**Sakha Republic (Yakutia)**

IPP688 v3

***Innovative Development of Preschool Education***

***in the Sakha Republic (Yakutia) in 2013-2016 Project***

Indigenous Peoples Plan:

The Village of Khatastyr (Belletskiy Nasleg, Aldan Ulus)

**December 2013**

# Introduction

This Indigenous Peoples Plan (IPP) is developed in pursuance with the World Bank’s Operational Policy (OP) 4.10 on Indigenous Peoples as part of the Innovative Development of Preschool Education in the Sakha Republic (Yakutia) in 2013-2016 Project (hereinafter: the Project).

The IPP aims to identify and assess the positive and negative impacts of the Project on indigenous peoples,[[1]](#footnote-1) and ensure that negative consequences are mitigated and positive effects are strengthened on the basis of free, prior, and informed consultations with the indigenous population.

# Project Description

The Project aims to increase the access to kindergarten places and improve the quality of early childhood care and education services in the Republic of Sakha (Yakutia) where the conditions are created for improved child development outcomes. The Project consists of two complementary components, in addition to an implementation support component.

The *first component* will aim to increase access to improved learning environments for children of pre-school age, by building new ECD centers, and converting existing buildings into ECD centers, using innovative designs. The objective of this component is to increase the number of places available in improved pre-school education and care centers. A total of 8,830 new places would be created, equivalent to covering 87 percent of all children aged 3-7 years on the official waiting list for ECD services. This component will finance: (i) construction of new ECD centers in urban areas, (ii) construction of new ECD centers and rehabilitation of existing buildings as ECD centers, in rural areas, and (iii) development of innovative designs for new and rehabilitated ECD centers.

The *second component* will aim to improve the quality and efficiency of ECD services as well as to increase the provision of alternative forms of ECD services. This component is organized into three sub-components that support reforms and innovations: to promote education services quality; to manage the pre-school system more efficiently; and to expand access to ECD through alternative forms of services delivery.

The *third component* will finance implementation support.

# Indigenous Peoples Residing in the Khatastyr Village

One of the Project sites that where identified for the construction of a kindergarten in 2014 is the village of Khatastyr, which is primarily by Evenks, an indigenous people of southern Yakutia. The Evenks live in 10 regions of the Sakha Republic (Yakutia): Neryungri, Aldan, Olenek, Zhigansk, Ust-Maya, Olekminsk, Anabar, Mirny, Bulunsky, and Khangalas. According to the All-Russian Population Census of 2010 the territory of the Sakha Republic (Yakutia) was home to 21,008 Evenks, of which only 9% spoke the Evenk language, 99% spoke Russian, and over 90% spoke Yakutian. Over 60% of the Evenks live in rural areas. They have their own written language. Traditionally the most important trades in the Evenk economy are reindeer herding and hunting. Reindeer herding of the Evenk is unique, practiced in taiga, and is of pack-riding variety. Agricultural production is also developing along with traditional trades.

Khatystyr is a rural settlement in the Aldan Rayon of the Republic of Sakha (Yakutia); it is located on the right bank of the Aldan River, 50 km north of Aldan City which is the rayon center. The village is the centre of the Belletskiy Nasleg; it was established in 1930 (according to other sources, in 1937).

In the 1940-ies, the earlier operating community-based Kolkhoz named after Molotov was reorganized into the *Sickle and Hammer* Sovkhoz, and on October 15, 1971, five low-capacity kolkhozes (including the *Friendship, Red Star and Sickle and Hammer* Kolkhozes) were merged into the *Aldan* Sovkhoz which, later on, generated the subsidiary unitary enterprise called *Khatystyr*. Until the year 1979, Kharystyr had been developing its fur farming and local people had been engaged in silver fox breeding. In 1992, the adoption of the Law on the Nomadic Tribal Community (Clan) of Small-Numbered Indigenous Peoples of the North gave rise to the creation of tribal communities, engaged in reindeer herding, horse breeding, fishery and fur trapping/hunting.

Currently, the village harbors economic centres of the *Ugino* Tribal Enterprises, *Ai-Tal* small business, and the *Gonam, Ugut*, *Girki*, *Mundukan*, *Oskita*, *Chompola*, and *Kieng-Ouryakh* tribal communities based on traditional economies (reindeer herding, fur animal hunting/trapping and fishery). The village has a community centre, secondary general school with a boarding house, kindergarten, library, medical station, post office and shops. In the central part of the village, there is a monument to commemorate compatriots, perished in the Second World War. In 2000, a recreation and sports center was made operational there.

Since the early 1990-ies, most inhabitants of the villages established their tribal communities to revive and further develop their traditional economies and culture. There are well-known dynasties of reindeer herders (the Sidorovs, Kornilovs, Markovs, Struchkovs, Martynovs, Stepanovs, Karamzins, Avelovs and Gorelovs. The *Ennekeen* folk music group and the *Dylacha* Club of Grandmas disseminate the unique culture of Evenks. In 2010, the *Almaktal* Association of Young Evenks was established.

As of 2010, the total population of Khatystyr was 1,767 people. More than 99% of them (1,765) speak Russian, 61% speak Yakutian (1,429), and 0.4% (7 individuals) speak the Evenk language.

People, living in the village, are engaged in reindeer herding, cattle breeding and commercial hunting.

## Legislation Protecting the Rights of the Indigenous People of the Russian Federation

According to the Federal Law of July 20, 2000 No 104-ФЗ the indigenous people of the Russian Federation are people living in the regions of the North, Siberia, and the Far East on traditional settlement territories of their ancestors, who have preserved their traditional way of life, economy and trades, have a total population of less than 50 thousand people, and identify themselves as separate ethnic communities. The list of indigenous people is approved by the Government of the Russian Federation. The legislation of the Russian Federation protects the rights of indigenous people, associations of indigenous people and individuals of indigenous descent, the ancestral lands of their settlement, their traditional ways of life, economy and trades.

Federal Law on General Principles of Organising Communities of the Indigenous People of the North, Siberia, and the Far East of the Russian Federation of June 20, 2004 No 104-ФЗ (amendment of February 2, 2006 No 19-ФЗ).

Federal Law on Guaranteeing the Rights of the Indigenous People of the North, Siberia, and the Far East of the Russian Federation of April 30, 1999 No 82-ФЗ (amendment of August 22, 2004 No 122-ФЗ).

Law of the Sakha Republic (Yakutia) on the Legal Status of the Indigenous People of the North of March 31, 2005 227-З No 461-111 (amendment of December 27, 2006 418-З No 853-111).

Law of the Sakha Republic (Yakutia) on the Status of the Languages of the Indigenous People of the North of the Sakha Republic (Yakutia) of February 20, 2004 111- З No 243-111.

# Social Assessment

A social assessment was conducted during the Project Development Stage and included a general assessment of the impact of Project activities on people residing in the Project’s implementation areas. In addition, prior consultations with representatives of the indigenous peoples were held. It sought to estimate the social and economic consequences of the Project, as well as to provide information about the project to project affected people (PAP). In particular, it aimed to achieve the following objectives:

* to determine whether there is a pressing need for constructing kindergartens on specific territories;
* to identify the level of satisfaction with the quality of preschool education in specific settlements of the republic;
* to solicit specific preferences regarding the desired architecture and design of planned kindergartens;
* to determine which language do respondents prefer for teaching and educating of children in kindergartens;
* to identify preferences of respondents regarding the infrastructure of a modern kindergarten;
* to identify respondents’ attitudes towards the preservation of traditional way of life of the indigenous people in modern Yakutia;

to identify the “vulnerability points” of the indigenous people of the Sakha Republic (Yakutia) which are the source of risks and threats for their preservation and development, and that may be connected with the development of preschool education.

The social assessment contained two stages: preliminary examination and detailed consultations.

## 3.1. Preliminary examination

A screening of the presence of indigenous people was carried out in all municipal regions (*uluses*) in which the Ministry of Education and Science of the Russian Federation expects to implement the Project. Indigenous populations were identified on the basis of the data of the All-Russian Population Census of 2010 with criteria for selection based on the self-identification of the population, principal features of their life, and their level of involvement in modern economic processes (availability of traditional trades). Provisions of federal and regional legislation were taken into account when identifying settlement areas (Decree of the Government of the Russian Federation of May 8, 2009 No 631-p on Approving the List of Areas of Traditional Settlement and Traditional Economic Activities of the Indigenous People of the Russian Federation and the List of Types of Their Traditional Economic Activities; Law of the Sakha Republic (Yakutia) of July 10, 2003 59-З No 121-111 on the List of the Indigenous People of the North and Places (Territories) of their Settlement in the Sakha Republic (Yakutia) (amendment of March 22, 2006 330- З No 673-111)).

The preliminary examination covered a variety of groups that can be potentially affected by the Project, including different age and gender groups, ethnic groups (Russians, Yakutians, and indigenous peoples) in 15 out of 34 regions of the Sakha Republic (Yakutia) aged 18 and over.

In addition, preliminary telephone consultations were held during the first stage with the Association of the Indigenous People of the North of the Sakha Republic (Yakutia) Non-Governmental Organisation (hereinafter: the Association)—the primary representative of the opinions of the indigenous peoples in Republic Sakha (Yakutia). The Association has been operating since 1989 and is the legitimate representative of the interests of all 5 indigenous populations living on the territory of the republic. During preliminary consultations materials of the Project were introduced and the overall attitude of the Association towards the Project implementation was ascertained. The Association expressed its full support of the Project.

## 3.2. Detailed consultations

As part the “annual public reports” of Yakutian public officials to local citizens, public hearings with potential project affected people (PAP) were held in February-April 2012, February-April 2013. These included a public hearing in the village of Khatastyr, Belletskiy Nasleg, Aldan Ulus, which was identified as a Project site where construction will begin in 2014. The residents of the village expressed in verbal and written forms their support of the Project and the need to modernize preschool education facilities (i.e., the construction of new buildings to substitute old ones and the expansion of existing kindergartens).

Under the rules of the “annual public reports,” all the discussions and decisions taken as part of the public hearings are recorded and documented. The protocols are sent to the Administration of the president and the government of the Republic of Sakha (Yakutia), where there is a dedicated department that works with local authorities. Reports in local media had also contained information about public hearings and discussions regarding the construction of pre-school education facilities and other matters.

The hearings focused on discussing the principal Project activities, based on their status and information available at the time of the consultation, as well as any possible changes to the Project implementation conditions. It was clarified that widespread approval and support from the indigenous population would be obtained before any changes to the living conditions of indigenous peoples would be made.

The hearings were held in both Russian and Yakutian as all participants were fluent in these two languages. Translation was also provided into Evenk, for those who were interested. There were no complaints of misunderstanding, and the representatives of the Association were ready to assist in explaining unclear questions or terms.

# Project Impacts

The results of the social assessment were as follows. The Project does not infringe on the rights and territories of indigenous people communities, and indigenous peoples fully support it. Local population hopes that the implementation of the Project will become a catalyst for an innovative development of the system and will guarantee the accessibility of high quality preschool education in the region.

*4.1 Positive effects*

The construction of kindergartens and introduction of innovations in preschool education in the village of Khatastyr have a valuable positive effect on indigenous people, outweighing any possible temporary negative inconveniences. The Project is also expected to indirectly benefit the demographic situation of indigenous peoples in the village as a whole and help preserve their traditional way of life and native languages.

*4.2 Negative effects*

The social assessment revealed no significant adverse effects from the implementation of project activities, but confirmed that overall project effect was considered as definitely positive. Matters that were identified as part of the hearings and that can be considered as potentially problematic are as follows.

First, indigenous peoples noted that there is a lack of opportunities for preschool age children to study in their native languages. As a mitigation measure, it was decided that kindergartens that will be constructed as part of the Project will allow teaching in native languages.

Second, indigenous peoples noted that their opinions are not sufficiently considered in selecting the sites for Project activities. It was explained as part of the consultations that while numerous communities suffer from lack of space in existing kindergartens, the Project will be unable to satisfy all demands. Further, Project activities will not be able to cover all indigenous communities. Decisions regarding site selection for Project activities follow a predefined formula developed by the government to determine priorities for the construction of new kindergartens, and thus not all demands for additional or renewed kindergartens can be satisfied.

Based on governmental procedures, the need for additional kindergarten space for children aged 3 to 7 is determined according to the following formula.

The meaning of these indicators is:

Пi – indicates the lack of kindergarten space for children aged 3 to 7 in community “i”;

Чi – the overall number of children aged 3 to 7 in community “i”;

Мi – the number of children who will be able to enroll in a kindergarten in community “i”;

Аi – the number of children in community “i” who attend hazardous kindergartens that require rehabilitation;

Bi – the number of children who will be able to enroll in new kindergartens that are being constructed in community “i” in the current year or next year;

Ч – overall number of children aged 3 to 7 registered in the Republic of Sakha (Yakutia);

М – overall number of children who will be able to enroll in a kindergarten in the Republic of Sakha (Yakutia), based on the current capacity of kindergartens;

А – the overall number of children who attend hazardous kindergartens that require rehabilitation in the Republic of Sakha (Yakutia);

B – the number of children who will be able to enroll in new kindergartens that are being constructed in the Republic of Sakha (Yakutia) in the current year or next year.

In sum, the social assessment has not revealed any significant negative impacts caused by the Project. Consultations that will be held as part of this IPP will assess the Project’s impacts on the indigenous peoples residing in the village Khatastyr and aim to mitigate any possible negative effects. If an agreement cannot be reached with respect to some specific activity and all attempts at reaching consensus fail, the said activity will not be implemented in the concerned community.

# Framework for Free, Prior, and Informed Consultation

The basics of organising free, prior, and informed consultations with the representatives of the indigenous people during Project implementation are as follows: free participation in discussing the Project, full inclusion of indigenous populations when organising meetings and discussions (including the provision of full and adequate information about organised events), discussion of possible negative effects before the adoption of any managerial decisions, dissemination of all relevant Project materials to the representatives of the indigenous people.

The following consultations process will be pursued as part of the IPP in the village of Khatastyr.

## Consultations process

All project materials will be made available to indigenous peoples in advance of the consultations in Russian and Yakutian. As only 0.4% of the population of Khatastyr speaks the local Evenk language, and even these individuals are all fluent in Russian or Yakutian, it was determined that there is no need to provide the documents in Evenk. However, in order to ensure that Evenk speakers are fully comfortable with the documents, a member of the Association who is fluent in the Evenk language will explain to them the contents of the documents, respond to their questions, and provide any necessary information.

After the dissemination of project materials, public hearings will be organized and all indigenous peoples will be invited to participate.

The hearings will begin with a presentation of the aim of the Project, its duration, principal components, etc. Afterwards, the participants of consultations will be asked to discuss the following questions:

1. What are the expectations of indigenous peoples’ from Project activities?
2. What specific materials on the Project were available to consultation participants and does he or she need additional explanations?
3. What is the assessment of the participants of consultations regarding the impact of the Project on indigenous people?
4. Are there any activities in the Project that can harm or damage the indigenous population, and what activities in general (outside the Project) cause harm or damage to the indigenous population?
5. Is the Project designed in a culturally appropriate manner? What should be changed to improve its design, if at all?
6. Do indigenous peoples understand why some specific sites and not others were selected?
7. What are the benefits that indigenous peoples will derive from the project? How can these benefits be increased?
8. What is the opinion of the participants of consultations on the existing system of preschool education in the Sakha Republic (Yakutia)?
9. How can interaction be best supported during the Project implementation and what are the proposals of the participants of consultations on how to organise said interaction?
10. How does the grievance redress mechanism of the Project operate?

After discussing these questions, participants will be encouraged to pose their own questions and express their views regarding the Project, its implementation, results, or any other matters of interest. It will be ensured that all participants will have a full opportunity to voice in a free manner their opinions.

The public hearings will be conducted in Russian and Yakutian, as these are the primary languages used by indigenous peoples. Organizers of the consultations will assist participants with any necessary clarifications and members of the Association will be prepared to translate the discussions into the Evenk language, if this will be deemed necessary. The results of the hearings will be recorded in the form of a brief report and disseminated among indigenous peoples in Khatastyr.

A detailed Action Plan will be prepared based on the results of the hearings. The Action Plan will be disclosed in two languages: Russian and Yakutian.

## Participation of indigenous peoples during project implementation

Indigenous peoples will also be fully involved during Project implementation. The following measures will be undertaken to ensure their participation.

1. Involvement of indigenous peoples and the Association in the activities of the Project Implementation Unit (PIU). The PIU will welcome the presence of representatives as external independent experts and invite them to participate in their work.
2. Informing indigenous people and the Association on the progress of Project implementation and expected changes in Project implementation using information messages communicated by telephone, e-mail, or mail, including the development of a plan of informing related to the general calendar plan of Project implementation (approval of main stages, dates, facts relative to which informing takes place);
3. Widespread dissemination of information to indigenous people on the progress of Project implementation and expected changes in Project implementation using regional mass media, including municipal information resources in indigenous people settlement areas;
4. Regular communication (possibility of telephone communication or personal consultations if needed) between the PIU and the representatives of the indigenous people or the Association.

Activities to be implemented in case a potential negative impact of a Project Activity on the indigenous people is identified will be organised in the following manner:

1. Project participants that have identified a potential negative impact of a Project Activity on the indigenous people will inform the PIU;
2. The PIU will prepare a formal description (short evaluation) of the possibility of a potential negative impact of a Project Activity on the indigenous people, take the necessary steps to suspend (freeze) the adoption of relevant decisions on Project implementation until consultations with the representatives of the indigenous people can be held and activities to minimize negative effects are realised;
3. The PIU will inform the representatives of the indigenous people or the Association about the possibility of a potential negative impact and invite them to discuss the issue using convenient means (telephone consultations, personal meetings, e-mail or mail);
4. An evaluation of the potential negative impact will be prepared and include the opinion of the indigenous people and possible activities to minimize the negative effect if the negative effect has been confirmed and requires the adoption of corrective measures;
5. The evaluation document will be shared with the Ministry of Education and among all parties taking part in Project implementation and affected by the negative impacts; if necessary, corrective measures will be taken.

# Institutional Arrangements

## 7.1. Institutions

The following institutional and implementation arrangements will govern the Project: The Ministry of Education and Science is the Project Implementation Agency. The Federal Interagency Coordination Council (ICC) was established to oversee, direct, control and coordinate at the federal level the implementation of the Project. The Interdepartmental Working Group (IWG) was established as the coordination and executive body for the Project to exercise systematic weekly oversight and control of its implementation. The Bureau of Economic Analysis (BEA) was competitively selected as the Project Implementation Unit to be responsible for overseeing the day-to-day management of the Project, including procurement, financial management, disbursements, monitoring and evaluation, communications and reporting functions.

It is expected that the Interagency Working Group will remain in direct contact with indigenous people who reside in Khatastyr and with the Association on all issues related to implementing Project activities. If necessary, indigenous peoples’ representatives will be invited into the Interagency Working Group as external independent experts. As has been discussed during the public hearings, the best method for promoting interaction and cooperation is the inclusion of a representative of the Association into the Project Interagency Working Group or any other agency responsible for coordinating the Project implementation in this region.

## 7.2. Grievance redress mechanisms.

Specific procedures of considering requests and complaints include the possibility of pre-trial review of requests of the representatives of the indigenous people through interaction between the representatives of the indigenous people, the Association, the Interagency Working Group, the PIU and its branch or office in the City of Yakutsk.

It was agreed during the public hearings that the Association would be considered as a representative of the interests of the indigenous people. As such, the Association will function as a liaison, ensuring that indigenous peoples’ requests and complaints reach the Interagency Working Group in cases where the representatives of the indigenous people do not have the possibility to personally address the Project participants or the PIU. The precise procedure for filing complaints and grievances is as follows.

As discussed and agreed during the preliminary consultations, indigenous peoples will be able to direct grievances related to the Project to the official representatives of the Association. There is at least one Association representative in every IP village. These representatives are elected by the indigenous residents of the village for five-year terms and can serve only once. These representatives are fluent in both Russian and Yakutian languages, as well as in the indigenous languages of their village of residence, and thus they could consider grievances in any of these languages.

When a grievance is received, the representative will try to fix it as expeditiously as possible. If the representative is unable to fix the grievance on his own, he will send a formal request to the Inter-Agency Working Group and the Ministry of Education of the Republic of Sakha (Yakutia). The Inter-Agency Working Group is the primary body responsible for grievance redress. Depending on the nature of the complaint, it will be responsible for either solving them or redirecting to other responsible governmental agencies. Whenever necessary, the Working Group will rely on the assistance of the PIU in coordinating response to grievances with relevant authorities. If a decision on a request that satisfies all parties cannot be found, the PIU and the Working Group will involve the Head of the Ministry of Education, whose mandate includes the organization of pre-school education in the Republic of Sakha (Yakutia)..

If needed, indigenous peoples will also be able to contact the Working Group directly, without the assistance of the Association representative. The phone number and mailing address of the Working Group will be disseminated among indigenous peoples during the public hearings and will be made available in all local administration offices in IP villages.

All decisions will take into account the interests and traditions of indigenous peoples, and the complainants will be informed on the outcome of the complaint. All efforts will be undertaken to respond to grievances as quickly as possible.

The above mentioned procedures do not substitute or invalidate any and all rights for legal recourse to address the complaints, or any other legal procedures exercised in the Russian Federation.

# Monitoring and Evaluation

The results of the social assessment and the Indigenous Peoples Plan and all other corresponding data will be included into the overall results of Project Results Monitoring and Evaluation. Indigenous peoples who are affected by the project will be invited to participate in monitoring activities.

The suggested target indicators for monitoring and evaluation are:

1. Increasing the proportion of beneficiaries of pre-school education, who are satisfied with the quality of the teacher and the educational environment (to be determined);
2. Increasing the enrolment of indigenous peoples’ children who receive pre-school education services (to be determined).

Monitoring will be organised by the PIU with the participation of representatives of indigenous population. Conditions and criteria for monitoring, evaluation, and reporting on the implementation of the IPP and Action Plan will be based on target values of mostly qualitative character: which activities should be realised, which measures should be taken, etc. Quantitative indicators will include the number of indigenous people affected by media and information campaigns and events, the number of communities and citizens potentially impacted during the Project implementation (if a possible negative effect has been identified), the number of accepted and considered complaints etc. The proposed approach for monitoring is given in table 1.

***Table 1. Principal Indicators of Monitoring and Evaluation***

|  |  |  |  |
| --- | --- | --- | --- |
| **Indicators** | **Goal** | **Meaning** | **Methodology** |
| Planned activities have been implemented and measures have been taken | Full completion | Yes / No or percentage of the realisation level of each activity | Regular (quarterly) evaluation of the Project jointly by the PIU and representatives of the indigenous people |
| Percentage of population exposed to information and media events | A set percentage of population determined in advance | Per cent (estimated) | Regular (quarterly) evaluation of the Project by the PIU on the basis of data on the number of printed copies of text publications, TV and radio audiences, personal meetings |
| Actual negative effect | 0 (zero) | Sum in roubles or value in physical indicators | Reports on taken measures prepared jointly by the PIU and representatives of the indigenous people |
| Number of complaints received / considered (resolved) | 1 (100%) | Ratio | Registration of complaints by staff of the PIU.  Reports on complaint consideration prepared jointly by the PIU and representatives of the indigenous people |

Monitoring activities will be based on the data collected as part of social assessment and include reports prepared at the end of half-year periods of Project implementation (i.e. until June 30 and December 31 of each year of implementation). Monitoring results will be shared with the representatives of the indigenous people and will subsequently be published in open access sources.

# Budget

Appropriate funds will be allocated from the Project budget to cover all expenses related to visits to the village in order to conduct consultations (including travel, accommodation, translation and interpretation), as well as expenses related to the operation of the GRM and monitoring and evaluation activities. In case any negative impacts emerge during the detailed consultations that will be held as part of this IPP, appropriate budget will be immediately allocated to mitigate these impacts.

# Disclosure arrangements

The draft and final versions of the IPP will be widely disseminated among indigenous peoples residing in Khatastyr in Russian and Yakutian languages.

The documents will be available in local administration offices in the village, on the website of the Ministry of Education of Republic Sakha (Yakutia), and in the offices of the PIU and the Working Group. If any changes will be made to the IPP, these documents will be disclosed again.

1. The use of the term “indigenous peoples” in this document is equivalent to the Russian terms «коренные малочисленные народы» or «коренные народы». [↑](#footnote-ref-1)