

**THE WORLD BANK**

**PROGRAM FOR RESULTS FOR THE LEBANESE REPUBLIC**

**SUPPORT TO REACHING ALL CHILDREN WITH  
EDUCATION (RACE 2)**

**MINISTRY OF EDUCATION AND HIGHER EDUCATION**

**ENVIRONMENTAL AND SOCIAL SYSTEMS  
ASSESSMENT  
(ESSA)**

**AUGUST 4, 2016**

## ACRONYMS

ALP	Accelerated Learning Program
CCT	Conditional Cash Transfer
CERD	Center for Educational Research and Development
COM	Council of Ministers
CSO	Civil Society Organization
DLI	Disbursement-Linked Indicator
DOPS	Pedagogical and Scholastic Guidance Office ( <i>Direction d'Orientation Pédagogique et Scolaire</i> )
ECU	Engineering Coordination Unit of the MEHE
EDP II	Education Development Project II
EESSP	Emergency Education System Stabilization Program
EIA	Environmental Impact Assessment
EMIS	Education Management Information System
ESDS	Education Sector Development Secretariat
ESMF	Environmental and Social Management Framework
ESSA	Environmental and Social Systems Assessment
ESWG	Education Sector Working Group
IEE	Initial Environmental Examination
GRM	Grievance Redress Mechanism
KG	Kindergarten
MENA	Middle East and North Africa
MEHE	Ministry of Education and Higher Education
MOE	Ministry of Environment
MOSA	Ministry of Social Affairs
NGO	Non-Governmental Organization
PAP	Project Affected Person
PDO	Program Development Objective
PforR	Program for Results
PMU	Program Management Unit
RACE	Reaching all Children with Education
REC	RACE Executive Committee
RPF	Resettlement Policy Framework
SEA	Strategic Environmental Assessment
TOR	Terms of Reference

UN	United Nations
UNICEF	United Nations International Children's Emergency Fund
UNHCR	United Nations High Commissioner for Refugees
VLD	Voluntary Land Donation

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## EXECUTIVE SUMMARY

### I. BACKGROUND

Roughly 6.8 million school age children have been affected by the refugee crisis in the Middle East and North Africa (MENA). The crisis includes approximately 5.4 million children in Syria and 1.4 million Syrian refugee children, the majority of whom have been denied their right to schooling. In Lebanon, approximately one out of ten people are Syrian refugee children. This includes 487,723<sup>1</sup> children of school age 3-18 years old, about 59<sup>2</sup> percent of whom are out of formal schooling. This has both short-term and long-term consequences. For families coping with the daily struggles of displacement, this presents an added burden today. Based on prior crises and extensive evidence, the lack of schooling today is likely to lead to a life of poverty and struggle tomorrow. For Lebanon, the protracted nature of the crisis and the immense demand for schooling have resulted in strains on service delivery systems including public education quality for both host community and refugee children. Hosting such a large number of refugees represents an economic and social burden requiring international assistance. For the countries of origin, where refugee populations hope to one day return, lack of access to learning now represents a generation missing out on crucial skills acquisition. Most urgently, long-term peace in the region requires providing young people productive and rewarding alternatives to joining the ongoing conflict.

In response, the Government of Lebanon, with support from the international community, has launched the Reaching all Children with Education (RACE) initiative. First launched in 2013, RACE seeks to improve access to formal education for 460,000 Syrian refugee children and underprivileged Lebanese children in the country. Over the next phase of support (2016-2021), the Lebanese Ministry of Education and Higher Education (MEHE) and partners have agreed to prioritize scaling up equitable access to educational opportunities in the formal public system, improve the quality and inclusiveness of the teaching and learning environment, and strengthen the national education system, policies, and monitoring. It is expected that efforts under this new phase (RACE 2) will contribute to minimize the short and medium-term costs of displacement for refugee families, while strengthening the long-term capacity of the Lebanese education system to prepare children for life and work once regional stability returns.

This new phase of the RACE strategy builds on the momentum established thus far, and broadens success to date to the areas of pre-primary and secondary education. The World Bank is working closely with UNICEF, UNHCR and others to support the MEHE in revising the RACE strategy for the coming five years. RACE 2 covers school years 2016/17 through 2020/21, and will require additional financing to complete. Current investments, including the Emergency Education System Stabilization Project grant are performing well, with 41 percent disbursed in the first 9 months and results including textbooks for all public school students in kindergarten through 9th grade and financial support to schools.

### II. PROGRAM DESCRIPTION

RACE 2 is estimated to cost approximately US\$2.1 billion over five years. MEHE led the development of the program together with multiple stakeholders, including the Center for Educational Research and Development (CERD) and other national and international actors. RACE 2 builds on the successes and lessons of the first phase of RACE (2013-2015), and emphasizes issues of quality and systems strengthening. The RACE 2 program aims to achieve 3 outcomes and 9 outputs that are structured around three pillars: i) Equitable Access, ii) Enhanced Quality, and iii) Strengthened Systems.

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<sup>1</sup> UNHCR registered Syrian refugees

<sup>2</sup> Enrollment numbers from RACE 2 executive summary

Within the Government program, the Bank operation will support specific RACE program objectives linked to formal education.<sup>3</sup> The Bank-supported Program objectives are spread across all three pillars, and exclude activities that are fully and exclusively supported by international partners, such as UNICEF and UNHCR. Examples of such excluded activities are non-formal education service provision and cash transfer programs that are not administered by the MEHE. Although those activities are not part of the Bank-supported Program, they continue to be core parts of the overall RACE 2 program.

*Pillar I: Equitable Access*

RACE’s first pillar aims to achieve “enhanced access to, and demand from, children, youth, and their caregivers; for equitable formal or regulated non-formal education.” Within this pillar, there are two outputs that activities will contribute to:

A.1 Children, youth, and their caregivers are provided with the necessary support to increase their demand for formal education or regulated non-formal education;	A.2 Children and youth have improved and equitable access to appropriately equipped public schools, especially in under-served areas
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*Pillar II: Enhanced Quality*

The second pillar strives for “enhanced quality of education services and learning environments provided, to ensure relevant, age-appropriate learning outcomes for children and youth.” Specifically, activities would contribute to the following three output areas:

B.1 Teachers and educational personnel have enhanced capacities to provide learner-centered pedagogy in public schools or learning spaces;	B.3 Communities are capacitated to actively engage in the promotion of learning and well-being of students in learning spaces;
B.2 Educational personnel at the school-level are capacitated and empowered to proactively contribute to better school governance and safe/enabling learning environments;	

*Pillar III: Strengthened systems*

The third pillar is focused on “enhanced governance and managerial capacities of MEHE and CERD to plan, budget, deliver, monitor, and evaluate education services.” This pillar aims to achieve the following outputs:

C.1 An effective and accurate Education Management Information System (EMIS) is established and functional;	C.3 Appropriate policy frameworks are endorsed and implemented to regulate education programs and services, strengthen school management, and professionalize teaching services;
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<sup>3</sup> To distinguish the overall RACE program from the smaller Bank-supported Program, please note use of capital ‘P’ in Bank-supported Program.

C.2 Revised curricula for schools and learning spaces are developed and endorsed to improve quality learning, life-skills and employability for children and youth;	C.4 MEHE and CERD at the central and regional levels are strengthened to lead and coordinate the planning, implementation, and evaluation of the relevant RACE 2 activities.
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**III. PROGRAM FOR RESULTS PROGRAM DEVELOPMENT OBJECTIVE/S (PDO) AND KEY RESULTS**

The Program Development Objective is to promote equitable access, enhance quality of learning, and strengthen the systems in Lebanon’s education sector in response to the protracted refugee crisis. The key results are as follows:

- i. Increase in the proportion of school-aged Lebanese and non-Lebanese children (3-18) enrolled in formal education (disaggregated by school type, education cycle, nationality, and gender)
- ii. Increase in the proportion of students passing their grades, and transitioning to the next grade (disaggregated by school type, grade, nationality, and gender)
- iii. Improvement in MEHE’s capacity to review, evaluate, and update Program implementation

**IV. ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT: AIMS AND APPROACH**

Program for Results (PforR) is a World Bank lending instrument that provides support to member countries to improve the design and implementation of their development programs in infrastructure, education, health, and other sectors, in local government and community development, and in cross-sectoral areas such as public sector management and private sector development.

The Environmental and Social Systems Assessment (ESSA) is crucial to ensure that operations are designed and implemented in a manner that maximizes potential environmental and social benefits. The ESSA assesses the borrower’s organizational capacity and performance to achieve the social and environmental objectives associated with the Program and stipulates supplementary actions as necessary.

**V. SUPPORT TO RACE 2 - ENVIRONMENTAL AND SOCIAL EFFECTS**

The key interventions of the Program relate to capacity building of the MOE institutions and small scale infrastructure works which are expected to result in substantial social and environmental benefits to the children, at large, especially, those belonging to the Syrian refugees. Hence, adverse impacts that are sensitive, diverse and unprecedented on the environment and/or people are not foreseen. The Program is expected to create limited environmental pressures during school rehabilitation and/or construction as mitigation measures will be considered during implementation; and is expected to lead to limited environmental pressures during the operations and maintenance of newly built premises.

The anticipated negative environmental impacts associated with the types of works funded under RACE 2 include: air pollution from dust and emissions; nuisances such as noise visual pollution; solid and liquid wastes from construction sites and worker campsites; soil erosion and possible traffic interruptions. These types of impacts, however, are generally site-specific and short-term in nature. Experience from implementation of similar types of works indicates that short-term construction impacts for the most part can be prevented, minimized or mitigated with standard operational procedures and good construction management practices.

Several of the key social risks and opportunities of this program are related to the broad conflict, poverty, exclusion, and governance issues as they interact closely with the education sector. Some of the key social risks identified include:

- *The Program could inadvertently exclude certain groups of children.* A large percentage of refugee children are not enrolled in formal schooling, in some cases due to cultural norms preventing girls (and especially adolescent girls) from attending school. In other cases, youth drop out of school to work in the informal sector and support their families. Other children cannot afford transport costs to attend schools. Exclusion of these children from the education system could have long-term implications for their ability to contribute to society and to support themselves and their families.
- Frustration could be heightened if different groups of youth have unequal access to jobs despite having similar education levels. It is likely that the Program would have positive effects on young people's ability to access labor markets, given that education levels are correlated with having better jobs. However, given limitations for refugees to access labor markets, young refugees exiting schools may find that they cannot access the same jobs as non-refugee youth with the same skill level, leading to frustration. Similarly, given that many jobs are accessed through personal networks, even young people who have attended school may be relegated to working in low-productivity or low-paying jobs.
- Efforts to target specific social groups could be perceived to be discretionary and/or favoring one vulnerable group over another. A perception that one or another social group is benefitting could create or exacerbate social tensions between communities.
- *Lack of transparency in the selection criteria, roles and responsibilities, and accountabilities of the counselors* selected for the new community liaisons activities could decrease trust between beneficiary communities and the education sector.
- Difficulties in meeting objectives related to quality of education could lead to increased drop-out rates, or to a perception that education is not lead to positive outcomes. This could in turn lead to further vulnerability of students and to less trust between communities and the state.
- *Lack of understanding of the possible uses of MEHE's grievance redress system* could lead to various types of complaints being unaddressed, such as complaints related to discrimination and bullying in schools. This could in turn affect attendance of children affected by such issues.

In addition to the risks outlined above, social risks may arise from infrastructure support that requires land acquisition or the change in usage of land and property. While school and classroom construction would only occur in government owned land or property, in a few cases, some of this government owned land or property may be used informally by individuals or households. Construction or rehabilitation works could impact these individuals' ability to continue using this land, and could lead them to lose productive assets or income sources. Direct economic and social impacts could include loss of land, assets and income, access to assets or housing resulting in adverse impacts to livelihoods. Unless properly managed, this could lead to long-term hardship and impoverishment for affected persons and communities.

The Program will not finance land acquisition. However, it will be important to ensure there is a clear process for screening out land acquisition, such as construction of new schools on private land. In particular, close monitoring of cases that are categorized as Voluntary Land Donation (VLD) to ensure that the act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities will be needed. In addition, impacts on informal land users of government owned land, or donated land, will also need to be screened out.

The Program is expected to have overall positive social impacts. Greater access to quality education is known to have broad impacts on individuals' access to labor markets, increased social networks, increased ability to participate in decision-making, and can help decrease differences between social

groups. In the specific case of this PforR, the Program could also have additional positive social impacts, including:

- *Reducing vulnerability and psychological distress amongst refugee women and children.* These groups are among those that have the highest rates of vulnerability and social distress, and improved access to quality education could help increase their resilience. Reduced vulnerability among these groups could also have positive impacts such as reduced child labor, early marriage, begging, etc. However, for the Program to have these impacts, specific measures would need to be in place to target these groups and to address the issues that lead to their vulnerability. The capacities of front-line staff to address these issues are therefore essential for this positive impact to materialize.
- *Reducing levels of violence, including gender-based violence.* Gender-based violence increases as young people, becoming discontent with their situation, and having few coping mechanisms to adjust, resort to violence, including sexual violence, to criminal activities, or to substance abuse. Increased access to education could reduce these frustrations and therefore also reduce violence, especially if access is increased among youth and if issues of violence and gender-based violence are addressed directly in the education system.
- *Improved social cohesion.* If differences between social groups are managed properly, such that all groups believe that benefits are being distributed equally, education can serve as a source of social cohesion. Education creates links between diverse social groups, as parents and children interact in common spaces and share experiences. Mechanisms in the Program to ensure transparency of targeting and enhanced grievance redress can increase this positive social impact.
- *Increased trust between beneficiaries and the state.* The education system is often one of the main points of interaction between citizens and the state. In the case of Lebanon, given the large numbers of refugees, the education system is not only a key point of interaction between citizens and the state but is also an important point of interaction between refugees and their host state. Improving the quality and access to education can significantly improve the relationship and trust between the Lebanese state and both refugee and non-refugee communities. This is especially the case if front-line staff are put in place to help foster the relationships between schools and the communities they serve.

## VI. ASSESSMENT OF BORROWER SYSTEMS

Regarding RACE 2, school rehabilitation and/or construction does not fall under the national EIA system. However, to ensure consistency with the applicable “core principles” outlined in the World Bank’s OP/BP 9.00, due diligence procedures will be prepared under this Program to enable the Ministry of Education to ensure that the proper mitigation and monitoring measures that will be included in Annex 4 of the ESSA are implemented. Due diligence procedures will be provided in the Action Plan for the two applicable core principles for this Program, namely: that the Environmental and social management procedures and processes are designed to: (a) promote environmental and social sustainability in the program design; and, (b) protect public and worker safety against the potential risks.

To address social risks in schools, the MEHE employs field coordinators through the Pedagogical and Scholastic Guidance Office (Direction d’Orientation Pédagogique et Scolaire - DOPS) who are responsible for monitoring the quality of teaching, problems faced by students, and the overall situation in each school. Field coordinators are responsible for approximately 30 schools and visit each school every 2-3 weeks. This allows the MEHE to have up to date information on each school they support and to address issues in a timely manner. Field coordinators work closely with teachers and school counselors in each school to address issues, and gather school condition information that is then shared with engineers.

In relation to child protection issues, Article 41, Decision 1130 refers to the code of conduct that education professionals must adhere to in preschools and basic education. It stipulates that employees

in the education sector are prohibited to inflict any physical punishment on pupils, nor to address verbal retribution that is “humiliating and is against the principle of education and personal dignity.” The law however does not spell out what the student’s rights are nor what are the precise accountabilities of teachers. The lack of clarity in terms of grievance redress mechanisms at the school level, and a transparent system of reward and sanction for poor behavior poses a challenge to the social dynamics at the school level.

As part of the RACE 2 Program Management Unit (PMU) composition, Child Protection Officers support the implementation of the Child Protection Program in schools at national and local level in coordination with DOPS, and other relevant stakeholders, including communication with Directorates of Education and Ministry of Social Affairs at the local level. The Officers help in developing and implementing a program of inclusion (targeting children with physical disabilities and learning difficulties, regardless of refugee/non-refugee status).

Regarding the need for land acquisition and expropriation, the Lebanese system has several gaps that could impose negative impacts on the affected persons. In particular, there are gaps between the Expropriation Law Expropriation Law No. 58 dated 29/05/1991 (amended on 8/12/2006) and World Bank-recommended practices on land acquisition and resettlement. These gaps are described in detail in the main text of this ESSA.

## VII. RECOMMENDATIONS AND PROPOSED ACTIONS

### *Environment Aspects*

The due diligence procedures included in the Revised Action Plan of the ESSA consist of the following:

- a) Preparing a set of generic mitigation and monitoring measures that will be attached as part of the bidding documents for civil works for: (i) sub-projects which will involve the rehabilitation of schools for which asbestos or lead-based paint or any other hazardous materials were used; and (ii) for sub-projects that would require the construction of new schools or significant extension of the school within the perimeter of the schools itself. This generic mitigating and monitoring measures are attached in Annex 4.
- b) The PMU will nominate one of its senior engineers who will be responsible for the environment aspects of this program, to carry out the following tasks: (i) reviewing the results of the screening matrix which will be prepared by the PMU engineers for determining the location, type and size of the civil work activities; (ii) ensuring that the bidding documents include the appropriate mitigation and monitoring measures in the civil work contracts; (iii) conducting or contracting an experienced environmental specialist/qualified inspector to monitor annually the compliance of these measures in a sample of civil work contract; and (iv) preparing a progress report to the head of the PMU that will be shared with the Bank supervision missions on the status of progress and compliance with these measures. It is recommended that the nomination by the PMU for the staff responsible for the environment aspects of this program will take place within three months of loan signature.
- c) The PMU staff will receive a three-day training on the PforR procedures, the core principles for environmental assessment, the Lebanese environmental system, the screening matrix, the generic mitigation and monitoring measures to be applicable to the RACE II Program, and a field visit to one of the proposed schools for the potential demonstration of these measures will be carried out on the third and last day of the training. The training is to take place within three months of loan signature.

## *Social Aspects*

The ESSA recommends that the following actions be undertaken with respect to improving social management capacity:

- a) Strengthening existing citizen engagement mechanisms to increase transparency and access to information on targeting criteria. The program will build and expand the public disclosure and publishing of targeting criteria used to target vulnerable groups to ensure relevant stakeholders (schools, grassroots organizations, and beneficiaries) have access to this information.
- b) Ensuring that funding is available so that Child Protection Officers can implement their duties in order to mitigate against negative social impacts under the program.
- c) In collaboration with the Ministry of Social Affairs (MOSA), DOPS, and MEHE, strengthening the capacity of community liaisons to better respond to social tensions, discrimination, bullying and gender-based violence issues.
- d) Building the capacity of MEHE's existing Complaints Hotline to strengthen its case management and guarantee confidentiality in handling. Special attention will be paid to grievances associated with discrimination, sexual harassment, gender-based violence and bullying in schools through the introduction of a secure, confidential and easily accessible system to report these cases and ensure follow up.
- e) Supporting community liaisons to foster community cohesion between refugee and host communities by creating or empowering parent-teacher associations and having schools organize community service activities within their communities.
- f) Building the capacity, as needed and oversight function of PMU staff responsible for school construction oversight to comply with World Bank principles on resettlement and land acquisition, including screening out or addressing impacts on informal land and property users.

## I. INTRODUCTION

### 1.1 CONTEXT

1. Roughly 6.8 million school age children have been affected by the refugee crisis in the Middle East and North Africa (MENA). The crisis includes approximately 5.4 million children in Syria and 1.4 million Syrian refugee children, the majority of whom have been denied their right to schooling. In Lebanon, approximately one out of ten people are Syrian refugee children. This includes 487,723<sup>4</sup> children of school age 3-18 years old, about 59<sup>5</sup> percent of whom are out of formal schooling. This has both short-term and long-term consequences. For families coping with the daily struggles of displacement, this presents an added burden today. Based on prior crises and extensive evidence, the lack of schooling today is likely to lead to a life of poverty and struggle tomorrow. For Lebanon, the protracted nature of the crisis and the immense demand for schooling have resulted in strains on service delivery systems including public education for both host community and refugee children. Hosting such a large number of refugees represents an economic and social burden requiring international assistance. For the countries of origin, where refugee populations hope to one day return, lack of access to learning now represents a generation missing out on crucial skills acquisition. Most urgently, long-term peace in the region requires providing young people productive and rewarding alternatives to joining the ongoing conflict.
2. In response, the Government of Lebanon, with support from the international community, has launched the Reaching all Children with Education (RACE) initiative. First launched in 2013, RACE seeks to improve access to formal education for 460,000 Syrian refugee children and underprivileged Lebanese children in the country. Over the next phase of support (2016-2021), the Lebanese Ministry of Education and Higher Education (MEHE) and partners have agreed to prioritize scaling up equitable access to educational opportunities in the formal public system, improve the quality and inclusiveness of the teaching and learning environment, and strengthen the national education system, policies, and monitoring. It is expected that efforts under this new phase (RACE 2) will contribute to minimizing the short and medium-term costs of displacement for refugee families, while strengthening the long-term capacity of the Lebanese education system to prepare children for life and work once regional stability returns.
3. Success thus far has been limited to the primary level, with pre-primary and secondary school-age refugee children remaining overwhelmingly out of school. Much progress has been achieved in the last few months, with 141,722 students in school year 2015-16<sup>6</sup>, a significant increase from 18,780 students aged 3-18 in school year 2011-12. Still, almost 87 percent of Syrian refugee children integrated into public schools in the 2015-16 school year belong to the 6-15 age group. Fewer than 10 percent of secondary school age children (15-18 years) were enrolled at the secondary level, depriving most of this age-group from the adequate preparation for an active participation in society and the labor market. Fewer than 20 percent of refugee children in the 3-5 age group were enrolled in pre-primary public education, thwarting the many benefits of early childhood education, including the reduction of cost of remedial education at later grades.
4. Even when students are able to attend school, the quality of learning is a serious concern. The immense pressures that the increased demand for schooling have imposed on Lebanon's education system, including overcrowding and shorter school hours for the second shift, have had significant implications for the quality of education. While teaching and learning materials have been widely financed and

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<sup>4</sup> UNHCR registered Syrian refugees

<sup>5</sup> Enrollment numbers from RACE 2 executive summary

<sup>6</sup> Enrollment numbers from Ministry of Education and Higher Education (MEHE) and Center for Educational Research and Development (CERD)

distributed, the ability of schools to transform these inputs into learning appears mixed. Monitoring of refugee children's learning has been limited, with no currently available analysis of learning outcomes. Gains in access risk being undermined by losses due to inadequate quality, which is one of the drivers of high dropout rates among Syrian children.

5. This new phase of the RACE strategy builds on the momentum established thus far, and broadens success to date to the areas of pre-primary and secondary education. The World Bank is working closely with UNICEF, UNHCR and others to support the MEHE in revising the RACE strategy for the coming five years. RACE 2 covers school years 2016/17 through 2020/21, and will require additional financing to complete. Current investments, including the Emergency Education System Stabilization Project grant are performing well, with 41 percent disbursed in the first 9 months.

## 1.2 PROGRAM OBJECTIVES

6. The Program Development Objective is to promote equitable access, enhance quality of learning, and strengthen the systems in Lebanon's education sector in response to the protracted refugee crisis. The key results are as follows:
  - i. Increase in the proportion of school aged Lebanese and non-Lebanese children (3-18) enrolled in formal education (disaggregated by school type, education cycle, nationality, and gender);
  - ii. Increase in the proportion of students passing their grades, and transitioning to the next grade (disaggregated by school type, grade, nationality, and gender);
  - iii. Improvement in MEHE's capacity to review, evaluate, and update Program implementation.

## II. SUPPORT TO RACE 2

### 2.1 PROGRAM DESCRIPTION

7. RACE 2 (2016-2021) is estimated to cost approximately US\$ 2.1 billion over five years, including Government and donor financing. MEHE led the development of the program together with multiple stakeholders. It builds on the successes and lessons of the first phase of RACE (2013-2015) and emphasizes issues of quality and systems strengthening. The RACE 2 program aims to achieve three outcomes and ten outputs that are structured around three pillars: i) Equitable Access, ii) Enhanced Quality, and iii) Strengthened Systems.
8. Within the Government program, the Bank operation will support specific RACE Program objectives linked to formal education.<sup>7</sup> The Bank-supported Program objectives are spread across all three pillars, and exclude activities that are fully and exclusively supported by international partners, such as UNICEF and UNHCR. Examples of such excluded activities are non-formal education service provision and cash transfer programs that are entirely administered outside of MEHE. Although those activities are not part of the Bank-supported Program, they continue to be core parts of the overall RACE 2 program.
9. The overall RACE 2 program depends on a broad set of partnerships for success. The public education system cannot absorb all Lebanese and refugees of school age, and so depends on actors in the private and non-profit sectors to provide education services as well. While the Ministry of Education and Higher Education (MEHE) and the Center for Education Research and Development (CERD) will

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<sup>7</sup> To distinguish the overall RACE program from the smaller Bank-supported Program, please note use of capital 'P' in Bank-supported Program.

implement the majority of RACE 2 activities, UN agency partners may be best placed to carry out some of the demand-side activities that are crucial to achieving RACE objectives. Similarly, many of the targets in the formal education sector in later years can only be met through support to the non-formal education sector in the current period. Some children have been out of school for a year or more and need instruction in non-formal settings to catch-up on subject matter and adapt themselves to instruction in French or English, a characteristic of the Lebanese education system. Finally, the RACE 2 strategy is for all children, both Lebanese and refugees, and investments are aligned with the long-term sustainability needs of the education system as a whole, regardless of the outcome of the refugee crisis beyond the medium-term.

***Pillar I: Equitable Access***

10. The first pillar aims to achieve “enhanced access to, and demand from, children, youth, and their caregivers; for equitable formal or non-formal education pathways.” Within this pillar, there are two outputs that activities will contribute to:

A.1 Children, youth, and their caregivers are provided with the necessary support to increase their demand for formal education or regulated non-formal education;	A.2 Children and youth have improved and equitable access to appropriately equipped public schools, especially in under-served areas
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***Pillar II: Enhanced Quality***

11. The second pillar strives for “enhanced quality of education services and learning environments provided, to ensure relevant, age-appropriate learning outcomes for children and youth.” Specifically, activities would contribute to the following three output areas:

B.1 Teachers and educational personnel have enhanced capacities to provide learner-centered pedagogy in public schools or learning spaces;	B.3 Communities are capacitated to actively engage in the promotion of learning and well-being of students in learning spaces;
B.2 Educational personnel at the school-level are capacitated and empowered to proactively contribute to better school governance and safe/enabling learning environments;	

***Pillar III: Strengthened systems***

12. The third pillar is focused on “enhanced governance and managerial capacities of MEHE and CERD to plan, budget, deliver, monitor, and evaluate education services.” This pillar aims to achieve the following outputs:

C.1 An effective and accurate Education Management Information System (EMIS) is established and functional;	C.3 Appropriate policy frameworks are endorsed and implemented to regulate education programs and services, strengthen school management, and professionalize teaching services;
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C.2 Revised curricula for schools and learning spaces are developed and endorsed to improve quality learning, life-skills and employability for children and youth;	C.4 MEHE and CERD at the central and regional levels are strengthened to lead and coordinate the planning, implementation, and evaluation of the relevant RACE 2 activities.
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2.3 PROGRAM FOR RESULTS PROGRAM SCOPE

13. To achieve the Bank-supported RACE Program result areas, the MEHE and partners need to undertake a broad set of activities. The table below presents the overall RACE program, and situates some of the key elements being supported through the Bank-supported Program, namely through the use of Disbursement-Linked Indicators (DLIs).
14. The DLI under Pillar I, “Equitable Access” relates to the number of children that are enrolled in formal education. Importantly, the proposed age range (3-18 years) extends beyond the compulsory education band for Lebanon (6-15 years). As agreed through the RACE 2 framework, this is to incentivize greater enrollment at the Early Childhood Education level (3-5 years), as well as the secondary level (15-18 years). This number represents all children enrolled in formal education, including public, private, and subsidized-private school systems. Activities under the Increased Access pillar include supply-side activities for expanding the access to formal schooling, such as school construction, expansion, and rehabilitation.

2.4 KEY PROGRAM IMPLEMENTATION PARTNERS AND AGENCIES

15. The Syria crisis response is being coordinated by the Education Sector Working Group (ESWG) that has a membership of more than 45 NGOs and UN agencies. The ESWG is led by MEHE and chaired by UNHCR and UNICEF. Donor partners, including key UN agencies, have also come together within the framework of the Education Sector Development Plan, and the World Bank stabilization framework.

***Ministry of Education and Higher Education (MEHE)***

16. The project will be implemented by the MEHE through its RACE Program Management Unit. Currently, the Program Management Unit (PMU) within MEHE implements projects under RACE 1 that are funded by UNICEF, UNHCR and the World Bank. RACE 1 is guided by the RACE Executive Committee made up of donors and government agencies that ultimately provides overall supervision and direction to the program.
17. The RACE PMU is expected to implement the proposed Program using its current staff and coordination mechanisms. The PMU will provide the MEHE and the RACE Executive Committee (REC) with technical, organizational, implementation and quality assurance support for all programs and projects under RACE. PMU staff includes MEHE personnel as well as a range of technical specialists and educational experts seconded from partners. With regards to curriculum-related activities, MEHE will contract CERD, which is a legally and financially autonomous governmental entity responsible for overseeing implementation and monitoring overall education plans and quality service delivery, and for teacher training. CERD will be reinforced through technical assistance in curriculum design, teacher preparation frameworks (including training), and learning assessments.
18. The PMU is responsible for:
  - Ensuring the effective and integrated implementation of programs, resources, and outputs from all donors and external interveners in the implementation of RACE;

- Coordinating the implementation and effective utilization of the Education Management Information System (EMIS), and School Information System in the implementation of RACE;
- Liaising among the various project stakeholders and ensuring that all donor partner funds supporting RACE are coordinated.

### ***RACE Executive Committee (REC)***

19. The REC is chaired by the Minister of MEHE and composed of the Director General of General Education, the President of CERD (see below), and donor and UN agency representatives.
20. The REC may call upon key experts and technical specialists from MEHE technical departments, other units, donors, and implementing partners to support information sharing and to allow for more effective policy advice by the REC. More particularly, the REC is responsible for:
  - Overseeing implementation and acting as the central coordinating body;
  - Setting the overall policy guidelines and direction;
  - Ensuring coordination among the various departments involved in education reform implementation;
  - Coordinating with other development partners to ensure consistency across all sector development inputs;
  - Approving annual work plans and budgets;
  - Approving quarterly progress reports before submission to the World Bank and other donors;
  - Establishing specialized committees for specific activity reviews and evaluations;
  - Reviewing and assessing agreed performance indicators and arranging for regular independent evaluations of the education reform outcomes and impacts; and
  - Reviewing internal audit reports and providing mechanisms to follow up on implementation of recommendations.

### ***Direction d'Orientation Pédagogique et Scolaire (DOPS)***

21. DOPS is a department comprising teachers within the Directorate General of Education who provide instructional, health, and psycho-social counseling to other teachers and students in the national public school system. DOPS has three different types of counselors: pedagogic, health, and psycho-social/child protection. They carry out visits to schools; report and recommend support activities and conduct teacher centered workshops. DOPS includes 500 staff members.
22. Pedagogic counselors have three academic roles: (i) conducting visits to schools/classes to gather information about the quality of teaching and learning activities; (ii) sharing their findings in formal gatherings and regional centers; and (iii) providing feedback on mid-term exams written by individual teachers. There are currently 250 pedagogic counselors, and MEHE is in the process of recruiting an additional 250.
23. DOPS provides a health counselor in each school (both full and part time counselors exist). The health counselors look at water availability, quality of school snacks, toilet functionality, etc. They meet with school doctors to discuss health issues in the school, such as lice and scabies prevalence and treatments, vaccination awareness, and discuss referrals of specific children to seek medical attention when necessary.

24. DOPS also has 65 psychosocial counselors based in and serving a set of schools. DOPS is currently in the process of recruiting additional teachers to become psychosocial counselors.

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### ***Center for Educational Research and Development (CERD)***

25. The Center for Educational Research and Development (CERD) was established as a public institution with administrative and financial autonomy. CERD reports directly to the Minister of Education and Higher Education who acts as a custodial authority.
26. CERD is concerned with the following educational matters in particular:
- Carry out various educational research activities and distribute results using appropriate means;
  - Gather educational statistics and issue relevant bulletins;
  - Participate in the membership of committees working in the general planning field;
  - Prepare educational plan projects, spontaneously or by authorization of the Minister of Education, covering educational types, branches and stages, except university education;
  - Monitor the implementation of educational plans that have been approved by the authorities concerned;
  - Review approved educational plans, spontaneously or by authorization of the Minister of Education;
  - Provide advice to the Minister of Education on projects for establishing, expanding, modifying or eliminating any educational body in light of educational plans that have been, or are being, approved;
  - Study curricula and submit relevant recommendations;
  - Approve the pattern of official examination questions, coordinate their preparation and attend the meetings of examination committees;
  - Make a final decision on textbooks, educational publications and audio-visual aids as to their suitability for use in schools, and produce textbooks, educational publications and audio-visual aids;
  - Carry out educational documentation and organize a central educational library;
  - Propose technical and health conditions that have to be met in educational buildings and equipment;
  - Prepare members of the teaching staff for all educational stages and fields, except secondary and university level education;
  - Train all workers in all educational stages and fields, except university education;
  - Propose qualifications that are required of applicants for jobs in all educational stages and fields, except university education; and
  - All other duties and authorizations called for under laws and regulations.

### ***Ministry of Social Affairs (MOSA)***

27. The Ministry of Social Affairs (MOSA) is considered to be the main provider of social protection and assistance in Lebanon. The MOSA assumes the following functions:
- Conduct studies and plans for social policies;
  - Provide welfare and social assistance services to certain social under-privileged groups either directly or through Civil Society Organization (CSO) and NGOs;
  - Promote local development through a network of social development centers and joint projects with CSOs and local administrations; and

- Enhance social development through a number of sectoral programs targeting specific groups or specific sectors implemented through parallel projects or joint initiatives with international organizations or CSO.

### ***United Nations High Commissioner for Refugees (UNHCR)***

28. UNHCR supports MEHE's efforts to ensure refugee children quality access to first and second shift schooling and to secondary and vocational education. UNHCR also supports building social cohesion in and around schools. It also increases other educational opportunities for school-aged refugee children including through better identification of out-of-school children, implementation of Accelerated Learning Programs (ALPs) and other ways to prepare children for certified and quality education.
29. UNHCR supports the RACE initiative through coordination, secondment of staff to central and regional offices to ensure information-management and monitoring. It also provides equipment and material support to schools and regional offices.

### ***United Nations Children's Fund (UNICEF)***

30. UNICEF's role in RACE is to strengthen the emergency preparedness and response capacity of the MEHE. UNICEF interventions are on two levels. At the policy level, UNICEF strengthens the policy making and institutional capacity of the MEHE. At local levels, UNICEF leads interventions that improve the access to a better quality education in public schools for children, refugee and non-refugee, living in the most deprived areas.
31. UNICEF is providing tailored support to refugees through provision of textbooks, implementation of ALPs, provision of non-formal education teaching and learning materials, development of e-learning programs for non-formal education, and through support for school libraries.

### **2.5 ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT: AIMS AND APPROACH**

32. For Program for Results (P4R) stream, it is essential to undertake a comprehensive assessment of environmental and social systems (ESSA), as part of the preparation, to gauge the adequacy of environmental and social systems at state and the national levels. The objective of ESSA is to ensure consistency with six "core principles" outlined in the World Bank's OP/BP 9.00 (applicable to Program-for-Results Financing) in order to effectively manage program risks and promote sustainable development<sup>8</sup>. These principles are:
  1. Promote environmental and social sustainability in the Program design - avoid, minimize, or mitigate adverse impacts, and promote informed decision making relating to the program's environmental and social impacts.
  2. Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the program.
  3. Protect public and worker safety against the potential risks associated with:
    - construction and/or operations of facilities or other operational practices under the program;
    - exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the program;
    - and

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<sup>8</sup> Bank Policy, Programming for Results, July 2015

- reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.
4. Manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assists the affected people in improving, or at the minimum restoring, their livelihoods and living standards.
  5. Give due consideration to the cultural appropriateness of, and equitable access to, program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups.
  6. Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.
33. The specific objectives with which the ESSA was undertaken in the context of RACE II include the following:
- To document the environmental and social management procedures, standards and institutional responsibilities that will apply to the proposed Program;
  - To evaluate the institutional capacity to manage the likely environmental and social effects in accordance with the country's own requirements under the proposed Program;
  - To assess the consistency of the borrower's systems with core principles and attributes defined in the PforR Guidance Note on Environmental and Social Assessment;
  - To establish the risks and potential negative environmental impacts of the Program and ensure that these will be subjected to an adequate initial screening so that relevant mitigation measures can be identified, prepared and implemented;
  - To recommend specific actions for improving counterpart capacity during implementation to ensure they are able to adequately perform their mandate. These measures will be agreed on between the Client/Borrower and the World Bank and will be included in the activities to be supported by the World Bank and the borrower during the life of the Program.

## 2.6 ESSA METHODOLOGY

34. This ESSA is being conducted in line with World Bank guidance for the PforR lending instrument, as contained in Chapter Four: Program Management of Environmental and Social Effects Guidance Note.

The *environmental system assessment* includes:

- i. A review of existing regulations, procedures and guidelines that apply to this program;
- ii. Environmental effects, including residual impacts, systemic risks such as the risk of not identifying significant impacts, potential consequences from inadequate enforcement of mitigation measures, as well as the operational risks of unexpected impacts, accidents and natural hazards;
- iii. An assessment of the capacity to implement the environmental management system, including monitoring, supervision and reporting, at national levels.

The *social management system assessment* includes:

- i. A review of existing regulations, procedures and guidelines that apply to this program;
- ii. An analysis of social effects, including residual impacts and systemic risk, consultation mechanisms, grievance mechanisms, information dissemination and disclosure, participation and transparency;

iii. An assessment of the capacity to implement the social management systems including monitoring, supervision, and reporting.

35. The ESSA was prepared by a multidisciplinary team from the World Bank in collaboration with relevant officials and technical staff members of the counterpart implementing agencies. The methodology included:

1. *Desk review.* The review covered current environmental and social legislations and regulations, relevant environmental and social reports (e.g. ESMF and RPF), and reports on the implementation of previous and current World Bank Education projects;
2. *Identification of potential scope and scale of associated environmental and social effects.* An assessment was carried out to determine whether present systems utilized by the Program have the resources and authority necessary to mitigate unavoidable impacts and achieve maximal social and environmental benefits;
3. *Initial consultation meetings.* Meetings were held with counterparts included, government agencies (MEHE, MOSA, MOE), NGOs, UNHCR, UNICEF, and beneficiaries;
4. *Field visits.* Visits to a sample of schools in Beirut, and interviews with technical staff in relevant institutions to establish the status and standard of environmental and social safeguards systems
5. *Recommendation of Actions.* Gaps and measures to enhance the Program systems and their performance were identified;
6. *Consultations.* A face to face workshop with government and non-governmental stakeholders was held to discuss the risks and mitigation measures; two consultations were held in schools (including parents and teachers); online consultations are currently ongoing through mid-July 2016;
7. *Document dissemination.* An ESSA Executive Summary and presentation were disclosed in Arabic and English prior to face-to-face consultations. Additionally, the draft ESSA report has been publically disclosed through the World Bank's InfoShop and public comments have been solicited during a one month period; and
8. *Implementation of actions.* Work with the client on developing and agreeing to specific actions to improve system performance during implementation period started.

36. The Draft ESSA was disclosed on June 2, 2016, prior to appraisal.

### III. ANTICIPATED ENVIRONMENTAL AND SOCIAL IMPACTS OF THE PROGRAM

#### 3.1 Main Environmental Risks of the Program

37. The key interventions of the Program relate to capacity building of the MOE institutions and small-scale infrastructure works which are expected to result in substantial social and environmental benefits to the children, at large, especially, those belonging to the Syrian refugees. Hence, adverse impacts that are sensitive, diverse and unprecedented on the environment and/or people are not foreseen.
38. RACE 2 investments under Pillar 1: Equitable Access are intended to notably increase school capacity while ensuring environmental sustainability of outcomes. The Program is expected to create limited environmental pressures during school rehabilitation and/or construction as mitigation measures will be considered during implementation; and is expected to lead to limited environmental pressures during the operations and maintenance of newly built premises.
39. The overall environmental risks are estimated to be **low to moderate**. Based on the scope and scale of projects to be financed under RACE 2 (rehabilitation and/or construction), environmental impacts are expected to be minimal to moderate in scale, with most adverse impacts limited to the construction phase and being site-specific and temporary.. The anticipated negative environmental impacts associated with the types of works funded under RACE 2 include: air pollution from dust and emissions; nuisances such as noise visual pollution; solid and liquid wastes from construction sites and worker

campsites; soil erosion and possible traffic interruptions. These types of impacts, however, are generally site-specific and short-term in nature. Experience from implementation of similar types of works indicates that short-term construction impacts for the most part can be prevented, minimized or mitigated with standard operational procedures and good construction management practices.

### 3.2 MAIN SOCIAL RISKS OF THE PROGRAM

40. Factors affecting social risks can be classified into three categories: (i) broader contextual risks; (ii) risks related to the specific vulnerabilities of individuals and social groups; and (iii) government/implementing agency capacity and commitment. The interaction amongst all of these factors may multiply or minimize overall program risk. Based on the assessment, the social risks are considered **substantial**.
41. Broader contextual have not been caused by the Program, however are considered substantial and may exacerbate other project-related risks. These include: the regional instability caused by the Syrian crisis, its weak labor economy, and social tensions amongst the host communities and Syrian refugees.
42. Adverse impacts that fall disproportionately on the poor or vulnerable groups are defined as vulnerability risks. Vulnerable groups are particularly exposed to systemic barriers to project benefits. In this Program, vulnerable groups include poor Lebanese, poor Syrians, Syrian refugees, children (particularly female), other displaced populations, women (especially women workers), child workers, and the disabled.
43. The nature of project (i.e., direct impacts directly caused by the project and for which full control and responsibility of the government) may exacerbate or mitigate these risks depending on the process in which the program's objective is implemented.

#### *Contextual risks and Vulnerability – Poverty, inequality, and conflict in Lebanon*

44. Despite its classification as a Middle-Income Country, Lebanon has high rates of poverty. Extreme poverty in the country has hovered between 7.5 and 10 percent over the past 25 years, while 28 percent of the population is considered poor using the upper poverty line. Poverty is not evenly distributed – it is concentrated in the north and south of the country, as well as in small, dense pockets in the suburbs of large towns. A key factor behind the high levels of poverty is the low level of employment, and the fact that many of the jobs that are created are low quality jobs. Poverty is also related to demographic variables, being more pronounced among households with many children.<sup>9</sup>
45. The type of employment is related to poverty in Lebanon. Incidence, depth and severity of poverty are the highest among non-salaried employees.<sup>10</sup> Such employees constitute more than one third of the working poor, while another third of the working poor are self-employed. In contrast, salaried employees and employers have the lowest poverty incidence. Compared to Lebanon's overall poverty rate of 8 percent, over 20 percent of households engaged in agriculture fall below the poverty line, and the sector is currently experiencing downward pressure on wage labor. This suggests a large extent of poverty among unskilled Lebanese in informal and low productivity employment, and large gaps in earnings between formal/skilled and informal/unskilled jobs.<sup>11</sup>
46. Being middle class is associated (per subjective perception data) with having tertiary education and having a full-time job or being self-employed. According to the World Values Survey, those who are unemployed, are housewives, or are without formal education are less likely to achieve middle class

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<sup>9</sup> World Bank 2015

<sup>10</sup> El Laithy et al 2008 in World Bank 2015.

<sup>11</sup> World Bank 2015

status. According to the Arab Barometer survey, the highest share of middle income households (self-reported) is observed among respondents working as employers of firms and professionals such as lawyers, teachers, or doctors. The respondent groups (by employment status) that disproportionately reported being low income households were individuals employed as agricultural workers, housewives and those who are not employed.<sup>12</sup>

47. The differences in poverty across regions are striking. 27.3 percent of the poor are concentrated in Mount Lebanon, and 38 percent were concentrated in the North. 46 percent of the extremely poor population is found in the North region. Labor force participation rates are again lower in the North, at 38 percent, and are also lower than average in the South and Nabatieh. Unemployment is highest in the South and Nabatieh. Lower participation rates and higher unemployment could be due in part to spatial disparities in infrastructure and service delivery.<sup>13</sup>
48. Social and physical infrastructure in Lebanon is unevenly distributed, and areas where infrastructure is inadequate are more likely to have excluded population groups with limited access to opportunities. Although infrastructure is in worse conditions in some parts of the country, overall the condition of infrastructure is a constraint to growth and poverty reduction throughout the country. More generally, investments are concentrated around Beirut, and profits from investments have accrued to an elite.<sup>14</sup>
49. Elite capture has been cited as a key reason for Lebanon's failure to generate inclusive growth and jobs. Illegal activities are usually not sanctioned by the state when involving (politically/confessionally) well-connected actors, which exacerbates elite capture and patronage systems. Influence of economic stakeholders and personal connections is more likely to influence policy execution and enforcement of the rule of law. In a 2014 World Bank country survey, public sector governance was listed as respondents' first development concern.<sup>15</sup> In fact, the strong influence of private sector and sectarian interests in government facilitated by the confessional system of governance has both impeded equitable and efficient distribution of investments in infrastructure (both construction and maintenance), and precluded the development of a national strategy that addresses infrastructure development as part of a broader holistic and inclusive development vision for the country.<sup>16</sup>
50. Gender issues are also important in Lebanon. According to the World Economic Forum's Global Gender Gap Report of 2014, Lebanon is the World's eighth worst country in terms of gender equality, ranking 134th out of 142 countries surveyed. This low score is mostly driven by the poor performance of the country in terms of political empowerment (the Global Gender Gap Index measures the relative gaps between women and men across four key areas: health and survival, education attainment, economic participation, and political empowerment). In terms of economic participation, Lebanon ranked 133 out of 142 countries, due to relatively low levels of female participation in the workforce (female to male ratio of 0.34), and low estimated earned income for women (female to male ratio of 0.27).<sup>17</sup>
51. Youth are also particularly vulnerable. At 34 percent, youth unemployment is among the highest in the region. For the most part, youth are disengaged from the political process and demotivated to impact any real change in Lebanon in the prevalent economic and political situation, hence their strong propensity to emigrate.<sup>18</sup>

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<sup>12</sup> World Bank 2015

<sup>13</sup> World Bank 2015

<sup>14</sup> World Bank 2015

<sup>15</sup> World Bank 2015

<sup>16</sup> UNDP, 2009 in World Bank 2015

<sup>17</sup> UNDP, 2009 in World Bank 2015

<sup>18</sup> World Bank 2015

52. Conflict has had a significant impact on Lebanese society. The 1975-1990 civil war halved the country's economy, the 2006 conflict with Israel cost the country well over USD 2.5 billion, and the Syrian conflict is estimated to have already cost Lebanon over USD 7 billion in foregone output. The political and social impacts of these conflicts have been profound. As a result of the civil war, sectarian divisions deepened and patronage systems tightened. The state became unable to deliver social services, and NGOs/civil society (many of which operate on a confessional basis) stepped in as service providers – a role they still play today. Syrian conflict further divides social groups within Lebanon, as now opposing Lebanese confessions support different sides in the Syrian conflict. In addition, several violent incidents have led to a deteriorating security environment and local communities are increasingly seeing the refugees as threats to social stability, with a number of municipalities having instituted curfews specifically targeting Syrians.<sup>19</sup>
53. The Syrian conflict has not only had conflict impacts on Lebanon, but has also exacerbated poverty. The influx of 1.17 million<sup>20</sup> refugees registered with UNHCR in the country has put a great deal of pressure on social services in the country. The refugee influx has severely strained the capacity of key infrastructures, notably water, sanitation, electricity and solid waste management and municipal services, including in terms of access, distribution and quality.<sup>21</sup> The large number of refugees has also increased the size of the labor force by approximately 35 percent - the low level of education of the refugees suggests that they will join the supply of low skilled workers, and that tensions between host and refugee populations are likely to increase. By the end of 2014, an additional 170,000 additional Lebanese people are estimated to have been pushed into poverty due to the impacts of this conflict. This is in part because areas that are hosting large numbers of refugees are also high poverty areas.<sup>22</sup>
54. Syrian refugees also have specific vulnerabilities. The refugees that are currently in Lebanon mostly come from poorer than average areas of Syria. As compared to the host population, Syrian refugees tend to have larger families, have lower than average education levels, and have fewer assets. Syrian refugees in Lebanon are more likely than the host populations to work in agriculture, have fewer economic opportunities, and have limited access to services. In addition, there is a higher share of women and children among the refugee population, as well as a higher share of people in psychological distress. Early signs of vulnerability and negative coping strategies (mobility, debt, asset selling, child labor, early marriage, begging, etc.) are prevalent among the Syrian population. Perhaps most notably, when the Lebanese poverty rate is used, 9 out of 10 refugees are below the poverty line.<sup>23</sup> International assistance has prevented an increase in poverty but remains inadequate and is unsustainable. Economic opportunities in hosting countries are few and not increasing, no short-term prospects of return to the country of origin.<sup>24</sup>
55. Syrian refugees are more likely to be socially excluded than the host population. Refugees are likely to have been separated from social and community networks, including family; to have lost or have weakened security and protection mechanisms and networks; and to be experiencing difficulties adapting to a new environment. Refugees are more likely to have been forced to discontinue education, have reduced access to services, and to have more free time. These dramatic changes often force young refugees, and especially female youth, to be under pressure to abide by traditional norms and rules, to

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<sup>19</sup> World Bank 2015

<sup>20</sup> UNHCR 2015

<sup>21</sup> World Bank, 2013d in SCD

<sup>22</sup> World Bank 2015

<sup>23</sup> World Bank 2015

<sup>24</sup> Verme 2015 Welfare of Syrian Refugees

marry early and to stay confined at home. Refugees are more likely to feel fear, sadness, anger, boredom, and pessimism, as well as frustration and loss of control.<sup>25</sup>

56. Among the refugee population, children, youth, and women are among the more vulnerable. Young people, seeing themselves with free time and lack of opportunities, are more likely to resort to violence, including sexual violence, to criminal activities, or to substance abuse. In other cases, young people become victims of abuse or exploitation. Young people in this situation are more likely to resort to survival sex, have unsafe sexual relationships. For economic reasons, some may also drop out of school so that they can work or enter early marriages. The humanitarian setting forces young people to assume adult roles at an early age, and without proper role models or support networks.<sup>26</sup>

*Support to RACE 2 – Interactions between the education sector and contextual and vulnerability risks*

57. The dynamics described above interact closely with the education sector. Education levels are correlated with having better jobs, although constraints and a lack of personal networks may inhibit labor mobility and job access. Overall, education levels in the labor force remain low (42 percent have primary or less education) with great variation by employment status and sector of work. More than half of the self-employed have primary education or less compared to just 27 percent among wage employees. This is not surprising given that the overwhelming majority of self-employed work in low-productivity/low-paying jobs. In contrast, more than 40 percent of wage employees have tertiary education and this share reaches almost 75 percent among wage employees working in high productivity services in the private sector. While there appears to be a strong correlation between educational attainment and access to high productivity/high wages private sector jobs, additional barriers and constraints related to job search and connections may inhibit labor mobility. For instance, in Lebanon personal contacts remain the most prevalent mechanism to find a job. Furthermore, connections also appear to play an important role in hiring, especially in the public sector.<sup>27</sup>
58. Inequality among children in Lebanon is also related to whether they have attended public or private schools. Public schools educate only about 31 percent of students in Lebanon, despite being free and alternative options being for the most part expensive. The remaining students are in private schools (53 percent), in free private (and state-subsidized) schools, which are often confessionally-based (13 percent), or attend UNWRA schools (3 percent), which are for Palestinian students. This revealed preference for non-public schools reflects the poor quality of public schools and has large and negative implications on the poor and their struggle to escape poverty traps. Children from wealthier and middle class households often attend private schools, while disadvantaged children attend public schools, which tend to have lower performance. Household location, access to services, and parents' education are related to test outcomes (with the lowest levels of performance being related to being part of a household where the household head does not have secondary education.) Residing in remote rural areas is also associated with low test scores. Data also show that father's education and residence (region and location of school) are two of the largest contributors to inequality of opportunity, accounting for 44 and 23 percent of total inequality respectively. It should also be noted that the education system in Lebanon, because of its strong stratified nature—along income and confessional lines—does not perform its classic civic mission of being the “glue” that binds citizens to the state.<sup>28</sup>
59. In educational attainment, Lebanon has closed the gender gap in secondary and tertiary education with a female to male ratio exceeding 1.00; however, female enrollment in primary education is at a relatively low level of 90 percent, while male enrollment in primary education exceeds 97 percent. Women's

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<sup>25</sup> Al Masri, Muzna 2014

<sup>26</sup> Al Masri, Muzna 2014

<sup>27</sup> World Bank 2015

<sup>28</sup> World Bank 2015

labor force participation is 26% as opposed to 76% men. Patterns of mobility and lifestyles have changed, and, in part as a result of this, both women and men have been forced to redefine core aspects of their identities. Violence towards women and children has increased as some men's lowered self-esteem has at times led to negative expressions of masculinity. In addition to losing their traditional role as breadwinner, men seeking jobs and services also face threats and discrimination from some members of host communities. Negative coping strategies such as early marriage, common practice in Syria before the conflict began have become more prevalent as ways of protecting young girls or easing pressures on family finances.<sup>29</sup>

60. School curricula in Lebanon need to be revised to ensure graduates have skills to succeed in the country's economy. Currently, many graduates do not have skills that are relevant to employers, or that allow them to be successful entrepreneurs.<sup>30</sup> In some cases, this has led to a perception that especially secondary school is not a worthwhile investment, considering the opportunity cost of foregone income.
61. The recent influx of Syrian refugees has problems in Lebanon's education sector. The large number of Syrian refugee children (1 out of ten people in Lebanon in a Syrian refugee child) has led to overcrowding in some public schools and to different curricula used to accommodate the needs of Lebanese and Syrian children. The quality of learning for all children has been affected.<sup>31</sup> For the countries of origin, where refugee populations hope to one day return, lack of access to learning is now leading to a generation missing out on crucial skills acquisition. The 'crowding out' of Lebanese host communities due to the large number of Syrian refugees is increasingly becoming a source of tension and undermining social cohesion and stability. Most urgently, long-term peace in the region requires providing young people productive and rewarding alternatives to joining the ongoing conflict.
62. Although the large number of refugees attending Lebanese public schools has caused difficulties for both Lebanese and non-Lebanese alike, refugee children have faced specific problems in school. In particular, refugee children attend the 'second shift' of school, in the afternoon, where teachers are not always as qualified as teachers in the morning shift. When refugees attend the morning shift, or when non-refugee students attend the 'second shift,' bullying against refugee children becomes problematic, as refugee children are taunted by other children, who tell them that they 'don't belong' and 'should go home.' This anecdotal evidence points to fear of violence and challenges of social acceptance. In addition, refugee children sometimes have difficulties obtaining the required registration and residence permits, preventing them from going to school. Transportation is also an issue in some regions, such as the Bekaa valley.
63. Refugee children are also less likely to attend school than non-refugee children. About 60 percent of refugee children are not enrolled in formal schooling. In some cases, this is due to cultural norms preventing girls (and especially adolescent girls) from attending school. In other cases, youth drop out of school to work in the informal sector and support their families. This situation creates significant needs for non-formal/out-of-school education.
64. Several of the key social risks and opportunities of this Program are related to the interactions between the education sector and the contextual and vulnerability issues described above. The Program could impact positively or negatively the existing sectarian divisions within the country. The Program could impact the trust between citizens and the state, through its impact on the effectiveness of the delivery of education sector services. The Program, through its proposed emphasis on improving the welfare of Syrian refugees, or areas where there are large concentrations of refugee populations, could create,

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<sup>29</sup> Oxfam, *Shifting Sands: Changing gender roles among refugees in Lebanon*, 2013.

<sup>30</sup> World Bank 2015

<sup>31</sup> World Bank 2015

exacerbate or mitigate tensions between refugee populations and host communities. The Program could also strengthen or weaken patronage networks, impacting levels of exclusion among certain groups.

65. In particular, the following social risks have been identified:

*The Program could inadvertently exclude certain groups of children.* A large percentage of refugee children are not enrolled in formal schooling, in some cases due to cultural norms preventing girls (and especially adolescent girls) from attending school. In other cases, youth drop out of school to work in the informal sector and support their families. Other children cannot afford transport costs to attend schools. Exclusion of these children from the education system could have long term implications for their ability to contribute to society and to support themselves and their families.

Frustration could be heightened if different groups of youth have unequal access to jobs despite having similar education levels. It is likely that the Program would have positive effects on young people's ability to access labor markets, given that education levels are correlated with having better jobs. However, given limitations for refugees to access labor markets, young refugees exiting schools may find that they cannot access the same jobs as non-refugee youth with the same skill level, leading to frustration. Similarly, given that many jobs are accessed through 'connections' or personal networks, even young people who have attended school may be relegated to working in low-productivity or low-paying jobs.

Efforts to target specific social groups could be perceived to be discretionary and/or favoring one vulnerable group over another. A perception that one or another social group is benefitting could create or exacerbate social tensions between communities.

*Lack of transparency in the selection criteria, roles and responsibilities, and accountabilities of the front-line staff* selected for the new community liaisons activities could decrease trust between beneficiary communities and the education sector.

Difficulties in meeting objectives related to quality of education could lead to increased drop-out rates, or to a perception that education is not lead to positive outcomes. This could in turn lead to further vulnerability of students and to less trust between communities and the state.

*Lack of understanding of the possible uses of MEHE's grievance redress system* could lead to various types of complaints being unaddressed, such as complaints related to discrimination and bullying in schools. This could in turn affect attendance of children affected by such issues.

66. In addition to the risks outlined above, social risks may arise from infrastructure support that requires land acquisition or the change in usage of land and property. While school and classroom construction would only occur in government owned land or property, in a few cases, some of this government owned land or property may be used informally by individuals or households. Construction or rehabilitation works could impact these individuals' ability to continue using this land, and could lead them to lose productive assets or income sources. Direct economic and social impacts could include loss of land, assets and income, access to assets or housing resulting in adverse impacts to livelihoods. Unless properly managed, this could lead to long-term hardship and impoverishment for affected persons and communities.

67. The Program will not finance land acquisition. However, it will be important to ensure there is a clear process for screening out land acquisition, such as construction of new schools on private land. In particular, close monitoring of cases that are categorized as Voluntary Land Donation (VLD) to ensure that the act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities will be needed. In addition, impacts on informal land users of government owned land, or donated land, will also need to be screened out.

68. Regardless of the social risks described above, the Program is expected to have overall positive social impacts. Greater access to quality education is known to have broad impacts on individuals' access to

labor markets, to increased social networks, increased ability to participate in decision-making, and can help decrease differences between social groups. In the specific case of this PforR, the Program could also have additional positive social impacts, including:

- *Reducing vulnerability and psychological distress amongst refugee women and children.* These groups are among those that have the highest rates of vulnerability and social distress, and improved access to quality education could help increase their resilience. Reduced vulnerability among these groups could also have positive impacts such as reduced child labor, early marriage, begging, etc. However, for the Program to have these impacts, specific measures would need to be in place to target these groups and to address the issues that lead to their vulnerability. The capacities of front-line staff to address these issues are therefore essential for this positive impact to materialize.
- *Reducing levels of violence, including gender-based violence.* Gender-based violence increases as young people, becoming discontent with their situation, and having few coping mechanisms to adjust, resort to violence, including sexual violence, to criminal activities, or to substance abuse. Increased access to education could reduce these frustrations and therefore also reduce violence, especially if access is increased among youth and if issues of violence and gender-based violence are addressed directly in the education system.
- *Improved social cohesion.* If differences between social groups are managed properly, such that all groups believe that benefits are being distributed equally, education can serve as a source of social cohesion. Education creates links between diverse social groups, as parents and children interact in common spaces and share experiences. Mechanisms in the Program to ensure transparency of targeting and enhanced grievance redress can increase this positive social impact.
- *Increased trust between beneficiaries and the state.* The education system is often one of the main points of interaction between citizens and the state. In the case of Lebanon, given the large numbers of refugees, the education system is not only a key point of interaction between citizens and the state but is also an important point of interaction between refugees and their host state. Improving the quality and access to education can significantly improve the relationship and trust between the Lebanese state and both refugee and non-refugee communities. This is especially the case if front-line staff are put in place to help foster the relationships between schools and the communities they serve.

#### IV. PREVIOUS EXPERIENCES OF INSTITUTIONS INVOLVED IN THE PROGRAM

##### 4.1 ENVIRONMENTAL MANAGEMENT SYSTEMS

###### Environmental Management Procedures

69. Projects currently implemented by MEHE primarily use World Bank systems for environmental and social management as the national EIA application decrees were not in force until 2012. The main analysis presented in the ESSA relies to a great extent on the results of the 2011 World Bank Lebanon Country Environmental Analysis for consistency with the core principles of OP/BP 9.00.
70. The Lebanese Environment Protection Law 444/2002 includes all the principles of the Rio Declaration on Environment and Development (1992), as well the three major decrees: the Strategic Environmental Assessment (SEA) Decree no. 8213 of 2012 (the first enacted Decree in the Middle East and North Africa Region to incorporate the environmental considerations at the early stage of the decision making process of policies, plans and programs); the Environmental Impact Assessment (EIA) Decree no. 8633 of 2012, which is a prevention tool for predicting and mitigating adverse impacts in projects; and the Environmental Compliance for Establishments Decree no. 8471 of 2012 that will regulate all activities that may cause harmful pollution and environmental degradation.

71. The legal basis for EIA and its 9 annexes is established in Environmental Law no. 444/2002 and Law no. 690/2005. It was implemented before the EIA application decree no. 8633 that was issued by the Council of Ministers (COM) in 2012. The EIA and its annexes requires that the project proponent hire a national consulting firm among the pre-qualified consulting firms of CDR (MOE decree No. 7/1 of 2003) to carry out either an EIA report or an Initial Environmental Examination (IEE) report. The law and the decree also assign full authority to the MOE through its service of Environmental Technology to arrange for screening, review, control and follow up on the EIA process and its implementation. The approval of an EIA is a pre-requisite for any subsequent license or permit by any or all other relevant authorities that may be required prior to construction. All development projects, regardless of EIA classification, must adhere the environment quality standards for air, water and soil (MOE ministerial decision 52/1 of 1996) as well as air emission standards and wastewater discharge (MOE ministerial decision No 8/1 of 2001). The essential elements of the Lebanese EIA procedures are summarized in the table below.

### Lebanon EIA Procedures

Stage	Activity
Initial Filing and Screening	<p>-The Project Proponent completes a Project Screening Form of the intended project in accordance to Annex 4 of the EIA decree and submits it the Ministry of the Environment for screening. Screening is made through the Service of Environmental Technology based on significance/severity of impacts determined as a function of impacts magnitude, type, nature, extent, timing, duration, likelihood and reversibility as per the EIA Decree. The service determines if the project is among:</p> <ol style="list-style-type: none"> <li>1. Annex I projects for which an EIA report is required</li> <li>2. Annex II projects for which an Initial Environment Examination is only required</li> <li>3. No further Environment Analysis is required.</li> </ol> <p>Duration of the MOE response is 12 working days.</p>
Scoping	<p>-Scoping is required for projects in Annex I and the EIA report</p> <p>- The proponent is required to inform the stakeholders, concerned ministries and NGO of the preparation of an EIA report and the municipality should post on her bulletin board, an announcement to that effect during 18 working days and requesting comments from the public (article 7, section 30). Also MOE could also receive comments from the public or stakeholders during 25 days (article 7, section 4).</p> <p>-The project proponent is required to submit a report on any EIA consultations and meetings with stakeholders (article 7, section 5).</p> <p>- The scoping report is available for consultation at the MOE by the public or by the concerned institutions (article 7, section 9).</p>
Technical Evaluation	<p>A technical committee comprised of 3 to 5 members of various background and expertise from the different services of the MOE is responsible for the review of the EIA and IEE studies. If need be, experts not available at the MOE can be subcontracted to assist with the review of the EIA studies. The technical committee used the methodology described the “MNA Guide for the Preparation and Review of EA reports of the World Bank” is being used under section 4 part B “reviewing EA reports.” The methodology is based on ‘Review Checklists’ with corresponding scores (A-F). A total score of C is considered to be satisfactory despite omissions and/or adequacies.</p>
Decision and Approval	<p>-The Minister reviews the Committee’s report and notifies its decision to the Proponent and publishes it within 50 working days. This decision is transmitted to the concerned institutions and should be published on the municipality bulletin board during 12 working days. The decision could be acceptance of the EIA report, conditional acceptance and rejection.</p> <p>In case of conditional acceptance or rejection, objections and complaints from the proponent can be submitted to the MOE within 12 days from the announcement of its decision and a reply should be provided within 12 days from receiving the complaints.</p> <p>-In case the objection is related to a public or private project that has been approved without it being subject to an EIA or an IEE although it requires such a study, article 77 of the Council of State by-</p>

Stage	Activity
	laws applies. -In case the objection is from a public authority against MOE decisions of screening, scoping and EIA approval, the COM will decide.
Monitoring	The Ministry of the Environment is required to follow up on the implementation of the Environment Management Plan and reporting the results of monitoring.
Disclosure of EIA	Section 12 of the EIA regulations states that the EIA and IEE available for examination at the MOE.
Penalties	Article 58 of the Environmental Protection Law 444 dates that Shall be punishable by imprisonment from one month to a year and to a fine ranging between LP 50.0 million (US\$ 34,000) and LP 200.0 million (US\$ 134,000) or either of these two sanctions, every person who (a) did not prepare an EIA or IEE; (b) implement a project contrary to the EIA or IEE approved by the MOE; (c) execute a project for which EIA/IEE is not required but is not conformed to the national standards; and/or (d) opposes or obstructs the measures of control, inspection and analysis provided in the environmental protection law.

## 4.2 SOCIAL MANAGEMENT SYSTEMS

72. The following laws and regulations govern Lebanon today as they relate to children, education, refugees and social risk management, including risks related to land acquisition and resettlement.

### *Lebanese Law 422 of 2002*

73. Law 422 (2002) entitles a child to legal protection if threatened or at risk, which is defined as:  
A child in a situation that exposes him/her to exploitation, or threatens his/her health, safety, morals, or upbringing;  
A child exposed to sexual abuse or physical violence that exceeds non-harmful, culturally acceptable disciplinary beating.

### *Regulatory Framework Associated with Child Protection and Rights -- Article 41, Decision 1130/2001*

74. Article 41, Decision 1130 refers to the code of conduct that education professionals must adhere to in preschools and basic education. It stipulates that employees in the education sector are prohibited to inflict any physical punishment on pupils, nor to address verbal retribution that is “humiliating and is against the principle of education and personal dignity”. The law however does not spell out what the student’s rights are nor what are the precise accountabilities of teachers.

### *1951 UN Convention on Refugees*

75. While Lebanon has never ratified the 1951 UN Convention on Refugees, and despite restrictions imposed at the border, it is expected that Syrians in need of immediate protection and assistance will continue to find safe haven in Lebanon. In Lebanon, refugees are considered to be displaced persons. The Government however has established an inter-ministerial crisis cell, confirming its pro-active engagement in refugee issues.

## **National framework for Land Acquisition and Social Risk Management**

76. While the Program will screen out investments and will not support investments that do not apply in PforR operations, an analysis of the national framework for land acquisition is provided to understand for the strengths, weaknesses and policy gaps between the Lebanese legislation and the World Bank’s

OP 9.00. Lebanon's legislations provide the legal framework for the implementation of the land acquisition if needed. Presented hereunder are the related Laws and regulations:

*Expropriation Law No. 58 dated 29/05/1991 (amended on 8/12/2006)*

77. The Lebanese Constitution guards and protects the right of private property including landed property and the rights attached to it. The exercise of eminent domain for expropriating private property in the public interest is governed by this Law.
78. The State may only expropriate rights when it is to be declared in the public interest, and against payment of a prior and equitable compensation (*"indemnité equitable"*). All compensation is financial award through legal assessment, and the process of expropriation itself cannot be halted unless the validity of the public interest decree itself is challenged. At least 65% of the compensation is paid in advance when there is an appeal, and if no structures are found to be existing within expropriation limits, an additional 25% is paid and the expropriation party reserves the right (only if it wishes so) to hold the remaining 10% until the decision of takeover is issued.
79. The Law of expropriation establishes general provisions for prior compensation of expropriated assets, and easement fees for other restrictions imposed on property. The mode of payment when compensating for acquisition of land will in practice be in several phases, but no defined time lag exists between taking over of land and final payment.
80. Compensation is determined by the Expropriation Commission set up by a decree according to proposals from the relevant ministers. The decisions of the Preliminary Commission may be appealed to the Appeals Commission by the MEHE or the individual property owner and the appellant must be represented by a lawyer.
81. The Lebanese Expropriation Law also reserves the right for an Expropriating Authority to "partially expropriate" a land in public interest. This procedure is initiated when there is a need to use the "above surface" or "below ground" of a piece of land, and this would be the case for the surfaces along the tunnel.
82. The imposition of partial expropriation rights requires establishing an Easement Right Decree. Issuing this decree requires exactly the same procedures as in "full expropriation". The difference between the two processes appears only in estimating the compensation where in this case, the owner is compensated for allowing the use of parts of the property (above or below) and for being subject to some restrictions on the use of the land. The indemnity would be estimated by the Commission on a case by case basis depending on the depth of the tunnel and the nature of restrictions, and based on the principle of full and prior compensation. As publicly available files indicate, normally 10% of the compensation amount for a full expropriation will be awarded.

*Tenancy Law*

83. The rent law enacted in 1991 gives the land owner the right to retrieve the property at the end of the contract. Where expropriation causes loss of tenancy, expropriation commissions divide their awards between landlords and tenants according to the economic value of the tenancy, enabling tenants to secure alternative housing by rental or down payment for purchase.

*Land Tenure*

84. In Lebanon there is generally little contestation over ownership, legal rights or boundaries of land because plots are generally well surveyed and title is recorded at an administrative service based in the

Ministry of Finance (with the exception of areas affected by uncontrolled movement and settlement due to the civil war). The survey unit also maintains cadastral maps that are regularly updated. Since land ownership is recorded in shares, along with all those who ever held title to it, the exact value of any transaction for an individual owner can be determined. In addition, land laws in Lebanon are gender neutral.

### *Antiquities Law*

85. According to the Antiquities Law of 1933, historic monuments, even those on the General Inventory List, can be either publicly or privately owned. Although archaeological finds are considered state property, the parcels on which archaeological discoveries are made can remain the property of private individuals or institutions. Under this law, private property owners of listed historical buildings are responsible for the repair and maintenance of the structure. The discovery of important archaeological remains could also lead to the expropriation of private property or to limitations on its use. If a building is placed on the list of classified monuments, the owner receives no compensation for the freezing of development rights. However, if the listing is erroneous, the owner may eventually be compensated.

### *Maritime Public Domain*

86. Lebanese Law provides that the entire intertidal shore is public domain. This law has not been fully enforced. If a certain number of semi-permanent informal business structures have been erected, the owners will be assisted to relocate their businesses outside the Right of Way.

### *Process for Expropriation*

87. According to the expropriation law, the project proponent, i.e., MEHE is the party responsible for following the expropriation procedures and preparing the expropriation draft decrees for signature by the COM. Once approved by COM, the Expropriation Decree is published in the Official Gazette and the details of the land to be taken are published in two national newspapers for a period of 15 days. Thereafter, the Decree should be executed within a period that does not exceed eight years from the date of publication. The following annexes should be added to the decree:

- A plan of the project area;
  - A detailed plan of the properties to be expropriated;
  - A list presenting every property registration number, its location, the names of all owners and right holders as recorded in the Real Estate Registry; and,
  - A detailed list of the contents of the properties and detailed plans of buildings constructed prior to the publication of the decree.
88. The complete set of documents is made available for public access at relevant government offices and posted at the municipal offices in which the properties to be acquired are located.

### *Compensation*

89. Regarding compensation, the Lebanese Expropriation Commission determines compensation based on prevailing local market rates. Every factor that affects its value is taken into consideration, and transition costs are accounted for. Indemnities however are paid after the Take-over Decision is signed by the Head of the Expropriating Administration, and take-over can be executed within 15 days of the date of Notification for vacant lands and within 30 days for lands and buildings. Nevertheless, indemnification money is placed and secured in an account before the take-over decision is signed and

concerned parties are informed that they can cash their indemnities. Also, concerned parties have the right to appeal should they not be satisfied with the compensation amount.

#### 4.3 participation and complaints handling

##### *Complaints Handling at the Ministry of Environment*

90. The Ministry of Environment has provided five different means to make environmental complaints: a hotline [number 1789], a fax [number +961 1 976535], an email address [complaints@moe.gov.lb], a regular courier and written complaints delivered to the MOE. The procedures for complaints are described in the Ministerial decree no 262 of 2015. Once registered, complaints are channeled to the Environment Technology Service at the Ministry of the Environment to investigate and document the complaints. If after the examination the complaint is rejected by the Minister of the Environment, the complainant appeals to the Council of Ministers. If the appeal is rejected, the complainant can file a lawsuit in front of the Administrative Court. However, the integrated information management system (e.g., feedback, appeal and resolution) is incomplete and this system is being set up under the ongoing Support to Reforms – Environmental Governance at the MOE funded by the European Union.

##### *Complaints Handling in Ministry of Education*

91. The MEHE hosts a Hotline [number 01772101]. The Hotline is responsible for receiving complaints that are forwarded to the Director General at MEHE who processes and resolves them. There is no information management system to record the complaints, therefore systematic handling procedures (registering, follow up, feedback, appeal and resolution) are absent. The lack of information in this area means that there is no benchmark of information to assess performance, nor a process that can be tracked, and therefore resolved.
92. Additionally, there are informal uptake channels for complaints: walk-ins; direct communication through informal channels; faxes and letters which are either resolved informally and not recorded, or lost during the transfer process to the Hotline department.
93. In practice, when parents or students who are exposed to violence in schools call the hotline, they are asked to send a written letter to the Director General providing a detailed description of the situation including the name of the school, name of the teacher, and name of the student. The Director General will follow up with the Minister, investigate, and take the needed decisions that may include:
  - Prosecuting the teacher according to the applicable Penal Codes related to harming people;
  - Instruct the school to take the maximum administrative penalties;
  - Send a warning to the school informing it not to repeat the incidence under penalty of withdrawal of the license and closure of the school; and
  - Moral compensation for affected people.
94. However, the strong patronage networks benefit the well-connected and often impede the most vulnerable to attain redress.
95. Efforts are also being made to ensure that schools and other learning spaces provide a safe and protective environment for children. This includes putting in place measures in schools and other learning spaces endorsed by MEHE to prevent and mitigate the impact of violence on children, as well as addressing and responding to child survivors and at high risk of violence, exploitation and abuse.
96. With regards to the RACE II Program, with financing from UNICEF, MEHE has recently recruited Child Protection Officers. Prior to Program initiation, this staff will be responsible to provide technical

support to MEHE on the Child Protection activities outlined in the 2015-2016 Rolling Work Program between UNICEF and MEHE in full coordination with MOSA (with MOSA technical support and within MOSA legal framework). Specifically, the staff will:

- Coordinate and follow up on the implementation of the child protection program set by DOPS, the adaptation counseling unit (*conseillers d'adaptation scolaire*) and the special needs unit under the directives of the DOPS director, and in coordination with MOSA (with MOSA Technical support and within the MOSA Legal framework);
- Encourage linkages between the National Education Strategy and Child Protection Strategies and related assessment of needs, action plan, and technical operations;
- Liaise with concerned committees, stakeholders, and units, including international and national organizations;
- Provide the MEHE with coordination support for related capacity building activities concerning child protection;
- Support the implementation of the Child Protection program in schools at national and local level in coordination with DOPS including communication with Directorates of Education and MOSA at local level;
- Coordinate closely with the MOSA at national level regarding implementation of the agreed activities in line with national laws and standards.
- Help in developing and implementing a program of inclusion (children with physical disabilities and learning difficulties).

#### *Complaints Handling for Land Acquisition and Resettlement Issues*

97. In general, land acquisition complaints and conflicts might be related to the following:

- Refusing to leave land or to accept restrictions on property;
- Refusing the financial compensation proposed by the government;
- Outdated title deeds and old land titles;
- Conflicts between land owners; and
- Absence of land owners.

98. Compensation or land acquisition necessary for the project will normally be done on the basis of the legal expertise of the Expropriation Commissions that independently considers the value, nature of the plot and prices of similar land. If the affected person considers that his/her rights were not preserved, he/she can follow the procedures:

- The decisions of the Expropriation Commission may be appealed to the Appeals Committee within a period of 30 days from notification, under the condition that the appeal request is signed by the lawyer.
- The appeal is subject to a fee which includes stamp and insurance fees. Public institutions and municipalities are exempted of these fees.
- The appeal is submitted to the clerk of the Appeals Committee or to the clerk of the Preliminary Expropriation Commission. The clerk registers the decision, gives a receipt and sends it without delay to the clerk of the Appeal Committee with the file containing all the papers, maps, documents, records, decisions and documents related to the decision subject of the appeal.
- The Appeal Committee issues its decision within a maximum period of three months.
- The Incident Appeal is approved according to the Civil Procedure Law.
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#### V. ASSESSMENT OF INSTITUTIONAL CAPACITY AND PERFORMANCE

## 5.1 Environment

99. The existing systems for environmental management in Lebanon were analyzed for consistency with the core principles of OP/BP 9.00. The 2011 World Bank Lebanon Country Environmental Analysis assessed national EIA system as benchmarked against the World Bank's standards requirements from the equivalence between the two systems (World Bank and Lebanon's EIA systems) and acceptability of the national EIA system to be applied on the ground. The analysis of the EIA systems showed the following gaps:
- Two significant gaps are: (a) the lack of standard TORs for specific sectors to be provided to the project proponent for the preparation of the EIA or IEE reports; and (b) preparation of sector guidelines and standards TOR for significant gap which is lack of disclosure of the EIA summary and IEE to the public as required by articles 13 and 14 of the Environment Protection Law 444.
  - Three moderate gaps are: (a) consultation with stakeholders for infrastructure, irrigation /agriculture projects listed under Annex II of the environmental assessment (b) explicit requirements in the environmental regulations that the cost of environmental measures should be included in the feasibility study of the project; and (c) national standards and guidelines do not explicitly reflect international good practice.
100. Regarding RACE 2, school rehabilitation and/or construction does not fall under the category of projects in Annex I for which an EIA report is required, or the category of projects in Annex II for which an Initial Environment Examination (IEE) is only required. Therefore, the Lebanese Environmental Assessment System does not require the screening and preparation of any environmental assessment documentation.
101. However, to ensure consistency with the applicable "core principles" outlined in the World Bank's OP/BP 9.00, due diligence procedures will be prepared under this Program to enable MEHE to ensure that the proper mitigation and monitoring measures included in Annex 4 of the ESSA are implemented. Due diligence procedures will be provided in the Action Plan for the following two applicable core principles for this Program:
- Environmental and social management procedures and processes are designed to: (a) promote environmental and social sustainability in the program design; (b) avoid, minimize, or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's environmental and social effects; and
  - Environmental and social management procedures and processes are designed to protect public and worker safety against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the Program; (ii) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and, (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazard.

## 5.2. SOCIAL

102. The existing systems for social management in Lebanon were analyzed for consistency with the core principles of OP/BP 9.00. The analysis found that the MEHE has significant experience implementing donor projects and has done so with very high quality. However, the MEHE has not yet implemented World Bank-financed projects requiring triggering OP 4.12 or other PforRs and therefore they do not have experience following Bank policies related to land acquisition. Because land

acquisition will not be financed by the Program<sup>32</sup> and all land acquisition and related adverse impacts will be minimized, MEHE systems are thought to be adequate to address risk related to land acquisition. In particular, the analysis identified engineers that are responsible for design of rehabilitation activities as well as supervision, and who carry out basic environmental management activities. These engineers could easily also be trained to screen for social impacts. Either these engineers or other MEHE staff will need to screen out construction of new schools on private land, as well as closely monitor cases that are categorized as Voluntary Land Donation (VLD) to ensure that the act of donation is undertaken without coercion, manipulation, or any form of pressure on those donating. Impacts on informal land users will also need to be addressed if these occur.

103. The World Bank policies specify that resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets or displacement of livelihoods directly attributable to Bank-financed projects. They also stipulate that displacement or restriction of access to land or properties do not occur before necessary measures for resettlement (including addressing impacts on livelihoods) are in place. Lebanese law also stipulates to provide such compensation to those with legal rights. However, squatters and occupants without official rent contracts have no legal rights and therefore are not compensated for eviction, replacement of assets, or displacement of livelihoods. To comply with OP 9.00, the MEHE will need to ensure that impacts on informal land users are identified and that these individuals and households are compensated for any impacts on their livelihoods or assets. Any individuals and households whose livelihoods are impacted will also need to receive assistance in efforts to restore or improve their livelihoods or standards of living to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
104. OP 9.00 also specifies that Programs should avoid exacerbating social conflict, especially in fragile or conflict-affected states or post conflict areas. This measure is particularly important for this Program, since its main beneficiaries are conflict affected people. While in Lebanon there are no established mechanisms that per se address social conflicts, the RACE program does have several mechanisms that play a role in reducing social conflict and addressing the needs of vulnerable and conflict affected populations. In particular, the RACE program includes efforts at child protection, including having specific Child Protection Officers that support the implementation of the Child Protection Program in schools at national and local level. This function is carried out in coordination with DOPS, and other relevant stakeholders, including communication with Directorates of Education and Ministry of Social Affairs at the local level. Additionally, to further mitigate social risks in schools, the MEHE employs field coordinators who are responsible for monitoring the quality of teaching, problems faced by students, and the overall situation in each school. Field coordinators are responsible for approximately 30 schools and visit each school every 2-3 weeks. This allows the MEHE to have up to date information on each school they support and to address issues in a timely manner. Field coordinators work closely with teachers and school counselors in each school to address issues, and also gather information on school conditions that is then shared with engineers. Community liaisons, which will be hired by the Program to create links between schools and the communities they serve, will also play a key role in mitigating against social conflicts. These community liaisons could play a role in improving the relationship between communities and schools, and therefore indirectly between communities and the state. In some cases, the community liaison role could also help address conflicts between communities or within communities, more directly reducing social conflicts.

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<sup>32</sup> In the case of land expropriation, the Lebanese system has several gaps that could impose negative impacts on the affected persons. However, since the Program will not require land acquisition, risks related to land acquisition are minimized. The differences between Lebanese Expropriation Law and World Bank OP 9.00 are described in See Annex 2

## VI. CONCLUSIONS AND RECOMMENDATIONS

### 6.1 ESSA ACTION PLAN

#### *Environment*

105. Under RACE II, the action plan consists of institutional strengthening and due diligence procedures that will be included in the rehabilitation/construction of the project operational manual, and be as well as included in tender documents for contractors. The due diligence procedures will build on the already existing ones prepared under the World Bank Education Development Project II (EDP II) in 2010 (Environmental Management Plan and Guidelines for the Education Development Project II.)
106. The activities under this Program are expected to have low to moderate environmental impacts, with most of these impacts localized in the schools. Overall the management of the system and individual schools, is dependent on those in-charge and their interest and desire to be proactive.
107. To ensure compliance with the two core principles applicable to the program there is a need to identify a standard process that may be used, regardless of capacity and interest of individual MOE staff members and principals. This process includes the use of a screening matrix to help identify impacts, as well as the generic mitigating and monitoring measures that will be included as part of the bidding documents for the civil works of (a) the construction of new schools and/or significant extension of old schools within the perimeter of the schools; (b) the rehabilitation of schools for which the screening matrix is to be developed after a walk-through showed the presence of hazardous materials such as lead-based paints, use of asbestos, or any serious safety violations.
108. More specifically, mitigation and monitoring plans as well as institutional strengthening will include as follows:
109. The due diligence procedures included in the Revised Action Plan of the ESSA consist of the following:
- a) Preparing a set of generic mitigation and monitoring measures that will be attached as part of the bidding documents for civil works for: (i) sub-projects which will involve the rehabilitation of schools for which asbestos or lead-based paint or any other hazardous materials were used; and (ii) for sub-projects that would require the construction of new schools or significant extension of the school within the perimeter of the schools itself. This generic mitigating and monitoring measures are attached in Annex 4
  - b) The PMU will nominate one of its senior engineers who will be responsible for the environment aspects of this program, to carry out the following tasks: (i) reviewing the results of the screening matrix (to be developed in the ESSA) which will be prepared by the PMU engineers for determining the location, type and size of the civil work activities; (ii) ensuring that the bidding documents include the appropriate mitigation and monitoring measures in the civil work contracts; (iii) conducting or contracting an experienced environmental specialist/ experience inspector to monitor annually the compliance of these measures in a sample of civil work contract; and (iv) preparing a progress report to the head of the PMU that will be shared with the Bank supervision missions on the status of progress and compliance with these measures. It is recommended that the nomination by the PMU for the staff responsible for the environment aspects of this program will take place within three months of loan signature.
  - c) The PMU staff will receive a three-day training on the PforR procedures, the core principles for environmental assessment, the Lebanese environmental system, the screening matrix, the generic mitigation and monitoring measures to be applicable to the RACE II Program, and a field visit to one of

the proposed schools for the potential demonstration of these measures will be carried out on the third and last day of the training. The training is to take place within three months of loan signature.

## *Social*

110. The impacts of the program will depend on the processes put in place during project implementation. First, impacts will depend on how different geographic areas and social groups are targeted, and whether targeting happens in a manner that is transparent and based on clear criteria, such as poverty or vulnerability, and not (solely) on refugee/non-refugee status. Selection of education sector employees, and in particular teachers, also needs to be done in a way that is transparent and based on clear criteria, since these jobs lead to stable incomes, and are therefore a scarce resource in Lebanon. Impacts will also depend on the program's ability to reach its objectives: the ability of the project to improve the quality and relevance of education for the vulnerable will determine whether poverty and inequality decrease, as well as whether employment prospects for young people improve in the long run. In addition, the specific support provided to refugee populations, and whether this support allows them to be more economically mobile and self-sufficient can also impact the reduction in vulnerability of this population in the medium-long term.
111. More specifically, the program also needs to choose whether to address some key social issues through the education system. For example, early marriage, child labor, and begging could be reduced through educational activities. Activities could also be put in place to address issues such as bullying and discrimination in schools. Creative ways could also be found to encourage interaction between different social groups in Lebanese society, not only host-refugee interactions. However, the specific ways that these potential activities are implemented are just as important as the activities themselves: activities need to be implemented in such a way as to respect specific cultures and priorities of different social groups; need to be led by well-qualified individuals; and need to address problems as specifically manifested in a context. This means that community engagement and input into the design of activities is essential.
112. More specifically, the following actions have been agreed to ensure that the Program mitigates against negative social impacts and maximizes positive ones:
- Strengthening existing citizen engagement mechanisms to increase transparency and access to information on targeting criteria. The program will build and expand the public disclosure and publishing of targeting criteria used to target vulnerable groups to ensure relevant stakeholders (schools, grassroots organizations, and beneficiaries) have access to this information.
  - Ensuring that funding is available so that Child Protection Officers can implement their duties in order to mitigate against negative social impacts under the program.
  - In collaboration with the Ministry of Social Affairs (MOSA), DOPS, and MEHE, strengthening the capacity of community liaisons to better respond to social tensions, discrimination, bullying and gender-based violence issues.
  - Building the capacity of MEHE's existing Complaints Hotline to strengthen its case management and guarantee confidentiality in handling. Special attention will be paid to grievances associated with discrimination, sexual harassment, gender-based violence and bullying in schools through the introduction of a secure, confidential and easily accessible system to report these cases and ensure follow up.
  - Supporting community liaisons to foster community cohesion between refugee and host communities by creating or empowering parent-teacher associations and having schools organize community service activities within their communities.

## Involuntary Resettlement

113. Addressing social risks related to involuntary resettlement will be essential for compliance with World Bank OP 9.00. To avoid these risks, any potential future investments that would require involuntary resettlement would be excluded as part of the list of ineligible schools to be constructed. In other words, this Program will not recommend, endorse, or facilitate future pipeline investments that result in direct economic and social impacts through the: (1) involuntary taking of land resulting in relocation or loss of shelter, loss of assets or access to assets, or loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (2) involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

114. In cases there is voluntary land donation, defined as when people or communities agree to voluntarily provide land in exchange for benefits or services related to the Program, MEHE will ensure the following requirements are met:

- The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities;
- The potential donor is aware that refusal or to say no is an option without any consequences, and that right of refusal is specified in the donation document the donor will sign.
- Land to be donated to the MEHE must be identified by local councils in coordination with the community; the impacts of proposed activities on donated land must be fully explained to the donor;
- The MEHE may negotiate compensation (in full or in part) or alternative forms of benefits as a condition for donation
- Donation of land cannot occur if it requires any household relocation;
- For community or collective land, donation can only occur with the consent of the individuals owners of the land.
- Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses);
- The PMU establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry;
- Voluntary land donation will not be permitted in cases of site-specific infrastructure as community pressure could be too onerous for a person to refuse, thus removing the power of choice.
- In case that the donated land were not used for it is agreed purpose then the MEHE's needs to have a written agreement from the land donor that they agree to use the land for the new purpose , otherwise the LGUs will return the land to the owner.
- There should be no coercion, manipulation or pressure from the community or public or traditional authorities for individuals to voluntary donate land.
- The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household. Documentation for VLD provided below would be sufficient to verify this.
- The infrastructure must not be site specific.
- The infrastructure must not be site-specific. For example, a school or clinic can have one or more locations if the landowner objects. However, voluntary land donation would not be allowed in the case of a location specific infrastructure since objectors can be forced or coerced into agreement.
- The impacts must be minor, involving no more than 10% of the area of any holding and require no physical location.
- The land in question must be free of squatters, encroachers or other claims or encumbrances.
- Written verification is necessary (for example, a notarized letter or witnessed statements) of the voluntary nature of land donations must be obtained from each person donating land.

115. For Land Purchase through willing seller willing buyer approach, land acquisition must occur by mutual agreement in exchange for a notarized purchase contract based on the market price at the date of acquisition.

## *Environmental and social systems strengthening*

116. To more systematically address environmental and social issues as part of the Program, this ESSA also recommends several measures be put in place to strengthen the systems for environmental and social management in the MEHE and other institutions implementing RACE. In particular, the following will be put in place:
- Standard Operating Procedures for PMU will be in place before the start of the Program and will include updated procedures for environmental and social management associated with the purchasing of land and construction of schools to address gaps identified in the ESSA (social impact assessment, public information and consultation, grievance mechanisms, VLD, willing buyer willing seller, land compensation and handling resettlement)
  - The social and environmental management functions will be assigned to PMU staff. The PMU at MEHE must have the oversight capacity to ensure adequate compliance with environmental and social management guidelines provided in Technical Manual.
  - The PMU will have clear procedures for voluntary land donation defined in its Operational Manual.
  - The PMU will monitor all complaints, and in particular those related to environment and land acquisition. The reports provided by contractors to the PMU will include monitoring of complaints related to environmental and social management and monitoring of environment and social complaints including related to voluntary land donations.
  - Reporting on environmental and social criteria will be included in the Project Monitoring Reports produced by the PMU engineer or planner.
117. Further mechanisms to address environmental and social issues, and in particular mechanisms to address risks of social conflict, violence, and vulnerability of conflict affected populations will be outlined in the Program Operational Manual.

### 6.2 ASSESSMENT OF ENVIRONMENTAL AND SOCIAL RISK LEVEL

118. No major environmental impacts and risks are anticipated. It is envisaged that the Program will not pose any risk on natural habitats or on physical cultural resources. Furthermore, the Program will not include activities that could potentially generate considerable pollution to any environmental media or that would pose any risks to land use or to natural resources.
119. Social risks associated with land acquisition, compensation and resettlement are also considered to be low. However, social risks associated with discrimination, bullying and social cohesion, particularly affecting refugees are considered to be moderate. Safety and security related issues as they affect Syrian youth, men, women, and other vulnerable groups, and impediments to registration in schools are also prevalent. The ESSA recommendations attempt to minimize social risks by putting in place clear, objective and transparent mechanisms to address these risks throughout Program implementation. However, **the overall assessment of environmental and social risk level associated with the Program is considered to be *substantial*, primarily due to the broader, contextual and vulnerability risks discussed above.**

## ANNEX 1 -REFERENCES

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World Bank 2015. *Lebanon: Promoting Poverty Reduction and Shared Prosperity. A Systematic Country Diagnostic*.

## ANNEX 2 – LEBANESE EXPROPRIATION LAW AND WORLD BANK POLICIES

The gaps between the Expropriation Law, and the World Bank Policy OP 9.00 are presented in the below table.

### *Policy Gaps between Lebanese Regulations and the World Bank Policy OP 9.00*

World Bank OP 9.00	Lebanese Expropriation Law
<b>Consultation and Participation</b>	
PAPs should be consulted and participate in planning and implementing resettlement programs. It further requires that the resettlement process include measures to ensure that the Project Affected Persons (PAPs) are offered technically and economically feasible resettlement alternatives.	Expropriation is initiated by a ministerial decree and signed by the President with no prior public debate. However, informal public consultations may precede the decree.
<b>Compensation</b>	
Resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets directly attributable to Bank-financed projects. It also stipulates that “the implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place.”	Expropriation Commission determines compensation based on prevailing local market rates. Every factor that affects its value is taken into consideration, and transition costs are accounted for. Indemnities however are paid after the Take-over Decision is signed by the Head of the Expropriating Administration, and take-over can be executed within 15 days of the date of Notification for vacant lands and within 30 days for lands and buildings. Nevertheless, indemnification money is placed and secured in an account before the take-over decision is signed and concerned parties are informed that they can cash their indemnities. Also, concerned parties have the right to appeal should they not be satisfied with the compensation amount.
Compensation is provided for those who have formal legal rights to land; those who have a claim to such land or assets; and those who have no recognizable legal right or claim to the land they are occupying are provided resettlement assistance.	Provides compensation to those with legal rights. Squatters and occupants without official rent contracts have no legal right and therefore are not compensated for eviction. However, resettlement is most often done through amicable negotiation, by agreeing on a level of compensation or inducement that will encourage voluntary departure.
Makes provisions for loss of income sources or means of livelihood, whether or not the affected persons must move to another location. It requires that PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	Compensation & acquisition for the loss of income and the damage resulting directly is evaluated based on the location, size and shape, the topic of investment, loss of customers and loss of profits; however, it does not have clear provision for restoring loss of income sources or means of livelihood.

The State may only expropriate rights when it is to be declared in the public interest, and against payment of a prior and equitable compensation (“indemnité équitable”). All compensation is financial award through legal

assessment, and the process of expropriation itself cannot be halted unless the validity of the public interest decree itself is challenged. At least 65% of the compensation is paid in advance when there is an appeal, and if no structures are found to be existing within expropriation limits, an additional 25% is paid and the expropriation party reserves the right (only if it wishes so) to hold the remaining 10% until the decision of takeover is issued.

The Law of expropriation established general provisions for prior compensation of expropriated assets, and easement fees for other restrictions imposed on property. The mode of payment when compensating for acquisition of land will in practice be in several phases, but no defined time lag exists between taking over of land and final payment.

Compensation is determined by the Expropriation Commission set up by a decree according to proposals from the relevant ministers. The decisions of the Preliminary Commission may be appealed to the Appeals Commission by the MEHE or the individual property owner and the appellant must be represented by a lawyer.

The Lebanese Expropriation Law also reserves the right for an Expropriating Authority to “partially expropriate” a land in public interest. This procedure is initiated when there is a need to use the “above surface” or “below ground” of a piece of land, and this would be the case for the surfaces along the tunnel.

The imposition of partial expropriation rights requires establishing an Easement Right Decree. Issuing this decree requires exactly the same procedures as in “full expropriation”. The difference between the two processes appears only in estimating the compensation where in this case, the owner is compensated for allowing the use of parts of the property (above or below) and for being subject to some restrictions on the use of the land. The indemnity would be estimated by the Commission on a case by case basis depending on the depth of the tunnel and the nature of restrictions, and based on the principle of full and prior compensation. As publicly available files indicate, normally 10% of the compensation amount for a full expropriation will be awarded.

According to the expropriation law, the project proponent, i.e., MEHE is the party responsible for following the expropriation procedures and preparing the expropriation draft decrees for signature by the Council Of Ministers (COM).

However, Lebanese laws and regulations differ from World Bank Policy OP 9.00 in the following areas which may induce social risks that affect the project population:

- Extent of stakeholder consultation/participation in the resettlement process;
- Payment of compensation;
- Loss of income sources or means of livelihood;
- Squatters and occupants without legal rights.

In the Lebanese Expropriation Law, Expropriation is initiated by a ministerial decree and signed by the President with no prior public debate. However, informal public consultations may precede the decree, whereas in World Bank OP 9.00 PAPs should be consulted and participate in planning and implementing resettlement programs. It further requires that the resettlement process include measures to ensure that the Project Affected Persons (PAPs) are offered technically and economically feasible resettlement alternatives.

## ANNEX 3– SUMMARY OF CONSULTATIONS

### *Part I - Support to RACE II Consultations with Stakeholders*

A consultation meeting was held on April 21, 2016 in Beirut, at Movenpick Hotel to present the RACE II Project and discuss the ESSA findings.

#### ***Issues presented:***

The consultation session was divided in three parts. The first part included a presentation for the RACE Project by the Ministry of Education and Higher Education. The second part consisted of a presentation of the social and environmental impacts and the proposed mitigation measures by the World Bank. The third part was dedicated to questions and answers. The below table summarizes the issues raised during the consultation:

Questions	Answers
MEHE informed the WB that it has lands that are publicly and privately owned and dedicated for the schools construction, in addition to lands provided by the municipalities	The assessment of involuntary resettlement is necessary to cover the informal users and access to properties issues
The curriculum for second shift has less hours	The curriculum for the second shift has one hour less (5 hours instead of 6). This hour is used for sports or other non-academic activities in the first shift
Accelerated Learning Program is for Syrians only	ALP targets both Lebanese and Syrians and integrates part of the Lebanese curriculum
Women empowerment should be considered in developing the new curriculum	The new curriculum will not focus on women empowerment but will change the presented roles for women in the old curriculum
The noise impact on children at schools has to be minimized	Construction will be scheduled only during vacations and at night when children are not attending the schools. Regarding noise that is generated from traffic and other sources near school, there will be a walk through audit to address these points and recommend the suitable measures such as planting trees, erecting barriers....
Legal registration of the displaced parents hinders the children's access to school	The reported issues regarding the children's registration included mainly cost related matters. More investigations will be conducted to check the legal registration impact
Combining the RACE program and ESSA is strange	Social and environmental issues interact with each other and cannot be separated. The ESSA is essential before conducting any project
Developing new curriculum takes time and will have an impact on professional development	RACE II is under development, the new curriculum updates include in addition to content the provision of equipment and materials. There will be support for the professional development of teachers
Number of school to be built or rehabilitated	90% of the schools are in a bad state. Even if rehabilitation was conducted 3-4 years ago, the extensive use of these schools makes the rehabilitation a continuous process

Means of World Bank of supporting the access to education issue	The World Bank is funding the results of the program and is working closely with the MEHE to monitor those results
Lack of demands issues	The demand issue is addressed with the partners and within the project itself
The vision for preparing the needed environmental studies required by the Ministry of Environment for the schools rehabilitation and constructions	The studies will be conducted according to the national system's requirements. Gaps will be identified and filled
Indicators of the Program for Results will be on supply or demand side	The issue is not limited and will cover a broad range of results
Accessibility of people with special need shall be considered	The requirements of people with special need are obligatory as per the new law. The issue will be taken into consideration when building new schools and for rehabilitation it depends on the school conditions.
The term Syrian refugees is incorrect	Refugees term will be replaced by displaced
Work on RACE II should come after finalizing RACE I	RACE II includes review and addition of several items. The progress is related to the availability of funds that will support the development of host society capacities

***Summary of consultation:***

The consultation revealed a positive feedback from the participants and emphasized on following up the below concerns:

- New curriculum to take into consideration the women's role
- Mitigate the noise impacts on children in schools
- Investigate about legal registration of parents and its impact on children access to education
- Ensure the requirements of people with special needs are met
- Conducting the needed environmental studies for schools rehabilitation and construction

***Attendees:***

The consultation attendees represented the following main affiliations (the list of workshop participants is available below as is photographic documentation of the meeting.

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Photos from the consultation



## *Part II – Consultations with Beneficiaries*

Two consultations were held with direct program beneficiaries on April 22, 2016. During these consultations, the overall environmental and social assessment for the program were presented to parents and teachers in schools in the Burj Hammoud 2<sup>nd</sup> Public School and in the Hrajel Public School. Overall, approximately 30 parents and teachers were consulted.

Consultations with parents and teachers yielded the following complementary analysis:

- The level of education among Syrian refugee students is lower than among the Lebanese population. Adding a second shift to schools, attended by Syrian refugees, has helped to mitigate against negative impacts on Lebanese students. In both schools, only Syrian students that are able to keep up with regular schoolwork attend the morning shift. In the Hrajel Public Schools, Syrian students attending the morning shift arrived before the beginning of war in Syria, and are therefore well integrated into the community and school system.
- The conflict in Syria is leading to tensions within the Syrian refugee community in Lebanon. Syrian students in the Burj Hammoud 2<sup>nd</sup> Public Schools have arrived to school carrying weapons to engage in fights with other Syrian students.
- In both schools, parents and teachers discussed the importance of extracurricular activities in helping make sure that children are growing up in a good environment. For refugee children, some psychosocial activities are taking place on Saturdays to help children cope with displacement and war impacts. Availability of space is a key constraint for extracurricular activities.
- In the Hrajel Public school, teachers stated that they could not meet demand. They were able to admit only half of the Syrian students wanting to attend but the rest of the students had to attend school in a nearby village.
- In both schools, parents emphasized the need for their children to attend High School, and in some cases requested that these two schools expand to cover those years.
- Teachers stated that NGOs had come to deliver materials exclusively for refugee children, which caused tensions. The NGOs were asked not to return unless they could deliver materials for all children.
- Parents and teachers in these schools did not think that gender issues were relevant in these particular schools.
- In both schools, teachers described cultural differences among the Syrian population, and in particular stated that Syrian parents physically punish their children if the children have problems at school. Because of this, teachers hesitate to communicate with parents about the children's behavior.
- Parents and teachers in the Burj Hammoud 2<sup>nd</sup> Public School said that they have a similar mechanism to the 'community liaison' mechanism. There is an individual in the municipality that is the contact point between schools and parents, and attendees said that they are happy with this mechanism.
- In the Hrajel Public School, parents and teachers did not think a community liaison would be necessary, as parents prefer direct contact with the school
- Parents and teachers in both schools are familiar with the MEHE's grievance redress mechanism and say that it is being used.

## ANNEX 4 - REHABILITATION AND CONSTRUCTION MITIGATION AND MONITORING MEASURES CHECKLIST

For low-risk infrastructure, such as construction and/or rehabilitation of schools, an alternative to the commonly used “full-text” EMP forma was provided. The **goal** was to provide an opportunity for a more streamlined approach to minor rehabilitation or small-scale building construction. The **intent** is that this EMP-checklist would be directly used as an integral part of bidding documents for contractors carrying out civil works under the RACE II. The EMP-checklist-type format has been developed to provide examples of “good practices” for mitigation and designed to be user-friendly and compatible with Lebanese requirements. The EMP-checklist-type format attempts to cover typical core mitigation approaches to civil works contracts with localized impacts.

. The checklist has three sections:

- Part 1 includes the descriptive part that describes the project specifics in terms of the physical location, institutional arrangements,
- Part 2 includes the environmental and social screening of potential issues and impacts, in a simple Yes/No format followed by mitigation measures for any given activity. Currently, the list provides examples of potential issues and impacts. This list can be expanded to specific site issues and /or impacts.
- Part 3 will include the monitoring plan for activities during project construction and implementation. It retains the same format required for current EMPs. It is the intent of this checklist that Part 2 and Part 3 be included as bidding documents for contractors.

Practical Application: The practical **application** of the mitigating and monitoring measures will include the following:

- I. **Schools renovation:** If the school renovation include standards maintenance such as painting with non-lead based paints, repairs of water, electricity and sewerage, replacement of doors and walls , no environment conditions or assessment are required
- II. **Schools rehabilitation;** If the schools rehabilitation consist of extension of construction activities within the existing perimeter of the schools and includes, the use of asbestos, , lead based paints and /or other hazardous materials, the following will apply in a specific file pertaining to the school
  - A. Screening will be conducted by the PMU staff in accordance with Parts 1& 2 below,
  - B. Once the screening is completed, the PMU in charge of the environment will retrieve from part 3, the mitigating measures for which the screening indicated a “yes” and will include it in a form of a table to be attached to the bidding document of the civil work for the school construction.
  - C. The PMU staff in charge of the environment or will designee will also fill Part 4, of the monitoring measures, during the design process to fix key monitoring criteria which can be checked during and after works for compliance assurance
  - D. During the works implementation phase environmental compliance is checked on site alongside other quality criteria by the PMU’s site certified inspector(s).
- III. School Construction. If a new school will be constructed the following procedures will be apply and filed in a specific file pertaining to the school:
  - A. In case the school is in private land or the land title is not available. RACE II fund cannot be used

- B. Evidence should be provided to indicate the land is in the public domain or is on a municipality land, or the land was purchased through a Voluntary Land Donation . Evidence should be the provision of land title or purchase agreement, that should be part of the project files
- C. Subsequently , screening will be conducted by the PMU staff on the basis of Parts 1 &2
- D. Once the screening is completed, the PMU in charge of the environment will retrieve from Part 3 the mitigating measures for which the screening indicated a “yes” and will include it in a form of a table to be attached to the bidding document of the civil work for the school construction
- E. The PMU staff in charge of the environment or will designee will also fill Part 4, of the monitoring measures, during the design process to fix key monitoring criteria which can be checked during and after works for compliance assurance
- F. During the works implementation phase environmental compliance is checked on site alongside other quality criteria by the PMU’s site certified inspector(s).

**Ministry of Education and Higher Education**

**Reaching All Children with Education (RACE II)**

**Mitigation and Monitoring Plan**

**Checklist for Construction and Rehabilitation Activities**

<b>PART 1: INSTITUTIONAL &amp; ADMINISTRATIVE</b>				
Country				
Project title				
Scope of project and activity				
Implementation arrangements  (Name and contacts)	Safeguard Supervision	PMU engineer in charge of screening	Local Inspectorate Supervision (if any)	Contractor
<b>SITE DESCRIPTION</b>				

Name of site		
Describe site location		Attachment 1: Site Map [ ]Y [ ] N
Who owns the land?		
Geographic description		

**PART 2: ENVIRONMENTAL /SOCIAL SCREENING**

Will the site activity include/involve any of the following potential issues and/or impacts:	Activity and examples of potential issues and/or impacts	Status	Additional references
		If Yes for any	
	1. Building rehabilitation <ul style="list-style-type: none"> <li>• Site specific vehicular traffic</li> <li>• Increase in dust and noise from demolition and/or construction</li> <li>• Construction waste</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Sections <b>A and B</b> below
	2. New construction <ul style="list-style-type: none"> <li>• Excavation impacts and soil erosion</li> <li>• Increase sediment loads in receiving waters</li> <li>• Site specific vehicular traffic</li> <li>• Increase in dust and noise from demolition and/or construction</li> <li>• Construction waste</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Sections <b>A and B</b> below
	3. Individual wastewater treatment system <ul style="list-style-type: none"> <li>• Effluent and / or discharges into receiving waters</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>C</b> below
	4. Historic building(s) and districts <ul style="list-style-type: none"> <li>• Risk of damage to known/unknown historical or archaeological sites</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>D</b> below
	5. Acquisition of land <sup>33</sup> <ul style="list-style-type: none"> <li>• Encroachment on private property</li> <li>• Relocation of project affected persons</li> <li>• Involuntary resettlement</li> <li>• Impacts on livelihood incomes</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>E</b> below
	6. Hazardous or toxic materials <sup>34</sup> <ul style="list-style-type: none"> <li>• Removal and disposal of toxic and/or hazardous demolition and / or construction waste</li> <li>• Storage of machine oils and lubricants</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>F</b> below
	7. Impacts on forests and/or protected areas <ul style="list-style-type: none"> <li>• Encroachment on designated forests, buffer and /or protected areas</li> <li>• Disturbance of locally protected animal habitat</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>G</b> below
	8. Traffic and Pedestrian Safety <ul style="list-style-type: none"> <li>• Site specific vehicular traffic</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Section <b>H</b> below

<sup>33</sup> Land acquisitions includes displacement of people, change of livelihood encroachment on private property this is to land that is purchased/transferred and affects people who are living and/or squatters and/or operate a business (kiosks) on land that is being acquired.

<sup>34</sup> Toxic / hazardous material includes and is not limited to asbestos, toxic paints, removal of lead paint, etc.

	<ul style="list-style-type: none"> <li>• Site is in a populated area</li> </ul>
	<p>9. Hygiene</p> <ul style="list-style-type: none"> <li>• Appropriate toilet and washing places for girls and boys <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>• Appropriate waste disposal system (cesspits, network) <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>• Sanitation Infrastructure for the handicapped available <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul> <p style="text-align: right;">See Section I below</p>

Signed:..... (PMU Engineer)

Reviewed and Signed by .....( Inspector Supervision)

Approved.....( PMU Director)

Date

Date

Date

**PART 3: MITIGATION PLAN**

ACTIVITY	PARAMETER	GOOD PRACTICES MITIGATION MEASURES CHECKLIST
<p><b>A.</b> General Conditions</p>	<p>Notification and Worker Safety</p>	<ul style="list-style-type: none"> <li>(a) The local construction and environment inspectorates and communities have been notified of upcoming activities</li> <li>(b) The public has been notified of the works through appropriate notification in the media and/or at publicly accessible sites (including the site of the works)</li> <li>(c) All legally required permits (to include not limited to land use, resource use, dumping, sanitary inspection permit) have been acquired for construction and/or rehabilitation</li> <li>(d) All work will be carried out in a safe and disciplined manner designed to minimize impacts on neighboring residents and environment.</li> <li>(e) Workers will comply with international good practice (always hardhats, as needed masks and safety glasses, harnesses and safety boots)</li> <li>(f) Appropriate signposting of the sites will inform workers of key rules and regulations to follow.</li> </ul>
<p><b>B.</b> General Rehabilitation and /or Construction Activities</p>	<p>Air Quality</p>	<ul style="list-style-type: none"> <li>(a) During interior demolition use debris-chutes above the first floor</li> <li>(b) Keep demolition debris in controlled area and spray with water mist to reduce debris dust</li> <li>(c) Suppress dust during pneumatic drilling/wall destruction by ongoing water spraying and/or installing dust screen enclosures at site</li> <li>(d) Keep surrounding environment (side walks, roads) free of debris to minimize dust</li> <li>(e) There will be no open burning of construction / waste material at the site</li> <li>(f) There will be no excessive idling of construction vehicles at sites</li> </ul>
	<p>Noise</p>	<ul style="list-style-type: none"> <li>(a) Construction noise will be limited to restricted times agreed to in the permit</li> <li>(b) During operations the engine covers of generators, air compressors and other powered mechanical equipment should be closed, and equipment placed as far away from residential areas as possible</li> </ul>
	<p>Water Quality</p>	<ul style="list-style-type: none"> <li>(a) The site will establish appropriate erosion and sediment control measures such as e.g. hay bales and / or silt fences to prevent sediment from moving off site and causing excessive turbidity in nearby streams and rivers.</li> </ul>
	<p>Waste management</p>	<ul style="list-style-type: none"> <li>(a) Waste collection and disposal pathways and sites will be identified for all major waste types expected from demolition and construction activities.</li> <li>(b) Mineral construction and demolition wastes will be separated from general refuse, organic, liquid and chemical wastes by on-site sorting and stored in appropriate containers.</li> <li>(c) Construction waste will be collected and disposed properly by licensed collectors</li> <li>(d) The records of waste disposal will be maintained as proof for proper management as designed.</li> <li>(e) Whenever feasible the contractor will reuse and recycle appropriate and viable materials (except asbestos)</li> </ul>
<p><b>C.</b> Individual wastewater treatment system</p>	<p>Water Quality</p>	<ul style="list-style-type: none"> <li>(a) The approach to handling sanitary wastes and wastewater from building sites (installation or reconstruction) must be approved by the local authorities</li> <li>(b) Before being discharged into receiving waters, effluents from individual wastewater systems must be treated in order to meet the minimal quality criteria set out by national guidelines on effluent quality and wastewater treatment</li> <li>(c) Monitoring of new wastewater systems (before/after) will be carried out</li> </ul>
<p><b>D.</b> Historic building(s)</p>	<p>Cultural Heritage</p>	<ul style="list-style-type: none"> <li>(a) If the building is a designated historic structure, very close to such a structure, or located in a designated historic district, notify and obtain approval/permits from local authorities and address all construction activities in line with local and national legislation</li> <li>(b) Ensure that provisions are put in place so that artifacts or other possible “chance finds” encountered in excavation or construction are noted, officials contacted, and works activities delayed or modified to account for</li> </ul>

		such finds.
<b>E.</b> Acquisition of land	Land Acquisition Plan/Framework	<p>(a) If expropriation of land was not expected and is required, or if loss of access to income of legal or illegal users of land was not expected but may occur, that the official authorities are consulted.</p> <p>(b) The approved Land Acquisition Plan/Framework (if required by the project) will be implemented</p>
<b>F.</b> Toxic Materials	Asbestos management	<p>(a) If asbestos is located on the project site, mark clearly as hazardous material</p> <p>(b) When possible the asbestos will be appropriately contained and sealed to minimize exposure</p> <p>(c) The asbestos prior to removal (if removal is necessary) will be treated with a wetting agent to minimize asbestos dust</p> <p>(d) Asbestos will be handled and disposed by skilled &amp; experienced professionals</p> <p>(e) If asbestos material is be stored temporarily, the wastes should be securely enclosed inside closed containments and marked appropriately</p> <p>(f) The removed asbestos will not be reused</p>
	Toxic / hazardous waste management	<p>(a) Temporarily storage on site of all hazardous or toxic substances will be in safe containers labeled with details of composition, properties and handling information</p> <p>(b) The containers of hazardous substances should be placed in an leak-proof container to prevent spillage and leaching</p> <p>(c) The wastes are transported by specially licensed carriers and disposed in a licensed facility.</p> <p>(d) Paints with toxic ingredients or solvents or lead-based paints will not be used</p>
<b>G.</b> Affects forests and/or protected areas	Protection	<p>(a) All recognized natural habitats and protected areas in the immediate vicinity of the activity will not be damaged or exploited, all staff will be strictly prohibited from hunting, foraging, logging or other damaging activities.</p> <p>(b) For large trees in the vicinity of the activity, mark and cordon off with a fence large tress and protect root system and avoid any damage to the trees</p> <p>(c) Adjacent wetlands and streams will be protected, from construction site run-off, with appropriate erosion and sediment control feature to include by not limited to hay bales, silt fences</p> <p>(d) There will be no unlicensed borrow pits, quarries or waste dumps in adjacent areas, especially not in protected areas.</p>
<b>H</b> Traffic and Pedestrian Safety	Direct or indirect hazards to public traffic and pedestrians by construction activities	<p>(a) In compliance with national regulations the contractor will insure that the construction site is properly secured and construction related traffic regulated. This includes but is not limited to</p> <ul style="list-style-type: none"> <li>▪ Signposting, warning signs, barriers and traffic diversions: site will be clearly visible and the public warned of all potential hazards</li> <li>▪ Traffic management system and staff training, especially for site access and near-site heavy traffic. Provision of safe passages and crossings for pedestrians where construction traffic interferes.</li> <li>▪ Adjustment of working hours to local traffic patterns, e.g. avoiding major transport activities during rush hours or times of livestock movement</li> <li>▪ Active traffic management by trained and visible staff at the site, if required for safe and convenient passage for the public.</li> <li>▪ Ensuring safe and continuous access to office facilities, shops and residences during renovation activities, if the buildings stay open for the public.</li> </ul>
<b>I</b> Hygiene	Liquid waste management	<ul style="list-style-type: none"> <li>• Ensure to have separate toilets for girls</li> <li>• Ensure to have water supply for toilets and for washing up</li> <li>• Sewage from toilets should not disposed in open drains ; drains for disposal and required connection to sewage system or alternates like septic tanks should be considered</li> <li>• Where septic tanks and other similar systems are used for disposal of toilet waste, identify appropriate cleaning and disposal system and monitoring system to ensure that there is no contamination' of soil or groundwater.</li> <li>• Maintenance of toilets and availability of adequate toilet facilities for all students is required, especially for girls and for handicapped</li> </ul>

		<ul style="list-style-type: none"><li>• Ensure all identified disposal system has a sound design that considers groundwater levels, soil type and load of waste</li><li>• Ensure to have separate toilets for girls and for handicapped</li></ul>
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<b>PART 4: MONITORING PLAN</b>							
<b>Phase</b>	<b>What</b> (Is the parameter to be monitored?)	<b>Where</b> (Is the parameter to be monitored?)	<b>How</b> (Is the parameter to be monitored?)	<b>When</b> (Define the frequency / or continuous?)	<b>Why</b> (Is the parameter being monitored?)	<b>Cost</b> (if not included in project budget)	<b>Who</b> (Is responsible for monitoring?)
During activity <b>preparation</b>							
During activity <b>implementation</b>							
During activity <b>supervision</b>							