

Program Safeguard Systems Assessment

Project Number: 53055-001
May 2022

People's Republic of China: Guangxi Wuzhou
Healthy and Age-Friendly City Development
Program

A. Program Environmental and Social Impacts and Risks

1. The results-based lending (RBL) program scope includes construction and upgrading facilities to establish a healthy and safe urban environment; improve elderly care; and expand leisure and fitness facilities, living streets, and other urban public goods within three central urban districts of Wuzhou City (Changzhou, Longxu, and Wanxiu) in the Guangxi Zhuang Autonomous Region (GZAR), People's Republic of China (PRC). The program scope specifically excludes any activities that would trigger a safeguards *category A* classification under the Asian Development Bank (ADB) Safeguard Policy Statement (2009).

2. The diagnostic assessment process for the proposed program has determined, in general, that the program is likely to pose only low-to-moderate environmental and social risks, while significant social benefits will be derived through improving livability, age-friendliness, and social inclusion in Wuzhou's urban center. The assessment determined that the existing regulatory framework, technical capacity, and implementation practices of the program safeguards system in Wuzhou are adequate for managing likely risks. Nonetheless, several minor deficiencies, mostly relating to program safeguard systems management and coordination, monitoring and data management, and public engagement processes have been identified, and corresponding measures to strengthen system performance have been agreed with the Wuzhou Municipal Government (WMG).

3. **Impact and outcome.** The program is aligned with the impact of better health, well-being, and people-oriented socioeconomic development achieved.¹ The outcome of the program will be livability, age-friendliness, and social inclusion in Wuzhou's urban center improved. The three outputs will be (i) healthy and safe four-generation urban environments established, (ii) integrated age-friendly services and facilities improved, and (iii) institutional development and capacity building promoted.

4. **Environment.** The proposed program's physical activities include construction and/or upgrading of (i) sanitation facilities (public toilets, municipal solid waste collection, and recycling), (ii) elderly care facilities, and (ii) green space and fitness facilities. Potential adverse environmental impacts include (i) fugitive dust and noise generated at construction sites, (ii) wastewater and site runoff affecting public drainage systems, (iii) inappropriate disposal of solid wastes from the construction sites, and (iv) occupational health and safety risks for site construction workers. These impacts are short-term and site-specific, which can be mitigated through application of standard construction management practices. During operation, the municipal solid waste, wastewater, etc., from elderly care facilities, public parks, and fitness facilities can easily be addressed by integrating those facilities into the region's municipal services (solid waste and sewer collection and disposal). These impacts can be effectively mitigated through application of standard construction and operation management practices. The program safeguard systems assessment (PSSA) confirms environmental *category B*.

5. **Involuntary resettlement.** The RBL program area Wuzhou's urban center, comprising the three urban districts of Changzhou, Longxu, and Wanxiu. The construction and/or upgrading of facilities are in accordance with Wuzhou urban development plans. According to the program implementation units (PIUs) visited and interviewed, activities will be carried out on original sites, (e.g., improvement of sanitation facilities, fitness and leisure facilities, domestic waste collection and sorting stations, upgrade of public parks, reconstruction of the elderly care center) or will utilize existing and unused or disused state-owned land which was acquired previously, for

¹ WMG. 2019. [Healthy Wuzhou 2030](#). Wuzhou (in Chinese).

example for new parks and green spaces or new urban trails. According to the survey of the sampled facilities to be covered by the RBL program in three districts, and consultation with the design institute and Wuzhou Municipal Development and Reform Commission (WDRC):

- (i) There will be no rural collective land acquisition and resettlement (LAR).
- (ii) Except for the new construction site of Wuzhou Social Welfare Institute, (47 *mu*)² elderly care facilities where the land was acquired by WMG before 2020, the land required for all other facilities are utilizing the existing and unused or disused state-owned land, no new land acquisition of collective owned is required.
- (iii) Although utilizing existing and unused urban land, transaction and endorsement of land use rights will be required by following the domestic regulatory process.
- (iv) Impacts on structures or assets on or underground of the land, compensation, and resettlement process may be implemented before the land use rights are endorsed by the district governments. The site observation and consultation indicated there are no private permanent structures and operational business identified on the sites that are proposed to be constructed, except for some trees, public structures like electricity poles, and maybe some underground public facilities.

6. Some parts of the program area are still considered rural collective areas. Based on interviews and information collected, there was some land acquisition that took place in recent years in the program area for development and construction, therefore, although not foreseen at present, it may be also possible for site selection/reselection in future of some program activities to extend to areas where land acquisition would be needed. The involuntary resettlement safeguard actions guidance notes attached to the Program Implementation Document (PID) provide detailed guidance on subproject screening and categorization and corresponding resettlement documentation requirements.³ Consultation on the site also indicated that temporary land occupation will be required during construction, but it will be restricted to the construction boundary, or laid on the unused grounds with limited scale, if any. The PSSA confirms *category B* for involuntary resettlement impacts.

7. **Indigenous peoples.** The municipality of Wuzhou has an ethnic minority population of 97,988 persons, accounting for 3.44% of the total population as of 2020. The two major ethnic groups are the Yao, with 46,595 persons, accounting for 1.7% of the municipal population, and the Zhuang, with a population of 44,691 persons, accounting for 1.6% of the municipal population. In the program area (the three central urban districts) the total ethnic minority population was 20,118 persons in 2020, accounting for 2.3% of the total, with the Zhuang population accounting for 1.6% with 13,426 persons, and Yao population accounting for 0.5% (4,712 persons). Members of ethnic minorities in the program areas are widely scattered urban migrants with no concentrated areas, and the differences with the Han population in terms of language, customs, lifestyle, livelihood, and social security are minimal, as confirmed through key informant interviews and focus group discussions.⁴ Due diligence confirmed that the ethnic minorities will benefit from the program as much as Han people, and they will suffer no negative impact, except for individual households that could conceivably be affected by LAR. The program was categorized as *C* for indigenous peoples safeguards, and due diligence concluded no SPS principles are triggered. No specific actions are required for ethnic minority development, but the Program Action Plan

² A *mu* is a Chinese unit of measurement (1 *mu* = 666.67 square meters).

³ Program Implementation Document (accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

⁴ Poverty, Social, and Gender Assessment (accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

requires to systematically collect program data disaggregated by ethnicity for inclusion in semiannual progress reports.⁵

B. Safeguard Policy Principles Triggered

8. Upon review of national, provincial, and Wuzhou municipal regulations, and considering activities and potential impacts that may be associated with the proposed activities the RBL program will support, this PSSA finds the following SPS principles to be triggered by the proposed program. The site selection for civil works will avoid critical habitats as it is prohibited by PRC laws and regulations,⁶ thus environmental policy principle 8 relating critical habitats is not triggered.

Table: Safeguard Policy Principles Triggered

Principles	Description
Environment	
Principle 1. Use a screening process for each proposed project, as early as possible, to determine the appropriate extent and type of environmental assessment so that appropriate studies are undertaken commensurate with the significance of potential impacts and risks.	<p>All physical subprojects will be screened and categorized using the Directory of Environmental Impact Assessment Categorization for Construction Projects (Ministry of Ecology and Environment, 2018) and rapid assessment checklist (general) of ADB to ensure appropriate environmental category is assigned.</p> <p>The PRC Law on Environmental Impact Assessment (2018) lays down the screening procedure, differentiating between major, light/slight, and very small environmental impacts. All physical subprojects will be screened and categorized using the Directory of Environmental Impact Assessment Categorization for Construction Projects (Ministry of Ecology and Environment, 2018) and rapid assessment checklist (building) of ADB with support from environmental expert to ensure appropriate environmental category is assigned. Subprojects with significant environmental impacts (<i>category A</i>) will be excluded from the program. Subprojects with moderate impacts are expected to trigger the need to conduct environmental assessments and prepare EITs. Subprojects with minimal environmental impacts are required to fill out the EIRF. The EIRF will be prepared in accordance with the Administration on the EIRF for Construction Project (2017) which provides a template registration form.</p>
Principle 2. Conduct an environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks to physical, biological,	Environmental category will be assigned to each physical subproject based on the screening results.

⁵ Program Action Plan ((accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

⁶ Regulation on Nature Reserves Conservation of the PRC (2017); Wildlife Protection Law of the PRC (2018); and Regulation on Protection of Wild Plants (2017).

Principles	Description
socioeconomic (including impacts on livelihood through environmental media, health and safety, vulnerable groups, and gender issues), and physical cultural resources in the context of the project's area of influence. Assess potential transboundary and global impacts, including climate change. Use strategic environmental assessment where appropriate.	<p>Subprojects with significant environmental impacts (<i>category A</i>) will be excluded from the program. Subprojects with moderate impacts are expected to trigger the need to conduct environmental assessments and prepare EITs.</p> <p>The EIT will be prepared in accordance with the EIA Law of the PRC (2018), Technical Guideline Regarding the EIA for Construction Projects-General (HJ 2.1-2016), and other technical codes and regulations of the PRC. The requirements set out in the technical guidelines are fully equivalent to principle 2.</p> <p>Subprojects with minimal environmental impacts are required to fill out the EIRF. The EIRF will be prepared in accordance with the Administration on the EIRF for Construction Project (became effective on 1 January 2017) which provides a template registration form.</p>
Principle 3. Examine alternatives to the project's location, design, technology, and components and their potential environmental and social impacts and document the rationale for selecting the particular alternative proposed. Also consider the no project alternative.	The locations will be examined to ensure the selected sites are in line with the principles set out in the Urban Public Toilet Design Standards (CJJ14-2016), Building Design Code for Elderly Care Facilities (GB50865-2013).
Principle 4. Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts by means of environmental planning and management. Prepare an EMP that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators. Key considerations for EMP preparation include mitigation of potential adverse impacts to the level of no significant harm to third parties, and the polluter pays principle.	A generic EMP developed for building and green space construction and operation is developed to facilitate the program implementation. This EMP will be expanded to site-specific EMP based on the final design by the contractor.
Principle 5. Carry out meaningful consultation with affected people and facilitate their informed participation. Ensure women's participation in consultation. Involve stakeholders, including affected people and concerned nongovernment organizations, early in the project preparation process and ensure that their views and concerns are made known to and understood by decision makers and taken into account. Continue consultations with stakeholders throughout project implementation as necessary to address issues related to environmental assessment. Establish a GRM to receive and facilitate resolution of the affected people's concerns and grievances	<p>The program involves provision of sanitation, elderly care, and fitness facilities in the communities. Understanding the views of communities and future users are important to provide effective and efficient services. Consultation will be conducted during the preparation of environmental impact assessment documents and will continue throughout the construction and operation phases, to address any environmental issues that may arise.</p> <p>Development of these facilities will generate dust and noise impacts during construction, affecting nearby residents resulting complaints. In the PRC,</p>

Principles	Description
regarding the project's environmental performance.	grievances are addressed through the environmental complaint's hotline operated by environment protection authorities (e.g., 12369 hotline, 12369 WeChat platform, and www.12369.gov.cn). However, a formal GRM is not required. A program specific GRM is developed to address and resolve complaints received.
Principle 6. Disclose a draft environmental assessment (including the EMP) in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. Disclose the final environmental assessment, and its updates if any, to affected people and other stakeholders.	The EIT and EIRF will be disclosed on the website of PIU and/or Ecology and Environment Bureau. The summary of EIT and the EIRF will also be disclosed on site for the duration of the program implementation.
Principle 7. Implement the EMP and monitor its effectiveness. Document monitoring results, including the development and implementation of corrective actions, and disclose monitoring reports.	During construction, EMP implementation is the responsibility of the contractor. EMP implementation supervision and monitoring are the responsibility of the PIU, supported by construction supervision companies. During operation, the environmental management responsibility will be handed over to the facilities' operators. Standard construction management practices referring to EHS guidelines of the World Bank Group is provided in the ESSA to facilitate the implementation.
Principle 9. Apply pollution prevention and control technologies and practices consistent with international good practices as reflected in internationally recognized standards such as the World Bank Group's EHS Guidelines. ^a Adopt cleaner production processes and good energy efficiency practices. Avoid pollution, or, when avoidance is not possible, minimize or control the intensity or load of pollutant emissions and discharges, including direct and indirect greenhouse gases emissions, waste generation, and release of hazardous materials from their production, transportation, handling, and storage. Avoid the use of hazardous materials subject to international bans or phaseouts. Purchase, use, and manage pesticides based on integrated pest management approaches and reduce reliance on synthetic chemical pesticides.	Construction may result in injuries to workers. Contractors are required to strictly observe occupational health and safety requirements. The health and safety clauses will be reflected in works contracts. Facility design will adhere to energy efficiency and safety design codes. Emergency response systems (fire, explosion, earthquake, and other natural disasters) will be established in accordance with PRC regulatory requirements during operation and construction.
Principle 10. Provide workers with safe and healthy working conditions and prevent accidents, injuries, and disease. Establish preventive and emergency preparedness and response measures to avoid, and where avoidance is not possible, to minimize, adverse impacts and risks to the health and safety of local communities.	
Principle 11. Conserve physical cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment. Provide for the use of "chance find" procedures that include a pre-approved management and conservation approach for	The program will avoid cultural heritage sites during site selection. As buried artifacts might be discovered during the construction phase of the program, chance find procedures for physical cultural relics are included in the sample EMP.

Principles	Description
materials that may be discovered during project implementation.	
Involuntary Resettlement	
Principle 1: Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.	New construction, expansion or upgrading facilitates may involve or result in resettlement impacts. Necessary screening and due diligence is needed in the early stage to identify the past and potential impacts and check if there is any unresolved grievance of affected people and legal disputes on the acquired land or legacy issues.
Principle 2: Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.	Understanding the views of the affected communities and persons is important to provide effective and efficient mitigation measures. Meaningful consultation will be undertaken, including considering the needs of vulnerable groups, ensuring their participation, a specific grievance redress mechanism will be set-up or established to address and resolve complaints received.
Principle 3: Improve, or at least restore, the livelihoods of all displaced persons through (i) land based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	Impacts on livelihoods will be carefully assessed and the necessary livelihood restoration measures will be developed in consultation with the affected people.
Principle 4: Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	Impacts on livelihoods will be carefully assessed and the necessary livelihood restoration measures will be developed in consultation with the affected people. If house demolition cannot be avoided despite design optimization, households affected by house demolition will be consulted on their relocation options and the necessary assistance during transition will be provided.
Principle 5: Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.	As part of the screening, vulnerable households will be identified to ensure that the necessary support and assistance to improve their living standards will be provided to them.
Principle 6: Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated	As confirmed with the WPMO and the implementing agencies by the transaction TA resettlement specialist (consultant), the sites of related activities will be selected on original areas

Principles	Description
settlements will maintain the same or better income and livelihood status.	or the area with unused or disused land without LAR issues. If LAR is involved, it shall be processed through the legal procedures led by the local government. Therefore, negotiated settlement will not be triggered under this program.
Principle 7: Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	Where the RBL affects persons without titles to land or any recognizable legal rights to land, proper social and risk analysis will be conducted during implementation.
Principle 8: Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	Where land acquisition and resettlement is involved, resettlement plan will be prepared for subprojects following the PRC regulations and ADB SPS.
Principle 9: Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.	Under the RBL program, the information of the resettlement planning documents will be disclosed to the affected people and stakeholders, and the consultation and disclosure process will be properly documented, which should be easily accessible and understandable.
Principle 10: Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	The RBL program will not support <i>category A</i> projects. Where involuntary resettlement involved, the resettlement plan will be developed to ensure proper implementation, including estimate and arrangement of full costs.
Principle 11: Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	This provision is consistent with the national requirements of the PRC and will be reflected in the resettlement planning documents and monitored.
Policy Principle 12: Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by considering the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	WPMO will carry out the resettlement monitoring to monitor and assess resettlement outcomes.

ADB = Asian Development Bank; EHS = environmental, health, and safety; EIRF = environmental impact registration form; EMP = environmental management plan; EIT = tabular environmental impact report; ESSA = environmental safeguard systems assessment; GRM = grievance redress mechanism, LAR = land acquisition and resettlement, WPMO = Wuzhou program management office, PRC = People's Republic of China, RBL = results-based lending, SPS = Safeguard Policy Statement.

^a World Bank Group. [Environmental, Health, and Safety Guidelines](#).

Source: ADB.

C. Diagnostic Assessment

1. Assessment Methodology and Resources

9. The PSSA was conducted through (i) review of documents—a desk review of ADB SPS; the PRC policies and announcements on age-friendly urban development; policies, laws, and regulations related to the environmental management and resettlement in the PRC, and the Wuzhou Healthy and Age-friendly Urban Development Action Plan (2021–2025); (ii) a review and screening of the potential resettlement impacts under the RBL program, for example, permanent land acquisition (PLA) and temporary land occupation (TLO); and (iii) consultation and field visits. the transaction technical assistance (TA) consultants visited 11 potential sites in Wuzhou across four major areas related to the RBL program: municipal administration, culture and sports, and Health and Civil Affairs from 2 to 3 November 2021. The TA team interviewed the key informants from WDRC; Wuzhou Finance Bureau; Wuzhou Civil Affairs Bureau; Wuzhou Ecology and Environment Bureau; Wuzhou Culture, Sports and Art, Radio and Television Bureau; Wuzhou Health Commission; Wuzhou Natural Resources Bureau; Wuzhou Housing and Urban-Rural Development Bureau; and City Administration and Supervision Bureau.

10. In addition to this PSSA, more detailed assessments for both environment and involuntary resettlement safeguards have been prepared that identify detailed actions needed to fill the gaps between local practices and adherence to SPS principles. The environment safeguard system assessment includes (i) a comparison of equivalence among national, provincial, and local environmental regulations to ADB SPS environment safeguard policy principles; (ii) an adequacy assessment of program-level environmental management practices with regard to capacity for environmental management planning, implementation, monitoring and reporting, and public engagement; and (iii) identification of procedural gaps relating to environmental impact assessment (EIA), environmental management plan implementation, information disclosure, public consultation, grievance redress, and environmental monitoring and reporting; and (iv) recommended safeguard program actions to address gaps and weaknesses. For involuntary resettlement safeguards, the detailed assessment includes the guidance notes that WMG has agreed to follow during program implementation.

2. Environment

11. **Programmatic risks.** The desk review of the environmental regulatory framework in the PRC, GZAR, and WMG applicable to the program concludes that it is in general equivalent to ADB SPS environment policy principles. Relevant regulations require environment assessment based on clearly defined screening and classification criteria. Equivalent regulations are also in place for environmental management planning and implementation, including inspection of impact mitigation measures and health and safety concerns. Public engagement is mandated through requirements for public disclosure of environmental assessments, requirements for stakeholder consultation, and the establishment of an environment hotline system to address grievances, managed by local Ecology and Environment Bureau. Legislation is in place to identify and address specific environment, health, and safety issues. The major gaps have been identified, mainly related to (i) inadequate environmental impact assessment and lack of formal environmental management plan for the elderly care centers and fitness facilities as the EIA procedures for those facilities are simplified according to the Directory of EIA Categorization for Construction Project (2021), and (ii) inadequate public engagement and lack of project dedicated grievance redress mechanism. These weaknesses as well as other potential environmental and/or institutional risks identified in the assessment are addressed in the environmental safeguard action plan.

12. **Institutional risk.** The Wuzhou program management office (WPMO) will appoint a focal person for safeguard issues during project preparation who has the background of engineering design and project management. Each PIU will appoint at least one qualified, full-time staff with environmental or civil engineering background to conduct project preparation and implementation activities, including subproject environmental screen and classification, preparation of environmental documents (including rapid environmental assessment checklist, environmental impact registration form, environmental site inspection and monitoring report), and coordination of safeguard issues with stakeholders. An environmental expert will be recruited by the WPMO to support subproject screening and classification and preparation of environmental documents.

13. **Likely contextual risks.** The RBL program will support WMG's activities to develop a healthy and age-friendly city and is not expected to result in any reputational risks. Any *category A* subprojects will be excluded from the program. An environmental safeguards technical guideline has been prepared to guide the WPMO and implementing agencies in environmental safeguard procedures and preparation of environmental safeguard documents.

3. Involuntary Resettlement

14. **Likely programmatic risks.** LAR for all projects in the PRC is implemented and managed by the natural resource bureaus of county or district governments. Resettlement risk management is achieved from the national to local levels by formulating and implementing a series of laws and policies and establishing appropriate management agencies and mechanisms. The main aspects of the legal system for LAR include the policies, procedures, and related standards of transferring the land use forms, including transferring collective land to state-owned land, or transferring land use rights from one owner to another. It also includes house demolition on collective land in rural areas and house demolition on state-owned land in urban areas. According to the site survey and consultation, the WPMO and the implementing agencies confirmed that RBL program activities to upgrade facilities will be carried out on the original area, no new LAR is required, and new construction or expansion activities will be undertaken on state-owned and unused or disused land. Therefore, collective land acquisition is unlikely. The procedure of transferring land use rights from the present owner to the implementing agency is a legal requirement.

15. The WPMO and implementing agencies confirmed that the sites selected will only be the unused or disused areas, therefore, there will be no likelihood to involve any house acquisition and resettlement for individual households. For those public facilities on the surface or underground, compensation and/or restoration plan will be negotiated and reached between the affected parties and the implementing agencies, and implemented after the approval of land use right transfer is obtained. For the potential possibility of site selection/reselection in future of some program activities to areas where LAR would be needed, the involuntary resettlement safeguard actions guidance notes attached to the PID will provide detailed guidance on subproject screening and categorization and corresponding resettlement documentation requirements. As above, there is a comprehensive legal system in place governing the LAR and land use rights transfer from the PRC national level to Wuzhou Municipality.

16. There are still some disparities or gaps between the ADB SPS and the PRC system and local requirements. These include (i) lack of impact screening and categorization at the early stage of the project; (ii) no requirement for resettlement plan preparation and/or due diligence regarding past land acquisition for existing facilities where land has been acquired; (iii) inadequate documentation of consultation and information disclosure activities and grievances received; and (iv) inadequate monitoring and evaluation. The programmatic risks are not expected to be significant given the nature of the RBL program activities, existing capacities of the local

governments in implementing LAR, and the limited gaps between the national requirements and ADB SPS involuntary resettlement requirements. None of the identified gaps will impede the borrower's capacity to effectively implement resettlement, where it is required.

17. **Institutional risk.** The WMG is responsible for managing LAR. The district governments and delegated agencies, e.g., the Land Acquisition Offices (LAO) under the Wuzhou Natural Resources Bureau for collective land acquisition, and/or the House Demolition Office (HDO) under the Wuzhou Housing and Urban-Rural Development Bureau, are responsible for implementing expropriation of land and assets. WMG has experience implementing an ADB project between 2008–2017 through the same WPMO, which involved land acquisition and resettlement.⁷ WMG has established a Program Leading Group to be responsible for the leadership of the program, coordinating and supervising program implementation. The WPMO in WDRC has 6 key leaders and more than 20 staff for program preparation, daily management, and monitoring and evaluation. Each PIU will establish structures to manage implementation within their administrative areas. WDRC will appoint a resettlement focal person in the WPMO with prior experience of handling LAR issues. In parallel, each PIU will appoint at least one qualified, full-time staff with a social background for program preparation and implementation activities, including resettlement screening and categorization, preparation of resettlement documents (resettlement plan and/or due diligence report), stakeholder consultation, addressing grievances of affected persons and coordination with other bureaus. WPMO will recruit a Resettlement Specialist (consultant) to support the PIUs for project screening and categorization, preparation of resettlement plans and/or due diligence reports, and other safeguard documents. The consultant will also support the WPMO to prepare monitoring reports during implementation and build capacity of the WPMO, PIUs, and other agencies involved in LAR.

18. **Likely contextual risks.** The RBL program will support the government's initiatives for achieving better health and well-being of Wuzhou, which is not expected to result in any reputational risks. Also, any *category A* subprojects for involuntary resettlement safeguards will be excluded from the program. This will be executed through screening of the individual locations of related activities during the implementation stage. The RBL program will include capacity building of the PMO and implementing agencies in preparation and implementation of resettlement plans, due diligence of past land acquisition and existing facilities, and will cover consultations to identify any past or unresolved grievances and/or complaints related to land acquisition and involuntary resettlement. The PID includes guidance notes to assist the WPMO and relevant agencies in preparation of resettlement plans and due diligence of past land acquisition and existing facilities.

19. **Institutional, contextual, and programmatic risks are well understood and limited.** Given the nature of the activities, existing capacities of the local governments in implementing LAR, and the limited gaps between the national requirements and ADB SPS involuntary resettlement requirements, none of the gaps identified will impede the borrower's capacity to effectively implement the land acquisition provisions. Therefore, the classification of the program as *category B* for resettlement is confirmed and the overall resettlement safeguard risk of the proposed RBL program is assessed as *moderate*.

⁷ ADB. [People's Republic of China: Guangxi Wuzhou Urban Development Project.](#)

D. Safeguard Program Actions

20. Based on PSSA findings, Detailed Program Safeguard Actions (Appendix 1) have been developed and are deemed necessary to ensure compliance with the SPS environmental and involuntary resettlement policy principles

Table A1.1: Detailed Program Safeguard Actions

Gap	Proposed Action	Indicator/Target	Responsibility	Timeframe
Environment				
Inadequate institutional arrangements for environmental management at program level and county/district level	WPMO to assign one staff in charge of program safeguards coordination. The PIU with civil works to assign one environmental officer for EMP implementation coordination (screening, supervision, monitoring, reporting, public involvement).	Staff assigned within WPMO and each PIU with civil works	WPMO	Within 3 months of loan effectiveness
Inadequate orientation and capacities for environment management and coordination	Conduct workshops covering (i) environmental risk screening and categorization using the rapid assessment checklist (Annex 2-A of ESSA); (ii) preparation of environmental impact assessment documents; (iii) incorporation of EMP into bidding documents and construction contracts and implementation of EMP; and (iv) construction monitoring.	Workshops held and summary report accepted by ADB	WPMO	Within 3 months of loan effectiveness
Inadequate environmental impact assessment and environmental management	A matrix of anticipated environmental impact and mitigation measures for building construction (Annex 2-B of ESSA) was developed in accordance with the World Bank's environment, health, and safety guidelines and regulatory requirements of the People's Republic of China. If any unexpected impacts are identified, except for those identified in the Annex 2-B of ESSA during the screening, additional assessment and mitigation measures shall be implemented.	The subprojects with civil works are screened using the rapid assessment checklist (Annex 2-A of ESSA). EMP provisions are incorporated into bidding documents and construction contracts. Site EMPs are developed by contractors and reviewed by construction supervision companies and implementation environmental expert.	PIUs with civil works	When the engineering design is available Development of EMP provisions before bidding 1 month prior to civil works, continuous during construction

Gap	Proposed Action	Indicator/Target	Responsibility	Timeframe
Inadequate public engagement	Ensure consultation with affected communities and other stakeholders and disclose relevant project information prior to, and during, the construction process.	Environmental safeguard documents (environmental impact assessment documents, EMP, and monitoring reports) to be disclosed on websites of WDRC or the PIUs Consultations in various formats are organized and the concerns from the public are resolved	PIUs with civil works	Prior to civil works, continuous during construction
Grievance redress procedure limited to hotline system managed by local Environment and Ecology Bureau	Formalize a locally accessible GRM with procedural information and contacts of each entry points disseminated on the websites of PIUs and construction sites. A sample GRM is provided in the Annex 2-C of ESSA.	GRM arrangements posted on relevant websites and construction sites	PIUs with civil works	Established and disseminated 1 month prior to construction
Involuntary Resettlement				
Institutional arrangement and staffing	WDRC to assign one staff in the WPMO to coordinate resettlement safeguards planning and implementation. Each PIU to assign one resettlement officer for screening, impact assessment, planning including preparation of resettlement plans and/or due diligence reports as necessary, and implementation of land use and resettlement activities.	Assign at least one qualified, full-time WPMO staff with social background; designate at least one qualified staff with experience in LAR at each PIU Engagement of one qualified resettlement specialist (consultant) with at least seven years relevant experience to provide implementation support and building capacities of the WPMO and PIUs	WDRC, WPMO, and PIUs	Within 3 months of loan effectiveness and maintained throughout the program lifecycle
Capacity building related to resettlement management	Develop training scheme for the WPMO and PIUs, and conduct resettlement safeguard training for staff of WPMO, PIUs, and relevant agencies.	Training workshops on resettlement reflected in the semiannual monitoring reports.	WPMO and resettlement specialist	As needed and at least one training per year. Should be increased subject to observation of the resettlement specialist and any WPMO or PIU request.

Gap	Proposed Action	Indicator/Target	Responsibility	Timeframe
Screening and categorization	WPMO will carry out resettlement screening for all candidate subprojects under the program to classify the project category.	All candidate projects are screened and classified regarding resettlement; No <i>category A</i> projects will be approved for implementation	WPMO and resettlement specialist	Maintain throughout the program implementation period
Resettlement plan for projects with potential land acquisition	For projects with LAR impacts, PIU shall prepare a resettlement plan in accordance with the PRC regulations, ADB Safeguard Policy Statement (2009), provisions of the involuntary resettlement safeguard systems assessment, and guidance notes attached to the Program Implementation Document, and submit for clearance to WPMO. WPMO clearance of the resettlement plan document will be a prerequisite for award of civil works contract for the project.	Resettlement plans will be prepared for all projects that are categorized as <i>B</i> for involuntary resettlement. WPMO will submit the first three resettlement plans to ADB for prior review and clearance. ADB's review will continue if it is found that quality is low and/or WPMO has capacity issues in implementing resettlement safeguard requirements.	WPMO and resettlement specialist	Prior to award of civil works contract for individual subprojects
Resettlement due diligence for ongoing or past land acquisition	For project where LAR is ongoing or has been completed, the PIUs will conduct resettlement due diligence and prepare a DDR and submit to WPMO for clearance. WPMO clearance of the DDR will be a prerequisite for award of civil works contract for the project.	DDRs will be prepared by PIUs. The first three due diligence reports will be submitted to ADB for prior review and clearance. The ADB review will continue if it is found that quality is low and/or WPMO has capacity issues in implementing resettlement safeguard requirement.	WPMO and resettlement specialist	Prior to award of civil works contract for individual subprojects
Resettlement due diligence for existing facilities to be upgraded	For project facilities that already exist or are under construction, the PIUs will conduct resettlement due diligence and prepare a DDR and submit to WPMO for clearance.	DDRs will be prepared by PIUs. The first three DDRs reports will be submitted to ADB for review and clearance. The ADB review will continue if it is found that quality is low and/or WPMO has capacity issues in implementing resettlement safeguard requirement.	WPMO and resettlement specialist	Prior to award of civil works contract for individual subprojects
Identification of the poor and vulnerable groups during the screening process	Assessment of impacts including consultations with the poor and vulnerable groups among the affected persons identified at the screening stage will be taken up as	Results of screening and assessment will be included in the involuntary resettlement categorization checklist, resettlement plan, and DDR.	WPMO and resettlement specialist	Prior to preparation of resettlement safeguard documents and throughout the

Gap	Proposed Action	Indicator/Target	Responsibility	Timeframe
and resettlement planning	part of the resettlement plan and DDR preparation.			project implementation
Documentation of the consultation and information disclosure activities	Consultations, information disclosure and grievances received will be documented properly.	Documentation is reflected in the resettlement safeguard documents and monitoring reports.	WPMO and resettlement specialist	By program approval and throughout the implementation period
GRM	Arrangements for the GRM will be developed and implemented at WPMO, PIU, and project levels	A functional GRM should be in place at PMO and PIUs, with clear roles and responsibilities when dealing with the government agencies handling resettlement.	WPMO and PIUs	By program approval and throughout the implementation period
Disclosure of resettlement information during project preparation and implementation.	Key information from the resettlement safeguard documents (including resettlement plans, DDRs) will be shared with affected persons and other stakeholders in the local language. The semiannual resettlement monitoring report will be disclosed on ADB and WPMO websites.	Key information from resettlement plans and DDRs provided to affected people and other stakeholders in a form and language understandable to them. Disclosure activities will be reported in the semiannual monitoring reports that will be disclosed on ADB and WPMO websites.	WPMO and PIUs	Prior to award of civil works contract for individual subprojects Prior to subprojects construction and throughout the subproject lifecycle
Monitoring	WPMO will establish a safeguard monitoring system to allow proper coordination and facilitation with concerned agencies. Submission of resettlement monitoring report to ADB semiannually during the program implementation period.	Safeguard monitoring tracking system will be established. A resettlement specialist (consultant), acceptable to both ADB and WPMO is engaged by WPMO within 2 months from loan approval to monitor and verify resettlement safeguard document implementation. Submission of resettlement monitoring report to ADB semiannually.	WPMO	Semiannually throughout the program implementation period

ADB = Asian Development Bank, DDR = due diligence report, EMP = environmental management plan, ESSA = environmental safeguard systems assessment, GRM = grievance redress mechanism, LAR = land acquisition and resettlement, PIU = program implementation unit, PRC = People's Republic of China, WDRC = Wuzhou Development and Reform Commission, WPMO = Wuzhou program management office,
Source: ADB.

ENVIRONMENTAL SAFEGUARD SYSTEMS ASSESSMENT

I. INTRODUCTION

A. Program Background

21. The proposed Asian Development Bank (ADB) results-based lending (RBL) program is a time, sector, and geographic slice of the Healthy Wuzhou 2030 Program which aims to make Wuzhou a more livable, age-friendly, and socially inclusive city by improving the urban environment, expanding parks and green spaces, encouraging healthy lifestyles, and enhancing home and community-based elderly care services to promote aging in place. Capacity development will improve service delivery and help bridge the digital divide for older people.

B. Program Description

22. **Results-based lending program scope.** The comprehensive multisector Healthy Wuzhou 2030 covers all urban and rural areas of Wuzhou. It aims at better health, well-being, and people-oriented socioeconomic development by 2030. The ADB RBL program, based on the Wuzhou Healthy and Age-Friendly City Action Plan 2021–2025, is a time, sector, and geographic slice of the broader government program, focusing on the creation of a healthy and age-friendly city in the three central urban districts of the city. The outcome of the program will be livability, age-friendliness, health, and social inclusion in Wuzhou's urban center improved. The three outputs will be

- (i) **Output 1: Healthy and safe four-generation urban environments established.** Activities under output 1 focus on improving the built environment to facilitate social inclusion and make it more conducive to the adoption of healthy lifestyles, including more physical exercise, through (i) improving the urban environment and sanitation with at least 250 new and upgraded waste collection and recycling stations and 15 new and upgraded public toilets; (ii) upgrading public green spaces and fitness facilities, including 10 new age-friendly pocket parks, at least 20 kilometers of new urban trails, and well-lit places to safely walk and exercise; (iii) designing and constructing two demonstration mixed-use "living streets," with public activity spaces for the young and old; and (iv) upgrading 2.7 kilometers of streets with traffic-slowing and inclusive design features to make them pedestrian-friendly and barrier-free.
- (ii) **Output 2: Integrated age-friendly services and facilities improved.** Activities under output 2 emphasize the promotion of aging in place by making it easier for older persons to continue to live in their communities as an alternative to moving into residential care. This will be achieved by improving access to, and quality of, home and community base care (HCBC) services and standard health management services (with differentiated service packages for women and men).¹ A key goal is to alleviate pressure on family caregivers, who are mostly women. Activities include (i) establishing two new HCBC service centers to ensure full coverage at the street administration office level, (ii) expanding the range and quality of HCBC services, (iii) ensuring clients' satisfaction with HCBC services through new surveys that include at least 52% women's participation, and (iv) designing and piloting a home modification program for low-income households.

¹ Specific services include breast cancer screening for women and prostate cancer screening for men.

This output will also improve access to affordable and quality residential care facilities through both new and upgraded facilities.

- (iii) **Output 3: Institutional development and capacity building promoted.** Activity types under this output include (i) developing smart digital city management platforms and subsystems, including a new public opinion subsystem; (ii) planning and implementing an age-friendly digital literacy training and outreach program for at least 10,000 older persons; (iii) introducing a locally appropriate elderly care needs assessment and performance evaluation system and improving regulations and service standards; (iv) designing gender-sensitive training to improve the knowledge and skills of at least 600 HCBC caregivers, of whom 80% are women; and (v) implementing the program knowledge management action plan to disseminate knowledge solutions especially related to program pilots and innovative features such as living streets, home modification, and digital literacy training.² This output also includes public health promotion activities to increase the share of people who regularly exercise and to improve their basic health literacy, in line with the national assessment tools and targets.

23. The RBL program and its activity types are summarized and in Table A2.1.

Table A2.1: Program Scope

Item	Results-Based Lending Program
Outcome	Livability, ^a age-friendliness, and social inclusion in Wuzhou's urban center improved
Key outputs	<ul style="list-style-type: none"> • Healthy and safe four-generation urban environments established • Integrated age-friendly services and facilities improved • Capacity building and institutional development promoted
Activity types	<ul style="list-style-type: none"> • Urban environmental improvement and sanitation • Upgraded public green spaces and fitness facilities • Demonstration of living streets^b • Safe, barrier-free, pedestrian-friendly streets, crosswalks, and sidewalks • Development of elderly care services (HCBC and residential), with private sector participation • Promotion of healthy lifestyles • Strategic planning, research, and capacity development
Expenditure size	\$1.37308 billion
Main financiers and their respective total amounts	Government: \$1.27308 billion ADB: \$0.10 billion
Geographic coverage	Wuzhou's urban center, comprising the three urban districts of Changzhou, Longxu, and Wanxiu
Implementation period	5 years, 2022–2026

ADB = Asian Development Bank, HCBC = home and community-based care.

^a *Livability* describes the quality of life and community well-being. At the heart of the transformation of a city to become more livable is an integrated planning approach to provide infrastructure, services, and other public goods based on economic competitiveness, environmentally sustainable growth, social and financial inclusion, and resilience.

^b *Living streets* challenge the assumption that streets are for cars and cars should have priority over people. Their design emphasizes people as opposed to vehicles, placing priority on living and community interaction. A living street is a social place where people can meet, older people can exercise, and children can play safely; it does not exclude vehicles but is designed to reduce both their speed and dominance.

Source: ADB.

² Knowledge Management Action Plan (accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

C. ADB Safeguard Policy Requirements

24. As defined in the Asian Development Bank's (ADB) policy paper on results-based lending (RBL),³ the ADB Safeguard Policy Statement (SPS, 2009) applies to RBL programs. Specifically, for environment safeguards, the RBL program must be designed to adhere to the policy principles of the SPS. The implementation of the RBL program must follow the same policy objectives and principles in the SPS, but not its policy delivery process and operational procedures. The RBL policy provides the safeguard policy delivery process for RBL programs.

25. This environmental safeguard systems assessment (ESSA) report was prepared for the proposed Guangxi Wuzhou Healthy and Age-Friendly City Development Program, an RBL program in the Guangxi Zhuang Autonomous Region (GZAR). The program is adopting the RBL modality, requiring the preparation of a program safeguard systems assessment (PSSA). This ESSA is developed to provide inputs to the PSSA document.

26. This program ESSA aims to (i) assess potential program environmental risks; (ii) assess the environmental safeguard systems of the PRC and GZAR, as well as related implementation practices and institutional capacity, in relation to ADB SPS; and (iii) recommend safeguard program actions where gaps and weaknesses are found.

27. The methodology for the ESSA followed the guidance provided by ADB.⁴ This ESSA was conducted by a team of qualified consultants (international and national) with ADB staff support, through (i) a desk review of relevant PRC environmental laws, regulations, and policies, as well as the implementing agency implementation capacity and safeguard management systems; (ii) visiting to the potential candidate sites with completed, ongoing, or planned activities; and (iii) consultation with key stakeholders via meetings and interviews during November 2021 to March 2022. The assessment includes (i) an assessment of which SPS environmental policy principles will be triggered by the program; (ii) an equivalence assessment between national, provincial, and local environmental regulations and the triggered SPS environment safeguard policy principles; (iii) an adequacy assessment of existing environmental assessment and management practices; (iv) identification of procedural gaps relating to environmental impact assessment, environmental management plan (EMP) implementation, information disclosure, public consultation, grievance redress, and environmental monitoring and reporting; and (vi) recommend safeguard program actions to address gaps and weaknesses.

³ ADB. 2019. *Policy Paper: Mainstreaming the Results-Based Lending Program*. Manila.

⁴ ADB. 2021. *Technical Staff Guidance for Results-Based Lending for Programs*. Manila.

II. SCREENING OF PROGRAM'S ENVIRONMENTAL IMPACTS

1. Anticipated Environmental Impacts

28. The proposed program will involve physical activities including (i) improvement in urban environment and sanitation (public toilets, installation sorting bins for 250 new and upgraded waste collection and recycling bins), (ii) upgraded green spaces and fitness facilities, (iii) demonstration of "living streets;" and (iv) development of elderly care services. Likely impacts from construction and operation of facilities to be supported by the program are described below. No other activities will trigger the environment safeguard policy.

29. Potential adverse environmental impacts during construction phase are mainly related to building construction, including (i) noise and vibration may be caused by the operation of pile drivers, earth moving and excavation equipment, concrete mixers, cranes and the transportation of materials and equipment; (ii) soil erosion may be caused by exposure of soil surface to rain and wind during site clearing, earth moving, and excavation activities; (iii) emission of fugitive dust caused by a combination of on-site excavation and movement of earth materials, contact of construction machinery with bare soil, and exposure of bare soil and soil piles to wind; (iv) exhaust from diesel engines of earth moving equipment; (v) wastewater and site runoff affecting public drainage systems; (vi) inappropriate disposal of solid wastes from the construction sites, including hazardous and non-hazardous waste; (vii) occupational health and safety risks for site construction workers; and (viii) potential risk to public health and safety as the construction sites will be in the built-up area of Wuzhou City. These impacts are short-term and site-specific, which can be mitigated through application of standard construction management practices.

30. No significant operation phase environmental impacts are anticipated during the operation of facilities to be supported under the program. During operation, the municipal solid waste, wastewater, etc., from elderly care facilities, public parks, and fitness facilities can easily be addressed by integrating those facilities into the region's municipal services (water supply, solid waste, and sewer collection and disposal), and by ensuring compliance with relevant building codes (related to energy efficiency, ventilation, air-conditioning, fire safety, etc.).

2. Due Diligence of the Existing Facilities of Wuzhou

31. The program facilities will be integrated into the existing wastewater and municipal solid waste treatment system.

32. **Wuzhou No. 1 Sewage Treatment Plant.** The original design scale of Wuzhou No. 1 Sewage Treatment Plant was 50,000 tons per day. It was put into operation in 2008. The plant is operated and maintained by Wuzhou Yuehai Environmental Protection Development Co., Ltd. The service area is mainly Hexi area, serving a population of about 320,000. The plant was upgraded and renovated in 2018 to achieve Class 1A of the "Pollutant Discharge Standard for Urban Sewage Treatment Plants" (GB 18918-2002). In March 2019, the treatment scale was increased from 50,000 tons/day to 100,000 tons/day.

33. **Wuzhou No. 2 Sewage Treatment Plant.** The No.2 sewage treatment plant covers an area of about 20,000 square meters and has a designed treatment capacity of 40,000 tons per day. Wuzhou Yuehai Environmental Protection Development Co., Ltd. is responsible for operation and maintenance. The plant serves a population of about 205,000. In 2018, the plant was upgraded to Class 1A of "Pollutant Discharge Standards for Urban Sewage Treatment Plants" (GB 18918-2002).

34. **Wuzhou Huahong Sewage Treatment Plant.** Wuzhou Huahong Sewage Treatment Plant has a capacity of 30,000 m³/d. Wuzhou Huahong Sewage Treatment Co., Ltd. is responsible for operation and maintenance. The service areas are mainly concentrated in Longwei City, Canghai High-tech Zone and South Longwei Industrial Zone. The plant was upgraded to reach Class 1A of "Pollutant Discharge Standard for Urban Sewage Treatment Plants" (GB 18918-2002) in 2020.

35. **Municipal solid waste disposal.** The Wuzhou waste incineration power plant was located in an ecological industry park, which was built in 2018 and officially put into operation in 2020, with a processing capacity of 1000 tons/day. In 2021, the average actual processed amount is about 840 tons/day. The flue gas purification system adopts "SNCR denitrification in the furnace + dry method + semi-dry deacidification and desulfurization + activated carbon to remove heavy metals + bag filter." The bottom ash is used to make construction material and the fly ash is disposed of in landfill within the ecological industry park.

36. The operation of the facilities to be built under the program will not bring about significant population growth and thus will not increase the treatment load of the existing sewage treatment facilities and waste incineration facilities. The due diligence carried out during ESSA preparation has covered the existing operating facilities (including wastewater treatment and municipal solid waste incineration plant), and it is found that those facilities are operated in compliance with the PRC environmental regulatory requirements.

III. PRC ENVIRONMENTAL MANAGEMENT

1. PRC Environmental Management System

37. Since the promulgation of the Environmental Protection Law in 1969, PRC has established an integrated legal framework for environmental protection, and pollution prevention and control gradually. This framework includes over 80 laws, 120 department bylaws, and over 1,000 technical standards at the state level, and constitutes the main regulatory framework for the environmental risks and impacts involved in the Program activities,

38. Major environmental and natural resource management laws include, the *Environmental Protection Law* (1989, amended 2015), *Environmental Impact Assessment (EIA) Law* (2003, amended 2018), *Water Law* (2002, amended 2016), *Water Pollution Prevention and Control Law* (2008, amended 2017), *Air Pollution Prevention and Control Law* (2000, amended 2018), *Solid Waste Pollution Prevention and Control Law* (2005, amended 2016), *Soil Erosion Control Law* (1991, amended 2010), *Marine Environment Protection Law* (2000, amended 2017), *Law of Protection of Wild Fauna* (2004, amended 2018), *Flood Prevention Law* (1998, amended 2016), *Fishery Law* (1987, amended 2013) and *Forest Law* (1998, amended 2009), *Land Administration Law* (1999, amended 2018), *Highway Law* (1998, amended 2017), *Energy Conservation Law* (2008, amended 2018), and *Urban and Rural Planning Law* (2008, amended 2019).

39. **The Environmental Protection Law** is the fundamental law in the PRC's environmental protection, and pollution prevention and control system. Its 2014 amendment is called the strictest environmental law in the PRC's history, and aims to protect and improve the environment, prevent and control pollution, protect public health, and promote sustainable development, where an EIA should be conducted for projects with environmental impacts. In addition, it stipulates that the state practices an environmental protection target responsibility system, an evaluation system, an

ecological protection compensation system, "three simultaneities" system,⁵ ecological redline protection system, total emission control system for key pollutants, pollutant discharge permit system, etc., and becomes a main tool for the Chinese environmental safeguard system.

40. The enforcement of environmental laws and regulations is conducted by the ecology and environmental protection authorities within each level of the government. The regulatory enforcement and supervision authorities are the Ministry of Ecology and Environment (MEE) at the national level, environment, and ecology departments (EEDs) at the provincial level, and ecology and environment bureaus (EEBs) at the municipality level. The authorities are supported by environmental monitoring stations and environmental protection research institutes at different levels of the government.

2. Environmental Impact Assessment and Management

41. **Categorization and environmental impact assessment requirements.** Article 16 of the Law on EIA (2003, amended in 2018) requires classification of environmental assessment for construction projects according to the potential environmental impacts that will be caused:

- (i) An Environmental Impact Statement (EIS) is required for construction projects with potentially significant environmental impacts (generally equivalent to ADB category A).
- (ii) A tabular environment impact report (EIT) is required for construction projects with less significant environmental impacts (generally equivalent to ADB category B).
- (iii) An Environmental Impact Registration Form (EIRF) is required for construction projects with the least significant environmental impacts (generally equivalent to ADB category C).

42. The MEE Directory on EIA Categories of Construction Projects (2021) classifies environmental impact assessments for construction projects into 3 categories with different due diligence and reporting requirements. It provides detailed EIA requirements for 55 sectors and 173 subsectors based on the project's size, type, and site environmental sensitivity.

43. The key elements for determining "significant environmental impacts" are whether the construction project (i) is deemed to be an environmentally critical project; (ii) is above certain scale or size thresholds; or (iii) is located in or near environmental sensitive areas. The environmental sensitive areas are defined as following:

- (i) Nature reserves, scenic areas, world cultural and natural heritage sites, drinking water source protection areas;
- (ii) Basic farmland reserves, basic prairie, forest park, geological park, critical wetlands, natural forest, natural habitats for endangered wild flora and fauna, natural spawning grounds, feeding grounds, wintering grounds and migratory channel for key aquatic organisms, natural fishery yards, water scarcity area, critical soil erosion prevention area, protected deserts, enclosed and semi-enclosed seas, eutrophication waters.
- (iii) Areas for living, medical care, education, administrative office and scientific research; cultural relics; reserves with special historical, cultural, scientific and national significance.

⁵ "Three simultaneities" system: Facilities for the prevention and control of pollution at a construction project must be designed, built and commissioned together with the principal part of the project. The three simultaneities system shall be implemented by local environmental protection authorities.

44. The *Technical Guideline on EIA for Construction Project (HJ/T 2.1-2016)* provides general principles, guidance on content of EIA, and procedures for conducting EIA. The assessment process involves a survey that is conducted to assess the environmental status of the affected area. Also, an engineering analysis of the project is required in order to identify all potential impacts (both during its construction and operational phases) on the baseline environment. Methods to identify potential impacts include a matrix, network, or charts overlay by geographic information systems (GIS), etc. This data allows for a prediction and assessment of environmental factors and an analysis of specific environmental impacts. On the basis of these results, environmental protection measures will be proposed, and the EIA report prepared.

45. The content and format of an EIA, EIT and EIRF were explicitly regulated in the EIA law and regulations. In order to optimize and standardize the preparation of environmental impact report forms, the MEE divides the report forms into pollution impact categories and ecological impact categories according to the environmental impact characteristics of construction projects, and has formulated the *Technical Guidelines for Compilation of Construction Project EIT (Pollution Impact Category) (Trial)* and *Technical Guidelines for Compilation of EIT for Construction Projects (Ecological Impact) (Trial)*. For projects with low to minimal impacts that require an EIRF, MEE issued the *Administration Measures on the Registration Environmental Impact Registration Form for Construction Project* (came into effective since 1st January 2017) providing a template registration form to be submitted by the project proponent, and to be registered at the local ecology and environment authorities through an online system that is developed specifically for each province or region (the portal for GZAR is <http://221.7.197.150:8080/REG/a/login>). The online system is managed and operated by MEE.

46. **Public consultation requirements.** The *Law on EIA* (article 21) and the *Guideline on Public Participation in EIA* (2018) stipulate the information disclosure and public participation requirements during environment impact assessment. Except for construction projects designated as confidential, the construction unit for projects or programs requiring an EIS (i.e., highest risk category) is required to hold expert meetings and public hearings; or through other means to solicit comments and suggestions from relevant units, experts, and the public before submitting the EIS for approval. The *Technical Guideline on EIA: General Program (HJ/T 2.1-2016)* moreover require ongoing stakeholder consultation throughout the EIA process (including screening, scoping and assessment process), and determines that stakeholders representing enterprises, social groups, nongovernment organizations, residents, experts, and members of the public that may be affected directly or indirectly by the project shall be consulted. The Guideline defines suitable consultation methods including questionnaire surveys, interviews, forums, panel meetings, public hearings, and/or other measures. Public consultation is not required for projects requiring an EIT or an EIRF.

47. **Information disclosure requirements.** The *Guideline on Public Participation in EIA* (2018) requires the construction unit or the contracted EIA institute and the relevant EEB disclose EIA information in a manner accessible to the public. EITs are disclosed on the relevant EEB website for a period of 10 working days. EIRFs are disclosed on the EEB websites immediately after its registration and will be displayed continuously. However, there are no requirements for disclosure of monitoring reports during construction.

48. **Review and approval process.** The draft EIA document (EIS or EIT) must be submitted to the competent ecological and environmental administration (EED or EEB) by the construction unit prior to construction. If the construction unit is under the authority of a provincial or municipal department, the EIS or EIT must be pre-reviewed by that department before the document is submitted to the relevant ecological and environmental protection administration (EED or EEB)

for review and approval. The relevant ecological and environmental protection administration approves the EIA document, and provides written notification to the construction unit within 60 days after receiving a draft EIS, within 30 days after receiving an EIT. For an EIRF, the registration process is completed after the registration form is submitted online. There is no approval process for EIRF. Construction work cannot start until the EIA document is reviewed and approved by the relevant environmental protection administration.

49. **Requirements during preliminary design.** There is a regulatory framework to ensure that environment safeguards requirements identified at EIA stage are incorporated in preliminary and detailed design. Historically, the "*Three Simultaneities Policy*" introduced in 1972, i.e., prior to the Law on Environmental Protection, required the design, construction, and operation of pollution control facilities concurrent with analogous processes for the rest of the construction project. This was the first policy that directly addressed construction-related environmental impacts. The *Three Simultaneities Policy* is now fully embedded in other significant regulations, such as in article 15 of the *Construction Project Environmental Protection and Management Regulation* (1998, amended in 2017). The preliminary project design must contain a chapter on environmental protection pursuant to the requirements of environmental protection design standards and ascertain that adequate budget is provided to implement the environmental mitigation measures stated in the approvals of the EIS/EIT/EIRF.

50. **Environmental management during construction.** During the construction of the project, the construction unit has the obligation to simultaneously implement the environmental protection countermeasures defined in the EIS/EIT/EIRF or otherwise required in the approval for the EIA documents (EIA Law, article 26). In case of any inconsistency with EIA documents during project construction and operation, the construction unit is to organize a post-assessment of the environmental impacts, adopt appropriate mitigation measures, and report to the department approving the original EIA documentation (EIA Law, article 27). That department may also request the construction unit to perform a post-assessment of the environmental impacts and to adopt appropriate mitigation measures (EIA Law, article 28). In addition to the *EIA Law*, the *Construction Law of PRC* (2011) requires contractors of civil works to adopt measures to control pollution resulting from dust, waste gas, wastewater and solid waste materials, noise, and vibration at construction sites.

51. **Environmental supervision.** MEE issued the Management on Environmental Protection Supervision during Project Construction and Operation on 10 December 2015. The construction unit is assigned the main environmental protection responsibility. During construction the requirements of the approved EIA document and its approval should be strictly implemented. The ecological and environmental protection authority shall conduct supervisions during construction and operation.

52. **Grievance redress.** The right of citizens, legal persons, and other organizations to report and complain about environmental pollution and ecological damage activities is defined in the revised *Environmental Protection Law* (2015), article 57. The *Administration on Resolving Environmental Complaints* issued by MEE in 2006 is the key document regulating environment related grievances. Its implementation is supported by the *Environmental Hotline Management Measures* (effective since 1 March 2011). The environment hotline, "12369," is a centralized grievance redress mechanism (GRM) accessible all over the PRC. The public can complain through the hotline or submit complaints through the official website (<http://www.12369.gov.cn/>) with description and supporting photos. The public is encouraged to participate in environmental supervision through these platforms (Article 10 of Management on Environmental Protection

Supervision during Project Construction and Operation). To encourage more public participation in the supervision of pollution, MEE has launched the hotline on instant messaging service platforms such as WeChat, for which the access portal is provided on the official website of the platform. Responses to complaints received are also published on the website. The public can visit the 12369 platform to check the progress of their reports.

53. Since June 2020, the 12369 environmental reporting hotline has been integrated into the 12345 government service hotline. In 2020, the hotline received a total of 126 environmental-related complaints, mainly on construction and operation noise and dust issues.

3. Health and Safety

54. **Health and Safety during Construction.** Occupational health and safety is regulated in the *Labor Law of the PRC* (1995, amended 2018), article 52-65, as well as in the *Construction Law of the PRC* (2011), Chapter V (Construction Safety Control), and the *Work Safety Law of the PRC* (2002, amended 2014). Relevant sections of the Work Safety Law include:

- (i) Article 37: Business entities shall register and maintain files for major hazard installations, conduct regular monitoring, assessment and control, prepare emergency response plans, and inform employees and relevant personnel of measures to be taken in case of emergency. A business entity shall, according to the relevant provisions of the state, report its major hazard installments and related safety measures and emergency response measures to the work safety administrative department and other relevant departments of the local people's government for recordation.
- (ii) Article 38: A business entity shall establish and improve rules for the screening for and elimination of hidden risks of work safety accidents and take technical and management measures to discover and eliminate such hidden risks in a timely manner. It shall honestly record, and inform its employees of, the screening and elimination. The departments with work safety regulatory functions of the local people's governments at and above the county level shall establish and improve rules for supervising the elimination of hidden risks of serious accidents to impel business entities to eliminate such risks.
- (iii) Article 41: A business entity shall educate and supervise its employees on strictly complying with its work safety rules and operating procedures, and honestly inform its employees of the risk factors existing at their work sites and posts, the preventive measures, and the measures to be taken in case of emergency.
- (iv) Article 77: Local people's governments at or above the county level shall make arrangements for the departments concerned to formulate accident rescue plans for exceptionally serious accidents due to lack of work safety that may occur in their administrative regions and set up an emergency rescue system accordingly.
- (v) Article 78: The business entities shall establish the work safety accident emergency rescue plan of their own to be connected with the work safety accident emergency rescue plan formulated by the local people's government at and above the country level where they are located and organize emergency drilling on a regular basis.

55. **COVID-19 prevention and control.** The Ministry of Housing and Urban-Rural Development has formulated the "Guidelines for the Normalized Prevention and Control of the New Coronary Pneumonia Epidemic at Construction Sites of Housing Construction and Municipal Infrastructure Projects." The contractor and construction unit are required to establish emergency

response mechanism and a normalized epidemic prevention and control work system. The GZAR Department of Housing and Urban-Rural Development issued a notice on Strengthening epidemic prevention and control and fire safety management at construction sites, requiring construction sites to strictly implement closed management.

4. Physical Cultural Resources

56. The *Law of the Peoples Republic of China on Protection of Cultural Relics* (1982, 2007 amended) stipulated the chance find procedures of cultural relics. The cultural relics discovered belong to the state. All agencies, organizations and individuals have the obligation to protect cultural relics in accordance with the law.

- Article 32: During construction or agricultural production, any unit or individual discovering cultural relics shall protect the site and report it to the local cultural relics administrative department immediately. After receiving the report, the cultural relics administrative department shall go to the site within 24 hours if there are no special circumstances, and put forward resolutions within seven days. The cultural relics administrative department may report to the local people's government to notify the public security department to assist in protecting the site; if important cultural relics are discovered, they shall immediately report to the cultural relics administrative department of the State Council, and the cultural relics administrative department of the State Council shall put forward handling opinions within 15 days after receiving the report.

IV. SAFEGUARD POLICY STATEMENT EQUIVALENCE ASSESSMENT

A. Environment Safeguard Policy Principles Triggered by the Program

57. In light of activities included in the scope of the RBL program, and the potential impacts that may be associated with these activities, the environment safeguard system assessment finds the following environment safeguard policy principles (Table A2.3) to be triggered for the RBL program. The program site selection will avoid critical habitats as it is prohibited by PRC laws and regulations,⁶ thus environmental policy principle 8 relating critical habitats is not triggered.

Table A2.3: Safeguard Policy Principles Triggered

Principles	Description
Environment	
Principle 1. Use a screening process for each proposed project, as early as possible, to determine the appropriate extent and type of environmental assessment so that appropriate studies are undertaken commensurate with the significance of potential impacts and risks.	<p>All physical subprojects will be screened and categorized using the Directory of Environmental Impact Assessment Categorization for Construction Projects (Ministry of Ecology and Environment, 2018) and rapid environmental assessment (general) of ADB to ensure appropriate environmental category is assigned.</p> <p>The PRC Law on Environmental Impact Assessment (2018) lays down the screening procedure, differentiating between major, light/slight, and very small environmental impacts. All physical subprojects will be screened and categorized using the Directory of</p>

⁶ Regulation on Nature Reserves Conservation of PRC (2017); Wildlife Protection Law of PRC (2018); and Regulation on Protection of Wild Plants (2017).

	<p>Environmental Impact Assessment Categorization for Construction Projects (Ministry of Ecology and Environment, 2018) and rapid assessment checklist (building) of ADB with support from environmental expert to ensure appropriate environmental category is assigned. Subprojects with significant environmental impacts (category A) will be excluded from the program. Subprojects with moderate impacts are expected to trigger the need to conduct environmental assessments and prepare EITs. Subprojects with minimal environmental impacts are required to fill out the EIRF. The EIRF will be prepared in accordance with the Administration on the EIRF for Construction Project (2017) which provides a template registration form.</p>
<p>Principle 2. Conduct an environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks to physical, biological, socioeconomic (including impacts on livelihood through environmental media, health and safety, vulnerable groups, and gender issues), and physical cultural resources in the context of the project's area of influence. Assess potential transboundary and global impacts, including climate change. Use strategic environmental assessment where appropriate.</p>	<p>Environmental category will be assigned to each physical subproject based on the screening results.</p> <p>Subprojects with significant environmental impacts (Category A) will be excluded from the Program. Subprojects with moderate impacts are expected to trigger the need to conduct environmental assessments and prepare EITs.</p> <p>The EIT will be prepared in accordance with the EIA Law of the People's Republic of China ([PRC] 2018), Technical Guideline Regarding the EIA for Construction Projects-General (HJ 2.1-2016), and other technical codes and regulations of the PRC. The requirements set out in the technical guidelines are fully equivalent to principle 2.</p> <p>Subprojects with minimal environmental impacts are required to fill out the EIRF. The EIRF will be prepared in accordance with the Administration on the EIRF for Construction Project (came into effective since 1st January 2017) which provides a template registration form.</p>
<p>Principle 3. Examine alternatives to the project's location, design, technology, and components and their potential environmental and social impacts and document the rationale for selecting the particular alternative proposed. Also consider the no project alternative.</p>	<p>The locations will be examined to ensure the selected sites are in line with the principles set out in the Urban Public Toilet Design Standards (CJJ14-2016), Building Design Code for Elderly Care Facilities (GB50865-2013).</p>
<p>Principle 4. Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts by means of environmental planning and management. Prepare an EMP that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates,</p>	<p>A generic EMP for building construction and operation is developed to facilitate the program implementation. This EMP will be expanded to site-specific EMP based on the final design by the contractor.</p>

and performance indicators. Key considerations for EMP preparation include mitigation of potential adverse impacts to the level of no significant harm to third parties, and the polluter pays principle.	
Principle 5. Carry out meaningful consultation with affected people and facilitate their informed participation. Ensure women's participation in consultation. Involve stakeholders, including affected people and concerned nongovernment organizations, early in the project preparation process and ensure that their views and concerns are made known to and understood by decision makers and taken into account. Continue consultations with stakeholders throughout project implementation as necessary to address issues related to environmental assessment. Establish a GRM to receive and facilitate resolution of the affected people's concerns and grievances regarding the project's environmental performance.	<p>The program involves provision of sanitation, elderly care, and leisure facilities in the communities. Understanding the views of communities and future users are important to provide effective and efficient services. Consultation will be conducted throughout the design, construction, and operation phases, to address any environmental issues that may arise.</p> <p>Development of these facilities will generate dust and noise impacts during construction, affecting nearby residents resulting complaints. In the PRC grievances are addressed through the environmental complaint's hotline operated by environment protection authorities (e.g., 12369 hotline, 12369 WeChat platform and www.12369.gov.cn). However, a formal GRM is not required. A program specific grievance redress mechanism is developed to address and resolve complaints received.</p>
Principle 6. Disclose a draft environmental assessment (including the EMP) in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. Disclose the final environmental assessment, and its updates if any, to affected people and other stakeholders.	The EIT and EIRF will be disclosed on the website of PIU and/or Ecology and Environment Bureau. The summary of EIT and the EIRF will also be disclosed on site for the duration of the program implementation.
Principle 7. Implement the EMP and monitor its effectiveness. Document monitoring results, including the development and implementation of corrective actions, and disclose monitoring reports.	<p>During construction, EMP implementation is the responsibility of the contractor. EMP implementation supervision and monitoring are the responsibility of the PIU, supported by construction supervision companies. During operation, the environmental management responsibility will be handed over to the facilities' operators. Standard construction management practices referring to EHS guidelines of World Bank Group is provided in the Appendix 2 to facilitate the implementation.</p> <p>Construction may result in injuries to workers. Contractors are required to strictly observe occupational health and safety requirements. The health and safety clauses will be reflected in works contracts. Facility design will adhere to energy efficiency and safety design codes. Emergency response systems (fire, explosion, earthquake, and other natural disasters) will be established in accordance with PRC regulatory requirements during operation and construction.</p>

<p>Principle 9. Apply pollution prevention and control technologies and practices consistent with international good practices as reflected in internationally recognized standards such as the World Bank Group's EHS Guidelines.^a Adopt cleaner production processes and good energy efficiency practices. Avoid pollution, or, when avoidance is not possible, minimize or control the intensity or load of pollutant emissions and discharges, including direct and indirect greenhouse gases emissions, waste generation, and release of hazardous materials from their production, transportation, handling, and storage. Avoid the use of hazardous materials subject to international bans or phaseouts. Purchase, use, and manage pesticides based on integrated pest management approaches and reduce reliance on synthetic chemical pesticides.</p>	
<p>Principle 10. Provide workers with safe and healthy working conditions and prevent accidents, injuries, and disease. Establish preventive and emergency preparedness and response measures to avoid, and where avoidance is not possible, to minimize, adverse impacts and risks to the health and safety of local communities.</p>	
<p>Principle 11. Conserve physical cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment. Provide for the use of "chance find" procedures that include a pre-approved management and conservation approach for materials that may be discovered during project implementation.</p>	<p>The program will avoid cultural heritage sites during site selection.</p> <p>As buried artifacts might be discovered during the construction phase of the Program, chance find procedures for physical cultural relics are included in the sample EMP.</p>

COVID-19 = coronavirus disease, EEB = ecology and environment bureau, EIRF = environmental impact registration form, EMP = environmental management plan, EIT = tabular environmental impact report, PRC = People's Republic of China, RBL = results-based lending.

Source: Asian Development Bank.

B. Equivalence Assessment of the PRC Legal Framework with SPS Policy Principles

58. The review of the environmental regulatory framework in the PRC and GZAR concludes that it is in general largely equivalent to SPS environment policy principles. Relevant regulations require environment assessment based on clearly defined screening and classification criteria. Equivalent regulations are also in place for environmental management planning and implementation, including inspection of impact mitigation measures and health and safety concerns. Public engagement is mandated through requirements for public disclosure of environmental assessments, requirements for stakeholder consultation, and the establishment of

an environment hotline system to address grievances, managed by GZAR Ecology and Environment Department. Legislation is in place to identify and address specific environment, health, and safety issues.⁷

59. However, some gaps have been identified, relating to categorization, information disclosure, public consultation, grievance redress, and environmental monitoring and reporting.

60. **Categorization and environmental impact assessment.** Overall, the PRC has a risk-based, impact-based screening, and categorization system which is in line with the SPS environmental policy Principle No. 1. Since the establishment of the classification directory in 1999, the MEE has revised the directory five times. The amendment is to improve the operability of the directory and strengthen the connection of EIA and pollutant emission permit system. For the construction projects that their environmental impacts and mitigation measures are well known, and the risks are controllable, the 2020 revision has simplified the EIA procedures. The PRC classification results of proposed activities are shown in Table A2.4. Other program activities, including installation sorting bins for 250 new and upgraded waste collection and recycling bins, public toilets, fitness facilities, and greening space, are not included in the PRC classification list as its environmental impact is negligible.

Table A2.4: PRC Classification of Proposed Program Activity

Proposed activity	Category A	Category B	Category C
Elderly care center	/	If involving any environmental sensitive area	/
Stadium	/	If involving any environmental sensitive area	/

61. Program activities will be located in the urban area of Wuzhou and will therefore avoid critical habitats and protected nature reserves. The environmental impact of the Program is mainly related to building construction, which are well defined and there is standard construction site management specification (Construction site environment and health standards, JGJ146-2013). Therefore, the classification result is reasonable to some extent but there is the possibility that some site-specific impacts are not identified comparing with ADB's REA checklist for classification.

62. **Environmental management plan.** The Wuzhou government has adopted couple of good practices to improve the management of construction site. The Wuzhou City Housing Construction and Municipal Infrastructure Engineering Enclosure Optimization Scheme specified the requirements of construction barrier setting. All construction sites in the urban area of Wuzhou shall install dust and noise monitoring device connecting to the Intelligent Construction Site platform, maintained by the Wuzhou Urban Administration Bureau. PRC environmental standards and practices are considered as, or more, stringent than international equivalent standards and will consequently be applied during program implementation.

⁷ Including the Environmental Protection Law of the PRC (2014); the Environmental Impact Assessment Law of the PRC (2018) and linked technical guidelines for environmental impact assessment; the Labor Law (2018); the Construction Site Environment and Sanitation Standard (2013); and the Construction Law of the PRC (2011).

63. **Information disclosure and public consultation.** The requirements for public participation are only applied to the PRC category A project. Public participation is inadequate for category B project.

64. **Grievance redress mechanism.** The current complaints channel is mainly relying on the hotline maintained by the government authority. There is lack of project level GRM.

V. MANAGING RISKS AND IMPROVING ENVIRONMENT MANAGEMENT CAPACITY

1. General Principles for Environmental Management System of the Program

65. In order to minimize the program's environmental risk and ensure full compliance with PRC laws and regulations as well as ADB policy requirements for environment safeguards and RBL programs, the program will follow a set of principles in planning and implementing the engineering subprojects. These principles include:

- (i) For the construction of elderly care centers and fitness facilities, those subprojects will need to screen the environmental risk using the Appendix 1 Rapid Environmental Assessment Checklist (REA, Appendix 1) to ensure unexpected impacts besides those common impacts associated with building construction can be identified. If there is any unexpected impacts except for those identified in the Appendix 2 (Anticipated impacts and mitigation measures) of this ESSA, additional assessments and mitigation measures should be conducted.
- (ii) Activities that classify as category A for environment under ADB's Safeguard Policy Statement (2009) are not eligible.
- (iii) The program will only support facilities with valid environmental impact assessment approved by relevant environmental protection authorities;
- (iv) Environment safeguard due diligence procedures and environmental management practices shall fully adhere to the PRC regulatory framework and gap filling measures required to be in compliance with SPS.
- (v) The current environment management system will be strengthened and adjusted better fit to program's specificities. This will include preparation and implementation the environmental management plan; organize meaningful public consultation throughout the project cycle; the assignment of qualified safeguards specialist as staff of the PMO and PIUs; and the conduct of training for all key stakeholders on EMP implementation, supervision, monitoring and reporting.
- (vi) All new constructed elderly care and fitness facilities shall be designed, constructed and operated in line with the requirement of one-star green building at least.

2. Institutional Arrangements for Environment Management of the Program

66. The executing agency is the WMG, accountable for the overall program. The WDRC has established the WPMO, which is responsible for day-to-day supervision, coordination, and guidance of program preparation and implementation. The IAs are the Wuzhou Development and Reform Commission (WDRC), the Wuzhou Civil Affairs Bureau, the Wuzhou Culture, Broadcasting, Radio, Sports and Tourism Bureau, Wuzhou Health Commission, Wuzhou Natural Resources Bureau, Wuzhou Housing and Urban Rural Development Bureau, Wuzhou Urban Administration and Supervision Bureau and Wuzhou City Construction Investment Group. The program implementation units (PIUs) will be responsible for construction, operation, and maintenance under the program. The PIUs are existing units which are either divisions of government or public institutions and include: (i) at municipal level: agencies under the administrative jurisdiction of Wuzhou Civil Affairs Bureau, Wuzhou Health Commission, Wuzhou Urban Administration and Supervision Bureau, and Wuzhou Culture, Broadcasting, Radio, Sports and Tourism Bureau; (ii) the district level equivalents of these municipal agencies in Changzhou, Longxu and Wanxiu districts; and (iii) the Wuzhou Urban Construction and Investment Group, which is a state-owned enterprise responsible for constructing medium and large-scale publicly financed infrastructure.

67. An environmental safeguards supplementary technical guidance (Appendices 1, 2, and 3) has been developed to support the executing agency/implementing agency/implementing units in the program's environmental assessment and management. The environmental safeguards technical guidance will be translated into Chinese and trainings will be provided to the executing agency, implementing agency, and implementing units. The executing agency, implementing agency, and implementing units will follow the guidance during subsequent subproject preparation.

68. Other parties involved in the environmental management during program implementation under the guidance and management of the implementing agency/implementing units are described below.

69. Each implementing unit with civil works has contracted, or will contract one Construction Supervision Company (CSC) to (i) review and clear contractors' construction organization plan, including a site-specific EMP; (ii) conduct daily site inspections and assess the contractors' compliance with the site-specific EMP; and (iii) submit monthly inspection reports to the PIU and the WPMO for verification and disclosure.

70. Civil Works Contractors are responsible for implementing the mitigation measures during construction under supervision of the CSC. In their bids, contractors will be required to respond to the environmental management requirements defined in the environmental management plan. Each contractor will be required to develop a construction organization plan which shall include a site-specific EMP based on the generic EMP provided, and will assign a person responsible for environment, health, and safety.

3. Action Plan

71. Table A2.5 presents an environmental safeguards program action plan with measures to address identified safeguard gaps. Progress in implementing these actions will be monitored by the WMG and ADB during the program implementation through the program management office.

Table A2.5: Environmental Safeguards Program Actions

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
Environment				
Inadequate institutional arrangements for environmental management at program level and county/district level	WPMO to assign one staff in charge of program safeguards coordination. The PIU with civil works to assign one environmental officer for EMP implementation coordination (screening, supervision, monitoring, reporting, public involvement).	Staff assigned within WPMO and each PIU with civil works.	WPMO	Within 3 months of loan effectiveness

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
Inadequate orientation and capacities for environment management and coordination	Conduct workshops covering (i) environmental risk screening and categorization using the rapid assessment checklist (Annex 2-A of ESSA); (ii) preparation of environmental impact assessment documents; (iii) incorporation of EMP into bidding documents and construction contracts and implementation of EMP; (iv) construction monitoring.	Workshops held and summary report accepted by ADB.	WPMO	Within three months of loan effectiveness
Inadequate environmental impact assessment and environmental management	A matrix of anticipated environmental impact and mitigation measures for building construction (Annex 2-B of ESSA) was developed on the basis of the World Bank's environment, health, and safety guideline and PRC regulatory requirements. If any unexpected impacts are identified except for those identified in the Appendix 2 of ESSA during the screening, additional assessment and mitigation measures shall be implemented. incorporation of EMP provisions into bidding documents and construction contracts; and implementation of the EMP.	The subprojects with civil works are screened using the rapid assessment checklist (Annex 2-A of ESSA); EMP provisions are incorporated into bidding documents and construction contracts. Site EMPs are developed by contractors and reviewed by construction supervision companies and implementation environmental expert.	PIUs with civil works	When the engineering design is available Development of EMP provisions before bidding 1 month prior to civil works, continuous during construction
Inadequate public engagement	Ensure consultation with affected communities and other stakeholders and disclose relevant project information prior to, and during, the construction process.	Environmental safeguard documents (environmental impact assessment documents, EMP and monitoring reports) to be disclosed on websites of WDRC or the PIUs.	PIUs with civil works	Prior to civil works, continuous during construction

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
		Consultations in various formats are organized and the concerns from the public are resolved.		
Grievance redress procedure limited to hotline system managed by local Environment and Ecology Bureau	Formalize a locally accessible GRM with procedural information and contacts of each entry points disseminated on the websites of PIUs and construction sites. A sample GRM is provided in Annex 2-C of ESSA.	GRM arrangements posted on relevant websites and construction sites.	PIUs with civil works	Established and disseminated 1 month prior to construction

ADB = Asian Development Bank, DDR = due diligence report, EMP = environmental management plan, ESSA = environmental safeguard systems assessment, GRM = grievance redress mechanism, PIU = Program Implementation Unit, WPMO = Wuzhou program management office.

Source: ADB.

ANNEX 2-A: RAPID ENVIRONMENTAL ASSESSMENT (REA) CHECKLIST**Subproject Name:****Location:**

Screening Questions	Yes	No	Remarks
A. Project Siting Is the Project area adjacent to or within any of the following:			
▪ Environmentally sensitive areas?			
▪ Cultural heritage site			
▪ Legally protected area (core zone or buffer zone)			
▪ Wetland			
▪ Mangrove			
▪ Estuarine			
▪ Special area for protecting biodiversity			
B. Potential Environmental Impacts Will the Project cause...			
▪ impairment of historical/cultural areas; disfiguration of landscape or potential loss/damage to physical cultural resources?			
▪ disturbance to precious ecology (e.g., sensitive or protected areas)?			
▪ alteration of surface water hydrology of waterways resulting in increased sediment in streams affected by increased soil erosion at construction site?			
▪ deterioration of surface water quality due to silt runoff and sanitary wastes from worker-based camps and chemicals used in construction?			
▪ increased air pollution due to project construction and operation?			
▪ noise and vibration due to project construction or operation?			
▪ involuntary resettlement of people? (physical displacement and/or economic displacement)			
▪ disproportionate impacts on the poor, women and children, Indigenous Peoples or other vulnerable groups?			
▪ poor sanitation and solid waste disposal in construction camps and work sites, and possible transmission of communicable diseases (such as STI's and HIV/AIDS) from workers to local populations?			

Screening Questions	Yes	No	Remarks
▪ creation of temporary breeding habitats for diseases such as those transmitted by mosquitoes and rodents?			
▪ social conflicts if workers from other regions or countries are hired?			
▪ large population influx during project construction and operation that causes increased burden on social infrastructure and services (such as water supply and sanitation systems)?			
▪ risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during project construction and operation?			
▪ risks to community health and safety due to the transport, storage, and use and/or disposal of materials such as explosives, fuel and other chemicals during construction and operation?			
▪ community safety risks due to both accidental and natural causes, especially where the structural elements or components of the project are accessible to members of the affected community or where their failure could result in injury to the community throughout project construction, operation and decommissioning?			
▪ generation of solid waste and/or hazardous waste?			
▪ use of chemicals?			
▪ generation of wastewater during construction or operation?			

Checklist for Preliminary Climate Risk Screening

Country/District:

Subproject Name:

Screening Questions		Score	Remarks ^a
Location and Design of project	Is siting and/or routing of the project (or its components) likely to be affected by climate conditions including extreme weather-related events such as floods, droughts, storms, landslides?		
	Would the project design (e.g. the clearance for bridges) need to consider any hydro-meteorological parameters (e.g., sea-level, peak river flow, reliable water level, peak wind speed etc)?		
Materials and Maintenance	Would weather, current and likely future climate conditions (e.g. prevailing humidity level, temperature contrast between hot summer days and cold winter days, exposure to wind and humidity hydro-meteorological parameters likely affect the selection of project inputs over the life of project outputs (e.g. construction material)?		
	Would weather, current and likely future climate conditions, and related extreme events likely affect the maintenance (scheduling and cost) of project output(s)?		
Performance of project outputs	Would weather/climate conditions, and related extreme events likely affect the performance (e.g., annual power production) of project output(s) (e.g., hydro-power generation facilities) throughout their design life time?		

^a If possible, provide details on the sensitivity of project components to climate conditions, such as how climate parameters are considered in design standards for infrastructure components, how changes in key climate parameters and sea level might affect the siting/routing of project, the selection of construction material and/or scheduling, performances and/or the maintenance cost/scheduling of project outputs.

Options for answers and corresponding score are provided below:

Response	Score
Not Likely	0
Likely	1
Very Likely	2

Responses when added that provide a score of 0 will be considered low risk project. If adding all responses will result to a score of 1–4 and that no score of 2 was given to any single response, the project will be assigned a medium risk category. A total score of 5 or more (which include providing a score of 1 in all responses) or a 2 in any single response, will be categorized as high-risk project.

Result of Initial Screening (Low, Medium, High): _____

Other Comments:

ANNEX 2-B: ANTICIPATED ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
During Design Stage			
1. Preliminary and design stage	Institutional strengthening	<ul style="list-style-type: none"> - Each program implementation unit (PIU) to appoint an environmental safeguard officer (ESO) in its safeguard unit. 	PIUs
	Design complying with relevant applicable health, safety, and environmental codes and standards, including energy-efficient building codes and specifications	<ul style="list-style-type: none"> - Design buildings in compliance with relevant design standards and codes for energy-efficient, safe, and green public buildings, including but not limited to: GB 50011-2010 (Building Seismic Design Code); GB 50016-2006 (Code of Design on Building Fire Protection and Prevention); GB 50189-2015 (Energy Conservation Design for Public Buildings) and other applicable national design codes. - Ensure no-use of volatile organic compounds-emitting materials (including paints, coatings, adhesives, carpet and furniture's) to ensure high indoor air quality. - Incorporate energy-efficiency measures defined in the feasibility study report into building design. - Ensure all underground utilities are mapped completely during design stage to ensure their uninterrupted or planned operation, thereby avoiding any nuisance to staff and adjoining community living in the area. - No asbestos of any kind will be used in any materials supported by the project. 	Dis
2. Construction preparation stage	Bidding documents and contractors	<ul style="list-style-type: none"> - Include an environmental section in the technical specifications for bidders. - Ensure that construction contracts make reference to environmental safeguard clauses for civil works contracts, are responsive to environmental management plan (EMP) provisions, and mitigation and monitoring measures are adequately budgeted. 	Dis, PIU-ESO
	Meaningful consultation, grievance redress mechanism (GRM)	<ul style="list-style-type: none"> - Hold a public meeting prior to construction to discuss the EMP, project activities, and issues associated with the safety with stakeholders, elderly people, and staff, as well as nearby communities in vicinity of the construction site. - Establish a GRM and appoint a GRM coordinator. - Brief and provide training to GRM access points and disclose GRM to affected people before construction begins. - Disseminate information on procedure of handling complaints through the GRM. 	Wouzhou program management office (WPMO)-- ESO, PIU-ESO
	Training	<ul style="list-style-type: none"> - Provide training to staff of WPMO, implementing agencies, program implementation units, and contractors on implementation and supervision of EMP, GRM, and reporting in compliance with training plan. 	Environmental expert
	Site-specific EMPs	<ul style="list-style-type: none"> - Develop site-specific EMPs, responding to all clauses and requirements of this EMP. 	Contractor

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
	Audit of Existing Facility and related associated facilities and alternate locations	<ul style="list-style-type: none"> - Conduct an environment audit of existing ongoing facilities for compliance of their construction procedures adopted and operations with relevant laws and regulations, and applicable requirements of the ADB Safeguard Policy Statement (2009) requirements; and the nature and extent of significant adverse environmental impacts. Assessment to include subproject's linked associated facilities that affect the viability of the existing facility. 	Environmental expert
During Construction Stage			
1. Soil	Soil erosion	<ul style="list-style-type: none"> - Prepare soil erosion control plan (showing how runoff will be controlled at site perimeter to control soil and water runoff, and how disturbed areas will be reclaimed). - Minimize active open excavation areas. - Construct intercepting ditches and drains to prevent runoff entering construction sites, and divert runoff from sites to existing drainage. - Stabilize all earthwork disturbance areas within maximum 14 days after earthworks have ceased. - Properly slop and re-vegetate disturbed surface. 	Contractor
	Soil contamination	<ul style="list-style-type: none"> - Check for any historic contamination of soil. Initiate soil decontamination before start-up of any construction. - Store chemicals/hazardous products and waste on impermeable surfaces in secure, covered areas. - Remove all construction wastes from the site to approved waste disposal sites. - Provide spill cleanup measures and equipment at each construction site. - Conduct training in emergency spill response procedures. 	Contractor
2. Surface and Groundwater	Pollution of surface and groundwater resources	<ul style="list-style-type: none"> - Develop protocol for waste water management; - Install water collection basins and sediment traps in all areas where construction equipment is washed. - Wastewater generated from the washing down of mixer trucks and drum mixers and similar equipment should wherever practicable be recycled. - Surplus wastewater and wastewater generated from building construction activities, including concreting, plastering, cleaning of works, and similar activities should be discharged into sewer after removal of solids in a silt removal facility. - Sewage from temporary toilets, kitchens, and similar facilities should be stored in an on-site facility (such as septic tank), emptied regularly, and transported to a designated wastewater treatment plant for further treatment. 	Contractor

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
3. Solid waste	Construction and domestic wastes generated on construction sites	<ul style="list-style-type: none"> - Develop protocol for solid waste management. - If any asbestos containing materials (ACMs) are found during demolition of old facilities, the executing agency shall engage services of a certified agency capable to handle and dispose ACM in accordance with international best practices. - Maximize reuse/recycling of construction and deconstruction wastes (e.g., iron, bricks, windows, doors, steel bars, etc.); - Provide appropriate sanitary waste storage containers for workers' municipal garbage; and pilfer proof containers for hazardous wastes. - Install confined storage points of solid wastes away from sensitive receptors, regularly haul to an approved disposal site. - Use licensed contractors to remove wastes from the construction sites; ensure hazardous waste is disposed only at hazardous waste disposal certified landfill sites. - Prohibit burning of waste. 	Contractor
4. Noise	Noise from construction activities	<ul style="list-style-type: none"> - Maintain equipment and machinery in good working order, undertake regular equipment maintenance, and ensure compliance with the national standard (GB12523-2011) - Operate between 0800H and 2200H only and reach an agreement with executing and implementing agencies' management and nearby residents regarding the timing of heavy machinery work to avoid any unnecessary disturbances; nighttime works should only be conducted in exceptional cases and a permit should be obtained for that purpose. - Inform potentially affected people in advance. - Install temporary anti-noise barriers to shield institution buildings where non-compliance with Category 2 in Environmental Quality Standards for Noise (GB3096-2008) is anticipated/monitored. - Locate sites for concrete-mixing and similar activities at least 300 meters from sensitive areas if without any mitigations. - Monitor/observe noise within the construction site and at nearby sensitive areas at regular intervals (as defined in the monitoring plan). - Seek suggestions from institution management and potentially affected sensitive receptors to reduce noise annoyance. - Disseminate information on procedure of handling complaints through the GRM. 	Contractor
5. Ambient Air	Dust generated during construction	<ul style="list-style-type: none"> - Install perimeter fences at each site prior to construction—the fence shall be at least 2 meters high; - Spray water at least twice a day where fugitive dust is generated during deconstruction of old buildings, storage of construction materials, construction site internal roads, and civil works. 	Contractor

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
		<ul style="list-style-type: none"> - Cover trucks carrying earth, sand, or stone with tarps or other suitable cover to avoid spilling and dust generation. - Install online air quality monitoring device and connect to the Wuzhou intelligent construction site platform. - Regularly consult nearby residents to identify concerns, and implement additional dust control measures as necessary. 	
	Air emissions from construction vehicles and machinery	<ul style="list-style-type: none"> - Store petroleum or other harmful materials in appropriate places and covering to minimize fugitive dust and emission. - Maintain vehicles and construction machineries in compliance to national and international noise emission control standards. 	Contractor
6. Physical cultural resources	Damage to known or unknown above or below-ground cultural relics	<ul style="list-style-type: none"> - Establish chance find procedures for physical cultural resources. - If a new site is unearthed, work must be stopped immediately and the executing and implementing agencies and local cultural relic bureau promptly notified, and construction will resume only after a thorough investigation and with the permission of appropriate authority. 	Contractor
7. Flora and Fauna	Protection of vegetation, re-vegetation of disturbed areas; greening of sites	<ul style="list-style-type: none"> - Preserve existing vegetation where no construction activity is planned. - Remove trees or shrubs only as a last resort if they impinge directly on permanent structures; tree transplantation should be encouraged at the vacant location within the project site. - Properly re-vegetate disturbed areas after completion of civil works; restore top soil after construction with only native species of vegetation and trees specific to the region. 	Contractor
8. Health and Safety	Occupational health and safety (H&S)	<ul style="list-style-type: none"> - Develop protocol for H&S management. - Develop an emergency response plan and provide relevant training to workers; - Appoint one technically qualified staff to implement and supervise the implementation of the site-specific EMP and the performance of subcontractors. - Temporary worker camps must provide safe supply of clean water and an adequate number of latrines and other sanitary arrangements at the site and work areas, and ensure that they are cleaned and maintained in a hygienic state; - Provide garbage receptacles at construction site. - Provide personal protection equipment for workers in accordance with relevant H&S regulations. - Develop an emergency response plan to take actions on accidents and emergencies; document and report occupational accidents, diseases, and incidents; and organize fully equipped first-aid base at each construction site. - Establish records management system that will 	Contractor

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
		<p>store and maintain easily retrievable records on occupational accidents, diseases, and incidents</p> <ul style="list-style-type: none"> - Train all construction workers in basic sanitation and hygiene issues, general health in basic sanitation and hygiene issues, general health and safety matters, and on the specific hazards of their work. - Posters drawing attention on site safety, rescue and industrial health regulations shall be made or obtained from the appropriate sources and will be displayed prominently in relevant areas of the site. 	
	Community H&S	<ul style="list-style-type: none"> - Develop protocol for community health and safety management; - Prepare traffic control plan within and around the construction site during construction, to be approved by facility management, and local traffic management administration. The plan shall include provisions for diverting or scheduling construction traffic to avoid peak traffic hours, main teaching activities, such as exams, regulating traffic at road crossings with an emphasis on ensuring public safety through clear signage. - Prepare a coronavirus-disease (COVID-19) prevention plan and disclose the procedure at the construction site and community. - Designate staff members to control traffic during on-institution and off-institution hours. - Ensure that all sites are secure, discouraging access through appropriate fencing; place clear signs at construction sites in view of the people at risk, warning people of potential dangers such as moving vehicles, hazardous materials, excavations, etc., and raising awareness on safety issues. - Return machinery to its overnight storage area/position. - In collaboration with the facility management, hold meeting prior to commencing construction to discuss issues associated with ensuring the safety of nearby communities in vicinity of the construction site. 	Contractor
	Utilities provision interruption	<ul style="list-style-type: none"> - Assess potential disruption to services and identify risks before starting construction. - If temporary disruption is unavoidable, develop a plan to minimize the disruption and communicate the dates and duration in advance to all affected people, in conjunction with the institution management. 	Contractor
9. Labor standards and rights	Social protection of workers	<ul style="list-style-type: none"> - Contractors shall (i) provide equal pay for equal work, regardless of gender or ethnicity; (ii) provide timely payment of wages; (iii) use local unskilled labor, as applicable; (iv) comply with core labor standards and the applicable labor laws and regulations, including stipulations 	Contractor

Item/Media	Potential Environmental Impacts and/or Risks	Mitigation Measures	Who Implements
		<p>related to employment, e.g., health, safety, welfare and the worker's rights, and anti-trafficking laws; and (v) not employ child labor.</p> <ul style="list-style-type: none"> - Contractors shall maintain records of labor employment, including the name, ethnicity, age, gender, domicile, working time, and the payment of wages. 	
During Operation Stage			
1. Wastewater	Inadequate wastewater disposal	<ul style="list-style-type: none"> - Ensure connection of new buildings to on-site pre-treatment facilities (septic tanks) and/or to municipal sewer system. - Periodically monitor (visual inspection) sludge accumulation in septic tanks, and request licensed company to de-sludge as needed. 	Facility operator
2. Solid waste	Inappropriate management of non-hazardous solid waste	<ul style="list-style-type: none"> - Provide adequate solid waste collection facilities in all buildings; - Promote segregation of waste through (i) provision of separate collection bins for paper, biodegradable waste, metallic waste, and other wastes; and (ii) provision of training and awareness raising for elderly people; - Reach agreement with waste collection service providers for different types of waste. - Regularly clean and disinfect waste collection facilities. 	Facility operator
3. Health and Safety	Elderly care center health and safety	<ul style="list-style-type: none"> - Ensure compliance with relevant health and safety regulations pertaining to ventilation, indoor air quality, lighting, noise, fire escape, etc.; - Establish a COVID-19 prevention plan and emergency response plan and disclose at entrance of the facility; - Establish preparedness plan and operation plan under emergency conditions, such as fire, flood, earthquake, wind, storm, water contamination, epidemic, air contamination, infestation, explosion etc. to ensure safe environment for all elderly people, staff and visitors; - Provide guidelines and reference materials to help elderly care center reduce or eliminate potential hazards which may cause injury, illness or property loss; - Provide trainings on infection control policies and procedures to teachers. - Set up isolation room with protective equipment (protective clothing, medical masks, gloves, etc.) in a relatively independent, well-ventilated single room. 	Facility operator

ANNEX 2-C: SAMPLE GRIEVANCE REDRESS MECHANISM

72. The grievance redress mechanism (GRM) will be implemented through five escalating steps, advancing to the next level only if the grievance was unable to be redressed at the previous level. Note that (i) at any stage in the GRM, an affected person may submit their grievance to any agency they feel most comfortable with. If such agency is not listed in the steps below, they will also need to inform at least one of the listed individuals or agencies, to enable the GRM procedures to be implemented; and (ii) the GRM does not replace the role of existing laws and legal procedures. In the event of any grievance, the Wuzhou program management office (WPMO) will immediately inform the Asian Development Bank (ADB), and then ensure that ADB is updated on the progress.

Step 1: If a concern arises, the affected person should try to resolve the issue of concern directly with the contractor or via the GRM access points (community leaders, neighborhood organizations, municipal or provincial environment and ecology bureau [EEB]) during the construction phase, and/or the operator during the operation phase. If the concern is resolved successfully no further follow-up is required. The contractor (during construction) and/or the operator (during operation) shall record any complaint and actions taken to resolve the issues and report the results to the WPMO. If no solution is found within 7 working days or if the complainant is not satisfied with the suggested solution under step 1, proceed to Step 2.

Step 2: The affected person will submit the grievance to the program implementation unit (PIU) (if not done in step 1). The PIU will record the grievance, assess its eligibility, and report back to the affected person within 7 working days. If the grievance is eligible, proceed to step 3.

Step 3: The WPMO will investigate the complaint and consult with the executing and implementing agencies and other stakeholders, as appropriate, in an attempt to identify a solution. The PIU will give a clear reply to the affected person within 5 working days with the suggested solution, and the executing and implementing agencies will ensure that implementation of the agreed-upon redress solution begins within 7 working days. If no solution is found or if the complainant is not satisfied with the suggested solution under step 3, proceed to step 4.

Step 4: The PIU, through the WPMO, will inform ADB as to the grievance and will organize a multi-stakeholder meeting within 5 days, where all relevant stakeholders, including the complainant, the executing and implementing agencies, PIUs, ADB, and EEB can discuss the issue. The multi-stakeholder meeting will aim to find a solution acceptable to all and identify responsibilities and an action plan. The PIU will ensure that the implementation of agreed-upon redress solution begins within 7 working days of the completion of the multi-stakeholder meeting.

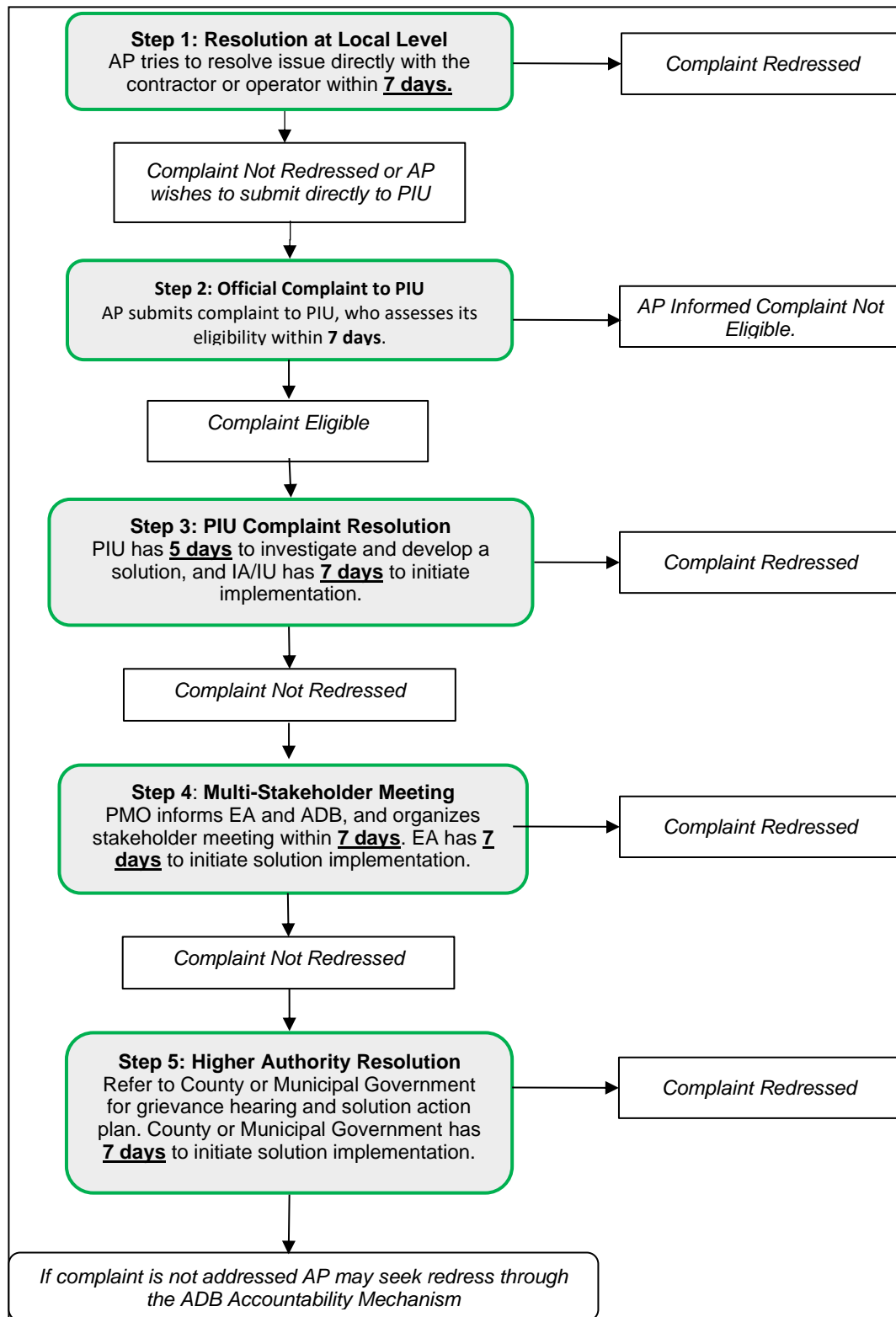
Step 5: If the complainant is not satisfied with the suggested solution under step 4, the grievance will be directed to the provincial government. The government will direct the PIU to organize a hearing process and shall determine a solution acceptable to all. Based on the hearing results, an action plan shall be developed, and the PIU will ensure that the implementation of the agreed-upon redress solution begins within 7 working days of the completion of the hearing.

The GRM steps are illustrated below. If the GRM steps are unsuccessful, persons who are, or may in the future, be adversely affected by the project may submit complaints to ADB's

Accountability Mechanism through the Office of the Special Project Facilitator or Office of Compliance Review Panel. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected persons should make a good faith effort to solve their problems by working with the concerned ADB operations department. Only after doing that, and they are still dissatisfied, should they approach the Accountability Mechanism.¹

¹ See: <http://compliance.adb.org/>

Sample Grievance Redress Mechanism



ANNEX 2-D: OUTLINE OF SEMIANNUAL ENVIRONMENTAL MONITORING REPORT

A. Progress in Implementation of Environmental Safeguards Actions

Summarize the progress in implementing the environmental safeguards actions defined in the program action plan (PAP) and program safeguard system assessment (PSSA)

Gap	Proposed Action	Indicator/Targets	Responsibility	Time Frame	Progress Achieved during the Reporting Period	Additional Actions Required	Remarks ^a
Environment							
Inadequate institutional arrangements for environmental management at program level and county/district level	WPMO to assign one staff in charge of program safeguards coordination. The PIU with civil works to assign one environmental officer for EMP implementation coordination (screening, supervision, monitoring, reporting, public involvement).	Staff assigned within Wuzhou Development and Reform Commission, and each PIU with civil works.	WPMO	Within 3 months of loan effectiveness			
Inadequate orientation and capacities for environment management and coordination	Conduct workshops covering (i) environmental risk screening and categorization using the rapid assessment checklist (Appendix 1 of the ESSA); (ii) preparation of environmental impact assessment documents; (iii) incorporation of EMP into bidding documents and construction contracts and	Workshops held and summary report accepted by ADB.	WPMO	Within 3 months of loan effectiveness			

Gap	Proposed Action	Indicator/Targets	Responsibility	Time Frame	Progress Achieved during the Reporting Period	Additional Actions Required	Remarks ^a
	implementation of MP; (iv) construction monitoring.						
Inadequate environmental impact assessment and environmental management	<p>A matrix of anticipated environmental impact and mitigation measures for building construction (Appendix 2 of ESSA) was developed on the basis of World Bank's EHS guideline and PRC regulatory requirements. If any unexpected impacts are identified except for those identified in the Appendix 2 of ESSA during the screening, additional assessment and mitigation measures shall be implemented;</p> <p>incorporation of EMP provisions into bidding documents and construction contracts; and</p>	<p>The subprojects with civil works are screened using the rapid assessment checklist (Appendix 1 of ESSA); EMP provisions are incorporated into bidding documents and construction contracts.</p> <p>Site EMPs are developed by contractors and reviewed by construction supervision companies and implementation environmental expert.</p>	PIUs with civil works	When the engineering design is available Development of EMP provisions before bidding 1 month prior to civil works, continuous during construction			

Gap	Proposed Action	Indicator/Targets	Responsibility	Time Frame	Progress Achieved during the Reporting Period	Additional Actions Required	Remarks ^a
	implementation of the EMP.						
Inadequate public engagement	Ensure consultation with affected communities and other stakeholders and disclosure of relevant project information to them prior to, and during the construction process.	Environmental safeguard documents (environmental impact assessment documents, EMP and monitoring reports) to be disclosed on websites of WDRC or the PIUs. Consultations in various formats are organized and the concerns from the public are resolved.	PIUs with civil works	Prior to civil works, continuous during construction			
Grievance redress procedure limited to hotline system managed by local Environment and Ecology Bureau	Formalize a locally accessible GRM with procedural information and contacts of each entry points disseminated on the websites of PIUs and construction sites. A sample GRM is provided in the Appendix 3 of ESSA.	GRM arrangements posted on relevant websites and construction sites.	PIUs with civil works	Established and disseminated one month prior to construction			

ADB = Asian Development Bank, DDR = due diligence report, EMP = environmental management plan, ESSA = environmental safeguard systems assessment, GRM = grievance redress mechanism, PIU = Program Implementation Unit, WPMO = Wuzhou Program Management Office.

^a Please add information to justify the progress achieved (tables showing data, photographs, summary of grievance, etc.) These could be included as annex to this table.

Source: ADB.

B. Monitoring

Summary of EMP implementation performance of contractors based on review of CSC monthly monitoring results and site inspections conducted by the environmental officers assigned within the PIUs.

C. Other Actions Implemented During Reporting Period (such as review missions, site visits, etc.); and**D. Actions And Activities Planned in the Next Reporting Period****Annex 1: List of Environmental Officers Assigned**

Organization	Name	Position	Contact
1.			
2.			
3.			
4.			

Annex 2: Summary of Environmental Capacity Building Sessions

Organizer	Date	Subject	Attendees	Number of staff trained

Annex 3: Summary of Physical Subprojects and Environmental Safeguard Document Preparation

Subproject Name	Brief introduction of the subproject	Environmental safeguards categorization	Expected construction start date	Expected operation date	Valid domestic EIA documents (Yes or Not)	Incorporate the provisions of EIRF/EIT and EMP into design (Yes or Not)	Incorporate the provisions of EIRF/EIT and EMP into construction contract (Yes or Not)	Site-specific EMP development (Yes or Not)

Annex 4: Summary of Public Engagement Activities during Reporting Period

Subproject name	Date	Subject	Public consultation Format (workshop/questionnaires/site visit)	Number of respondents	Major concerns proposed by the participants and solutions	EIT/EIRF disclosure link	GRM disclosure (website link and on-site photos)

Annex 5: Summary of GRM Operation during Reporting Period

Subproject name	Contact of GRM entry point	GRM disclosure (website link and on-site photos)	Complaints received during reporting period	Corrective actions taken	Follow-up actions required

INVOLUNTARY RESETTLEMENT SAFEGUARD SYSTEMS ASSESSMENT

A. INTRODUCTION

73. The proposed Asian Development Bank (ADB) results-based lending (RBL) program is a time, sector, and geographic slice of the Healthy Wuzhou 2030 Program which aims to make Wuzhou a more livable, age-friendly, and socially inclusive city by improving the urban environment, expanding parks and green spaces, encouraging healthy lifestyles, and enhancing home and community-based elderly care services to promote aging in place. Capacity development will improve service delivery and help bridge the digital divide for older people.

74. **Results-based lending program scope.** The comprehensive multisector Healthy Wuzhou 2030 covers all urban and rural areas of Wuzhou. It aims at better health, well-being, and people-oriented socioeconomic development by 2030. The ADB RBL program, based on the Wuzhou Healthy and Age-Friendly City Action Plan, 2021–2025 is a time, sector, and geographic slice of the broader government program, focusing on the creation of a healthy and age-friendly city in the three central urban districts of the city. The outcome of the Program will be livability, age-friendliness, health, and social inclusion in Wuzhou's urban center improved.

75. The RBL program and its activity types are summarized and in Table A3.1.

Table A3.1: Program Scope

Item	Results-Based Lending Program
Outcome	Livability, ^a age-friendliness, and social inclusion in Wuzhou's urban center improved
Key outputs	<ul style="list-style-type: none"> • Healthy and safe four-generation urban environments established • Integrated age-friendly services and facilities improved • Capacity building and institutional development promoted
Activity types	<ul style="list-style-type: none"> • Urban environmental improvement and sanitation • Upgraded public green spaces and fitness facilities • Demonstration of living streets^b • Safe, barrier-free, pedestrian-friendly streets, crosswalks, and sidewalks • Development of elderly care services (HCBC and residential), with private sector participation • Promotion of healthy lifestyles • Strategic planning, research, and capacity development
Expenditure size	\$1.373 billion
Main financiers and their respective total amounts	Government: \$1.273 billion ADB: \$0.10 billion
Geographic coverage	Wuzhou's urban center, comprising the three urban districts of Changzhou, Longxu, and Wanxiu
Implementation period	5 years, 2022–2026

ADB = Asian Development Bank, HCBC = home and community-based care.

^a *Livability* describes the quality of life and community well-being, and at the heart of the transformation of a city to become more livable is an integrated planning approach to provide infrastructure, services, and other public goods based on economic competitiveness, environmentally sustainable growth, social and financial inclusion, and resilience.

^b *Living streets* challenge the assumption that streets are for cars and cars should have priority over people. Their design emphasizes people as opposed to vehicles, placing priority on community interaction. A living street is a social place where people can meet, older people can exercise, and children can play safely; it does not exclude vehicles but is designed to reduce both their speed and dominance.

Source: ADB.

76. **Objectives of the social safeguard systems assessment.** The scope of the RBL program includes construction and upgrading of urban sanitation facilities, fitness facilities, city parks, living streets, urban trails and elderly care service centers in the 3 urban districts of Wuzhou Municipality, in Guangxi Zhuang Autonomous Region of the People's Republic of China (PRC). This safeguard system assessment is undertaken to: (i) assess the potential involuntary resettlement impacts of the activities under the RBL program; (ii) examine the social safeguard management and compliance aspects of the systems that will be applied for the RBL program to ascertain consistency with the resettlement safeguard policy principles of the ADB's Safeguard Policy Statement (SPS, 2009); (iii) prepare a resettlement safeguard gap analysis for the program; (iv) assess if the systems to be applied are capable of managing safeguard risks; and (v) recommend action plans to strengthen the executing and implementing agencies' capacity to address the gaps and promote good practices in implementation of involuntary resettlement safeguards.

77. **Implementation arrangements.** The executing agency is the WMG, accountable for the overall program. The Wuzhou Development and Reform Commission has established the Wuzhou program management office (WPMO), which is responsible for day-to-day supervision, coordination, and guidance of program preparation and implementation. The implementing agencies are the Wuzhou Development and Reform Commission, the WCAB, the WHC, the Wuzhou Urban Administration and Supervision Bureau, and the Wuzhou Culture, Broadcasting, Radio, Sports and Tourism Bureau. Several project implementation units (PIUs) will be responsible for construction, operation, and maintenance under the program. The PIUs are existing units, either divisions of government or separate public institutions, including (i) municipal-level agencies under the administrative jurisdiction of the implementing agencies; (ii) the district level equivalents of these municipal agencies in Changzhou, Longxu, and Wanxiu districts; and (iii) the Wuzhou Urban Construction and Investment Group, a state-owned enterprise responsible for constructing medium and large-scale publicly financed infrastructure.

B. PROGRAM INVOLUNTARY RESETTLEMENT IMPACTS AND RISKS

78. The RBL program will improve the livability, age-friendliness and social inclusion of Wuzhou's urban center. Based on the consultation with WDRC during the site survey in November 2021, the involuntary resettlement impacts (land acquisition and potential limited house demolition) will be triggered by construction or expansion of urban sanitation facilities, fitness facilities, city parks, living streets, urban trails, and elderly care service centers. Table A3.2 summarizes the potential for involuntary resettlement impacts for each of the three RBL outputs, so as to identify appropriate tools and actions to manage the related impacts and risks.

Table A3.2: Potential for Involuntary Resettlement Impacts

Output	Activities	Potential for Involuntary Resettlement Impacts	
		Is Involuntary Resettlement relevant	Potential Involuntary Resettlement Impact
1. Healthy and safe four-generation urban environments established	<ul style="list-style-type: none"> Demonstration of "living streets" with public activity spaces 	No	<ul style="list-style-type: none"> Living streets: utility of existing and unused public areas in the streets, without any LAR impacts expected.
	<ul style="list-style-type: none"> New and upgraded age-friendly pocket parks (public green spaces), urban trails (green wellness and fitness trails), fitness facilities and upgrade of domestic waste treatment facilities 	Yes	<ul style="list-style-type: none"> About 35 new and upgraded pocket parks are proposed, including 29 upgrading of existing parks, and 6 new constructions. Of which, the land area of the new construction pocket is between 1,000 m² to 6,700 m², including 4 parks with areas less than 3,000 m². The sites of new parks will be only selected on state-owned urban lands that are unused or disused. However, it may affect some public surface or underground facilities, and require to transfer the land use rights from the original units. As such, LAR impacts are potentially relevant for these structures. Around 75 km² of urban trails are proposed. Nature of the trail land will be state-owned urban lands, reportedly without LAR issues. Upgrade of a fitness center on the existing area, while expansion, where need, will require acquisition of additional land outside the existing boundary, which are unused state-owned land. Impacts to some public surface/underground facilities are expected, and transfer of the land use rights from the original units is also required, therefore, LAR impacts are relevant. Upgrade of solid waste collection and treatment facilities. Area of each site is

Output	Activities	Potential for Involuntary Resettlement Impacts	
		Is Involuntary Resettlement relevant	Potential Involuntary Resettlement Impact
			around 100 m ² –150m ² , and will be carried out on original sites, therefore, LAR is not relevant.
	<ul style="list-style-type: none"> Upgraded roads with traffic-slowing, barrier-free and inclusive design features 	No	<ul style="list-style-type: none"> Design upgrading or equipment installation, which will be implemented on the existing roads, without additional land use required.
	<ul style="list-style-type: none"> Classification, recycling, transportation, and treatment of domestic waste 	No	<ul style="list-style-type: none"> Update the capacity of existing domestic waste transfer stations on waste sorting facilities, without additional land use required.
2. Integrated age-friendly services and facilities improved	<ul style="list-style-type: none"> Development of elderly care services (residential, community-based, and home-based) Construction of the workers' culture center 	Yes	<ul style="list-style-type: none"> New construction of one elderly care services facility (Wuzhou Social Welfare) is proposed to carry out on a land acquired in recent years with 47 <i>mu</i> of land taken. LAR due diligence will be undertaken; Upgrade or reconstruction of the other facilities, where need, will be carried out within the original site boundary, no new LAR; Construction of workers' culture center will be carried out on the original site of a football ground.
3. Institutional development and capacity building	<ul style="list-style-type: none"> Smart digital city platforms Smart Healthcare 	No	

LAR = land acquisition and resettlement, km = kilometer, m² = square meter.

Source: Asian Development Bank.

79. **Category of involuntary resettlement (Category B).** The geographic boundary of the RBL program is within Wuzhou's urban center, comprising the three urban districts of Changzhou, Longxu, and Wanxiu. The construction and/or upgrading of related facilities are in accordance with the Wuzhou urban development planning. According to the program implementation units (PIUs) visited and interviewed, these activities are basically about to be carried out on the original sites, e.g., improvement of sanitation facilities, fitness facilities, workers' culture center, classification/recycling/treatment of domestic waste, upgrade of public parks, reconstruction of the elderly care center, or utilizing the existing and unused/disused state-owned land which were normally acquired previously, for example, the new parks and green spaces, new urban trails, and new public toilets. According to the survey of the sampled facilities that might be covered by the RBL program in three districts of Wuzhou, and consultation with the design institute and WDRC, it is informed that:

- (i) There are no rural collective land acquisition and resettlement (LAR);
- (ii) Except for the new construction site of Wuzhou Social Welfare elderly care facility (47 mu) where the land was acquired by WMG before 2020, the land required for all other facilities are utilizing the existing and unused/disused state-owned land, no new land acquisition of collective owned is required;
- (iii) Although utilizing existing and unused urban land, transaction and endorsement of land use rights will be required by following the domestic regulatory process;
- (iv) Whereas impacts on structures or assets on/underground of the land, compensation and resettlement process will be implemented before the land use rights endorsed by the district governments. The site observation and consultation indicated there are no permanent structures and operational business identified on the sites that are proposed to be constructed, except for some trees, public structures like electronic poles, and maybe some underground public facilities as well.

80. On the other hand, some parts of the Wuzhou district are still considered as rural collective areas. Based on the interview and the information collected, there was some land acquisition that took place in recent years around the three districts of the RBL boundary for development and construction, therefore, although not foreseen at present, it may be possible for site selection/reselection in future of some program activities to areas where land acquisition would be needed. The involuntary resettlement safeguard actions guidance notes attached in the Program Implementation Document will provide detailed guidance on subproject screening and categorization and corresponding resettlement documentation requirements.

81. Consultation on the site also indicated that temporary land occupation will be required during construction, but it will be restricted in the construction boundary, or laid on the unused grounds with limited scale, if any. Therefore, the resettlement impacts of projects under the RBL program are expected to be very limited. Furthermore, any proposed project under the RBL program that may be classified as ADB resettlement category A will not be eligible for RBL financing and will be excluded for the scope of the program.¹⁶ Based on the assessment above, the RBL program is categorized B for involuntary resettlement impacts.

82. **Likely programmatic risks.** Land acquisition and resettlement for all projects in PRC is implemented and managed by the natural resources bureaus of related county or district

¹⁶ The involuntary resettlement impact of the proposed activity will be considered significant, or classified as Category A, if 200 persons or more will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income-generating).

governments. The resettlement risks management is achieved from the national to local levels by formulating and implementing a series of laws and policies, and establishing and operating appropriate management agencies and mechanisms. The main aspects of the legal system on resettlement include the way, procedure, policies and related standards of transferring the land use forms, including transferring the collective land to state-owned land, or transferring the land use rights from one owner to another.

- (i) **Transferring the collective land to state-owned land.** Where the site is selected on a rural collective land, *Article 44 of the PRC Land Administration Law (amended in 2019)* will be applied, therefore, the nature of the land will be transferred from rural collective owned land to urban construction land after implementing land acquisition and resettlement in accordance with Wuzhou local implementation measures of the *PRC Land Administration Law*.
- (ii) **Transferring the land use rights from one owner to another.** Where the site is selected on an area that is an existing state-owned land, the procedure mentioned as point a) is not relevant, or already completed. A necessary procedure will be implemented to transfer the land use right from the existing owner to new one, e.g., the project implementation agency, following the *Management Measures for Land Use Rights Transfer of Urban State-owned Land (1993)*. When there are individual assets on the land, a procedure of house acquisition and resettlement will be implemented according to the *Regulations on Acquisition of Houses on State-owned Land and Compensation (SC [2011] No.590)*.

83. According to the site survey and consultation, the WPMO and implementing agencies repeatedly indicated that the upgrading activities of related facilities under the RBL program will be carried out on the original area, no new LAR required; and new construction or expansion activities will be undertaken on state-owned and unused/disused land; therefore, it is unlikely to involve collective land acquisition; hence, the likelihood to go with the procedure a) as described above is low; while procedure b) will be implemented for most of the activities, since the land use rights transfer from the present owner to the implementing agency of related activity is the legal requirement. However, as the WPMO and the implementing agencies confirmed, the sites selected will only be the unused/disused areas, therefore, there will be no likelihood to involve any house acquisition and resettlement for individual households. For those public facilities on the surface or underground, compensation and/or restoration plan will be negotiated and reached between the affected parties and the implementing agencies, and implemented after the approval of land use right transfer is obtained.

84. As above, there is a comprehensive legal system in place governing the LAR and land use rights transfer from the PRC national level to Wuzhou Municipality.

Table A3.3: Law and Regulations on House and Structure Acquisition on State-owned Land

Level	Policy	Effective date
National	Management Measures for Land Use Rights Transfer of Urban State-owned Land	1993-1-1
	Regulations on Acquisition of Houses on State-owned Land and Compensation (SC [2011] No.590)	2011-1-21
Guangxi	Notice of Issuing the Measures of Real-Estate Appraisal on State-owned Land (JF [2011] No.77)	2011-6-3
		2011-8-2

Wuzhou	The Implementation Measures of Guangxi Zhuang Autonomous Region for Regulations on the Acquisition of Houses on State-owned Land and Compensation (Guizhengdian [2011]36)
--------	---

85. There are still some disparities or gaps between the ADB SPS and the PRC system and local requirements. These include (i) lack of impact screening and categorization at the early stage of the project; (ii) no requirement for resettlement plan preparation and/or due diligence regarding past land acquisition for existing facilities where lands have been acquired; (iii) inadequate documentation of consultation and information disclosure activities and grievances received; and (iv) inadequate monitoring and evaluation. The programmatic risks are not expected to be significant given the nature of the components proposed, existing capacities of the local governments in implementing involuntary resettlement impacts, and the limited gaps between the national requirements and ADB SPS involuntary resettlement requirements. Further, none of the gaps identified will impede the Borrower's capacity to effectively implement the resettlement, where it is required.

86. **Institutional risk.** The WMG is in overall responsibility for managing the land acquisition, resettlement, and the district government and its delegated agencies, e.g., the Land Acquisition Offices (LAO) under the Natural Resources Bureau (NRB) for collective land acquisition, and/or the House Demolition Office (HDO) under the Housing and Urban-Rural Development Bureau (HURDB), are responsible for implementing the expropriation of land and assets requested as projects relevant.

87. WMG has experience of implementing an ADB funded project between 2008-2017 implemented through the same PMO, which involved land acquisition and resettlement.¹⁷ Overall, the LAR was well managed and implemented, meanwhile, lessons were also learned, including meaningful talks with affected people as well as additional efforts needed for the project design and implementation by (i) minimizing land acquisition to the extent possible in project design; (i) carrying out thorough due diligence to allow better decision-making; (i) seeking proactive approaches to resolving land acquisition bottlenecks such as design amendments and alternative resettlement locations; (iv) coordinating better across local governments in implementing resettlement plans; and (v) considering alternative project components to use loan proceeds more efficiently. These lessons have already been fully considered during the preparation phase, e.g. throughout consultation, selection of sites without LAR issue, and will also be well considered during the project implementation phase with the action plans and related tools developed in this IRSSA report, the program safeguards systems assessment and the involuntary resettlement safeguard guidance notes attached to the Program Implementation Document.

88. WMG has established the Program Leading Group for the program to take wholly responsible for the organizational leadership of the program, coordinating and solving major issues, and supervising the progress of program implementation. WDRC, as the implementing agency, has established the Program Management Office (PMO) with 6 key leaders and more than twenty (20+) staff to execute the program preparation, daily management, and monitoring and evaluation. In addition, each PIU will also establish implementation structures to manage program implementation within their administrative areas. WDRC will appoint a resettlement focal person in the PMO for involuntary safeguard issues during RBL program implementation, with a prior experience of handling LAR issues. In parallel, each PIU will appoint at least one qualified, full-time staff with social background to conduct program preparation and implementation activities, including project resettlement screening and categorization, preparation of resettlement

¹⁷ ADB, 2017. *Guangxi Wuzhou Urban Development Project*. Manila.

documents (resettlement plan where appropriate and due diligence report [DDR]), consultation with stakeholders, addressing grievances of affected persons and coordination of safeguard issues with related bureaus, etc. A Resettlement Specialist (consultant) will be recruited by the PMO to support the WDRC and the PIUs for project screening and categorization, preparation of resettlement plan and/or DDR, and other related social safeguard documents. The Resettlement Specialist will also support the PMO to prepare monitoring reports during the implementation and carry out the capacity building of the PMO, PIUs, and other agencies involved in LAR actions.

89. A training on involuntary resettlement of ADB SPS was carried out to the officers of the PMO and design institute through virtual session on 11 October 2021 by the transaction technical assistance (TA) specialist and further training was also provided face-by-face during the ADB Inception Mission on 2 November 2021, introducing the RBL program and the procedure in relation to involuntary resettlement implementation, basic requirements, including screening and categorization, information disclosure and consultation, document preparation, and monitoring and evaluation.

90. When the program enters into the implementation stage, systematic training calendar will be established throughout the program lifecycle, and necessary training will be provided by the Resettlement Specialist (consultant) for the staff of PMO, PIUs, and other relevant agencies.

91. **Likely contextual risks.** The RBL program will support the government's initiatives for achieving better health and well-being of Wuzhou, which is not expected to result in any reputational risks. Also, any category A subprojects for involuntary resettlement safeguards will be excluded from the program. This will be executed through screening of the individual locations of related activities during the implementation stage. The RBL program will include capacity building of the PMO and IAs in preparation and implementation of resettlement plans, due diligence of past land acquisition and existing facilities, and will cover consultations to identify any past or unresolved grievances and/or complaints related to land acquisition and involuntary resettlement. The Program Implementation Document will include guidance notes to assist the PMO and relevant agencies in preparation of resettlement plans and due diligence of past land acquisition and existing facilities. Locations with significant pending issues will be excluded from the program, or corrective action plan will be required and submitted for PMO's confirmation and clearance prior to award of civil works for the related facilities.

92. **Institutional, contextual, and programmatic risks are well understood and limited.** Given the nature of the components proposed, existing capacities of the local governments in implementing land acquisition and involuntary resettlement impacts, and the limited gaps between the national requirements and SPS involuntary resettlement requirements, none of the gaps identified will impede the borrower's capacity to effectively implement the land acquisition provisions. Therefore, the classification of the program as ADB category B for resettlement is confirmed and overall resettlement safeguard risk of the proposed RBL program is assessed as moderate.

C. SAFEGUARD POLICY PRINCIPLES TRIGGERED

93. **Table A3.4** shows that 11 of the 12 resettlement safeguard policy principles listed in SPS (2009) might be triggered by the RBL program.

Table A3.4: Involuntary Resettlement Safeguard Policy Principles Triggered

Policy Principles	Description
Principle 1: Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.	New construction, expansion and/or upgrading facilities may involve or result in resettlement impacts. Necessary screening and due diligence are needed at early stage to identify the past and potential impacts and check if there is any unresolved grievance from affected persons and legal disputes on the acquired land or legacy issues.
Principle 2: Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.	Understanding the views of the affected communities and persons is important to providing effective and efficient mitigation measures. Meaningful consultation will be undertaken, including considering the needs of vulnerable groups, ensuring their participation, a specific grievance redress mechanism will be set-up or established to address and resolve complaints received.
Principle 3: Improve, or at least restore, the livelihoods of all displaced persons through (i) land based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	Where relevant, impacts on livelihoods will be carefully assessed and the necessary livelihood restoration measures will be developed in consultation with the affected persons.
Principle 4: Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	As above, impacts on livelihoods will be carefully assessed and the necessary livelihood restoration measures will be developed in consultation with the affected persons. If house demolition cannot be avoided despite design optimization, households affected by house demolition will be consulted on their relocation options and the necessary assistance during transition will be provided.
Principle 5: Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.	As part of the screening, vulnerable households will be identified to ensure that the necessary support and assistance to improve their living standards will be provided to them.
Principle 6: Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.	As confirmed with the PMO and the IAs by the ADB program team, the sites of related activities will be selected on original areas or the area with unused/disused land without LAR issues. If LAR is involved, it shall be processed through the legal procedures led by the local government. Therefore,

Policy Principles	Description
	negotiated settlement will not be triggered under this program.
Principle 7: Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	Where the RBL program affects persons without titles to land or any recognizable legal rights to land, proper social/risk analysis will be conducted during implementation.
Principle 8: Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	Where LAR is involved, resettlement plan will be prepared for projects following People's Republic of China regulations and Asian Development Bank Safeguard Policy Statement (2009).
Principle 9: Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.	Under the RBL program, key information in the resettlement planning documents will be disclosed to the affected persons and stakeholders, and the consultation and disclosure process will be properly documented, which should be easily accessible and understandable.
Principle 10: Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	Where involuntary resettlement involved, the resettlement plan will be developed to ensure proper implementation, including estimate and arrangement of full costs.
Principle 11: Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	This provision is consistent with the national requirements of the PRC and will be reflected in the resettlement planning documents and monitored.
Principle 12: Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	The PMO will carry out the resettlement monitoring to monitor and assess resettlement outcomes.

Source: Asian Development Bank.

D. DIAGNOSTIC ASSESSMENT

1. Assessment Methodology and Resources

94. The Program Safeguard Systems Assessment (PSSA) was conducted by the program team supported by the transaction TA resettlement specialist through (i) review of documents, e.g., the ADB SPS (2009), the PRC policies and announcements on the program, policies, laws and regulations related to the environmental management and resettlement in the PRC, and the Healthy Wuzhou 2030 (2019–2030); (ii) a review and screening of the potential resettlement impacts under the RBL program; and (iii) site visits and consultations at locations of activities completed, ongoing and proposed from 1 to 5 November 2021, including a fitness center, two residential elderly care institutions, a home- and community-based care service center, a walking path site, public green spaces and potential sites of living streets, so as to assess the implementation and effectiveness of the LAR system that will be applied to the RBL program. Also, the transaction TA team interviewed the key informants from PIUs and NRB, and HURDB.

2. Safeguard Assessment

95. The amendments to the Land Administration Law were effective on 1 January 2020, which strengthens upfront risk management for land acquisition to better protect the interests of affected farmers (Article 47) and substantially improved the key principles on compensation for LAR to secure legal rights and livelihood sustainability for affected persons. The new Land Administration Law, thus to a certain extent bridges the gaps with ADB SPS, which will be applied to any new LAR in the RBL program. Regulations on the Expropriation of Houses on State-owned Land and Compensation (Decree [2011] No.590 of the State Council) and the Notice on Issuing the Measures for the Expropriation and Evaluation of Houses on State-owned Land (JF [2011] No.77) has made systematic arrangements for asset appraisal, process management, public participation, compensation payment, resettlement policies, etc. Guangxi and WMG also offer such supporting measures as relocation subsidy, transition subsidy, housing land, and compensation for production and/or business suspension losses based on local conditions. Laws, regulations, and policies of the PRC related to LAR include:

Table A3.5: Resettlement System of Relevant to the RBL Program

Legal Framework	Institution Settings
Land Administration Law (2020)	<u>Land acquisition</u> National: Ministry of Natural Resources Guangxi: Natural Resources Department Wuzhou: municipal and district governments, natural resources authorities and its LAOs
Regulations for the Implementation of the Land Administration Law	
Notice of the National Development and Reform Commission on Issuing the Measures for the Social Stability Risk Assessment of Major Fixed Asset Investment Projects (NDRCI 2021 Amendment)	
Notice on Issuing the Integrated Regional Price for Land Acquisition for Wuzhou Municipality (WZF[2020]No.7)	
Notice of Enforcement and Normalization of the Land Acquisition Work of Wuzhou District Areas (WGTZF[2018] No.16)	<u>Urban house demolition</u> National: Ministry of Housing and Urban-Rural Development Guangxi: Housing and Urban-Rural Development Department; Wuzhou: municipal or district Housing and Urban-Rural Development Bureaus, and its HDOs
Regulations on the Expropriation of Houses on State-owned Land and Compensation (Decree [2011] No.590 of the State Council)	
Notice on Issuing the Measures for the Expropriation and Evaluation of Houses on State-owned Land (JF [2011] No.77) (2011-6-3)	
Notice of the National Development and Reform Commission on Issuing the Measures for the Social Stability Risk Assessment of Major Fixed Asset Investment Projects (NDRCI 2021 Amendment)	
The Implementation Measures of Guangxi Zhuang Autonomous Region for Regulations on the Acquisition of Houses on State-owned Land and Compensation (Guizhengdian [2011]36)	
Notice Wuzhou Municipal Government on Issuing the Measures of Land Return and Utilization for the Communities Affected by Land Acquisition	

LAO = Land Acquisition Office, HDO = House Demolition Office.

Source: Asian Development Bank.

96. Key gaps between the ADB SPS and the PRC system and local practices are identified in Table A3.6.

Table A3.6: Comparative Analysis of Legal Framework and ADB Safeguard Policy Statement

ADB Safeguard Policy Statement	Legal Provisions and Local Practice	Gap filling Measures
<p>Policy Principle 1: Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.</p>	<p><i>Management Regulations for Construction Project Land Use Pre-examination (Decree No.42 of MLR)</i> requires screening the area and type of the land to be provided for the project before approving the feasibility study report or checking the project proposal.</p> <p>The detailed measurement survey on land and house demolition is usually conducted by the local government when the preliminary design is done.</p> <p>It is not requested by PRC regulations to assess past impacts.</p> <p>In line with local government program, the gender and risks to and/or vulnerability caused by any project particularly on women can already be identified and assessed based on the (i) Five-Guarantee Households (ii) Minimum Living Guarantee System and (iii) local targeted poverty alleviation program during resettlement planning. Please see Policy Principle 5 for more details.</p>	<p>Screening and categorization will be undertaken for every project location, at an early stage to identify the nature and extent of potential resettlement impacts.</p> <p>Conduct due diligence on the past LAR impacts. Where there are any outstanding compensation or resettlement issues, or unresolved grievances or legacy issues, the activities shall be excluded from the RBL program, or a corrective action plan should be developed and monitored during the program implementation stage.</p>
<p>Policy Principle 2: Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.</p> <p>Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to</p>	<p>At national level, <i>Land Administration Law of the People's Republic of China, Regulations on the Compensation of Houses on State-owned Land and Compensation (2011)</i> and <i>Notice of the National Development and Reform Commission on Issuing the Measures for the Social Stability Risk Assessment of Major Fixed Asset Investment Projects (NDRCI 2021 Amendment)</i> have similar requirements on consultation and participation.</p> <p>The new <i>Land Administration Law (2020)</i> substantially strengthens upfront procedures of consultations and information disclosure for land acquisition to manage the underlying risks better and protect the interests of the affected persons. <i>Measures for the Social Stability Risk Assessment of Major Fixed Asset Investment Projects (NDRCI 2021 Amendment)</i> require that public consultation be conducted with all stakeholders involved in a plan to collect their opinions and suggestions, including advice, needs</p>	<p>Identification of the low-income and vulnerable groups as early as possible at the screening stage, so that a plan for engaging them during preparation and for ensuring their full participation, so that their concerns are considered during project planning and implementation.</p> <p>Documentation of the consultation and information disclosure activities and grievances received and actions taken to address the</p>

ADB Safeguard Policy Statement	Legal Provisions and Local Practice	Gap filling Measures
<p>land, and ensure their participation in consultations.</p> <p>Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.</p> <p>Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.</p>	<p>and directions of public opinion on the proposed project from mass, online, mobile and other emerging media.</p> <p>As per law, a grievance redress mechanism is established at the local government where farmers can first raise their concern with the village collective or bring their grievances through the legal system directly. However, the documentation system is not adequate.</p> <p>In line with local government program, the gender and risks to and/or vulnerability caused by any project particularly on women can already be identified and assessed based on the (i) Five-Guarantee Households, and (ii) Minimum Living Guarantee System. In practice, the local village committee, civil affairs bureau, women's federation, and social security bureau.</p>	<p>grievances in a timely manner, satisfactory to the affected persons.</p>
<p>Policy Principle 3: Improve, or at least restore, the livelihoods of all displaced persons through (i) land based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p>	<p>The <i>New Land Administration Law (2020.1.1) (Article 48)</i> placed much importance on livelihood sustainability post displacement. The new law mandatorily requires that farmers affected by land acquisition shall be covered social pension, which can guarantee livelihood sustainability when they reach the retirement ages.</p> <p><i>Notice on Issuing the Measures for the Expropriation and Evaluation of Houses on State-owned Land (JF [2011] No.77) (2011-6-3):</i></p> <p>a) National legislation relating to urban housing demolition requires independent valuation, compensation at market value, or provision of replacement housing of equivalent value at the request of affected persons (see State Council Regulations on Collection and Compensation for Houses on State-Owned Land, 2011.) Compensation rates are administratively determined through application of prescribed valuation processes.</p>	<p>No additional gap filling required as PRC regulations adequately cover this principle.</p>
<p>Policy Principle 4: Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into</p>	<p>b) Determination of Asset Value Appraisal Company: Asset Value Appraisal Company (AVEC) is determined by the Project Affected Person with provided certified candidates. When failure to nail a candidate within the affected persons, the responsible HDO organizes a random selection from the candidates, with</p>	<p>No additional gap filling required as PRC regulations adequately cover this principle.</p>

ADB Safeguard Policy Statement	Legal Provisions and Local Practice	Gap filling Measures
<p>their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.</p>	<p>oversighted by affected persons and notarized by related authorities.</p> <p>c) Valuation of the Affected Houses and Replacement Houses: The valuation work of the affected houses and replacement houses will be conducted by the selected AVEC in line with related regulations. The result of valuation will be disclosed to the public. During the disclosure, each affected household can apply for verification with written application paper in 10 days after receives the valuation result. If still unsatisfied with the verification, the affected household can apply for expert validation to the expert panel of real-estate.</p> <p><i>Notice of Wuzhou Government on Issuing the Measures of Land Return and Utilization for the Communities Affected by Land Acquisition</i> stipulates it is allowed for the communities affected by land acquisition to ask for return of 5% of overall land acquisition area as business or other industrial purpose for their further livelihood development.</p>	
<p>Policy Principle 5: Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</p>	<p>As per legal provisions, poor and vulnerable groups are defined as those (i) who fall within the five-guarantee households, and (ii) eligible for the Minimum Living Guarantee System.</p> <p>The local village/community committee, civil affairs bureau, social security bureau and other agencies pay attention to the needs of the poor and vulnerable groups: (i) Five-Guarantee Program, the elderly, weak, widowed and disabled members who are unable to work and have no means of living, or whose households lack labor a rural production cooperative would provide production and living assistance (e.g., food, clothing, fuel, education and burial expenses; (ii) those eligible for the Minimum Living Guarantee System are provided with living subsidy each month; and (iii) other assistance—urgent cash assistance if the households have serious illness in addition to the subsidy paid under rural cooperative medical care system; cash or in-kind assistance for the women-headed households provided by the Women's Federation; priority given by the village committee to be included in the endowment insurance system for the farmers affected by land acquisition.</p>	<p>Identification of the poor and vulnerable groups at an early stage of land acquisition process so they can participate, and their concerns are considered during consultations and planning</p> <p>Monitoring of the standards of living of the displaced poor and other vulnerable groups will be carried out.</p>

ADB Safeguard Policy Statement	Legal Provisions and Local Practice	Gap filling Measures
<p>Policy Principle 7: Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.</p>	<p>Based on the Regulations on the Demolition and Compensation of Houses on State-owned Land (2011), the illegal houses and temporary structures which were constructed after the approval period will not be compensated.</p> <p>As good practice, for households who are not eligible for compensation for houses at replacement value, the history or reason why the structure has no certification/license; and their socioeconomic conditions and vulnerability will be assessed by the local government and concerned bureaus to determine the necessary assistance that can be provided to them to ensure that they will be able to restore or will not be worse-off.</p> <p>According to the Regulations to Solve the Housing Difficulties for the Low-Income household issued by State Council [GF 2007, No 24], affordable housing and low-rent housing should be provided to the households who have housing difficulties. The demolished households can apply the affordable housing and low-rent housing.</p>	<p>Identify the displaced persons without titles to land or any recognizable legal rights to land and provide resettlement assistance and compensation for loss of non-land assets.</p>
<p>Policy Principle 8: Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.</p> <p>Policy Principle 9: Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.</p>	<p>Except for large-scale water sector projects, there are no specific requirements to prepare resettlement planning document, which is similar to the resettlement plan required by ADB.</p>	<p>Documentation of the land acquisition process consistent with PRC requirements and the gap filling measures to bridge ADB SPS requirements will be prepared by the PMO; therefore, preparation of a RP/DDR as described in the safeguard guidance notes described in Appendixes 2 and 3 attached to the this program implementation document will be applied for subprojects/activities that involve LAR. And, the key information of the resettlement planning documents will be disclosed</p>

ADB Safeguard Policy Statement	Legal Provisions and Local Practice	Gap filling Measures
		to the affected persons and other stakeholders.
Policy Principle 10: Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.	<p>Refer to Article 12 of No. 28 Decree, the total resettlement cost should be included in the total project cost. All compensation and administrative costs are included.</p> <p>Decree 29 issued in 2006 states land compensation and resettlement should ensure that the living standards and sustainability of the livelihood of the landless farmers are ensured; and that vocational training and social security programs should be properly implemented for landless farmers. Any shortfall in the resettlement budget should be provided by the local government.</p>	No action needed.
Policy Principle 11: Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	<p>Regulations generally require compensation and other financial forms of resettlement assistance to be paid before physical or economic displacement.</p> <p>Local government is responsible for supervising throughout the project implementation period, but only focused on if the affected households have received the full compensation.</p>	No additional gap filling required as PRC regulations adequately cover this principle.
Policy Principle 12: Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	<p>Except for large-scale water projects, there are no requirements to monitor and evaluate outcomes, including impacts on standards of living of displaced persons.</p> <p>Local government is responsible for supervising throughout the project implementation period; however, monitoring reports are not disclosed.</p>	Coordination with local governments will be established to properly monitor and supervise LAR activities. An internal monitoring mechanism will be established, and monitoring reports will be disclosed.

ADB = Asian Development Bank, LAR = land acquisition and resettlement, PRC = People's Republic of China, RBL = results-based lending, SPS = Safeguards Policy Statement.

Source: Asian Development Bank.

3. Overview of the Gap Analysis

97. As assessed, most of the principles requiring as the ADB safeguard requirement 2: Involuntary Resettlement are covered by related PRC laws and local regulations, which include:

- (i) **Screening and confirmation of land use:** in the design stage, screening for the area and type of the land to be provided for the project before approving the feasibility study report or checking the project proposal is required as stipulated as the *Management Regulations for Construction Project Land Use Pre-examination (Decree No.42 of MLR)*.
- (ii) **Information disclosure and public participation:** many laws and regulations of the PRC include requirements for information disclosure and public participation, especially the new *Land Administration Law (2020)*, it is required to strengthen the consultations and information disclosure for land acquisition to manage the underlying risks better and protect the interests of the affected persons; once a plan for compensation and resettlement subsidies for requisitioned land is decided, the local people's government concerned shall make it known to the general public and solicit comments and suggestions from the collective economic organizations, the land of which is acquired, and the peasants. Article 47 especially requires that the government can apply for land acquisition only after completing the following actions (but not limited to): (a) land status survey; (b) a Social Stability Risk Assessment; (c) information disclosure, with a period of at least 30 days, on the scope of land acquisition, land status, land use purposes, compensation measures and social pensions arrangement for affected persons; (d) soliciting the options of various primary stakeholders on land acquisition; (e) the county government shall hold a public hearing to clarify when most affected persons perceive the compensation and resettlement plan does not comply with the laws and regulations; (f) survey and registration of the affected land and assets with the owners; (g) forecasting compensation fee for land acquisition and mobilizing the fund ready in advance; and (h) signing compensation and resettlement agreements with the affected persons. In addition, State Council [2004] No. 28, and Ministry of Land and Resources [2004] No. 238 requires the local people's government concerned to (a) inform land acquisition condition, compensation rates, house relocation and livelihood restoration plans to affected farmers; (b) affirm the result of land acquisition surveys; (c) organize a public hearing if it is necessary; and (d) establish and improve grievance redress mechanism (GRM) before physical and economic displacement. Regulations on Acquisition of Houses on State-owned Land and Compensation (SC [2011] No.590), Article 10, the draft House Acquisition and Compensation Plan (HACP) should be disclosed to the public and receiving comments. At least 30 days of disclosure is required. Article 11, Comments received from the public should be disclosed. Article 13, the district government should disclose the Decision of Acquisition to the public following the decision-making, together with the final HACP and a GRM.
- (iii) **Compensation for land acquisition:** the PRC new Land Administration Law (2020) also makes clear that fair and reasonable compensation to be made for the land acquisition, ensuring that the current living standard of farmers whose land has been acquired is not lowered and their long-term livelihood is guaranteed. The standards of land compensation and resettlement subsidies for the acquisition of agricultural land shall be determined by provinces, autonomous regions, and municipalities directly under the Central Government by setting and publishing comprehensive regional land price. In the setting of comprehensive regional land price, the original purpose of land, land resource conditions, land output value,

land location, relationship between land supply and demand, population, level of economic and social development, and other factors shall be comprehensively taken into account, and composite land parcel prices shall be adjusted or published a new every 3 years.

- (iv) **Compensation for houses and other assets.** Compensation for the houses on the state-owned land is assessed and determined based on market value by real estate appraisal agencies with appropriate qualifications in accordance with the procedures for evaluating houses. Real estate appraisal agencies shall be selected by the persons whose houses are to be demolished through consultation. If consultations fail within 15 days, it shall be determined by majority decision, random selection and other methods. For rural houses to be demolished, compensation will be set at replacement value, based on analysis of material costs for a replacement structure in each project area by a qualified appraiser. For other assets, the compensation is also based on replacement value which is assessed by a qualified appraiser.
- (v) **Restoration:** For houses demolition, in addition to the option of fair and reasonable compensation, option such as providing resettlement houses shall be also made available for affected persons. In addition, monetary subsidies or other forms of supporting for relocation, transition shall be considered.
- (vi) **Grievance redress mechanism:** there is an existing GRM in local government system in managing social, environmental, and other local issues. Where any issues raised by affected persons, it can be acting for receiving, management and addressing complaints related to the program. The purpose of this procedure is to provide a mutually satisfactory means for rapid response to any affected persons complaint, to avoid any likelihood of a complicated legal procedure. The detailed procedures are as follows: (a) If any affected person has grievance, he or she can voice his or her complaint to the residential committee. The residential committee should keep records and provide a reply to the affected person within 10 working days; (b) If the affected person is not satisfied with the reply, he/she can appeal to the subdistrict government, which will take records, and provide a resolution to the affected person within 10 working days; (c) If the affected person still does not accept the proposed resolution, then he or she can appeal directly to the LAO under NRB or HDO under HURDB, which should make a record of any appeal and provide a resolution within 10 working days. Affected persons also have the rights to use alternative channels at any time: (i) go through an administrative appeal according to the Administrative Procedure Law of PRC, or (ii) go directly to the People's Court.
- (vii) **Vulnerable people:** As per the legal provisions of the PRC, vulnerable people are identified as those who belong to the single elders living alone, weak, widowed and disabled members who are unable to work and have no means of support, or whose households lack labor, or who are being provided with social assistance (e.g., food, clothing, fuel, education and burial expenses) and those eligible for the Minimum Living Guarantee System. The local village/community committee, civil affairs bureau, social security bureau, and other agencies shall pay attention to the needs of the poor and vulnerable groups.
- (viii) **Monitoring:** Local government and NRB is responsible for supervising the LAR implementation. There are no regulatory requirements for the PIUs to monitor the implementation of resettlement under the RBL.
- (ix) **Budget:** Any shortfall in the resettlement budget should be provided by the local government.

- (x) **Institutional arrangement:** As observed, the RBL program may involve land acquired recently from the collectives around the three districts; on the other hand, it may also involve acquisition of structures of the state-owned land.
- (a) **Institutional Structure on Land Acquisition:** In the PRC, the implementation of land laws and regulations rests with the land resource authorities at each level of the government. At the national level, the Ministry of Natural Resources (MNR) is the regulatory, implementation, and supervision authority. MNR promulgates laws, regulations, standards, and technical guidelines on land acquisition, compensation, and resettlement. Each province has a Natural Resource Department (NRD). The NRD acts as the gatekeeper for pre-examination, check, and approval for proposed changes in land use. Final land acquisition approval is issued by the provincial government or national government. The authority at the municipal or district/county level is the NRB. The NRB implements the land laws and regulations within city or district/county limits. It plays a leading role in land acquisition implementation. It is responsible for pre-checking application for changes in land use, land acquisition survey, formulation of the scheme for land acquisition, organizing consultation meetings with the affected persons, disclosing related information (result of detailed measurement survey [DMS], land acquisition notice, and related policies), and redressing the grievances, etc. The affected village/community committees are also involved in land acquisition, and the main activities include: providing land contracts information, assisting the NRB to do the DMS, reallocating housing sites and contracted land after land acquisition and house demolition, providing information of affected vulnerable groups, carrying out community mobilization and publicity, redressing the grievances, assisting technicians in measurement, valuation, negotiating and signing the resettlement agreements.
- (b) **Institutional Structure on Acquisition of Structures on State-owned Land.** According to the Regulations on Acquisition of Houses on State-owned Land and Compensation (SC [2011] No.590), the district/county government is responsible for acquisition of structures on state-owned land of its administrative jurisdictions. The district/county government is normally assigning the work to the dedicated acquisition office of the city management bureau, for example, the HDO of Wuzhou Wanxiu District HURDB, to be responsible for acquisition of house and other land structures on state-owned land. Meanwhile, the village/community committees are also involved in the acquisition process, and the main activities include: providing project information, assisting the Office to do the DMS, asset appraisal, carrying out community mobilization and publicity, redressing the grievances, assisting technicians in measurement, negotiating and signing the resettlement agreements.

4. Major Weakness Identified

98. **Preparation of resettlement planning documents.** In the PRC, except for large-scale water sector projects, there are no specific requirements to prepare a resettlement planning document, which is similar to the resettlement plan required by ADB.

99. **Due diligence.** For projects involving facilities and/or business activities that already exist or are under construction, or going to be constructed on land already completed the land

acquisition process, ADB requires to undertake a due diligence, including on-site assessment, to identify past or present concerns related to impacts on social safeguard. PRC's country system has no such requirements.

100. **Documentation, especially for public participation and grievance redress mechanism.** Although there are consultation and participation activities required and conducted by local government, only some government's procedurals have been well documented. To improve the documentation, all activities need be properly documented. Similarly, there is an existing GRM as per government laws and regulations, but well documentation cases are limited as the experience. To improve the system, grievances also need be properly documented.

101. **Vulnerable people.** There is lack of a process for identification of the poor and vulnerable groups as early as screening process so they can participate, and their concerns are considered during consultations and planning. Monitoring the living standards of the poor and other vulnerable groups displaced due to the project is not required specially after completion of the land acquisition.

102. **Monitoring and evaluation.** There is supervision done by the NRB/HDO and from the Audit Office but only focused on if the affected households have received the full compensation. There is no arrangement for monitoring and evaluation of the implementation progress of compensation, resettlement, and livelihood restoration from the PIU level.

103. **Institutional capacity.** It was aware that the WDRC had experience for ADB project implementation and management, and the NRB, LAO, HDO were also experienced for implementation of domestic resettlement works, but this is the first RBL program for WDRC, and the NRB, LAO, HDO are not such familiar with the ADB safeguard policies and requirements as the national and local regulations. Therefore, it is necessary to strengthen the capacity of the related parties. In addition, it is helpful to deploy adequate resources in WPMO and PIUs for LAR screening, preparation, documentation, and monitoring throughout the project.

104. However, none of the gaps identified will impede the borrower's capacity to effectively implement the land acquisition where it is required.

5. Safeguard Program Actions

105. The WPMO committed to enhance its institutional capacity for resettlement in the program action plan (PAP) with clearly defined roles and responsibilities. Tools and guidance of the program implementation documents (PID) are included in the Appendixes of this report to support the implementation of the resettlement related actions.

106. The safeguard program actions will be monitored and reported to ADB on a semiannual basis. ADB will disclose monitoring reports on the ADB website.

Table A3.7: Detailed Safeguard Program Actions

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
Involuntary Resettlement				
Institutional arrangement and staffing	<p>WDRC to assign one staff in the PMO to coordinate resettlement safeguards planning and implementation.</p> <p>Each PIU to assign one resettlement officer for planning and implementation of land use and resettlement activities.</p>	<p>Assign at least one qualified, full-time PMO staff with social background</p> <p>Designating at least one qualified staff with experience in LAR at each PIU</p> <p>Engagement of one qualified Resettlement Specialist (consultant) with at least 7 years relevant experience to provide implementation support and build capacity in PMO and PIUs.</p> <p>Terms of Reference for the resettlement specialist to be hired is developed as Appendix 8.</p>	WDRC, PMO and PIUs	Within 3 months of loan effectiveness and maintained throughout the program lifecycle
Capacity building related to resettlement management	Develop training schedule for the PMO and PIUs, and conduct resettlement safeguard training for staff of PMO, PIUs, and relevant agencies.	Training workshops on resettlement, reflected in the semiannual monitoring reports.	PMO and Resettlement Specialist	As needed and at least one training per year. Should be increased subject to observation of the Resettlement Specialist and any PMO or WDRC requests.
Screening and categorization	PMO will carry out resettlement screening for all candidate projects under the program to classify the project category.	<p>All candidate projects are screened and classified regarding resettlement</p> <p>No category A projects will be approved for implementation</p> <p>Principles and tools (IR screening checklist) has been developed as Appendix 1.</p>	PMO and Resettlement Specialist	Maintain throughout the program implementation period
Resettlement plan for projects with potential land acquisition	For projects with LAR impacts, PIU shall prepare a resettlement plan in accordance with PRC regulations, ADB Safeguard Policy Statement (2009), and the provisions of the involuntary resettlement safeguards system assessment, and submitted for clearance to PMO. PMO clearance of the resettlement plan document will be a prerequisite for award of civil works contract for the project.	<p>Resettlement plans will be prepared for all projects that are categorized as B for involuntary resettlement.</p> <p>PMO will submit the first three resettlement plans to ADB for prior review and clearance. ADB's review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirements.</p>	PMO and Resettlement Specialist	Prior to award of civil works contract for individual projects

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
		Guidance for RP preparation has been included in Appendix 2.		
Resettlement due diligence for ongoing or past land acquisition	For project where LAR is ongoing or has been completed, the PIUs will conduct resettlement due diligence and prepare a DDR and submit to PMO for clearance. PMO clearance of the DDR will be a prerequisite for award of civil works contract for the project.	<p>DDRs will be prepared by PIUs. PMO will submit the first three DDRs to ADB for prior review and clearance. ADB review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirement.</p> <p>Guidance for DDR preparation has been included in Appendix 3.</p>	PMO and Resettlement Specialist	Prior to award of civil works contract for individual projects
Resettlement due diligence for existing facilities, to be upgraded	For project facilities that already exist or are under construction, the PIUs will conduct resettlement due diligence and prepare a DDR and submit to PMO for clearance.	<p>DDRs will be prepared by PIUs. The first three DDRs will be submitted to ADB for review and clearance. ADB review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirement.</p> <p>Guidance for DDR preparation has been included in Appendix 3.</p>	PMO and Resettlement Specialist	Prior to award of civil works contract for individual projects
Identification of the poor and vulnerable groups during the screening process and resettlement planning.	Assessment of impacts including consultations with the poor and vulnerable groups among the affected persons identified at the screening stage will be taken up as part of the resettlement plans and DDR preparation.	<p>Results of screening and assessment will be included in the involuntary resettlement categorization checklist, resettlement plan, and DDR.</p> <p>The identification of vulnerable groups can be processed as the Table V prepared in attachment 1 of Appendix 4.</p>	PMO and Resettlement Specialist	Prior to preparation of resettlement safeguard documents and throughout project implementation
Documentation of the consultation and information disclosure activities	Consultations, information disclosure, and grievances received will be documented properly.	<p>Documentation is reflected in the resettlement safeguard documents and monitoring reports.</p> <p>Documentation of related consultation and events can refer to Appendix 5.</p>	PMO and Resettlement Specialist	By program approval and throughout the implementation period
Grievance redress mechanism	Arrangements for the GRM will be developed and implemented at the PMO, PIU and project levels	<p>A functional GRM should be in place at PMO and PIUs, with clear roles and responsibilities when dealing with the government agencies handling resettlement.</p> <p>Guidance for GRM is provided as Appendix 6.</p>	PMO and PIUs	By program approval and throughout the implementation period
Disclosure of resettlement information during project	Key information from the resettlement safeguard documents (including resettlement plans, DDRs) will be	Key information from resettlement plans and DDRs provided to affected persons and other stakeholders in a form and language understandable to them.	PMO and PIUs	Prior to award of civil works contract for individual projects

Gap	Proposed Action	Indicator/Targets	Responsibility	Timeframe
preparation and implementation	shared with affected persons and other stakeholders in the local language. The semiannual resettlement monitoring report will be disclosed on ADB and PMO websites.	Disclosure activities will be reported in the semiannual monitoring reports disclosed on ADB and PMO websites.		and throughout the project lifecycle
Monitoring	PMO will establish a safeguard monitoring system to allow proper coordination and facilitation with concerned agencies. Submission of resettlement monitoring report to ADB semiannually during the program implementation period.	Safeguard monitoring tracking system will be established. A Resettlement Specialist (consultant), acceptable to both ADB and PMO, will be engaged by PMO within 2 months from loan approval to monitor and verify resettlement safeguard document implementation. Guidance for resettlement monitoring is provided as Appendix 4.	PMO	Semiannually throughout the program implementation period.

ADB = Asian Development Bank, DDR = due diligence report, GRM = grievance redress mechanism, LAR = land acquisition and resettlement, PIUs = program implementation units, PMO = program management office, WDRC = Wuzhou Development and Reform Commission.

Source: Asian Development Bank.

ANNEX 1 : SCREENING AND CATEGORIZATION OF INDIVIDUAL PROJECTS

A. Key Principles for Site Selection

107. For construction of new facilities, the key principles for site selection include:
- Prioritize retrofitting the vacant buildings or construction on vacant unused lands;
 - Basic farmland should be avoided;
 - Sites with residential structures or businesses will be avoided, to minimize physical and economic displacement;
 - Site should comply with the local land use plan;
 - If the present site does not comply with the land local use plan, the local land resource bureau confirms that the plan can be adjusted for this site;
 - Access road should be available, if access road needs to be built due to the project, and house demolition should be avoided or minimized (if couldn't avoid);
 - Concentrated ethnic minority communities should be avoided; and
 - If involuntary resettlement impacts could not be avoided, any site should not result to significant impacts, i.e., 200 persons or more will be physically displaced from housing or lose 10% or more of their productive or income-generating assets.
108. The land identification and selection will be jointly carried out by the program implementation unit (PIU) of specific activity, natural resources bureau together with local government, e.g. subdistrict government. The location should comply with the land use plan, and any changes related to the land use should be approved according to PRC's laws and regulations prior to the finalization of the site.

B. Screening of Subprojects

109. The first step in the process of social safeguard documents preparation is the screening process to identify the land and areas of project site that may result in resettlement impacts. The screening for all candidate projects under the Program will be carried out in conjunction with the safeguard staff from the PIU of specific activity under the results-based lending (RBL) program, Land Acquisition Office (LAO) and House Demolition Office (HDO) of the county/district, design institute, to identify past and potential involuntary resettlement impacts and risks related to the activities proposed under the program, and to provide adequate measures to address them. The screening and categorization checklist form is in **Annex 1-A**.

110. The proposed projects under the Program will be classified as one of the following categories:
- **Category A.** A proposed project is likely to have significant involuntary resettlement impacts, i.e., if 200 or more persons will be physically displaced from housing or lose 10% or more of their productive or income-generating assets;
 - **Category B.** A proposed project includes involuntary resettlement impacts that are not deemed significant, and
 - **Category C.** A proposed project has no resettlement impacts.

111. Category A projects will be excluded from the RBL program. Table 1 details the resettlement safeguard categories and the required actions.

Table 1: Resettlement Safeguard Categories and Required Actions

Category	Description	Action
A	A proposed project is classified as category A if it is likely to have significant involuntary resettlement impacts. The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income-generating).	Category A project is excluded from the RBL program.

Category	Description	Action
B	A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant.	Prepare resettlement planning documents, as required.
C	A proposed project is classified as category C if it has no involuntary resettlement impacts	Involuntary Resettlement checklist completed

112. The WPMO will be responsible for the review of the involuntary resettlement checklists and information on land ownership submitted by PIUs.

Annex 1-A**Involuntary Resettlement screening and categorization checklist**

Name of Project: _____

Location (city/county/township/village): _____

Project Construction Type Description:

Name of the Facility:

☐ New construction ☐ Purchase of Equipment☐ Expansion existing facility (no additional land acquisition) ☐ Expansion existing facility (outside the existing site and requiring land acquisition) ☐ Repair the existing facility; ☐ Retrofitting vacant building into desired facility

Details of civil works to be done:

IR Safeguard Categorization:☐ Category A: Not eligible for financing because there are more than 200 persons significantly affected☐ Category B. Estimated number of affected persons: _____☐ Category C. There are no affected persons.

Safeguards planning documents to be prepared:

☐ Resettlement Plan☐ Due Diligence Report☐ Due Diligence Report with Corrective Action Plan**Impacts on Ethnic Minorities in relation to LAR.**

This is to confirm that in accordance with the Project's Key Principles for Site Selection, the project has avoided concentrated ethnic minority communities. There will be no adverse impacts on ethnic minorities.

Prepared by:**Approved by:**

Screening Checklist

A. Permanent Land Acquisition	Yes	No	Remarks
1. Will there be permanent land acquisition?			<p>If the answer is no, please go to Section B, C, and D.</p> <p>For items 2-9 below, put "not applicable"</p> <p>If yes, what is the total land area?</p>
2. Is the site for land acquisition known?			Please indicate if the design document (project proposal/feasibility study report) is ready.
3. Is the ownership status and current usage of land to be acquired known?			
4. Will there be loss of shelter and residential land due to land acquisition?			Please provide estimates
5. Will there be loss of agricultural and other productive assets due to land acquisition?			Please provide estimates
6. Will there be losses of crops, trees, and fixed assets due to land acquisition?			Please provide estimates
7. Will there be loss of businesses or enterprises due to land acquisition?			Please provide estimates
8. Will there be loss of income sources and means of livelihoods due to land acquisition?			Please provide type of income source/livelihood
9. Are any affected persons from ethnic minority groups?			
<p>10. Additional Information if the answer is yes. Based on initial screening, the following preliminary information has been obtained.</p> <ul style="list-style-type: none"> - Estimated households and persons and other entities affected by LA - Total number of estimated households and persons and other entities affected by HD - Estimated number of poor and vulnerable households identified - Other information: <p>Other documents can be added as appendix:</p> <ul style="list-style-type: none"> • Design (project proposal/ feasibility study report) approval • Land Use Pre-examination • Site selection approval 			

B. Temporary Occupation of Land¹⁸		Yes	No	Remarks
1. Will there be temporary occupation of land?				Please indicate if the land is state-owned or collective.
2. Is the site of the land to be temporarily occupied known?				Please indicate if the design document (project proposal/feasibility study report) is ready.
3. Is the ownership status and current usage of land to be occupied known?				
4. Will there be loss of access for residents during temporary occupation?				Please provide estimates
5. Will there be loss of agricultural and other productive assets?				Please provide estimates
6. Will there be loss of crops, trees, and fixed assets?				Please provide estimates
7. Will there be loss of access for businesses or enterprises during construction?				Please provide estimates
8. Will there be loss of income sources and means of livelihoods during construction?				Please provide type of income source/livelihood
9. Will there be temporary impacts on ethnic minority groups?				
9. For temporary occupation of land, please provide estimated timeframe (i.e. 6 months temporary occupation, 1 year etc).				
<ul style="list-style-type: none"> - Estimated number of households and persons and other entities affected by temporary land occupation - Villages to be temporarily affected by land acquisition - Type of structures that will be potentially affected (fences, waiting sheds, etc) - Other information 				

C. Ongoing or Past Land Acquisition		Yes	No	Remarks
1. Has there been any ongoing or past land acquisition or involuntary resettlement for the sites?				If answer is yes, see details below

¹⁸ For temporary occupation of state-owned land, it should include information on users of land (temporary allocation or encroachers). For example, farmers may be using the land temporarily or there may be structures on land.

Additional Information if the answer is **YES**. Based on initial screening, the following preliminary information has been obtained.

- When it was acquired and for what purpose
- Name of village/s and county where project is located and from whom land was acquired
- Of the total area acquired, what is the total area allocated for the RBL program
- Total houses/structures demolished by the project
- Status of land acquisition for the facility/project
- Information on status of payment of compensation
- Type of land acquired (i.e. land classification prior to project construction)
- Amount paid by the government agency to original land users for land and/or fixed assets
- Name of local government agency who handled land acquisition and resettlement activities
- Number of persons/households affected by land acquisition and house demolition by the Government
- For the HHs affected by house demolition, have they been relocated well or still in transition?
- Has the Certificate of State-owned Land Using Right been issued by the government?

Other documents can be added as appendix:

- Design (project proposal/ feasibility study report) approval
- Land Use Pre-examination
- Site selection approval
- Land Acquisition Approval (transferring the farmland to construction land)
- Certificate of State-owned Land Using Right

Where there are any outstanding compensation or resettlement issues, or unresolved grievances or legacy issues, the project shall be excluded from the RBL program, or a corrective action plan should be developed and monitored during the project implementation stage.

If there are sites with significant legacy issues, these sites will be dropped from consideration and identify alternative locations for the project.

D. Existing Facilities	Yes	No	Remarks
Will the project financing involve existing facilities?			If answer is yes, see details below
<p>Additional Information if the answer is yes. Based on initial screening, the following preliminary information has been obtained.</p> <ul style="list-style-type: none"> • When it was acquired and for what purpose • Name of village/s and county where project is located and from whom land was acquired • Total land area occupied by the project • Total houses/structures demolished by the project • Status of land acquisition for the facility/project • Information on status of payment of compensation • Type of land acquired (i.e. land classification prior to project construction) • Amount paid by the government agency to original land users for land and/or fixed assets • Name of local government agency who handled land acquisition and resettlement activities • Number of persons/households affected by land acquisition and house demolition by the Government • For the HHs affected by house demolition, have they been relocated well or still in transition? • If the Certificate of State-owned Land Using Right has been issued by the government? <p>Other documents can be added as appendix:</p> <ul style="list-style-type: none"> • Design (project proposal/ feasibility study report) approval; 			

- | |
|---|
| <ul style="list-style-type: none">• Land Use Pre-examination;• Site selection approval;• Land Acquisition Approval (transferring the farmland to construction land); and• Certificate of State-owned Land Using Right. |
| <p>Where there are any outstanding compensation or resettlement issues, or unresolved grievances or legacy issues, the project shall be excluded from the RBL program, or a corrective action plan should be developed and monitored during the project implementation stage.</p> <p>If there are sites with significant legacy issues, these sites will be dropped from consideration and identify alternative locations</p> |

ANNEX 2: RESETTLEMENT PLANNING DOCUMENTATION

For Category B projects, the program implementation units (PIUs) for related activity under the RBL program will collaborate with the local government on the preparation of the resettlement plan in accordance with national laws, local regulations and ADB's SPS SR 2 on Involuntary Resettlement. PMO will review and clarify the resettlement plan prepared by PIU. The first three resettlement plans will be submitted to ADB for prior review and clearance. Such RPs should be submitted to the ADB for review prior to award of civil work contracts of the project. ADB's review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirements.

Once the resettlement plan is reviewed and acceptable to the PMO, PMO will issue the Confirmation Letter that the resettlement plan is satisfactory. The progress of RP preparation and resettlement implementation will be included as part of the semiannual monitoring reports to be submitted to ADB.

Annex 2-A is a basic structure of the RP report for reference, which has included the elements identified as gaps between PRC laws and regulations and ADB safeguard requirements, including those additional requirements.

Resettlement planning document structure (for new construction of desired facility)	
(i)	Project description
(ii)	Screening form
(iii)	Organization structure
(iv)	Information from natural resource bureau or house acquisition office to PIU – including information on affected persons, detailed measurement survey, attachments, compensation standards, entitlements and resettlement costs/budget
(v)	Information on vulnerable households
(vi)	Consultation documentation
(vii)	Information on grievance redress mechanism established
(viii)	Disclosure of information
(ix)	Payment records - bank transfer records (if compensation payments are already completed)
(x)	Land certificate issued or endorsement of land use rights (if already obtained)
(xi)	Implementation schedule

Documentation can be a very simple format, no need for detailed reports.

ANNEX 3: DUE DILIGENCE FOR SUBPROJECTS WITH PRIOR OR ONGOING INVOLUNTARY RESETTLEMENT IMPACTS

In case of projects with ongoing or past land acquisition or involuntary resettlement, the program implementation unit (PIU), together with the LAO of NRB and/or HDO will conduct due diligence to determine if there are any outstanding or legacy and prepare due diligence report (DDR). Program Management Office (PMO) will review the DDRs submitted by the PIU. The first three DDRs will be submitted to ADB for prior review and clearance. Such DDR should be submitted to the ADB for review prior to award of civil works contract for the project. ADB's review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirement. Template for DDR is attached as **Annex 3-1**.

Basic requirements for the resettlement DDR include to:

- (i) Conduct site visits and consultations;
- (ii) Check the compliance with PRC requirements;
- (iii) Explore the LAR impacts, status of resettlement;
- (iv) Check and confirm the LAR related compensation payments are completed as required;
- (v) Confirm if there are any legacy issues related to past LAR;
- (vi) Verify the land certificates issued.

Once DDR is reviewed and acceptable to the WPMO, WPMO will issue the Confirmation Letter that the DDR is satisfactory. The progress of DDR preparation and the main conclusions of DDR will be included in the semiannual monitoring reports that will be submitted to ADB.

Annex 3-1: Outline of Due Diligence report

The due diligence report to include the following:

- (i) Project description;
- (ii) Information on land acquisition, compensation standards;
- (iii) Involuntary resettlement categorization checklist;
- (iv) Site visits to verify that the land is available without any encumbrances and there are no current users (legal or informal) that would be impacted;
- (v) Consultations with village committee, communities, affected persons (if available) and current land users to identify any legacy or pending issues or unresolved grievances;
- (vi) Consultation with Natural Resources Bureau on the process followed;
- (vii) Land certificate issued or transfer of approval from farm land to construction land or preliminary approval of the land;
- (viii) Other documents could support the DDR results, such as copy of land acquisition and/or house demolition announcement and resettlement plan announcement, land acquisition and/or house demolition compensation agreements, receipt of compensation payments, etc.
- (ix) Conclusion: {Please discuss whether (i) projects entailed any land acquisition, restricted access to land, relocation of housing or loss of livelihoods, crops, trees, etc.; (ii) all land acquisition and compensation complied with national laws; (iii) all mitigating measures implemented complied with ADB and national requirements; (iv) there is any outstanding non-compliance issue.}
- (x) Corrective Action Plan. If the findings of the resettlement due diligence of projects identified any gaps in the entitlements of affected persons as per national law and ADB's requirements, what are the corrective actions required to ensure compliance with the SPS. Please provide information on corrective actions, budget and timing of implementation.

Documentation can be a very simple format, no need for detailed reports.

ANNEX 4: SEMIANNUAL MONITORING TEMPLATE**Semiannual Monitoring Report on Implementation of Safeguard Program Actions:
(Involuntary Resettlement)**

113. Monitoring and evaluation of resettlement implementation will be carried out to ensure all PAPs are implemented as required, and affected persons and parties, where involved, are compensated adequately and timely, and that their lands, incomes, and property assets are restored or adequately compensated in cash or kind as early as possible.

114. The Wuzhou program management office will be responsible for the resettlement monitoring activities. The monitoring will include the key information related to the implementation of the safeguard program actions related to land acquisition and involuntary resettlement.

115. The Wuzhou program management office and its resettlement specialist will visit the affected groups periodically, and inquire with the agencies that accept grievances about how grievances have been handled. It will also meet complainants, assess the status of problem resolution. The findings and assessment of complaints/grievances, including recommendations to address the complaints/grievances will be reflected in the monitoring report.

116. The context of the following sections are the major framework that shall be included in the progress monitoring report.

A. Progress on Safeguard Actions

Gap	Proposed Action	Indicator/Targets	Responsibility	Timelines	Progress achieved during the reporting period	Additional actions required		Remarks
						Activities	Deadline	
Institutional arrangement and staffing	<p>WDRC to assign one staff in the PMO to coordinate resettlement safeguards planning and implementation.</p> <p>Each PIU to assign one resettlement officer for planning and implementation of LAR activities.</p>	<p>Recruitment of at least one qualified, full-time PMO staff with social background</p> <p>Designating at least one qualified staff with experience in LAR at each PIU</p> <p>Engagement of one qualified Resettlement Specialist (consultant) with at least 7 years relevant experience to provide implementation support and build capacity in PMO and PIUs.</p>	PMO and PIUs					
Capacity building related to resettlement management	Develop training schedule for the PMO and PIUs, and conduct resettlement safeguard training for staff of PMO, PIUs, and relevant agencies.	Training workshops on resettlement, reflected in the semiannual monitoring reports.	PMO and Resettlement Specialist					
Screening and categorization	PMO will carry out resettlement screening for all candidate projects	All candidate projects are screened and classified	PMO and Resettlement Specialist					Provide one sample of screening and categorization

Gap	Proposed Action	Indicator/Targets	Responsibility	Timelines	Progress achieved during the reporting period	Additional actions required		Remarks
						Activities	Deadline	
	under the program to classify the project category.	regarding resettlement No category A projects will be approved for implementation.						form for any projects covered during monitoring period
Resettlement plan for projects with potential land acquisition	For projects with LAR impacts, PIUs shall prepare a resettlement plan in accordance with PRC regulations, ADB Safeguard Policy Statement (2009), and the provisions of the involuntary resettlement safeguards system assessment, and submitted for clearance to PMO. PMO clearance of the resettlement plan document will be a prerequisite for award of civil works contract for the project.	Resettlement plans will be prepared for all projects that are categorized as B for involuntary resettlement. PMO will submit the first three resettlement plans to ADB for prior review and clearance. ADB's review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirements.	PMO and Resettlement Specialist					Provide summary of documentation prepared (refer Attachment – Table on resettlement plan preparation) See Attachment 1 on progress and site visit findings
Resettlement due diligence for ongoing or past land acquisition	For projects where LAR is ongoing or has been completed, the PIUs will conduct resettlement due diligence and prepare a due diligence report	DDRs will be prepared. PMO will submit the first three DD Rs to ADB for prior review and clearance. ADB's review will continue if it is	PMO and Resettlement Specialist					For land already acquired, please provide a copy of Land Use Rights Certificate issued for any of the projects

Gap	Proposed Action	Indicator/Targets	Responsibility	Timelines	Progress achieved during the reporting period	Additional actions required		Remarks
						Activities	Deadline	
	(DDR) and submit to PMO for clearance. PMO clearance of the DDR will be a prerequisite for award of civil works contract for the project.	found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirement.						covered during the monitoring period.
Resettlement due diligence for existing facilities, to be upgraded	For project facilities that already exist or are under construction, the PIUs will conduct resettlement due diligence and prepare a due diligence report (DDR) and submit to PMO for clearance.	DDRs will be prepared. The first three DD Rs will be submitted to ADB for review and clearance. ADB's review will continue if it is found that quality is low and/or PMO has capacity issues in implementing resettlement safeguard requirement.	PMO and Resettlement Specialist					Please provide a copy of Land Use Rights Certificate issued for any of the projects covered during the monitoring period.
Identification of the poor and vulnerable groups during the screening process and resettlement planning.	Assessment of impacts including consultations with the poor and vulnerable groups among the affected persons identified at the screening stage will be taken up as part of the resettlement plans and DDR preparation.	Results of screening and assessment will be included in the involuntary resettlement categorization checklist, resettlement plan, and DDR.	PMO and Resettlement Specialist					See Attachment 1 for details based on site visits.

Gap	Proposed Action	Indicator/Targets	Responsibility	Timelines	Progress achieved during the reporting period	Additional actions required		Remarks
						Activities	Deadline	
Documentation of the consultation and information disclosure activities	Consultations, information disclosure, and grievances received will be documented properly.	Documentation is reflected in the resettlement safeguard documents and monitoring reports.	PMO and Resettlement Specialist					See Attachment 1 for details based on site visits.
Grievance redress mechanism	Arrangements for the grievance redress mechanism will be developed and implemented at the PMO, PIU and project levels.	A functional GRM should be in place at PMO and PIUs, with clear roles and responsibilities when dealing with the government agencies handling resettlement.	PMO and PIUs					See Attachment 1 for details based on site visits.
Disclosure of resettlement information during project preparation and implementation	Key information from the resettlement safeguard documents (including resettlement plans, DDRs) will be shared with affected persons and other stakeholders in the local language. The semiannual resettlement monitoring will be disclosed on ADB and PMO websites.	Key information from resettlement plans and DDRs provided to affected persons and other stakeholders in a form and language understandable to them. Disclosure activities will be reported in the semiannual monitoring reports disclosed on ADB and PMO websites.	PMO and PIUs					See Attachment 1 for details based on site visits.
Monitoring	PMO will establish a safeguard monitoring system to allow proper coordination and facilitation with	Safeguard monitoring tracking system will be established.	PMO					Next monitoring period is XX 2022

Gap	Proposed Action	Indicator/Targets	Responsibility	Timelines	Progress achieved during the reporting period	Additional actions required		Remarks
						Activities	Deadline	
	concerned agencies. Submission of resettlement monitoring report to ADB semiannually during the program implementation period.	A Resettlement Specialist (consultant), acceptable to both ADB and PMO, will be engaged by PMO within 2 months from loan approval to monitor and verify resettlement safeguard document implementation.						

ADB = Asian Development Bank, DDR = due diligence report, PIU = program implementation unit, PMO = program management office.

Source: Asian Development Bank.

Attachment 1: (These are samples and will need to be appropriately detailed during the implementation of the RBL program)

I. Preparation of Resettlement Documents

	RP (Land to be Acquired)	DDR (for Past Land Acquisition/Existing Facilities)
Total No. of Documents Prepared to Date		
Total No. of Documents Prepared as of this monitoring period		

II. Status of Implementation based on Site Visits and Consultations (Covering projects which involved RP preparation and some projects involving DDR preparation)

Subproject	Location	No. of AHs			LA Progress	HD Progress	TO Progress	Is Implementation On Track Y/N*
		LA	HD	TLO	(In Percentage) e.g 100%	(In Percentage) 80%	(In Percentage)	
1								
2								
3								
4								
5								

AHs = affected households, HD = house demolition, LA = land acquisition, TLO = temporary land occupation.

*Yes - If LA/HD/TO is on schedule based on agencies timeframe. No – delay in payment, resettlement site development not yet completed so affected households cannot relocate.

III. Consultation and Disclosure

Subprojects/ Activities	Location	Findings and Assessment	Notes
1			See sample of record of meetings and disclosure, photos in Attachment ____
2			
3			
4			
5			

*If land acquisition and/or house demolition implementation already completed. Please state. "Not applicable. land acquisition and/or house demolition completed)

IV. Relocation and Rehabilitation Program

Subprojects/ Activities	Location	Issues Identified and/or Good Practice	Notes* and/or any Required Actions
1			
2			
3			
4			
5			

*If relocation/rehabilitation are already completed. Please state: "Not applicable. Completed"

V. Assistance to Vulnerable Households

Subprojects/ Activities	Location	Vulnerable Households	Type of Vulnerability	Support provided
-------------------------	----------	-----------------------	-----------------------	------------------

1.				
2.				
3.				
4.				
5.				

VI. Grievance Redress Mechanism

Subprojects/ Activities	Location	Contact person	TEL	Way of disclosure	Time of disclosure

VII. Grievance Registration Form

Subprojects/ Activities	Location	Issues Identified and/or or Good Practice	Notes and/or any Required Actions
1.			
2.			
3.			
4.			
5.			

VIII. Major Issues that Require Close Monitoring and Reporting in the Next Monitoring Period

1.
2.

ANNEX 5: GUIDANCE NOTE ON CONSULTATION, PARTICIPATION AND DISCLOSURE

117. Throughout project preparation and implementation, the PMO, PIUs, municipal and/or district LAOs and HDOs, township/subdistrict office, village/community will conduct meaningful consultations, on land acquisition compensation standards, house demolition compensation standards and resettlement schemes, and the scope of training for the affected persons, disclosure of construction issues, and solicit comments and recommendations from the affected persons during implementation through public meetings, individual interviews, stakeholder consultations and focus groups discussions. The opinions of the stakeholders and their perceptions will be obtained during these consultations. All activities related to stakeholder engagement and resettlement (if any) will be documented in terms of Annex 5-A. The stakeholder's concerns and how the concerns are addressed will be included in semiannual monitoring report. Any related photos, videos and meeting notes will be kept as recordface-to-face public consultations, given the current health scenario, virtual methods such as electronic questionnaire survey through online survey platform (e.g. Wenjuanxing in PRC) and virtual interviews and consultation meetings through social media platforms (e.g. Wechat, QQ, Skype, Zoom and Teams) could also be considered as an option.

118. Key information of resettlement plans and due diligence reports will be provided to affected persons and other stakeholders in a form and language understandable to them. Disclosure activities will be reported in the semiannual monitoring reports that will be disclosed on ADB and PMO websites.

119. Each project under the program will pay adequate attention to ethnicity and gender concerns of the affected persons. Specific measures should be taken to address the needs of the vulnerable households through culturally-appropriate and gender-inclusive consultations, information disclosure, and grievance redress mechanisms. Such measures include separate meetings with women and ethnic groups and the use of ethnic languages as appropriate to ensure their meaningful participation. Special attention will be paid to the needs of the vulnerable ethnic minority households in relocation and livelihood development. Sex-disaggregated data will be presented by recording the results of consultations, participation, relocation, and rehabilitation programs and including them in monitoring and evaluation reports.

Annex 5-A Documentation of Information Disclosure and Consultation

Name of Project:	
Location:	
Name of Village/Community	

	Date	Location	Number of participants	Number of village group	Number of Female	Key issues discussed	Proposed actions	Material distributed	Remark
1									
2									
3									
4									
Additional Notes:									

See Attachments:

ANNEX 6: GUIDANCE NOTE ON GRIEVANCE REDRESS MECHANISM

120. The grievance redress mechanism (GRM) tracking system by the PMO will include the following elements:

- i. tracking forms and procedures for gathering information from project personnel and complainant(s);
- ii. regular updating of the GRM database by the safeguard staff; and
- iii. a simple but effective filing system, so that data can be retrieved for reporting purposes.

121. A GRM Reporting Form (See Annex 6-A) will be provided to the PIUs and will be filled in by the village committees, municipal/district LAO and HDO to document and track the grievances, complaints, and/or requests received and resolutions made by their respective offices. The safeguard staff will regularly obtain the information and input them in the GRM tracking system of the PMO. Summary of grievances in terms of nature of grievance, resolutions and status will be included in the semiannual monitoring reports.

122. The Resettlement Specialist to be engaged by PMO, during the field visits to the project locations, will review the recording any grievances and concerns raised by the affected households. The concerns and issues raised, assessment of outstanding issues and recommendations proposed by the PMO Resettlement Specialist will be discussed with the PMO and concerned agencies; and reflected in the semiannual monitoring report.

Reference: ADB ACCOUNTABILITY MECHANISM

An aggrieved person(s) may submit a complaint to the ADB's Project Team to try to resolve the problem. If good faith efforts are still unsuccessful, they may submit their complaint to ADB's Accountability Mechanism (2012) <http://www.adb.org/Accountability-Mechanism/default.asp>. The first step requires good faith efforts to resolve the problem with the ADB Project Team.

ANNEX 6-A. Tables for DOCUMENTATION of GRIEVANCE REDRESS MECHANISM**Reporting Period:** _____ to _____

Name of Project:	
Location:	
Name of Village/Community	

New Grievances Received this reporting period	See details as per table below
---	--------------------------------

Grievances Received during the Reporting Period

No.	Date of receiving the grievance	Name of the AP	Contact information (county/township/village /telephone number)	Agency which received the grievance	Nature of grievance	Proposed solution	If the AP is satisfied	Remark

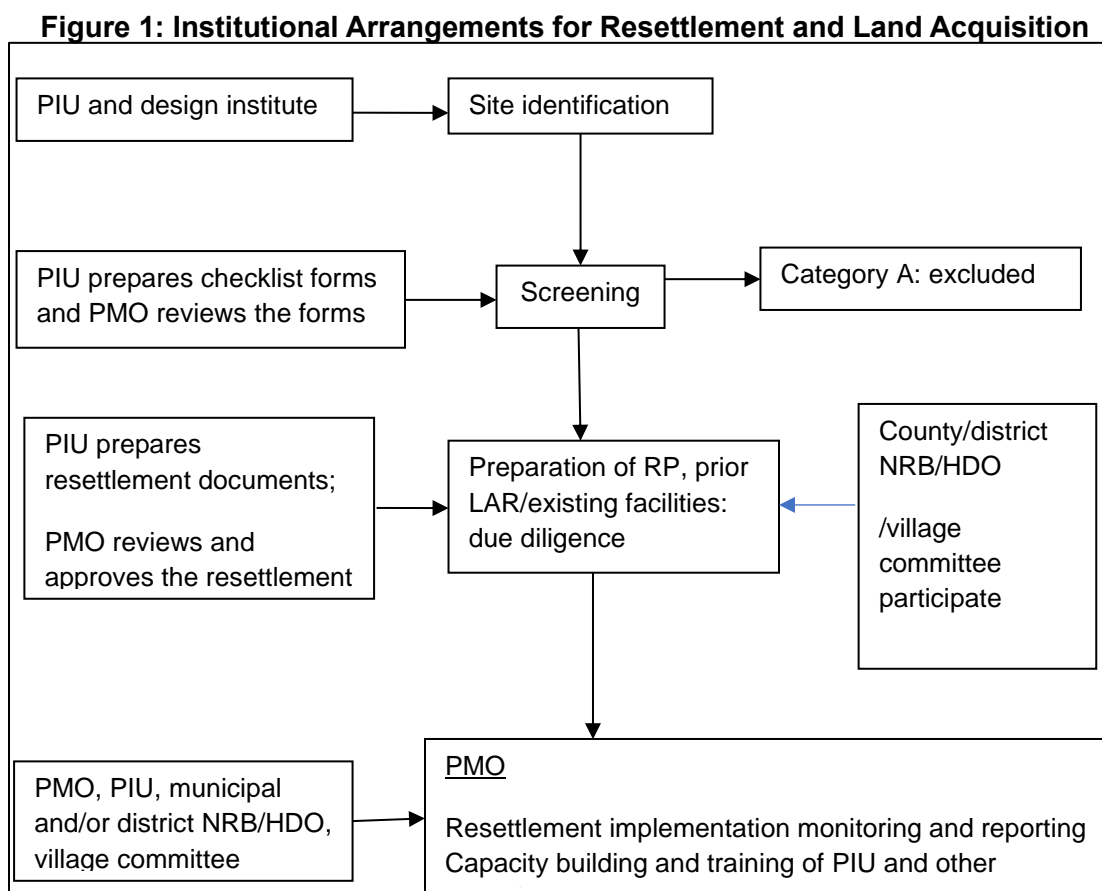
AP = affected person.

Additional Notes:

ANNEX 7: GUIDANCE NOTE ON INSTITUTIONAL ARRANGEMENTS, BUDGET, AND MONITORING

A. Institutional Arrangement

Figure 1 presents a reference of institutional arrangements for resettlement implementation.



HDO = house demolition office, LAR = land acquisition and resettlement, NRB = Natural Resources Bureau, PIU = program implementation unit, PMO = program management office, RP = resettlement plan.

Resettlement responsibilities of the Institutions

123. **PMO Safeguards unit.** The roles and responsibilities include

- (i) organize related training on ADB's involuntary resettlement policies;
- (ii) review the involuntary resettlement impacts and categorization forms submitted by PIU;
- (iii) engage a Resettlement Specialist to assist the PIUs and NRB/HDO in resettlement plan preparation and due diligence;
- (iv) issue the Confirmation Letters to the PIUs for the RPs and/or DDRs prepared;
- (v) set-up resettlement database;
- (vi) set-up GRM tracking system;
- (vii) prepare the semiannual monitoring and evaluation reports;
- (viii) During LAR, closely monitor the implementation and coordinate with the PIU and NRB/HDO to collect information for the monitoring report;
- (ix) File all approval documents related to LAR;

- (x) Submit semiannual monitoring reports to ADB; and
- (xi) Follow-up with the PIU, NRB/HDO in implementation of the actions identified in the semiannual monitoring reports.

124. Each PIU will:

- (i) screen the involuntary resettlement impacts and prepare categorization forms, submit to PMO for review;
- (ii) prepare resettlement plans and due diligence reports with support from Resettlement Specialist of the PMO, submit to PMO for review;
- (iii) conduct due diligence for prior land acquisition and resettlement, and on existing facilities, and coordinate with the local government in developing corrective action plan;
- (iv) coordinate with the NRB/HDO at all levels to provide all the necessary LAR information;
- (v) File all approval documents related to LAR;
- (vi) Provide information to PMO for the preparation of semiannual monitoring reports; and
- (vii) Carry out actions as required by the PMO.

125. **Municipal/District NRBs and HDOs** are the key agencies for preparation and implementation of LAR. Supports required include to

- (i) conduct detailed measurement survey (DMS), consultation, information disclosure;
- (ii) process the domestic approval procedures (land use pre-examination, endorsement of land use rights);
- (iii) document the information on disclosure, participation and GRM and share with PIU;
- (iv) provide the information for the monitoring and evaluation reports in terms of LAR progress and concerns; and
- (v) carry out required actions based on discussions and agreement with PIU on recommendations raised in the semiannual monitoring reports.

126. **Village/Community Committee** play a key role in land acquisition and house demolition since they are aware of the history and socioeconomic situation of the affected residents.

- (i) Participate in the DMS;
- (ii) assist the NRB/HDO to conduct consultation, information disclosure, negotiation and GRM;
- (iii) provide information on the affected vulnerable groups or those who may become vulnerable;
- (iv) organize village meetings to discuss the compensation rates, restoration and relocation plan;
- (v) documentation of the information disclosure, participation and GRM; and
- (vi) take part in carrying out corrective actions identified during project implementation.

127. **Other Agencies.** Apart from the key players above, other agencies will also be requested to support the program based on their specific roles and responsibilities:

- (i) Civil Affairs Bureau is responsible for identification single elders and those eligible for the Minimum Living Guarantee System;
- (ii) Women's Federation for cash or in-kind assistance to the women-headed households;
- (iii) Health Commission is responsible for urgent assistance if the households have serious illness;

- (iv) Housing and Urban-Rural Development Bureau is responsible for affordable housing and low-rent housing to vulnerable groups; approval of the house relocation plan; and
- (v) Bureau of Human Resources and Social Security is responsible for endowment insurance system for the land loss farmers, provide relevant training and access to job opportunities in the area including project-related employment opportunities.

B. Budget

128. If any, the PMO and PIUs will bear all costs related to permanent land acquisition, house demolition, temporary land occupation and ground attachments compensation, if there are involuntary resettlement impacts. The basic principle is that fund flows will be as direct as possible, to minimize the coordination, arbitration and other intermediate links. The budget will include contingency expenses, to meet the needs of cost increase or unexpected resettlement expenses. The costs for monitoring, supervision, grievance redress, reporting and engaging the Resettlement Specialist at the PMO will be borne by PMO and/or PIUs as part of their project budget.

ANNEX 8: TERMS OF REFERENCE FOR THE RESETTLEMENT SPECIALIST IN PMO

129. Expected inputs 18 person months – 6 person months for the first year, 3 person months each from 2nd to 5th years.

Detailed Tasks and/or Expected Output

130. The resettlement specialist will:

- (i) train and support the Wuzhou program management office (WPMO), program implementation units (PIUs), and other resettlement institutions, such as county and district land acquisition office and house demolition office during the screening and preparation of resettlement planning documents, implementation, and monitoring of resettlement activities in accordance with the agreed Program Action Plan (PAP) and safeguard program actions;
- (ii) provide inputs to the WPMO, in reviewing (a) involuntary resettlement screening and categorization checklists for all individual subprojects, (b) resettlement plans for category B subprojects, and (c) due diligence reports and social compliance audits for acquired land and existing facilities;
- (iii) assist the WPMO, in coordinating resettlement activities, preparing resettlement monitoring reports, and maintaining a resettlement database; and ensure timely submission of resettlement monitoring reports to ADB and disclose resettlement monitoring reports in local language to the village committee and PIU's websites;
- (iv) prepare training materials and conduct training for WPMO and PIUs on the land acquisition and resettlement requirements, policies, and procedures;
- (v) assist the WPMO and PIUs in setting up an effective grievance redress mechanism tracking system and an effective coordination and monitoring system;
- (vi) conduct semiannual resettlement monitoring site visits and provide inputs to semiannual resettlement monitoring reports in coordination with WPMO and PIUs to ensure implementation, monitoring, and reporting on the PAP, results framework, and risk mitigating measures as well as compliance with legal covenants related to land acquisition and involuntary resettlement; and
- (vii) upon completion of implementation of resettlement actions for all projects, carry out site visits with the safeguard officers of WPMO and PIUs to verify the completion of all the resettlement program actions and compliance with legal covenants related to land acquisition and involuntary resettlement, and support the WPMO in preparation of a resettlement completion report.

Minimum Qualification Requirements

131. The resettlement specialist should have a graduate degree in social sciences and at least 7 years of experience with carrying out socioeconomic surveys and social impact assessments for involuntary resettlement in the People's Republic of China, and preparing involuntary resettlement safeguards documentations for projects financed by international financial institutions.

ANNEX 9: SUMMARY OF RELATED LAR LAWS AND REGULATIONS TO BE APPLIED FOR WUZHOU RBL PROGRAM

A. National Level

The Land Administration Law (2019)

132. Article 44, the land use for any construction projects shall be following the local land use planning.

133. Article 47, owners or users of the land to be acquired shall, within the time limit specified in the announcement, go to fill the compensation registration form with holding its assets ownership certificate. The people's government at or above the county level shall organize the department concerned to estimate the relevant costs and make them fully available.

134. Article 47, the government can apply for land acquisition only after completing the following actions: (a) land status survey; (b) a Social Stability Risk Assessment; (c) information disclosure, with a period of at least 30 days, on the scope of land acquisition, land status, land use purposes, compensation measures and social pensions arrangement for affected persons; (d) soliciting the options of various primary stakeholders on land acquisition; (e) the county government shall hold a public hearing to clarify when most affected persons perceive the compensation and resettlement plan does not comply with the laws and regulations; (f) survey and registration of the affected land and assets with the owners; (g) forecasting compensation fee for land acquisition and mobilizing the fund ready in advance; and (h) signing compensation and resettlement agreements with the affected persons.

Regulations on Acquisition of Houses on State-owned Land and Compensation (SC [2011] No.590)

135. Article 10, the draft Assets/Houses Acquisition and Compensation Plan should be disclosed to the public and receiving comments. At least 30 days of disclosure is required.

136. Article 11, Comments received from the public should be disclosed.

137. Article 13, the district government should disclose the Decision of Acquisition to the public following the decision-making, together with the final HACP and a GRM.

138. Article 19: The compensation for the value of assets/houses to be expropriated shall not be less than the market price of the assets/houses to be expropriated on the date of the expropriation decision issued. The value of the assets/houses to be expropriated shall be assessed and determined by appraisal agencies with appropriate qualifications in accordance with the procedures for evaluating houses to be expropriated. Anyone who has objection to the value of the assets/houses to be expropriated that has been assessed and determined may apply to the appraisal agency for reassessment. Anyone who disagrees with the results of the review may apply to the appraisal expert committee for verification.

B. Guangxi Provincial Level

139. **Notice of the General Office of the Guangxi Provincial Government on Applying Block Comprehensive Land Prices (GRGO [2020] No.5):** A block comprehensive land price

consists of land compensation and a resettlement subsidy at 1:1, excluding any subsidy for endowment insurance for land expropriated farmers, or compensation for ground attachments and young crops.

140. Notice of the General Office of the Guizhou Provincial Government on Applying Block Comprehensive Land Prices (GPGO [2020] No.68): 60% of the block comprehensive land price is the resettlement subsidy and 40% is the land compensation; for unused land acquired, 100% of the block comprehensive land price is the land compensation; if there are young crops on the acquired land, the county government shall compensate them based on the actual output; attachments on the acquired land shall be compensated for according to the applicable provisions or the rate agreed on between both parties; if there is no such provision or no agreement is reached, the county government shall base the compensation on the actual loss value.

141. Regulations of Guangxi on Implementing the Regulations on the Expropriation of Assets/Houses on State-owned Land and Compensation (GRG [2011] No.36): The value of an expropriated assets/house is appraised by a qualified real estate appraisal agency in accordance with the applicable national and local standards. No one shall prevent any real estate appraisal agency without any bad record from participating in house appraisal.

C. Wuzhou Municipal Level

142. Wuzhou municipal People's Government on the announcement of the implementation of Acquired Block Comprehensive Land Prices (WZF[2020]No.7)

The comprehensive land price standard for the expropriated land area in Wuzhou City was approved by the people's government of the Guangxi autonomous region and was implemented from 1 January 2020 which will be adjusted or re-announced least every 3 years according to the economic and social development. The compensation standard for land acquisition shall not be changed or lowered.

143. The comprehensive land price of the expropriated area includes land compensation fee and resettlement subsidy fee (see Annex 9-1), but does not include the social security fee for the land expropriated farmers, rural villager's house, other ground attachments and young crops and other compensation fees which will be listed separately through the Notice of Wuzhou Municipal People's Government on Printing and Distributing Compensation Standards for Young Crops and Ground Attachments on Collective Land Expropriated in Municipal Districts" (Wu Zheng Gui [2020] No. 11) (see Annex 9-2).

Annex 9-1: Block Comprehensive Land Prices

Classes	Areas Relevant	Standard		
		Total	LA	Resettlement subsidies
1	Changzhou township Longhu township Xinglong street office, Hongling street office Wuzhou municipal garden division, WMG	91,800	34,687	57,113
2	Chengdong township	87,200	32,812	54,388
3	Longxu township	65,000	24,370	40,630
4	Xindi township Dapo township Guangping township	41,500	15,563	25,937

Classes	Areas Relevant	Standard		
		Total	LA	Resettlement subsidies
	Xiayin township Daoshui township			

ANNEX 9-2: NOTICE OF THE PEOPLE'S GOVERNMENT OF WUZHOU CITY ON PRINTING AND DISTRIBUTING COMPENSATION STANDARDS FOR GREEN SEEDLINGS AND GROUND ATTACHMENTS OF COLLECTIVE LAND EXPROPRIATED BY MUNICIPAL DISTRICTS

Compensation standards for main crops and other crops on the land collected at the municipal level

No.	Type	Specification	Compensation Standard	Unit
1	Main crop	Rice	2,000	Yuan/ <i>mu</i>
2	Other crops	Fish	5,500	Yuan/ <i>mu</i>
		Peanut, tobacco	2,800	Yuan/ <i>mu</i>
		vegetables	3,200	Yuan/ <i>mu</i>
		Ginger, towel gourd	3,150	Yuan/ <i>mu</i>
		arrowhead	3,550	Yuan/ <i>mu</i>
		Chinese herbal medicine such as <i>Morinda officinalis</i> , <i>Amomum</i> , <i>zedoary</i>	3,300	Yuan/ <i>mu</i>
		Tubers and other dryland crops	1,500	Yuan/ <i>mu</i>
Remark: 1. If there are no fish (tortoise) fry in the fish pond, no compensation will be given for the loss of the fry and the relocation fee. 2. In case of compensation for special species (for example: ancient trees, famous trees, precious tree species and Chinese herbal medicines, etc.), negotiation should be made first, and if the negotiation fails, the professional department will evaluate the compensation. 3. Compensation for young crops means that when the land is expropriated, the crops are in the growing period and cannot be harvested. The farmers need to release the land in time and cause losses. Compensation will be given to the owner of the young crops. If there are no young crops, no compensation will be given to the young crops.				

Compensation for single attachments

No.	Types	Specification	Compensation Standard	Unit	Remark
1	Tangerines, oranges, yellow bark sanhua plums, loquats, persimmons, pears, hawthorns, peaches, olives and other miscellaneous	1. If the crown diameter is more than 1 meter, it shall be calculated according to the projected area of the crown. 2. If the diameter of the tree crown is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters.	23	Yuan/square meter	The total projected area shall not be greater than the area of the expropriated planting land
2	Sugar Tangerine, Guangfo Shou, Guava (Pomegranate)	1. If the crown diameter is more than 1 meter, it shall be calculated according to the projected area of the crown. 2. If the diameter of the tree crown is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters.	42	Yuan/square meter	The total projected area shall not be greater than the area of the expropriated planting land

3	big fruit hawthorn	1. No fruit for 1 year	2,500	Yuan/ <i>mu</i>	No more than 100 acres per acre
		1. No fruit for 2 year	4,800	Yuan/ <i>mu</i>	
		2. No fruit for 3 year	8,000	Yuan/ <i>mu</i>	
		3. Made fruit in 4 years	42	Yuan/ square meter	The projection surface of branches and trees shall not be sharper than the projected surface of the planted land.
4	Macadimia nut	1. If the crown diameter is more than 1 meter, it shall be calculated according to the projected area of the crown. 2. If the diameter of the tree crown is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters.	46	Yuan/ square meter	The total projected area shall not be greater than the area of the expropriated planting land
5	Litchi, longan	1. If the crown diameter is more than 1 meter, it shall be calculated according to the projected area of the crown. 2. If the diameter of the tree crown is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters.	42	Yuan/ square meter	The total projected area shall not be greater than the area of the expropriated planting land
6	Taiwan big green jujube	No fruit for 1 year	5,350	Yuan/ <i>mu</i>	
		No fruit for 2 year	9,550	Yuan/ <i>mu</i>	
		No fruit for more than 3 year	27	Yuan/ square meter	1. If the diameter of the canopy is more than 1 meter, the calculation is based on the projected area of the canopy. 2. If the diameter of the tree crown is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters. The total projected area shall not be larger than the expropriated planting land area
7	Mango	No fruit for 1 year	4,000	Yuan/ <i>mu</i>	
		No fruit for 2 year	6,400	Yuan/ <i>mu</i>	
		No fruit for 3 year	10,700	Yuan/ <i>mu</i>	

		Made fruit in 4 years	26	Yuan/ square meter	1.If the crown diameter is more than 1 meter, it shall be calculated according to the projected area of the crown. 2. The crown diameter is less than 1 meter (including 1 meter, the projected area is calculated as 0.8 square meters. The total projected area shall not be greater than the area of the expropriated planting land
8	Sugar orange	≤100 plants	1,200	Yuan/ mu	Untransplanted seedlings, less than 100 plants per mu are calculated per plant, CNY11 per plant
		101 to less than 500 plants	2,500	Yuan/ mu	
9	pomegranate	More than 501 plants	3,200	Yuan/ mu	Untransplanted seedlings, less than 100 plants per mu are calculated per plant, CNY11 per plant
		101 to less than 500 plants	2,500	Yuan/ mu	
10	watermelon	Aspermous watermelon	11,300	Yuan/ mu	
		Black Beauty watermelon	9,850	Yuan/ mu	
Remark: 1. Planting more than 5 trees belongs to contiguous fruit trees and forest trees. 2. In case of compensation for special species (for example: ancient trees, famous trees, precious tree species and Chinese herbal medicines, etc.), negotiation should be made first, and if the negotiation fails, the professional department will evaluate the compensation.					

Compensation standards for green seedlings of contiguous forest trees on land expropriated at the municipal level

No.	Types	Specification	Compensation Standard	Unit	Remark
1	Fir, pine, eucalyptus and other timber forests	Tree height 1 to 3 meters	1,500	Yuan/mu	Canopy closure degree above 0.2
		The tree height is more than 3 meters, and the diameter at breast height is less than 10 cm	2,500	Yuan/mu	
		The tree height is more than 3 meters, and the diameter at breast height is more than 10 meters.	3,500	Yuan/mu	
		15 to 20 cm in diameter at breast height	3,800	Yuan/mu	
		Diameter above 20 cm	5,500	Yuan/mu	
2	osmanthus tree	Diameter less than 1 cm	2,000	Yuan/mu	Reasonable dense planting of 100 plants/mu
		1 to 3 cm in diameter at breast height	3,000	Yuan/mu	
		Diameter above 3 cm	4,000	Yuan/mu	
3	Soft Branch Camellia	Crown diameter less than 1 meter	2,000	Yuan/mu	Reasonable dense planting of 80 plants/mu
		The tree height is more than 1 meter and less than 1.5 meters	4,000	Yuan/mu	
		The tree height is more than 1.5 meters	8,000	Yuan/mu	
4		Seedling height below 100 meters, no crown	2,000	Yuan/mu	

	Camellia oleifera	Tree height 110 to 150 cm, crown width 40 to 50 cm	4,000	Yuan/mu	Reasonable dense planting of 80 plants/mu
		Tree height is 210 cm, crown width is more than 60 cm	8,000	Yuan/mu	
5	Mangnolia	1. The crown diameter is more than 1 meter. Calculated according to the projected area of the crown. 2. If the crown diameter is less than 1 meter (including 1 meter), the projected area shall be calculated as 0.8 square meters.	12	Yuan/square meter	The projected area is not larger than the area of land under cultivation
6	nursery garden	Timber stands class	2,800	Yuan/mu	
		Economic forests (including Chinese medicinal materials)	3,500	Yuan/mu	
		Garden, flowers	3,800	Yuan/mu	
Remark: 1. Diameter at breast height refers to the diameter of a tree measured 1.3 meters above the ground. 2. Planting more than 5 trees belongs to contiguous fruit trees and forest trees. 3. The nursery compensation is for reference only, and the actual compensation for the specific nursery can be reasonably determined based on the data from the relevant departments of gardening, forestry, agriculture and rural areas for the specific nursery. 4. If there are multiple crops planted on the ground at the same time, only one crop can be selected as compensation for young crops. 5. In case of compensation for special species (for example: ancient trees, famous trees, precious tree species and Chinese herbal medicines, etc.) Compensation will then be assessed by professional departments.					

Compensation standard for other buildings (structures) on the ground by municipal collectives

No.	Types		Specification	Unit
1	Outdoor stairs		220	Yuan/square meter
2	Basement (including 2.5m and above)	Frame	500	Yuan/square
		Mixed	450	Yuan/square
		brick and wood	350	Yuan/square
3	Basement (under 2.5 meters)	Frame	270	Yuan/square
		Mixed	250	Yuan/square
		brick and wood	185	Yuan/square