things on societal dynamics and ethnic groups, women, and the most vulnerable groups, using FGDs and key informant interviews will be carried-out to monitor the implementation of this CPPF. These methods will be used by the third-party monitoring agents mobilized by the World Bank on an annual basis, as part of the external monitoring required to assess whether MOE meets the development-linked indicators of the programs. This monitoring will include an ex-post review of a subset of social assessments and CPPs that is representative across state/regions.

12.3 KEY FINDINGS AND RECOMMENDATIONS FROM THE SOCIAL ASSESSMENT

The CPPF development and procedures are informed by (a) lessons learned in the context of the ongoing DFSP including as it relates to the prior CPPF (prepared for the original DFSP); (b) assessments, extensive consultations with EBEP, representatives of ethnic groups, civil society, development partners and other relevant education stakeholders carried-out during preparation of the IAQE project and the AF; and (c) MOE's and other partners' experience in supporting and implementing similar activities. Key findings, lessons learned, and recommendations are presented in detail in the updated SA report²¹ and briefly summarized below.

School grants program. In terms of access and inclusion, there is low social risk for the school grants program as all government and registered monastic schools in the country are eligible for and receive the grant. Remoteness of schools presents additional transportation, labor and purchasing costs for school renovations however, and this additional cost is not fully reflected in the disbursement allocation. WB support under IAQE is expanding funding to more remote areas and less-well performing schools in order to address this. While training manuals and OGs have been developed to increase inclusion and accountability, implementation is not uniform. In the 2017-2018 school year, 75% of schools publicly disclosed the SIP amounts and expenditures by category.

Local social assessments. M&E reports found that consultations by the township level committees, while successful, could have been improved in the areas of making the committees themselves more inclusive and reaching out to harder-to-reach, poor and vulnerable households. Having representatives from religious, ethnic, CSO and other communities would further improve outreach.

Student stipends. The existing school stipend program was found to be generally successful in identifying and reaching at-risk students, but due to budget allocations, covers only 16% of townships, a small portion of schools in each township and a small number of eligible students per school. As there remain large numbers of students in need that could benefit from the program, there is significant scope and demand for expansion. Another issue is that the increase in education access for impoverished children does not include the most vulnerable as school facilities remain inaccessible for children with special needs and disabilities. Lastly, parental literacy rates and fluency in Burmese could also affect students' access to

²¹ Decentralizing Funding to Schools Additional Financing Project, Inclusive Access and Quality Education Project and Additional Financing - Social Assessment (October 2020).

stipends. In the M&E assessment from 2018, about a third of parents interviewed noted that they needed assistance in completing the forms required to apply to the program. In response, the revised CPPF puts more emphasis on mapping of hard-to-reach students, outreach activities to them in person and assistance with filling out applications.

Conflict sensitivity. WB funding for government schools (as opposed to ethnic education) could contribute to tensions based on claims to locally relevant education in terms of language and curriculum. In response, IAQE and the AF is supporting dialogue between MOE and EBEP. This will help to ensure that EBEP can continue to improve the quality of their services and receive TA in negotiations and partnership agreements with MOE.

Mentoring and teacher training. Language of trainings and communications may be a barrier for some ethnic teachers, especially with the use of technical or new terms. Budget for mentors who need to travel to remote areas for training should factor in travel time and costs, as this varies widely in townships, depending on road conditions and seasons, and conflict.

Rakhine. The social risks posed by expanding programming and funding for education projects in Rakhine state, and particularly in BMY are specific due to the long history of communal tensions, discrimination based on ethnic and religious identity, tensions between the state and the union government, and recent violence, dispossession and displacement. SISP, TMCS and capacity improvements are already underway in BMY. The SSP will not be extended to BMY in its current iteration, but two townships in Central Rakhine will be selected for universal coverage under this program. In Rakhine more broadly, shortages of teachers and qualified teachers are a major concern. Teacher mentors are not able to travel for mentoring due to safety concerns in many instances. Muslim IDP children in central Rakhine most commonly attend TLSs, which are not currently included in SSP or SISP, but making TLS eligible for financing entails risks around supporting the permanency of the camps and the current practices in these camps (including lack of freedom of movement and access to services)). Outside of camps, long distances to the closest middle and high schools combined with restrictions of movement leads to high dropout rates and low completion rates. The formula of determining school grants under SISP may need to be re-evaluated for use in BMY, as significant decrease in population may impact available funding for schools. While proof of citizenship is not generally required when registering or enrolling in schools, other forms of identification (ID) may still be required, causing barrier to access. Lastly, Rakhine has the largest gender disparity for access to education among children countrywide. In particular, targeted interventions for Muslim girls are needed. Adherence to principles of non-discrimination and inclusion will be central to all activities in Rakhine.

Table 12.1 Recommendation areas and recommendations from the social assessment

Area		Recommendations
Country-wide		
Inclusive measures for children and		<ul style="list-style-type: none"> The MOE should use the local school SAs to determine the number of disabled parents or children accessing the school or who would like to access the school and what types of needs are in the area. This data should be taken into account when preparing the SIP and budget to increase accessibility for students and parents.

parents with disabilities	<ul style="list-style-type: none"> The MOE should increase stipends for students with disabilities so that they can purchase learning aids, mobility aids, or use particular forms of transport to/from school. These students could be identified through the local SASA.
Access to SSP for households and parents with low levels of literacy	<ul style="list-style-type: none"> To target out of school children and/or parents with low levels of literacy for student stipends, local assessments and outreach beyond the school should be done by the MOE. This could be achieved through working closely with religious centers, 100 Household Heads, CBOs, NGOs or village heads. Current reliance on TEOs relies on the MOE hierarchy and may not reach households that are not already in contact with the MOE in some way. To ensure that parents who are illiterate or with low levels of literacy in Myanmar are able to access applications for stipends as part of outreach to disadvantaged communities the MOE should help schools and TEOs to establish one-stop shops where parents can orally complete the form with assistance and ask questions about the program.
Inclusive stipend allocation and disbursement	<ul style="list-style-type: none"> The MOE should arrange for stipend payment for students receiving stipends that are affected by migration and move to a township without SSP during the school year. Stipend provision should be linked to attendance but de-linked from academic performance so that it is not contingent on passing the year-end exam and continues to reach students at highest risk of leaving school.
Transparency and inclusivity of SIF and SISP	<ul style="list-style-type: none"> The MOE should require schools to publish SIF amounts and expenditures by category in order to be eligible for further SIF. The increase in funding to weak and remote schools in target townships based on performance under SISP should be closely monitored for impact and potential misreporting. Development partners should partner with MOE or schools in particular townships or districts to assist in upgrades to school sanitation.
Inclusivity in TMCSP	<ul style="list-style-type: none"> TEOs should arrange for alternative locations for mentoring and clusters under TMSCP in conflict-affected areas to increase attendance and safety. This may mean targeting conflict-affected areas for increased CIF support to bring teachers to safe alternative locations or initiating a robust distance or virtual mentorship program. In school clusters where there are multiple ethnic groups and languages, including school clusters that include teachers from EBEPs bilingual or multilingual teachers, mentors or ATEOs should be available to assist comprehension of particularly technical or otherwise demanding trainings.
Rakhine State	
Responding to specific contextual risks	<ul style="list-style-type: none"> The MOE should create a rapid response mechanism to conduct school level SAs and monitoring so that funds, improvements and training are not further delayed to areas affected by Muslim repatriation. When and if repatriation occurs in BMY, funding for SIF 2.0 B (major repairs) in BMY should be revisited on a case-by-case basis as schools' needs could change quickly. A re-design of the formula for determining SIF in Rakhine to increase assistance to smaller schools or schools in more remote areas or farther from a competing high school or middle

	school, may help to ensure that students are not dropping out due to cost of transportation or fears about security, particularly for girls.
Decreasing risk of gender-based exclusion	<ul style="list-style-type: none"> • MOE should collect data disaggregated by gender, religion, household income, disability status and ethnicity at the school and township level. • Where gender disaggregated data shows girls are dropping out of school at higher rates than boys, the student selection process at the school level should lead to more girls benefiting from stipends. • As we know that gender parity in school enrollment in Rakhine state decreases dramatically between primary and middle school, girls should be targeted in the stipend program prior to the transition from primary to middle school.
Inclusivity of TMCSP	<ul style="list-style-type: none"> • Robust virtual or distance teacher training and professional development modules should be created well in advance of implementing TMCSP. A robust and structured distance training program will decrease the risk that the excuse of fear or security becomes a means of excluding Muslim teachers and by extension Muslim communities from the TMCSP. • Travel bans in Rakhine state should be lifted for educational purposes both for personnel and students to allow students and teachers to reach schools. • Bilingual or local teachers should be hired as mentors where possible to fill gaps in competencies, linguistic skills, and increase the practice of non-discrimination.
Decreasing risk of exclusion of those without identity documents	<ul style="list-style-type: none"> • MOE schools and AE providers should never require identity cards or papers like birth certificates, household registrations or National Registration Cards (NRCs) for school registration, stipend allocation or transfer or promotion to higher grades. If ID is necessary, multiple forms of alternative IDs should be accepted. Compliance with this at the school and NFE/AE center level should be monitored carefully and strong actions taken in case of non-compliance. • As citizenship scrutiny cards (CSCs) are not required for school registration, they should not be required for matriculation or graduation from higher education either.

12.4 ELIGIBILITY, TARGETING AND PROTOCOL AND PROCEDURES FOR FREE, PRIOR AND INFORMED CONSULTATION AND PARTICIPATION

All WB-supported programs relevant for this CPPF are implemented in all states and regions. Protocols of this CPPF are divided into three sections: (a) targeting townships within states and regions (see section 12.4.3); (b) targeting communities within townships (see section 12.4.2); and (c) free, prior and informed consultation and participation at the community level (see section 12.4.1).

Townships targeting, where relevant, will be completed prior to the launch or scaling-up of programs. Targeting of communities within townships and targeting at the community level will be carried-out during implementation. Protocols and procedures for the above three sections are described below and detailed versions of protocol under (b) and (c) will be integrated into the program OGs.

During implementation, lessons learned regarding compliance with this CPPF emanating from the monitoring activities will inform revisions and updates of OGs so that implementation is improved while remaining in line with this CPPF.

12.4.1 Participation at the community level

All formal schools. Protocols and procedures to ensure community participations in programs implemented in formal schools are structured in three main steps: (a) initial consultations, (b) local SA, and (c) outreach plan for minority and hard-to-reach. They are described in more detail below.

- (a) Initial consultations. The school head (SH) and SQIC, which will comprise of a representative and inclusive sample from the community, will organize a consultation meeting, prior to the start of every school year, with parents and other diverse stakeholders of their school catchment areas including minority representatives and potentially excluded groups to inform about overall MOE programs. Community members will be notified of the consultation meetings sufficiently early enough, in a manner and language that is accessible to all, and small groups discussions will be conducted to maximize, to the extent possible, the opportunities for all to provide input.

During this meeting, the SH, with help of a translator if needed, will inform community members about MOE reforms and programs relevant to their schools. In order to confirm that the school meets the non-discrimination eligibility criteria, the meaning of the MOE's policy of "no child left behind" and "no discrimination" must be discussed. Any student-level targeting processes (relevant only to the Stipends program in the currently participating 55 townships) will also be covered. Feedbacks from participants on the potential adverse and positive effects of MOE programs will be identified and measures to avoid, minimize or mitigate negative impacts and enhance positive benefits proposed.

A briefing kit will be prepared in advance and distributed to all SHs to ensure consistency of the messages delivered while providing room for local relevance. A summary of the information will also be shared through pamphlets in all relevant languages and with strong visual elements distributed on the occasion. Agenda, attendance, strategies to address the presence of participants non-fluent in the Myanmar language, and feedbacks and measures proposed will be recorded.

- (b) Local social/vulnerability assessment. The objective of the local SA is to identify marginalized and minority (including but not limited to ethnic minorities) population or households who are at risk of not being aware of the MOE programs. Because of this lack of awareness, these groups or households are unlikely to benefit from WB supported MOE programs given that their children are at risk of not enrolling or of dropping out early as because of their minority or ethnic status, their religion, their language, their migrant status, their citizenship status, etc. The SA process will be carried-out through the gathering of data, following a pre-defined questionnaire provided in the OGs, in consultations with the community.

The second part of the initial consultation meeting in (a) will be reserved to conduct this SA process. The purpose of the exercise will be explained, and the questionnaire will be completed with inputs from community participants. The questionnaire will include the screening for the presence of different groups (ethnic, religious, migrants, etc.) in the school catchment area. Socioeconomic conditions and participation in community decision-making processes of the different groups and, if they are represented at the meeting, their perspectives on the overall MOE reforms and programs will be assessed. Baseline information on the demographic, socioeconomic, and cultural characteristics of the population of the school catchment areas and of students in the school will be gathered.

Since this is a key pillar of the CPPF, if public gatherings are not possible due to COVID-19 risks, smaller socially distant meeting clusters, as well as Facebook and WhatsApp groups, will be used in order to seek free, prior and informed input from community members.

- (c) Planning and implementing outreach activities. Based on the findings of local SA process and initial consultations, SH and SQIC will define strategies and actions to reach out, ideally in-person, to those families or groups identified as being at risk of being excluded. The objective of the outreach activities will be to fill-in the identified gaps and ensure all the identified groups are made aware of the MOE programs and encourage to participate in education opportunities. The pamphlet distributed in the initial consultations should also be distributed to groups reached through these activities.

In the case of schools having been assigned a stipend quota, one of the objectives will be to ensure that all households with children, who could continue or re-enroll in school as a result of the possibility of receiving a Stipend, are aware of the program and encouraged to apply. Application to the Stipends program should be available during the outreach activity and filled-in together with the interested parents.

The results of the SA, outreach strategies and actions carried-out, and feedback received along with mitigation measures when relevant will be recorded in the school-level CPPs. More precisely, the CPPs will include the following:

- (i) A summary of the vulnerability/SA process and results.
- (ii) Parameters of the outreach activities carried-out included: participants, location, timing, language and the need for translator(s), supporting material, etc. Unless, the security situation does not allow, outreach is expected to be in-person. Guidance on content and format of outreach activities will be included in the OGs.
- (iii) A summary of the feedbacks on programs received in the context of the initial consultations and outreach activities with the marginalized and minority groups and households identified through the SA.
- (iv) A framework for community participation in oversight of the implementation of programs at the school level, most notably the modality for representation on the SQIC and

communication with the larger communities including consultations for the selecting beneficiaries (in the case of stipends) and reporting on progress, expenditures, results.

(v) Description of potential negative impacts, if any, on any members of the community and measures to avoid or mitigate them and other specific decisions regarding implementation which led to broad community support for the programs.

(vi) Mechanisms and benchmarks for monitoring, evaluating, and reporting on the implementation of the CPP.

(d) Accessibility and disclosure of community participation plans and school improvement plans. The school-level CPP will be part of the SIP. Funding for implementation of the CPP will be budgeted for along with other activities of the SIP and funded through the school budget. SIP, including the CPP, will be available to the community for review at the school. A summary of the key actions under the SIP as well as the budget will be posted on the school public notice Board.

Detailed information gathered through SA as well as the CPPs themselves will be submitted to the TEOs, as part of the SIP, prior to the school receiving the first disbursement of SIF and SSP. These reports will be kept by the TEOs. TEOs will also compile all information in the SASA in a specially designed data entry template, which will automatically provide them with an overview of their township's situation. This data will then be submitted to SREOs in a compact disc (CD) (with copy to the District Education Officers (DEOs) and then consolidation of township summaries will be submitted by SREOs to the DBE at the union level.

Stipends schools only (except in new Rakhine townships). Every year, new grade five students in schools assigned a quota (see below) must be selected for inclusion in the Stipends program. Given that evidence indicates that the process is reasonably effective, the process will closely follow, with some small modifications, as described in prior CPPF and current OGs. In selected schools, the program targets poor students who are at high risk of not re-enrolling or of dropping out due to financial constraints. The community will be informed about the stipends program through the initial consultations meeting, the distributed pamphlet and the outreach activities. Parents of students in eligible grades, in this case only grade 5, will continue to be encouraged to apply for the stipend by filling out a simple application form asking about indicators correlated with poverty such as asset ownership, housing characteristics, breadwinner's job status, etc. Assistance will be provided to parents who may have difficulty submitting the application due to literacy, language or other reasons. Teachers will also continue to be asked to fill out five questions on observable characteristics of their students such as whether or not he/she has the correct uniform or supplies to complement the information provided by parents. After this step, the stipend subcommittee of the SQIC, the SQIC-SSP, will rank students based on the information provided and selects students up to the allocated quota. The ranking of the students will be discussed in future consultations (as listed in the CPP of the given schools) so that participants can use their knowledge of the student, her family, and her socioeconomic status to adjust the rankings to ensure that the neediest students receive the stipend. The SQIC-SSP will then communicate the result of the selection process to all applicants' households. The list of applicants and selected students will be available for review at the school (but not posted publicly for privacy reasons). Applicants will also be informed that they have the right to complain, using the GRM, if they believe the selection result or process was unfair or carried-out without following the agreed upon process.

12.4.2 Eligibility and targeting communities (schools/center/institutions) within townships

Eligibility of providers. Within the targeted townships, all schools officially recognized by the MOE (that is, government and monastic schools as well as official NFE centers and eventually recognized partner AE institutions) as well as TLS and EBEPs, who express interest, will be eligible for *technical support* by the MOE and WB²².

To mitigate risks around social inclusion and discrimination in the country in general, eligibility for the SIF, the SSP, and AE grants to partner non-state AE providers will, however, be more restrictive. The first set of eligibility criteria for financial and in-kind support relates to the type of providers they are and the second to the inclusiveness of the service they offer.

(i) Types of the providers

- a. *Public formal schools, monastic schools and public non-formal/alternative education centers.* Schools registered with DBE (excluding those serving IDPs in Rakhine that are discussed under below), monastic schools registered with MORA, and AE centers registered and managed by DAE are eligible. Since EBEPs are not registered with MOE, they will not be eligible for financial or in-kind support.
- b. *Schools and Temporary Learning Spaces (TLSs) serving IDPs in Rakhine State.* TLSs are education facilities/services serving IDPs in Rakhine state that are not officially sanctioned by MOE and that are, in part or in full, managed by humanitarian partners (NGOs). In addition to TLSs, there are also sanctioned schools, managed by MOE, serving IDPs on some sites. Discussions between humanitarian partners currently supporting the TLSs and MOE are ongoing to progressively transfer responsibilities of the TLSs to MOE (starting with volunteer teachers' salaries). Once this transfer takes place, these TLSs will be registered as schools and managed by MOE. Financial or in-kind support to TLSs or schools serving IDPs in Rakhine will be an ineligible expenditure until, for each of the IDPs site independently (whether it is called camps or villages by MOE and/or partners):
 - i. A plan for inclusive education service delivery to all children in the IDP site is endorsed by the Education and TVET Sector Coordination Group (ETV SCG). To be endorsed, these plans must describe: (1) What on or off-campus²³ strategies will be implemented to promote non-segregation and social cohesion; (2) To what extent and how fast the capacity/offer will be adjusted to meet the demand of all primary/middle/high school-age children living in the camp/village; (3) How and when the community was consulted and how their inputs informed the development of this

²² This includes design and rollout of the SQASF, TCSF,²² AE-QASF, teacher training, and other capacity building and TA activities.

²³ Potential strategies could be to establish mixed schools, to provide transport between the camp and the host community village for IDP children to safely attend a school outside of the camp, extra-curricular activities such as reading or sport competition for children of both communities, joint training of teachers from schools of both communities, etc. This is left vague to acknowledge that mixed schools may not always be possible or advisable as a first step.

plan; and (4) In the case of a proposed transition between humanitarian partners management to MOE management (i.e. effectively transforming a TLS into a school), how MOE will ensure no disruption in the provision/access to education services (especially if there is a transition between management by NGO to MOE). The plans must also be consistent with Humanitarian Coordination Team (HCT) and EiE partners' position for engagement in this particular site and be compliant with the World Bank safeguard policies.

- ii. M&E of the implementation of this plan indicates that it was implemented satisfactorily over the relevant school years (eligibility of expenditures is determined on yearly basis when analyzing/accepting the IFR).
- iii. MOE's expenditure to build permanent infrastructures (including major repairs) will not be eligible, thus minimizing the risk of entrenching permanent settlements or segregation in and around the camps.²⁴

The World Bank will review the plan to assess to what extent criteria (1) to (4) above are met, ensure that, if endorsed, the resulting support will not contradict current HCT's and EIE partners' positions, and ensure that the plan is compliant with WB safeguards policies. To conduct this review, the WB (or its agent) will review the documents, carry-out at least one field visit to verify that consultations with the IDP community took place, and consult with HCT and EIE partners to ensure alignment and gather opinions on the adequacy of the measures and strategies proposed in the plan.²⁵ If the Bank concludes that the plan satisfactorily meets the criteria, it will provide a no objection, along with a summary of its review (including items to specifically pay attention to) in a report sent to the ETV SCG. The proposed plan and WB's report are shared with ETV SCG members (MOE, MOPF, OAG, Core Development Partners in Education) for final review and potential endorsement. Plans will be endorsed, on a no objection basis by ETV SCG members, two weeks after sharing the documents.

- c. *Alternative education providers.* After signing a partnership agreement with DAE and after being accredited, non-governmental AE providers will be eligible for financial support through the AEF and other in-kind support. To enter in partnership with DAE, interested organizations will be required to (1) be legal entities in Myanmar and (2) successfully go through a rigorous screening and due diligence process. This screening and due diligence process will be government-run but will investigate topics defined jointly by DAE and the Bank. These will relate to the organization's experience and track record in delivering to non-formal/alternative education, financial management and procurement capacity, capacity to implement proper safeguards arrangements, and potential links and relationships with EAOs (if active in an EAO controlled area).

²⁴ OGs will clearly indicate the limit to this "temporary" status and transition to permanency.

²⁵ The proposed approach was discussed on numerous occasions with humanitarian partners in the education sector as well as UNCHR and reflects the advice received.

For organizations with potential links and relationships with EAOs, the Bank will conduct a prior review of this process. For all others, it will later do a post review. If the post-review determines that an organization did not meet the agreed-upon criteria, the AEF transferred from MOE to this organization will be ineligible under this project. If this happens frequently, the structure of the screening and due diligence process will be reviewed and adjusted.

(ii) *Inclusiveness of the services offered.* To be eligible for financial or in-kind support, all schools or providers must respect the following:

- a. *Non-discrimination.* Head teachers and teachers must commit to non-discriminatory practices in enrollment, attendance, in-school practices, and in-classroom practices. This commitment will be expressed, every school year, through messages of non-discrimination and “no child left behind” shared in community-level consultations and through the distribution of pamphlets to all groups in the school catchment area. This will be closely monitored by MOE and the Bank.
- b. *Inclusive consultations.* Every provider must carry-out wide-ranging community-level consultations, prepare a local social/vulnerability assessment to identify hard-to-reach households and groups, implement outreach activities targeting these households/groups, and prepare and implement an action plan for inclusive participation in education over the school year.

Targeting. Among eligible communities, targeting will only take place for (a) identifying participating schools under the Student Stipends program (except in the two new Rakhine townships where no school selection will be carried-out), and (b) identifying the location of the new NFE and AE centers.

In all townships, informed by the data from the SASA and information in the CPP received from schools, TEOs will organize a yearly township-level consultation meeting with representatives of diverse stakeholders present in the townships, with a strong focus on representatives of minority and marginalized groups. The general purpose of the meeting will be to strengthen the messages communicated by the schools in their consultations and outreach activities and to gather additional feedback on potential impacts and implementation.

Depending on the townships (i.e. for townships selected to participate in the two above-mentioned programs), the purpose and the protocol of the township level consultations will be expanded.

- (a) Ranking schools and assigning stipends quotas. In the ongoing 55 Stipend townships, school selection has already taken place in line with the prior CPPs prepared for the WB support under the DFSP. However, modifications of the lists of schools selected (i.e. to which quota is assigned) in every given year of implementation, including under the AF DFSP, are allowed. In case of modifications to the quota assignment (i.e. selection of benefiting schools) the process will remain as described in the prior CPPF and current OGs. However, since evidence indicates that

compliance of townships in assigning quota to schools based on need varies, more capacity building and support will be provided to relevant TEO team. The process is as follows.

Schools in selected townships are selected based on measures of poverty and low educational performance, which proxy for the share of poor students in the school. Due to a lack of reliable administrative data at the school catchment area level, the information used to construct these measures will be extracted from the school-level SASA data and CPPs. Furthermore, the SH head of each potential school in selected townships will continue to be required to fill out a school characteristics (SC) form and submit it to the TEO. The SC includes complementary indicators such as the share of students who occasionally miss school, the share of students who have no uniform or uniform in bad condition, etc. A township stipends committee will carry out the ranking of schools. This committee will aggregate inputs to make a composite score that will then be used to rank schools from most to least needy. The committee ranking of schools will be presented in the township-level consultation meeting. Discussions on potential modification to reflect local knowledge will be discussed and agreed upon at the meeting.

The ranking and quota allocation to schools will be publicly available and posted at the TEO. All SH and community members will be informed, through official communication and school-level consultations and outreach activities that they have the right to complain, using the GRM, if they believe the selection result or process was unfair or carried-out without following the agreed upon process. Attendance to this township-level meeting will also be recorded.

Recognizing the sensitivities in Rakhine around targeting of communities and the important needs for support of all communities, there will be no school selection in the two new Rakhine townships where this program will be implemented.

- (b) Non-formal and alternative education. Financial support to the AE sector under the IAQE aims to improve the quality and increase the scale of NFE and AE service provision. With townships, this will be accomplished through the opening of new NFE centers managed by DAE and of new AE centers managed by non-state AE partners. To maximize the social benefits, ensure free and informed participation, and minimize adverse impact of the program, DAE focal points in the TEOTEO will use the opportunity of the township-level consultation meeting to gather information on demand for NFE/AE services and potential partners as well as feedback on preferred location and modalities of the new services.

Assessment and geographical distribution of demand or needs for NFE/AE services within the townships will be informed by the analysis of the SASA data gathered by schools and submitted to the TEOs. From this analysis, an overview of characteristics and location of school-age children not participating in formal schooling should emerge. Through the discussions with participants to the meeting, a list of potential non-state organizations (completing the list already compiled by DAE) will be compiled. DAE will communicate with these potential providers to inform them of the program and interested ones will be requested to submit expression of interest. Organizations submitting an expression of interest will be screened and subject to the due diligence process describe above prior to being offered the possibility to sign a partnership agreement and become

accredited. to Finally, proposed modalities of services will be presented and discussed with participants to gather feedback, identify potential impacts, and propose mitigation measures and improvement to local implementation strategies. Outcomes of the meeting and attendance in the meeting will be recorded. This report will be submitted to DAE, with a copy to SREOs.

Evidence of broad community support to the MOE programs, at the school and township level, is expected to result from the processes described above. Where broad community support is not ascertained, notification will be sent to DBE and decision on how to move forward will be made and documented.

12.4.3 Targeting townships within States and Regions

Targeting and selection of townships within state and region is relevant in the context of the scaling-up of the SSP in Rakhine State (supported under the AF DFSP) as well as for the implementation of the top-up SIF, in-service training, and NFENFE/AE (supported under the IAQE project). In the unlikely case where MOE chooses to replace some of the current Stipends townships with new ones, a re-ranking of townships following the same process as described below for Rakhine State selection of new Stipends townships will inform the identification of townships to be phased-out and those to be phased in in other regions and state. Being intrinsically system-wide, there will be no townships selection for PFM and HRM programs. Regarding partnerships, all townships where EBEPs are delivering education in a systematic way will be automatically included in the activities, to the extent that this is feasible and accepted by all parties, so no selection will be taking place.

The following townships selection procedures will be followed.

- (a) Indicators and need-based ranking. Data sets of township-level socioeconomic and education indicators (relevant each program and for which data are available at this level of disaggregation) have been prepared. Indicators used vary according to the programs to better capture their different objectives.
 - (i) *Top-up school improvement funding and in-service training*. The indicators used will be the (a) shares of students in schools with no library, no electricity, no drinking water, and no toilet; (b) enrollment rates in primary, middle, and high schools; (c) shares of students in remote and difficult to access schools; (d) infant mortality rates and child malnutrition; and (e) a multidimensional deprivation index (including health, education, other services such as electricity, and so on).
 - (ii) *Non-formal and alternative education*. The indicators used will be the (a) number of children out-of-school, working, and having never attended schools, per age group (in each township); (b) infants, under 5, and maternal mortality rates, as well as child malnutrition and immunization rates; and (c) a multidimensional deprivation index (including health, education, other services such as electricity, and so on).
 - (iii) *Stipends in Rakhine*. The indicators used will be the (a) transition rates from primary to middle school and from middle to high school of students and average retention

(including grade 1-4); (b) share of students in schools with no library, no electricity, no drinking water, and no toilet; (c) shares of students in remote and difficult to access schools; (d) infant mortality rates and child malnutrition; and (e) a multidimensional deprivation index (includes health, education, other services such as electricity, and so on).

Using the values taken by these indicators, a 'need' index which is a weighted sum of dummy variables indicating if a township is worse off than the average township-level indicators was computed. Then, townships were ranked based on this index to help prioritization and selection.

- (b) Share of townships in a given state/region. To maximize country-wide equity of the selection process outcome while minimizing political sensitivities around not including certain states or regions, for all states/regions except Rakhine, the 'need' index was also used to systematically determine the share of townships to be selected in the given states/regions so that those with higher average 'need' indexes end up with a higher share of selected townships.

In Rakhine, except for Stipends where only two townships will be selected per project design and budget constraints, to reduce the risk of creating more social tension, recognize limitations of the census data in that state, and account for the comparatively low education outcomes and high poverty levels even before the events of August 2017, a whole state approach is followed. In other words, except for the Student Stipends program (and the civil work portion of the top-up SIFSIF program), all townships in Rakhine are automatically targeted and no township selection will take place.

- (c) Pre-ranking and pre-selection. As indicated above, townships were ranked according to the value of the 'need' index. The highest ranked predetermined proportion of townships is said to be 'pre-selected.' The list and maps illustrating the 'need' index and the result of this "pre-selection" are provided in Annex H.
- (d) Consultations and final ranking/selection. In all states and regions, inclusive consultations will be held to validate indicators, weights and resulting index and to improve upon the ranking using qualitative evidence and local knowledge about township needs. The consultations will be driven by available data (i.e. will make extensive use of the indicators and resulting need index) but will allow for some modifications to the ranking based on these consultations. Any modifications to the ranking because of the consultations will be documented in the minutes of the meeting, reviewed and filed. Furthermore, consultations will be used to assess feasibility constraints and risk (for example, in conflict-affected or contested areas) and apply basic principles of supporting inclusion and peace and not strengthening exclusion dynamics. Feasibility constraints and risks, as well as other objectives such as rigorous evaluations of impacts, will inform the phasing-in timeline of prioritized townships.

Following instructions by DBE and DAE, these consultations will be organized and facilitated by SREOs who will have previously been introduced to and trained on the data and process. The meetings will be chaired by states/regions social minister and participants will include local

government, MPMP, GAD, CSOs and NGOs, community elders, elders, ethnic and religious leaders, and SHs, as well as observers from DBE and DAE and the WB. The invitation list will be agreed upon in advance (to be reviewed and approved by the Union-level MOE and WB) and detailed records (attendees, minutes) will be maintained.

12.5 IMPLEMENTATION AND MONITORING ARRANGEMENTS

12.5.1 Implementation arrangements

Implementation of this CPPF is organized at the Union, state/region, township, and school/centers/community levels. The roles and responsibilities of the different levels are summarized below.

- (a) Schools and non-formal/alternative education centers. Schools and NFE/AE centers as well as the communities they serve are the ultimate beneficiaries of the supported programs. Schools and NFE/AE centers are responsible for establishing a representative and inclusive SQIC or AE-QIC and relevant sub-committee (e.g. to manage implementation of the SSP) that will assess schools' and/or centers' needs and prepare the school/center improvement plan, including the CPP, in consultations with the school/center catchment areas. This committee will be chaired by the school/center head and will comprise as members teachers from the school and representatives of the communities. Its capacity will be strengthened, trained, and advised as needed by TEOs and other relevant technical experts. It will supervise implementation of programs and ensure it is done according to OGs, including elements relevant to this CPPF.
- (b) Township. At the township level, the TEO assume primary responsibilities for day-to-day implementation of WB-supported MOE programs including this CPPF. Each TEO will receive support from technical experts and from the Union level departments (DBE, DAE, DERPT, DM&E-R) on issues including compliance with safeguards (including this CPPF), FMFM, procurement, MM&E, GRM and others.
- (c) State/region. SREO will be responsible for overseeing implementation of programs, including this CPPF, in their townships. They will also facilitate the selection of townships for the targeted programs through inclusive consultations of stakeholders in their state/region.
- (d) Union. Implementation and compliance with the CPPF ultimately are the responsibility of DBE and DAE, which is responsible for implementation of the supported programs. DBE and DAE will also be responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through monitoring visits, to identify issues of non-compliance or potential negative impacts of programs requiring actions to be remediated, minimized or mitigated. DBE and DAE will officially report on the status of the implementation of and compliance with the CPPF to the WB annually as part of MOE's reporting on program implementation. They will also immediately notify the WB on any evidence of possible non-compliance with this CPPF and negative impact of the programs as well as on actions taken in every such case.

12.5.2 Monitoring arrangements

Throughout the implementation of the WB-supported MOE programs, several mechanisms will be used to monitor compliance with the CPPF, including SASA, consultations, targeting, payments, etc. and any negative impacts that may arise.

These mechanisms include:

- (a) regular reporting on progress by SQIC and SHSH to the TEOs, including on the completion of the social/vulnerability assessment, progress of civil works, etc.;
- (b) regular inspection visits by the TEO team to all schools and NFE/AE centers, with participation of DBE and DAE Union level staff as needed, will include reviewing compliance with the CPPF;
- (c) joint monitoring visits to a sample of schools and NFE/AE centers from team made up of representatives from Union MOE departments (mainly DBE, DAE and DM&E-R) and DPs will be carried-out twice a year in a sample of schools to assess performance in project implementation as well as compliance with environmental and social safeguards including this CPPF;
- (d) monitoring, qualitative assessment, and spot-checks visits will be carried-out on a continuous basis throughout the year by external agent recruited by the WB;
- (e) beneficiary assessments and satisfaction surveys will be carried-out through calls and text messages to members of the SQIC, township-level committee, and communities; and
- (f) WB's own supervision visits to schools which will include monitoring safeguards compliance will be carried-out on a regular basis.

Data from the above exercises will be disaggregated by geographical location, gender, type of schools/centers, and to the extent possible by ethnicity of beneficiaries.

More details on the monitoring of compliance with safeguards, including this CPPF, are provided in main text of the ESMF.

12.5.3 Capacity Building of Key Stakeholders

Capacity building of key stakeholders is and will continue to be weaved into regular capacity building and training sessions (including initial training, refresher, and review workshops) on the implementation of programs as described in OGs. These training include presentation of key principles, protocol and procedures, and implementation and monitoring arrangements of this CPPF. The capacity building modules will continue to be based on rich findings of the monitoring activities and develop in collaboration between the MOE and WB to adequately integrate lessons learned and address identified issues and bottlenecks. Key CPPF (and larger ESMF) elements will be included in the MOE's training of TEOs, townships school grant committee (TSGC), school headmasters, school-level committees and subcommittees. The same approach will be continued over the years to come.

12.6 GRIEVANCE REDRESS MECHANISMS

Complaints and grievances in general, and regarding Civil Works and application of this CPPF in particular, will be dealt with using the strengthened MOE GRM to ensure that activities are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously.

The key principles and protocols for implementation of the GRM are described in Section 8 of the ESMF. Detailed processes and procedures will be described in the WB-supported programs OGs and will be made publicly available at the village/school level, including through pamphlets, posters, other visual materials, as well as text message in all relevant ethnic languages (to the extent possible).

12.7 RAKHINE

Given the situation in Rakhine State, which differs per areas, this CPPF applies differently to the three Northern townships of BMY and other central and southern townships.

- (a) In BMY, the eligibility criteria for schools and CPPF requirements will be heightened as described below.
 - (i) Because of the controversial reconstruction in BMY since the events of August 2017, *prior review and no objection* by DBE and the WB of the school-level SAs and CPPs will be required before funds can be received and activities implemented.
 - (ii) Ineligibility to SIF 2.0B because of controversial reconstruction in BMY since the events of August 2017. In other words, in BMY, school-level expenditures on “major repair” will be ineligible.
 - (iii) Careful and more extensive monitoring of the inclusive communication of the messages around non-discrimination and “no child left behind” policy, no matter the ethnicity, religion, gender, citizenship status, disability, etc. verbally and in writing in pamphlet through consultations and outreach will be carried-out.
 - (iv) Unrestricted access to all project sites for the WB team and/or external agent(s) recruited by WB to carry-out enhanced supervision and monitoring of implementation, including in-person visits, phone-based surveys and assessment, will be required to continue disbursement.
- (b) In other townships in Rakhine, the eligibility criteria depend on whether the school serving student from IDP households or not.
 - (i) For existing schools located in other Rakhine townships not serving IDPs, the same principles, conditions, protocols and procedures of this CPPF as in other regions or state will apply. However, monitoring of the compliance with this CPPF and potential negative

impacts of the civil works activities will be enhanced through the larger sample of schools to be visited by the external agents recruited by the WB and the WB team itself as well as in the context of cell-phone based beneficiary assessments.

- (ii) For schools or TLS serving IDP children, an approved plan for inclusive education service delivery and M&E confirmation of its satisfactory implementation will be required to be eligible for financial and in-kind support. Furthermore, school-level expenditures on “major repair” will be ineligible. Field visits will be carried-out in all IDP sites submitting or implementing an approved plan to monitor the respect of the criteria (especially regarding consultation) in the preparation of the plan and the degree of alignment between the plan and implementation.

12.7.1 More on the screening process for schools serving IDPs in Rakhine

Applicability. The proposed screening process applies to the following education facility/services

1. *Temporary Learning Space (TLS) serving IDPs in Rakhine State:* An education facility/service serving IDPs in Rakhine state, no matter what the name of the IDP site is (camps, village, transit sites, etc.), which is not officially sanctioned by MOE (i.e. not appearing on DBE’s lists) and which is, in part or in full, managed by humanitarian partners (NGOs).
2. *Schools serving IDPs in Rakhine State:* Education facility/service serving IDPs in Rakhine state, no matter what the name of the IDP site is (camps, village, transit sites, etc.), which is officially sanctioned by MOE, appears on DBE’s list, and is managed by DBE/MOE. Such schools can be receiving other (non-IAQE) humanitarian/development partners support.

The living conditions of IDPs on the sites (land ownership, degrees of freedom of movement, infrastructure conditions, etc.) are irrelevant to the above definition. All IDP sites in Rakhine will be screened according to this process to avoid legal loop-holes in case of unforeseen circumstances.

Screening Criteria. Financial or in-kind support to TLSs or schools serving IDPs in Rakhine will be an ineligible expenditure until, for each of the IDPs site (whether it is called camps or villages, by MOE and/or partners):

1. A plan for inclusive education service delivery to all children in the IDP site is endorsed by the Education and TVET Sector Coordination Group (ETV SCG). To be endorsed, these plans must
 - a. Describe:
 - i. What on or off-campus²⁶ strategies will be implemented to promote non-segregation and social cohesion;

²⁶ Potential strategies could be to establish mixed schools, to provide transport between the camp and the host community

- ii. To what extent and how fast the capacity/offer will be adjusted to meet the demand of all primary/middle/high school-age children living in the camp/village;
 - iii. How and when the community was consulted and how their inputs informed the development of this plan; and
 - iv. In the case of a proposed transition between humanitarian partners management to MOE management (i.e. effectively transforming a TLS into a school), how MOE will ensure no disruption in the provision/access to education services (especially if there is a transition between management by NGO to MOE)
 - b. Be aligned with Humanitarian Coordination Team (HCT) and EIE partners' position for engagement in this particular IDP site.
 - c. Be compliant with the World Bank safeguard policies.
2. M&E of the implementation of this plan indicates that it was implemented satisfactorily over the relevant school year (eligibility of expenditures is determined on yearly basis when analyzing/accepting the IFR).

The process. The screening out process will be implemented following the steps below:

1. *Listing/identifying relevant sites.* The WB will work with partners (especially HCT including UNHCR and EIE partners) to establish and update the list of IDP sites where this applies.
2. *Preparation of an "inclusive education service delivery" plan.* MOE will work with the schools/TLS staff, TEO, SEO, State government, and development partners (HCT, EIE, NGOs and others) to develop a plan, in consultation with the community.
3. *Submission and review.* MOE submits the plan to WB for review. WB revises the plan to (a) assess to what extent criteria (i) to (iv) above are met; (b) ensure that, if endorsed, the resulting support will not contradict current HCT's and EIE partners' positions; (c) ensure that the plan is compliant with WB safeguards policies. To conduct this review, the WB (or its agent) will review the document, carry-out at least one field visit to verify that consultations with the IDP community took place, and consult with HCT and EIE partners to ensure alignment and gather opinions on the adequacy of the measures and strategies proposed in the plan.
4. *No objection from the WB.* If the WB conclude that the plan satisfactorily meets the criteria, the WB confirms it's no objection and provides a summary of its review (including items to specifically pay attention to) in a report sent to the ETV SCG. If it is not possible to carry-out a field visit (for security or authorization reasons) during the review, the WB will object to the plan on the basis of a lack of information.
5. *ETV SCG endorsement.* The proposed plan and WB's report are shared with ETV SCG members (MOE, MOPF, OAG, Core Development Partners in Education) for review and potential endorsement. Plans will be endorsed, on a no objection basis by ETV SCG members, two weeks after sharing the documents.

village for IDP children to safely attend a school outside of the camp, extra-curricular activities such as reading or sport competition for children of both communities, joint training of teachers from schools of both communities, etc. This is left vague to acknowledge that mixed schools may not always be possible or advisable as a first step.

6. *Monitoring and verification.* During implementation of a plan (after endorsement), verification and qualitative assessment will be carried-out through regular field visits by an organization contracted by or partnering with the WB for this purpose. During these visits, the organization will collect the necessary data to confirm (a) satisfactory implementation of the proposed plan through key informant interviews, focus group discussion, observations, document review, etc. and (b) no breach in compliance with WB safeguard policies; and (c) no worsening in the general situation of the IDP (e.g. re freedom of movement) which justified the endorsement received.

If the M&E report indicates changes which affects the validity of the endorsement, financial/in-kind support received by the education facility/service in this IDP site will be declared ineligible for the current school year. If it is not possible for this organization to visit the IDP site (for security or authorization reasons), these expenditures will be declared ineligible (because of the lack of information to make the necessary verifications).

13 ANNEX B: RESETTLEMENT POLICY FRAMEWORK

13.1 OBJECTIVE AND POLICY FRAMEWORK

In the years to come, the WB will provide technical and financial support to the implementation of several MOE programs that are also components and activities of the NESP. In particular, as part of subcomponent 1.1 of the IAQE project and the IAQE AF, school-managed civil works involving upgrading, rehabilitation and expansion of existing government schools and temporary learning centers under the DBE raises concerns related to adverse impacts of potential land acquisition.

Civil works such as those which will benefit from the WB financial support through the civil works funding stream channeled to the schools may, under certain circumstances, result in loss of private land. The likelihood of this occurring is low given that only the upgrading, rehabilitation and expansion of existing schools, which already own land, will be financed. It is expected that most expansion works will use lands adjacent to existing school facilities, already belonging to the school. No new schools will be constructed using WB financing. If loss of private land occurs, the impact will also likely be minor, given the small size of the works, and all affected people would directly benefit from the investments that would lead to such a loss.

This RPF provides the summary of policies, processes, procedures and implementation and monitoring arrangements regarding land acquisition under the WB-supported MOE program of civil works. It aims to ensure that any negative impacts related to implementation of these civil works are avoided, minimized and properly managed. It includes a protocol for voluntary land donation. No expansions requiring involuntary land acquisition or physical relocation of households is eligible for WB financing.

This RPF, therefore, lays down the principles and objectives, eligibility criteria, legal and institutional framework, protocols and procedures *for voluntary land donation and participation of affected people and grievance procedures*, which will guide how loss of land that may result from the implementation of the civil works would be avoided, minimized and mitigated.

This RPF is fully consistent with and responsive to the WB relevant involuntary resettlement policy (OP 4.12 *Involuntary Resettlement*). It was developed based on assessments and preparatory activities carried-out during preparation of the IAQE project, and considerations for the experience of the MOE and other partners in financing and implementing similar activities in the sector.

13.2 PRINCIPLES

The principles outlined in the WB Policy on Involuntary Resettlement were adopted in preparing this document. Therefore, this RPF aims to ensure that the school-managed civil works program benefiting from WB financing will be implemented in an environmentally and socially sustainable manner and in line with the Bank's OP 4.12.

Specifically, the following principles will govern the program implementation regarding the loss in private land:

- (a) Loss in livelihoods associated with or caused by the project should be prevented and, where unavoidable, minimized and fully compensated.
- (b) Environmental and social benefits should be enhanced wherever possible and potential negative environmental and social impacts should be avoided, minimized and mitigated.
- (c) Anyone residing in, gaining income from, or having tenure rights over land that will be affected by school-managed civil works program financed through the IAQE is free to donate (or not), temporarily or permanently, land without regard to their tenure status or ethnic background.
- (d) Economic and physical displacement should be avoided. Physical relocation of households is not allowed.
- (e) The size of the impact should be very minor. Civil Works designs will be adjusted, or alternative locations will be sought if any household may lose more than the specific share of the productive land asset specified in the protocol below.
- (f) Implementation of civil works will commence only after voluntary donation processes is fully completed.
- (g) The capacity of MOE to manage environmental and social impacts in general, and to manage implementation of this RPF in particular, will be strengthened.

Principles and procedures outlined in this RPF will be included in MOE OGs and yearly training curriculum.

13.3 ELIGIBILITY AND PROTOCOLS AND PROCEDURES OF VOLUNTARY LAND DONATIONS

It is expected that all civil works impacts will be addressed through voluntary donation without any significant or long-term impact on livelihoods. Anyone whose livelihood will be adversely impacted will be free to refuse to donate a portion of their land, and alternative siting or design will be sought.

13.3.1 Eligibility

Schools requesting MOE-WB support for civil works (major repairs) must confirm their current land ownership situation as well as indicate location of civil works and confirmation of voluntary land donation as needed. In other words, schools will be required to attach to their request for funding a copy of the form 105 of the school from the land revenue department (land mapping) which confirms that ownership of the land on which the school is currently located is uncontroversial and provides the size of the current school area. If new land is necessary, the procedures of this RPF apply and confirmation of the voluntary land donation should also be included in the request.

Community members who benefit, directly (parents) or indirectly (other community members), from the school-managed civil work activities will be allowed to donate land to the school without compensation. Only voluntary land donation is allowed under this RPF. No involuntary land acquisition or physical relocation of households is allowed. If affected people are unwilling to donate land without compensation, or if the process to confirm voluntary land donations described below cannot be followed, the proposed civil works will be ineligible for WB financial support.

13.3.2 Protocol and Procedures

The following protocol and procedures will govern voluntary donations of land. These can also be interpreted as conditions for the civil works activities to be approved and to receive funding.

- (a) Informed consent and grievance redress mechanism. Voluntary donations are an act of informed consent and affected people (legal owners or occupants/users) are not forced to donate land with coercion or under duress or misled to believe that they are obliged to do so, without regard to the ethnic background or legal status of their land occupancy. Therefore, potentially affected people will be fully informed that they have the right to refuse to donate land and that a GRM is available to them through which they can express their unwillingness to donate. The public in general, students, and their parents will be informed widely and regularly of the protocols and procedures described in this RPF. Content will summarize relevant elements of the RPF and OGs. Relevant local languages (to the extent possible) as well as highly visual design will be used in the dissemination of this information.
- (b) People will be encouraged to use the GRM if they have questions or inquiries, either in writing or verbally and adequate measures will be in place to protect complainants. This information will be summarized in a pamphlet in all applicable local languages (to the extent possible) and distributed in all participating communities.
- (c) Eminent domain. Voluntary donations will be allowed only if the civil works activity can technically be implemented in another location than where it is planned. If the activity is location-specific by nature, land acquisition associated with such activity cannot be considered as voluntary; rather, it is an act of eminent domain. In such cases, the proposed civil works will be ineligible for WB financial support.
- (d) Impact size. Voluntary donations are allowed only for very minor impacts that meet the following criteria:
 - (i) The households contributing land will benefit directly (parents) or indirectly (other community members) from the activity.
 - (ii) The total size of productive land owned by the affected household is more than 300m².
 - (iii) The impact is less than 5 percent of the total productive land owned or used by said household.
 - (iv) No one will be physically relocated.
- (e) Temporary donation. If land is donated temporarily, e.g. for storage of construction material, the land will be reinstituted to the original state after the completion of civil works.
- (f) Mechanism for consulting with affected persons and confirmation of the voluntary nature of the donation.
 - (i) Schools are responsible to establish a representative SQIC, comprising of school officials and a representative sample of community members, who will assess the schools need and prepare a SIP. If the participatory improvement plan prioritizes an activity that

requires private land, the subcommittee of the SQIC-CV will confirm through a face-to-face meeting that the affected people are indeed freely agreeing to donate land without compensation. This consultation should be done in a free, prior and informed manner, in a language that is accessible to affected people. After verbal confirmation, the SQIC-CV will fill-in, in collaboration with the affected people, the voluntary donation form. All living heads of the affected household, i.e. both the husband and the wife if alive, will sign two copies of the form in the presence of the SQIC-CV. The minutes of this meeting, including the voluntary donation form and the confirmation that all conditions for voluntary donations in this RPF are met, will be attached to the request for funding.

- (ii) The TEO then reviews and approves the signed voluntary donation form and keeps one original for review by MOE and the WBWB. The affected household keeps another original signed form. The TEO then attaches to the school's funding request for civil works, a copy of this form (along with all other required documents including a copy of form 105) prior to submitting it to MOE.
 - (iii) The contracted engineers will be responsible for reviewing and confirming that the voluntary form donation and a copy of form 105 were appropriately submitted and filed at the TEO prior to confirming eligibility of the school for the civil works support.
- (g) Conditional start of civil works. Implementation of civil works involving voluntary donations starts only once the funding request is approved (and therefore after the signed voluntary donation form and copy of form 105 has been submitted to and reviewed by the TEO). Furthermore, as per country's land guidelines, the civil works will only start after the confirmed land donation is "activated" (adequately transferred in land records). This is done through the confirmation that (i) form 39 (if the land donated has crops), and (ii) the revised Form 105 which executes and documents the land donation, has been filed. The contract engineers will be responsible to confirm that this step is completed prior to the starts of the works.

13.4 IMPLEMENTATION AND MONITORING ARRANGEMENTS

13.4.1 Implementation arrangements

Implementation of this RPF is organized at the Union, state/ region, township, and school/community levels. The roles and responsibilities of the different level are summarized below.

- (a) Schools. Schools and the communities they serve are the ultimate beneficiary of the civil works program. Schools are responsible to establish a representative SQIC who will assess the schools need and prepare a SIPSIP. If the SQIC determines that upgrading, rehabilitation and expansion of the school facilities is a priority for the given school year, they will be required to establish a subcommittee responsible for oversight and management of the civil works (SQIC-CV). This subcommittee will comprise members from the school and communities and will be strengthened, trained, and advised as needed by the contracted engineers and/or TEOs. It will supervise the implementation of the civil works and report regularly to the larger community and parents about progress in implementation. The SQIC-CV is also responsible for preparing the request for funding through the major repairs funding stream which includes, as described above,

ensuring that all edibility criteria and conditions for voluntary land donation (if needed) as laid out in this RPF are met. The SQIC-CV will therefore ensure that no physical land transfer occurs before the voluntary land donation form is signed by the affected household(s) and reviewed and approved by the TEO.

- (b) Township. At the township level, the TEO assume primary responsibilities for implementation of WB-supported civil works. Each TEO will receive technical support from contracted engineers on issues related to capacity building and quality assurance of civil works, including compliance with this RPF, and from the Union level DBE of MOE on issues including FMFM, procurement, MM&E, GRM and others. The TEO will review and ranked, based on quality and needs as assessed with support from the contracted engineers, the funding request received from the schools. Incomplete requests, including those missing the documents stipulated in this RPF, will be ineligible and not ranked. The ranking and requests will be submitted by the TEOs to the SREOs.

The contracted engineers will be responsible for providing technical support to schools and TEOs and confirming that all protocols and procedures at the school level are carried out with due diligence and efficiency and in accordance with the relevant OGs, this RPF and the ESMF. The contracted engineers will support TEO in ranking the funding request and monitor the implementation of the conditions for voluntary land donation including preparation and submission of the required forms and plans included in the funding request. After/if the request is approved, the contracted engineer will monitor activation of the voluntary donation of land and will notify DBE that the proposed civil works is ready for implementation. The implementation of civil works involving voluntary land donation will start only once this confirmation is given.

- (c) State/region. SREO will be responsible for contracting the engineers tasked with providing technical support and quality assurance for the implementation of civil works in selected townships. They will therefore be responsible to ensure that recruited firm or individuals have the required skills and qualifications, including appropriate strategies to be communicated toto all communities in their language, to support and monitor the implementation of this RPF.
- (d) Union. Implementation and compliance with the RPF ultimately is the responsibility of DBE, which is responsible for civil works in government schools. DBE is responsible to transfer funding to top-ranked schools that have submitted complete funding request, once the contracted engineers confirm readiness for implementation. DBE is also responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through joint monitoring visits, to identify issues of non-compliance or potential negative impacts of the civil works program requiring actions to be remediated, minimized or mitigated. DBE will notify the WB on any notification of non-compliance with this RPF and negative impact of the civil works programs as well as on action taken in every such case.

13.4.2 Monitoring

Throughout the implementation of the civil works and after completion, several mechanisms will be used to monitor compliance with the RPF, including informed voluntary donation, and any negative impacts

that may arise.

These mechanisms include:

- (a) confirmation of compliance and quality assurance by the contracted townships engineers in schools benefiting from MOE-WB support for civil works who will review documents (as indicated above) and regularly visit school sites and be in a position to receive feedback;
- (b) regular inspection visits by the TEO team to all schools which will include, when relevant, verifying informed voluntary donation;
- (c) joint monitoring visits, twice a year in a sample of schools, from team made up of representatives from DBE and DPs to assess project implementation, including compliance with safeguards and this RPF;
- (d) monitoring and spot-checks carried-out on a continuous basis throughout the year by an external agent recruited by the WB;
- (e) beneficiary assessment through calls and text messages to member of the SQIC and communities; and
- (f) WB's own supervision visits to schools that will include monitoring safeguards compliance.

More details on the monitoring arrangements of compliance with safeguards, including this RPF, are provided in the main text of the ESMF.

13.4.3 Funding

Any involuntary land acquisition that would require compensation will be not eligible under the project. Therefore, no costs are expected in relation to this. The implementation of the RPF is otherwise integrated into project design through making voluntary land donation a pre-condition to any funding request that need to be submitted from communities. Capacity building to TEOs on RPF and other safeguards requirements will also be done through integrating these procedures into the standards operational guidance for TEOs and including these in the standard annual training curriculum delivered by MOE to all TEOs. MOE is in the process of incorporating RPF, CPPF and grievance requirements into the operational procedures and training curriculum and will have these ready before the next school year, starting in May. Given the integration of RPF measures into project design and general operational cycle of MOE, no additional, specific costs are expected for the implementation of the RPF.

13.5 GRIEVANCE REDRESS MECHANISMS

Complaints and grievances in general, and regarding civil works and application of this RPF in particular, will be dealt with using the strengthened MOE GRM to ensure that activities are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously.

The key principles and protocols for implementation of the GRM are described in Section 8 of the ESMF. Detailed processes and procedures will be described in the WB-supported programs OGs and will be made publicly available at the village/school level, including through pamphlets, posters, other visual materials, as well as text message in all relevant ethnic languages (to the extent possible).

13.6 RAKHINE

Given the situation in Rakhine State following the event of August 2017, which differs per areas, this RPF applies differently to the three Northern townships of BMY and other central and southern townships. Application of this RPF in Rakhine is defined as follows.

- (a) Buthidaung, Maungdaw, and Yathedaung. Because of the controversial reconstruction in BMY since the events of August 2017 and given the lack of information on land use prior to August by communities which were displaced, the WB-supported civil works (major repairs) program raising potential regarding land will not be implemented in these townships. Therefore, this RPF is not relevant to schools located in BMY.
- (b) Other townships. Existing schools located in other Rakhine townships will all be eligible to submit a funding request for updating, renovating and expanding their school facility. This RPF, therefore, fully applies in those cases. Principles, conditions, protocols and procedures of this RPF will be the same in these townships. However, monitoring of the compliance with this RPF and potential negative impacts of the civil works activities will be enhanced through the larger sample of schools to be visited by the external agents recruited by the WB and the WB team itself as well as in the context of cell-phone based beneficiary assessments.

13.7 MYANMAR LEGAL FRAMEWORK ON LAND ACQUISITION

Activities that require involuntary land acquisition will not be eligible for project financing.

However, a summary of applicable national laws that govern eminent domain and land acquisition, are included below for reference and comprehensiveness.

- Constitution of Myanmar (2008)
- Environmental Conservation Law (2012);
- Environmental Conservation Rules (2013);
- EIA Procedures (2015);
- Land Acquisition Act (1894);
- National Land Use Policy (2016).

The Land Acquisition Act (1894) has provisions for land acquisition for public purposes. Section 6 states that *“that any particular land is needed for a public purpose, or for a company, a declaration shall be made to that effect.”* Section 23, sub-section 1 states that compensation will be determined by a number of factors including *“the market value of the land at the date of the publication of the notification.”* Though vulnerable groups are not specifically mentioned, Section 32 of the Constitution of Myanmar (2008) states that the Union will *“care for mothers and children, orphans, fallen Defence Services personnel’s children, the aged and the disabled”*. Section 356 of the Constitution of Myanmar (2008) further states that *“The*

Union shall protect according to law movable and immovable properties of every citizen that are lawfully acquired.'

The WB states that economic development requires, to varying degrees, providing infrastructure and facilities that improve livelihoods and well-being through the expansion of economic opportunities. The Bank investment projects must pass the litmus test of its own environment and social safeguards policies and the borrower country for a sub-project to receive funding. These safeguards policies help decision-makers to identify, avoid, minimize or mitigate harms to people and their environment. The Bank safeguards policies also require borrower governments to address specific environmental and social risks as a prerequisite to obtaining Bank financing for development projects.

At present, the school renovations or expansions are expected to be small-scale infrastructure projects that are often on existing school lands. The sub-projects are not known ahead of time but are only known once preferences are provided in funding requests.

The 1894 Land Acquisition Act provides principles, mechanisms, and procedures of expropriation, and defines fair and just compensation for the construction, rehabilitation or expansion of public physical infrastructure that are deemed to be in the public and national interests. The Act also describes processes and procedures of resettlement induced by public physical infrastructure expansion projects.

The Land Acquisition Act (1894) has some consistency with the main principles of the Bank's *Involuntary Resettlement* (OP/BP 4.12) policy and the OP/BP 4.12 will be adopted by the Myanmar sub-projects for required land acquisition and resettlement.

However, there are some gaps between the national regulatory framework and the Bank's policy on *Involuntary Resettlement* (OP 4.12).

Table 1. Gap analysis between Myanmar Legal Framework and the World Bank Operational Policy 4.12.

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
1. Policy Objective – Livelihood Restoration			
<i>Policy objectives / livelihood restoration</i>	<i>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</i>	EIA Procedures (2015) Section 102(b): The Project Proponent shall bear full legal and financial responsibility for: PAPs until they have achieved socio-economic stability at a level not lower than that in effect prior to the commencement of the Project and shall support programs for livelihood restoration and resettlement in consultation with the PAPs, related government agencies, and organizations and other concerned persons for all Adverse Impacts.	The project will ensure that any voluntary land donation will not adversely impact livelihoods of affected persons. Persons whose livelihoods may be adversely impacts will have an opportunity to refuse to donate land.

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
2. Eligibility – Land Tenure			
<i>Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	<i>Compensation for the loss of structures and other assets on the land, plus resettlement assistance to all PAPs to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher).).</i>	<p>National Land Use Policy (2016) Chapter 3, Section 16:</p> <p>In carrying out land information management:</p> <p>(a) Legitimate land tenure rights recognized by the local community, including individual, household, collective and communal, whether or not they have been registered, recorded and mapped, shall be recognized, protected, and registered in accordance with laws.</p> <p>National Land Use Policy (2016) Part VIII, Section 66:</p> <p>When preparing and revising customary land use maps and records of ethnic nationalities, the responsible government departments and organizations shall do the following:</p> <p>(a) Formally recognize and protect the customary land tenure rights and related local customary land management practices of ethnic groups, whether or not existing land use is registered, recorded or mapped.</p>	<p>The project will ensure that any voluntary land donation will not adversely impact livelihoods of affected persons.</p> <p>Persons whose livelihoods may be adversely impacts will have an opportunity to refuse to donate land.</p>

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
3. Compensation			
<i>Methods for determining compensation rates</i>	<i>Compensation for lost land and other assets should be paid at full replacement cost.</i>	<p>Land Acquisition Act (1894), Section 23:</p> <p>In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration:</p> <ul style="list-style-type: none"> (a) the market value of the land at the date of the publication of the notification under section 4, sub-section (1); (b) the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector's taking possession thereof; (c) the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land; (d) the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, moveable or immoveable, in any other manner, or his earnings; and <p>National Land Use Policy (2016) Part V, Section 40:</p> <p>When amending or newly enacting relevant laws, rules and procedures, they shall be in conformity with National Land Law and based on the following:</p> <p>They shall describe effective, consistent and fair valuation system when providing compensation and relocation for people affected by land acquisition.</p>	<p>Only voluntary land donations that fulfill the criteria set in this RPF will be eligible under the project.</p> <p>Therefore, no determination of compensation is expected.</p>

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
4. Consultation & Disclosure			
<i>Consultation and disclosure</i>	<i>Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms.</i>	<p>EIA Procedures (2015) Article 13:</p> <p>The Project Proponent shall:</p> <ul style="list-style-type: none"> (a) Arrange for appropriate public consultation through all phases of the IEE and EIA process as required by Articles 34, 50, and 61.. (b) Disclose to the public in a timely manner all relevant Project-related information in accordance with this Procedure except that which may relate to National Security concerns as informed by the Ministry. <p>EIA Procedures (2015) Article 34:</p> <p>The Project Proponent shall undertake the following public consultation process in regard to an IEE Type Project:</p> <ul style="list-style-type: none"> ▪ Immediately upon commencement of the IEE, disclose relevant information about the proposed Project to the public and civil society through the Project or Project Proponent's website(s) and local media, including by means of the prominent posting of legible sign boards at the Project site which are visible to the public, and comply with technical guidelines issued by the Ministry.. ▪ Arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community-based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews. 	<p>Extensive consultation and participation will be conducted at every stage of the project (selection and prioritization of school repairs, ensuring that land donation is voluntary) in accordance with the CPPF, the RPF and project design.</p>

EIA Procedures (2015) Article 50:

As part of the [EIA] Scoping, the Project Proponent shall ensure that the following public consultation and participation process is carried out:

- (a) Disclose information about the proposed Project to the public and civil society through posting on the Project or Project Proponent's website(s) and local media, including by means of the prominent posting of legible sign boards and advertising boards at the Project site which are visible to the public.
- (b) Arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community-based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews.

National Land Use Policy (2014) Article 37:

Fair environmental and social impact assessments:

When drawing and implementing the project for land allocation and resettlement, the persons to be relocated shall be consulted systematically and shall be able to participate in person.

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
5. Grievance Redress Mechanism			
<i>Procedures for recording and processing grievances</i>	<i>GRMGRM should be under Government Officials Responsibilities for handling grievances with clear procedures for recording and processing grievances.</i>	Myanmar has taken actions recently to provide non-judicial grievance mechanisms to the public however it is of limited applicability.	Grievances from PAPs (in connection with the implementation of the RPF, as well as general project implementation) will be handled by an accessible and functioning grievance mechanism at the community, township, region/state and union level.

Subjects	OP 4.12	Myanmar Law	Gap/Project Measures
6. Monitoring & Evaluation			
<i>M&EM&E</i>	<i>Internal and external monitoring are required.</i>	Not included.	MOE will conduct monitoring and provide reporting on voluntary land donations through different modalities as defined in the RPF.

14 ANNEX C: VOLUNTARY LAND DONATION FORM

Region / State:	
Township:	
Village tract:	
Village:	
School	
School ID:	
Engineer:	

Name of landowner:	NRC Number:	Parents of student: Y/N		
Sex:	Age:	Occupation:		
Address:				
Description of land that will be taken by the school upgrading, renovation or expansion:	Area affected (sq. meter) ²⁷ :	Total landholding area (sq. meter)	Ratio of land affected to total land held ²⁸ :	Map code, if available:
	Length (meter)			
	Width (meter)			
Description of annual crops growing on the land now and project impact:				
	Type of tree/crop	Number of trees/Area of crops		
– Trees that will be destroyed				
– Fruit trees				
– Trees used for other economic or household purposes				
– Mature forest trees				
– Other significant crops grown in donated land.				
– Total: trees (#)				
– Crops (area)				
Describe any other assets that will be lost or must be moved to implement the civil works:				
Value of donated land and other asset (if any):				
Confirm affected people do not need to be physically relocated? (Yes/No)				

²⁷ This number needs to be more than 300 square meters.

²⁸ This ratio needs to be lower than 5 percent.

By signing or providing thumb-print on this form, the land user(s) or owner(s) confirms that (a) they met with the SQIC and that they were informed, on this occasion, that the contribution is absolutely voluntary and that a phone number, location of the letter box, and name of people to contact in case of concerns were share with them and (b) they agree to contribute land to the school for implementation of the proposed civil works. The contribution is voluntary. If the land user or owner does not want to contribute his/her land to the school, he or she should refuse to sign or provide thumbprint.

Date:.....

Date:.....

SQIC representative's signature

Affected persons signature
(Both husband and wife if alive)

15 ANNEX D. ENVIRONMENTAL CODE OF PRACTICE

15.1 CONTEXT AND SAFEGUARDS ISSUES

15.1.1 Context

Since 2014, the DFSP has supported MOE in strengthening the transfer of funding to schools by (a) giving SH teachers and communities a greater say in how resources are spent; (b) providing a transparent, reliable, and flexible source of resources to schools; and (c) encouraging parents to be involved in their allocation. The program's implementation was successful, amongst others in (a) making implementation more consistent by introducing well-defined program objectives and performance indicators clearly laid out in guidelines; (b) increasing the number and type of schools receiving school grants, covering all public schools and monastic schools; (c) increasing the size of school grants; and (d) simplifying the budget lines available and increasing flexibility in the use of these lines by the school. However, results also indicated that further improvements are needed. First, the funding formula according to school size alone does not account for variation in per student cost and needs for schools of the same size and leaves remote and weaker schools disadvantaged; nor does it allow for the fact that some schools have better facilities than others. Second, the current list of eligible expenditures, despite being larger than before, still imposes some undue constraints on the spending autonomy of schools, especially with regard to school equipment or infrastructure (currently not allowed or limited by a ceiling in the case of minor maintenance). Third, despite the grant amount and budget being posted on the school notice board in most schools, the level of parent involvement in the decision-making process is highly variable.

With regard to major repairs and upgrading of school facilities, schools are currently able to secure funding, through the TEO, for small works by submitting a request against the 'major repairs and maintenance' budget code, which has an upper limit of MMK 10 million (about US\$7,600). However, the lack of training and mentoring of schools which are selected for funding on facilities planning and management, raises questions on the quality of planning for land use and construction, as well as completeness and structural soundness of the financed facilities. Furthermore, the restriction of allowed works to be managed by the schools in the 'major repairs and maintenance' (< MMK 10 million) category does not allow for new works. It was observed in the field that schools find a way around this rule to meet needs which involves putting up a structure at low cost and with no financial support and then using the category to 'upgrade' it. Because they commence without a design, this results in buildings that are not structurally engineered. Finally, where school-managed works are allowed, the provided engineering support is limited, expected to come mostly from the Township Quality Assurance Committee (TQAC). However, the TQAC depends on the advice of engineers from either the Ministry of Commerce or the Department of Rural Development, who are fully engaged in their own projects and do not have time to undertake designs, visit sites, or otherwise provide the necessary quality control.

Through component 1 of IAQE and the AF, the WB will support needs-driven infrastructure investments by MOE into schools in response to specific infrastructure requests and proposals from schools. The township list for the component 1 of IAQE is shown in the table 15.1. It will provide funding to schools to manage, in close participation with the community, maintenance and repair to clear the maintenance backlog, make major renovations and upgrades, and construct complementary facilities such as latrines and new classrooms with a focus on kindergarten and/or to achieve student-to-class ratio targets. To do so, the MOE will build on its recent experience in delegating civil works management to the schools, with support of the communities, when the cost was low, and/or local tradespersons and contractors were

nonexistent, and center-based contractors were not interested or were too expensive. Once a decision is made to apply for such funding at the school level, a specific sub-committee of the SQIC for civil works will be established to prepare the request and, if approved, manage the funds and related procurement, following a set of pre-specified new rules to strengthen financial and procurement integrity and transparency. This sub-committee will comprise members from the school and communities. Local tradespersons and contractors will be contracted to carry out the works alongside volunteers from the community. They are known by reputation and can be selected accordingly through a transparent process. Local materials and methods will be used, but the plans and drawings will be designed and provided by the DBE to ensure that minimum standards are met. These plans will allow for local choices for non-structural materials to account for local availability and markets. Revisions to the current mechanism (minor works funding stream) for funding school-based facility works will include (a) establishing clear and transparent needs-based criteria to assess requests coming from schools, (b) amending procurement rules to allow school-managed major repair works as long as it is community supported and the cost is under MMK 10 million, and (c) putting in place the appropriate technical (engineering) monitoring and support mechanism at the decentralized township level.

Table 15.1 List of townships under component 1

State/Region	DBE township (Name)	DBE
Kachin	1)Nawngmun; 2)Tanai; 3)Sumprabum; 4)Machanbaw	4
Kayah	1)Hpasawng; 2)Shadaw; 3)Hpruso	3
Kayin	1)Hpapu; 2)Hlaingbwe; 3) Kyainseikgyi	3
Mon	1)Ye; 2)Thaton; 3)Kyaikto; 4)Kyaikmaraw	4
Chin	1)Paletwa; 2)Mindat; 3)Kanpetlet; 4)Thantlang	4
Thanintayi	1)Kyunsu; 2)Bokpyin; 3)Tanintharyi; 4)Yebyu; 5)Thayetchaung	5
Rakhine	1)Buthidaung; 2)Minbya; 3)Pauktaw; 4)Mrauk-U; 5)Kyauktaw; 6)Maungdaw 7)Rathedaung; 8)Ponnagyun; 9)Myebon; 10)Ann; 11)Sittwe; 12)Munaung; 13)Kyaukpyu; 14)Gwa; 15)Ramree; 16)Thandwe; 17)Toungup	17
Sagaing	1) Lahe; 2) Shwebo; 3)Kalewa; 4)Homalin; 5)Lay Shi; 6)Nanyun; 7)Tabayin	7
Magway	1)Minhla; 2)Sinbaungwe; 3)Myothit; 4)Pwintbyu; 5)Thayet; 6)Ngape	6
Shan(N)	1)Mongyai; 2)Manton; 3)Tangyan; 4)Konkyan; 5)Hopang; 6)Narphan; 7) Pangwaun; 8)Matman; 9) Pangsang; 10)Kunlong; 11)Mongmao; 12)Kutkai	12
Shan(East)	1)Mongping; 2)Mongkhet; 3)Mongyang; 4)Mongton; 5)Monghsat; 6)Monghpyak	6
Shan(S)	1) Nansang; 2)Kunhing; 3)Monghsu; 4)Laihka; 5)Mongkaing; 6)Loilen; 7)Kyethi	7
Bago(East)	1)Kyaukkyi; 2) Oktwin; 3)Thanatpin; 4)Waw; 5)Yedashe; 6)Htantabin	6
Bago(West)	1)Nattalin; 2)Gyobingauk; 3)Paukkhaung; 4)Minhla; 5)Letpadan; 6)Okpho	6
Yangon	1) Twantay; 2)Dala; 3)Taikkyi; 4)Kawhmu; 5)Kyauktan; 6)Thongwa; 7)Hmawbi	7
Mandalay	1)Madaya; 2)Thazi; 3)Yamethin; 4)Patheingyi	4
Ayerawaddy	1)Labutta; 2)Bogale; 3)Mawlamyinegyun; 4)Einme; 5)Pyapon; 6)Ngapudaw; 7)Wakema; 8)Thabaung; 9)Myaungmya; 10)Dedaye; 11)Kangyidaunt; 12)Maubin	12
Naypyitaw	1)Lewe; 2)Oke Ta Ra Thi Ri	2

15.1.2 Key Environmental Safeguard Issues

The project will be limited to minor civil works that will not cause significant environmental impacts. Environment-related risks stem primarily from small-scale civil works involving upgrading, rehabilitation, or expansion of existing school facilities, and occupational and community health and safety during civil

works. These risks are readily managed through standard operating procedures and good construction practices.

Potential adverse impacts associated with school civil works may include occupational and community health and safety hazards arising from air pollution caused by dust and other air emissions, noise and vibration generated by construction equipment and trucks, solid waste generation and disposal, lack of and inconsistent use of personal protective equipment (PPE), and traffic safety. There is also a risk of the use child labor during construction. Other risks are associated with hazardous building materials such as asbestos containing materials, and paints used on school buildings.

Since the project is not expected to have any major environmental impacts, it is classified as Category B under the WB categorization, requiring only partial EA. The project will involve civil works where locations will not be identified prior to appraisal. Potential construction impacts are expected to be minor, site-specific, and reversible in nature, and for which mitigation measures can be readily identified. No negative indirect or long-term impacts are anticipated. Taking into consideration the type, location, sensitivity and scale of planned civil works and the characteristics and size of potential impacts, preparation of an ECOP is considered the most appropriate environmental safeguard instrument for this project. In preparing this ECOP, reference was made to applicable WB operational policies and procedures, general guidelines for ECOP preparation, and national school construction guidelines²⁹.

Rigorous application of this ECOP will ensure that any adverse impacts caused by civil works are avoided or minimized. Specifications to address environmental issues, including construction dust and noise control, waste management and disposal, site management, and occupational and community health and safety (including life and fire) measures covered in this ECOP will be included in tradesperson and contractor bidding documents and/or in guidance provided to community committees in carrying out school civil works.

15.2 APPLICABLE NATIONAL LAWS AND WORLD BANK SAFEGUARD POLICIES

15.2.1 Myanmar Environmental Regulations and Guidelines

EA requirements are set out in the EIA Procedure (2015). Projects involving small-scale civil works are not specifically identified in Annex A – Categorization of Economic Activities for Assessment Purposes of the EIA Procedure. Neither an EIA report or environmental management plan is required for planned school renovation activities under the project. Instead, an ECOP is considered appropriate to the nature of planned civil works.

The EIA Procedure and supporting EIA general technical guidelines provide that projects should comply with international good practice as detailed in the WB Group Environmental Health and Safety Guidelines. Additionally, projects are subject to national Environmental Quality Emission Guidelines (2015), which cover air emissions, water, noise levels, and odor. Occupational health and safety cover general facility design and operation, physical and chemical hazards, personal protective gear, and accident and disease monitoring. Similarly, community health and safety guidelines include

²⁹ Department of Basic Education. 2018. Safe and Child Friendly School Construction Guidelines. MOEMOE, Republic of Union of Myanmar.

water quality, structural safety of project infrastructure, life and fire safety, traffic safety, disease prevention, and emergency preparedness and response.

15.2.2 World Bank Safeguard Policies Triggered

OP/BP 4.01 EA is triggered for this project. Given the small scale of civil works, the project is categorized as 'environment' Category B. It is anticipated that proposed civil works involving the upgrading, rehabilitation, and expansion of schools will be typically confined to existing school premises. There are likely to be some concerns relating to inconvenience or nuisance (e.g., dust, noise, and construction waste) to surrounding areas during construction. These potential impacts are regarded as minor, site-specific, and reversible in nature, and for which mitigation measures can be readily identified. Given the small scale and nature of school civil works it is considered appropriate to prepare ECOP to address any potential adverse environmental impacts.

No other environmental safeguard policies are triggered. Specifically, OP/BP 4.04 Natural Habitats is not triggered since civil works will occur at existing school sites situated in or near towns, and as such will not cause any degradation of natural habitats. Similarly, the project will not degrade critical forest areas as defined under OP/BP 4.36 Forests. The project will not involve any procurement of pesticides nor cause increased pesticide use as defined under OP 4.09 Pest Management. No significant impacts on physical cultural resources are anticipated as defined under OP/BP 4.11 Physical Cultural Resources. This ECOP includes information about the procedure for obtaining clearance from responsible authorities if physical cultural resources are affected and includes provisions for addressing chance finds should they occur. The project will not involve international waterways as defined under OP/BP 7.50 Projects on International Waterways or be located in any known disputed areas as defined under OP/BP 7.60 Projects in Disputed Areas.

15.3 IMPLEMENTATION AND MONITORING ARRANGEMENTS

15.3.1 Institutional Responsibility for Civil Works Oversight

Civil works implementation will be led by the DBE in close collaboration with the DERPT. Monitoring of civil works will be carried out by township, district, and state/regional level MM&E staff for primary, middle, and high schools respectively as part of their regular inspection and monitoring duties. Training on monitoring of school-managed civil works will be carried out by local (township level) engineering firms contracted by states/regions.

Specific implementation arrangements relating to civil works are:

- (a) DBE will develop and disseminate new guidelines, building on the SQASF including school planning and construction manuals, and supervise the contracting process of local engineering firms to provide support and carry out quality control of works.
- (b) DERPT will participate in the development of new guidelines, building on the SQASF.
- (c) State and Regional Education Offices will recruit, train, and deploy quality assurance teams at the state/regional, district, and township levels; manage state and regional quality assurance teams in training schools/committees on SQASF and the school quality improvement process

(SQIP); train DEOs and TEOs; and invite contracted engineering firm to provide necessary inputs to major school improvement works.

- (d) DEOs will manage quality assurance teams at the district level in training schools/committees on SQASF and the SQIP and invite contracted engineering firms to provide necessary inputs to major school improvement works.
- (e) TEOs will manage quality assurance teams at the township level on SQASF and the SQIP, assess technical aspects (including cost estimates) of funding requests, provide engineering quality control and guidance, and establish representative community-level monitoring groups to monitor achievement of standards.
- (f) Schools will be aware of and request support from TEOs and locally contracted firms for implementation of major repairs as needed. Furthermore, when awarded support for civil works, SQIC-CV will regularly report on progress to TEO.

15.3.2 Operational Performance and Institutional Capacity Development for Managing Civil Works

Civil works involving upgrading, rehabilitation and expansion of existing schools raises both health and safety, and labor and working conditions risks during construction. Initial knowledge and oversight of these issues by management and supervisory units is expected to be weak but will be mitigated through targeted training and capacity building and the contracting of engineering support in townships.

Recommended measures to address the issues include: (a) consistent application of the new school construction guidelines, (b) building capacity at the township level on monitoring of good construction practice and safeguards implementation, and (c) regular monitoring of construction work. As part of this effort WB environmental and social safeguard specialists, who are based in Yangon and Bangkok, will provide regular implementation support to the MOE in applying the ECOP.

15.4 ENVIRONMENTAL CODES OF PRACTICE

15.4.1 Purpose of Preparing Environmental Codes of Practice

The purpose of formulating ECOP for school civil works is to ensure worker and public health safety, improve working conditions, prevent and control air, noise and water pollution, and protect the environment. This is accomplished through the formulation of a set of detailed, technically feasible and operational countermeasures for potential adverse effects relating to civil works, and by specifying the responsibilities of tradespersons and contractors, and management and supervisory units for implementing occupational, community health, safety, and environmental protection measures during construction. The ECOP both sets out the environmental management system for civil works and the duties and roles for implementing this system. Measures described in this ECOP should be implemented in conjunction with school construction guidelines (footnote 1), with the ECOP focusing on environmental protection and occupational and community health and safety while the guidelines focus on school building planning, design, construction and maintenance.

Specific measures contained in this ECOP to achieve the aforementioned objectives are summarized in Table 3.1. Provisions to be implemented, proportional to the scope of planned civil works (i.e., minor repairs and upgrading, medium size rehabilitation and expansion), are expanded upon in the following section.

15.4.2 General Requirements for Environmental Codes of Practice for School Civil Works

Guidance covered in this section is applicable to all aspects of civil works preparation and implementation:

- (a) Tradespersons and contractors must follow relevant regulations relating to civil works and cooperate with local authorities to ensure full compliance with such requirements.
- (b) Management and supervisory units should ensure that ECOP provisions are communicated to tradespersons and contractors and made part of their obligations.
- (c) Tradespersons and contractors must abide by the ECOP and any other requirements specified by the management and supervisory units.
- (d) Tradespersons and contractors should be directed by the management and supervisory units and actively cooperate with these units during the period of civil works.
- (e) Tradespersons and contractors should designate persons to ensure implementation of the ECOP during the entire construction period.
- (f) Construction workers should receive training on occupational and community health, and safety and environmental protection.
- (g) Prior to commence civil works tradespersons and contractors should communicate with the public in the vicinity of schools to inform them of the scope and timing of civil works and the mitigation measures to be taken. Tradespersons and contractors should provide a contact person and phone number so that the public is able to make complaints and offer suggestions. All opinions and questions from the public should be recorded, and timely answers given to questions raised by the public.
- (h) Management and supervisory units, and tradespersons and contractors should conduct a joint inspection in and around school sites prior to commencement of civil works to identify site-specific measures to be implemented during civil works. Aspects to be considered are important vegetation and trees within the school site and vicinity, potential to cause significant impacts on surrounding residences, proximity of hospitals and pagodas that might be affected by civil works noise and dust, deterioration of quality of nearby water bodies, and disruption of municipal services.
- (i) Construction sites should be clearly marked and enclosed with temporary fencing and barriers to ensure both worker and public safety. Site access should be restricted to workers and warning signs displayed to inform the public of hazards.
- (j) If municipal services such as water and electric power need to be interrupted due to civil works, notice should be given at the construction site and to affected residents, indicating the duration of service interruption.
- (k) For any non-minor environmental or human health impacts arising from failure to comply with measures specified in the ECOP tradespersons and contractors must respond in a timely manner, including immediately taking corrective measures, informing the management and supervisory units, recording the incident, and formulating preventative measures to avoid the reoccurrence of similar incidents.

15.4.3 Environmental Quality Control

Environmental protection measures should be implemented during civil works to ensure that applicable guidelines³⁰ for ambient air, noise, and surface water are met. Effective measures for prevention and control of atmospheric, noise, water, and solid waste pollution, and improvement of environmental sanitation should be in place during civil works. Such measures should encompass (as appropriate to site-specific requirements) dust prevention, air emissions and noise reduction, waste water treatment, solid waste and domestic garbage handling, dedicated toilet and washing facilities for workers, and worker canteen and temporary accommodation.

- (a) Changes in air quality. Sources of dust from civil works include those produced by vehicles coming to and from a construction site, storage of building materials on site, earthworks, demolition works, construction activities such as concrete and mortar mixing, and solid waste and garbage handling. Corresponding dust control measures in the ECOP are:
- (i) use of existing roads in and around school sites;
 - (ii) covered storage of building materials (e.g., fine particulate and granular) on site, and shielding of handling operations;
 - (iii) dust minimization measures when conducting concrete and mortar mixing;
 - (iv) sprinkling of water for dust suppression around sites; and
 - (v) use of covered vehicles for transportation of materials to/from sites and facilities to wash vehicles exiting sites.

Harmful air emissions from construction sites are mainly from exhaust gas emitted by trucks and machinery, and solid waste and garbage disposal. Corresponding emission control measures in the ECOP are:

- (i) prohibiting burning of all kinds of construction wastes,
 - (ii) regularly maintaining trucks and construction machinery, and
 - (iii) limiting the idling of trucks at construction sites.
- (b) Changes in ambient noise levels. Noise generation during civil works is mainly from trucks and construction machinery, and construction activities (e.g., material cutting, hammering). Corresponding mitigation measures in the ECOP are:
- (i) Working hours should generally be limited to the period 08:00-18:00 but additional restrictions may be imposed in permits for work on weekends and work being undertaken in close proximity to hospitals, pagodas and residences.
 - (ii) Depending on site-specific conditions and proximity of construction to active classrooms, construction involving high noise should be scheduled outside of class times.
 - (iii) Choose construction machinery and equipment with low noise levels (e.g., electric, rather than diesel generators).
 - (iv) Regularly maintain construction machinery and equipment to minimize noise levels.
 - (v) Effective shielding and enclosure measures should be adopted for noisy construction machinery and equipment.
 - (vi) The speed of vehicles transporting materials should not exceed 20 km/h when entering construction sites and avoid excessive use of horns.

³⁰ MONREC. 2015. Environmental Quality Emissions Guidelines. Ministry of Natural Resources and Environmental Conservation.

- (c) Changes in surface water quality. Wastewater generated during civil works mainly comprises construction water and worker domestic sewage, with construction water comprising water from concrete mixing and vehicle washing areas. Improper handling and disposal of petroleum and chemicals also pose a risk. Corresponding discharge control measures in the ECOP are:
- (i) Establish control measures to prevent water from moving off site and impacting receiving waters.
 - (ii) Waste water from construction activities (e.g., concrete mixing) and vehicle cleaning areas should be screened to remove particulates and either re-used for dust suppression on-site or released to municipal sewage systems.
 - (iii) Proper on-site handling and storage of petroleum and chemicals. Disposal of used oil and leftover solvents to off-site facilities.
 - (iv) Waste food from canteens should be stored in closed containers and disposed of at municipal landfills.
 - (v) Temporary toilet facilities should be maintained and regularly emptied by a sanitary disposal provider.
- (d) Changes to areas of natural habitat. Given that civil works will typically be undertaken within existing school premises, no impacts to natural habitats are anticipated. For instances where school premises will be expanded beyond existing grounds the ECOP provide that:
- (i) All recognized natural habitats in the immediate vicinity of civil works will not be damaged or exploited.
 - (ii) A survey and inventory should be made of large trees in the vicinity of the construction activity, large trees should be marked and cordoned off and their root system protected, and generally any damage to trees avoided.
 - (iii) Adjacent wetlands and streams should be protected from construction site run-off with appropriate erosion and sediment control features.
 - (iv) There should be no borrow pits, quarries, or waste dumps in adjacent areas.
- (e) Solid waste management. Solid waste produced during construction includes building waste and domestic garbage, with building waste comprising broken mortar and concrete, metal and composite material roofing, removed wood and new wood cut-offs, and building material packaging. Corresponding mitigation measures in the ECOP are:
- (i) Establish a covered storage area on site, with construction and domestic waste being stored separately.
 - (ii) Different wastes produced during demolition and construction should be separated, with reusable and renewable materials recovered.
 - (iii) Upon completion of civil works all remaining solid waste should be completely cleared and disposed of at off-site facilities.

Particular attention should be given to the handling and disposal of asbestos and asbestos containing materials (ACMs) present in existing school buildings since exposure to asbestos fibers represents a significant human health risk. Although the extent of asbestos present in school buildings is as yet undetermined guidance is provided in the ECOP in case ACM are found during construction. Available guidelines³¹ on best practice for ACM removal and disposal should be followed in cases where asbestos is encountered. Use of ACM should be prohibited in new construction.

³¹ National Occupational Health and Safety Commission. 2005. Code of Practice for the Safe Removal of Asbestos. 2nd edition. Canberra, Australia.

15.4.4 Changes Involving Loss of Physical Cultural Heritage

Proposed civil works sites are not expected to yield archaeological, paleontological or cultural findings of any significance since civil works will typically occur within existing school premises. However, there remains a possibility for (as yet undiscovered) sites of local cultural significance and archaeological relics.

The steps for applying the chance find procedure included in the ECOP are:

- (a) Stop construction in the area of the chance find.
- (b) Delineate the discovery site or area.
- (c) Secure the site to prevent any damage or loss of removable objects.
- (d) Notify the management and supervisory units who, in turn, will notify the responsible authority.
- (e) The responsible authority assesses the significance and importance of the find according to various criteria, including aesthetic, historic, scientific or research, social and economic values.
- (f) The responsible authority decides on how to handle the finding (e.g., changes in the site layout, conservation, preservation, restoration or salvage).
- (g) Construction work should resume only after permission is given from the responsible authority.

The aforementioned chance find procedure should be included as a standard provision in construction contracts. During construction the management and supervisory units should monitor compliance with this procedure relating to any chance find encountered.

15.4.5 Building Safety and Community Health and Safety

Schools will be designed in accordance with the Myanmar National School Construction Guidelines and the Myanmar National Building Code. The ESMF specifically provides that DBE will develop and disseminate new guidelines, building on the School Quality Assurance Standards Framework (SQASF) including school planning and construction manuals, and supervise the contracting process of local engineering firms to provide support and carry out quality control of works. DERPT will participate in the development of new guidelines, building on the SQASF. General oversight of civil works and quality assurance will be the responsibility of supervisory engineers to be hired in all townships where major repairs are planned. The Myanmar guidance is consistent with good international industry practice and the Bank Environment, Health, and Safety Guidelines.

Preventative measures relating to occupational and community health and safety included in the ECOP include:

- (a) Warning signs or instructions should be displayed at places around school sites vulnerable to occupational hazards.
- (b) Regularly conduct occupational health training for workers and guide workers in proper installation of accident prevention measures (e.g., barriers to prevent falls) and the correct use of PPE.
- (c) Tradespersons and contractors should provide safety helmets, face and eye protection, safety harnesses, and safety shoes appropriate to the type of activity in which workers are engaged.
- (d) Tradespersons and contractors should adopt low noise equipment and reduce on-site mechanical noise on site. When operating or working in the vicinity of high noise generating machinery and equipment, workers should wear hearing protection.
- (e) In workplaces with toxic or harmful gases, workers should wear respirators.

- (f) In workplaces with high dust levels, workers should wear dust masks.
- (g) When conducting welding operations, workers should wear protective masks or safety goggles, gloves and other protective gear.

Regarding community health and safety the ESMF elaborates preventative measures that apply to all school civil works. Supervisory engineers will have overall responsibility for ensuring that ECOP requirements are fully and effectively implemented, including all aspects of community health and safety and specific provisions relating to environmental quality protection and adherence to labor standards described in more detail in Annex E - LMP.

In addition to community health and safety provisions relating to air quality, dust, noise, and water pollution detailed in other sections, the ECOP contains guidance on securing of construction sites by tradespersons and contractors and regulation of construction-related traffic³², involving:

- (a) Sign posting, warning signs, barriers and traffic diversions displayed both inside and in the vicinity of school sites that are clearly visible, and which warn students and the public of potential hazards.
- (b) Traffic management systems and worker training, especially for site access and near-site heavy traffic. Provision of safe passages and crossings for pedestrians where construction traffic interferes with their movement.
- (c) Adjustment of working hours to local traffic patterns, avoiding major traffic activities during school time and heavy road use hours.
- (d) Active traffic management by trained and visible staff at the site if required for safe and convenient passage of students and the public.
- (e) Ensuring safe and continuous access to school buildings, office facilities, shops, and residences.

15.4.6 COVID-19 Specific Community Health and Safety Considerations

Relations with the community should be carefully managed, with a focus on measures that are being implemented to safeguard both workers and the community. The community may be concerned about the presence of non-local workers, or the risks posed to the community by local workers present on the project site. The following good practice should be considered:

- (a) Communications should be clear, regular, based on fact and designed to be easily understood by community members.
- (b) Communications should utilize available means. In most cases, face-to-face meetings with the community or community representatives may not be possible. Other forms of communication should be used; posters, pamphlets, radio, text message, electronic meetings. The means used should take into account the ability of different members of the community to access them, to make sure that communication reaches these groups.
- (c) The community should be made aware of procedures put in place at the work site to address issues related to COVID-19. This should include all measures being implemented to limit or prohibit contact between workers and the community. These need to be communicated clearly, as some measures will have financial implications for the community (e.g. if workers are paying for lodging or using local facilities). The

³² Comparable guidance is provided in school construction guidelines (footnote 1) on requirements for contractors to explain risks to students, restrict access to construction sites, keep students away from delivery vehicles, and involving the school administration in monitoring site safety.

community should be made aware of the training being given to workers and the procedure that will be followed by the project if a worker becomes sick.

- (d) If contractors or workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both national and international (e.g. WHO).

DRAFT

Table 16.1: Environmental Codes of Practice for School Civil Works

TOPIC	ASPECT	MITIGATION MEASURES
General Conditions	Notification and good practice commitments	<ul style="list-style-type: none"> – Notify local authorities of planned civil works. – Acquire all required construction permits. – Post public notifications at accessible locations, including the site of planned civil works. – Carry out all work in a safe and orderly manner designed to avoid or minimize impacts on neighboring residents and the environment.
Environmental Quality Control	Dust / air quality	<ul style="list-style-type: none"> – Utilize existing roads on and off site for construction vehicle movements. – Keep roads and paths free of debris to minimize dust. – Cover construction materials storage areas. – Suppress dust around construction site through regular water spraying and/or installation of dust screen enclosures. – Do not permit open burning of construction and other waste material on site. – Regularly maintain construction vehicles and machinery to minimize air emissions. – Discourage excessive idling of construction vehicles on site. – Cover materials while being moved in construction vehicles off site.
	Noise	<ul style="list-style-type: none"> – Construction noise should be limited to times agreed to in construction permits but should generally only occur between 08:00 and 18:00. – Choose construction machinery and equipment with low noise levels.

		<ul style="list-style-type: none"> – During operations generators, air compressors and other powered mechanical equipment should be shielded, and equipment placed as far away from residential areas as possible. – Regularly maintain construction vehicles and machinery to avoid noise emissions. – Minimize construction vehicle speeds and use of horns.
	Water pollution	<ul style="list-style-type: none"> – Establish control measures such as hay bales and/or silt fences to prevent waste water from moving off site and impacting receiving waters. – Before being discharged to municipal sewers, waste water should be treated (e.g. removal of particulate matter and petroleum, pH adjustment) in order to meet the minimal quality criteria set out by national guidelines on effluent quality.
	Sanitary facilities during construction	<ul style="list-style-type: none"> – Construction sites must be equipped with a toilet for workers. – Temporary toilets should be located at least 30 meters from existing wells or drinking water sources. – Temporary toilets should be regularly emptied and removed at the completion of construction by a sanitary disposal provider.
Natural Habitat	Protection of natural habitat	<ul style="list-style-type: none"> – All recognized natural habitats in the immediate vicinity of a construction site should not be damaged or exploited. – For large trees in the vicinity of construction, mark and cordon off with a fence and protect their root systems. Generally avoid any unnecessary damage to trees. – Adjacent wetlands and streams should be protected from construction site run-off, with appropriate erosion and sediment control features. – There should be no borrow pits, quarries or waste dumps in adjacent areas.
Solid Waste Management	Waste management	<ul style="list-style-type: none"> – Construction wastes should be separated into general refuse, organic, liquid and chemical wastes by on-site sorting and stored in appropriate containers. – Tradespersons and contractors should minimize waste generation.

	during construction	<ul style="list-style-type: none"> – Construction waste should be collected and disposed properly off site by a qualified provider. – Records of waste disposal should be maintained as proof of proper management. – Whenever feasible tradespersons and contractors should reuse and recycle appropriate and viable materials (except asbestos).
	Asbestos management	<ul style="list-style-type: none"> – If asbestos or ACM are found at a construction site, they should be clearly marked as hazardous waste. – When possible, the asbestos should be appropriately contained and sealed to minimize exposure. – Prior to removal, if removal is necessary, ACM should be treated with a wetting agent to minimize asbestos dust. – Asbestos must be handled and disposed of by experienced professionals. – If ACM is to be stored temporarily, it should be securely placed inside closed containers and clearly labeled. – Removed ACM must not be reused.
Physical Cultural Heritage	Historical structures and artifacts, and chance finds	<ul style="list-style-type: none"> – If a school building is a designated historical structure, very close to such a structure, or located in a designated historical district, notify and obtain permissions from responsible authorities. – Ensure that provisions are put in place so that artifacts or other possible chance finds encountered during excavations or construction activities are noted, responsible authorities contacted, and construction work suspended or modified to account for such finds.
Occupational and Community Health and Safety	Worker safety	<ul style="list-style-type: none"> – Appropriate sign posting of construction sites should inform workers of rules and regulations to be followed. – Occupational health and safety training should be conducted regularly and reinforced by supervisory staff at construction sites. – Workers' PPE should comply with industry good practice (i.e., always hard hats and safety shoes, and as needed protective masks, safety glasses, hearing protection, and harnesses).

		<ul style="list-style-type: none"> – Tradespersons and contractors should adopt low noise equipment and reduce mechanical noise at construction sites.
		<ul style="list-style-type: none"> – Tradespersons and contractors should ensure that any lighting of a construction site and its perimeter is sufficient to ensure the safety of workers and other pedestrians. Lighting should be located and orientated so as not to cause intrusion to adjacent residences or distract passing vehicles.
	Traffic and pedestrian safety	<ul style="list-style-type: none"> – Construction sites should be fully enclosed to protect the public and students and deter unauthorized entry. Temporary safety fences should be appropriately high above ground level. – Tradespersons and contractors should put in place a traffic management system and conduct worker training to ensure safe public passage and to minimize traffic disruption by construction vehicles. – Where reasonably practicable all loading and unloading of construction vehicles should be within the site boundary. Deliveries and collections should be scheduled to coincide with normal working hours. – Access to and from construction sites should be organized to allow vehicles to enter and leave the site in a forward gear. When necessary a gate marshal should be deployed to ensure the safety of pedestrians using adjacent public footpaths. – Working hours should be adjusted to take into account local traffic patterns, avoiding major transport activities during school time and heavy road use times. – Tradespersons and contractors should ensure safe and continuous access to school buildings, office facilities, shops and residences.

16 ANNEX E. LABOR MANAGEMENT PROCEDURES

The Labor Management Procedures apply to all project workers, irrespective of contracts being full-time, part-time, temporary or casual. These types of workers are listed below:

- **Direct workers** - people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project.
- **Contracted workers** - people employed or engaged through third parties to perform work related to core functions of the project.
- **Community workers** - people employed or engaged in providing community labor, generally voluntarily.
- **Civil Servants**- those employed directly by the Government.

16.1 USE OF LABOR UNDER WB SUPPORTED MoE PROGRAMS

Under WB supported MoE programs, direct workers and contracted workers will be recruited and managed by MoE. For small civil works, it is anticipated that the majority of construction tasks will be undertaken by local tradespersons and contractors. Volunteer community workers may support some non-technical tasks such as land clearing and leveling. The LMP is intended to apply to direct workers, contracted workers and community workers present. For civil servants working for WB supported MoE, only the provisions against child labor, forced labour and occupational health and safety apply.

16.2 LABOR RISKS

For direct workers hired by MoE, such as facilitators, trainers, monitoring agents or teachers for alternative education, the potential labor risks are identified below:

- Terms and conditions of employment of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Non-discrimination, equal opportunity and equal pay of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Accidents or emergencies
- Gender-based violence or violence against children
- Conflicts between workers and communities, particularly if there is influx
- Transmission of COVID-19 to communities, especially if workers are not hired locally and arrive to locations from elsewhere

For minor civil works, such as rehabilitation, expansion or construction of schools and learning centers, and the direct, contracted or community workers working on civil works projects the potential labor risks are identified below:

- Terms and conditions of employment of workers may not be consistent with Myanmar legislation and/or relevant WB standards
- Non-discrimination and equal opportunity of workers may not be consistent with Myanmar legislation and/or relevant WB standards

- Child labor
- Workplace accidents, particularly when operating construction equipment, when working at height on building construction, and when handling heavy equipment and materials
- Risks from exposure to hazardous substances (dust, cement, chemicals used in construction etc.)
- Accidents or emergencies
- Gender-based violence or violence against children
- Conflicts between workers and communities, particularly if there is influx
- Transmission of COVID-19 among workers or nearby communities, especially if workers are not hired locally and arrive to civil works locations from elsewhere
- Transmission of COVID-19 among workers, especially if COVID-19 specific precautions are not in place at work sites and worker accommodation sites
- Spread of COVID-19, especially if strict reporting and escalating is not in place

16.3 RELEVANT MYANMAR LABOR LEGISLATION

The **2008 Constitution** states that discrimination by the union against any citizen is prohibited on grounds of race, birth, religion, official position, status, culture, gender, and wealth; however this is not always consistent in the legal framework.

Labor Organization Law (2011) give workers the right to organize into associations and conduct collective bargaining with employers.

While laws on child labor are not entirely consistent in the legal framework, the minimum working age for children is 14 years in factories and shops. For those under 18 years, night work and hazardous work are prohibited and other specific requirements apply. **The 2008 Constitution** states that forced labor is prohibited, except for prison labor, labor required by the union government in states of emergency and humanitarian crisis, and labor under compulsory military service. The **Penal Code (1974)** and the **Anti-Trafficking in Persons Act (2005)** state that coercing anyone into forced labor, slavery, servitude, and debt-bondage is an act punishable by law. No person under the age of 18 or forced labor, under any circumstance, will be allowed to work in the Myanmar COVID-19 Emergency Response Project.

Standards for occupational health and safety are scattered across various laws that govern fire and building safety, workspace safety, air and heating, lighting, sanitation, dangerous substances, dangerous operations, and women workers' rights. However, the new

The Settlement of Labor Disputes Law (2012) provides the basis for workplace dispute resolution, where workers can take grievances to the Workplace

Coordinating Committee and appeal for arbitration at the state/region level.

There are a number of other laws and regulations that relate to labor to an extent, including the Payment of Wages Act (2016) and Minimum Wages Act and Rules (2013). Myanmar has also ratified a number of ILO labor-related conventions, including on forced labor, freedom of association and child labor; however, other key conventions, such as on equal remuneration and discrimination, have not been ratified.

Occupational Safety and Health Law (2019) promotes safe and secure working environments for labors and workers. This will be the first legal health and safety standards in the country and will be

designed in accordance with international and regional standards and compatible to the nation's situation.

Any work beyond a 44-hour workweek constitutes overtime in Myanmar and requires overtime payment. Depending on sectors, overtime cannot exceed 16 to 20 hours. Working on public holidays qualifies for overtime. Among the laws, there are standards for paid medical leave, 14 weeks of maternal leave, and 3 weeks of paternal leave.

16.4 POLICIES AND PROCEDURES

DBE in close collaboration with the DERPT will be responsible for compliance with Myanmar labor legislation, as well as the following policies and procedures set out in this LMP:

- Hiring of project personnel will follow standard procedures of the MoE that are designed to ensure equal and fair opportunities for job seekers without discrimination of any kind.
- MoE will provide job / employment contracts with clear terms and conditions including rights related to hours of work, wages, overtime, compensation and benefits, annual holiday and sick leave, maternity leave and family leave. The Codes of Conduct in Annex F will be included in the new contracts.
- MoE will provide social security for civil servants and direct workers, including health, accident and life insurance as stipulated in the law.
- A dedicated Grievance Redress Mechanism will be put in place as described in Section 16.7 and workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use.
- DBE and DERPT will ensure compliance with the relevant Codes of Conduct on Gender-Based Violence and Violence Against Children in Annex F and ECOP in Annex D including providing training/awareness raising on the codes.
- DBE and DERPT will ensure compliance with occupational health and safety standards (see Section 16.8 and the ECOP in Annex D) and COVID-19 specific guidelines (see Section 16.5) including that the workers are properly trained in application of the standards that are relevant to the work.
- DBE and DERPT will ensure no person under the age of 18 shall be employed.
- DBE and DERPT will recruit contractors and labor locally to the extent that they are available.
- Proper compensation for labor will be provided.
- Equal compensation for work of equal value without discrimination of any kind will be provided.
- Workers shall be recruited voluntarily, and no worker is forced or coerced into work.
- DBE and DERPT will supervise and monitor to ensure compliance with the above requirements.

16.5 COVID-19 SPECIFIC POLICIES AND PROCEDURES³³

- Contractors should ensure that all workers are hired locally to the extent possible.
- Contractors should provide training to all workers on signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular handwashing and social distancing) and what to do if they or other people have symptoms, as well as policies and procedures listed here. Training of workers should be conducted regularly, providing workers with a clear understanding of how they are expected to behave and carry out their work duties. Training should address issues of discrimination or prejudice if a worker becomes ill and provide an understanding of the trajectory of the virus, where workers return to work. Training should cover all issues that would normally be required on the work site, including use of safety procedures, use of construction PPE, occupational health and safety issues, and code of conduct, taking into account that work practices may have been adjusted.
- A summary of basic guidelines and COVID-19 symptoms should be displayed at all civil works sites, with images and text in Myanmar/ethnic languages.
- Workers who are sick or showing possible symptoms should not be allowed on work site, should be isolated and referred to local medical facilities immediately.
- Contractors should review worker accommodation arrangements to see if they are adequate and designed to reduce contact with the community.
- Contractors should review work arrangements, tasks and hours to allow social distancing.
- Contractors should provide workers with appropriate forms of personal protective equipment, and with designated bins to dispose of such equipment.
- Contractors should ensure handwashing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places at the work site; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; and in common spaces. Where handwashing facilities do not exist or are not adequate, arrangements should be made to set them up. Alcohol based sanitizer (if available, 60-95% alcohol) can also be used.
- School heads and contractors should together implement a communication strategy with the community in relation to COVID-19 issues on the site.
- Workers will be allowed remove themselves from a work situation which they have a reasonable justification to believe presents an imminent and serious danger to their life or health (with no reprisal for reporting or removing themselves).

16.6 REVIEW OF MOE POLICIES AND PROCEDURES

Sub-component 3.2 of the IAQE project is financing a MOE Human Resources systems assessment in order to review MOE's Human Resources policies and procedures and make recommendations for revising some of these policies and procedures. These recommendations will provide input to MOE's National Education Strategic Plan II, which will be for 2021 to 2030. The Plan will start to be

³³ These policies and procedures are based on the World Bank's "ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects" and the World Bank's "Labor Management Procedures Template for COVID-19 Response."

implemented in 2021 and recommendations included in the plan will start to be enacted in MOE's policies and procedures.

The systems assessment is currently at preliminary stages. The World Bank will provide technical assistance and support to MOE to ensure that the systems assessment reviews labor and working conditions policies and procedures, and provides recommendations for MOE policies and procedures reform in order to bring these in line with international good practice across MOE programs.

16.7 RESPONSIBLE STAFF

Engagement and Management of Direct Workers. MoE is responsible for engagement of direct workers/contractors and compliance with Myanmar labor legislation and policies and procedures laid out in this LMP.

Engagement and Management of Sub-Contracted Workers. The Contractor is responsible for management of their workers or subcontracted workers in accordance with this LMP, which will be supervised by MoE.

Labor and Working Conditions for Civil Works. Civil works implementation will be led by the DBE in close collaboration with the DERPT. Monitoring of civil works will be carried out by township, district, and state/regional level M&E staff for primary, middle, and high schools respectively as part of their regular inspection and monitoring duties. Training on monitoring of school-managed civil works will be carried out by local (township level) engineering firms contracted by states/regions.

Specific implementation arrangements relating to civil works are:

- (g) DBE will disseminate LMP policies and procedures, building on the SQASF including school planning and construction manuals, and supervise the contracting process of local engineering firms to provide support and carry out quality control of works.
- (h) DERPT will participate in the development of new guidelines, building on the SQASF.
- (i) State and Regional Education Offices will recruit, train, and deploy quality assurance teams at the state/regional, district, and township levels; manage state and regional quality assurance teams in training schools/committees on SQASF and the school quality improvement process (SQIP); train DEOs and TEOs; and invite contracted engineering firms to monitor compliance with LMP policies and procedures.
- (j) DEOs will manage quality assurance teams at the district level in training schools/committees on SQASF and the SQIP and task contracted engineering firms to ensure compliance LMP policies and procedures.
- (k) TEOs will manage quality assurance teams at the township level on SQASF and the SQIP, assess technical aspects (including cost estimates) of funding requests, provide oversight and guidance, and raise community awareness to monitor compliance with LMP policies and procedures.

COVID-19. Contractors are responsible for taking the necessary COVID-19 measures, with TEOs providing oversight and training on the COVID-19 specific policies and procedures listed in the LMP.

DBE will assign a COVID-19 focal point in order to monitor and report any COVID-19 cases in civil works supported by WB funding.

16.8 GRIEVANCE REDRESS MECHANISM

There will be a specific Grievance Redress Mechanism (Worker GRM) for project workers as per the process outlined below. This considers culturally appropriate ways of handling the concerns of direct and contracted workers. Processes for documenting complaints and concerns have been specified, including time commitments to resolve issues. Workers will be informed about the relevant Grievance Redress Mechanism upon their recruitment and their right to redress, confidentiality and protection against any reprisals from the employer will be stated in the contract.

16.8.1 Routine Grievances

The process for the Worker GRM is as follows:

- Any worker may report their grievance in person, by phone, text message, mail or email (including anonymously if required) to the contractor as the initial focal point for information and raising grievances. For complaints that were satisfactorily resolved by the aggrieved worker or contractor, the incident and resultant resolution will be logged and reported to the TEO.
- If the grievance is not resolved, the contractor (or the complainant directly) will refer the issue to the TEO. Grievances may also be referred or reported to the DBE Management if deemed suitable. The TEO will work to address and resolve the complaint and inform the worker as promptly as possible, in particular if the complaint is related to something urgent that may cause harm or exposure to the person, such as lack of PPE needed to prevent COVID-19 transmission. For complaints that were satisfactorily resolved by the TEO, the incident and resultant resolution will be logged by the TEO and reported to DBE as part of regular reporting. Where the complaint has not been resolved, the TEO will refer to DBE management for further action or resolution.

The workers will preserve all rights to refer matters to relevant judicial proceedings as provided under Myanmar labor law.

At DBE PMU level, each grievance record should be allocated a unique number reflecting year, sequence and township of received complaint. Complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy. The DBE will appoint a Worker GRM Focal Point, who will be responsible for undertaking a monthly review of all grievances to analyze and respond to any common issues arising. The Focal Point will also be responsible for oversight, monitoring and reporting on the Worker GRM.

16.8.2 COVID-19 Related Grievances

The nature of such complaints may be particularly time-sensitive and sensitive in terms of confidentiality. Contractors and/or TEOs should address such worker grievances as urgently as possible, to allow workers to quickly report labor issues such as a lack of personal protective equipment or lack of proper procedures and allow the project to respond and take necessary action. Confidential grievances should be allowed.

16.8.3 Serious Grievances

In case a worker experiences serious mistreatment such as harassment, intimidation, abuse, violence, discrimination or injustice at the workplace, the worker may raise the case, verbally or in writing directly to the contractor or the TEO. The contractor will refer the case to the TEO. The TEO will immediately investigate the case respecting confidentiality and anonymity of the worker.

In case the worker for whatever reason feels uncomfortable bringing the case to the TEO, the worker may directly contact one of the designated grievance counsellors (see below) at the central level in MOE, who will then investigate the case. In case the TEO is unable to resolve the grievance, the TEO shall bring the case to the DBE Worker GRM Focal Point.

In case a direct worker or civil servant has a serious grievance, the staff may directly contact verbally or in writing one of the designated grievance counsellors in MOE.

- All complaints received will be filed and kept confidential. For statistical purposes, cases will be anonymized and bundled to avoid identification of persons involved.
- After reaching a solution to a case, the TEO or the Grievance Counsellor as the case may be, will follow-up to ensure that the solutions are effective.
- Criminal cases will be referred to the public prosecutor.

16.8.4 Designated Grievance Counsellors

Upon project effectiveness, the DBE will call for interested persons (including government civil servants in the ministry) to apply for the position as grievance counsellors. The department will select 5 candidates (gender balanced, ethnic groups representation) who will then receive training in investigating serious grievances, relevant laws and regulations, and World Bank standards including the rights of people who file a grievance. DBE and the WB will jointly develop culturally-sensitive and locally-appropriate roles and responsibilities, and procedures for the position of grievance counsellors. The counsellors will be trained to treat complainants as clients and their work as a service to the clients.

16.9 OCCUPATIONAL HEALTH AND SAFETY

The TEOs and contractors are responsible for ensuring the safety of the workers by following safe construction practices at all times.

Construction sites will be provided with a first aid kit for minor work accidents. In the event of more serious work-related accidents, the contractor will take responsibility to insure the workers receive care at appropriate local medical facilities, and inform the TEO immediately.

Project workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health without any reprisal or threat thereof.

Occupational health and safety start with implementing good housekeeping and keeping the work area tidy, clean and free of debris and scrap and other obstructions.

Standard occupational health and safety measures include the below Dos and Don'ts:

Do:

- Keep the work area and all equipment tidy and gather up and remove debris to keep the work site orderly and safe
- Provide bins or other type of container for collection of waste
- Keep passageways and ladders free of material, supplies and obstructions
- Secure loose or light material that is stored on roofs or open floors
- Keep materials at least 2 m from openings, roof edges, excavations or trenches
- Remove or bend over nails protruding from lumber
- Keep hoses, power cords, welding leads, etc. from laying in walkways
- Ensure structural openings are covered/protected adequately
- Provide the appropriate fire extinguishers for the materials found on-site
- Keep fire extinguisher stations clear and accessible
- Ensure access to clean water and latrines by workers and provide mosquito net
- Store and chain all compressed gas cylinders in an upright position
- Mark empty cylinders and store them separately from full or partially full cylinders

Do not:

- Do not litter waste or allow animals (dogs, cats, pigs, etc.) to scavenge waste
- Do not burn or bury waste on site or off site
- Do not throw tools or other materials
- Do not raise or lower any tool or equipment by its own cable or supply hose
- Do not eat, drink or smoke in areas where hazardous materials are handled or stored
- Use grounding straps equipped with clamps on containers to prevent static electricity build-up.
- Do not allow hunting of animals by workers.

16.9.1 Personal Protective Equipment

The contractor is responsible for providing the required personal protection equipment and to ensure that it is being used as required. Personal protective equipment shall be provided to the workers, and to any MoE staff when inspecting the work from time to time.

Typical requirements to wearing personal protective equipment are listed below:

General

- Avoid loose-fitting clothing and clothing with drawstrings because both types can become ensnared in building materials or caught in power tools.

Welding

- Use proper eye protection such as welder goggles and/or a full-face eye shield for all personnel involved in, or assisting, welding operations.
- If any risk of other people being exposed to the bright light from welding then use a solid piece of light metal, canvas, or plywood to block welding light from others.
- Ensure good ventilation.

Painting

- Use gloves, goggles and face mask for workers painting or assisting with painting.
- Ensure good ventilation.

Concrete mixing

- Use hard hats, boots, gloves and goggles.

Earthwork or Construction Work

- Use hard hats and steel-toed work boots.

Use of Power Tools

- Many common power tools generate more than 100 decibels. Use single-use earplugs, which are made from foam or silicone rubber

Inspectors

- Use hard hats and steel-toed work boots.

17 ANNEX F. CHILD PROTECTION AND GENDER-BASED VIOLENCE CODES OF CONDUCT

17.1 BACKGROUND

While gender-based violence, sexual exploitation and child abuse are not commonly discussed at the early childhood and primary school levels, reports and studies reviewed for the revised Social Assessment Report indicate that there is quite a high prevalence of physical, emotional or sexual violence against children and women in Myanmar. Myanmar has a substantial legal framework to safeguard the rights and interests of women and children, but the services and help systems available to them are limited.

In line with international good practice, basic understanding of the concepts, degree and issues of gender-based violence and child rights should be made available to responsible school officers, principals, teachers, project staff and workers, and these can be done through clear concise codes of conduct laying out principles and requirements. The Code of Conduct applies to project staff, contractors, teachers who interact with children or young people in both a direct and/or unsupervised capacity. Information, training and dissemination of information on child protection and gender-based violence should be designed and incorporated in MOEs OGs and programming.

Based on the Codes of Conduct below, the development and inclusion of grievance redress procedures on *serious grievances* in the worker GRM and the project GRM, and the *designated grievance counsellors* at MOE, the project will be able to better identify risks of gender-based violence and violence against children, especially with construction sites. The project will incorporate gender-based violence and child protection in its reporting system and grievance redress mechanisms.

MOE will incorporate training modules on these Codes of Conduct and relevant grievance redress mechanism procedures into its OGs and its yearly training curriculum for MOE staff, school heads and teachers before the 2021-2022 school year. MOE provides its yearly training before the next school year in March, April, May 2021, and these Codes of Conducts will be included in that training.

17.2 CHILD PROTECTION CODE OF CONDUCT

The objective of the Child Protection Code of Conduct is to minimize the risk of child abuse occurring at schools or near construction sites by providing practical guidance to prevent child abuse occurring.

The key principles for the Code:

- Promoting and protecting the best interests of children at all times
- Zero tolerance of child abuse – mandatory reporting of confirmed or suspected child abuse
- The views of children and young people will be used to inform child protection policy and program development.

The Code of Conduct applies to project staff, contractors, teachers who interact with children or young people in both a direct and/or unsupervised capacity. Teachers, project staff and contractors must be aware of their own and other persons' vulnerability, especially when working alone with children and youth, and be particularly aware that they are responsible for maintaining physical, emotional, and

sexual boundaries in such interactions and must avoid any covert or overt sexual behaviours. This includes seductive speech or gestures as well as physical contact that exploits, abuses, or harasses.

The contractors, schoolteachers, and project staff are prohibited at all times from physically disciplining a child. Physical contact with children can be misconstrued both by the recipient and by those who observe it and should occur only when completely nonsexual and otherwise appropriate, and never in private.

One-on-one meetings with a child or young person are best held in a public area; in a room where the interaction can be (or is being) observed; or in a room with the door left open, and another staff member or supervisor is notified about the meeting.

Project staff, contractors, and teachers shall refrain from illegal possession and/or illegal use of drugs and/or alcohol at all times, and from the use of tobacco products, alcohol and/or drugs when working with children.

Adults should never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to young people.

CHILD PROTECTION - CODE OF CONDUCT

Do:

- Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.
- Never be alone with children and/or youth at school activities without another adult being notified.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Always maintain appropriate physical boundaries and touch children –when necessary– only in ways that are appropriate, public, and non-sexual.
- Promote the safety, participation and empowerment of students with a disability.
- Promote the cultural safety, participation and empowerment of linguistically and culturally diverse students
- Encourage students to ‘have a say’ and then listen to them with respect.
- Respect cultural, religious and political differences.
- Help provide an open, safe and supportive environment for all students to interact and socialize.
- Respect the privacy of students and their families and only disclose information to people who have a need to know.
- Cooperate fully in any investigation of abuse of children and/or youth.

Do not:

- Engage in any form of inappropriate behavior towards students or expose students to such behavior.
- Touch or speak to a child and/or youth in a sexual or other inappropriate manner.
- Inflict any physical or emotional abuse such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, or degrading children and/or youth.
- Smoke or use tobacco products, or possess, or be under the influence of alcohol or illegal drugs at any time while working with children and/or youth.
- Give a child who is not your own a ride home alone.
- Accept gifts from or give gifts to children or youth without the knowledge of their parents or guardians.

- Engage in private communications with children via text messaging, email, Facebook, Twitter or similar forms of electronic or social media except for activities strictly involving school business.
- Post online any information about a student that may identify them such as their: full name; age; e-mail address; telephone number; residence; school; or details of a club or group they may attend.
- Use profanity in the presence of children and/or youth at any time.
- Express personal views on cultures, race or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity or disability.
- Engage in any form of physical violence towards a student including inappropriately rough physical play.

17.3 CODE OF CONDUCT AGAINST GENDER-BASED VIOLENCE

The Code of Conduct to against gender-based violence, and sexual exploitation and abuse is presented below.

GENDER-BASED VIOLENCE - CODE OF CONDUCT

- Treat women, children (persons under the age of 18), and men with respect regardless of ethnicity, language, religion, political or other opinion, national, social origin, citizenship status, property, disability, birth or other status.
- Do not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Do not participate in sexual activity with children—including through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defense.
- Not engage in sexual favors or other forms of humiliating, degrading or exploitative behavior.
- Do not have sexual interactions with members of the communities surrounding the workplace that are not agreed to with full consent by all parties involved in the sexual act. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Report through the grievance redress mechanism suspected or actual gender-based violence by a fellow worker or any breaches of this code of conduct.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Do not sleep close to unsupervised children unless absolutely necessary, in which case obtain permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including labor laws in relation to child labor.

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this, explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

18 ANNEX G. COVID-19 SPECIFIC STAKEHOLDER ENGAGEMENT MEASURES³⁴

With the outbreak and spread of COVID-19, people may be advised or mandated by national law to exercise social distancing and specifically to avoid public gatherings to prevent and reduce the risk of the virus transmission.

These restrictions have implications for stakeholder engagement and participation. This Annex offers guidelines for managing public consultations and stakeholder engagement. The Annex does not provide prescriptive measures for different activities given that the COVID-19 context is evolving quickly and differently in different parts of Myanmar. However, an appropriate approach to conducting stakeholder engagement can be developed in most contexts and situations.

- Identify and review planned activities requiring stakeholder engagement and public consultations.
- Assess the level of proposed direct engagement with stakeholders, including location and size of proposed gatherings, frequency of engagement, categories of stakeholders (international, national, local) etc.
- Assess the level of risks of the virus transmission for these engagements, and how restrictions that are in effect in the country and project area would affect these engagements.
- Identify project activities for which consultation/engagement is critical and cannot be postponed without having significant impact on project timelines.
- Assess the level of ICT penetration among key stakeholder groups, to identify the type of communication channels that can be effectively used.

The following are some considerations while selecting channels of communication, in light of the current COVID-19 context:

- Avoid public gatherings (taking into account national restrictions), including public hearings, workshops and community meetings.
- If smaller meetings are permitted, conduct consultations in small-group sessions, such as focus group meetings. If not permitted, make all reasonable efforts to conduct meetings through online channels, including webex, zoom and skype.
- Diversify means of communication and rely more on social media and online channels (such as Facebook, Twitter, WhatsApp). Where possible and appropriate, create dedicated online platforms and chatgroups appropriate for the purpose, based on the type and category of stakeholders.
- Employ traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail) when stakeholders do not have access to online channels or do not use them frequently. Traditional channels can also be highly effective in conveying relevant information to stakeholders and allow them to provide their feedback and suggestions.
- Where direct engagement with beneficiaries is necessary, such as for the community-level social/vulnerability assessments and the CPPs, identify ways of direct communication with households through smaller socially distanced meeting clusters or through Facebook/WhatsApp groups.

³⁴ This Annex is based on the World Bank's "Technical Note: Public Consultations and Stakeholder Engagement in WB-supported Operations When There Are Constraints on Conducting Public Meetings."

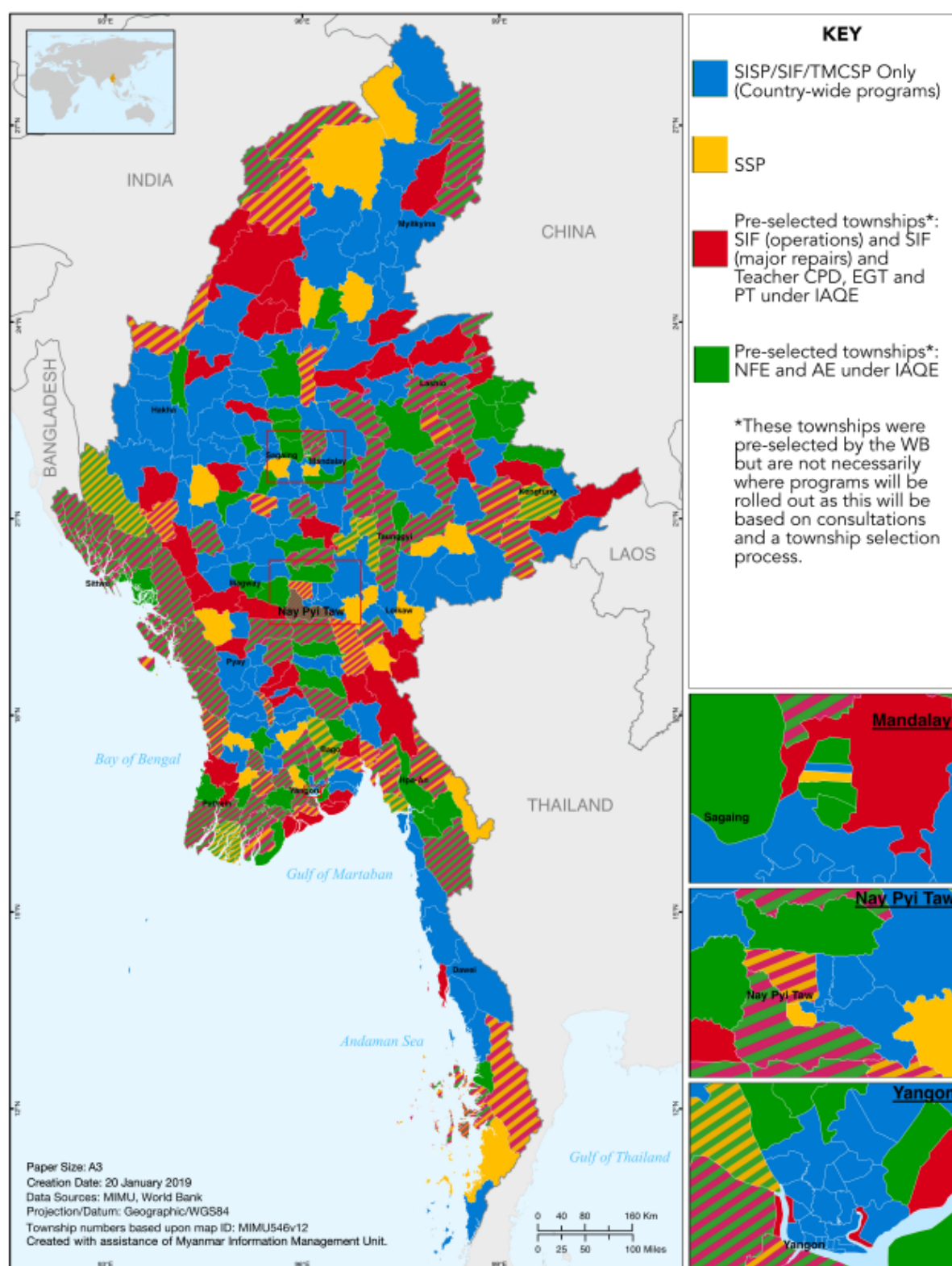
Stakeholder engagement and community participation are key elements of MoE programs supported by the WB. To ensure that meaningful stakeholder engagement and community participation continue under the COVID-19 context, MoE and the WB will develop procedures to:

- Blend traditional mechanisms and digital solutions and disseminated through village social media (WhatsApp, Facebook) groups as well as traditional media (telephone, SMS, community radio);
- Localize the implementation of activities through village focal points and monitoring groups;
- Strengthen the facilitation of each set of activities; and
- Introduce distance learning.

The technology platforms applied will be linked to participatory decision-making, monitoring and oversight, social/vulnerability assessments, CPPs, disclosure and consultation of safeguards instruments and the grievance redress mechanism.

19 ANNEX H. MAPS

Map 16.1 WB Support to MOE Programs by Townships (2018 – 2021)



Map 16.2. IAQE and DFSP Consultations by Township

