

**Social Impact Management Framework**  
**Sri Lanka: Early Childhood Development Project**

**Ministry of Women & Child Affairs and Dry Zone Development**

**Sri Lanka**

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## Table of Contents

1.	Introduction.....	4
2.	The ECCD Program and Purpose of the SIMF .....	5
2.1	Component 1: Expanding and strengthening the delivery of ECCD services.....	5
2.2	Component 2: Improving the quality of early childhood care and development (ECCD) in the Plantation sector .....	8
2.3	Component 3: Project Management, and Monitoring and Evaluation (M &E) .....	8
3.	POLICY AND REGULATORY FRAMEWORK.....	10
3.1	Government Policies, legal and regulatory framework.....	10
3.1.1	Government Policies and Legislations .....	10
3.1.2	Legal and regulatory framework in Sri Lanka on Land Acquisition .....	10
3.1.3	National Involuntary Resettlement Policy (NIRP).....	14
3.1.4	Draft Bill for Indigenous People of Sri Lanka.....	15
3.1.5	Sri Lanka Charter of Children’s Rights .....	16
3.1.6	Policy Framework and National Plan of Action to address Sexual and Gender based Violence (SGBV) in Sri Lanka.....	17
3.2	The World Bank Operational Policies and Social Safeguard Requirements .....	17
3.2.1	OP 4.12 Involuntary Resettlement: .....	18
3.2.2	OP 4.10 Indigenous People: .....	19
4.	Social Impact Management Framework.....	20
4.1	Anticipated Social Impacts .....	20
4.2	Social Impact Assessment and Mitigation Steps.....	22
4.2.1	Procedure for use of community/ individual lands for new constructions through land donation .....	23
4.2.2	Indigenous People’s Development Plan .....	24
4.3	Citizen Engagement and Grievance Redress System .....	24
4.4	Addressing Gender Based Violence (GBV) Risks .....	26
5.	Institutional Arrangements for Safeguards Management and Capacity Building Plan .....	29
6.	Consultation and Disclosure .....	31
	Annexures.....	32
Annex 1:	Social Screening Checklist .....	32
Annex 2:	Social Screening Report Format .....	34
Annex 3:	Outline of Abbreviated Resettlement Action Plan .....	37

## ABBREVIATIONS AND ACRONYMS

AP	Affected Person
A-RAP	Abbreviated Resettlement Action Plan
BP	Business Procedure
CDD	Community Driven Development
CS	Children's Secretariat
DSO	Divisional Secretary's Office
ECCD	Early Childhood Care and Development
ECDP	Early Childhood Development Project
CS	Children's Secretariat
CSO	Civil Service Organizations
EMF	Environmental Management Framework
GBV	Gender Based Violence
GoSL	Government of Sri Lanka
GN	Grama Niladhari
GRC	Grievance redress committees
GRM	Grievance redress mechanism
GRS	Grievance Redress Service
HH	Household
LA	Local Authority
LAA	Land Acquisition Act
LAR	Land Acquisition Regulations
LDO	Land Development Ordinance
M&E	Monitoring and Evaluation
MIS	Management Information System
MoU	Memorandum of Understanding
NIRP	National Involuntary Resettlement Policy
NGO	Non-governmental organizations
OM	Operations Manual
OP	Operational Policies
PC	Provincial Council
PHDT	Plantation Human Development Trust
PMU	Project Management Unit
RPF	Resettlement Planning Framework
SIMF	Social Impact Management Framework
SMCA	State Ministry of Children's Affairs
SSR	Social Screening Reports
TOR	Terms of Reference
TOT	Training of Trainer
UDA	Urban Development Authority
WB	World Bank

## **1. Introduction**

Early childhood in Sri Lanka is generally considered to be the period from conception to 5 years of age when a child enters the primary school. Within this age range, Early Childhood Care and Development (ECCD) services in Sri Lanka can be divided into two groups: home-based services for the 0-3 year age group, including prenatal care, and center-based services for children in the 3-5 age range. ECCD programs for the first group are well-established, with the health sector playing a lead role in ensuring the holistic development of children in this age group. These ECCD services are robust and their coverage is wide.

Government of Sri Lanka (GOSL) currently has an embryonic ECCD program encapsulated in different policy and plan documents, including the National Policy on Early Childhood Care and Development, the National Plan of Action for Children of Sri Lanka 2013-17 and the Sri Lanka Budget which includes a three-year plan. The program reflected in these documents identifies key challenges in the ECCD sector, policy directions and activities for implementation. It provides a foundation for the proposed IDA-financed operation which will support implementation of selected strategic areas and components of the existing program. The Project supported interventions are structured around three components: (1) expanding and strengthening the delivery of ECCD services, (2) improving the quality of early childhood care and development (ECCD) in the Plantation sector, and (3) project management, and monitoring and evaluation (M &E).

The project envisages the improvement of ECCD services across Sri Lanka, via new construction of ECCD Centers to allow access in unserved areas as well as the rehabilitation and up-gradation of existing ECCD centers. Considering the scope of the ECCD, it is unlikely that there will be any significant adverse social impacts as a result of the program activities except for some land acquisitions for expansion/construction of ECCD facilities in some areas. Hence the project has been identified as a category B project and triggered OP 4.12 as a precautionary measure. Therefore, a Social Impact Management Framework (SIMF) has been prepared in order to ensure proper due diligence in assessing potential social risks associated with the project interventions and to avoid/minimize adverse social impacts.

The main purpose of the SIMF is to identify potential social impacts early in the ECCD project cycle and to provide broad guidelines outlining measures, processes, institutional arrangements, procedures, tools and instruments that need to be adopted by the project and integrated into project implementation to mitigate any adverse social impacts, if any.

## **2. The ECCD Program and Purpose of the SIMF**

### **Description of Project components**

#### **2.1 Component 1: Expanding and strengthening the delivery of ECCD services**

This component will focus on two areas to improve the provision of ECCD services in Sri Lanka: (i) expanding access to ECCD services, and (ii) improving the quality of ECCD provision.

##### **2.1.1.1 Subcomponent 1.1: Expanding equitable access to ECCD services**

Both demand side and supply side interventions will be used to make ECCD more accessible to all, and to increase the enrollment of children in the age group of 3-5 years.

##### **Demand side interventions**

*Parental awareness and interaction programs:* The SMCA already conducts parental awareness programs on a small scale. The Project will support the revision and development of new content and methodology for regularly conducting these programs across the country during the project period. Targeted towards parents of children in the 0-5 year age group<sup>1</sup>, these programs will include parental awareness programs for enhancing parents' understanding of holistic childhood development; interaction programs for guided parental experience; and parent education programs to enhance parenting practices and behaviors<sup>2</sup>.

*Special support for poor students channeled through ECCD centers:* The Project will provide scholarship support, not exceeding a pre-specified maximum amount per supported child, to poor households for enrolling their 3-5 year old children in both state- and non-state-run ECCD centers. Priority will be given to underserved and poor areas. Supported beneficiaries will be selected by individual ECCD centers, with concurrence from the Divisional Secretary's Office (DSO) and parent committee, primarily on the basis of their household economic status. The Project will also support the provision of transportation to ECCD centers for children living in isolated areas and orphanages.

##### **Supply side interventions**

*Establishment and upgradation of facilities in unserved and underserved areas:* The Project will support the establishment of new ECCD facilities in unserved areas to enhance equitable access to ECCD services. Unserved and underserved areas, and gaps in ECCD provision, will be identified through a comprehensive mapping of ECCD facilities and distribution of the 3-5 year old population. This information, along with poverty mapping data, will be used to prioritize poor, unserved areas for the construction of new facilities. In the

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<sup>1</sup> While the overall Project primarily focuses on children in the 3-5 year age group, the parental awareness and interaction interventions cater to parents of 0-5 year old children.

<sup>2</sup> Such programs will also include issues related to protection, child rights, and early warnings on developmental problems.

underserved areas identified through the mapping exercise, the Project will support the extension of existing state- and community-run ECCD centers to expand enrollment. The selection of beneficiary centers in these areas will be done jointly by the DSO, Provincial Councils (PCs) and Local Government authorities.

#### **2.1.1.2 Subcomponent 1.2: Improving the quality of ECCD provision**

In order to improve the quality of ECCD provision in Sri Lanka, the proposed Project will support quality management, improvement of ECCD facilities, provision of teaching-learning materials, and the training of ECCD teachers, assistants, and trainers. It will also provide some support for activities aimed at improving the health and nutritional status of children enrolled in ECCD centers.

*Quality management:* The Project will finance the revision of the curriculum framework and child development standards that are meant to guide the teaching-learning processes in ECCD centers throughout the country. Furthermore, it will support the development of age-appropriate teaching-learning materials for 3-5 year old children and teachers in the Sinhalese, Tamil and English languages, and the acquisition of these materials by ECCD centers. The Project will also support the development of a compact set of prioritized minimum quality standards for ECCD centers based on the government's existing quality standards.

In addition, it will support the establishment and consolidation of a provincial ECCD center registration system in each province. These systems will be based on national quality standards, and will have the ability to grade ECCD centers according to their service quality. The Project will also support the development of ECCD resource centers (that include libraries and other academic support for researchers) at the district level by upgrading or extending existing district facilities. These resource centers may also include facilities for conducting small workshops and training programs.

*Improvement of existing ECCD center facilities:* In order to help improve the physical quality of center facilities, eligible state- and non-state-run ECCD centers across the country will receive support from the Project for minor works and for upgrading equipment and furniture. Beneficiary centers that do not meet the government's prioritized minimum quality standards will be required to focus the support on meeting these standards.

*Support for minor civil works will focus on construction of toilets, water connections for sanitation, and refurbishment of facilities:* Facility refurbishment can involve, inter alia, enhancement of disability access; repairs of roofs, doors and windows; installation of water tanks; construction of fences; cleaning up play areas; and construction of room partitions. Centers located in rented private premises will not be eligible for refurbishment support, but will be eligible to receive learning materials, consumables and play equipment. The broad categories of equipment, consumables and furniture that can be provided to centers by the Project include play area equipment, toys, water filters, safety equipment, equipment for children with special needs, equipment for

administrative support, consumable classroom materials, and basic furniture for students and teachers.

*Provision of teaching-learning materials:* The Project will support the provision of age-appropriate high-quality teaching-learning materials to all interested state- and non-state-run centers across the country. The Project will prepare a standard package of play-oriented educational materials such as toys, blocks and shapes, different types of puzzles, measuring devices, etc., and distribute them to the centers. In addition, it will also provide these centers with a set of age-appropriate picture books, storybooks and other fun reading materials in Sinhalese, Tamil and English.

*Training of ECCD teachers and teacher assistants:* As an initial essential step in the development of training programs, the government will prepare and endorse a comprehensive capacity development plan for these stakeholders. Guided by this plan, the Project will support the following categories of training for ECCD teachers and teacher assistants: (i) one to two-year long ECCD certificate and diploma programs; (ii) and short-term training. Both types of training programs will be targeted towards in-service as well as freshly recruited incoming teachers and teacher assistants. The Project will prioritize training for ECCD teachers from geographical areas which lag behind others in terms of teacher training and qualifications. Certificate and diploma programs will be delivered by selected universities and other recognized institutions. Short-term training will be organized and delivered at the divisional level by ECCD officers with the support of resource persons and other key stakeholders, including non-governmental and private organizations working on ECCD.

*Training of trainers and other training activities:* The training of trainers (TOT) program supported by the Project will prepare the necessary pool of trainers to deliver short-term training across the nation. The development and delivery of the TOT program will be done by an expert agency or organization contracted by SMCA. To reinforce the skills emphasized in the short-term training program through peer-to-peer learning, the Project will provide support to DSOs for organizing periodic interaction programs among teachers. Given that children's smooth transition from pre- to primary school depends partly on the primary school teachers' understanding of child development principles, the Project will also support short orientation programs on holistic child development for primary school teachers and head teachers. These programs will be organized and conducted by ECCD officers in coordination with the Ministry of Education at the Provincial level.

*Center-based health and nutrition support:* To improve the nutritional status of children enrolled in ECCD centers through the provision of daily milk supplement, the Project will support the expansion and improvement of the government's existing "Glass of Fresh Milk Program". Firms with experience in milk packaging and distribution will be contracted by SMCA to implement the program across the nation. The Project will also support efforts to improve

knowledge of early childhood health and care practices among both teachers and parents. For teachers, it will support the development and implementation of health sub-modules as part of ECCD teacher training programs. The parental awareness programs supported by the Project will also include sessions aimed at increasing parental awareness of best practices in the health and care of young children.

## **2.2 Component 2: Improving the quality of early childhood care and development (ECCD) in the Plantation sector**

The Plantation sector, with its distinct resident worker population<sup>3</sup> that has been historically marginalized, is a sector that needs special support to enhance the quality of ECCD services. Unlike in the rest of the country, where SMCA plays the lead role in overseeing ECCD related activities, social development programs—including ECCD—in the Plantation sector are implemented by the Plantation Human Development Trust (PHDT). Furthermore, as many of the mothers of young children in the Plantation community are engaged as plantation workers, the centers in the Plantations—referred to in this document as ECCD centers—serve as both childcare facilities and early childhood development centers. Hence, project support for the Plantation sector through PHDT is categorized as a separate component of the Project.

Funds will be provided to PHDT by SMCA via a Memorandum of Understanding (MOU) to implement Project supported interventions in this sector. The Project's focus within the Plantation sector is on improving the quality of ECCD services provided by the ECCD centers. The activities supported by the Project in this sector are similar to those discussed in Component 2. More specifically, they include (i) replacement or extension of centers to upgrade their quality, (ii) refurbishment of existing ECCD center facilities, (iii) Training of ECCD teachers<sup>4</sup>, and (iv) parent awareness/parenting education programs. All Project supported activities will be managed by PHDT.

## **2.3 Component 3: Project Management, and Monitoring and Evaluation (M &E)**

This component finances different inputs, including technical assistance in specific areas, to support the project management team in achieving the targets and other indicators. It also supports the Project's monitoring and evaluation activities.

*Project management:* The Project will finance incremental costs associated with program management, consulting services, transportation, equipment, training of ECCD administrators, and other administrative expenses incurred during program implementation.

The Project will support the development and implementation of a comprehensive capacity development plan for government units and staff engaged in implementing ECCD activities, including relevant staff from the PCs. Within the framework of this plan, it will support the development and

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<sup>3</sup> People who reside in the Plantations are mainly descendants of Indian Tamil workers.

implementation of a one week long training module for field level staff as well as a specialized module for staff working at the Provincial and Central levels. These modules will cover a broad range of topics including administration, planning, budgeting, procurement, financial management, ECCD domain knowledge and computer literacy. The training will be designed and delivered by an agency with experience in delivering training to government staff. In addition, officers working on ECCD will be supported to pursue further studies leading to ECCD diplomas and higher degrees. The capacity development of government units will also involve the provision of necessary equipment, transportation facilities, and technical support in different areas.

The Project will provide support for technical assistance to the program management team in a number of areas including, inter alia, institutional analysis, preparation of guidelines, development of information systems, training (including twinning arrangements), monitoring and evaluation, planning, communication, procurement, financial management and social and environmental safeguards, as necessary. It will finance the design and implementation of the comprehensive mapping exercise to identify the locations of existing ECCD centers and areas that are unserved or underserved. The Project can also support other technical assistance necessary for the smooth implementation of the Project such as assessment studies, surveys and evaluations.

*M & E and results framework:* The Project will support the development and implementation of a robust and comprehensive ECCD monitoring and evaluation system for ensuring compliance with quality assurance standards and providing constructive feedback to ECCD centers. The Project will develop and systematically utilize a comprehensive electronic management information system (MIS) as an integral part of the M & E system. The MIS will allow decentralized entry of data on ECCD centers, teachers and children, and continuous updating of monitoring information. Project progress will be tracked through a set of key performance and intermediate results indicators reflecting the Project Development Objective.

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### **3. POLICY AND REGULATORY FRAMEWORK**

This section aims at outlining the legal and policy frameworks related to social safeguards of both the GOSL and the World Bank

#### **3.1 Government Policies, legal and regulatory framework**

##### **3.1.1 Government Policies and Legislations**

The national level framework covers the legal and regulatory framework, policies related social safeguards, especially related to land acquisitions, use and regulatory roles of the relevant agencies as described below:

##### **3.1.2 Legal and regulatory framework in Sri Lanka on Land Acquisition**

The current Sri Lankan laws governing matters relating to land, such as land acquisition, recovery of state lands, claiming rights of acquisitive prescription, declaration of reservations, compensation for property losses and compensation for improvements in Sri Lanka are enshrined in a number of legislative enactments, namely but not limited to:

- (a) Land Acquisition Act (LAA) No 9 of 1950 as amended and LA Regulations of 2008
- (b) State Lands Act No 13 of 1949
- (c) State Lands (Recovery of Possession) Act No 7 of 1979
- (d) Land Development Ordinance No 19 of 1935
- (e) Urban Development Authority Law No 41 of 1978
- (f) Temple and Devalagam Act.
- (g) Crown Land Encroachment Ordinance

The brief details of the major legislative tools and regulation of the above are described below:

##### **a) Land Acquisition Act No 9 of 1950 and LA Regulations of 2008**

Land acquisition for public purposes is guided by the provisions, and procedures are outlined in the Land Acquisition Act No. 9 of 1950. It was amended several times thereafter, the latest being the Amendment Act No 13 of 1986. Further the LA Regulations, 2008 were passed in Parliament on March 17,

2009 and made effective by the Government Gazette no 1596/12 of April 7, 2009. The LAA provides a framework for facilitating land acquisition within the country. It also guarantees that no person is deprived of land except under the provisions of the LAA and entitles Affected Persons (APs) to a hearing before acquisition. Usually, the land acquisition is time consuming and may take anywhere between a few months to about 2-3 years to complete the process. The main features of LAA like minimum time period for the tasks, elements and the procedures involved in the process of acquiring land for public purposes are shown in Annex-III. Further regulations have been passed by parliament under LAA in 2009 and made effective by the Government Gazette no 1956/12 of April 7, 2009. The Act discourages unnecessary acquisition and the land should be used for the purpose for which it is acquired. The land that remain unused should be returned to the original owners.

A major cause of delay in the land acquisition arises with respect to the compensation procedure with its attendant legal proceedings. There is also provision under section 38A of the LAA to acquire lands under an urgency clause. Several progressive provisions have been introduced in the LA Regulations of 2008 relating to provision of compensation for affected land at market rates, reconstruction cost of structure without depreciations, valuation for whole plot of land for determining proportional unit cost for the affected land parcel, business losses, relocation assistance etc.

One of the inadequacies of the LAA is that the owners to prove ownership or interest in, demonstrate clear title to, gather all information and submit a compensation claim in respect of, land to be acquired, is on the AP. Often displaced persons are not aware of their rights or time frames to be observed under the LAA, or they are aware but are ill-equipped to deal with the procedures required and are also not experienced in dealing with various officials and documentation.

The provisions of LAA together with the compensation listed in the Government Gazette No.1596/12 of 07th April 2009 largely meet the requirements of the OP 4.12 with regard to paying compensation. However, the LAA does not address all aspects of losses due to involuntary resettlement, especially of the squatters as per the OP 4.12. Basically, the law is indifferent to the landowner's present socio-economic conditions or the long term adverse impacts on incomes and livelihood that the acquisition may cause on the affected people.

The LAA provides for compensation for lands and other fixed assets built and grown on them (structures, trees and orchards and crops) and for loss of income for those who could prove their income losses by documentary proof up to a maximum of average net profit for the three years immediately preceding the publication of Section 07 notice under LAA. The Land Acquisition Regulations (LAR) of 2008 has introduced provisions for loss of income and other impacts which can be compensated on furnishing of other evidence in lieu of documentary evidence in proof of payment of income tax by the AP. The 2008 regulations however do not cover people who cannot produce evidence to claim compensation for loss of income.

#### **b) State Lands Act No 13 of 1949**

This act deals with the provision for the grant and disposition of state lands in Sri Lanka; for the management and control of such lands and the foreshore; for the regulation of the use of the water of lakes and public streams; and for other matters incidental to or connected with the matters aforesaid.

Section 51 of the Act stipulates that title to state reservations cannot be acquired by possession or usage. Section 53 exempts state from liability to pay compensation for improvements effected on reservations. It states that no person shall be entitled to any compensation from the state in respect of any improvements effected at any time after the commencement of this Ordinance on any State land reservation; nor shall any claim for any such compensation be at any time entertained by any court. Section 54 provides for summary ejection of offenders in unlawful possession of state reservations.

Section 103 of the State Lands Act provides that no person can by possession or user of land acquire any prescriptive title against the crown if such land is (a) after the commencement of the ordinance declared to be the property of the crown under the Land Settlement Ordinance, or (b) after such date acquired by the crown under the LAA, or (c) after such date resumed by the crown under the Land Redemption Ordinance and has at any time prior to or after the declaration, acquisition or redemption been land marked with boundary marks by or under the authority of the Surveyor General.

#### **c) State Lands (recovery of possession) Act No 7 of 1979**

The provisions for the recovery of possession of state lands from persons in unauthorized possession or occupation thereof are contained in the State Lands (Recovery of Possession) Act No 7 of 1979. Further Section 10 stipulates that no appeal is maintainable against an order of eviction by a Magistrate. Section 13 provides for reasonable compensation for the damage sustained by reason of his having been compelled to deliver up possession of such land.

#### **d) Land Development Ordinance No 19 of 1935**

This ordinance deals with the systematic development and alienation of crown land of Ceylon (Sri Lanka). Chapter VII of the Land Development Ordinance (LDO) sets out the procedure for cancellation of a state land given on a permit or grant for non-compliance of the conditions of permit. Section 106 gives notice to permit holder where there has been a breach of the condition of permit. If a person failed to appear before the inquiring officer, provision has been made under section 109 of the said ordinance to cancel the permit. Section 110 lays down the procedure where permit holder appears and shows cause for the failure to develop the land as per provision of the permit given to him. Section 112 prescribes the order of Government Agent to be served on the permit holder

and to be posted on land. S.113 provides for an appeal to the Land Commissioner against the order of the Government Agent.

The procedure for ejection (eviction) of a person in occupation of a state land given on a grant is spelt out in Chapter IX of the LDO. Section 168 of the LDO stipulates the offences in regard to state land. It says that if any person without the permission of the Government Agent clears or breaks up for cultivation any state land or erects any building or structure on any state land, fells any trees standing on such land or otherwise encroaches on such land is guilty of an offence and subject to fine and imprisonment. Thus, the rights of a mala fide possessor are not recognized for compensation for improvement under the laws of Sri Lanka.

#### **e) Urban Development Authority Law No 41 of 1978**

Law to provide for the establishment of an Urban Development Authority (UDA) to promote integrated planning and implementation of economic, social and physical development of certain areas as may be declared by the minister to be urban development areas and for matters connected therewith or incidental thereto, this Law may be cited as the UDA Law. No. 41 of 1978, and came into operation on such date as the Minister may appoint by Order published in the Gazette. Act comprises six parts in total.

#### **f) Temple and Dewalagam Act:**

This act deals with lands donated to the temples and Devalas (Places of religious significance) by rulers under a deed of dedication, sometimes by Sannasas” (Order) for the maintenance of such institutions. “Rights of the custodian of temples and devalas for the receipt of compensation in the event of land acquisition for public purposes are spelled out in this Act in addition to the other provisions. Under ECCD, there might be facilities that to be improved/developed in lands which may belong to temples or other religious institutions so this policy may applies if additional lands acquire from such institutions.

#### **g) Crown Land Encroachment Ordinance**

Crown Lands Encroachment Ordinance (Sec.09) created a presumption that all waste lands, forests, unoccupied and uncultivated lands belonged to the state (then crown) until the contrary was proved. In the case of such lands, this could only be done by the production of sannasas or grant by proof that customary taxes for services were rendered to the crown or other persons as in the case of similar lands held by private proprietors. Illegal occupants of Chena lands (slash and burn) cannot claim prescriptive rights in virtue of undisturbed possession of over 10 years as prescription does not run against the state.

### **3.1.3 National Involuntary Resettlement Policy (NIRP)**

In Sri Lanka, the LAA only provides for compensation for land, structures and crops. It does not require project executing agencies to address key resettlement issues such as exploring alternative project options that avoid or minimize impacts on people, compensating those who do not have title to, but are currently using and dependent on, land, or implementation of income restoration measures aimed at the social and economic rehabilitation of displaced persons. It does not deal adequately with the impacts on those occupiers of lands who are not legal owners but whose lands are taken over for development purposes.

To ensure that displaced persons are treated in a fair and equitable manner, and to particularly ensure that people are not impoverished or suffer unduly as a result of public or private project implementation, Sri Lanka has adopted a national policy to protect the rights of all people affected by development projects. To remedy the current gaps in the LAA in addressing key resettlement issues, the Cabinet of Ministers approved on 16 May 2001, the National Policy on Involuntary Resettlement (NIRP) and enunciated its adoption to all development induced resettlement. The Ministry of Lands has the institutional responsibility for implementing the NIRP. The newly adopted policy, principled on human and ethical considerations entails the payment of resettlement value (replacement cost) and arranges for their resettlement and where necessary even their rehabilitation. Accordingly, GoSL has considered that the scope of NIRP applies to all development induced land acquisition or recovery of possession, by the state where possible.

The NIRP has three main objectives in implementing to mitigate social impacts of involuntary resettlement under any programs/projects funded by the government or donor agencies: (i) exploring alternative project options which avoid or minimize impacts on people; (ii) compensate those who do not have title to land; (iii) consulting affected people and hosts on resettlement options (v) providing for successful social and economic integration of the affected people and their hosts; and (v) full social and economic rehabilitation of the affected people. NIRP lists following policy principles which are applicable to all development projects.

- Involuntary resettlement should be avoided or reduced as much as possible by reviewing alternatives to the Project as well as alternatives within the Project.
- Where involuntary resettlement is unavoidable, affected people should be assisted to re- establish themselves and improve their quality of life
- Gender equality and equity should be ensured and adhered to throughout the policy application
- Displaced persons should be fully involved in the selection of relocation sites, livelihood compensation and development options as early as possible
- Replacement land should be an option for compensation in the case of

loss of land; in the absence of replacement land cash compensation should be an option for all displaced persons.

- Compensation for loss of land, structures, other assets and income should be based on full replacement cost and should be paid promptly. This should include transaction costs.
- Resettlement should be planned and implemented with full participation of the provincial and local authorities
- To assist those affected to be economically and socially integrated into the host communities, participatory measures should be designed and implemented.
- Common property resources and community and public services should be provided to project-affected people.
- Resettlement should be planned as a development activity for the benefit of the project affected people.
- Displaced persons who do not have documented title to land should receive fair and just compensation and assistance
- Vulnerable groups should be identified and be given appropriate assistance to substantially improve their income and living standards
- Project Executing Agencies should bear the full costs of compensation and resettlement.

Adhering to the above objectives the scope of the NIRP includes all development induced land acquisition or recovery of possession by the State. NIRP requires that comprehensive resettlement frameworks be prepared where 20 families or more are affected irrespective of the source of funding. The ECCD will adhere to the above principles of the NIRP in case there are any involuntary resettlement is unavoidable for the project related activities. In such situations, the NIRP principles together with the following Bank policies on social safeguard will be followed.

#### **3.1.4 Draft Bill for Indigenous People of Sri Lanka**

The only historically known indigenous people called Veddha of Sri Lanka are recognized as citizens of the country under the Citizenship Act of 1948 and enjoy all rights and privileges enshrined in the Constitution of Sri Lanka and they are guaranteed equal access to justice through the constitutional provisions.

The GoSL has launched a three-year project, implemented by the Ministries of Cultural Affairs and National Heritage, to table a draft bill which outlines the need of safeguard requirements to ensure rights of the indigenous people. A National Action Plan for the Protection and Promotion of Human Rights has been prepared by the Government in 2011 which emphasizes the need for greater

attention to the autonomy and rights of indigenous people. The action plan also directs the Ministry of Cultural Affairs and National Heritage to review existing laws, policies, and practices and amend or enact policies to protect the rights of indigenous people by 2016. The project also provides legal facilities to the indigenous community, measures to conserve their traditional knowledge and traditional medicines, and support to establish a museum on their heritage, among others. In order to create greater awareness about the indigenous community, which is instrumental towards the preservation of their lifestyle, the Government has also established several cultural centers and documented the history of the community and their way of life. The ECCD project does not intend to implement any activity that adversely affects the habitats and the social and cultural practices of the indigenous populations. Rather the services offered through project interventions are equally accessible to all persons belonging to indigenous community like any other citizens of the country.

### **3.1.5 Sri Lanka Charter of Children's Rights**

Most of the Sri Lankan laws governing children are more than 40 years old. The laws relating to sexual offences against children were amended in 1995. The law against cruelty to children is from 1939 and was only codified in the Penal Code in the 1995 amendments. The Children's Charter in Sri Lanka that specifies few rules or regulations have been passed to codify its protections for children but it is not a legally binding framework. The Charter emphasizes the following:

- Every child is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;
- The State shall promote with special care the interest of children and youth so as to ensure their full development, physical, mental, moral, religious and social, and to protect them from exploitation and discrimination;
- Promote social progress, and better standards of living for the realization of freedom;
- The family as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community;
- The need to extend particular care to the child has been stated in the Geneva Declaration of the
- Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the United Nations on 20 November 1959 and

recognized in the Universal Declaration of Human Rights, in the International

- Covenant on Civil and Political Rights, in the year 1976 (in particular in Articles 23 and 24), in the
- International Covenant on Economic, Social and Cultural Rights also in the year 1976 (in particular Article 10) and in the statutes and relevant instruments of Specialized Agencies and International Organizations concerned with the welfare of children;
- ☐ The child, by reason of his/her physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before and after birth; and children living in exceptionally difficult conditions, and that such children need special consideration;
- ☐ The State to recognize the importance of cultural values, for the protection and harmonious development of a child and to improve the living standards of a child.

ECCD program, including the National Policy on Early Childhood Care and Development adequately cover the rules and regulations specified in the above Charter.

### **3.1.6 Policy Framework and National Plan of Action to address Sexual and Gender based Violence (SGBV) in Sri Lanka**

The Ministry of Women and Child Affairs (MWCA) has taken a strategic lead in developing a Policy Framework and National Plan of Action (NPoA) to address Sexual and Gender-based Violence (SGBV) in Sri Lanka. This NPoA was approved by the Cabinet on 7th June 2016. The vision that led to this policy formulation and development of a National Plan of Action is “a violence free life for women and children” and the underlying principle was “zero tolerance of sexual and gender-based violence in Sri Lanka”. The National Plan of Action on SGBV is based on a Policy Framework that encompass a set of principles that uphold human rights and gender equity and equality and adopt a comprehensive and holistic three-pronged approach of: prevention of SGBV, intervention in situations of SGBV and advocacy for policies and laws to combat and address SGBV.

## **3.2 The World Bank Operational Policies and Social Safeguard Requirements**

The World Bank policies and guidelines, pertaining to social safeguards that may require consideration under this project are as follows:

- ☐ **OP/BP 4.12 Involuntary Resettlement**

## □ OP/BP 4.10 Indigenous People

### 3.2.1 OP 4.12 Involuntary Resettlement:

Involuntary resettlement covers situations where a project must compensate people for loss of land, other assets, livelihood, or standard of living. The WB operational policies seek to avoid where feasible or minimize involuntary resettlement, exploring all viable alternative project designs. Resettlement planning has the objectives of providing displaced persons with a standard of living equal to, if not better than, their pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The required measures to address the impacts resulting from involuntary taking of land a Resettlement Planning Framework (RPF) is required to ensure that the displaced persons are informed about their options and rights pertaining to resettlement; consulted on and provided with technically and economically feasible resettlement alternatives and provided compensation at full replacement cost .

Where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be required. Impacts are considered “minor” if the affected people are not physically displaced and no private land acquisitions are involved. In such situations, it is however necessary that social screening and/or a due diligence reports are prepared incorporating adequate safeguards to mitigate/avoid any adverse social impacts.

Under ECCD no private land acquisition is expected. Expansion or any new construction is expected to take place only on existing lands of ECCD facilities or in the Government owned lands. However, minor involuntary resettlement impacts may be unavoidable in specific interventions, which will only be known during project implementation, when site-specific plans are available. In the event that minor acquisition of land is unavoidable or project implementation may cause small scale loss of assets or the physical displacement , necessary social safeguards instruments All the interventions, that aimed at upgrading, new constructions or rehabilitation of ECCD facilities will be screened for applicability of the resettlement policy, including documenting that community/government land required for new constructions is free of squatters/informal settlements and other encumbrances.

In applicable instances, the Project Management Unit (PMU) will prepare safeguards instruments ( Social Screening reports, resettlement action plans)

*prior* to financing sub-projects. The SIMF will therefore include procedures for identifying project-affected people, compensation assessment procedures and entitlements for different APs

### **3.2.2 OP 4.10 Indigenous People:**

OP 4.10 recognizes that indigenous peoples may be exposed to different types of risks and impacts from development projects. The policy requires the projects to identify whether indigenous peoples are positively or adversely affected by the project and presented, if so, to undertake specific consultation activities and to avoid or mitigate impacts on this potentially vulnerable group.

OP 4.10 is not triggered for this project. The justification for not to trigger OP 4.10 are based on following reasons; a) the national population Census does not show the presence of the Veddah population in the country or in specific localities (as they are enumerated along with rest of the citizens) and therefore targeting the IP is not possible without proper administrative data/figures; b) the project services are centered around individual beneficiaries rather than communities to provide early childhood education support and therefore services of the project are open to everyone regardless of their ethnic or cultural backgrounds; c) the project does not aim at any specific interventions or programs exclusively targeting IP as a group or in their specific localities; d) since selection and implementation of ECCD facility development at local level will be an ongoing process, it is not yet known whether any indigenous/vulnerable communities will be involved in the project as beneficiaries or affected in any manner. If these IP communities are to be directly impacted by any ECCD interventions either positively or negatively, a diagnostic consultation will be carried out at that point with the communities in question. Based on the consultation report, the Project will decide the specific implementation modalities vis-à-vis these communities and will prepare a brief IP plan.

#### **4. Social Impact Management Framework**

The Social Impact Management Framework (SIMF) defines the guiding principles and processes for assessing social impacts, gender considerations and the citizen engagement processes of the ECCD project. It also aims at outlining the safeguards instruments to be prepared, mitigation principles, organizational arrangements and design criteria to be applied for the project. The SIMF is consistent with the relevant World Bank Safeguard Policies as well as the Sri Lanka Government's policies.

This framework will ensure that the infrastructures development, if any, considered under the project are systematically assessed through social screenings and the national and Bank safeguards policy requirements are followed to mitigate the adverse social impacts. Specifically, it focuses on:

- assessing the potential social impacts of interventions (rehabilitation, extension, upgrade or construction of ECCD facilities, whether positive or negative, and propose mitigation measures which will effectively address these impacts;
- establishing clear procedures and methodologies for the social screening of activities to be financed by the project;
- identifying the social risks, and institutional arrangements for implementations of safeguards management pertaining to the project; and
- identifying gender mainstreaming strategies, citizen engagement steps including a grievance redress mechanism to address community concerns in implementation of the project

##### **4.1 Anticipated Social Impacts**

The Project will support the establishment of new ECCD facilities in unserved areas to enhance equitable access to ECCD services. The project is largely to support for expansion and improvement of existing facilities and locations of the centers to be supported will be identified through district wise mapping of island wide ECCD centers with assistance of LAs. Space for the construction of these facilities will be identified and provided by the Provincial Councils or local government authorities (state owned land) or through the beneficiary communities. In unserved areas where existing building space is made available by communities/local authorities for use as ECCD centers, the Project will provide funds to renovate these structures in accordance with Government's minimum standards for new ECCD facilities.

The activities to be supported by the Project in the Planation sector are similar to those discussed in other areas and include the replacement or extension of centers to upgrade their quality and the refurbishment of existing ECCD center

facilities. In this sector all Project supported activities will be managed by PHDT. In the Plantations, the construction of new additional facilities like Day Care centers are needed because most of old centers do not have the required infrastructure to adequately serve this purpose. Hence, according to the estimates made by PHDT, there is a need for the replacement or extension of a number of centers in the Plantations. The lands for these prospective centers have already been identified and belong to the Government and/or respective Estate Planation Companies. Thus there will be no new land acquisitions anticipated to build these centers.

As described above, under the ECCD Project, no major physical interventions are planned or anticipated to generate resettlement impacts or displacement of people. The Project aims at construction of new buildings within existing ECCD facilities, extensions and renovations to existing buildings, including provision of sanitation facilities where required. New constructions of training facilities and/or expansion of ECCD facilities in a given location will be a direct responsibility by the Divisional Secretariats, District Secretariats, Provincial Councils and Local Government authorities and will be monitored by the Implementing Agency.

Any new construction, renovation or refurbishment of ECCD facilities will only take place on existing state land. Nevertheless, all new constructions and expansion activities of centers will be screened for land status documentation and the presence of encroachers, competing claims or other encumbrances. In addition, for any new construction under an activity where land does not belong to an existing ECCD facility premises, the documentation for the land status (public/community land) is required, along with documentation that the land is free of encroachments, squatters or other encumbrances' and has been legally transferred to SMCA. However, in case of new land is required for any new activity, there are three options for the government. First, the client will explore and identify the land space in existing government/community land without any encumbrances that could be allocated for new constructions. Secondly, land could be obtained through **voluntary donations** where such small land pieces would not affect the donatees' income and livelihoods. Thirdly, land can be acquired through existing legal procedures ( LAA) of the GOSL.

The preliminary stakeholder discussions also revealed that there are some ECCD facilities located in socially inconvenient locations or in unhealthy environments such as near to drainage canals, cemeteries, public parks, waste management plants and, so on. The Project will not support any development activities for the ECCDs which are not registered under the SMCA and located in unsuitable lands and/or in unhealthy social environments for children.

## 4.2 Social Impact Assessment and Mitigation Steps

Implementation of social safeguards management procedures varies by the type of interventions and activities. In order to ensure adequate level of social due diligence is in place, the following instruments and mitigation measures have been identified as minimum requirements to be in place as part of the social safeguards requirements.

Implementation of social safeguards requirements will follow the following steps closely linked with activity planning, design and implementation steps.

Step 1: Preliminary Social Screening Checklists (Annex 1.)

Step 2: Preparing Social Screening Report ( Annex 2)

Step 3: Abbreviated Resettlement Action Plans (if there are land acquisitions and physical displacement of persons less than 200) Annex 3

Step 4: Compliance and Monitoring

Following table describes the type of instruments/documents to be prepared to meet necessary safeguards compliance

Based on type of construction required, Table 1 shows the appropriate processes to be followed. All preliminary Social Screening Reports (SSR), A-RAPs or Due Diligence Report must be completed prior to awarding of contracts for construction.

Table 1. Type of Social Assessment required based on type of construction

<b>Construction Type</b>	<b>Compliance Requirements and instrument</b>	<b>Responsibility</b>
Construction of new building on existing ECCD premises	Social Screening Checklist/Report	CS,SMCA, PHDT
Construction of new ECCD center on new location	Social Screening Checklist/ Reports and/or A-RAP	CS,SMCA, PHDT

Renovations to existing buildings	Social Screening Checklist and Reports	CS,SMCA, PHDT
Construction of Outside Play Areas	Social Screening Checklist and Reports	CS,SMCA, PHDT
Dug Wells for Water Supply	Social Screening Checklist and Reports	CS,SMCA, PHDT
Construction of new sanitation facilities on new lands	Social Screening Checklist/ Reports and/or A-RAP	CS,SMCA, PHDT
Renovations/extensions to existing sanitation facilities	Social Screening Checklist and Reports	CS,SMCA, PHDT

**4.2.1 Procedure for use of community/ individual lands for new constructions through land donation**

Obtaining small land parcels for expansions of existing ECCD facilities or additional lands for new facilities from communities/ religious institutions /individuals through voluntary donations is allowed under the project. In case of voluntary land donation, the Project will ensure the following:

- The land to be obtained through voluntary donation is free of any structures or assets;
- The land size is to be small (less than 10% of total land owned by individual owner) an area that its donation does not negatively impact the livelihood of the owner;
- The voluntary nature of donation is fully and independently verified;
- The land is unencumbered, of squatters, tenants, sharecroppers or any other dependents and conflicting claims;
- The community based mitigation measures are acceptable and a consent letter from the land owner granting permission for the use of the land by ECCD managing agency or community; and any interested parties give up all claims to the donated land and that the land is officially transferred in the name of the SMCA/PHDT or the Government agency responsible for managing the ECCD facility.

A legal contract will be established which would include details of the land being donated; formal consent of the land owner/interested parties and the witnesses, a suggested format for the contract is presented in Annex 4.

#### 4.2.2 Indigenous People's Development Plan

The project has no specific interventions targeted specifically for indigenous communities and it will be aimed at benefiting individuals and all person have the equal access for ECCD facilities. Therefore, OP 4.10 ( Indigenous People's) is not triggered. However, in case there are any situations that project plans for specific ECCD facilities for vulnerable or identified indigenous communities, a diagnostic consultation will be carried out with the communities targeted. Consultations with such communities will be conducted by a qualified social scientist/institution, with knowledge of the traditions and culture of the Indigenous people, to ascertain their specific wishes and to prepare an IPP to minimize the adverse impacts if any and optimize the positive impacts. The IPP should describe the consultative processes followed and the actions agreed upon and the reasons for these actions. The Plan will be shared with the WB and it will be disclosed for public information.

#### 4.3 Citizen Engagement and Grievance Redress System

The project intends making positive impacts on both girls and boys targeted through early childhood education support. Available data suggest that the ECCD interventions in the country are equally beneficial for both gender groups. Nevertheless, gender consultations in selection and prioritization of village level ECCD interventions as well as analyses are to be incorporated in the project operational manual to ensure gender concerns are properly addressed in the project. The M&E unit that has to be established for the project under the SMCA, is also responsible for developing gender sensitive indicators to review and monitor progress of project implementation and measure the impact of targeted interventions on women and girls.

Especially, the project will collect data on number of girls and boys enrolled and benefitted from ECCD centers, training programs conducted for train ECCD practitioners and teachers and impact of training of male and female teachers. These gender disaggregated data will be analyzed and made available through quarterly progress reports of the project.

The project's citizen engagement process includes several steps: at community level, quarterly progress review stakeholder consultations with parents, ECCD center operators and the government staff responsible for ECCD service provisions will be carried out. These community consultations will focus on to identify the issues and problems in implementing ECCD interventions, obtain stakeholder participation and create a sense of ownership to the project

supported activities. At project management level, an independent social audit will be conducted by engaging a CSO/ NGO or a neutral agency like University. A Social Safeguards Audit will be carried out for the annual review of the project each year. This audit would review the implementation of the SIMF requirements and highlight constraints or shortcomings in terms of compliance. As part of the Social Safeguards audit, the TOR will also comprise broader social impacts to highlight issues relating to social inclusion and equity (regional, ethnic, religious, gender) in coverage, and recommend mitigatory strategies in case of shortcomings. The results of social audit will be shared with Bank and provide feedback to the project steering committee for highest level decision makings.

The project will adopt a grievance redress mechanism (GRM) that will be transparent, objective and unbiased and will take into consideration grievances related to both environmental and social. The GRM will operate at three levels.

The lowest level of the GRM is at the site ( sub project) level where the project implementation and/or supervision team at site will keep a feedback register and receive project related complaints or comments or suggestions from the local level stakeholders. The project team will review the feedback and take appropriate actions.

The middle level of the GRM will seek to resolve an issue quickly, amicably, and transparently out of courts in order to facilitate activities to move forward. The ECCD management committees will be formed to act as middle level grievance redress committees (GRCs) to respond to grievances brought to their notice. These GRCs will have representatives of the ECCD managers, teachers, parents/guardians, and from the local communities. The local community representatives will be impartial third parties in the grievance procedure.

All grievances received will all be entered in a dedicated database, regularly updated and will include information on the date of receipt of grievance, type of grievance and resolution, and the date of resolution. The GRM will be monitored regularly, as it provides important feedback on the functioning of the project.

At the national level, all stakeholders including parents, teachers and partner agencies of ECCD facilities will have the opportunity to make complaints, if any, related to the projects through a Grievance Redress Service of the Bank. This system allows communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be

submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).”

#### 4.4 Addressing Gender Based Violence (GBV) Risks

##### **Risk Rating**

A tool for assessing the risk of GBV, has been developed by the World Bank (please refer to the Good Practice Note on Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works)<sup>4</sup>. The tool helps identify the issues and risks of GBV in the project areas. It takes into consideration both project-specific details, such as labour influx levels, as well as the country context where the project takes place. The ECD – AF project has been assessed using the said tool. As highlighted in the Bank's Good Practice Note (GPN) on GBV, as with any tool, there may be situations where it is prudent to adopt a higher risk category than the tool suggests, if local conditions warrant. This has been the case with this GBV assessment. The ECD-AF has been assessed as having an overall GBV risk rating of **8.75** based on the Bank's GBV Risk Assessment Tool.

##### **Addressing GBV Risks**

Based on the guidance given in the Bank's Good Practice Note (GPN) for addressing GBV risks, where the project's GBV risk rating is considered “**Low Risk**” the following mitigation measures are recommended at the key stages of the project.

***Identification / Appraisal Stage:*** Sensitization of project staff regarding GBV issues and a GBV risks assessment is required at the onset of the project. GBV risks are to be adequately reflected in safeguards instruments. Also the mapping of GBV prevention and response actors in project adjoining communities needs to

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<sup>4</sup> <http://pubdocs.worldbank.org/en/399881538336159607/Good-Practice-Note-Addressing-Gender-Based-Violencev2.pdf>

undertaken. As part of the project's stakeholder consultations, those affected by the project will need to be properly informed of GBV risks and project activities to get their feedback on project design and safeguard issues. Consultations with a variety of stakeholders (political, cultural or religious leaders, health teams, local councils, social workers, women's organizations and groups working with children) is recommended at the start and continuously throughout the implementation of the project. In addition, an effective grievance redress mechanism (GRM) with multiple channels to initiate a complaint with specific procedures for reporting GBV is required.

***Procurement Stage:*** The implementing agency will clearly define the GBV requirements and expectations in the bid documents. Based on the project's needs, the Bank's Standard Procurement Documents (SPDs), and the implementing agency's policies and goals, it will be necessary to define the requirements to be included in the bidding documents for a Code of Conduct (CoC) which addresses GBV issues. In addition, the procurement documents will need to set out clearly, adequate costs required to increase safety of women and children in the host communities and female workers on the site.

***Implementation Stage:*** The implementing agency will need to review Contractors ESMPs to verify that appropriate GBV mitigation actions are included as it is a fundamental instrument for ensuring oversight and management of GBV risks. To ensure grievances regarding GBV are promptly addressed, the implementing agency and the Task Teams will also review that the GRM receives and processes complaints, follows protocols and responds in a timely manner, through an established mechanism. Codes of Conduct need to be signed with the contractors and the implementing agency will ensure the following: (i) requirements in CoCs are clearly understood by those signing; (ii) have CoCs signed by all those with a physical presence at the project site; (iii) train project-related staff on the behaviour obligations under the CoCs; and (iv) disseminate CoCs (including visual illustrations) and discuss with employees and surrounding communities. In addition, the implementing agency will be responsible for providing awareness to project workers and local community on issues of Sexual

**Exploitation and Abuse (SEA)<sup>5</sup> and Sexual Harassment (SH)<sup>6</sup>. To properly address GBV, the training and sensitizing of workers is essential. GBV training modules may be embedded into the regular Occupational Health and Safety (OHS) ‘toolbox’ meetings with workers, official training and/or standalone training efforts. In addition, the implementing agency will be responsible for M&E of progress on GBV activities, including reassessment of risks as appropriate. Should GBV risks become apparent over the course of project implementation, these issues will need to be escalated to ensure they are duly addressed.**

**For a detailed explanation of the measures to address GBV risks discussed above please refer to the World Bank’s Good Practice Note on Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works<sup>7</sup>.**

### **Responding to GBV Incidents**

**World Bank’s Good Practice Note on GBV also provides guidance on ensuring a survivor centered approach when responding to GBV incidents, which ensures confidentiality, safety and wellbeing of the survivor. It also recommends working with GBV Services Provider(s) and community-based organizations that are able to support the project in addressing GBV incidences while also working to proactively prevent such cases. Further guidance is also given in the Good Practice Note in handling GBV complaints, resolving cases and ensuring appropriate support for survivors.**

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<sup>5</sup> Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse is further defined as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.” Women, girls, boys and men can experience SEA. In the context of World Bank supported projects, project beneficiaries or members of project-affected communities may experience SEA.

<sup>6</sup> Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities. The distinction between SEA and SH is important so that agency policies and staff training can include specific instructions on the procedures to report each. Both women and men can experience SH.

<sup>7</sup><http://pubdocs.worldbank.org/en/399881538336159607/Good-Practice-Note-Addressing-Gender-Based-Violencev2.pdf>

## 5. Institutional Arrangements for Safeguards Management and Capacity Building Plan

***Ministry of Women & Child Affairs and Dry Zone Development*** will have the overall responsibility to ensure the SIMF is implemented by the relevant IAs including the PHDT. The Children's Secretariat (CS) at the SMCA will take this responsibility on behalf of Ministry. The CS will assign an officer with skills and knowledge on social safeguards and child rights who will be responsible for the following in line with the project activities they will be implementing. His/ Her key responsibilities are outlined below:

- Coordinate social screening activities (checklist) by DS/PC/LA level and prepare SSRs for all SMCA physical intervention subprojects
- Review draft and final SSRs/ A-RAPs for quality and obtain necessary clearances
- Ensure social safeguards requirements are included into bidding documents of all physical infrastructure related investments via collaboration with procurement team.
- Together with Environmental officer, monitor the ongoing physical interventions of subprojects and provide recommendations to PC/LAs and engineers and report
- Forward SSRs/ A-RAPs and other social documents for the review of World Bank social specialist and obtain necessary concurrence/approvals
- Organize trainings/orientation programmes to PC/LA staff, contractor staff on social safeguards management requirements of the project
- Prepare quarterly progress reports on performance of social safeguards management including gender concerns, citizen engagement activities and updated information on functioning of GRM
- Conduct annual social safeguard audit exercises and share with the Bank and project steering committee and other stakeholders

***The Plantations Human Development Trust:*** will be responsible for the implementation of the SIMF for all sub-projects managed by them and report on implementation to the SMCA. The project management team based in the PHDT will assign an officer for the similar tasks described above and he/she will be responsible for preparing quarterly reports in addition to preparation of the social documents.

Consultations and interactions with the SMCA and the PHDT have shown that inadequate capacity at various levels is a constraint for systematic monitoring and implementation of safeguards management activities of the project. The social staff assigned to both institutions will have to commence undertaking the

initial functions of project preparation including familiarization with safeguards instruments and policies and procedures related to safeguards management. Similarly, the PHDT will be also required to identify and or assign suitable staff to work along with the EOs and other field level staff. Initial capacity building for the social staff on World Bank Safeguard Policies and guidance on good field level implementation of the SIMF will be provided by Bank safeguards specialists.

Initial training/orientation on social safeguards policies, procedures and instruments such as checklists, social screening and preparation of resettlement plans will be conducted soon after the commencement of the project. Any further training required and to be supported will be identified during project implementation.

## 6. Consultation and Disclosure

Consultations with stakeholders including ECCD management committees, DSs Divisional Secretariats, Provincial Councils and Local Authorities are planned to take place periodically during planning, design and implementation of the project. The social staff with the environmental officer will conduct and record consultations with the local stakeholders and project affected persons during preliminary socioeconomic baseline data gathering at the sites. During construction, the site supervision team will meet social audit committees consist of community representatives and consult with the affected people/community as well as local stakeholders for their observations and feedback.

The SIMF will be disclosed to public through print media and will be made available for public review at the CS and SMCA, DSs and Provincial Councils. It will be translated into Sinhala and Tamil and will be made available for public and local level participating institutions prior to commencement of activities on the ground. Relevant subproject specific safeguard documents/mitigation plans prepared subsequently will also be disclosed to the public and made available at the participating institutions and sites where construction work is taking place.

The SIMF has been prepared together with the overall project design in consultation with the Ministry of Children's Affairs, Child Secretariat, and PHDT. Participants in the consultations included policy makers and administrators in these institutions, as well as representatives of local civil society organizations. The main issues that arose during consultations were: (a) importance of promoting equity of opportunity by developing the ECCD facilities for the poorer and former war affected regions; (b) importance of strengthening the quality of ECCD teachers/practitioners; and (c) implementation of the project with agencies who have established better network with marginalized communities such as estate plantation community. The project has taken these concerns of the stakeholders into account in the design of the project. The ECCDP has a strong focus on regional equity, especially through the time sequencing of program benefits.

## Annexures

### Annex 1: Social Screening Checklist

<b>Probable Involuntary Resettlement Impacts</b>	<b>Yes</b>	<b>No</b>	<b>Not Known</b>	<b>Details</b>
1. Will the intervention include new physical construction work?				
2. Does the intervention include upgrading or rehabilitation of existing physical facilities?				
3. Is the intervention likely to cause any permanent damage to or loss of housing, other assets, resource use?				
4. Is the site chosen for this work free from encumbrances and is in possession of the government/community land?				
5. Is this sub project intervention requiring private land acquisitions?				
6. If the site is privately owned, can this land be purchased through negotiated settlement?				
7. If the land parcel has to be acquired, is the actual plot size and ownership status known?				
8. Are these land owners willing to voluntarily donate the required land for this sub-project?				
9. Whether the affected land owners likely to lose more than 10% of their land/structure area because of donation?				
10. Is land for material mobilization or transport for the civil work available within the existing plot/ Right of Way?				
11. Are there any non-titled people who are living/doing business on the proposed site/project locations that use for civil work?				
12. Is any temporary impact likely?				
13. Is there any possibility to move out, close of business/commercial/livelihood activities of persons during constructions?				
14. Is there any physical displacement of persons due to constructions?				
15. Does this project involve resettlement of any persons? If yes, give details.				
16. Will there be loss of /damage to agricultural lands, standing crops, trees?				
17. Will there be loss of incomes and livelihoods?				
18. Will people permanently or temporarily lose access to facilities, services, or natural resources?				

<b>19. Are there any previous land acquisitions happened and the identified land has been already acquired?</b>				
<b>20. Are any indigenous people living in proposed locations or affected/benefitted by the project intervention?</b>				

## **Annex 2: Social Screening Report Format**

### **A. Description of the Activity/Intervention :**

1. Give a brief introduction about the activity/interventions including the names of implementation agencies, their objectives and benefits.
2. Details about existing conditions of the facilities and proposed civil works with scope
3. Available design maps earmarking site and proposed activities in order to explain work.
4. Whether this is purely rehabilitation of existing facilities or will involve any new works.
5. Is this sub-project closely linked to any other activity not funded under ECDP?
6. Will this sub-project involve any ancillary impact/ activity away from the work site?
7. Time line for completion

### **B. Justification of Intervention and Alternative Analysis:**

1. Importance of the proposed activities and why it is taken up:
2. Scenario if the work is not taken up.
3. Scenario if the work is taken up with greater scope of work.
4. What kind of natural disasters this corridor is vulnerable to?: (good if this can be answered).
5. How is the proposed work disaster resilient? (good to answer)

### **C. Corridor of Impact:**

1. Where will the activity be taken up, where does it (drain/road, canal) pass through: markets, residential areas, green fields, USS, etc.
2. Brief socio-economic profile of the work site and impact area, beneficiary/affected communities: businesses, livelihoods;
3. Who all will benefit, and welcome the work? Who may oppose the proposed work?

### **D. Social Impact Assessment ( based on screening checklist findings) Screening Describe both positive and negative impacts**

### **E. Estimation of Specific Impacts**

Components of the Sub Project	Private land required In Sq. m.	No of Land owners losing more than 10% of Land area	Governmental land required in Sq. m.	Forestland required in Sq. m.	No of houses affected	No of shops affected	No of other structures affected	No of squatters affected	Public utilities affected

**F. Information on Affected persons**

Any estimate of the likely number of households that will be affected by the sub project?

- No.  Yes. If yes, approximately how many? .....
- No. of HHs losing <10% of their productive assets (land/cowshed/shops).....
- No. of HHs losing 10% or more of their productive assets?.....

Are any vulnerable households affected?  No.  Yes. If yes, please briefly describe their situation with estimated numbers of HHs?

What are the needs and priorities for social and economic betterment of vulnerable people who are affected by this project?

**H. Decision on categorization**

After reviewing the answers above, it is determined that the sub project

is:

- Categorized as an A project, a full resettlement plan is required
- Categorized as a B project, an abbreviated resettlement plan is required
- Categorized as an C project, no RP is required, Only Due Diligence

Report is required

**Approval and Submission**

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**Prepared by:**

**Approved by:**

**Safeguards Consultant/Officer**

**Project Coordinator/ Director**

**Date:**

**Date:**

### Annex 3: Outline of Abbreviated Resettlement Action Plan

**(a) Project Description;**

Identify Project location and its features and implementing agencies.

**(b) Census Survey of Displaced Persons and Valuation of Assets;**

Potential displacement due to proposed sub-project, assets lost and people displaced from homes or livelihood, and methodology to be used in valuing losses to determine their replacement cost.

**(c) Legal and Regulatory Framework;**

Describe key national and donor policies related to land acquisition, payment of compensation and entitlements. Explain how NIRP and WB safeguard policies will be complied with.

**(d) Eligibility, Description of Compensation and Other Resettlement Assistance to be provided;**

Describe the packages of compensation and other resettlement measures and other assistances that will assist each category of eligible displaced persons to achieve sub project the objectives.

**(e) Consultations;**

Discuss the consultation and participation process in the light of NIRP and WB safeguard requirements.

**(f) Institutional Responsibility for Implementation and Procedures for Grievance Redress;**

Identify main tasks and responsibilities in planning, negotiating, consulting, approving, coordinating, implementing, grievance redress, financing, monitoring and evaluation of the resettlement and rehabilitation.

**(g) Arrangements for Monitoring and Implementation; and**

Specify the arrangements for M&E

**(h) Timetable and Budget.**

Prepare an Implementation Schedule including all resettlement activities from preparation to implementation.

**Annex 4 : Suggested Legal Contract for Voluntary Land Donations**

The following agreement has been made on.....day of .....between  
Mr./Ms .....aged .....  
Resident of ..... GN.....District.....the  
grandson/daughter of .....  
and son/daughter of .....

1. That the land with certificate no.....is a part of .....is surrounded from eastern side by .....western side by ..... on northern side, by ..... and southern side by .....
2. That the owner holds the transferable right of ..... (unit of land) of land/structure/asset .....
3. That the owner testifies that the land/structure is free of squatters of encroachers and not subject to any other claims.
4. That the owner hereby grants to the.....this asset for the construction and development of .....in.....GN/Location, ..... supported by the Early Childhood Development Project for the benefit of the community.
5. That the owner will not claim any compensation against the grant of this asset nor obstruct the construction process on the land in case of which he/she would be subject to sanctions according to law and regulations.
6. That the GN/DS/ Local Authority agrees to accept this grant of asset for the purposes mentioned.
7. That the Local Authority/.....shall construct and develop ECCD facilities under the project and take all possible precautions to avoid damage to adjacent land/structure/other assets.
8. That the provisions of this agreement will come into force from the date of signing of this deed.

\_\_\_\_\_  
**Signature of the Owner**

\_\_\_\_\_  
**Signature of Grama Niladhari**

\_\_\_\_\_  
**Signature of the Divisional Secretary/ Chairperson, Local Authority**

**Witness:1** \_\_\_\_\_ **2.**\_\_\_\_\_