

# Resettlement Plan

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May 2014

People's Republic of China: Jilin Urban  
Development Project

Prepared by Baicheng Municipal Government for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 21 May 2014)

Currency unit	–	yuan (CNY)
CNY1.00	=	\$0.1603
\$1.00	=	CNY6.2375

## ABBREVIATIONS

ADB	–	Asian Development Bank
AHs	–	affected households
APs	–	affected Persons
BMG	–	Baicheng Municipal Government
BPLG	–	Baicheng ADB-Financed Infrastructural Construction Project Leading Group
BPMO	–	Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office
DI	–	design institute
EAR	–	Environmental Assessment Report
EDZPLG	–	ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone
EDZPMO	–	Baicheng Economic Development Zone ADB-Financed Infrastructure Construction Project Leading Group Office
EDZRO	–	ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone
HD	–	House demolition
LA	–	Land acquisition
M&E	–	Monitoring and Evaluation
mu	–	Chinese land area unit of measure, 1 mu = 666.67 m <sup>2</sup>
PRC	–	People's Republic of China
RIB	–	Resettlement Information Booklet
RMB	–	Abbreviation for Yuan, PRC's currency
RP	–	Resettlement Plan
SES	–	Socioeconomic Survey

## NOTE

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# **PRC (46048): Jilin Urban Development Project**

## **Resettlement Plan for the Baicheng Urban Development Project**

**May 2014**

# 白城市财政局

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白城市人民政府

2014年5月13日

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## Executive Summary

### 1. Overview of the Project

ES1. Baicheng Urban Development Project (hereinafter "Project") is one of the components of the Jilin Urban Development Project financed by the ADB. The Project comprises three subprojects: (i) urban development -- road network and ancillary facilities; (ii) urban environmental health and sustainable development -- urban solid waste management; and (iii) sewage and stormwater pipe network and pumping station to be constructed simultaneously with the road network. Components (i) and (ii) will involve land acquisition and resettlement for 9 urban roads with a total of 32.47 km and a garbage integrated treatment center, while land to be used for Component (iii) is included in Component (i).

### 2. Scope of Land Acquisition and Resettlement

ES2. The Project will acquire a total of 1,514,000m<sup>2</sup> (or 2,271 mu<sup>1</sup>) of land permanently, including 527,720m<sup>2</sup> (792 mu) of state-owned land and 986,280m<sup>2</sup> (1,479 mu) of collective land. There are a total of 691,230m<sup>2</sup> (1,037 mu) cultivated land among the affected land, including 188,170m<sup>2</sup> (282mu) state-owned cultivated land and 503,060m<sup>2</sup> (755 mu) of collective cultivated land. The Project will not occupy temporary land. A total of 1,129 people from 395 households will be partially affected by the land acquisition (LA) directly. A total of 53,093 m<sup>2</sup> of houses will be demolished, including 8,695 m<sup>2</sup> in brick-concrete structure (16.38%), 36,454 m<sup>2</sup> in brick-timber structure (68.66%), 3,452 m<sup>2</sup> in earth-timber structure (6.50%), 2,467 m<sup>2</sup> of attached houses<sup>2</sup> (4.65%) and 2,025 m<sup>2</sup> in simple structure<sup>3</sup> (3.81%). A total of 757 people from 304 households of both urban and rural residents will be affected by the urban and rural house demolition, among which 118 people from 38 households will also be affected by LA. Therefore, the Project will affect a total of 1,768 people from 661 households. The Project also involves LA and resettlement of 9 enterprises or units, and 309 employees from urban and rural from urban and rural people will be affected. In addition, the Project will affect some ground attachments and infrastructure, such as trees, pens, walls and so on. The LA and resettlement will involve one sub-district office and seven villages.

ES3. The Project was listed in the national planning in 2012 and is expected to be commenced in 2014 and completed in 2018. The implementation of the LA and HD, compensation and resettlement will be started in July 2014 and completed in August 2017.

### 3. Policy Framework and Entitlements

ES4. This resettlement plan (RP) is prepared in accordance with the Land Administration Law of the PRC (2004), the Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (SC [2004] No.28), Land Administration Regulations of Jilin Province (September 1999, Government Notice No. 31 of Standing Committee of the Ninth Jilin Provincial People's Congress), Circular of Baicheng Municipal Government on

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<sup>1</sup> 1 mu = 666.67 m<sup>2</sup>

<sup>2</sup> It means houses attached to main houses for storage or cooking, but not for living.

<sup>3</sup> Such houses may be built with any materials. Simple structure houses referred to in this Project include houses with asbestos and color steel tile roof, barns and toilets.

Publishing the Annual Output of Arable Land of the Whole City (BZF [2010] No. 15), Temporary Measures for Demolition of and Compensation for Houses on State-Owned Land of Baicheng (BZF [2011] No. 13), and ADB's Safeguard Policy Statement (June 2009) and other relevant resettlement policies.

ES5. According to the policies and regulations, all affected persons (APs) will be compensated for LA, HD and resettlement. The compensation for LA includes land compensation fee, resettlement subsidy and compensation for young crops. Compensation rates are (i) 48 yuan/m<sup>2</sup> (or 32,000 yuan/mu) of land compensation fee, (ii) 72 yuan/m<sup>2</sup> (48,000 yuan/mu) of resettlement subsidy; (iii) seasonal greenhouse cold canopy<sup>4</sup>: 16.28 yuan/m<sup>2</sup> (10,853 yuan/mu); (iv) year-round greenhouse<sup>5</sup>: 59.37 yuan/m<sup>2</sup> (39,580 yuan/mu); and (v) young crops (leeks): 5 yuan/m<sup>2</sup> (3,333 yuan/mu); and other young crops: 3.5 yuan/m<sup>2</sup> (2,333yuan/mu). According to local practices and full consultation with the APs', the compensation for young crops will be paid to the affected households (AHs) directly. Through discussing of all villagers, the land compensation fee and resettlement subsidy will be paid in two ways: (i) 99% of land compensation fee and resettlement subsidy to be paid to the AHs, while 1% is paid to the affected village collectivity; and (ii) all land compensation fee and resettlement subsidy to be paid to the AHs. The use of the part owned by the collectivity shall be decided by the villagers' congress.

ES6. Compensation rates for HD are 1,400 yuan/m<sup>2</sup> for brick-concrete structure; 1,200 yuan/m<sup>2</sup> for brick-timber structure; 900 yuan/m<sup>2</sup> for earth-timber structure, 470 yuan/m<sup>2</sup> for attached houses, and 360 yuan/m<sup>2</sup> for simple structure; 1,000 yuan/household of moving expense; 6 yuan/m<sup>2</sup>·month of transition fee; 2 yuan/m<sup>2</sup>·month of heating subsidy. AHs that move out prior to the deadline of HD agreements will receive an award of RMB5,000 per HD.

#### **4. Resettlement and Restoration**

ES7. Measures for income restoration of APs include (i) land adjustment, (ii) cash compensation, (iii) technical training and (iv) preferential employment, etc. After receiving the compensation fees for LA, the AHs will use the compensations mainly for construction of greenhouses, business operation, expanded reproduction of household stockbreeding and other livelihood activities.

ES8. Households to be affected by HD can choose (i) resettlement in unified constructed houses, (ii) to buy commercial residential building by themselves commercial apartments with cash compensation by themselves because they have only one house to be demolished because have only one house which to be demolished, and (iii) monetary compensation under the circumstance that people to AH who has two or more houses in other places, if one house is demolished they need't to buy new house for livingt.

ES9. Baicheng Municipal Government (BMG) has arranged a special fund of RMB220,000 for technical and skill training for affected laborers including female laborers at least 50% of participants. Meanwhile, Baicheng ADB-Financed Infrastructure Construction Project Leading Group Office (hereinafter "BPMO") has established a special fund of RMB292,000 for

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4 Cold canopy refers to plastic greenhouse without straw blanket; it only has a layer of plastic film and cannot be used in winter.

5 Greenhouse is generally covered with straw blanket or other thermal insulation materials in winter and can be used all year round.

supporting vulnerable groups. The BPMO, together with the municipal civil affairs bureau, will use the fund specially on the relief of vulnerable groups affected by the Project.

## 5. Public Participation and Information Disclosure

ES10. During the project preparation, the BPMO has carried out extensive public participation activities in various ways (such as meetings, interviews, villager group discussions, public participation meetings and community consultation, etc.) total 6 times. Most affected groups and APs have understood the Project and the policies, plans and measures to restore their production and livelihood. The main results and their opinions have been well incorporated into the RP.

ES11. A Resettlement Information Booklet (RIB) has been prepared and will be issued to all APs at by the end April May 2014. Meanwhile, this RP will also be issued to the affected villages, and the APs may get the RP from the village resettlement office or other places at any time from May May2014. The RP will be posted on ADB's website in May 2014.

## 6. Grievances and Appeals

ES12. The APs can complain any problems related to the LAR in following procedures to (i) village committees/sub-district office; then (ii) resettlement office of Baicheng Economic Development Zone ADB PMO; and then (iii) Baicheng ADB Project Steering Group or Baicheng Municipal Government. The APs may file lawsuit to the civil court at any time under Civil Procedure LawB, or take a lawsuit to the civil court or report problems to the ADB in accordance with its Accountability Mechanism (2012). The APs may file appeals about any aspect of the resettlement.

## 7. Organizational Structure

ES13. The BPMO is the executing agency of the Project. Baicheng Economic Development Zone ADB-Financed Infrastructure Construction Project Leading Group Office (hereinafter "EDZPMO") is the implementing agency of the Project. The BPMO, subdistrict offices and village committees are responsible for the implementation of the RP and shall establish the corresponding dedicated resettlement offices.

## 8. Implementation of Resettlement Plan

ES14. The detailed physical measurement survey for the RP was completed in accordance with the detailed design of the Project in November 2013.r.Civil works contract of the Project will be awarded after ADB approves the final RP. The overall schedule of the resettlement will be prepared in accordance with the progress of LA of the Project. The specific schedule may be adjusted appropriately due to deviation of the overall progress. The schedule of the resettlement is as follows:

No.	Task	Objective	Responsible Unit	Time	Remark
<b>1</b>	<b>Information Disclosure</b>				
1.1	Resettlement Information Booklet	7 villages 1 subdistrict 661 households	EDZPMO Resettlement Office / Subdistrict Office	May 2014	



No.	Task	Objective	Responsible Unit	Time	Remark
1.2	Posting the RP on ADB's website	/	EDZPMO and BPMO, ADB	May 2014	
<b>2</b>	<b>RP and its updates</b>				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	Resettlement Office	November 2013	
<b>3</b>	<b>Signing Compensation Agreement and Disbursing Compensation</b>				
3.1	Signing land compensation agreement with villages and making payment	7 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	395 AHs	Resettlement Office / AHs	August 2014	
3.3	Signing house compensation agreement and making payment	304 households	Resettlement Office / AHs	August 2014	
<b>4</b>	<b>Rehousing</b>				
4.1	House demolition	304 households	Resettlement Office / AHs	October 2014	
4.2	New house construction	304 households	Village committees or AHs	November 2014 - July 2015	
4.3	Moving to new houses	304 AHs	AHs	August 2015	
<b>5</b>	<b>Livelihood Restoration</b>				
5.1	Skill training	780 APs	EDZPMO and Baicheng Government	December 2014	
5.2	Agricultural production Improvement	395 AHs	EDZPMO and Baicheng Government	March – June 2015	
5.3	Employment assistance	395 AHs	EDZPMO and Baicheng Government	August 2014 to December 2016	
5.4	Pension insurance of farmers who Lost farmland	395 AHs	EDZPMO and Baicheng Government	December 2014	
<b>6</b>	<b>Monitoring and Evaluation</b>				
6.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
6.2	Establishing an internal monitoring agency	According to the RP	BPMO and EDZPMO	July 2014	
6.3	Signing an agreement with an external monitoring agency	One	BPMO	July 2014	
6.4	Internal monitoring report	Project Progress Report	BPMO and EDZPMO	Start from August 2014	
6.5	External monitoring report	Semi-annually	External monitoring unit	September 2014	1 <sup>st</sup> report
				March 2015	2 <sup>nd</sup> Report
6.6	External monitoring report	Annually	External monitoring unit	March 2016	3 <sup>rd</sup> Report
6.7	Completion report	1 Report	BPMO and EDZPMO	March 2017	4 <sup>th</sup> Report

No.	Task	Objective	Responsible Unit	Time	Remark
7	<b>Civil Works Commencement</b>				
7.1	Baicheng Urban Development Project		Project construction bid winner	September 2014	

## 9. Monitoring and Evaluation

ES15. In this Project, internal and external monitoring will be carried out for the resettlement. The BPMO and the EDZPMO will carry out the internal monitoring and report the monitoring contents and results to ADB semi-annually. The BPMO will recruit an independent monitoring agency to conduct the external monitoring and evaluation (M&E). The agency shall prepare semi-annual external M&E report during the resettlement implementation and annual report within two years after the resettlement is completed. The cost for M&E has been included in the RP budget.

## 10. Resettlement Budget

ES16. All costs for LA and resettlement will be included in the general budget of the Project. Based on prices in September 2013, the total cost is estimated to be RMB328.3104 million, accounting for 20.26% of the total budget of the Project. The cost for the permanent land acquisition is RMB109.7606 million, accounting for 33.43% of the total LA and resettlement cost; compensation for the house demolition is RMB67.7981 million, accounting for 20.65%; compensation for infrastructure and ground attachments is RMB45.8429 million, accounting for 13.96%; the RP preparation and monitoring costs are RMB0.6653 million, accounting for 0.20%; various taxes and fees are RMB72.3853 million, accounting for 22.05%; in addition, there are a contingency fee of 10% of the total LA and resettlement.

## Objectives and Glossary of the Resettlement Plan

This RP is prepared in accordance with relevant state and local laws and regulations as well as the ADB's Safeguard Policy Statement (2009). The purpose of this document is to "develop an action plan for the resettlement and restoration of the APs in order to ensure that they can benefit from the Project and their living standard is improved, or at least restored after the completion of this Project". Under the leadership of Jilin Provincial People's Government, Baicheng Municipal Government will organize the relevant governmental agencies to work closely, in order to ensure sufficient funds for compensations and smooth implementation of resettlement.

During the project development, acquisition of land and other property will adversely affect the life of people who work on or depend on the land. "affected persons (APs)" refer to people whose production or life is adversely affected by the LA and HD of the Project. They include:

(1) people whose land (homestead land, land for public facilities, agriculture, forestry, animal husbandry and sideline activities), structures (private houses and attachments, business premises or public buildings, etc.), rights and interests or other property are wholly or partly, temporarily or permanently requisitioned or occupied;

(2) people who use the above-mentioned land, structures or property or people whose business, occupation, work, place of residence or living habitat are adversely affected;

(3) people whose living standard is adversely affected by LA and HD;

**"Affected group"** refers to (i) people whose living standard has been or will be adversely affected; (ii) people whose title to houses, rights or interests, land (including homestead, farmland or pasture), other movable or immovable property are temporarily or permanently requisitioned or occupied; or (iii) people whose business, occupation, work, residence or habits are adversely affected by the Project. "Affected Persons" refers to individuals in the "affected group".

"APs" can be individuals or legal persons, such as enterprises and public institutions.

The definition of APs does not set a limit to neither their legal registration, living permission or businesses in the affected area nor the title to their property. Therefore, they include:

(1) all affected people regardless of their legal rights and presence at requisition of their property.

(2) people without residence permit in a particular region;

Therefore, all APs will be taken into account and recorded regardless of their legal relationship with their property, land or location of residence.

If the same land or property, use right or title to be requisitioned is larger than that of one person or one household, compensation or restoration shall be made in accordance with the losses, rights and interests as well as living standard of the APs or affected households (AHs).

All APs are entitled to improve or at least restore their standards of living, and ask for compensation for their property losses. Compensations shall be made for property losses at replacement cost, without reducing the compensation amount or making payment at a discount for depreciation or other reasons. All APs should get economic interests or compensation for losses from their affected land and property, so as to enable them to be

restored. People that are affected by the project but have no rights, authorization or legal permission to live, engage in business, farming or building should be treated in the same way as that of people with formal legal rights and permission to receive appropriate life restoration and compensation for property.

**"Seriously affected persons"** refer to people (i) who suffer a loss of 10% or more in productive land and/or property; (ii) whose remaining homestead is insufficient for reconstruction of a house and have to move; and (iii) who suffer losses of income sources equal to or greater than 10%.

**Resettlement includes:**

- (1) relocation of place to live;
- (2) finding new jobs suitable for people who lose their jobs or whose jobs are seriously affected;
- (3) restoration of (or compensation for) affected productive resources, such as land, workplace, trees and infrastructure;
- (4) restoration of living standard (quality of life) adversely affected due to LA, indirect resettlement impacts or other impacts;
- (5) restoration of or compensation for affected private or public enterprises; and
- (6) restoration of cultural or public properties adversely affected.

**"Restoration"** means restoring the APs' ability to continue their production activities, or to improve, or at least keep their standard of living at the level before the Project.

The RP is designed to provide a resettlement and restoration plan for the PAPs, in order to compensate their losses and improve in a sustainable way or at least restore their standard of living to the level before the Project. Affected business and manufacturing resources, enterprises (including stores) and public property will also be improved or at least restored to the level before the Project.

## Abbreviation and Acronyms

ADB	Asian Development Bank
AHs	Affected households
APs	Affected Persons
BMG	Baicheng Municipal Government
BPLG	Baicheng ADB-Financed Infrastructural Construction Project Leading Group
BPMO	Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office
DI	Design Institute
EAR	Environmental Assessment Report
EDZPLG	ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone
EDZPMO	Baicheng Economic Development Zone ADB-Financed Infrastructure Construction Project Leading Group Office
EDZRO	ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone
HD	House demolition
LA	Land acquisition
M&E	Monitoring and Evaluation
mu	Chinese land area unit of measure, 1 mu = 666.67 m <sup>2</sup>
PRC	People's Republic of China
RIB	Resettlement Information Booklet
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# 1. Overview of the Project

## 1.1 Project Profile

1. Baicheng, located in the northwest of Jilin Province and in the east of Horqin Grassland, is a central city at the junction of Jilin Province, Heilongjiang Province and Inner Mongolia Autonomous Region and in area at radius of one hundred kilometers. Baicheng has five counties (cities or districts), including Zhenlai, Tongyu, Da'an, Tao'nan and Taobei, and five provincial development zones, including Baicheng Economic Development Zone, Industrial Park, Da'an Economic Development Zone, Tongyu Economic Development Zone and Chaganhaote Tourism Development Zone, with a total area of 26,000 square kilometers and a population of 2.032 million.

2. Baicheng Urban Development Project (Project) comprises three components: (1) urban development -- road network and ancillary facilities of the western urban area of the city; (2) urban environmental health and sustainable development -- urban solid waste management; (3) sewage and stormwater pipe network and piping station to be constructed simultaneously with the road network. Components (1) and (2) involve land acquisition and resettlement work, while land acquisition involved in Component (3) is integrated in (1). Component (2) will involve previous LA for existing landfills, which is identified and explained in Attachment 9: Due Diligence Report (DDR). In addition, other two DDRs on LA and resettlement of two resettlement communities of this project are prepared as two of appendixes of this RP.

3. Component (1) includes construction of nine (9) new urban roads, road landscaping and lighting, and related infrastructure, including water supply, sewage with a pump station, stormwater with two pump stations, heat, electricity telecommunications, etc. Component (2) includes construction of a garbage integrated treatment center and 9 garbage collection stations. Please refer to Table 1-1 for project contents and resettlement impacts; refer to Schematic Map of the Project in Appendix 1.

**Table 1-1: Project Components and Resettlement Impact Category**

No.	Sub-component	Description	Impact
Component 1			
1	West Xinhua Road	Total length 2,724 m, width 55 m; the designed width is 55 m, including landscape width of 5 m on both sides.	Affected by LA and HD
2	Chunyang Road	Total length 3,881 m, width 35 m; the designed width is 45 m, including landscape width of 2.5 m on both sides.	Affected by LA and HD
3	North Xingfu Street	Total length 1,330 m, width 45 m; the designed width is 45 m, including landscape width of 2.5 m on both sides.	Affected by LA and HD
4	3rd-Ring Road	Total length 11,304 m, width 55 m; the designed width is 55 m, including landscape width of 5 m on both sides.	Affected by LA and HD
5	Tao'erhe Road	Total length 2,657m, width 30m; the designed width is 30m, including landscape width of 3m on both sides.	Affected by LA and HD
6	Xiangyang Street	Total length 4,505m, width 55 m; the designed width is 55 m, including landscape width of 5 m on both sides.	Affected by LA and HD

7	Shengli Road	Total length 2,068m, width 45m; the designed width is 45m, including landscape width of 2.5m on both sides.	Affected by LA and HD
8	Nanyi Street	Total length 1,024m, width 30m.; the designed width is 30m, including landscape width of 2.5m on both sides.	Affected by LA and HD
9	Xinggong Road	Total length 2,979 m, width 20 m; the designed width is 20 m.	Affected by LA and HD
Component 2			
10	Garbage Integrated Treatment Center	Total 28.50 mu land to be acquired.	Affected by LA only
11	9 Garbage Collection Stations	Total 10.20 mu land to be acquired.	Affected by LA only
12	Sewage Pump Station	Total 2.34 mu land to be acquired.	Affected by LA only
13	Two Stormwater Pump Stations	Total 7.38 mu land to be acquired.	Affected by LA only

## 1.2 Preparation of Resettlement Plan

4. This RP is prepared in accordance with the relevant laws and regulations of the PRC, the relevant policies of Jilin Province and Baicheng City, as well as requirements of ADB's Safeguard Policy Statement (June 2009) for involuntary resettlement. The impact scope of the LAR is identified based on the project detail design and detail measure survey (DMS). The RP aims to ensure that all APs can be compensated by the Project and their life should be improved or at least shall be restored to present conditions.

5. The relevant data and information in the RP are mainly from: (1) documents provided by the Baicheng ADB Project Management Office (BPMO), such as project feasibility study report, physical survey information of LA, HD resettlement impact; (2) documents such as policies, work reports, statistical reports, etc. provided by the relevant governmental departments; (3) others such as basic information and statistical statements of subdistricts, communities and villages provided by project-affected subdistricts and villages; (4) those obtained by a resettlement plan preparation group during community consultation and resettlement willingness survey, seminars, discussions, interview with APs and survey questionnaire, etc.

6. This RP finalized will be approved by ADB before the project construction contracts are awarded.

## 1.3 Measures to Reduce the Negative Impact of the Project

7. In the project planning and design stage, in order to reduce the impact of the Project, Baicheng Economic Development Zone ADB-Financed Infrastructure Construction Project Leading Group Office (EDZPMO), the implementing agency of the Project, and the design institute (DI) have taken the following effective measures as Table 1-2. The final options of other roads are decided by minimizing LAR as the first condition so no changes in the impact

scope. The principle to decide garbage collection stations is the urban area of Baicheng where house demolition is not involved. The garbage treatment center also will not involve house demolition.

**Table 1-2: Process and Measures of Reducing Resettlement Impacts**

Sub-component	Option 1		Option 2		Preferred option and effect of resettlement impact mitigation	
	Design	Resettlement impact	Design	Resettlement impact	Preferred option	Resettlement impact Mitigation effect
Shengli Road	Connected with Chunyang Road	A total of 62 households to be demolished, with a total area of 3,451.5m <sup>2</sup>	Move the western part 20m to the north	9 households to be demolished, with a total area of 1,607.23m <sup>2</sup>	Option 2	Reducing demolition of 43 households, 1,844.27m <sup>2</sup>

## 2. Project Impacts

### 2.1 Scope of Impacts

8. LA and resettlement of the Project will involve one sub-district office and seven villages. The Project will acquire a total of 1,514,000m<sup>2</sup> (or 2,271mu<sup>6</sup>) of land permanently, including 527,720m<sup>2</sup> (791.6 mu) of state-owned land and 986,280m<sup>2</sup> (1,479 mu) of collective land. There are a total of 691,230m<sup>2</sup> (1,037 mu) cultivated land among the affected land, including 188170m<sup>2</sup> (282mu) state-owned cultivated land and 503,060m<sup>2</sup> (755 mu) of collective cultivated land. The Project will not occupy temporary land. A total of 1,129 people from 395 households will be affected by the land acquisition (LA) directly.

9. A total of 53,093 m<sup>2</sup> of houses will be demolished, including 8,695 m<sup>2</sup> in brick-concrete structure (16.38%), 36,454m<sup>2</sup> in brick-timber structure (68.66%), 3,452 m<sup>2</sup> in earth-timber structure (6.50%), 2,467m<sup>2</sup> of attached houses<sup>7</sup> (4.65%) and 2,025 m<sup>2</sup> in simple structure<sup>8</sup> (3.81%). A total of 757 people from 304 urban and rural households will be affected by the house demolition, among which 118 people from 38 households will also be affected by LA.

10. Therefore, the Project will affect a total of 1,768 people from 661 households. The Project also involves LA and resettlement of 9 enterprises or units those are located on the state-owned land mentioned above, and 309 urban and rural employees will be affected. The enterprise lands are included in 791.60 mu state-own land. In addition, the Project will affect some ground attachments and infrastructure, such as trees, pens, walls and so on. The LA and resettlement will involve one sub-district office and seven villages. Please refer to Table 2-1 for details.

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<sup>6</sup> 1 mu = 666.67 m<sup>2</sup>

<sup>7</sup> It means houses attached to main houses for storage or cooking, but not for living.

<sup>8</sup> Such houses may be built with any materials. Simple structure houses referred to in this Project include houses with asbestos and color steel tile roof, barns and toilets.

**Table 2-1: Summary of Permanently Affected Areas**

Name	Village / subdistrict	Acquired arable land (mu)	Acquired park land (mu)	Acquired woodland (mu)	Acquired homestead land (mu)	Acquired construction land (mu)	Acquired natural reserve land (mu)	HD area (m <sup>2</sup> )	No. of AHs	No. of APs	No. of affected enterprises	No. of affected employees
West Xinhua Road	Erlong Village, Baoping Village	108.33	61.37	0	87.75	0	0	3,310.77	100	274	0	0
Chunyang Road	Chaoyang Village	0	3.30	0	1.98	0	0	2,185.54	14	32	0	0
North Xingfu Street	Changqing Village	34.25	0	0	51.00	16.10	0	2,257.67	23	64	2	0
3rd-Ring Road	Erlong Village, Xiangyang Village, Chaoyang Village, Baosheng Village, Baoping Village, Changqing Village, Dongxing Village and Baoping Subdistrict	568.70	36.93	6.89	258.14	482.82	5.07	33,167.12	331	873	3	309
Tao'erhe Road	Xiangyang Village, Baosheng Village	69.30		6.51	107.22		0	1,911.84	38	104	1	0
Xiangyang Street	Baoping Subdistrict	91.53	0	0	0	5.34	0	4,004.13	35	100	2	0
Shengli Road	Chaoyang Village, Baoping Village	110.37	58.62	0	38.33	0	0	1,785.11	97	265	0	0

Nanyi Street	Xiangyang Village	21.10	0.69	0	6.12	0	0	2,003.91	18	40	0	0
Xinggong Road	Baosheng Village	4.80	0	0	0	0	0	0	5	16	0	0
Household waste integrated treatment project	Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd.	28.50	0	0	0	0	0	0	0	0	1	0
Total		1,036.85	160.91	13.40	550.53	504.26	5.07	50,626.09	661	1,768	9	309

11. Based on the physical survey and analysis, the project impacts are mainly divided into the following categories: (1) land acquisition; (2) residential house demolition; (3) attachment demolition; (4) LA and HD of enterprises and institutions; (5) affected population; and (6) affected employees of the enterprise and institution.

12. The Project will acquire a total of land of 2,271 mu permanently, including 2,242.5 mu for road network construction in which the land for sewage and stormwater pump stations and 9 garbage collection stations is included, and 28.5 mu for construction of a garbage integrated treatment center. The land includes 912.98 mu of dry land, 76.22 mu of irrigated land, 47.55 mu of paddy land, 160.91mu of parkland, 13.4 mu of woodland, 550.53 mu of homestead land, 504.26mu of construction land, and 5.07mu of natural reserve land. Please refer to Table 2-2 for details.

**Table 2-2: Summary of Permanent LA Impacts (Unit: mu)**

Administrative Area	Total Area	Collective land									State-owned land								
		Subtotal	Arable land			Parkland	Woodland	Other agricultural land	Homestead land	Nature reserves	Subtotal	Arable land			Parkland	Woodland	Other agricultural land	Construction land	Nature reserves
			Paddy field	Irrigated field	Dry field							Paddy field	Irrigated field	Dry field					
Xiangyang Village	272.31	268.34	47.66	0	116.73	5.31	5.64	0	93		3.98	0	0	0	0	0	0	3.98	0
Baosheng Village	169.98	156.42	0	6.72	63.06	2.34	7.76	0	76.55		13.56	0	0	0	0	0	0	8.49	5.07
Dongxing Village	96.62	96.62	0	2.55	51.84	16.04	0	0	26.19		0	0	0	0	0	0	0	0	0
Baoping Village	488.25	482.19	0	66.95	93.11	128.97	0	0	193.17		6.06	0	0	0	0	0	0	6.06	0
Chaoyang Village	222.59	220.79	0	0	177.27	3.30	0	0	40.22		1.80	0	0	0	0	0	0	1.8	0
Erlong Village	109.56	109.56	0	0	49.43	4.95	0	0	55.19		0	0	0	0	0	0	0	0	0
Changqing Village	145.52	145.52	0	0	79.29	0	0	0	66.23		0	0	0	0	0	0	0	0	0
Urban area	766.19	0	0	0	0	0	0	0	0		766.19	0	0	282.26	0	0	0	483.93	0
Total	2271	1479.42	47.66	76.22	630.72	160.91	13.40	0	550.53		791.58	0	0	282.26	0	0	0	504.26	5.07



13. The AHs' loss of arable land was evaluated as presented in Table 2-3. AHs' rate of arable land loss is mainly in range of 20 to 50%: (1) 99 households (25.06% of all AHs) suffer loss of arable land below 10%; (2) 111 households (28.11%) suffer the loss of 10-20%; (3) 132 households (33.42%) suffer the loss of 20-50%; (4) 53 households (13.41%) suffer the loss over 50%.

**Table 2-3: Impacts of Permanent LA on AHs**

Village	Loss of arable land								Total HH
	0~10%		10~20%		20~50%		>50%		
	HH	(%)	HH	(%)	HH	(%)	HH	(%)	
Xiangyang Village	39	60	17	26.15	8	12.31	1	1.54	<b>65</b>
Baosheng Village	6	27.27	5	22.73	10	45.45	1	4.55	<b>22</b>
Dongxing Village	7	10.77	37	56.92	20	30.77	1	1.54	<b>65</b>
Baoping Village	19	20.88	19	20.88	32	35.16	21	23.08	<b>91</b>
Chaoyang Village	18	21.69	24	28.91	37	44.58	4	4.82	<b>83</b>
Erlong Village	5	19.23	7	26.92	8	30.77	6	23.08	<b>26</b>
Changqing Village	4	12.90	1	3.23	12	38.71	14	45.16	<b>31</b>
Baoping Subdistrict Office	1	8.33	1	8.33	5	41.67	5	41.67	<b>12</b>
<b>Total</b>	<b>99</b>	<b>25.06</b>	<b>111</b>	<b>28.11</b>	<b>132</b>	<b>33.42</b>	<b>53</b>	<b>13.41</b>	<b>395</b>

Source: Feasibility study and survey of sampled villages

14. Among the affected 7 villages and 1 subdistrict, the average farmland loss rate per household is 20.43%. Changqing Village has the highest farmland loss of 45.39%, and then Baoping Subdistrict Office is 41.66%, and then Baoping Village is 30.78%. The land loss rates of other 5 villages are lower than 25%.

15. This Project involves the demolition of residential houses of totally 53,093.12m<sup>2</sup>, including main houses of 47,825.73 m<sup>2</sup> and untitled houses<sup>9</sup> (barn, toilets, storehouse, bikeshed) of 2,567.39 m<sup>2</sup>. The compensation cash will go to agricultural production. House area in different structures is showed in Table 2-4. The HD will affect 757 people from 304 households, including demolition of urban houses of 12,845.85 m<sup>2</sup> of 197 APs from 77 AHs.

**Table 2-4: Summary of Residential House Demolition Impacts**

Street / road	AHs		Main House Structure				Untitled Houses		
	Subtotal (HH)		Area Subtotal (m <sup>2</sup> )	Brick concrete structure (m <sup>2</sup> )	Brick timber structure (m <sup>2</sup> )	Earth timber structure (m <sup>2</sup> )	Area Subtotal (m <sup>2</sup> )	Attached House (m <sup>2</sup> )	Simple structure (m <sup>2</sup> )
	Ru ral	Ur ba n							
West Xinhua Road	37	0	3,129.49	224.63	2,297.08	607.78	181.28	181.28	0
Chunyang Road	15	0	2,571.35	457.60	1,840.07	273.68	222.19	102.59	119.60
North Xingfu Street	13	0	1,706.13	128.00	1,218.88	359.25	284.44	129.15	155.29
3rd-Ring Road	97	77	30,866.8	4,347.26	25,769.88	749.66	2,300.32	1,328.65	971.67
Tao'erhe Road	11	0	2,080.76	1,220.2	677.00	183.56	258.11	74.64	183.47

<sup>9</sup> Untitled houses refer to houses with a land use certificate but without a housing title certificate.

Xiangyang Street	24	0	3,692.27	866.21	2,045.37	780.69	278.30	175.12	103.18
Shengli Road	16	0	1,516.27	517.01	672.22	327.04	576.84	426.35	150.49
Nanyi Street	14	0	2,262.66	158.68	1,933.40	170.58	49.25	49.25	0
Xinggong Road	0	0	0	0	0	0	0	0	0
Total	22 7	77	47,825.73	7,919.59	36,453.90	3,452.24	4,150.73	2,467.03	1,683.7 0

Table 2-5: Demolition of State-owned Enterprises' Building

Street / road	Name of public institution	AHs		Building Structure		
		Subtotal (HH)	Area Subtotal (m <sup>2</sup> )	Brick concrete structure (m <sup>2</sup> )	Simple structure (m <sup>2</sup> )	
						Subtotal of AHs
Xingfu North Street	Baicheng Housing Construction Company	1	775.10	775.10	0	
Xiangyang Street	Baicheng Weather Bureau	1	341.56	0	341.56	
Total	2	2	1,116.66	775.10	341.56	

## 2.4 Affected Population

### 2.4.1 Overview of affected population

16. The LA and HD will involve 7 villages and 1 subdistrict in Baicheng Economic Development Zone, and directly affect 1,768 people from 661 households. Among them, 1,011 people from 357 households are affected by LA only; 639 people from 266 households are affected by HD only; and 118 people from 38 households are affected by both LA and HD. Please refer to Table 2-5 for details.

Table 2-5: Summary of Affected People

Sub-component	Permanently affected							
	Affected by LA only		Affected by HD only		Affected by both LA and HD		Subtotal of permanently affected population	
	AHs	APs	AHs	APs	AHs	APs	AHs	APs
West Xinhua Road	63	167	31	86	6	21	100	274
Chunyang Road	0	0	14	32	0	0	14	32
North Xingfu Street	10	33	5	8	8	23	23	64
3rd-Ring Road	157	436	157	383	17	54	331	873
Tao'erhe Road	27	75	6	13	5	16	38	104
Xiangyang Street	11	28	23	69	1	3	35	100
Shengli Road	81	246	15	18	1	1	97	265
Nanyi Street	3	10	15	30	0	0	18	40
Xinggong Road	5	16	0	0	0	0	5	16
Total	357	1,011	266	639	38	118	661	1,768

## 2.4.2 Affected vulnerable groups

17. Among the APs, there are 146 vulnerable households and 182 people, accounting for 10.29% of total APs as presented in Table 2-6. They are households enjoying minimum living guarantee (including disabled people and some female household heads), and disabled people, female household heads and household enjoying the five guarantees. There is no ethnic minorities among vulnerable groups.

(1) Households enjoying the five guarantees refer to the beneficiaries of "Regulations for Rural Five-Guarantee Work", mainly including the elderly, the disabled and minors meeting the following conditions among villagers: (a) having no statutory maintainer, supporter or fosterer, or their statutory supporter or fosterer has no maintaining, supporting or fostering abilities; (b) unable to work; and (c) having no source of income. Statutory supporter refers to a person who bears the obligations of supporting, fostering or maintenance according to the Marriage Law. The State gives care and material assistance to households enjoying the five guarantees in the aspects of food, clothing, shelter, medical care and burial.

(2) Households enjoying minimum living guarantee refer to residents /villagers with a monthly household income per capita lower than the subsistence allowance standard of Baicheng (current standard: urban household with a monthly household income per capita of lower than RMB130 and rural household with a monthly household income per capita of lower than 15kg commodity grain and RMB22 cash income) and enjoying subsistence allowance from the Government.

(3) According to the provisions of the Law of the People's Republic of China on the Protection of Disabled Persons, a disabled person refers to one who suffers from abnormalities or loss of a certain organ or function, psychologically or physiologically, or in anatomical structure and has lost wholly or in part the ability to perform an activity in the way considered normal.

(4) A female-headed household refers to a household with a widowed, divorced or abandoned woman as the only labor force.

**Table 2-6: Summary of Affected Vulnerable Groups**

Street/road`	Minimum living guarantee households		Disabled persons		Female household heads		Five-guarantee households		Total	
	AHs	APs	AHs	APs	AHs	APs	AHs	APs	AHs	APs
West Xinhua Road	23	31	1	1	5	5	0	0	29	37
Chunyang Road	1	1	0	0	0	0	0	0	1	1
North Xingfu Street	4	5	0	0	0	0	0	0	4	5
3rd-Ring Road	57	75	8	8	11	11	1	1	77	95
Tao'erhe Road	2	2	0	0	1	1	0	0	3	3
Xiangyang Street	0	0	1	1	1	1	0	0	2	2
Shengli Road	22	29	3	3	4	4	0	0	29	36
Nanyi Street	1	3	0	0	0	0	0	0	1	3
Xinggong Road	0	0	0	0	0	0	0	0	0	0
Total	110	146	13	13	22	22	1	1	146	182

### 2.4.3 Affected ethnic minorities

18. Local ethnic minority groups mainly include Manchu and Mongolian people. They have been living with Han people for long time and have formed the same social and cultural characteristics, with no economic difference.

19. Among the APs, 43 people are ethnic minority, who are not vulnerable group, respectively Manchu and Mongolian people, accounting for 2.43% of the total APs. Most of them are ethnic minority residents related with Han people by marriage. Please refer to Table 2-7.

**Table 2-7: Summary of Directly Affected Ethnic Minority Population**

Sub-component	Affected by LA only (person)	Affected by HD only (person)	Affected by both LA and HD (person)	Total (person)	Ratio to total APs (%)
West Xinhua Road	0	3	0	3	1.09
Chunyang Road	0	1	0	1	3.13
North Xingfu Street	6	0	0	6	9.38
3rd-Ring Road	3	19	4	26	2.98
Tao'erhe Road	3	0	0	3	2.88
Xiangyang Street	1	2	0	3	3.00
Shengli Road	0	0	0	0	0
Nanyi Street	1	0	0	1	2.50
Xinggong Road	0	0	0	0	0
Total	14	25	4	43	2.43

### 2.5 Affected shops, enterprises and institutions

20. This Project involves partial impacts due to LA and HD of three state-owned enterprises and four institutions; also, two small businesses will be wholly demolished, as presented in Table 2-8.

21. Taobei District Fruit Farm is a state-owned enterprise and has a land area of 4,950 mu and 320 employees. The Project will acquire 159.90 mu farmland, accounting for 3.23%. The farmland has been averagely divided among the employees. 30 employees will retire by December 2014 and their returned land will be averagely divided among the remaining employees. No affected employees will loss jobs due to the project. They earn salary in RMB2,200 to 3,000 per month with health insurance and social security insurance during working in the farm. Retired employees will receive pension of more than RMB2,000 monthly from the social security bureau. After 30 employees retire by the end 2014, the per capita farmland area of the remaining employees will grow from 15.47mu to 17.07mu and their income will also increase accordingly. The compensation will be paid to the farm because the land will be re-distributed to the remaining employees.

22. Baicheng Housing Construction Company is a state-owned enterprise, and has a land area of 46.47mu, a building construction area of 3,100m<sup>2</sup> and 8 employees. The affected land area is 7.59mu, accounting for 16.33%; affected construction area is 775.1m<sup>2</sup>, accounting for 25%. Baicheng Housing Construction Company stopped production in 2000. The 8 employees are remained to manage the existing assest, and they are paid by rental income from farmland building so that no affect for them. The affected land area only account 16.33%

for whole land area of the company. After this project, the rest land will face the street, which is an advantage can be used to development so that the employees's income will be increased. The compensation will be paid to Baicheng Housing Construction Company. The 8 employees will continue their management of the existing assets and not loss their work.

23. Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. is a state-owned enterprise, mainly engaged in municipal construction, such as shantytowns renovation. It has a land area of 1969.22mu and 90 employees. The garbage integrated treatment center will be located on the land of 28.50mu of open spaces of the company, accounting for 1.45%. The land is state-owned agricultural land and the operation funds of the company is from financial allocation of government, so no employees will be affected. The compensation will be paid to the company for follow-up operation.

24. Baicheng No. 1 Middle School is a public institution, and has a land area of 330mu and 334 employees. The Project will acquire 12.45mu, accounting for 3.77%. The land is state-owned agricultural land, no buildings and no employees will be affected by the LA. The compensation will be paid to the school.

25. Baicheng Technician College is an institution, and has a land area of 32.58mu and 85 employees. The Project will acquire 8.49mu, accounting for 26.06%. The land is state-owned construction land, no buildings and no employees will be affected by the LA.

26. Baicheng Academy of Agricultural Sciences is an institution, and has a land area of 1500mu and 199 employees. The Project will acquire 84.41mu, accounting for 5.43%. The land is state-owned agricultural land; no building and employees will be affected. The compensation will be paid to the institution.

27. Baicheng Meteorological Bureau is an institution, and has a land area of 21mu and a building construction area of 2,000m<sup>2</sup> and totally 56 employees. The bike shed to be demolished is in simple structure and had been scraped with an area of 5.34mu, accounting for 17.08%. The land to be requisitioned is 3,560m<sup>2</sup>, accounting for 25.43%. It is state-owned construction land; no employees will be affected. The compensation will be paid to the bureau.

28. Taobei District Wood and Fruit Production Distribution Department is a private shop, with a house construction area of 66m<sup>2</sup>, which will be wholly demolished. This building is constructed on collective land. The house is for both residential and commercial purpose and it is operated by two (2) people of the family, so two (2) people will be affected. After the house is demolished, the house owner may choose monetary compensation or resettlement houses, or property swap-based compensation according to the compensation policies.

29. Taobei District Baoku Grocery Store is a private shop, with a house construction area of 110m<sup>2</sup>, which will be wholly demolished. The house is for both residential and commercial purpose and it is operated by two (2) people of the family, so two people will be affected. After the house is demolished, the house owner may choose monetary compensation or property swap-based compensation according to the compensation policies.

**Table 2-8: Summary of Directly Affected Employees of Enterprises/Shops**

Sub-component	Affected institutions/shops	LA area (mu)	Land nature	HD area (m <sup>2</sup> )	Original number of employees (person)	Affected employees (person)	Number of women in the APs (person)
North Xingfu Street	Baicheng Urban Housing Construction	7.59	State-owned construction land	775.10	8	0	0

	Company						
North Xingfu Street	Baicheng Technician College	8.51	State-owned construction land	0	85	0	0
3rd-Ring Road	Taobei District Wood and Fruit Production Distribution Department	0	Collective	246	2	2	1
3rd-Ring Road	Taobei District Baoku Grocery Store	0	Collective	110	2	2	1
3rd-Ring Road	Taobei Fruit Farm	159.90	State-owned agricultural land	0	320	305	114
Tao'erhe Road	Baicheng No. 1 Middle School	12.45	State-owned agricultural land	0	334	0	0
Xiangyang Street	Baicheng Academy of Agricultural Sciences	81.41	State-owned agricultural land	0	199	0	0
Xiangyang Street	Baicheng Meteorological Bureau	5.34	State-owned construction land	341.56	56	0	0
Household waste integrated treatment project	Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd.	28.50	State-owned agricultural land	0	96	0	0
Total	9	303.69		1,472.66	1,099	309	116

## 2.6 Demolition of attachments

30. Some attachments will be demolished, including trees (fruit trees, pine trees and poplar trees), motor-operated well, greenhouse, walls, simple structures (barn, toilets and storehouses) as presented in Table 2-9 for details.

**Table 2-9: Attachments Affected by the Project**

Street/road	Sapling (pcs)	Trees (pcs)			Motor-operated well	Greenhouse (mu)		Wall (m <sup>2</sup> )	Simple structures (m <sup>2</sup> )		
		Fruit trees	Pine trees	Poplar trees		Warm greenhouse	Cold canopy		Storehouse/Bike shed	Toilet	Barn
West Xinhua Road	106	132	148	163	3	0.12	0.12	87	0	0	0
Chunyang Road	192	59	94	284	4	0.11	0.10	47	39.86	42	37.74
North Xingfu Street	160	78	86	169	2	0.00	0.00	83	43	62.07	50.22
3rd-Ring Road	240	286	421	347	157	0.16	0.23	99	45	30.24	896.43
Tao'erhe Road	267	46	165	108	6	0.15	0.11	46	79.36	40.26	63.85
Xiangyang Street	359	30	43	66	8	0.00	0.21	59	341.56	61.47	41.71
Shengli Road	496	25	20	163	5	0.25	0.00	25	62.06	43.17	45.26
Nanyi Street	582	20	82	273	6	0.12	0.00	50	0	0	0
Xinggong Road	0	0	0	0	0	0.00	0.00	0	0	0	0
Subtotal	2,402	676	1,059	1573	191	0.91	0.76	496	610.84	279.21	1,135.21
Total	2,402	3,308			191	1,117.01		496	16.76		

### 3. Socioeconomic Profile

#### 3.1 Survey on LA and HD Impacts

31. From April to November 2012, Baicheng Survey Group conducted a survey on the scope affected by the LA and HD according to the project design, carried out a socio-economic survey on the villages and subdistricts, visited the relevant government departments and discussed the resettlement compensation policies. The group also held discussions and interviews with villager representatives and cadres of some villages and discussed possible resettlement plans, etc. 184 households were sampled for the survey, accounting for 27.84% of all AHs.

32. From May to June 2013, a supplementary survey was conducted on APs' willingness of resettlement and seven (7) community discussion meetings were held. 280 households were sampled for the survey, accounting for 42.36% of all AHs.

33. Mode of survey:

33.1 The overall survey and nonoverall survey are included. Overall survey means general survey. Nonoverall survey include key-point investigation, typical investigation and sampling survey. The resettlement socioeconomic survey will be waste of time and energy if take overall survey in all aspects because this survey is a complex procedure and involved many sides. Thus the resettlement survey take integration of point and sphere as principle that comprehensively in the way of overall and nonoverall survey to operate in project. For instance, when survey the affected people we take action of investigation by house-to-house of overall survey to ensure the living level and physical indicators. As a part of efforts to deeply learn the different categories ideas of affected persons(such as vulnerable groups) for the project ,on the base of overall survey ,socioeconomic survey also take classification survey according to different ages and levels. Another have discussion with group of sampling representatives. At the same time the survey teams collect statistical material and pay visits to the cadres and the masses to verify all aspects of geography, history, traditional economy and culture and religions in affected areas.

33.2 The pathway of survey as following: 1. To collect material and master major data and general situation in Statistical Bureau, Development and Reform Commission, Agriculture Office and Planning Bureau. 2. To collect and complement in other departments in city. If there is no information in city , we will get in district. 3. To village, subdistrict to confirm the material. Normally contact with municipal government first, then government mobilize departments and districts to act in close coordination. We must notice methods and strategies. The task of survey can be accomplished in quality and time with working closely together with levels of cadres in city, district, village.

33.3 Method of survey:

Interview survey: Investigator obtain material through goal-directed talking with affected people face to face or fill the questionnaire.

Investigator send the questionnaire to affected people to fill. During filling ,the investigator give guidance to affected persons.

This method of talking face-to-face is for single respondent which can get targeted material. The project take this method.

The survey investigated 7 villages including Xiangyang village, Baoping village, Chaoyang village, Erlong vellage, Baosheng village and Changqing village and Baoping subdistrict. The sample is 184 persons, among of which the households with covering houses are 76 persons,households with covering lands are 80 persons, households with covering houses and lands are 28 persons. Male is 116 persons and Female is 68 persons. For selection of respondents ,we opted for 20% villagers to interview by random choice method on list of covering houses and lands . We took all into consideration to gender sensitivity so that we



deeply interviewed rural female consciously.

### 3.2 Socioeconomic Profile of the Affected Area

#### 3.2.1 Socioeconomic profile of Baicheng

34. Baicheng is located in the northwest of Jilin Province and at the junction of Jilin, Heilongjiang and Inner Mongolia. In 2011, the total area of Baicheng was 26,000 square kilometers, with a population of 2.032 million, including people of 29 nationalities, such as Han, Mongolian, Manchu, Korean, Hui, etc.

35. Baicheng has an economic characteristic and is a state-level large commodity grain base. Currently, Baicheng has become an important production area of rice, tobacco, beef cattle, reeds, cotton, fish, oil-bearing crops, sugar-bearing crops, grains and beans and other agricultural products. Its industry is dominated by textile and garment, auto parts, machinery, building materials, food, pharmaceuticals, and paper making and printing industry. Please refer to Table 3-1 for socioeconomic profile of Baicheng in 2011.

**Table 3-1: Socioeconomic Profile of Baicheng in 2011**

No.	Item	Unit	Baicheng
1	Land area	km <sup>2</sup>	26,000
1.1	Arable land area	mu	2113950
2	Population	10,000 people	203.20
2.1	Agricultural population	10,000 people	121.74
2.2	Non-agricultural population	10,000 people	80.80
2.3	Ethnic Minority	10,000 people	13.86
3	GDP	RMB100 million	556.10
3.1	Primary industry	RMB100 million	100.80
3.2	Secondary industry	RMB100 million	270.30
3.3	Tertiary industry	RMB100 million	183.30
3.4	GDP per capita	Yuan / person	27,366
4	Per capita disposable income of urban residents	Yuan / person	17814
5	Per capita net income of rural residents	Yuan / person	5,500

Data source: Statistics Bulletin of the Economic and Social Development of Baicheng 2011 and Baicheng Statistical Yearbook 2012

#### 3.2.2 Socio-economic profile of the affected zone

36. Baicheng Economic Development Zone is the first provincial-level development zone of Baicheng. In the second entrepreneurship economic zoning adjustment of development zones of Baicheng in 2010, the development zone was expanded from the original 4 km<sup>2</sup> to 171 km<sup>2</sup>, covering 3 subdistrict offices, 14 administrative villages, 9 communities, with a population of nearly 70,000. In 2011, the development zone's GDP reached RMB2.4 billion. Please refer to Table 3-2 for the socio-economic profile of Baicheng Economic Development Zone.

**Table 3-2: Socio-economic Profile of the Affected Zone**

	Number of HHs (HH)	Population (person)*	wherein, agricultural population (person)	Labor force (person)	Arable land (mu)	Average population of household (person)	Arable land per capita (mu/ person)	Total income of the urban residents (RMB10,000)	Per capita net income of farmers (Yuan / person)
Baicheng Economic Development Zone	23,478	66,468	26,839	39,880	96,010.80	2.83	3.58	27,883	8,000

Data source: Statistical Statement 2011 provided by Baicheng Economic Development Zone and village group survey questionnaire.  
\*The total population includes both rural and urban residents.

### 3.2.3 Socio-economic profile of the affected villages

37. The LA and HD of this Project involve seven villages and one subdistrict in Baicheng Economic Development Zone. According to the survey, the total affected population is 1,768 from 661 households, 2.67 person per household. The actual data is accordance with the number of actual population which is not the number of population on HuKou . While the table 3-3 is the data from Development Zone according to the number of population on Hukou. Some persons are listed on Hukou but they do not live in the place of HuKou. In these villages, farmers' per capita net income is from RMB6,500-9,200. Dongxing Village has the highest per capita net income, RMB9,200, and Changqing Village the lowest, RMB6,500. The total area of arable land of seven (7) villages is 44894.70 mu, 3.12 mu per capita. Changqing Village and Baoping Village have a smaller area of arable land per capita mainly because they are located in the urban fringe. The agricultural income is calculated according to the whole village but the agricultural income level of actual affected persons are not high. Please refer to Table 3-3 for socio-economic profile of the affected villages.

**Table 3-3: Socio-economic Profile of the Affected Villages**

Village	Number of households (household)	Population (person)	Labor force (person)	Arable land area (mu)	Population per household (person)	Arable land per capita (mu / person)	Per capita net income of farmers (RMB/person)	Ratio of agricultural income (%)
Xiangyang Village	574	2,060	1,400	10,293	3.59	5.00	8,500	41.70
Baosheng Village	608	1,996	1,198	10,856.25	3.28	5.44	8,800	34.25
Dongxing Village	520	2,015	806	4,558.28	3.88	2.26	9,200	48.48
Baoping Village	870	2,850	1,995	4,104.68	3.28	1.44	8,500	35.72
Chaoyang Village	326	1,470	735	4,313.25	4.51	2.93	7,500	45.71
Erlong Village	648	2,017	806	5,622.75	3.11	2.79	7,500	65.76
Changqing Village	800	1,979	1,200	1,275	2.47	0.64	6,500	33.33
Total	4,346	14,387	8,140	44,894.70	3.31	3.12	8,100	43.56

Source: Statistical Statement 2011 provided by Baicheng Economic Development Zone and village discussion list

## 3.3 Socio-economic Characteristics of the Affected Population

### 3.3.1 Basic economic situation of the affected population

38. In April to November 2012, Baicheng Resettlement Survey Group carried out a preliminary survey on the socio-economic profile of the 1,129 affected villagers from 395 households. According to the survey, 185 households are affected obviously by LA, the agricultural income per capita of the APs accounts for 48.39% of the total income per capita. Some villagers are engaged in non-farm work or have sideline income. Please refer to Table 3-4 for the characteristics of the

surveyed people affected by the LA.

**Table 3-4: Statistical Characteristics of the LA-affected Population**

Item Age	Male		Female		Total	
	Number	%	Number	%	Number	%
≤ 6 years old	19	3.24	15	2.77	34	3.02
6-16 years old	40	6.81	23	4.25	63	5.58
16-60 years old	430	73.12	405	74.86	835	73.96
≥ 60 years old	99	16.83	98	18.12	197	17.45
Subtotal	588	100	541	100	1,129	100
<b>Educational level</b>						
Primary school or below	223	37.93	217	40.11	440	38.97
Junior high school	282	47.96	250	46.21	532	47.12
Senior high school and above	83	14.11	74	13.68	157	13.91
Subtotal	588	100	541	100	1129	100
Labor force	321	52.2	294	47.8	615	100

### 3.3.2 Age Distribution

39. Among the 1,129 surveyed people from 395 households, people below 6 years old accounted for 3.02% of the total population; people from 6 to 16 years old accounted for 5.58%; people from 16 to 60 years old for 73.96%; and people above 60 years old for 17.45%. The male accounted for 52.08% and the female for 47.92%. Among the 835 people from 16 to 60 years old, the male accounts for 51.50% and the female accounts for 48.50%.

### 3.3.3 Education Level

40. Among the 1,129 surveyed people, lower than 440 people have primary school educational level or below, accounting for 38.97%; 532 people have junior high school educational level, accounting for 47.12%; 157 people have senior high school educational level or above, accounting for 13.91%. Among the 835 people from 16 to 60 years old, 211 have primary school educational level or below, accounting for 25.27% (male 49.76% and female 50.24%); 475 have junior high school educational level, accounting for 56.89% (male 52.21% and female 47.79%); 149 have senior high school educational level or above, accounting for 17.84% (male 51.68% and female 48.32%).

### 3.3.4 Productive resources

41. Among the 1,129 surveyed people, they have arable land of totally 3,808.50mu, or 3.38mu per capita and 9.65 mu per household; the plants are mainly rice and vegetables.

### 3.3.5 Annual household income and expenditure

42. Among the 677 surveyed people in 184 households, the household income and gross expenditure as presented in Table 3-5.

**Table 3-5: Annual Income and Expenditure of Rural Households Affected by LA**

Item		Annual income per capita (RMB/person)	Ratio (%)
Annual household income	Wage income	1,964.67	15.84
	Business income	4,433.26	35.74
	Farming income	4,129.27	33.29
	Forestry and fruit income	1,316.10	10.61

	Livestock income	557.46	4.49
	Subsistence allowance income	4.50	0.02
	Total	12,405.26	100.00
Annual household expenditure	Agricultural expenditure (pesticides, seeds, fertilizers, etc.)	1,533.33	14.61
	Daily expenditure (food, clothing, etc.)	3,444.02	32.82
	Education expenditure	1,399.70	13.34
	Medical expenditure	1,686.97	16.08
	Traveling expenditure	516.75	4.92
	Communication expenditure	337.61	3.22
	Favor expenditure	1,575.66	15.01
	Total	10,494.03	100.00
Net income		10,871.93	87.64
Savings		1,911.23	15.41

### 3.3.6 Resettlement willingness survey

#### 3.3.6.1 Sample survey on resettlement willingness

43. The survey group carried out a sample survey of 184 households on the resettlement willingness of the households affected by the LA and HD. 94 out of total 395 households affected by the LA were surveyed, accounting for 23.80%; 90 out of total 304 households affected by the HD were surveyed, accounting for 29.61%. Please refer to Table 3-6 for details.

**Table 3-6: Summary of Sampled Household Ratios of Resettlement Willingness Survey**

Village / Community	Households affected by LA			Households affected by HD		
	Total number of HHs	Sampled HHs	Ratio sampled (%)	Total number of HHs	Sampled HHs	Ratio sampled (%)
Xiangyang Village	65	29	44.62	56	20	35.71
Baosheng Village	22	9	40.91	0	0	0
Dongxing Village	65	15	23.78	2	2	100
Baoping Village	91	19	20.88	30	10	33.33
Changqing Village	31	9	29.03	39	13	33.33
Chaoyang Village	83	20	24.10	55	22	40.00
Erlong Village	26	7	26.82	39	18	46.15
Baoping Subdistrict	12	3	25.00	83	17	20.48
Total	395	111	28.03	304	102	25.19

Data source: Statistics of sample survey of resettlement willingness of 184 AHs<sup>10</sup> (also including 29 households affected by both LA and HD) conducted by the resettlement survey group.

<sup>10</sup> The surveyed AHs affected by LA includes the households affected by LA only and the ones affected by both LA and HD.

### 3.3.6.2 Willingness survey of households affected by LA

44. A sample survey was conducted on the willingness with regard to land acquisition of households affected by LA and the results are as follows:

- (1) Level of understanding: Among the households affected by LA, 52.77% households know clearly about the project construction; 25.93% are not clear; and 21.3% know nothing about the project construction. 36.12% of the surveyed households are clear about the LA compensation policies and 63.88% know nothing about the policies.
- (2) Support attitude: 84.26% households are in favor of the project construction, and 85.19% support the LA of the Project. 27.78% think that the project construction is beneficial to the country; 29.63% think that the project construction is beneficial to the collective; 42.59% think that the project construction is beneficial to individuals.
- (3) Compensation allocation and use:
  - 83.34% of the surveyed households hope that the compensation is paid directly to the households affected by the LA;
  - 16.66% of the surveyed households hope that most of the compensation is paid to affected households and a small part to the village;
- (4) Use of the compensation:
  - The surveyed households that hope that most of the compensation will be paid to affected households and a small part to the village hope that 100% of compensation paid to the village will be used for the improvement of village infrastructure and public welfare.
  - Production and life restoration after the LA: 27.93% would like to invest agriculture. According to plant development plan the income will be increased to a great extent.
  - 26.4% of the surveyed households hope to invest in a small business or in processing;
  - 2.53% of the surveyed households hope to buy a vehicle for transport;
  - 20.31% of the surveyed households choose farmland improvement or greenhouse construction;
  - 7.62% of the surveyed households hope to plant (try) high-input and high-production crops;
  - 2.53% of the surveyed households hope to go out to work in a city;
  - 9.65% of the surveyed households hope to receive technical training (mainly on technologies for working in a factory, planting and breeding techniques, construction techniques and catering services);
  - 10.66% of the surveyed households hope to deposit the compensation in a bank or lend it to earn interest;
  - 16.25% of the surveyed households hope to participate in various social endowment insurances (such as new social endowment insurance for rural residents and endowment insurance for landless farmers, etc.)
  - 4.05% of the surveyed households choose other methods to protect the basic livelihood of the future.

45. Please refer to Table 3-7 for results of the public opinion survey of the households affected by LA.

**Table 3-7: Summary of the Public Opinion Survey of Households Affected by LA**

No.	Question	Answer	Ratio of opinions of AHs (%)
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		the collective.										
8	If all or part of the LA compensation is paid to the village, how do you want it to be used?	(1) Deposit the money in the bank and receive dividends of interest; (2) make investment by the collective and receive dividends of profits; (3) improve village infrastructure or for public expenditure (4) provide subsidies for low-income farmers (5) others	\	\	100	\	\	\	\	\	\	100
9	As for the LA, what are you most concerned about or what do you want to know most? Please choose 1-3 items.	(1) fair and reasonable compensation (2) prompt compensation (3) making the compensation rates public (4) proportion of compensation to be paid to households (5) providing job opportunities (6) future livelihood (endowment guarantee) (7) Relocation of graves (8) others	34.80	22.66	12.58	5.04	3.96	20.15	0.36	0.36	\	\
10	If the government provides free training, what training do you want to receive most? (multiple choice)	(1) small business or processing (2) housekeeping (e.g. nannie, housekeeper, etc.) (3) techniques for working in a factory (4) planting techniques (5) farming techniques (6) building technology (7) catering service skills (8) Others	27.84	3.61	7.74	25.26	24.23	3.1	6.19	2.07	\	\

Data source: Statistics of sample survey of resettlement willingness of 184 AHs conducted by the resettlement survey group.

### 3.3.6.3 Willingness survey of households affected by HD

46. The survey on the willingness to resettle of households affected by LA was conducted and the results are as follows:

- (1) Level of understanding: Among the households affected by HD, 48.08% households know clearly about the project construction; 33.66% are not clear; and 18.26% know nothing about the project construction. 48.08% households are clear about the HD compensation policies and 51.92% know nothing about the policies.
- (2) Support attitude: The surveyed households in favor of the project construction and that supporting the HD respectively account for 80.77% and 87.5%.
- (3) 100% of the surveyed households affected by HD thinks that the project construction is beneficial to the country, the collective and individuals.
- (4) Housing: Among the respondents involved in HD, 20.20% choose to buy commercial houses by themselves; 63.47% choose unified resettlement; 3.85% choose to purchase existing houses of others and 7.67% are in favor of monetary compensation; besides, 4.81% would decide their method of resettlement based on the amount of compensation.
- (5) Concerns: 32.59% of the respondents are concerned about quality of the resettlement houses; 17.76% are concerned on which floor their resettlement houses are; the ratios of respondents concerned about location of houses and timeliness of compensation are respectively 15.95% and 15.58%.

47. Please refer to Table 3-8 for results of the public opinion survey of the households affected by HD.

**Table 3-8: Summary of the Public Opinion Survey of Households Affected by HD**

No.	Question	Answer	Ratio of opinions of AHs (%)									Total
			1	2	3	4	5	6	7	8	9	
1	Are you clear that the project is to be constructed?	(1) Yes (2) Not very clear (3) Not at all	48.08	33.66	18.26	\	\	\	\	\	\	100
2	Are you in favor of the project?	(1) Yes (2) No (3) Indifferent	80.77	11.54	7.69	\	\	\	\	\	\	100
3	Who do you think this Project is beneficial to? (Multiple choices allowed)	(1) the Country (2) collective (3) individuals	9.62	4.81	85.57	\	\	\	\	\	\	100
4	Are you clear about the HD compensation policies?	(1) Yes (2) No	48.08	51.92	\	\	\	\	\	\	\	100
5	Are you willing to support the HD and resettlement work?	(1) Yes (2) No	87.5	12.5	\	\	\	\	\	\	\	100
6	What's your choice of resettlement?	(1) Buying a commodity house on your own (2) exchanging for a planned house for resettlement (3) purchasing an existing house of others (4) renting a house for long (5) monetary compensation (having other houses) (6) others	20.20	63.47	3.85	\	7.67	4.81	\	\	\	\
7	If you choose unified	(1) about 50 m <sup>2</sup> (2) 50-70 m <sup>2</sup> (3)	\	24.03	50	16.35	9.62	\	\	\	\	100



	resettlement, you want your house to be:	70-90 m <sup>2</sup> (4) 90-120 m <sup>2</sup> (5) above 120 m <sup>2</sup>											
8	How far do you want your new house to be from the original house?	(1) within 0.5km (2) 0.5-1km (3) 1-2km (4) It doesn't matter (5) other	41.35	17.31	17.31	21.14	2.89	\	\	\	\	\	100
9	As for house resettlement, what are you most concerned? Please choose 1-3 items	(1) Compensation is not paid in a timely manner; (2) the resettlement house is too far from schools and hospitals (3) the floor of the house is too high; (4) the transport is not convenient in the area of resettlement house; (5) unable to buy a house with appropriate area (too large or too small); (6) the unified-construction houses are not suitable for the original production and lifestyle; (7) the construction period of resettlement houses is too long; (8) quality problem of resettlement houses (9) others	15.58	15.95	17.76	10.51	1.45	1.45	4.71	32.59	\	\	

Data source: Statistics of sample survey of resettlement willingness of 184 AHs conducted by the resettlement survey group.

## 4. Legal Frameworks and Policies

48. The resettlement plan are prepared in accordance with relevant laws and regulations of the PRC, and ADB's policy. **Laws, Regulations and Policies Applicable to Resettlement**

49. The laws, regulations and policies related to the LAR of the Project include:

### (1) ADB policies

- SR-2, Safeguard Policy Statement (SPS), June 2009
- Gender and Resettlement Guideline, February 2003

### (2) Laws, regulations and policies of the PRC

- Land Administration Law of the PRC (amended on August 28, 2004)
- Circular on Further Improving Rural Homestead Management System and Effectively Safeguarding Farmers' Interests (March 2, 2011)
- Urgent Circular of the General Office of the Ministry of Land and Resources on Earnestly Improving Land Acquisition and House Demolition Management (GTZDF [2011] No. 72)
- Guidance Opinion of the State Council on Carrying out New Social Endowment Insurance Pilot Work in Rural Areas (GF [2009] No. 32)

### (3) Regulations and policies of Jilin Province

- Land Administration Regulations of Jilin Province (amended on the 20th session of the Standing Committee of 10th People's Congress of Jilin Province on June 2, 2005)
- Decision of Jilin Provincial People's Government on Adoption of the Amendment of "Measures of Jilin Province on the Implementation of Urban Land Use Tax" (JZL [2007] No. 189)
- Circular of Jilin Provincial People's Government on Forwarding "Implementation Measures on the Administration of Non-operating Projects of Administrative Institutions Directly under the Provincial Party Committee" Developed by Provincial Development and Reform Commission and Other Departments (JZBMD [2010] No. 76)
- Basic Farmland Protection Regulations of Jilin Province (amended) (amended on 33rd session of the Standing Committee of 8th People's Congress of Jilin Province on September 26, 1997)
- Urban Housing Demolition Management Regulations of Jilin Province (Bulletin No. 87 of the Standing Committee of 9th People's Congress of Jilin Province on March 28, 2002)

### (4) Regulations and policies of Baicheng

- Circular of Baicheng People's Government on Issuing "Trial Measures of Baicheng on Urban Planning Administration" (BZF [2002] No. 33)
- Temporary Measures for Demolition of and Compensation for Houses on State-Owned Land of Baicheng (BZF [2011] No. 13)
- Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project (BZH [2014] No. 23)
- Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55)
- Circular of Baicheng Municipal Government on Publishing the Annual Output of Arable Land of the Whole City (BZF [2010] No. 15)
- Circular of Baicheng People's Government on Issuing "Measures of Baicheng on the

Implementation of Endowment Insurance for Landless Farmers (Trial)" (BZF [2011] No. 20).

## **4.2 Summary of Relevant ADB's Policies**

### **4.2.1 Involuntary Resettlement**

50. ADB's Safeguard Policy Statement (June 2009) provides systematic guiding policies and operation instructions for the resettlement of its loan projects.

51. The objectives of involuntary resettlement by ADB are:

- (1) If possible, involuntary resettlement should be avoided;
- (2) If resettlement is unavoidable, all feasible options should be explored and the scope of resettlement should be as small as possible;
- (3) Ensure that the displaced persons have the same economic and social conditions before and after the project;
- (4) Improve the living standard of displaced poor and other vulnerable groups.

52. The principles of involuntary resettlement by ADB consist of:

(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.

(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. 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 land, and ensure their participation in consultations. 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. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

(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.

(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 comp cultivated 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.

(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.

(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.

(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 nonland assets

(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.

(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.

(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.

(11) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.

(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.

#### **4.2.2 Gender Development**

53. ADB's gender development policy is a key mainstreaming strategy in the promotion of gender equality. In responding to Aps. It mainly include the following points:

(1) Gender sensitivity: Considering the impact of ADB projects on men and women, we should attach special importance to the needs and expectations of women in the project planning;

(2) Gender analysis: The impact of the Project on men and women should be systematically analyzed to obtain their economic and social links.

(3) Gender planning: Develop special strategies for men and women to enjoy equal opportunities;

(4) Mainstreaming: ADB considers gender in all aspects of the Project and it actively encourages women to participate in decision-making in the development process;

#### **4.3 Key Provisions of PRC Laws, Regulations and Policies**

54. The summary of the relevant laws and regulation of the PRC (Section 4.1 (2)) and policies of Jilin Province (Section 4.1(3)) are respectively in Appendix 3 and Appendix 4.

#### **4.4 Main Differences between ADB Policies and PRC Laws**

##### **Housing resettlement compensation**

- Difference: resettlement compensation. ADB policies require compensation rate on the basis of replacement costs, even for houses constructed before the cut-off date without formal approval procedures. Baicheng Municipal Government provides compensation for buildings without title certificate on the basis of only 50% of the replacement cost.

- Solution: The compensation rate of all ADB-financed projects shall be based on full replacement cost.

#### **Land resettlement compensation**

- Difference: ADB policies require that compensation should be sufficient to offset any income loss, and restore long-term income-generating potential. Chinese standards are based on AAOV or integrated section land price, but it may not be related to income restoration costs.
- Solution: An early-stage solution is to provide replacement land, which is hardly practical in this project area. Cash compensation is the preference of most people, though they cannot ensure the rational use of such compensation. The price will not be adjusted basically according to current policies and Baicheng status. If APs do not agree with this price, we can discuss with them again to increase price properly. Therefore, further technical support is needed to monitor the income of seriously affected households, especially those in vulnerable groups, and local governments should provide assistance to those in need.

#### **Resettlement compensation for vulnerable groups**

- Difference: ADB policies require that special compensation is granted to all vulnerable groups, especially seriously affected households faced with impoverishment. Chinese provisions do not require social analysis, and compensation is based only on the amount of loss.
- Solution: Special funds are available to assist the vulnerable groups, who will be identified during the DMS. All measures have been specified in the RP.

#### **Consultation and disclosure**

- Difference: ADB policies require APs are fully informed and consulted as early as possible. Chinese provisions have improved the transparency of disclosure and compensation. However, APs still play a weak role in project decision-making, and the disclosure period is usually too short.
- Consultation has begun at an early stage (before and during the technical assistance). The PLGO agrees to disclose the RP to APs as required by ADB.

#### **Lack of legal title**

- Difference: ADB policies require all demolished houses, whether lawful or not, should be compensated for at the same rates. According to Chinese laws, people without local registered residence may not be entitled to the same compensation as local people. In addition, prevailing Chinese laws stipulate that no compensation should be provided for the acquisition of illegally owned land and houses.
- Solution: For an ADB financed project, all APs whose houses constructed before the cut-off date with or without formal approval procedures, whether with title or right to use, will be protected and provided with compensation at the same rate.

#### **Resettlement monitoring, evaluation and reporting**

- Difference: ADB requires that internal and external resettlement monitoring be conducted. However, there is no such requirement in Chinese laws, except for reservoir projects.
- Solution: Internal and external resettlement monitoring systems have been established for all ADB financed projects, and this has been included in the RP. The requirements for internal and external monitoring reporting are specified in the RP.

#### **4.5 Cut-off Date of Compensation**

55. The cut-off date for the eligibility for compensation is April 30, 2014, which will be disclosed after the adoption of the feasibility study. Any newly claimed land, newly built house or settlement in the project area by the APs after this date will not be entitled to compensation or subsidization.

Any building constructed or tree planted purely for extra compensation will not be counted in.

#### 4.6 Compensation Standard

##### 4.6.1 Permanent Land Acquisition

###### 4.6.1.1 Compensation rate for land

56. According to Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55), the compensation rates for permanent LA are specified in Table 4-2.

**Table 4-2: Compensation Rates for Permanent Acquisition of Collective and State-Owned Agricultural Land**

No.	Land type	Land compensation rate (RMB/m <sup>2</sup> or mu)	Resettlement compensation rate (RMB/m <sup>2</sup> or mu)	Total (RMB/m <sup>2</sup> or mu)
1	Collective agricultural land	48/32,000	72/48,000	120/80,000
2	State-owned agricultural land and grain ration farmland		72/48,000	72/48,000

Source: Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55)

Note: 1 mu = 666.67 m<sup>2</sup>

###### 4.6.1.2 Compensation rate for young crop

57. According to Land Administration Regulations of Jilin Province, the compensation for young crops is calculated on the basis of the production within one cultivation period. The young crop compensation rates are specified in Table 4-3.

**Table 4-3: Compensation Rates for Young Crops**

Land type	Compensation rate (RMB/m <sup>2</sup> )
Collective / state-owned agricultural land	RMB3,333/mu for leek and RMB2,333/mu for other such as cucumber, eggplant, pepper, rape, cabbage, etc.

##### 4.6.2 Compensation rate for HD

58. Compensation for the HD will be provided on the basis of full replacement cost. The compensation rate will be determined through market assessment and shall not be lower than the benchmark rate of compensation for HD determined for the Project as Table 4-4. Apart from HD compensation, the APs will receive relocation subsidies and transition subsidies, etc. The AHs may choose one of the following two options for resettlement: (1) monetary compensation; (2) property swap-based compensation. According to Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project(BZH[2014] No. 23), AHs will be provided with one resettlement house for one demolished. For untitled houses (attached houses) or temporary buildings, resettlement compensation will be provided on the basis of 100% of full replacement cost. There are no difference between urban and rural structures in the compensation rates.

**Table 4-4: Compensation Rates for HD**

Nature of housing	Compensation category	Unit	RMB	Remark	
Rural / Urban House Demolition	Residential housing	Brick concrete	RMB /m <sup>2</sup>	1,400	The actual rates are determined on the basis of market valuation (depreciation not considered)
		Brick timber	RMB /m <sup>2</sup>	1,200	
		Earth timber	RMB /m <sup>2</sup>	900	
		Attached	RMB /m <sup>2</sup>	470	

		house			
		Simple structure	RMB / m <sup>2</sup>	360	
	Other compensation	Relocation subsidies	RMB / HH	1,000	
		Transition subsidies	RMB /m <sup>2</sup> · month	6	24 months in general
		Heating subsidies	RMB /m <sup>2</sup> · month	2	On the basis of main house area of the houses to be demolished
		Award for moving out prior to date required	RMB /HH	5,000	The award will be provided for households that relocate early within the prescribed resettlement period.

#### 4.6.3 Compensation for attachments and infrastructure

59. According to Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55), the compensation rates for ground attachments and infrastructure are specified in Table 4-5 and Table 4-6.

**Table 4-5: Compensation Rates Fruit Trees and Woods**

Type		Unit	Type of trees	Compensation rate (RMB)
Fruit tree	Fruit trees bearing no fruits (grew 1 to 3 years)	tree	Grape	20
		tree	Anli pear	50
		tree	Other fruit trees	30
	Fruit trees bearing no fruits (grew less than 1 year)	tree	Grape	3
		tree	Anli pear	5
		tree	Other fruit trees	3
	Fruit trees bearing fruits	tree	Grape	100
		tree	Anli pear	500
		tree	Other fruit trees	100
Timber stands	Timber tree	tree	Poplar	350
	Timber tree	tree	Willow	350
	Sapling	tree	Poplar	1.5

**Table 4-6: Compensation Rates for Attachments and Infrastructure**

Item	Unit	Compensation rate
Simple structure (including stone-footed earth wall, brick-walled asbestos house and barn)	RMB /m <sup>2</sup>	360
Brick wall	RMB /m <sup>2</sup>	For walls equal to or higher than 2 meters, compensation of RMB100 is provided for each meter in length; for walls of lower than 2 meters, compensation of RMB50 will be provided for each meter in length.
Hand-operated well	RMB/well	500
Well with a 3-inch submersible pump or below	RMB/well	2,000
Well with a submersible pump of above 3 inches	RMB/well	Compensation of RMB2,000 is provided for every inch added
Plastic greenhouse (cold canopy)	RMB /mu	10853
Plastic greenhouse (warm canopy)	RMB /mu	39580

Data source: Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area.

#### 4.6.4 Rates of other costs

60. Please refer to Table 4-7 for rates of other costs.

**Table 4-7: Summary of Rates of Taxes and Fees Paid for Resettlement**

No.	Item	Rate	Policy basis
1	Land reclamation cost	RMB4,000/mu	Circular on the Issuance of "Measures on the Administration of Levy and Use of Farmland Reclamation Fee and Inactivity Fee for Land Occupation for Non-agricultural Construction" (JTLZ [1998] No. 1)
2	Use fee of newly-added land for construction	RMB 18,666/ mu	Circular of the Ministry of Finance, the Ministry of Land and Resources and the People's Bank of China on Adjusting the Policy of Use Fee of New Construction Land (CZ [2006] No. 48)
3	Farmland occupation cost	RMB 20,000/ mu	Measures of Jilin Province on Farmland Occupation Tax Implementation (Decree No. 202 of Jilin Provincial Government, Feb. 4, 2009)
4	LA management cost	RMB 2,666/ mu	Implementing Rules on Land Acquisition Management Fee of Jilin Province (JSJFSZ [1995] No. 4)
5	Land use management cost	RMB 1,200/ mu	Circular on Publishing Management Charges and Charging Standards of Land System (JSJFSZ [1997] nO. 3)
6	Vegetable land construction fund	RMB 32,000/ mu	Land Administration Regulations of Jilin Province, Article 27
7	Flood control fund	RMB 800/ mu	Measures of Jilin Province on the Levy and Use of Fund for Flood Control Infrastructure Construction (Decree No. 105 of Jilin Provincial Government)
8	Measurement fee	RMB 333/ mu	Circular on Issuing "Surveying Engineering Product Price" and "Rules of Surveying Engineering Product Difficulty Categories" (GCCZ [2002] No. 3)
9	Evaluation fee	RMB 400/ mu	Circular on Forwarding the Circular of the State Planning Commission and China Land Administration Bureau on the Charging of Land Price Evaluation (JSJFSZ [1995] No. 17)

#### 4.8 Entitlement Matrix

61. The entitlement matrix has been established in accordance with the applicable policies in this chapter, as shown in Table 4-8.

**Table 4-8: Entitlement Matrix**

Type of impact	Degree of impact	Eligible persons/entity	Compensation and resettlement policy
Permanent LA	2271mu, including 1036.85mu arable land	(1) 1,129 persons from 395 households in 7 villages and 1 subdistrict in Baicheng, (2) Baicheng Zhongxing Urban Infrastructure Construction	(1) Monetary compensation: For Baoping Village, 1% of the land compensation and resettlement subsidy will go to the village collective, mainly for public welfare (such as infrastructure construction, issuing public welfare and relief of disadvantaged groups, etc.); the rest 99% will go to the households directly affected by LA; for other villages, 100% of the compensation and resettlement subsidy will go to the households directly affected by LA; compensation for ground attachments and young crops (RMB3333.3/mu for leek and RMB2333.3/mu for other crops, such as cucumber, eggplant, pepper, rape and



		Co., Ltd., (3) Baicheng Housing Construction Company, (4) Taobei District Fruit Farm, (5) Baicheng No. 1 Middle School, (6) Baicheng Academy of Agricultural Sciences and (7) Baicheng Meteorological Bureau	cabbage, etc.) will be paid to their owners. RMB32000/mu for collective land, land compensation and resettlement subsidy is RMB48000/mu; for state-owned farmland, it is RMB48000/mu.) (2) Agricultural resettlement, the qualification for people of LA and HD: including land adjustment, planting improvement and breeding upgrading. (3) Job placement the qualification for people of LA and HD: Promote employment of the landless farmers through the labor demand of industries and enterprises in the project area and Baicheng city. (4) Measures of small secured loan: Give support to landless farmers according to the relevant regulations. (5) Measures of skill training: The Project plans to provide skill training opportunities of 720 person time for the affected farmers and households with basic cultural quality. (6) Social security measures: Provide the relevant security measures according to the relevant policies on social endowment insurance for landless farmers and new rural/urban endowment insurance.
HD	A total of 53,093.12m <sup>2</sup> of houses will be demolished, including 8,694.69m <sup>2</sup> in brick concrete structure, 36,453.90m <sup>2</sup> in brick timber structure, 3,452.24m <sup>2</sup> in earth timber structure, 2,467.03m <sup>2</sup> of attached houses and 2,025.26m <sup>2</sup> in simple structure.	(1) 757 persons from 304 households in 7 villages, 1 subdistrict and 1 state-owned enterprise in Baicheng; (2) Baicheng Housing Construction Company, (3) Taobei District Wood and Fruit Production Material Distribution Department, (4) Taobei District Baoku Grocery and (5) Baicheng Meteorological Bureau	(1) Compensation for houses shall be determined on the basis of the value of houses determined through evaluation, but the evaluation results shall not be lower than the following compensation rates: RMB1,400/m <sup>2</sup> for brick concrete structure, RMB1,200/m <sup>2</sup> for brick timber structure, RMB900/m <sup>2</sup> for earth timber structure, RMB470/m <sup>2</sup> for attached houses and RMB360/m <sup>2</sup> for simple structure. (2) Moving subsidies of RMB1,000, transition subsidies of RMB6/m <sup>2</sup> -month and award of RMB5,000 per household for moving out prior to date required, etc. (3) Two options of compensation: (a) monetary compensation and (b) property swap-based compensation. For the registered housing area, property swap is on the basis of 1:1 (one resettlement apartment for one demolished house); for untitled houses (attached houses, civil engineering structure) and simple structures, compensation will be provided on the basis of 100% of full replacement cost.
Women	\	257 females	(1) Provide priority employment opportunities and ensure 100% of affected women receive non-skilled employment opportunities. (2) Provide priority access to free technical training according to resettlement training sessions and persons per training. Provide training for 720 person time, of which women shall not be lower than 360 person time (accounting for 50%). (3) Ensure APs can obtain relevant information in the process of resettlement and participate in the resettlement consultation. During resettlement implementation, hold a special symposium of women to introduce the relevant policies of resettlement to improve their awareness.

Vulnerable groups	Disabled persons, households enjoying minimum living guarantee, household enjoying the five guarantees and female household heads	They are respectively 13 people, 146 people from 110 households, 1 household and 22 people. Totally 146 households and 182 people.	<p>(1) Provide the laborers of vulnerable households with priority access to training and employment opportunities.</p> <p>(2) Provide technical training opportunities for two members of each households, one of which shall be a woman; provide priority access to employment, such as work in project construction.</p> <p>(3) Each affected vulnerable household will receive economic subsidies of RMB2,000.</p>
Specialized projects and ground attachments	Trees, motor-operated well, warm greenhouse, cold canopy, walls, storehouse, toilet, barn and bike shed	Owners	<p>(1) The project unit shall provide the owners with compensation for the affected specialized projects and the owners are responsible for the reconstruction; or the project unit shall reconstruct the affected projects according to the original scale and standards.</p> <p>(2) Compensation for ground attachments shall be provided to the owners according to the regulations specified in Table 4-5 and 4-6.</p>
Grievance and Appeals	\	All APs	Free of charge; all costs caused in the process will be paid from the contingencies.

## 5. Resettlement and Restoration

### 5.1 Permanent LA Analysis and Resettlement Plan

62. 1,129 persons from 395 households in seven (7) villages and one subdistrict of Baicheng will be affected by the LA.

#### 5.1.1 Impact analysis of rural land acquisition

63. The highest per capita income loss is RMB704.85 (Baosheng Village) and the lowest is RMB185.00 (Dongxing Village). Baosheng village per capita income loss is RMB2114.57, Dongxing village per capita income loss is RMB 557.85. Average household loss of Baosheng village is RMB2,114, and it is RMB558 for Dongxing village. Baoping office includes 12 AHs with 31 persons, the per household income loss is RMB1861.58, per capita income loss is RMB60.05. The land of Baoping Subdistrict involved in LA is state-owned land, so no analysis of per capita income loss is made. 31 persons from 12 households in Baoping subdistrict office will be affected, and average household loss is RMB1,862 and RMB60 per capita. For analysis of the affected villages by income losses, refer to Table 5-1 and Table 5-2.

**Table 5-1: Proportion of Permanently Requisitioned Land of AHs**

Village	Loss of arable land								Total HH
	0~10%		10~20%		20~50%		>50%		
	HH	(%)	HH	(%)	HH	(%)	HH	(%)	
Xiangyang Village	39	60	17	26.15	8	12.31	1	1.54	65
Baosheng Village	6	27.27	5	22.73	10	45.45	1	4.55	22
Dongxing Village	7	10.77	37	56.92	20	30.77	1	1.54	65
Baoping Village	19	20.88	19	20.88	32	35.16	21	23.08	91
Chaoyang Village	18	21.69	24	28.91	37	44.58	4	4.82	83
Erlong Village	5	19.23	7	26.92	8	30.77	6	23.08	26
Changqing Village	4	12.90	1	3.23	12	38.71	14	45.16	31
Baoping Subdistrict	1	8.33	1	8.33	5	41.67	5	41.67	12
Total	99	25.06	111	28.11	132	33.42	53	13.41	395

**Table 5-2: Average Impact of Permanent LA on AHs**

Village	Loss of arable land								Total	
	0~10%		10~20%		20~50%		>50%		AHs	Average Loss rate
	HH	(%)	HH	(%)	HH	(%)	HH	(%)	HH	(%)
Xiangyang Village	39	5.39	17	13.69	8	28.90	1	60.64	65	11.42
Baosheng Village	6	5.02	5	11.54	9	31.20	2	57.85	22	22.21
Dongxing Village	7	8.36	37	14.27	20	30.38	1	82.54	65	19.07

Baoping Village	19	5.45	19	14.43	32	34.27	21	71.64	91	30.78
Chaoyang Village	18	5.43	23	13.52	36	30.37	6	71.08	83	21.08
Erlong Village	5	5.19	7	15.09	8	30.21	6	81.21	26	24.51
Changqing Village	4	2.78	1	18.04	12	35.21	14	65.31	31	45.39
Baoping Subdistrict	1	7.57	1	11.63	5	27.84	5	67.77	12	41.66
Total	99	5.65	111	14.03	132	31.05	53	69.76	395	20.43

Source: Feasibility study and survey of sampled villages

64. Among the seven (7) villages and one (1) subdistrict affected, the average farmland loss rate per affected household is 20.43%. Among the 395 AHs, 99 households have a farmland loss rate lower than 10%, accounting for 25.06% and with an average loss rate of 5.65%; 111 households have a loss rate of 10%-20%, accounting for 28.11% and with an average loss rate of 14.03%; 132 households have a loss rate of 20%-50%, accounting for 33.42% and with an average loss rate of 31.05%; 53 households have a loss rate above 50%, accounting for 13.41% and with an average loss rate of 69.76%.

65. Changqing Village is located in the urban fringe and has smaller area of land. Main source of income for the villagers is from business and non-farm jobs in cities. Baoping Subdistrict is in the urban area and only has a small area of land; few residents rely on farming for their livelihood. Before the LA, villagers of Changqing Village would work in cities in the slack season and get a higher income than farming. After they lose the land due to the LA, they will have much more time for working in cities.

66. In summary, the degree of impact on AH is significant (see Table 5-2), particularly for those losing more the 20% of land.

### 5.1.2 Resettlement and income restoration measures for affected farmers

67. The resettlement and income restoration plan for affected farmers are developed on the basis of the degree of impacts and expected resettlement modes of the APs. For details, please refer to Table 5-3.

**Table 5-3: Expected Resettlement Modes of Rural Households Affected by LA**

Village / subdistrict	AHs (HH)	Affected population (person)	Expected resettlement mode (HH)					
			Monetary compensation	Land lease	Farming	Breeding	Job placement	Social security
Xiangyang Village	65	181	65	14	30	0	51	42
Baosheng Village	22	66	22	5	13	0	16	16
Dongxing Village	65	196	65	15	15	5	34	43
Baoping Village	91	245	91	5	34	0	43	14
Changqing Village	31	93	31	4	11	7	15	22
Chaoyang Village	83	250	83	5	34	0	39	54
Erlong Village	26	68	26	9	9	0	13	18
Baoping Subdistrict	12	30	12	0	0	0	9	8
Total	395	1129	395	57	146	12	220	217
Proportion (%)			100.00	14.43	36.96	3.04	55.70	54.94
Remark: multiple-choice responses								

68. Based on the above expected resettlement modes, different resettlement and income restoration schemes are determined through full consultation with villagers' committee and APs' representatives in the socio-economic survey. The resettlement and restoration measures are as follows:

69. The land transfer means landright transfer. The peasant household with land contract for the managerial right transfer the land managerial right to other peasant household or economic organizations. Namely reserve contracting right ,transfer managerial right.

#### 5.1.2.1 Monetary compensation and allocation

70. The Project will provide monetary compensation for the affected villages and AHs for land acquisition as presented in Chapter 4.

71. Among the LA compensation, young crop compensation will be paid to the AHs in 100% directly. The LA compensation (land compensation and resettlement subsidies) allocation will be in two (2) ways: (i) Baoping village collective will retain 1% as the village public welfare fund. For the use of the fund, the village collective economic organization shall propose a plan; Baicheng Economic Development Zone examines the plan and report it to Baicheng People's Government for approval, mainly for infrastructure construction, relief of poor groups and public welfare payment, etc. The remaining 99% of LA compensation will be paid directly to the AHs; and (ii) LA compensation for the remaining six villages will be directly paid to the AHs in 100%. For details, please refer to Table 5-4.

**Table 5-4: LA Compensation Allocation Modes of the Affected Village Groups**

District	Village	The village collective retains 1% and the remaining will be paid to APs.	All are paid to APs.
Economic Development Zone	Baoping	√	
	Xiangyang		√
	Baosheng		√
	Chaoyang		√
	Dongxing		√
	Changqing		√
	Erlong		√
Total		1	6

72. After receiving monetary compensation according to the above allocation plan, the AHs can carry out the following livelihood restoration measures including agricultural development and non-agricultural economic activities with the assistance of the government.

#### 5.1.2.2 Agricultural resettlement measures

73. Before the LA, the affected villages have an average of 9.44 mu farmland per household; the Project leads to a land loss of 1.97mu per household (20% loss on average). Therefore, there is a moderate reduction of average arable land area per household before and after the LA. Since the AHs have considerable remaining land, agricultural development is one of the ways of promoting the AHs to achieve the livelihood restoration objectives. LA compensation can be used to build the greenhouses. After consultations with local villages and subdistrict office, BPMO determines the following agricultural resettlement measures for the Project. The farmland and income losses of affected villages are presented in Table 5-5.

Table 5-5: Impacts and Income Loss of Affected Villages

Village	Before LA				Impacted Scope				Percentage of the Impacted in Villages			Income Loss			
	Total HH	Total Population (person)	Total Farmland (mu)	Farmland per Capita (household)	Household (HH)	People (person)	Farmland (mu)	Total Income <sup>1</sup>	Household (%)	Population (%)	Farmland Loss (%)	Annual Loss (CNY)	Average Household Loss (CNY/HH)	Loss Per Capita (CNY/person)	Proportion in Total Income (%)
Xiangyang	574	2060	10,293	3.59	65	181	109.59	1,539,185	11.32	8.79	1.06	109590	1,686	605.50	7.12
Baosheng	608	1996	10,856.25	3.28	22	66	46.52	580,774	3.62	3.31	0.43	46520	2,115	704.85	8.01
Dongxing	520	2015	4,558.28	3.88	65	196	36.26	1,803,980	12.50	9.73	0.80	36260	558	185.00	2.01
Baoping	870	2850	4,104.68	3.28	91	245	106.70	2,083,984	10.46	8.60	2.60	106700	1,173	435.51	5.12
Changqing	800	1979	4,313.25	4.51	31	93	52.86	604,805	3.88	4.70	1.23	52860	1,705	568.39	8.74
Chaoyang	326	1470	5,622.75	3.11	83	250	118.18	1,875,873	25.46	17.01	2.10	118180	1,424	472.72	6.30
Erlong	648	2017	1,275	2.47	26	68	32.95	515,649	4.01	3.37	2.58	32950	1,267	485	6.39
Total	4346	14387	44,894.70	3.31	384	1099	505.11	8,055,981	8.84	7.64	1.13	505110	1,686	460	6.27

Note 1: It is an average total income of all affected households with about 10% difference in the previous two years.

### (1) Farming development plan for the affected area

74. According to "Outline of 12th Five-Year Plan of Social and Economic Development of Baicheng Economic Development Zone", Baicheng Economic Development Zone will, on the basis of stabilizing grain sowing area, focus on optimizing the product structure and make efforts to improve grain yield per unit area and quality, develop featured and efficient crops such as quality rice, woods and fruits, potatoes, peanuts, vegetables, etc., and greatly improve the ratio of quality agricultural products. The specific planning for the project-affected area is suburb villiages as follows:

- ✓ Green agricultural product planting field: By using the basic conditions of existing greenhouses, .
- ✓ Woods and fruit production base: Strengthen the planting of mulberry, osier, apricot, 123 small apples, grapes and other fruit trees and form the relevant industrial chain, with the planned developing area of 750mu.
- ✓ Quality rice production base: Expand the rice planting area in the project area year by year and develop all plots suitable for paddy field into paddy field.
- ✓ Peanut and potato base: Expand the area of such high added-value economic crops as peanuts and potatoes in sandy soil areas in the project area.

### (2) Measures and plan for supporting farming

- ✓ **Technical training:** Strengthen the technical training of agricultural planting for at least one person per household and female preference.

### (3) Input-output analysis of green agricultural products and featured farming

- ✓ According to analysis, the project compensation will meet the investment demand of green agricultural production and featured farming, and such activities will have better economic benefits. Preliminary calculations show that green agricultural production has a net earning of RMB35400.18 per mu and featured farming RMB45133.56 per mu. Please refer to Table 5-6 for detailed input-output analysis.

**Table 5-6: Input-Output Analysis of Protected Agriculture and Featured Farming**

Planting Category	Resettlement subsidy (RMB/mu)	Input (RMB/mu)	Output (RMB/mu)	Net earning (RMB/mu)	Remark
Green agricultural product	26667	Greenhouse vegetables: Invest RMB60,000 in greenhouse and share the depreciation costs in 20 years, so the annual average investment is RMB2000/mu; investment in mulch film: RMB1333/mu; seeds: RMB333/mu; pesticide and fertilizer: RMB533/mu; water and electricity cost for irrigation: RMB267/mu; other investments: RMB133/mu; total: RMB4600/mu	Six planting seasons a year, RMB40000/mu	35,400	Greenhouse vegetables: cucumbers, peppers, tomatoes, eggplant, leeks and garlic
Featured farming	26667	Featured economic crops: Investment in saplings: RMB16667/mu;	RMB66667/mu	45,135	Apricot, 123 small apples, grapes, etc.

		pesticide and fertilizer: RMB4667/mu; water and electricity cost for irrigation: RMB133/mu; other investments: RMB67/mu; total: RMB21533/mu			
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### 5.1.2.3 Job placement measures

75. Employment service bureau, village committee and community committee will regularly publish job information to relocated persons. Make sure villagers can promptly and effectively get the recruitment information of enterprises and institutions as well as private jobs, and recommend jobs to willing villagers. Carry out various policies and measures to promote landless farmers in employment; job placement measures can benefit all 970 laborers from the 661 AHs. And entitle them job priority.

#### (1) Labor demand of the project

76. The project construction includes roads, stormwater and sewage pipeline project, lighting, landscape, etc. Therefore, a lot of construction workers, about 2,100 people, are needed. The demand of unskilled workers is about 1,400 people. The contractors will give priority to the APs of the Project. After completion of the project, about 100 permanent workers will be needed, and priority will also be given to the APs.

77. BPMO will provide information on project laborers to the affected community / village committees, which is responsible for issuing the information to villagers. Labor force of the villages can participate in the employment voluntarily. During the employment, the employer should sign a labor contract with the labor force and provide necessary trainings on safety, health, working environment and conditions before work. Each worker should be provided a monthly income not lower than the minimum wage level of Baicheng in the year (According to "Minimum Wage Provisions of Jilin" (Decree No. 128 of Jilin People's Government), the minimum wage of Baicheng in 2012 was RMB950 per month).

#### (2) Public welfare jobs of government

78. Public welfare jobs in urban development, such as maintenance of landscape, environmental sanitation and coordinators, will be given to landless farmers, with equal pay for equal work. At present, there are 1.03 million square meters of sweeping area and 206 sanitation workers in Baicheng Economic Zone. This project will increase the area by 1.64 million square meters. On the basis of one sanitation worker for 5,000 square meters, it will firstly provide jobs for 328 landless farmers. The permanent wage is RMB2000 monthly.

#### (3) Reserved jobs in enterprises

79. Local government will consider signing contracts with newly established or introduced enterprises in the project area to reserve 5%-10% general technical positions, and give priority to landless farmers, with equal pay for equal work. This plan will be started in 2014, when the LA will be started for the Project, and be carried out for at least 3 years. It is estimated that 500 reserved jobs will be provided for the APs. In addition, after the completion of Baicheng Building Materials and Furniture Logistics Industrial Park and Baicheng Auto Trade Logistics Industrial Park, they will provide 1,000 jobs. The LA farmer has priority to get job opportunity.

#### (4) "Loan support, tax exemption, service assistance and subsidy provision" measures for promoting entrepreneurship and employment

80. In order to implement a more proactive employment policy, encourage people to start undertakings and promote employment by entrepreneurship, and promote sound and rapid



socio-economic development of Jilin, according to the relevant policies and regulations of "Circular of the People's Bank of China, the Ministry of Finance and Ministry of Human Resources and Social Security on Further Improving the Management of Small Secured Loans and Promoting Employment by Starting Undertakings" (YF [2008] No. 238) and "Circular of Jilin People's Government on Issuing the Policies of Promoting Citizens' Undertakings" (JZF [2009] No. 4), people's governments at all levels and the relevant units shall provide loan support, tax exemption or reduction, undertaking services and fund subsidy and other support measures for people starting an undertaking for the first time. (Refer to Appendix 5 for details.) There are 3% farmers have interests for loan support to purchase seeds and fertilizers.

#### **(5) Concern special groups and carry out flexible employment recommendation work**

81. For women that need to take care of the elderly or children but want to work in their spare time to create social value and get some income, Labor Bureau and the Women's Federation can assist to collect various information of work by hours, fixed-time work and temporary work, and carry out part-time promotion of employment policies by voluntary propagandists.

#### **5.1.2.4 Skills training measures**

82. On the basis of monetary compensation, a special plan is developed for skill training of AHs of the project to provide skill training opportunities for AHs with basic educational quality. Four sessions of training are to be provided, with 180 persons in each session, totally 720 person times.

#### **(1) Target trainees**

83. The target trainees shall be people affected by LA or HD, with permanent household residence of Baicheng, above 18 years' old and with a certain level of education. Baicheng Human Resources and Social Security Bureau will issue the relevant skill training certificate as the proof of training.

#### **(2) Training content**

84. According to industrial structure and market demand of Baicheng and the surrounding areas, carry out vocational skill trainings mainly on farming, animal breeding, service and construction industries, etc. The professions for training mainly include vegetable workers, fruit workers, poultry workers, livestock workers, livestock and poultry breeding workers and reproduction workers, bricklayers, agricultural machinery operators, agricultural machinery mechanic, motorcycle mechanic, construction painters, welding workers, tailors, concrete workers, waterproofing workers, masonry workers and so on.

85. Strengthen job training for farmers who lost farmland (or call land-lost farmers) to enhance the employability of land-lost farmers. A total 395 households, 11,29 persons affected by the project will lose farmland more or less. Firstly, provide employment information and job training for landless farmers for free, especially training of landless farmers aged 18-35. In the first half of 2014, Baicheng is estimated to provide free training for landless farmers of 200 person times and recommend jobs to 100 landless farmers in the area. Secondly, increase job opportunities and broaden the employment channels. Provide viable functional projects and encourage administrative villages or individual villagers to participate in the construction of functional projects, such as farmer's market, commodity fair, hotels and restaurants; give priority to business stalls of landless farmers, so as to provide stable jobs and income sources. Thirdly, carry out assistance projects and encourage farmers to start undertakings. Actively encourage self-employment of landless farmers and starting their own businesses, and provide the appropriate preferential policies. According to statistics, currently 12 landless households enjoy small loans for poverty alleviation and 7 households enjoy the "loan support, tax exemption, service assistance and subsidy provision" policies, and they have achieved self-employment and started their own business.

### (3) Organization structure

86. Baicheng Human Resources and Social Security Bureau is responsible for the relevant technical training. The relevant subdistrict office has also established the corresponding leading group.

### (4) Fund guarantee

87. According to "Agricultural Development Planning and Development Measures for the Western Urban Area Infrastructure Construction Project of Baicheng to Be Financed by the ADB" in 2013, the costs of skill training of APs in the project area are estimated to be RMB220,000, which will be included in this resettlement budgets. The training costs include organization funds, material cost, printing material cost, appraisal fee, internship fees and teachers' pay. The training costs will be paid by Baicheng Human Resources and Social Security Bureau. Please refer to Table 5-7 for the skill training plan.

**Table 5-7: Schedule of Job Training for Farmers in the Project Area**

Sessions	Trainers	Content	Time	Cost (RMB1 0,000)	Training unit	Source of funds
1	180	Vegetable workers, nursery workers, poultry workers, livestock workers, livestock and poultry breeding workers and reproduction workers	June 2014	5.5	Baicheng Human Resources and Social Security Bureau	Resettlement fund
1	180	Bricklayers, building painters, concrete workers, waterproofing workers and masonry workers	August 2014	5.5		
1	180	Welding workers, agricultural machinery operators, agricultural mechanics and motorcycle repairers	October 2014	5.5		
1	180	Tailors and housekeepers	December 2014	5.5		

#### 5.1.2.5 Social security measures

##### (1) Endowment insurance for landless farmers

88. In order to do a good job of basic pension of landless farmers, safeguard their legitimate interests, provide a long-term guarantee for the livelihood of landless farmers and promote coordinated economic and social development, Baicheng has promulgated the Circular of Baicheng People's Government on Issuing "Measures of Baicheng on the Implementation of Endowment Insurance for Landless Farmers (Trial)". According to Measures of Baicheng on the Implementation of Endowment Insurance for Landless Farmers (Trial) (BZF [2011] No. 20), the social security covers landless farmers (including farmers that lose their land wholly, basically and partially) that meet all the following conditions:

- (i) The requisitioned land is within the administrative area of Baicheng and the land acquisition is carried out by local land resources department;
- (ii) Farmers enjoy the second round of land contracting right when LA occurs according to Rural Land Contract Law of the People's Republic of China;
- (iii) Farmers have reached the legal working age (16 years old) when LA occurs;
- (iv) Farmers have not participated in the basic old-age insurance for urban workers.

89. In addition, farmers affected by LA after the effective date of these Measures, should participate in basic old-age insurance for residents in rural areas according to these Measures; farmers affected by LA prior to the effective date of these Measures may participate in endowment insurance for landless farmers on a voluntary basis according to the conditions. There are 1149 farmers affected by LA who are eligible for taking in social security. Please refer to [Appendix 6](#) for the scheme of social endowment insurance for landless farmers.

**(2) Estimation of protection level of endowment insurance**

90. According to the policy documents, the total payments of insured men aged 16-60 and women aged 16-55 are respectively 2.33 times and 3.11 times of local average wage of workers in the previous year. The insurance payment for individuals will be withheld from the resettlement subsidy. When LA occurs, men aged 60 or above and women aged 55 and above shall pay the insurance premium in a lump sum; other insurants with difficulties in lump-sum payment may sign an agreement with the endowment insurance agency for making payment by installment and making up the appreciation according to the interest rate of one-year fixed deposit of the bank.

91. Male landless farmers aged 16-60 need to pay a lump sum of 15 years' endowment insurance premium of RMB56,710; female landless farmers aged 16-55 need to pay a lump sum of 15 years' endowment insurance premium of RMB75,694. According to the Circular of Jilin Provincial People's Government on Issuing "Opinions on the Implementation of Pilot of New Rural Social Endowment Insurance of Jilin" (JZF [2009] No. 31), rural residents aged 60 and above that do not enjoy the basic old-age insurance for urban workers can receive a monthly basic pension of RMB55 without paying premium. The average LA area of this Project and average land loss is 0.69mu per household. The average compensation is RMB57,500 per household, which can offset the lump-sum payment of endowment insurance premium for 0.8 or 1 person. Even if no job, pay social security can meet the life necessary. After going through procedures of endowment insurance of landless farmers, male insurants will receive a monthly pension of RMB1,050.19 when retire and female insurants RMB1,051.31. The pension is more than enough to cover the agricultural income loss of RMB41.30 per household per month caused by LA. Therefore, the compensation for households affected by LA is enough to cover their endowment insurance premium; meanwhile, the pension to be received by landless farmers is enough to cover the income losses caused by LA. For details, please refer to Table 5-8.

**Table 5-8: Estimation of Endowment Insurance Premium and Protection Level of Landless Farmers**

Gender	Total annual premium (RMB)	Accumulative premium of 15 years (RMB)	Average requisitioned land area per HH (mu)	Monetary compensation per HH (RMB)	Number of insurants covered	Basic pension (RMB/month)	Personal account pension (RMB/month)	Monthly receipt (RMB)	Land income loss per HH per month (RMB)
Male	3,780.67	56,710	0.69	57,500	0.7	55	995.19	1,050.19	41.30
Female	5,046.27	75,694	0.69	57,500	1	55	996.31	1,051.31	41.30

Note: Insurants aged 60 and above will receive monthly pension of RMB55.

92. In summary, the Project has provided diversified resettlement measures for landless farmers and such measures have widely covered all AHs. For details, please refer to Table 5-9.

**Table 5-9: Summary of Livelihood Restoration Measures for Landless Farmer Households**

Village	AHs (HH)	Affected population (person)	Coverage of diversified livelihood restoration measures (HH)				
			Monetary compensation	Agricultural resettlement	Job placement	Skill training	Social security

Xiangyang Village	65	181	65	30	46	22	40	12
Baosheng Village	22	66	22	13	15	10	15	6
Dongxing Village	65	196	65	20	30	21	41	13
Baoping Village	91	245	91	34	45	30	17	7
Changqing Village	31	93	31	18	17	7	20	5
Chaoyang Village	83	250	83	34	37	23	51	10
Erlong Village	26	68	26	9	11	9	16	4
Baoping Subdistrict	12	30	12	0	7	5	7	0
Total	395	1129	395	158	208	127	207	57
Proportion (%)			100.00	40.00	52.66	32.15	52.41	14.43

### 5.1.3 Resettlement and restoration plan for key Villages

93. According to the impact analysis of the LA and income, Baosheng Village has relatively serious loss of income, with per capita income loss ratio of 8.74%. Among the seven (7) villages and one subdistrict affected, the average farmland loss rate per household is 20.43%, with Changqing Village (45.39%) as the highest, followed by Baoping Subdistrict (41.66%) and Baoping Village (30.78%). The land loss rates of the remaining 5 villages are lower than 25%. Among the 395 AHs, 99 households have a farmland loss rate lower than 10%, accounting for 25.06% and with an average loss rate of 5.65%; 111 households have a loss rate of 10%-20%, accounting for 28.11% and with an average loss rate of 14.03%; 132 households have a loss rate of 20%-50%, accounting for 33.42% and with an average loss rate of 31.05%; 53 households have a loss rate above 50%, accounting for 13.41% and with an average loss rate of 69.76%.

94. According to survey analysis and consultation with located farmers, the AHs may take the following measures for income restoration:

- (i) Receiving training. AHs with farmland loss below 20% can receive free training provided by the government, such as training of vegetable workers, nursery workers, etc. Through training, AHs will better grasp the planting skills, so as to improve the grain yield per mu and restore the revenue losses caused by LA.
- (ii) Featured agriculture. AHs with farmland loss of 20%-50% can adjust the planting structure and change the traditional rice and corn to greenhouse vegetables with higher economic value. According to estimates, after investment cost is deducted, the annual net increase of income per mu is RMB66667, with an income increase per capita of RMB17,700.
- (iii) Job placement. AHs with farmland loss over 50% may, as they like, rent farmland of others and receive free training provided by the government or find jobs with the assistance of the government, so as to improve, or at least restore their original production, livelihood and income level. The project can provide employment opportunities as described in previous sections during construction. Public welfare jobs in urban development, such as landscape, environmental sanitation and coordinators, will be given to landless farmers, with equal pay for equal work. In addition, after the completion of Baicheng Building Materials and Furniture Logistics Industrial Park and Baicheng Auto Trade Logistics Industrial Park, they will provide 1,000 jobs.

95. With the above measures, the incomes of APs are estimated to be restored by the end of 2015.

## 5.2 Resettlement Plan for Residents Affected by HD

96. The total demolished rural house area is 36,507.18m<sup>2</sup> (including simple structure houses), which affects 560 persons from 227 rural households; the total demolished urban house area is 12,845.85m<sup>2</sup>, which affects 197 persons from 77 urban households. The demolished rural houses, in varying degrees, have the problems of inadequate facilities, obsolete and ageing structure, poor lighting and ventilation conditions, as well as poor surrounding complementary conditions; although urban houses have relatively better houses, they also have problems of inconvenient transportation and poor surrounding environment, etc. The resettlement of the Project has provided opportunities for AHs to improve their living conditions and environment.

97. Based on the willingness survey and after public participation and consultation with the relevant government departments, the same modes of resettlement for rural and urban HD include: (i) monetary compensation; and (ii) property exchange in a unified resettlement site. The urban and rural people are treated the same.

### 5.2.1 Monetary compensation

98. According to Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project(BZH[2014] No. 23) monetary compensation may be adopted for all demolished houses and other ancillary facilities. Compensation will be provided for demolished houses on the basis of their full replacement cost determined by evaluation.

### 5.2.2 Property Exchange in a Unified Resettlement Site

99. According to Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project (BZH[2014] No. 23) and based on the lawful evaluation, ground attachments of demolished houses will be compensated for according to the evaluated value such as the brick-concrete structure's compensation rates are RMB1400/m<sup>2</sup> that 100 m<sup>2</sup> will be made up RMB140,000, the current average market price is RMB2,800/m<sup>2</sup> so that may purchase 50 m<sup>2</sup>. The compensation will be provided through unified resettlement for demolished houses based on the principle of "one new house for one demolished house".

100. The resettlement floor area and construction area for each household are as follows:

- If the total calculated resettlement area for demolished houses is 45m<sup>2</sup> or below, a house of 45m<sup>2</sup> will be provided; if the total calculated resettlement area for demolished houses is from 36 to 45m<sup>2</sup> (inclusive), a house of 45 m<sup>2</sup> will be provided; if from 45 to 56 m<sup>2</sup> (inclusive), a house of 56 m<sup>2</sup> will be provided; if from 56 to 65 m<sup>2</sup> (inclusive), a house of 65 m<sup>2</sup> will be provided. No price difference will be counted for the original area. The difference between the calculated resettlement area and the area of house provided is a reasonable increase in area; the AHs shall pay for such increase on the basis of RMB850/m<sup>2</sup> and enjoy full title. Another part of increase in area shall be settled on the basis of the market price of the year and no upper limit and the AHs will enjoy full title.
- If the resettlement area calculated for demolished houses is above 65 m<sup>2</sup>, resettlement shall be made according to the original area and no price difference will be counted. An increase in area shall be settled on the basis of market price, and the AHs will enjoy full title.
- According to the resettlement willingness survey, 63.47% of the AHs would choose unified resettlement, 20.2% choose to buy commercial residential houses by themselves, and 3.85% of respondents choose to purchase existing houses of others and 7.67% are in favor of monetary compensation for their houses; besides, 4.81% of the respondents would decide their method of resettlement based on the amount of compensation. But it will be subject to the resettlement desire of AHs when HD activities are started.

- Resettlement site will be as near as possible to current residence site. According to current planning, the longest distance between a resettlement site and current residence site is about 3,000 m.

### Eco-Home Resettlement Quarter

101. Eco-Home is an integrated service area with the combination of administrative office, business services, and resettlement residence, covering an area of 38,000m<sup>2</sup>. The total area of urban construction is 35,000 m<sup>2</sup> and that of non-urban construction is 3,000 m<sup>2</sup>; the resident population is 1,200. Eco-Home is located in the southeast of the city, 2,936m from the downtown area. There is a nursery, a supermarket and an activity center. Surrounding the Eco-Home are Changqing Primary School, No. 2 Railway Primary School, No. 1 Railway Primary School, Haiming Primary School, No. 2 Railway Middle School, No. 1 Railway Middle School and No. 1 Middle School of Baicheng. Changqing Primary School is the nearest to the Eco-Home, only 2,306m. Maternal and Child Care Service Center, Railway Hospital and Regional Hospital are within the 2,000m from the Eco-Home; bus terminal and railway station are also within 3,000m from the Eco-Home. Bus No. 23 and No. 5 pass by Eco-Home every ten minutes. Compared with the original living area, the distances from the downtown area, schools and hospital are reduced by half, so it is more convenient to go to school and go to the hospital. The community is built by local government for resettlement only, so not sold to any people. APs can select apartment units with different areas of 45m<sup>2</sup>, 65m<sup>2</sup>, 80m<sup>2</sup> or 100m<sup>2</sup>. The longest distance of the community from original residential area of APs is about 3,000m. Eco-Home project was started in July 2013 and will be completed on October 30, 2014. Please refer to Table 5-10 for the design planning of Baicheng Eco-Home.

**Table 5-10: Summary of Baicheng Eco-Home Resettlement Quarter**

No.	Name	Unit	Quantity	Ratio (%)
I	Total land area	m <sup>2</sup>	38,000	\
Including	Area of municipal roads	m <sup>2</sup>	9,200	\
	Planning area	m <sup>2</sup>	28,800	100
1	Construction area	m <sup>2</sup>	9,142.8	31.75
2	Path and square area	m <sup>2</sup>	14,325.7	49.74
3	Greenbelt area	m <sup>2</sup>	5,331.5	18.51
II	GFA	m <sup>2</sup>	36,900	\
1	Residential area	m <sup>2</sup>	25,239.6	\
2	Commercial area	m <sup>2</sup>	11,480.6	\
3	Area of other ancillary facilities	m <sup>2</sup>	179.8	\
III	Total resident households	Household	360	\
IV	Building density	%	31.75	\
V	FAR	%	1.26	\
VI	Greening rate	%	18.51	\
VII	Parking spaces	/	140 (including 12 for large vehicles)	



**Figure 5-1: Aerial View of Eco-Home Resettlement Area**



**Figure 5-2: Architectural Image of Eco-Home Resettlement Area**

### **Siji Huacheng Resettlement Community**

102. Siji Huangcheng is another community to be constructed for resettled people who are affected by the Project and others due to urban development of Baicheng city. It is a comprehensive community with commercial and trade services. It plans to provide resettlement housing for 8,931 people. The services near the community include hospital, schools, supermarket, and public transportation. The community is built by local government for resettlement only, so not sold to any people. APs can select apartment units with different areas of 45m<sup>2</sup>, 65m<sup>2</sup>, 80m<sup>2</sup> or 100m<sup>2</sup>. The longest distance of the community from original residential area of APs is about 2,500m. The community construction started in April 2012 and will be completed in March 2014, as showed in Appendix 12. Other information is presented in Table 5-11.

**Table 5-11: Summary of Baicheng Siji Huacheng Resettlement Community**

No.	Name	Unit	Quantity	Ratio (%)
1	Planned land area	m <sup>2</sup>	203,872	100
1	Construction area	m <sup>2</sup>	116,172	56.98
2	Road and square area	m <sup>2</sup>	67,300	33.01
3	Landscape area	m <sup>2</sup>	20,400	10.01

II	Building construction area	m <sup>2</sup>	324,817.24	\
1	Residential area	m <sup>2</sup>	247,504.36	\
2	Commercial area	m <sup>2</sup>	30,000	\
3	Area of other ancillary facilities	m <sup>2</sup>	47,312.88	\
III	Total resident households	HH	2,791	\
IV	Building density	%	28.60	\
V	FAR	%	1.48	\
VI	Greening rate	%	31.20	\
VII	Parking spaces	car	782 (including 355 in basement)	



Figure 5-3: Aerial View of Siji Huacheng Resettlement Area



Figure 5-4: Architectural Image of Eco-Home Resettlement Area

### 5.3 Resettlement Plan of Affected Enterprises, Units and Shops

The resettlement plan can be chosen by the AHs on the basis of their own demands from the following two modes: (1) monetary compensation or (2) property exchange (refer to Paragraph 4.7.2 for the detailed resettlement policy). If an affected merchant chooses property exchange, s/he may select a street shop in the Eco-Home or Siji Huacheng for exchange according to Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project(BZH[2014] No. 23).

103. According to Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55), the resettlement subsidy for state-owned agricultural land is RMB72/m<sup>2</sup>. The affected land of Taobei District Fruit Farm,



Baicheng No. 1 Middle School, Baicheng Academy of Agricultural Sciences and Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. is state-owned agricultural land, and no employees will be affected. Please refer to Table 5-11 for details.

**Table 5-11: Summary of Resettlement of Affected Enterprises and Institutions**

City	Road	Unit	Land area to be requisitioned (mu)	Land nature	Compensation rate (RMB/m <sup>2</sup> )
Baicheng	3rd-Ring Road	Taobei District Fruit Farm	159.90	State-owned agricultural land	72
	Tao'erhe Road	Baicheng No. 1 Middle School	12.45	State-owned agricultural land	72
	Xiangyang Sreet	Baicheng Academy of Agricultural Sciences	81.41	State-owned agricultural land	72
	Garbage comprehensive treatment project	Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd.	28.50	State-owned agricultural land	72
Total			282.26		

The HD of the Project will involve bike shed and shop of Baicheng Housing Construction Company and Baicheng Meteorological Bureau. Baicheng Housing Construction Company has stopped production before the survey, so no employees are affected. The shop involves four people, all of which are family members, so it involves no employment; the demolished house area is 356m<sup>2</sup>. The shops involved in the HD are both for commercial and residential purposes, and the HD area has been included in the area of residential houses to be demolished. In accordance with Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project(BZH[2014] No. 23) stipulate that compensation rates of brick-concrete is RMB1400/m<sup>2</sup> and simple house is RMB 360/m<sup>2</sup>.

**104.** For details, please refer to TableTable 5-12: Summary of Resettlement of Affected Enterprises and Institutions

City	Road	Unit	Land area to be requisitioned (m2)	Land nature	Compensation rate (RMB/m2)
Baicheng	North Xingfu Street	Baicheng Housing Construction Company	775.10	State-owned construction land	1,400
	Xiangyang Street	Baicheng Meteorological Bureau	341.56	State-owned construction land	360
Total			1,116.66		

**105.** Table 5-13: Summary of Resettlement of Affected Enterprises and Institutions  
Table 5-12: Summary of Resettlement of Affected Enterprises and Institutions

City	Road	Unit	Land area to be requisitioned (m <sup>2</sup> )	Land nature	Compensation rate (RMB/m <sup>2</sup> )
Baicheng	North Xingfu Street	Baicheng Housing Construction Company	775.10	State-owned construction land	1,400
	Xiangyang Street	Baicheng Meteorological Bureau	341.56	State-owned construction land	360
Total			1,116.66		

106. **Table 5-13: Summary of Resettlement of Affected Enterprises and Institutions .**

**Table 5-12: Summary of Resettlement of Affected Enterprises and Institutions**

City	Road	Unit	Land area to be requisitioned (m <sup>2</sup> )	Land nature	Compensation rate (RMB/m <sup>2</sup> )
Baicheng	North Xingfu Street	Baicheng Housing Construction Company	775.10	State-owned construction land	1,400
	Xiangyang Street	Baicheng Meteorological Bureau	341.56	State-owned construction land	360
Total			1,116.66		

**Table 5-13: Summary of Resettlement of Affected Enterprises and Institutions**

Road	Village	AHs	APs	Area of shop to be demolished (m <sup>2</sup> )	Land nature	Resettlement arrangement	Remark
3rd-Ring Road	Chaoyang	1	2	110	Collective	Street shop in Eco-Home	The shops involved in HD are both for commercial and residential purposes, so the HD area has been included in the area of residential houses to be demolished.
3rd-Ring Road	Baoping	1	2	246	Collective	Street shop in Eco-Home	
Total		2	4	356			

#### 5.4 Women's Development Measures

107. The specific measures taken for women's development are as follows.

##### 5.4.1 Special fund for supporting women entrepreneurship development

108. To promote women's employment and starting-business, strengthen entrepreneurial guidance and services and achieve the objectives of starting-business to enrich people, Baicheng Women's Federation and Baicheng Finance Bureau jointly issued "Circular on the Establishment of the Special Fund for Women's Employment and Starting-business". Since this Project involves certain LA, women will have more time and energy for starting-business after land of household is reduced. They have the priority to apply for the starting-business fund to promote their employment and development. The details of the policy are as follows:

### **(1) Source and use of starting-business fund:**

109. The special fund for starting-business is RMB 1 million, which is arranged by municipal finance in the resettlement budget. It is mainly used for two aspects: (1) provide paid support for women leading the starting-business and employment; (2) provide awards for excellent women leading the starting-business and employment and women's federation organizations that make outstanding achievements in organizing women for starting-business and employment.

### **(2) Support objective of starting-business fund:**

110. Urban laid-off and unemployed women, female college (technical school) graduates, female farmers, landless farmers, returned migrant farmers and disabled women with entrepreneurial aspirations and conditions, and other urban and rural women with entrepreneurial aspirations and employment difficulties.

### **(3) Use of starting-business fund:**

- ✓ Women's starting-business revolving fund. Provide paid support with 70% of the starting-business fund for women or enterprises with a good prospect of development, good credibility and providing many jobs but having difficulties in fund and financing; each household may be provided with support of RMB10,000-30,000. The revolving period is generally one year, or two consecutive years in special circumstances. The supported households may be charged a management fee of 8%, which can be used as cycling fund for use.
- ✓ Entrepreneurial incentives for advanced women. Use 30% of the fund to provide incentives for excellent women leading the entrepreneurship and employment and women's federation organizations that make outstanding achievements in organizing women for entrepreneurship and employment.

111. According to the "loan support, tax exemption, service assistance and subsidy provision" project carried out by Baicheng Women's Federation for women in 2011, 31 women have received loans, involving a total amount of RMB850,000 and providing jobs for 155 women.

## **5.4.2 Equal rights of women in participation and decision making on the resettlement plan**

112. In order to protect women's equal rights and interests in the resettlement activities and give full play to women in resettlement, women will be granted equal rights of participation and decision making in the process of public consultation, villagers' meetings and village group meetings for discussion of resettlement plan; the ratio of women in the representatives shall not be lower than 30%. Make sure that there are women workers in the resettlement office.

## **5.4.3 Compensation agreement must be signed by both spouses**

113. In order to protect the equal right to know the compensation standards between men and women in the AHs and the equal right of control over the compensation, through discussion and interviews with the villagers, all AHs agreed that the receipt of compensation shall require signatures of both spouses.

## **5.5 Assistance Measures for Affected Vulnerable Groups**

114. Throughout the whole resettlement process, BPMP, IAs and local government have attached special importance to the resettlement of vulnerable groups. This project will establish a support fund of about RMB292,000 for vulnerable groups to help vulnerable groups in this project. Each vulnerable household will be compensated RMB2000.

115. The rest land for vulnerable families that affected by LA is most 1044 mu ,LA only account for 6.42%. The rest land is least 1.34 mu, LA account for 24.43%. According to the survey,

the vulnerable groups in this Project are mainly households enjoying minimum living guarantee, household enjoying the five guarantees, disabled persons and female household heads. According to the survey, among the APs within the LA scope of the Project, 182 people from 146 households are vulnerable. Apart from living and production resettlement according to the project plan, vulnerable groups will also be provided with certain help to improve their production and living conditions. Main measures are as follows:

**(1) Give priority to vulnerable groups in resettlement**

116. In the resettlement process, affected vulnerable households will be given priorities, including:

**For households affected by LA:**

- ✓ Give priority to provision of land transfer information and assist them in getting land for production; The remaining farmland per capita of AHs is in a range of 4.7 mu/person (Xiangyang Village) to 0.78 mu/person (Dongxing Village). They still can continue their agricultural production;
- ✓ Give priority to vulnerable households with labor force in skill training, providing public welfare jobs of the government and reserved jobs in the introduced enterprises, as well as providing small secured loans for those eligible;
- ✓ Given priority to them in going through procedures of endowment insurance for landless farmers and the new rural endowment insurance. According to Circular of Baicheng People's Government on Issuing "Measures of Baicheng on the Implementation of Endowment Insurance for Landless Farmers (Trial)" (BZF [2011] No. 20) that government pay 30% pension subsidies.

**For households affected by HD:**

117. Each household enjoying minimum living guarantee, household enjoying the five guarantees, disabled person and female household head shall provide the corresponding proof documents, such as certificate of minimum living guarantee, disability certificate, proof of income and household register booklet, etc. to enjoy a lump-sum economic subsidies of RMB2,000. In addition, the assistance is provided by the BPMO in moving from transition house to new resettlement communities.

**(2) Give priority to eligible vulnerable households in putting them under the urban and rural minimum living security system**

118. According to urban and rural minimum living security policy of Baicheng, eligible people in the affected vulnerable groups in this Project will be promptly covered by the corresponding minimum living security system to provide them with minimum living guarantee.

119. The assistance measures preferred by the vulnerable household groups are presented in Table 5-14, based on discussion with the households.

**Table 5-14: Assistance Measures for Affected Vulnerable Household Groups**

Sr. No.	Category	Household population (person)	Choices / Measures
1	Household with laborers who want to continue farming	76	Assist them in obtaining the land required by production development, skill training, and endowment insurance for landless farmers

2	Household with laborers to prefer to take up jobs	55	Skill training, public-service employment, and endowment insurance for landless farmers
3	Household without laborers	15	Assist in moving from transition house to resettled houses, and endowment insurance for landless farmers
Total		146	

### 5.6 Affected Ethnic Minorities

120. Local ethnic minority groups mainly include Manchu and Mongolian people. They have been living with Han people for long and have formed the same habits and cultural characteristics, with no economic difference. Ethnic minority people affected by the LAR are accounted for 2.43% of all APs. They are urban residents. There is no vulnerable group among ethnic minorities. Seen from several surrounding villages, the living environment and living standards of ethnic minorities are basically the same with that of Han people. The livelihood restoration measures and plan for ethnic minorities are the same for that for Han people. It is not necessary for development plan of separate minorities.

### 5.7 Infrastructure Rehabilitation Plan

121. The IAs shall provide the title holder with compensation for the affected specialized facilities and the latter is responsible for the reconstruction, or the IAs are responsible for rehabilitation and reconstruction according to agreement between both parties.

122. The rehabilitation of the facilities shall be planned and arranged in advance to minimize adverse impacts on residents. As for relocation of affected pipelines, new pipeline installation shall be constructed (relocated) before the removal of old ones without affecting the normal life of residents.

123. In addition, as for the production and living facilities (mainly electric wires, cables, poles, etc. ) to be affected, the DI has made surveys on the impacts on local residents' production and life during the project design, and has solicited opinions of local people's government at all levels, relevant departments, social organizations and local residents through forums and questionnaire. Most of the opinions have been embodied in the project design. Through field surveys, the DI has taken corresponding engineering measures for ensuring normal operation of facilities to be affected.

## **6. Resettlement Organization**

### **6.1 Resettlement Implementation Administration**

#### **6.1.1 Organization Structuring**

124. Local divisions of transportation, land and resources, and finance, etc will be involved in assisting the resettlement implementation since resettlement work covers a wide range and needs assist and cooperation of various governmental divisions. There will be one or two leaders appointed in the affected streets and villages to assist in dealing with resettlement work. The organizations responsible for LA and HD of the project are as follows:

- Baicheng ADB-Financed Infrastructural Construction Project Leading Group (BPLG)
- Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office(BPMO)
- ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone (EDZPLG)
- ADB-Financed Infrastructural Construction Project Leading Group Office of Baicheng Economic Development Zone (EDZPMO)
- ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone (EDZRO)
- Baicheng General Office of Land and House Acquisition
- Subdistrict Office
- Village Committee (Neighborhood Committee)
- External Independent M&E Agency

#### **6.1.2 Organization Duty**

##### **(1) Baicheng ADB-Financed Infrastructural Construction Project Leading Group**

125. As a leading organization taking full responsibility for this project, BPLG is headed by municipal committee, executive vice mayor, which conducts overall plan and coordinate and resolve major problems. The members include Director of Municipal Development and Reform Commission, Municipal Supervision Bureau, Municipal Finance Bureau, Municipal Bureau of Land and Resources, Municipal Environmental Protection Bureau, Municipal Bureau of Housing and Urban-Rural Construction, Municipal Forestry Bureau, Municipal Auditing Bureau, Director of Municipal Planning Bureau, Director of Municipal Financial Office, Secretary of Party Working Committee of Baicheng Industrial Park, Director of New Urban District Construction Headquarter Office, General Manager of Xinkai Group, Deputy Secretary of Party Working Committee of Baicheng Economic Development Zone and Administrative Committee Director. In accordance with project requirements or request of Development Zone Leading Group Office, group leader shall hold regular meetings.

126. The main duties of resettlement consist of overall plan on project resettlement and coordination and solution of major problems related to resettlement. According to the project progress, personnel can be dispatched from members of leading group.

##### **(2) Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office**

127. Based in Baicheng Economic Development Zone, Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office (BPMO) is the head executing agency.

128. The main duties of resettlement are to organize resettlement work of each subproject office, summarize resettlement work plan and progress of each subproject office and monitor the RP implementation under the leadership of Baicheng ADB-Financed Infrastructural Construction Project Leading Group, and report to the ADB on a regular basis.

### **(3) ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone**

129. Based on the coordination of the BPLG and direction of Leading Group of Baicheng Economic Development Zone, the office, established by ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone (EDZPLG), is responsible for subproject organization, management, coordination, supervision, guidance, quality assurance, annual plan, keeping track of plan execution, reporting to the BPMO on a regular basis, coordinating and promoting the implementation of duties and obligation stipulated in project legal texts between the ADB and Baicheng.

130. The main duties of resettlement are to organize the resettlement work of this project, make resettlement policy in project implementation area, organize and coordinate the relation between various resettlement agencies, coordinate works of relevant government departments during the project preparation and implementation as well as discuss decisions in terms of major problems occurring in the project construction and resettlement.

### **(4) ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone**

131. The main duties of resettlement are to assist design units in determining impact scope of project, investigate and save physical data affected by LA and HD; assist in preparing the Resettlement Plan as well as implement resettlement work; appoint some major cadres to receive business training; discuss with the public and propaganda resettlement policy; conduct, coordinate, supervise resettlement implementation and its progress of departments or units related to LA and HD; deal with resettlement work and relevant s as well as make resettlement payment under the agreement; carry out internal monitoring, prepare report on internal monitoring and report to the EDZPMO on a regular basis; assist external monitoring.

### **(5) Baicheng General Office of Land and House Acquisition**

132. The main duties of resettlement are to delegate to undertake specific work related to land and house acquisition compensation, and supervise the acts of land and house acquisition compensation performed by acquisition units. Prepare acquisition compensation plan and submit to municipal government for approval. On behalf of the municipal government, notify the Land and Resources Administration in writing to submit the land status change report for approval and prepare the compensation standards of above-ground buildings and crops within acquisition scope on schedule. Organize to investigate and register ownership, location, purpose and floor area of houses within acquisition scope, and publish the investigation results. Notify relevant departments in writing to suspend procedures of new construction, expansion and reconstruction within acquisition scope. Conclude compensation agreement with people involved in the acquisition. During the contract period when acquisition compensation plan is confirmed, if no compensation agreement is reached with people involved in the acquisition or owner of the house involved in the acquisition is undefined, submit to the municipal government for compensation. File the house acquisition compensation according to law, and disclose the household compensation to house-requisitioned people within house acquisition scope. Collect and summarize rural collective economic organization and opinions of peasants involved in the LA, put forward compensation plan of LA. Propagate LA-related laws and regulations to land-use units, rural collective economic organization involved in the acquisition and peasants, provide technical consulting service of LA.

### **(6) Subdistrict Office**

133. Headed by secretaries from various street offices, the Subdistrict Office is composed of

such units as Land Management Office, Police Station and Bureau of Civil Affairs etc and village cadres, of which the main duties include:

- Work on project survey and assist in preparing Resettlement Action Plan;
- Organize the public's involvement and propaganda the resettlement policy;
- Carry out, inspect, supervise and record all the resettlement activities within the street.
- Take charge of the payment and management of land compensation funds;
- Supervise the land acquisition, demolition of houses and its attachments as well as reconstruction and relocation;
- Report to the EDZPMO in terms of the LA and resettlement;
- Coordinate and deal with work conflicts and problems.

**(7) Village Committee (Neighborhood Committee)**

134. The Village Committee and resettlement working group are composed of major cadres from Village Committee and villagers groups, of which the main duties include:

- Work on survey of social economy and project impact;
- Discuss with the public and propaganda policies of the LA and HD;
- Organize to arrange agricultural and non-agricultural production;
- Convey the migrants' opinions and suggestions to superior departments;
- Provide help for needy households in the demolition.

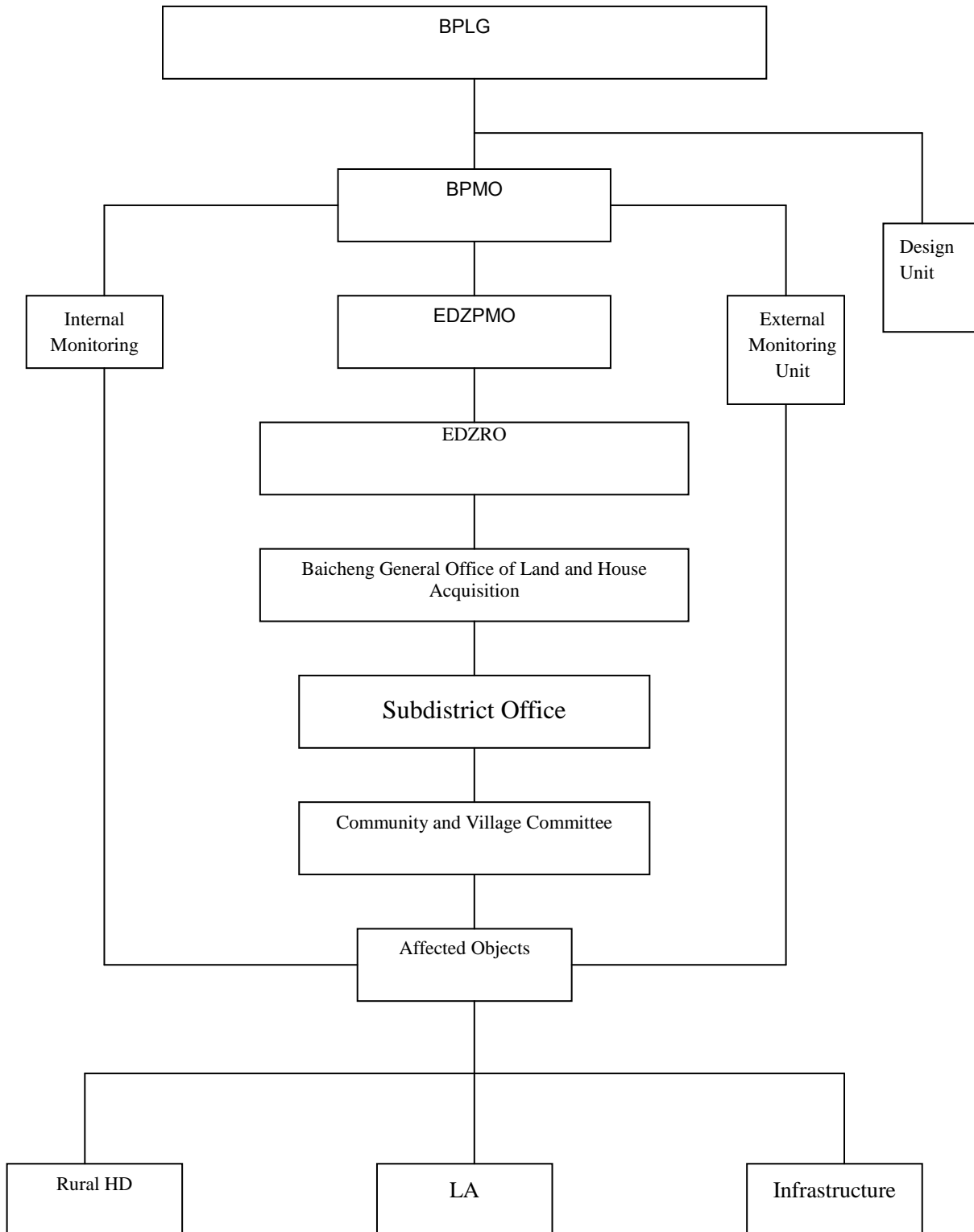
**(8) External M&E Unit of Resettlement**

135. BPMO will hire a qualified resettlement M&E agency to conduct external M&E of resettlement plan during its implementation, whose main duties include:

- Monitor the RP and its implementation, evaluate the resettlement work, implementation effect and social adaptiveness of resettlement, and provide the Resettlement M&E Report to ADB via the BPMO.
- Provide the Resettlement Project Office with technical consultation in terms of data investigation and processing.



### 6.1.3 Organization Chart



**Figure 6-1 Resettlement Project Organization Chart**

## 6.2 Personnel and Facilities Allocation

### 6.2.1 Personnel Allocation

136. With the aim to facilitate resettlement work, resettlement project organization at different

levels are allocated with professional personnel to form an open information transmission channel. Resettlement organizations are composed of 3-6 administrative staff and professional personnel who possess professional level and management quality and are experienced in the LA and HD and resettlement work. Personnel allocation of resettlement project organization at different levels is listed in Table 6-1.

**Table 6-1: Personnel Allocation Table of Resettlement Project Organization**

Organization Name	Personnel Allocation (People)		Personnel Composition
	Male	Female	
Baicheng ADB-Financed Infrastructural Construction Project Leading Group	10	4	Civil servants
Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office	8	6	Civil servants and technicians
ADB-Financed Infrastructural Construction Project Leading Group Office of Baicheng Economic Development Zone	5	3	Civil servants
ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone	3	2	Civil servants
Baicheng General Office of Land Acquisiton and House Demolition	6	2	Civil servants
Subdistrict Office	4	2	Civil servant
Village Committee (Neighborhood Committee)	15	10	Village cadres and migrant representatives
Project Design Organization	3	1	Senior engineers and engineers
External resettlement M&E Unit	Several		Resettlement and social experts

### 6.2.2 Facilities Allocation

137. The existing resources are available for various organizations of resettlement project, such as basic office equipment, transportation equipment and communication equipment, which includes office chairs and tables, computers, printers, telephones, fax machines, vehicles and other equipment resources.

### 6.2.3 Organization Training Plan

138. With the aim to facilitate resettlement work, it's necessary to provide training for personnel involved in resettlement work, and draw up training plan which shall be organized by BPMO and BPLG.

139. Set up municipal, district and subdistrict office, and establish system of personnel training and human resource development in village-level resettlement organizations. Expert seminar, arrangement of training courses in various units, visit and learning to other resettlement projects and on-the-job training for technicians and administrative personnel are intended to adopt in the training work. See the Table 6-2 for training plan.

**Table 6-2: Business Training Plan of Resettlement Organization**

SN.	Organization Responsible for Training	Training Content	Training Object	Number of Training People	Planned Training Time	Training Expense (RMB 10,000)
	A	B	C	D	E	
1	EDZPMO	Learn and investigate the ADB-financed resettlement project experience of other provinces	Personnel of resettlement project office	16	From 2014 to 2015	8
2	External monitoring organization	ADB resettlement policy	Personnel of resettlement project office	10	August 2014	5
3	External monitoring organization	The latest national policy of LA and HD	Personnel of resettlement project office	10	October 2014	5
4	EDZPMO	Resettlement experience and lessons of other places	Personnel of resettlement project office	12	June 2014	6
5	EDZPMO	Computer operation and data process	Personnel of resettlement project office	10	From August to September 2014	5
6	EDZPMO	Resettlement working procedures and policies of ADB-financed project	Resettlement office of Subdistrict office, Village resettlement group	12	July 2014	6
7	EDZPMO	Resettlement policy and practice	Resettlement office of Subdistrict office, Village resettlement group	6	August 2014	3
8	EDZPMO	Investigation of international resettlement working experience	Personnel of resettlement department of foreign investment office	4	From 2014 to 2015	12
Total						50

140. In addition, the following measures are adopted to improve capability of resettlement administrative organization:

- (i) Specify the duties of resettlement organizations at all levels and their scope of responsibilities, and strengthen the supervision and administration;
- (ii) Personnel in various fields must possess professional standards and management quality, so as to gradually increase the resettlement organization force at all levels, especially in professional and technical forces. Strengthen such technical equipments as computer, monitoring equipment and vehicle;
- (iii) Select personnel strictly, enhance business and technical training, and provide training

for administrative personnel and technicians of resettlement organizations for the purpose of promoting business competence and management level;

- (iv) Allocate female cadres properly, enable women to play a role in resettlement implementation process;
- (v) Set up a database and reinforce information feedback, so as to obtain unimpeded information. Major problems shall be solved through discussion of resettlement leading group;
- (vi) Reinforce reporting system and internal monitoring, and make quick response to problems;
- (vii) Establish external M&E mechanism and early warning system.

## 7. Public Participation, Complaint and Appeal

### 7.1 Public Participation

141. With the aim to protect rights and interests of APs and reduce dissatisfaction and dispute, it's required to consult APs' opinions and suggestions under policies and regulations related to LA, HD and resettlement of the ADB, China, Jilin Province and Baicheng City.

#### 7.1.1 Participation During the Project Preparation

142. With the direction and technical assistance of consultant experts, Jilin Design Institute and survey team has conducted a series of social economy surveys and public opinion consultation (with 30% of women participation) since October 2012. During the project preparation, BPMO, EZDPMO, IAs and DI have extensive consultation concerning the LA and resettlement as presented in Table 7-1. The Resettlement Information Booklet (RIB) will be issued in January 2014, and see the Attachment 7 for more details.

**Table 7-1: Public Participation during the Project Preparation**

Date	Organizer	Participant	Number of People		Other s	Purpose	Main Opinion/Content
			Male	Female			
From May to August 2012	Jilin Design Institute	APs, village cadres and engineering and technical personnel	40	30	50	Feasibility study report of the project, on-site investigation and preliminary survey on project impact and solicit options to minimize resettlement	<ul style="list-style-type: none"> <li>➤ Introduction of project background and purpose</li> <li>➤ Try to avoid impacts cultivated land as much as possible</li> <li>➤ Try to reduce impact on house demolition and revise alignment.</li> </ul>
From September to December 2012	Jilin Design Institute	Relevant government and villager's representatives	300	200	80	Resettlement plan preparation and social economy survey of APs on resettlement impact	<ul style="list-style-type: none"> <li>➤ Support of APs in project impact survey</li> <li>➤ Strong desire of villager's representatives for the project</li> <li>➤ Face to face consultation during socio-economic survey with the APs and getting information with regard to choices of resettlement, income restoration; and expectation with</li> </ul>

Date	Organizer	Participant	Number of People		Others	Purpose	Main Opinion/Content
			Male	Female			
							regard compensation rates.
January 2013	Jilin Design Institute	Relevant government and villager's representatives	60	40	30	Compensation for land acquisition, resettlement options, and Income recovery plan	<ul style="list-style-type: none"> <li>➤ Consultation of compensation plan</li> <li>➤ Make development recovery plan</li> </ul>
July to August 2013	BPMO	Cadres of affected villages and migrant's representatives	100	80	40	Consultation with APs on land acquisition compensation, resettlement options, skill training, and income restoration	<ul style="list-style-type: none"> <li>➤ Release and allocation mode of LA compensation</li> <li>➤ Allocation mode and usage of land usufruct returning</li> <li>➤ The LA and HD impact on income of AHs</li> <li>➤ Development plan of the affected villages and groups</li> <li>➤ Employment and job intention of AHs</li> <li>➤ Training demand of AHs</li> <li>➤ AHs' current situation and intention for endowment insurance</li> <li>➤ AHs' intention for resettlement mode</li> <li>➤ AHs' intention for resettlement site</li> <li>➤ AHs' suggestions on house construction form and infrastructure construction</li> <li>➤ Unique role women play in the resettlement process</li> </ul>
January 2014	BPMO	APs and affected villages	\		plan or information booklet	Issue related to resettlement options	<ul style="list-style-type: none"> <li>➤ Issue compensation standard, grievance, implementation schedule etc .</li> </ul>

Date	Organizer	Participant	Number of People		Others	Purpose	Main Opinion/Content
			Male	Female			
January 2014	ADB Website	APs and affected villages				Issue related resettlement plan	➤ Issue compensation standard, grievance channel, implementation schedule, etc.

143. More than 90% of the APs understand the project contents, potential impacts, and resettlement policies through the participation and village meetings. After RIB is delivered to each AH, 100% APs will gain a better understanding of the project, resettlement policies, entitlements and process.

### 7.1.2 Participation Plan during Implementation

144. With the continuous advancement of project preparation and implementation, the EDZPMO and IAs will carry out further public participation. See Table 7-2 for public participation arrangement.

**Table 7-2: Public Participation Plan**

Purpose	Mode	Time	Unit	Participant	Discussion Topic
LA compensation and resettlement plan	Village's bulletin board and villager 'meeting	May 2014	EDZPMO, Development and Reform Commission, Land and Resources Bureau, General Office of Land and House Acquisition, the affected subdistrict offices and village cadres	All the APs	Compensation standard, resettlement approach, compensation and its payment
Further Physical quantity review	Field survey	From June to July 2014	EDZPMO, Development and Reform Commission, Land and Resources Bureau, General Office of Land and House Acquisition, the affected subdistrict offices and village cadres	All the APs	Check the missing and supply the deletion, confirm the final affected quantity
					Assets Schedule of migrants' occupied land and loss
					Prepare basic compensation contract

Purpose	Mode	Time	Unit	Participant	Discussion Topic
Confirm income recovery plan and its implementation	Villager's meeting( several times)	A month prior to the implementation	EDZPMO, Development and Reform Commission, Land and Resources Bureau, General Office of Land and House Acquisition , the affected subdistrict offices and village cadres	All the APs	Discuss the final income recovery plan and usage plan of compensation funds
Training plan	Villager's meeting	From May2014 to June 2015	Employment bureau, subdistrict offices and village cadres	All the APs	Discuss training demand
Monitoring	Meeting with villagers' participation	From August 2014 to September 2017	subdistrict offices and village cadres	All the APs	1)Resettlement progress and impact 2)Payment of compensation funds 3)Information disclosure 4) Production and life recovery and HD resettlement recovery

## 7.2 Complaint and Appeal

145. Serious dispute may not arise since public participation is encouraged during the preparation and implementation of resettlement action plan. However, there are still existing unpredictable problems in the project construction and resettlement plan implementation. For the purpose of solving problems effectively and ensuring successful implementation of project construction and LAR, a transparent and effective channel for complaint and appeal is set up. The basic processing procedures are as follows:

Step 1: If the APs suffer from any right violation in respect of LAR and project construction, they can report to Village Committee, and the Village Committee and APs can settle problems through consultation with Subdistrict Office. After receiving the appeal, Subdistrict Office will keep record and discuss with the Village Committee and APs for settlement within two weeks.

Step 2: If complainants are dissatisfied with decision made in Phase 1, they may appeal to EDZRO after receiving the decision. EDZRO will give response to the within two weeks.

Step 3: If complainants are dissatisfied with decision made in Phase 2, they may appeal to EDZPMO after receiving the decision. EDZPMO will give response to the within two weeks.

Step 4: If the APs are still dissatisfied with the decision made by EDZPMO, they may appeal to BPLG or Baicheng Municipal Government after receiving decision.

146. The APs may file lawsuit to the civil court at any time under Civil Procedure Law.

147. The APs may report their dissatisfaction to the resettlement external M&E agency at any



time. If they don't get any response for their actions or their interests has been violated by some conducts breaking the ADB's Safeguard Policy Statement, they can report problems to ADB according to ADB Accountability Mechanism (2012)<sup>11</sup>.

148. Various organizations will receive APs' and appeal for free, reasonable expense thus incurred will be paid from contingency in the resettlement budget of the project. The procedures will keep valid during the project construction, which enable the APs to deal with problems with those procedures. APs will be informed the aforesaid procedures and right to Appeal through public meeting and RIB. Meanwhile, the appeal procedures will also be issued to the APs through the RIB and RP.

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<sup>11</sup> Before reporting problems to departments related to accountability mechanism, the APs shall solve problems effectively via the executive departments of ADB. If dissatisfaction is still unsolved, they can report to departments related to accountability mechanism. For more details, please refer to <http://compliance.adb.org/>

## 8. Resettlement Budget

### 8.1 Resettlement Budget

149. Total cost for the LA and resettlement is included into the general budget of the project construction. Based on the price of September 2013, the total cost of the resettlement is RMB328.3104 million, including land acquisition of RMB109.7606 million, accounting for 33.43% of the total cost; house demolition of RMB67.7981 million, accounting for 20.65%; infrastructure and attachments of RMB45.8429 million, accounting for 113.96%, RP preparation and monitoring of RMB0.6653 million, accounting for 0.20%; total taxation of RMB72.3853 million, accounting for 22.05%. In addition, contingency accounts for 10% of the total cost. See Table 8-1 for the total resettlement expense.

**Table 8-1: Resettlement Expense Budget**

SN.	Category	Unit	Compensation Standard (RMB/unit)	Quantity	Cost (RMB 10,000)	Ratio(%)
<b>1</b>	<b>Basic resettlement</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>22,340.16</b>	68.05
1.1	Compensation for Freehold land acquisition	RMB	\	\	10,976.06	33.43
1.1.1	Land compensation	mu	32000	1766.75	5,653.58	17.22
1.1.2	Resettlement subsidies	mu	48000	1036.85	4,976.86	15.16
1.1.3	Compensation for Young crops	mu	3333	1036.85	345.62	1.05
1.2	HD compensation	RMB	\	\	6,779.81	20.65
1.2.1	Brick-concrete structure	m <sup>2</sup>	1,400	7,919.59	1,108.74	3.38
1.2.2	Brick and wood structure	m <sup>2</sup>	1,200	36,453.90	4,374.47	13.32
1.2.3	Earth and wood structure	m <sup>2</sup>	900	3,452.24	310.70	0.95
1.2.4	Non-living house	RMB	\	\	297.37	0.91
1.2.4.1	Attached house	m <sup>2</sup>	470	2,467.03	115.95	0.35
1.2.4.2	Simple structure	m <sup>2</sup>	360	2,025.26	72.91	0.22
1.2.4.3	House of state-owned enterprise	m <sup>2</sup>	1,400	775.10	108.51	0.33
1.2.5	Residential moving subsidies	HH	1,000	304	30.40	0.09
1.2.6	Non-residential moving subsidies	HH	2,000	1	0.2	0.00
1.2.7	Transition subsidy	m <sup>2</sup> ·month	6	30,819.07	443.79	1.35
1.2.8	Heating subsidy	m <sup>2</sup> ·month	2	30,819.07	61.64	0.19
1.2.9	Award for early moving out	RMB/HH	5,000	305	152.50	0.46
1.3	Compensation for attachments	RMB	\	\	4,584.29	13.96
1.3.1	Greenhouse	mu	39580	0.91	3,615.04	11.01
1.3.2	Plastic shed	mu	10853	0.76	827.20	2.52
1.3.3	Motor-pumped well		2,000	191	38.20	0.12
1.3.4	Trees bearing fruits		100	531	5.31	0.02

1.3.5	Trees bearing no fruits		50	71	0.36	0.00
1.3.6	Vines bearing grapes		100	74	0.74	0.00
1.3.7	Lumber		350	2,632	92.12	0.28
1.3.8	Sapling		1.5	2,402	0.36	0.00
1.3.9	Wall	m <sup>2</sup>	100	496	4.96	0.02
<b>2</b>	Assistance for affected vulnerable groups	<b>RMB</b>	<b>2,000</b>	<b>146</b>	<b>29.20</b>	0.09
<b>3</b>	<b>Special fund for women's entrepreneurship</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>100.00</b>	0.30
<b>4</b>	<b>External monitoring expense of resettlement plan</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>66.53</b>	0.20
4.1	Expense of resettlement plan design	RMB	\	\	30.42	0.09
4.2	Resettlement M&E expense	RMB	\	\	36.11	0.11
<b>5</b>	<b>Training expense</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>72.00</b>	0.22
<b>6</b>	<b>LA taxation</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>7,238.53</b>	<b>22.05</b>
6.1	LA administrative expense	mu	2,666	2271.00	605.60	1.84
6.2	Tax on land occupation	mu	20,000	1036.85	2,073.69	6.32
6.3	Land reclamation expense	mu	4,000	434.33	173.73	0.53
6.4	Construction fund for vegetable field	mu	32,000	602.52	1,928.06	5.87
6.5	Flood prevention fund	mu	800	1036.85	82.95	0.25
6.6	Surveying and mapping expense	mu	333	2271.00	75.70	0.23
6.7	Evaluation expense	mu	400	2271.00	90.84	0.28
6.8	Use charges on newly-added construction land	mu	18,666	1036.85	1,935.44	5.90
6.9	Land administrative expense	mu	1,200	2271.00	272.52	0.83
<b>7</b>	<b>Contingency (10% of the total cost)</b>	<b>RMB</b>	<b>\</b>	<b>\</b>	<b>2,984.62</b>	9.09
<b>Subtotal from SN 1 to SN 6</b>					29,846.42	90.91
<b>Subtotal from SN.4 to SN.7</b>		RMB	RMB	\	10,361.68	31.56
<b>8</b>	<b>Total</b>	RMB	<b>\</b>	<b>\</b>	<b>32,831.04</b>	100.00

## 8.2 Resettlement Investment Plan and Source of Capital

150. The resettlement project is financed by ADB and local self-raised funds. Prior to project construction or during project implementation, the investment plan shall be conducted in different phases without affecting production and living condition of farmers who have been involved in the LA. See Table 8-2 for more details.

**Table 8-2: Investment Plan of Resettlement Project**

Year	2014	2015	2016	Total
Investment amount (RMB 10,000)	11,819.17	17,728.77	3,283.10	32,831.04
Ratio	40%	50%	10%	100%

### **8.3 Resettlement Capital Management and Allocation**

151. Land compensation and resettlement subsidies shall be paid to APs and village collective on the basis of villagers' opinions; compensation for young crops shall be paid to the APs directly; compensation for infrastructure and attachments shall be paid to owners of facilities.

152. In order to recover the production, livelihood and income of affected farmers with full and timely resettlement capital, the following measures will be adopted:

- (i) All the resettlement-related costs will be included into the total project budget.
- (ii) Land compensation and resettlement subsidies shall be paid up before LA, so as to ensure that all the APs are properly arranged.
- (iii) 100% of the HD compensation shall be paid to APs after signing the HD Agreement.
- (iv) Finance and supervisory organizations will be set up at all levels, which ensure all the capital to be fully allocated, so as to realize successful implementation of LA and resettlement.

153. Budget is cost estimation for resettlement. To prevent that due to the actual change on project scope, compensation modification and inflation, the expense will be increased, however, compensation will be paid by implementing organizations. Budget also includes contingency which will be used and modified as needed. Budget will be revised in the final resettlement plan.

## 9. Resettlement Implementation Plan

### 9.1 Resettlement Implementation Principle

154. According to the project implementation schedule, the project will commence in 2014 and completed in 2018. For the purpose of connecting the resettlement schedule with project construction schedule, the LAR will commence in March 2014 and completed in August 2015. The basic resettlement implementation principles are as follows:

- The LA completion time shall be three months prior to the commencement of project construction, with specific commencement time determined according to the LA, HD and resettlement.
- The APs shall be involved in the project during resettlement. Before the commencement of project construction, the LA scope will be published and the RIB and RP will be issued, with public participation work well accomplished.
- Various types of compensation will be fully paid to property owners within three months after the approval of LA compensation and resettlement plan. Property compensation shall not be used by any unit or individual on behalf of the property owners, and shall not be discounted for any reasons.

### 9.2 Resettlement Project Implementation Schedule

155. Overall resettlement schedule is prepared according to the LA implementation progress of the Project. The implementation time will be adjusted due to deviation of overall project progress. See Table 9-1 for resettlement implementation schedule.

**Table 9-1: Resettlement Project Implementation Schedule**

No.	Task	Objective	Responsible Unit	Time	Remark
<b>1</b>	<b>Information Disclosure</b>				
1.1	Resettlement Information Booklet	7 villages 1 subdistrict 661 households	EDZPMO Resettlement Office / Subdistrict Office	May 2014	
1.2	Posting the RP on ADB's website	/	EDZPMO and BPMO, ADB	May 2014	
<b>2</b>	<b>RP and its updates</b>				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	Resettlement Office	November 2013	
<b>3</b>	<b>Signing Compensation Agreement and Disbursing Compensation</b>				
3.1	Signing land compensation agreement with villages and making payment	7 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	395 AHs	Resettlement Office / AHs	August 2014	
3.3	Signing house compensation agreement and making payment	304 households	Resettlement Office / AHs	August 2014	
<b>4</b>	<b>Rehousing</b>				
4.1	House demolition	304 households	Resettlement Office / AHs	October 2014	
4.2	New house construction	304 households	Village committees or AHs	November 2014 - July 2015	
4.3	Moving to new houses	304 AHs	AHs	August 2015	
<b>5</b>	<b>Livelihood Restoration</b>				

No.	Task	Objective	Responsible Unit	Time	Remark
5.1	Skill training	780 APs	EDZPMO and Baicheng Government	December 2014	
5.2	Agricultural production Improvement	395 AHs	EDZPMO and Baicheng Government	March – June 2015	
5.3	Employment assistance	395 AHs	EDZPMO and Baicheng Government	August 2014 to December 2016	
5.4	Pension insurance of farmers who Lost farmland	395 AHs	EDZPMO and Baicheng Government	December 2014	
<b>6</b>	<b>Monitoring and Evaluation</b>				
6.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
6.2	Establishing an internal monitoring agency	According to the RP	BPMO and EDZPMO	July 2014	
6.3	Signing an agreement with an external monitoring agency	One	BPMO	July 2014	
6.4	Internal monitoring report	Project Progress Report	BPMO and EDZPMO	Start from August 2014	
6.5	External monitoring report	Semi-annually	External monitoring unit	September 2014	1 <sup>st</sup> report
				March 2015	2 <sup>nd</sup> Report
6.6	External monitoring report	Annually	External monitoring unit	March 2016	3 <sup>rd</sup> Report
6.7	Completion report	1 Report	BPMO and EDZPMO	March 2017	4 <sup>th</sup> Report
<b>7</b>	<b>Civil Works Commencement</b>				
7.1	Baicheng Urban Development Project		Project construction bid winner	September 2014	

## **10. Monitoring and Evaluation**

156. With the aim to ensure successful implementation of resettlement plan, periodical M&E will be carried out concerning LA, HD and resettlement implementation based on the ADB resettlement policies. Monitoring consists of internal monitoring and external monitoring.

### **10.1 Internal Monitoring**

157. Internal monitoring organizations, including the BPMO, Finance Bureau and other relevant departments (such as Land and Resources Bureau), jointly carry out the project. The BPMO will prepare a detailed Internal Monitoring Plan concerning LA and resettlement, which includes:

- (i) investigation, coordination and suggestion on major problems incurred in the resettlement implementation and implementation organizations;
- (ii) household income recovery condition of migrants who have been involved in LA;
- (iii) housing arrangement and recovery condition of migrants who have been involved in HD;
- (iv) arrangement and recovery condition of vulnerable groups among the affected population;
- (v) payment, usage and funded condition of LA and HD compensation;
- (vi) the affected farmers' participation and consultation during the implementation;
- (vii) training provided to migrants and its effects;
- (viii) training and work efficiency of resettlement implementation and administrative organizations and personnel in the project area.

158. BPMO will submit an internal monitoring report to ADB on a semi-annual basis. The report shall indicate statistics of past six months with form, reflecting progress by comparing the planned LA, resettlement and compensation usage with the actual situation.

### **10.2 External Monitoring**

159. As required in the ADB policies, the BPMO will employ a qualified and independent resettlement agency experienced in ADB project to conduct external M&E for the resettlement plan implementation.

160. External M&E agency will track, monitor and evaluate resettlement implementation on a regular basis, monitor resettlement progress, quality and capital, put forward advisory opinion, keep monitoring migrants' production and living standard as well as submit M&E report to the BPMO and ADB.

#### **10.2.1 External Monitoring Content and Methods**

##### **(1) Baseline Survey**

161. The external monitoring agency will conduct baseline survey on the LA-affected villages, so as to obtain basic information of migrant households' production and living standard ( living, production and income condition). Survey on production and living standard will be conducted every six months, which aims at keeping track of the change on migrants' production and living standard. In order to obtain necessary information, such methods as follow-up survey on typical sample ( sample size: 20% of LA baseline survey AHs who lose more than 20% of farmland, 20% of HD AHs, and 40% of vulnerable AHs, sample households are selected according to random sampling method), random interviews and field observation are adopted, thus to make the statistic analysis and evaluation.

## (2) Periodical M&E

162. When the RP is implemented, external monitoring agency periodically keeps monitoring the resettlement project twice a year, such as field observation, follow-up survey on typical sample and random interviews, to monitor the following activities:

- Payment and amount of compensation;
- Training;
- Support for vulnerable groups;
- Reconstruction of infrastructure and special facilities;
- Arrangement and recovery of production and livelihood;
- Compensation for loss of property;
- Schedule for the above mentioned activities ( applicable at any time);
- Organization of resettlement network;
- Usage of collective land compensation and migrants' income situation;
- Employment income increase;
- Whether APs are benefit from the project or not.

## (3) Public Consultation

163. External monitoring agency will take part in public consultation meetings held during the implementation of resettlement project, thus to evaluate the effect of public participation.

## (4) Grievance Redress

164. External monitoring agency will pay periodical visit to project-affected villages, inquiring about handling by going deep into Subdistrict Office and implementation organizations which receive . Meanwhile, external monitoring agency will also interview villagers for improvement measures and proposals concerning the existing problems, to realize a more effective resettlement implementation progress.

### 10.2.2 External Monitoring Report

165. External M&E agency will submit monitoring report and evaluation report to the the BPMO and ADB every half year, and submit monitoring and evaluation report every year within two years upon the completion of resettlement. See table 10-1 for reporting timeline.

**Table 10-1: Resettlement Monitoring and Evaluation Schedule**

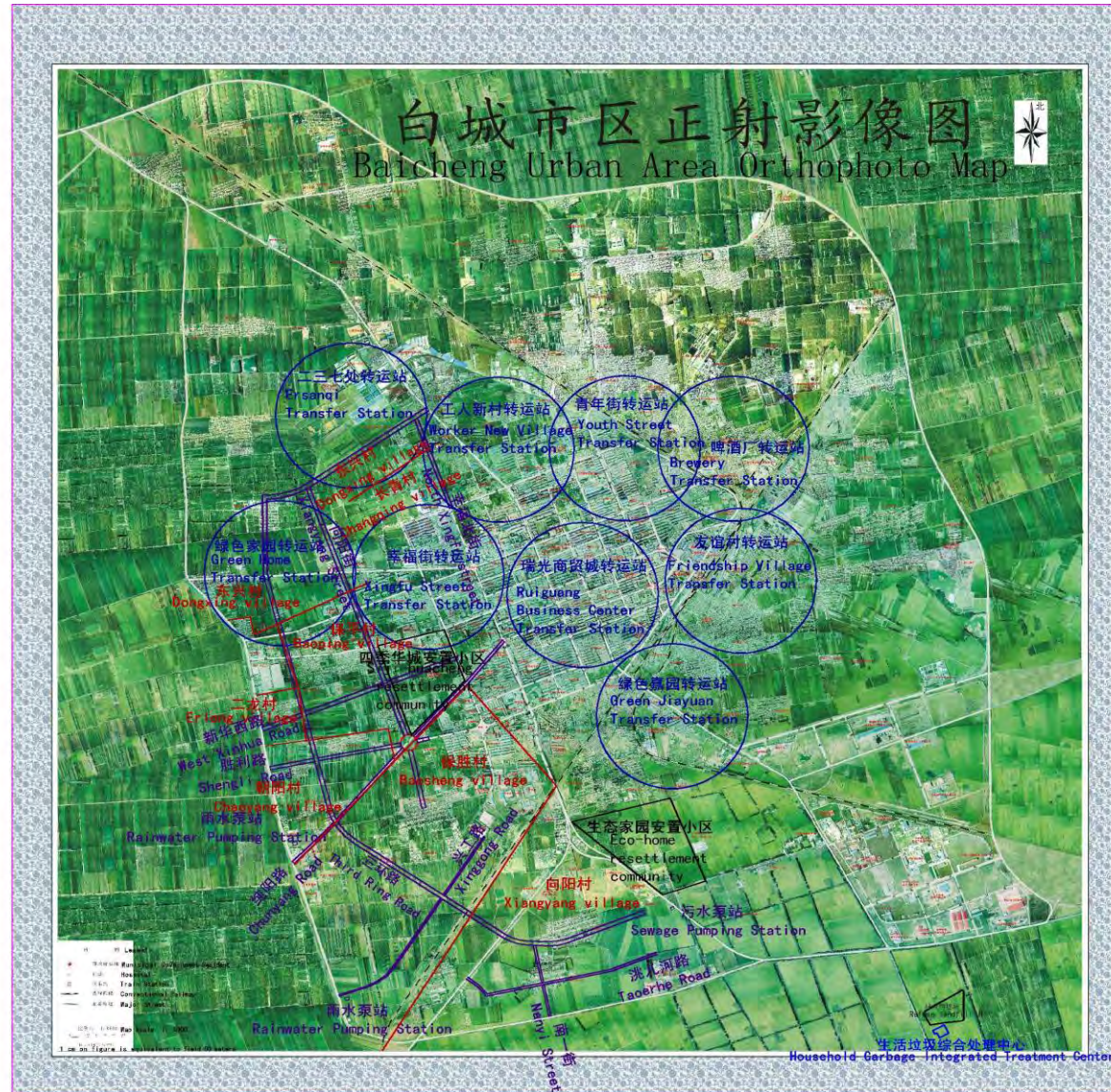
No.	Report	Date
1	Baseline survey on social economy	September 2014
2	The 1 <sup>st</sup> monitoring report	September 2014
3	The 2 <sup>nd</sup> monitoring report	March 2015
4	The 3 <sup>rd</sup> monitoring report	March 2016
5	The 4 <sup>th</sup> monitoring report	March 2017
6	Completion report	March 2017

### 10.3 Resettlement Completion Evaluation

166. On the basis of M&E, summary and evaluation on the resettlement shall be made upon completion according to project evaluation theory and methods. Evaluation is mainly involved in experience and lessons in LA and resettlement, which can provide reference for resettlement in the future.



# Appendix 1: Project Schematic Diagram



## Appendix 2: Summary of Relevant Chinese Laws and Regulations

### 1. Land Administration Law of the People's Republic of China (passed by the Standing Committee of the Tenth National People's Congress at its Eleventh Meeting held on August 28, 2004)

**Article 2** The People's Republic of China practices socialist public ownership of land, namely, ownership by the whole people and collective ownership by the working people.

Ownership by the whole people means that the right of ownership in State-owned land is exercised by the State Council on behalf of the State.

No units or individuals may encroach on land or illegally transfer it through buying, selling or other means. However, the right to the use of land may be transferred in accordance with law.

The State may, in the interest of the public, lawfully requisition land owned by collectives and give compensations accordingly..

The State applies, in accordance with law, a system of compensated use of State-owned land, with the exception of land the right to the use of which is allocated by the State within the provisions of laws.

**Article 43** Any unit or individual that needs land for construction purposes shall apply for the use of land owned by the State according to law, except land owned by farmer collectives used by collective economic organizations approved according to law for building township enterprises or building houses for villagers or land owned by farmer collectives approved according to law for use in building public facilities or public welfare facilities of townships (towns).

"The State-owned land" mentioned in the preceding paragraph includes land owned by the State and land originally owned by peasant collectives but requisitioned by the State.

**Article 44** Where land for agriculture is to be used for construction purposes, the formalities of examination and approval shall be gone through for the conversion of use.

Where land for agriculture is to be converted to land for the construction of road, pipeline or large infrastructure projects, for which approval has been obtained from people's governments of provinces, autonomous regions and municipalities directly under the Central Government, or for the construction of projects for which approval has been obtained from the State Council, the conversion shall be subject to approval by the State Council.

Where land for agriculture is to be converted to land for construction of projects in order to carry out the overall plan for land utilization within the limits of the area of land fixed in the plan for construction projects of cities, villages or towns, the conversion of use of land shall, in accordance with the annual plan for land utilization, be subject to approval in batches by the organ that originally approved the overall plan for land utilization. Land to be used for construction of specific projects within the limits of the area of land for agriculture, conversion of the use of which has been approved, may be subject to approval by people's governments of cities or counties.

Where land for agriculture is to be converted to land for construction projects other than what is provided for in the second and third paragraphs of this Article, the conversion shall be subject to approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

**Article 45** Requisition of the following land shall be subject to approval by the State Council:

- (1) capital farmland;
- (2) cultivated land, not included in capital farmland, that exceeds 35 hectares; and
- (3) other land that exceeds 70 hectares.

Requisition of land other than that prescribed in the preceding paragraph shall be subject to approval by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government and be submitted to the State Council for the record.

Land for agriculture shall be requisitioned after conversion of use of the land is examined and approved in accordance with the provisions in Article 44 of this Law. Where conversion of use of such land is subject to approval by the State Council, requisition of the land shall be examined and approved at the same time, and there is no need to go through the formalities of examination and approval for the requisition separately. Where conversion of use of land is subject to approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government within the limits of their approval authority over the requisition of land, requisition of the land shall be examined and approved at the same time, and there is no need to go through the formalities of examination and approval for the requisition separately; if the land to be requisitioned is beyond the limits of their approval authority, it shall be examined and approved separately in accordance with the provisions of the first paragraph in this Article.

**Article 46** For requisition of land by the State, the local people's governments at and above the county level shall make an announcement and organize the implementation after the approval according to the legal procedures.

Owners or users of the land under requisition shall, within the time limit specified in the announcement, register for compensation with the land administration department of the local people's government by presenting their certificates of land ownership or land-use right.

**Article 47** Land requisitioned shall be compensated for on the basis of its original purpose of use.

Compensation for requisitioned cultivated land shall include compensation for land, resettlement subsidies and compensation for attachments and young crops on the requisitioned land. Compensation for requisitioned of cultivated land shall be six to ten times the average annual output value of the requisitioned land, calculated on the basis of three years preceding such requisition. Resettlement subsidies for requisitioned cultivated land shall be calculated according to the agricultural population needing to be resettled. The agricultural population needing to be resettled shall be calculated by dividing the area of requisitioned cultivated land by the average area of the original cultivated land per person of the unit the land of which is requisitioned. The standard resettlement subsidies to be divided among members of the agricultural population needing resettlement shall be four to six times the average annual output value of the requisitioned cultivated land calculated on the basis of three years preceding such requisition. However, the maximum resettlement subsidies for each hectare of the requisitioned cultivated land shall not exceed fifteen times its average annual output value calculated on the basis of three years preceding such requisition.

Rates of land compensation and resettlement subsidies for requisition of other types of land shall be prescribed by provinces, autonomous regions and municipalities directly under the Central Government with reference to the rates of compensation and resettlement subsidies for requisition of cultivated land.

Rates of compensation for attachments and young crops on requisitioned land shall be prescribed by provinces, autonomous regions and municipalities directly under the Central Government.

For requisition of vegetable plots in city suburbs, the land users shall pay towards a development and construction fund for new vegetable plots in accordance with the relevant regulations of the State.

If land compensation and resettlement subsidies paid in accordance with the provisions of the second paragraph in this Article are still insufficient to enable the peasants needing resettlement to maintain their original living standards, the resettlement subsidies may be increased upon approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government. However, the total land compensation and resettlement subsidies

shall not exceed 30 times the average annual output value of the requisitioned land calculated on the basis of three years preceding such requisition.

The State Council may, in light of the level of social and economic development and under special circumstances, raise the rates of land compensation and resettlement subsidies for requisition of cultivated land.

**Article 48** Once a plan for compensation and resettlement subsidies for requisitioned land is decided on, 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 requisitioned, and the peasants.

**Article 49** The rural collective economic organization, the land of which is requisitioned, shall accept supervision by making known to its members the income and expenses of the compensation received for land requisition.

The compensation and other charges paid to the unit for its land requisitioned is forbidden to be embezzled or misappropriated.

**Article 57** Where land owned by the State or by peasant collectives needs to be used temporarily for construction of projects or for geologic prospecting, the matter shall be subject to approval by the land administration department of a people's government at or above the county level. However, if the land to be temporarily used is located in the area covered by city planning, the matter shall be subject to agreement by the city planning administration department concerned before it is submitted for approval. The land user shall, depending on who owns the land and who has the land-use right, enter into a contract for the temporary use of the land with the land administration department concerned, or the rural collective economic organization, or the villagers committee, and pay compensation for it in accordance with the provisions of the contract.

The temporary land user shall use the land for purposes stipulated in the contract for temporary use of the land and may not build permanent structures on it.

Generally, the period for temporary use of land shall not exceed two years.

## **2. Decision of the State Council on Deepening the Reform of Strict Land Management (GF[2004]No.28)**

**Article 12** Improve land acquisition compensation measures. Local people's governments at or above the county level shall take effective measures to ensure farmers living standards are not reduced due to land acquisition. According to laws, full and timely payment shall be made concerning land compensation fees, resettlement fees and compensation for ground attachments and young crops. If the land compensation fees and resettlement fees paid under current law are not enough to maintain the original living standards of land-requisitioned farmers, and are insufficient to pay social security costs of landless farmers due to land acquisition, the resettlement subsidies may be increased upon approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government. If the total land compensation and resettlement subsidy reach the legal limit, and is still insufficient to maintain the original living standards of land-requisitioned farmers, local governments can subsidize them with the income from state-owned land use. people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall develop and publish unified annual output value standard concerning land acquisition of various cities and counties or district integrated land value, carry out same land acquisition compensation in the same area, and include full land acquisition fee into the budget for state key construction projects. The rate of compensation for requisition of land to build large or medium-sized water conservancy or hydroelectric projects and the measures for resettling relocated people shall be prescribed separately by the State Council.

**Article 13** Proper arrangements for land-requisitioned farmers. Local people's governments at

or above the county level shall formulate specific measures to guarantee long-term livelihood of land-requisitioned farmers. In terms of projects with stable income, farmers can take stakes in land use right of construction land legally approved. In the urban planning area, the local government shall include landless farmers due to land acquisition into urban employment system, and establish social security system; outside the urban planning area, in the case of collecting rural collectivity-owned lands, the local people's governments shall leave necessary farming land or arrange jobs for land-requisitioned farmers within the administrative areas; in terms of landless farmers without basic production and living conditions, offsite resettlement shall be arranged. In company with relevant departments, labor and social security authorities shall put forward guidance on establishing employment training and social security system guidance for land-requisitioned farmers as soon as possible.

**Article 14** Improve land acquisition procedures. In the process of land acquisition, the farmers' ownership of collective land and contractual right of land shall be protected. Land-requisitioned farmers shall be informed with the proposed land use, location, compensation standards, resettlement approaches before submitting land acquisition for approval; survey on situation of proposed land acquisition shall be subject to the confirmation of the rural collective economic organizations and farmers involved land acquisition; if necessary, land and resources departments shall organize hearing in accordance with the relevant provisions. Related materials informed and confirmed by land-requisitioned farmers shall be regarded as necessary materials for approval of land acquisition. Speed up the establishment and improvement of coordination and judgment system for controversial land acquisition compensation and resettlement, and safeguard the legitimate rights and interests of land-requisitioned farmers and land users. The approved land acquisition matters, except for special circumstances, shall be publicized.

**Article 15** Reinforcement supervision of implementation process concerning land acquisition. If land compensation and resettlement are not implemented properly, the requisitioned land may not be imposed to use. Based on the main principle of land compensation for land-requisitioned farmers, people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall develop the internal distribution approach of land compensation fees in the rural collective economic organizations. The rural collective economic organizations involved in land acquisition shall publicize the income and expenses and distribution of land acquisition compensation fees to its members and be subject to supervision. Agriculture, civil affairs and other departments shall strengthen the supervision on internal distribution and usage of land compensation fees of rural collective economic organization.

### **3. Guidance on Improving Land Acquisition Compensation and Resettlement System( GTZF[2004] No.238)**

#### **(1) Land Acquisition Compensation Standards**

(i) Formulation of unified standard for annual output value. In conjunction with the relevant departments, provincial land and resources authorities shall formulate minimum unified standards of annual output value concerning farmland in various counties (city) within provincial area, and publicize and implement after submitting to the provincial people's government for approval. Type and quality of requisitioned land, farmers' invest in land, agricultural product price, farmland grading and other factors may be taken into consideration when formulating a unified standard of annual output value.

(ii) Confirmation of unified annual output value multiples. Base on the principle of not reducing land-requisitioned farmers' original living standards, unified annual output value multiples of land compensation and resettlement subsidies shall be confirmed within the limits prescribed by law; Land acquisition compensation and resettlement fees calculated according to unified annual output value multiples stipulated by law, which cannot ensure the land-requisitioned farmers maintain their original living standard and is insufficient to pay social security costs for landless farmers due to land acquisition, shall be increased accordingly after the approval of provincial people's government; the total land compensation and resettlement subsidies calculated by 30 times, which is insufficient to ensure land-requisitioned farmers to maintain their original living standard, shall be

subsidized with certain amount set aside from income of state-owned land according to the overall arrangements of local people's governments. For legally approved occupation of basic farmland, land compensation shall be implemented in accordance with the highest standards issued by local people's government.

(iii) Integrated land value formulation of land-requisitioned area. With regard to conditional region, provincial land and resources authorities may, in conjunction with the relevant departments, formulate integrated land value of land-requisitioned area in provincial county (city), publicize and implement compensation for land acquisition after the approval of provincial people's government. the implementation of land requisition compensation. In terms of formulating land value of land-requisitioned area, land type, the output value, land location, farmland grade, amount of arable land per capita, land supply-demand relationship, local economic development level and the minimum living standard for urban residents and other factors shall be taken into consideration.

(iv) The allocation of land compensation. Based on the principle of land compensation mainly used for land-requisitioned farmers, land compensation fee shall be allocated properly within the rural collective economic organizations. Specific allocation methods will be formulated by the provincial people's government. With total land requisitioned and the rural collective economic organization disbanded, the land compensation fee shall be used exclusively for the production and living resettlement of land-requisitioned farmers.

## **(2) Resettlement Approaches for Land-Requisitioned Farmers**

(i) Resettlement of agricultural production. With regard to acquisition of farmers' collectively-owned land outside urban planning area, the land-requisitioned farmers shall be initially guaranteed with necessary farmland to continue agricultural production by using rural collective reserved land, undertaking contracted land returned by farmers voluntarily, transferring contracted land, land development and consolidation of the newly added farmland.

(ii) Re-employment arrangement. Create conditions actively, provide land-requisitioned farmers with free labor skill training and arrange relevant jobs. Under the same conditions, the land-use unit shall preferentially employ land-requisitioned farmers. With regard to acquisition of farmers' collectively-owned land within urban planning area, the local government shall include landless farmers due to land acquisition into urban employment system, and establish social security system.

(iii) Shareholders' dividends arrangement. With regard to project land with long-term stable income, on the farmers' voluntary basis, the rural collective economic organization can buy shares with land compensation and resettlement fees or priced land use rights of approved construction land after consultation with land-use unit. Rural collective economic organizations and farmers make profit with preferred shares according to contract.

(iv) Offsite resettlement. If the local region is unable to provide basic production and living conditions for landless farmers involved in land acquisition, government may organize to implement offsite resettlement after full consultation with the rural collective economic organizations and farmers.

## **(3) Land Acquisition Procedures**

(i) Land acquisition notification. Prior to submitting the land acquisition for approval according to law, the local land and resources departments shall notify the rural collective economic organizations and farmers in writing of the proposed acquisition land's usage, location, compensation standards, resettlement approaches, etc.. After notification, where the rural collective economic organizations and farmers plant young crops and build ground attachments in the proposed acquisition land, compensation shall not be paid.

(ii) Confirmation of land acquisition survey results. Local land and resources departments shall survey on ownership, land type and size of proposed acquisition land and attachments ownership, type, quantity, etc., with survey results confirmed by the rural collective economic

organizations, farmers and property owners of ground attachments.

(iii) Organization of land-acquisition hearing. Prior to submitting the land acquisition for approval according to law, the local land and resources department shall inform the rural collective economic organizations and farmers involved in land acquisition of the right to request a hearing on compensation standards of proposed-acquisition land and resettlement approaches. If the concerned people apply for a hearing, they shall organize hearing in accordance with procedures and requirements stipulated by *Hearing Provisions of Land and Resources*.

#### **(4) Land Acquisition Implementation and Supervision**

(i) Approved matters publicity of land acquisition. With regard to approved land acquisition according to law, except those concerning state security regulations and other special circumstances, the Ministry of Land and Resources and the provincial land and resources departments shall issue the approved matters of land acquisition to the society through the media. Land and resources departments at county (city) level shall issue approved matters of land acquisition to concerned villages and groups in accordance with the regulations stipulated in *Announcement Methods of Land Acquisition*.

(ii) Payment of land acquisition compensation and resettlement fees. After compensation programme of land acquisition approved by municipal and county people's governments, land acquisition compensation and resettlement fees shall be allocated to the rural collective economic organizations involved according to the time limit stipulated by the law. The local departments of land and resources shall cooperate with agriculture, civil affairs and other relevant departments, supervising the allocation and usage of land acquisition compensation and resettlement fees within the collective economic organizations .

(iii) Supervision and inspection of approved land acquisition. The land and resources departments at all levels shall supervise and inspect the approved land acquisition programme pursuant to law. If the original living standard of land-requisitioned farmers declines due to land acquisition, the local land and resources department shall, actively in conjunction with the relevant government departments, take effective measures, solve production and living of land-requisitioned farmers with multiple channels and maintain social stability.

## **Appendix 3: Summary of Regulations and Policies of Jilin Province and Baicheng**

### **1. Land Management Regulations of Jilin Province ( developed in September, 1999 and took effect on January 1, 2000)**

**Article 22** Land occupation for new construction, reconstruction and expansion projects must be subject to examination and approval of the people's government at or above the county (city) level pursuant to law. The construction unit or individual shall use the land according to the purposes approved. Change of land use shall be submitted to the original approval authorities for re-approval, and corresponding land taxes shall be paid according to the new land use. In changing the purpose of land within the urban planned areas, the consent should be obtained from the related urban planning administrative departments before submission for approval.

**Article 23** Specific projects, which occupy state-owned construction land within land scope for urban construction specified in overall plan for land utilization, shall be subject to the approval of municipal(prefecture) and county (city) people's government. However, construction projects, in the use of state-owned land and approved by the provincial people's government, are as follows:

- (1) Land use for key construction project directly implemented by the provincial people's Government, except for those subject to approval of the State Council;
- (2) Construction project land specified in the Project Catalogue for Land Supply Restriction;
- (3) Construction project land within the national scenic area, nature reserve, forest park approved and established in accordance with the law.

**Article 24** During the feasibility study stage of construction project, the construction unit shall report to the land administrative departments of municipal (prefecture) and county (city) people's government where the project is located for pre-application of construction land.

Land administrative departments of municipal (prefecture) and county (city) people's government shall examine the project location and land use, put forward preliminary opinions, submit to land administrative departments of people's government with the right to approve the project construction land for review.

When submitting feasibility study report of construction project for approval and going through the examination and approval formalities of construction land, the preliminary report on construction project land by land administrative departments shall be attached. Without the preliminary review on construction project land, the project examination and approval department shall not approve the feasibility study report.

**Article 25** The land compensation fees shall be paid for land acquisition in accordance with the following standards:

- (1) Compensation for requisition of urban and suburban vegetable fields, vegetable fields and fish ponds in industrial and mining area shall be nine to ten times the average annual output value of the requisitioned land, calculated on the basis of three years preceding such requisition.
- (2) Compensation for requisition of paddy fields, gardens and vegetable fields other than those specified in item (1) of this article shall be eight to nine times the average annual output value of the requisitioned land, calculated on the basis of three years preceding such requisition.
- (3) Compensation for requisition of dry farmland and artificial grassland shall be six to eight



times the average annual output value of the requisitioned land, calculated on the basis of three years preceding such requisition.

(4) Compensation for requisition of forest land, reed pond, grassland other than artificial grassland, aquaculture water areas other than fish ponds shall be four to six times the average annual output value of the adjacent dry farmland, calculated on the basis of recent three years of such adjacent dry farmland.

(5) Compensation for requisition of other lands shall be two to four times the average annual output value of the adjacent dry farmland, calculated on the basis of recent three years of such adjacent dry farmland.

**Article 26** Settlement subsidies for requisition of land with profit other than cultivated land shall be four to six times the average annual output value of the requisitioned land with one-time payment, calculated on the basis of three years preceding such requisition.

**Article 27** Compensation for young crops in requisitioned land shall be output value of one cultivation period; no compensation shall be paid for harvest as scheduled. If nursery stock, flowers and plants as well as the perennial economic forest can be transplanted, costs of transplantation shall be paid; if cannot be transplanted, reasonable compensation or evaluation and purchase shall be made.

Compensation standard for the attachments in requisitioned land shall be agreed upon by both parties; if agreement fails to reach, it shall be confirmed by qualified assessment agencies recognized by both parties, or designated by the municipal (prefecture) and county (city) people's government.

Municipal (prefecture) and county (city) people's government shall issue a notice of proposed land acquisition to land-requisitioned units before implementing land acquisition. new crops and trees planted and new facilities constructed in the proposed land after delivery of notice, not compensation will be paid; loss caused to owners or users of requisitioned land due to land acquisition not implemented as scheduled, municipal (prefecture) and county (city) people's government shall make the compensation.

In terms of vegetable field acquisition in suburban areas, development and construction fund for new vegetable field shall be paid, no need to pay land reclamation fees.

Development and construction fund for new vegetable field mainly used in urban development and construction of new vegetable field.

Charge standard of development and construction fund for new vegetable field shall be the average annual output value of the requisitioned land, calculated on the basis of three years preceding such requisition: Changchun and Jilin shall be calculated at twelve to fifteen times; Siping City, Liaoyuan City, Tonghua City, Baishan City, Baicheng, Songyuan City, Yanji city shall be calculated at eight to twelve times; the other counties (city) and industrial and mining areas shall be calculated at six to eight times.

Land compensation for state-owned agricultural land occupying agriculture, forest, animal husbandry and fishery and compensation for ground attachments and young crops shall be made according to relevant land acquisition standards.

## **Article 28** Approval Procedures for Land Acquisition

(1) With annual project capital construction plan or the final approval documents, land units and individuals propose construction land application to the land administrative departments of city (prefecture) and county (city) people's government, reporting the relevant materials;

(2) Land administrative departments of city (prefecture) people's government shall organize relevant materials and report land acquisition application to the land administrative department

of provincial people's government;

(3) Land administration department of provincial people's government shall promptly review the application for land acquisition, and organize on-site investigation and determine the specific location and area of land acquisition if condition is met;

(4) When land compensation and resettlement program are determined, land administrative department of the people's governments above the county level shall entrust land affairs agencies to organize materials, progressively reporting to land administrative department of the people's governments with approval authority for review;

(5) After the approval of land acquisition for construction use pursuant to law, the municipal (prefecture) and county (city) people's government will issue construction land certification to construction unit. With respect to the paid use of state-owned land, land administrative departments of the municipal (prefecture) and county (city) people's government will enter into contract on the paid use of state-owned land with land users; with respect to allocated land use, land administrative departments of the municipal (prefecture) and county (city) people's government will issue decision for allocating state-owned land to the land user. If land users fail to make full and timely payment of compensation fee, land administrative departments of the municipal (prefecture) and county (city) people's government will not supply land;

(6) Land-use units and individuals shall report to the local land administrative departments of the municipal (prefecture) and county (city) people's government for the application of land registration within thirty days upon the completion of construction projects, and go through land registration with land use certificate issued after registration requirements reviewed and met.

**Article 29** Land acquisition procedures and resettlement compensation plan of municipal (prefecture) and county (city) people's government comply with laws and regulations, and land-requisitioned units and individuals must abide by and shall not refusal, obstruct, hinder or delay, otherwise performance will be carried out according to Article 37 and Article 45 stipulated in Implementation Regulations.

**Article 30** In the approval of agricultural land conversion and acquisition, compensation for use of new construction will be charged by people's government with approval authority to municipal (prefecture) and county (city) people's government which obtains new construction land by such means of compensation as assignment, and is specialized for cultivated land development. The charge standard will be implemented according to the relevant provisions of the State.

**Article 31** When land is temporarily used in project construction and geological survey, the cultivated land shall be approved by land administrative departments of the provincial people's government; non-cultivated land shall be approved by local land administrative departments of the municipal (prefecture) and county (city) people's government; land of cross-administrative regions shall be approved by superior land administrative departments of the people's government in the administrative regions. Temporary land within urban planning area shall obtain consent of administrative department in charge of urban planning before approval.

**Article 32** Compensation standards for temporary use of state-owned construction land shall be determined based on standards of local state-owned land rents; compensation standards for temporary use of collective construction land and unused land shall be determined with reference to 50%-70% of standards of the local state-owned land rents; compensation standards for temporary use of state-owned and collective agricultural land shall be determined according to the preceding three-year average annual output value of the land.

If compensation mentioned in preceding paragraphs is insufficient to cover losses caused by temporary occupation of agricultural land, compensation can be appropriately increased, but the increase may not exceed total annual output value of preceding three years.

**Article 33** Temporary land users shall use the land in accordance with regulations of temporary land contract and approved usage, and shall not build any permanent structures. Damage caused to land shall be borne by the users for reclamation; if there is no reclamation condition or

reclamation fails to meet requirements, land users shall pay the cost of land reclamation, and the administrative departments undertake land reclamation.

Generally, temporary use of land shall not exceed two years. Land use needs more than two years due to project, which shall report to the superior land administration departments for approval.

**Article 34** If rural collective economic organizations use collective construction land and unused land for establishing enterprises, public facilities and public utilities, they shall submit application to land administrative departments of people's governments above county (city) level with relevant approved documents. Land less than one hectare (including one hectare) shall be approved by the county (Municipal) people's government; land more than one hectare but less than two hectares (including two hectares) shall be approved by the municipal (prefecture) people's government; land more than two hectares shall be approved by the provincial people's government. Land users using agricultural land shall go through formalities of agricultural land conversion according to regulations of Article 44 stipulated in *Land Administration Law*.

## **2 Urban Housing Demolition Management Regulations of Jilin Province (No.87 notice made by Ninth People's Congress of Jilin Province on March 28, 2002)**

**Article 2** Where house demolition is implemented on state-owned land within urban planning area of provincial administrative region, and compensation and resettlement will be required to people involved in demolition, these regulations shall apply.

**Article 10** Deposit amounts of compensation and resettlement funds shall be no less than the value calculated by multiplying real estate market's guide price of same house in the same location last year by total construction area of houses to be demolished. Houses for exchange of property rights can be included by discount.

**Article 11** Compensation and resettlement funds incurred from house demolition shall be used exclusively for housing demolition compensation and resettlement, and may not be used for other purposes.

House demolition administrative department of people's governments above the county level shall strengthen supervision on the use of compensation and resettlement funds.

**Article 12** With regard to qualified applicants, local house demolition administrative department shall issue License for House Demolition within thirty days from the date of receiving housing demolition application; unqualified applicants, without issuance of License for House Demolition, will be notified in writing and required to explain the reasons.

## **3. Baicheng Proposed Regulations on Urban Planning Administration ( BZF[2002]No.33)**

**Article 27** Any unit or individual, temporarily using state-owned land or collectively owned land within the urban planning area, shall submit application to planning administrative department for the use of temporary land, and go through formalities of temporary land in land administrative department after examination and approval. The use of approved temporary land shall not exceed two years, and use unit or individual shall clear and remove temporary facilities and restore original appearance after the expiration. If extension is required, formalities shall be carried out again according to regulations stipulated in preceding paragraphs.

Due to urban planning needs, units or individuals must return the temporary land timely.

No permanent buildings, structures and other facilities will be built on temporary land.

**Article 28** Construction unit or individual must follow the land usage, scope and requirements approved by administrative department in charge of urban planning, may not change, transfer and

lease without authorization. If change, transfer or lease is required, Construction Land Use Planning Permit shall be renewed in accordance with the prescribed procedures.

**Article 29** When Municipal People's Government adjusts construction land in accordance with urban planning, no unit or individual shall refuse or delay the implementation due to any reason, and compensation concerned shall be made according to national and provincial regulations.

**Article 30** With regard to construction of permanent buildings within urban planning area, the range of land acquisition and demolition shall, in addition to the land used for buildings, include the relevant environmental land specified in regulations.

Reconstruction of old urban area, requiring to demolish original buildings and structures, shall be implemented within demolition range designated by administrative department in charge of urban planning. When the demolition is finished, construction can be implemented after acceptance of administrative department in charge of urban planning.

**Article 31** On behalf of the State, people's government performs the right to transfer use right of municipal state-owned land. Administrative department in charge of urban planning of Municipal People's Government is responsible for transfer and assignment of use right of municipal state-owned land and other planning management work within urban planning area. Land transfer and use must comply with the requirements of urban planning, developed and utilized in accordance with the overall planning and detailed planning.

**Article 32** Before transferring state-owned land, regulatory plan shall be made. The land only can be transferred with planning and design conditions and drawings provided by administrative department in charge of urban planning. Planning and design conditions and drawings cannot be modified by the transferor and the transferee without authorization. Modification required in the process of transfer must be approved by administrative department in charge of urban planning.

Planning and administrative department shall participate in the preparation of plan on land use right transfer, and formulate specific transfer plan to meet the urban planning.

**Article 38** Development of new urban area and reconstruction of old area must comply with the principle of "unified planning, rational distribution, adaption to local conditions, comprehensive development, supporting facilities construction", and implement development and construction in concentrated area based on the procedure of underground prior to the ground. Reconstruction of old area shall, based on the principle of maintenance reinforcement, rationality, layout adjustment and gradual improvement, strengthen the infrastructure construction with unified planning and phased implementation.

**Article 39** Relocation units specified in urban planning shall not carry out any expansion and renovation activities on the original land; units with development restrictions must develop a feasible plan for moving out, and carry out according to the requirement of urban planning.

**Article 44** According to the plan, such major public buildings as universities, middle schools, primary schools and commercial service networks shall be built with supporting facilities. As for development of new urban area and reconstruction of old urban area, urban roads, water supply, drainage, street lighting, green spaces, public fire protection, electricity, communications and other infrastructure shall be built simultaneously according to planning.

**Article 41** Waste water, waste gas, waste residue, noise and other pollutants shall be disposed and discharged according to the regulations stipulated by environmental protection department. The main body of new project shall be designed, constructed and put into use with pollution control facilities simultaneously. Where the construction works concerning contamination submit for approval, audit opinion made by environmental protection department must be provided.

It's forbidden to build projects producing toxic and hazardous substances in windward area with dominant wind direction and water upstream areas.

**Article 42** Any unit or individual, building, expanding(including additional stories) and reconstructing buildings, structures, roads, pipelines and other engineering facilities within urban

planning area, shall submit application to the administrative department in charge of urban planning for construction. The administrative department in charge of urban planning will issue the Planning Permit of Construction Engineering according to the following procedures:

(1) Construction units shall submit application to administrative department in charge of urban planning with Planning Permit of Construction Engineering and relevant approval documents;

(2) In accordance with approved site plan, administrative department in charge of urban planning will put forward design requirements of construction project planning within fifteen days;

(3) Administrative department in charge of urban planning reviews planning and design programs of construction project and relevant design formation;

(4) With regard to qualified architectural design programs provided by construction units, Planning Permit of Construction Engineering will be issued within fifteen days.

If Construction units or individuals fail to start construction for two years after obtaining the Planning Permit of Construction Engineering, it will be invalid automatically. If construction is required to continue, renewal shall be made in accordance with the prescribed provisions.

**Article 58** The following municipal and pipeline engineering shall not be put into construction unless Planning Permit of Construction Engineering has been issued by administrative department in charge of urban planning:

(1) Water supply, drainage, heating, gas pipeline;

(2) Electricity, telecommunications, street lighting, traffic control signal, cable lines and other lines;

(3) Railways, roads, squares, bridges, culverts;

(4) Underground civil air defense projects;

(5) Other municipal and pipeline engineering.

**Article 60** Various pipelines should be parallel or perpendicular to the center line of roads in accordance with regulations. Drainage wells and septic tanks of households shall not be set on the side of frontage roads.

#### **4 *Baicheng Interim Procedures of House Acquisition on State-owned Land and***

##### ***Compensation ( BZF[2011]No.13)***

**Article 8** Before confirming the acquisition and compensation plan, municipal people's government shall:

(1) Organize relevant departments to conduct demonstration on acquisition and compensation plan and disclose to the public for public comment. Comments period shall be no less than 30 days;

(2) if comment period expires, comments and modifications made according to public opinion shall be publicized, with time limit no less than three days;

(3) in the case of house acquisition due to reconstruction of old urban area, if more than 50 percent of house-requisitioned people within the acquisition area think that acquisition and compensation plan does not comply with these regulations, organize hearing with the participation of house-requisitioned people and public representatives, and modify plan according to the hearing.

**Article 11** After the determination of house acquisition's scope, no new construction, expansion, reconstruction, change of house purpose and other improper actions for increasing compensation

shall be implemented within the scope of house acquisition; no compensation will be made for violating regulations.

Housing acquisition department shall notify relevant departments in writing with the matters listed in the preceding paragraph to suspend the relevant procedures. Written notice about suspension of relevant procedures shall specify the suspension period which shall be no more than one year.

**Article 12** Compensation for house-requisitioned people shall include:

- (1) Compensation for value of requisitioned houses;
- (2) compensation for relocation and temporary resettlement due to house acquisition; and
- (3) compensation for the loss incurred from suspension of production or business due to house acquisition.

**Article 13** House-requisitioned people may choose monetary compensation or exchange of housing property rights.

**Article 14** The monetary compensation for value of requisitioned houses shall be no less than the market value of houses similar to the requisitioned houses, calculated on the date when the house acquisition determination is publicized. The value of requisitioned houses shall be determined by qualified real estate price assessment agencies.

**Article 15** Real estate assessment agencies shall assess the house acquisition independently, objectively and fair, and no unit or individual shall interfere.

**Article 16** Real estate assessment agencies shall be selected in consultation by house-requisitioned people within 3 days upon the publicization of acquisition determination; if negotiation fails, it shall be determined by majority decision, draw and other random selections in accordance with national and provincial regulations.

**Article 17** Real estate assessment agencies must conduct door-to-door assessment for requisitioned houses, issue assessment report, and solve the objections raised by house-requisitioned people in terms of the assessment report.

Housing assessment results must be publicized. Housing assessment report must be delivered with service return receipt filed.

House-requisitioned people shall actively cooperate with real estate assessment agencies to carry out assessment work; if refusing to cooperate, they shall bear the corresponding responsibility.

**Article 18** Such factors as location, purpose, construction area, structure, floor, orientation, newness rate and facilities shall be included in to the assessment report.

Assessment report shall include assessment on the value of houses without property right, temporary buildings within approved time limit, temporary buildings exceeding approved time limit with story height of more than 2.2 meters (including 2.2 meters) and construction area of over 18 square meters or undocumented houses with qualified housing conditions (including bedroom, kitchen, electricity meter, water meter, heating facilities and other residential facilities) and wells, vegetable cellar, submerged well, fences, barns, livestock house and other ancillary facilities, attachments and structures.

**Article 19** If housing purposes of requisitioned houses are changed from residence to non-residence, housing income and other factors shall be fully considered in the assessment, and assessment result shall include objective income of non-residence.

**Article 20** If there is any objection against the assessment report, within 5 days upon the receipt of the assessment report, application for review shall be made to the original real estate assessment agencies which issues the assessment report, and real estate assessment agencies

shall give results of review within 5 days.

**Article 21** If there is any objection against the results of review, within 5 days upon the receipt of the results, application for identification shall be made to the expert committee of real estate assessment which shall issue identification results within 7 days.

**Article 22** Construction area and housing purposes of requisitioned houses shall be subject to the area and purposes specified in Building Ownership Certificate issued by housing registration agency; if area and purposes specified or not specified in Building Ownership Certificate are inconsistent with those in the housing register, those in housing register shall prevail.

**Article 23** Compensation for requisitioned houses(with planning and land approval procedures except for Building Ownership Certificate) built according to examination and approval matters, shall be made based on compensation standards for certificated houses.

Compensation for houses built before January 5, 1984 shall be made based on compensation standards for certificated houses if house-requisitioned people can provide supporting evidence.

The area of houses listed in this article shall be subject to the actual area mapped by qualified mapping agencies.

**Article 24** If the requisitioned houses rented by house lessee are state-owned housing or unit-owned housing, house lessee may continue to live in the houses with exchange of property right.

**Article 25** Exchange of house property right shall comply with the following regulation:

(1) Compensation for acquisition of residential house will be resettlement of residential house, i.e. " requisition one house, compensate the same one". Compensation for acquisition of temporary building within the approved time limit or certificated houses without property right shall be resettlement residential houses calculated at 60% of the original area; compensation for acquisition of undocumented houses with qualified housing conditions with story height of more than 2.2 meters (including 2.2 meters) and construction area of over 18 square meters (including bedroom , kitchen, electricity meter, water meter, heating facilities and other residential facilities) shall be resettlement residential houses calculated at 50% of the original area.

Based on the aforesaid calculation method, total resettlement area of requisitioned residential houses less than 36 m<sup>2</sup> (including 36 m<sup>2</sup> ) will be adjusted to 36 m<sup>2</sup> ; area more than 36 m<sup>2</sup> but less than 45 m<sup>2</sup> (including 45m<sup>2</sup> ) will be adjusted to 45 m<sup>2</sup>; area more than 45 m<sup>2</sup> but less than 56 m<sup>2</sup> (including 56m<sup>2</sup> ) will be adjusted to 56 m<sup>2</sup>; area more than 56 m<sup>2</sup> but less than 65 m<sup>2</sup> (including 65m<sup>2</sup> ) will be adjusted to 65 m<sup>2</sup>. There is no price difference for the original area. The difference between calculated resettlement area and resettlement buildings'area of house-requisitioned people shall be reasonable increased area which will be funded by individuals with full ownership and calculated at RMB 850 per square meter. The additional area will be calculated at market price with full ownership.

The resettlement area of requisitioned houses with more than 65 m<sup>2</sup> shall be calculated at the original area. There is no price difference for the original area. The additional area will be calculated at market price with full ownership.

(2) Compensation for acquisition of non-residential house will be resettlement of non-residential house, i.e. " requisition one house, compensate the same one". Based on the building structure and building floors of resettlement houses, price differences shall be paid according to the following regulations:

(i) Brick-concrete structure

With respect to " requisition one house, compensate the same one", no price difference will be paid for exchange of multi-floor houses, however, price difference will be paid for exchange of

single-floor houses, calculated at RMB 200 per square meter.

(ii) Post and panel structure

Price difference will be paid for exchange of multi-floor houses, calculated at RMB 400 per square meter; Price difference will be paid for exchange of single-floor houses, calculated at RMB 600 per square meter.

(iii) Other structures

Price difference will be paid for exchange of multi-floor houses, calculated at RMB 800 per square meter; Price difference will be paid for exchange of single-floor houses, calculated at RMB 1000 per square meter;

(3) Compensation for the acquisition of temporary buildings(for the purpose of business activities) within the approved time limit or certificated houses( for the purpose of business activities) without property right, based on the building structure and building floors of resettlement houses, shall be resettlement of non-residential buildings according to the following regulations:

(i) Brick-concrete structure

With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.60 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.50 m<sup>2</sup>.

(ii) Post and panel structure

With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.55 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.45 m<sup>2</sup>.

(iii) Other structures

With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.50 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.40 m<sup>2</sup>.

(4) Compensation for the acquisition of undocumented houses with qualified housing conditions with story height of more than 2.2 meters (including 2.2 meters) and construction area of over 18 square meters (including bedroom , kitchen, electricity meter, water meter, heating facilities and other residential facilities), based on the building structure and building floors of resettlement houses, shall be resettlement of non-residential buildings according to the following regulations:

(i) Brick-concrete structure

With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.55 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.45 m<sup>2</sup>.

(ii) Post and panel structure

With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.50 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.40 m<sup>2</sup>.

(iii) Other structures



With respect to exchange of multi-floor buildings, every square meter shall be in exchange of 0.45 m<sup>2</sup>; for exchange of single-floor buildings, every square meter shall be in exchange of 0.35 m<sup>2</sup>.

**Article 27** Entering into agreement of acquisition and compensation at the same day shall have the same serial number; moving out at the same day shall have the same serial number. Housing acquisition departments shall publicize the serial numbers.

Property rights exchange shall comply with the following principles: According to the sum of serial number of entering agreement and moving out, in ascending order, house-requisitioned people shall choose the floor and serial number of house type specified in the agreement. If the same serial number of house type has been chosen, draw lots will be adopted.

**Article 28** Municipal government will organize relevant departments to confirm the purposes of requisitioned houses( for business activities) without non-residential property certificate, and publicize the results.

**Article 29** With respect to written application for the exchange of residential houses with non-residential houses, every square meter shall be in exchange of 1.5 m<sup>2</sup>; for non-residential houses without property right, every square meter shall be in exchange of one m<sup>2</sup>.

**Article 30** Area errors between construction area of resettlement housing and area specified in agreement less than 3% (including 3%), shall be settled according to the construction cost price; if error exceeds 3%, the house-requisitioned people shall not bear the exceeding housing payment. If the actual area of resettlement houses is less than 3% of the area specified in agreement, housing payment shall be returned to house-requisitioned people at market price.

**Article 31** If house-requisitioned people choose property rights exchange and make relocation within seven days (including seven days) since the date of publicizing acquisition determination, every household will be awarded RMB10,000; if making relocation within 12 days (including 12 days), every household will be awarded RMB7,000; if making relocation according to the contracted time limit specified in acquisition and compensation plan, every household will be awarded RMB5,000.

If house-requisitioned people choose monetary compensation and make allocation within seven days (including seven days) from the date of the delivery of self assessment report, every household will be awarded RMB 7,000; if making relocation according to the contracted time limit specified in acquisition and compensation plan, every household will be awarded RMB 5,000.

Every housing property refers to one household.

**Article 32** With respect to acquisition of personal residences, house-requisitioned people eligible for conditions of housing security shall be offered with housing security preferentially. On the premise of agreement reached between house-requisitioned people and housing acquisition department and housing security administrative agency, low-cost housing property can be swapped with housing property under acquisition, and price difference between the value of low-cost houses(for the purpose of property right exchange) and original property right ,except for “ requisition one house, compensate the same one”, can be calculated and settled with housing security administrative agency, and house-requisitioned people will be offered with full property right of low-cost house; property right of requisitioned houses will be swapped to housing security administrative agency. During the house acquisition, housing acquisition department and housing security administrative agency will sign an agreement concerning requisitioned houses, so as to make compensation for housing security administrative agency.

**Article 33** If units (enterprises) and unit-owned non-residential houses with large scale are unsuitable for exchange of property rights within the acquisition scope, locations of property rights exchange shall be determined based on the overall urban planning or by consultation.

People with non-residential houses requisitioned are encouraged to settle in the industrial park,

and enjoy the corresponding preferential policies.

**Article 34** Relocation costs caused due to house acquisition shall be paid to house-requisitioned people.

Relocation costs of residential housing shall be RMB 1,000 per household, and relocation costs of non-residential housing shall be RMB 2,000 per household. Every housing property refers to one household..

Relocation costs caused due to too many items or disassembly and transportation of mechanical equipments shall be evaluated by qualified assessment agency, compensated according to evaluated price.

Acquisition concerning relocation of fixed telephone, Internet, cable TV migration, shall be compensated according to charging standards of relevant departments.

**Article 35** In the acquisition of houses engaged in production and operating activities, equipments and facilities unable to use after disassembly shall be evaluated by qualified assessment agency in accordance with the principles of replacement price combined with newness rate, and compensation for house-requisitioned people shall be made based on the evaluated amount.

**Article 36** If property right exchange is chosen in the acquisition of houses, before houses with property rights exchange delivered, settlement fees or temporary housing shall be offered to house-requisitioned people, and heating subsidies shall be paid during the transition period if heating required.

Temporary settlement fee of residential houses is RMB 6 per square meter of each month, with transition period of 24 months; if more than 24 months, the temporary settlement fees shall be RMB 12 per square meter of each month from the 25th month (Note: calculated according to the main room area of requisitioned house). Heating subsidies is RMB 2 per square meter of each month (Note: calculated according to the main house's area of requisitioned house).

No temporary settlement fee and heating subsidies shall be paid in the use of temporary housing provided by people implementing acquisition.

Temporary settlement fee must be paid quarterly, heating subsidy must be paid before the start of heating season.

**Article 37** Compensation for the loss incurred from suspension of production or business due to house acquisition shall be made in accordance with relevant regulations.

**Article 39** Under regulations hereof, housing acquisition department and house- requisitioned people shall enter into compensation agreement on compensation methods, compensation amount and term of payment, location and area for property rights exchange, relocation costs, temporary settlement fee or temporary housing, loss incurred from suspension of production or business, relocation period, transition mode, transition period and other matters.

After the signing of the agreement, ff one party fails to fulfill the obligations stipulated in the compensation agreement, The other party may bring a lawsuit according to law.

**Article 40** If housing acquisition department and house-requisitioned people fails to reach a compensation agreement within the signing period specified in acquisition and compensation plan, or the owner of the requisitioned house is not clear, the housing acquisition department shall, according to regulations hereof, report to the municipal government, make compensate decision in accordance with acquisition and compensation plan, and make publicization within the scope of house acquisition.

The compensation decision shall be fair and include the following contents:

- (1) Compensation methods;
- (2) compensation amount and term of payment;

- (3) location and area of houses for property right exchange
- (4) relocation costs , temporary resettlement fee and compensation for the loss incurred from suspension of production or business ;
- (5) Relocation period; and
- (6) transition mode with the transition period.

Where house-requisitioned people refuse to accept the compensation decision, they may appeal for an administrative reconsideration or initiate an administrative litigation in accordance with the law

**Article 41** Compensation shall be made before the relocation during the implementation of house acquisition.

After compensation made by housing acquisition department, house-requisitioned people shall complete relocation within the relocation period specified in the compensation agreement or period determined in compensation decision.

No unit or individual may compel the house-requisitioned people to relocate through violence, threat or other illegal methods such as water, heat, gas, power supply and road access suspension in violation of the regulations.

**Article 43** With respect to acquisition of mortgaged houses, if house-requisitioned people fails to pay off or change right of mortgage within 30 days of signing compensation agreement, the acquisition administrative department shall deposit amount of monetary compensation be equivalent to security for an obligation.

**Article 44** Housing acquisition department shall, pursuant to the law, establish house acquisition and compensation record, and disclose the household compensation to house-requisitioned people within house acquisition scope.

Auditing organs shall strengthen their supervision over the management and use of the expenses for acquisition compensation, and disclose the audit results to the public.

**5. Baicheng Municipal People’s Government’s Notice on Disclosure of Annual Output Value Standard of Cultivated Land ( BZF[2010]No.15)**

Baicheng Output Value Standard of Cultivated Land						Unit: m <sup>2</sup> / RMB
City	County(district)	Subarea	Dry farmland	Paddy field	Vegetable field	Regional description
Baicheng	Taobei District(including urban area)	Subarea I	1.66	1.83	3.55	Urban area, Dongfeng Township, Sanhe Township (Erlong Village, Chaoyang Village, Chunyang village, Yujia Village, Daijia Village)
		Subarea II	1.49	1.73	3.3	Sanhe Township (Fangjia Village, Sanhe Village, Xibaoshan Village, Baoshan Village, Baqing Village, Xiajia Village, Dafang Village, Fengcheng Village), Daobao Town, Taohe Town, Linhai Town, Jinxiang town, Dongsheng Township, Pingtai Town, Ping'an Town, Lingxia Town, Qingshan Town, Deshun Township, Baomin Farm, Taohe Farm, Zhongnan Sheep Stud

Comepensation multiple: Ten times for land compensation, fifteen times for resettlement subsidy.

**6.Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55)**

### Article 3: Compensation standards and resettlement for agricultural land

1. Collective agricultural land and state-owned agricultural land used by collective economy organization
  - (1) Land compensation: 48 yuan per square meter
  - (2) Resettlement subsidy: 72 yuan per square meter
2. Ration farmland on state-owned agricultural land  
Resettlement subsidy: 72 yuan per square meter
3. Attachments on agricultural land
  - (1) Hand well: 500 yuan per well; electricity well (3 Chinese inch): 2,000 yuan per well; electricity well (more than 3 Chinese inch): 2,000 yuan per well basis and add 2,000 yuan when increase 1 Chinese inch;
  - (2) Relocation of three-phase power: 3,000 yuan;
  - (3) Trees, greenhouse and wall, etc.
    - a) Grape: 100 yuan per tree; mature Anli pear: 500 yuan per tree; other fruit trees: 300 yuan per tree; Anli pear under 3 years growth: 200 yuan per tree; other fruit trees under 3 years growth: 50 yuan per tree.
    - b) Mature poplar and willow: 350 yuan per tree;
    - c) Young poplar: 1.5 yuan per tree;
    - d) Mulberry with 8 years growth: 90 yuan per tree;
    - e) Vegetable greenhouse: without heating: 16.28 yuan per square meter; with heating: 59.37 yuan per square meter;
    - f) Wall with more than 2 meter highth (include 2 meter): 100 yuan per meter length; less than 2 meter highth: 50 yuan per meter length.
4. House compensation
  - (1) Cash compensation  
Houses are compensated in cash based on evaluated prices.
  - (2) Property exchange  
According to compensation standards for houses on state-owner land, main houses will be compensated based on "one house replace one demolished house"; attached houses or simple houses will be compensated based on full replacement value (100%).  
  
Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project(BZH[2014] No. 23)
5. Cultivated land compensation:
  - (1) Collective farm land and collective economic organization using state-owned farm land
    - (1.1) Land compensation :RMB 48/m<sup>2</sup>
    - (1.2) Resettlement subsidy: RMB 72/ m<sup>2</sup>
  - (2) State-owned agricultural land and grain ration farmland

Resettlement subsidy:RMB 72/ m<sup>2</sup>

(3) Aboveground crops compensation

(3.1) Hand-operated well of drinking water: RMB 500/ well ; 3 inch below or 3 inch submersible pump well :RMB2000/well. Above 3 inch submersible pump well :Compensation of RMB2,000 is provided for every inch added

(3.2) Fruit trees, populus,willow, pupulus saplings,mulberry trees,greenhouses,walls compensation

(3.2.1) Fruit trees:

Polyphenols: Beared fruit: RMB25 /tree. One year below: RMB 3/tree.

Grape: Above 3 years or 3 years, RMB 100/tree ; above 1 year and below 3 years (including 1 year): RMB 20/ tree ; One year below: RMB 3/tree.

Anli pear tree: Beared fruit: RMB500/tree; Above 3 years and below 7 years(including 3 years) :RMB200/tree; Below 3 years (including one year): RMB 50/tree; Below one year: RMB 5/tree

Yellow plum, peach: beared fruit: RMB200/tree; Above 1 year and below 3 year(including 1 year) :RMB 50/tree. Below one year: RMB 5/tree.

Other fruit trees: Beared fruit: RMB 100/tree; Above one year and below 3 years(including one year) :RMB 30/ tree; Below one year: RMB 3/ tree.

(3.2.2) Mature poplar and willow: 350 yuan per tree

(3.2.3) Young poplar: 1.5 yuan per tree;

(3.2.4) Mulberry with 8 years growth: 90 yuan per tree;

(3.2.5) Vegetable greenhouse: without heating: 16.28 yuan per square meter; with heating: 59.37 yuan per square meter;

(3.2.6) Wall with more than 2 meter highth (include 2 meter): 100 yuan per meter length; less than 2 meter highth: 50 yuan per meter length.

(4) House compensation

(4.1)Cash compensation

Houses are compensated in cash based on structure, floor area in property ownership certification.

(4.1.1)Brick concrete:RMB 1400/ m<sup>2</sup>

(4.1.2)Brick timber: RMB 1200/ m<sup>2</sup>

(4.1.3)Earth timber: RMB 900/ m<sup>2</sup>

(4.1.4)Untitled houses: RMB 470/ m<sup>2</sup>

(4.1.5)Simple houses(Including storehouses,toilets,barns,bike sheds):RMB 360/ m<sup>2</sup>

(4.2) Propoerty exchange

According to compensation stardards for houses on state-owner land, main houses will be compensated based on “one house replace one demolished house”; attached houses or simple houses will be compensated based on full replacement value (100%).

If the total calculated resettlement area for demolished houses is 45m<sup>2</sup> or

below, a house of 45m<sup>2</sup> will be provided; if the total calculated resettlement area for demolished houses is from 36 to 45m<sup>2</sup> (inclusive), a house of 45 m<sup>2</sup> will be provided; if from 45 to 56 m<sup>2</sup> (inclusive), a house of 56 m<sup>2</sup> will be provided; if from 56 to 65 m<sup>2</sup> (inclusive), a house of 65 m<sup>2</sup> will be provided. No price difference will be counted for the original area. The difference between the calculated resettlement area and the area of house provided is a reasonable increase in area; the AHs shall pay for such increase on the basis of RMB850/m<sup>2</sup> and enjoy full title. Another part of increase in area shall be settled on the basis of the market price of the year and no upper limit and the AHs will enjoy full title.

If the resettlement area calculated for demolished houses is above 65 m<sup>2</sup>, resettlement shall be made according to the original area and no price difference will be counted. An increase in area shall be settled on the basis of market price, and the AHs will enjoy full title.

For households affected by HD, vulnerable group such as enjoying minimum living guarantee, household enjoying the five guarantees, disabled person and female household head shall provide the corresponding proof documents, such as certificate of minimum living guarantee, disability certificate, proof of income and household Hukou(register booklet), etc. to enjoy policy that may be replaced according to upper limit of original areas with free of different price.

(4.3) Compensation for acquisition of non-residential house (For business houses excluding houses of commercial and residential integration) will be resettlement of non-residential house, i.e. “ requisition one house, compensate the same one”. Based on the building structure and building floors of resettlement houses, price differences shall be paid according to the following regulations:

(i) Brick-concrete structure

With respect to “ requisition one house, compensate the same one”, no price difference will be paid for exchange of multi-floor houses, however, price difference will be paid for exchange of single-floor houses, calculated at RMB 200 per square meter.

(ii) Post and panel structure

Price difference will be paid for exchange of multi-floor houses, calculated at RMB 400 per square meter; Price difference will be paid for exchange of single-floor houses, calculated at RMB 600 per square meter.

(iii) Other structures

Price difference will be paid for exchange of multi-floor houses, calculated at RMB 800 per square meter; Price difference will be paid for exchange of single-floor houses, calculated at RMB 1000 per square meter;

(4.4) If property right exchange is chosen in the acquisition of houses, before houses with property rights exchange delivered, settlement fees or temporary housing shall be offered to house-requisitioned people, and heating subsidies shall be paid during the transition period if heating required.

Temporary settlement fee of residential houses is RMB 6 per square meter of each month, with transition period of 24 months (Note: calculated according to the main room area of

requisitioned house). Heating subsidies is RMB 2 per square meter of each month (Note: calculated according to the main house's area of requisitioned house).

(4.5)Resettlement Place: Eco-home and Siji huacheng. Resettlement site will be as near as possible to current residence site

6. LA time limit and award method: since the date of publicizing acquisition determination,

6.1 According to operation process flow of Ministry of Land and Resources stipulate resettlement compensation plan to be published in ten days and no objection, the mobilization compensation shall be started. The removing should be finished within 30 days.If house-requisitioned people choose property rights exchange and make relocation according to the contracted time limit specified in acquisition and compensation plan, every household will be awarded RMB5,000. There is no awards for exceeding contracted time limit.

6.2 For residential houses acquisition, if house-requisitioned people choose property rights exchange and remove within the resettlement and compensation stipulated time limit , will be awarded 20% areas according to areas of main house. If choose monetary compensation, house owner will be awarded 20% cash in accordance with evaluation price of main house.

6.3 If the resettlement house is high-rise building which residential pool area is increased, should give people involved acquisition 10% subsidies according to the resettlement areas counted by compensation rates.

## **Appendix 4 Notice of the People's Government of Jilin Province for the Issuance of Several Policies on Promoting National Entrepreneurship ( JZF[2009] No.4)**

2. Incorporated enterprise with registered capital of less than RMB 500,000 may enjoy registered capital's zero down payment, with 20% of paid-in registered capital within six months and the rest paid within two years.

3. Limited liability company established by farmers is allowed to use contractual right of land, contracted management rights of forest and forest evaluation to make capital contributions based on their appraised value without change the purposes of land and forest.

5. Limitation extension of premise for starting business. If entrepreneurs fail to provide certificate of ownership of business premises, they may go through relevant formalities with use rights certificate issued by housing department or property mortgage certificate; if peasant entrepreneurs use private residence as premises and fail to provide certificate of property rights, they may go through relevant formalities with use rights certificate issued by village committee.

9. Approved by the department of human resources and social security, rural labor force, starting business in provincial cities and towns, will enjoy such employment support policies as tax relief, small-sum guaranteed loan and social insurance subsidies in the light of policies enjoyed by laid-off and unemployed workers in cities and towns, and take priority to enjoy business registration, entrepreneurship training, information consulting, entrepreneurial guidance services.

10. Approved by the department of human resources and social security, migrant workers back home to run business and rural labor force starting businesses engaged in secondary and tertiary industries locally, will enjoy such employment support policies as tax relief, small-sum guaranteed loan in the light of policies enjoyed by laid-off and unemployed workers in cities and towns.

Based on the overall land use planning, idle land, idle factories, leftover Land of towns and villages, the open space within the homestead, merged and removed primary and secondary schools in rural area, barren mountain, wasteland and other venues may be used to start businesses. It's allowed to make an inventory of the collective construction land stock by village renovation, take priority to use displaced collective construction land for returned migrant workers to run business, and charge collective non-agricultural land administrative expenses according to the lower limit of the standard; business projects conducted by returned migrant workers and subsidized by government, shall be given financial discount according to regulations;

Major construction projects invested by government shall have priority to attract returned migrant workers within jurisdiction.

13. Newly-founded small businesses with annual main business income of less than RMB 500,000, will be free of various charges within three years, and will be subsidized with maximum limit of RMB 20,000 by local financial department in accordance with a certain percentage of local tax paid in by businesses. The specific standards will be determined by the local government.

14. Small businesses suffering production and management difficulties during initial stage of pioneering, will be imposed with half employment security fund for the disabled after submitting application to financial departments at the same level and disabled persons' federation for approval.

15. Newly-founded business incubators approved by administrative departments of municipal (prefecture) and county (city) government or provincial authorities, in accordance with the relevant regulations of tax department, will be free from property tax and tax on using urban land within three years due to the use and rental of house property and land.



16. Provincial, municipal (prefecture) and county (city) governments set up a national entrepreneurial development funds which mainly used for interest payments on loans, subsidies for starting businesses, incentives for starting businesses, entrepreneurship training and service system construction of entrepreneurship.

17. Financial institutions gradually increase credit ratio for small businesses and individual entrepreneurs, and give support in loan amount and duration to businesses and individuals with timely repayment and good reputation.

18. Provincial, municipal (prefecture) and county (city) governments set up loan risk compensation funds of SME, in order to enable financial institutions and credit guarantee institutions to provide loss compensation for loans and guarantees.

19. Approved by the department of human resources and social security, entrepreneurs with financial difficulties will be collateral-free for loans of less than RMB 100,000 after the agreement of lenders.

22. Entrepreneurs entitled to unemployment insurance benefits or receiving unemployment insurance benefits, may apply for receiving one-time unemployment insurance benefits by virtue of their business license or other valid certificates; as for initial entrepreneurship of low income people with employment difficulties, if their income exceeds the minimum standard of living guarantee, urban low-income families can continue to enjoy subsistence allowances for six months, and rural low-income families can continue to enjoy subsistence allowances for one year; as for initial entrepreneurship of disabilities, if the disabled declare flexible employment and make full and timely payment of social insurance fees, they can enjoy social insurance subsidies according to regulations.

23. No fees will be charged for the public to set up stalls in temporary entrepreneurial streets, entrepreneurial markets and rural fairs established by cities, towns and villages.

# **Appendix 5: Social Pension Insurance Plan of Land-Requisitioned Farmers**

## **1. Implementation Principle of Pension Insurance**

(1) Reviewed by local basic pension insurance agency and approved by department of Human Resources and Social Security, land-requisitioned people will enjoy monthly pension insurance treatments from the next month after reaching the age of enjoy treatments if they make full payment of insurance fee in accordance with the provisions and reach age of 60(for male) or 55(for female). If insured people involved in land acquisition reach age of 60 (for male) or 55 (for female), they will enjoy monthly pension insurance treatments after one-time payment in full and going through insurance formalities.

(2) Collection principle of individual contributions, villages' collective payment and government subsidies.

(3) Principle combining social pooling accounts and individual accounts.

## **2. Payment Standard and Collection of Security Pension**

### **Payment Standard:**

If insured farmers involved in land acquisition are at the age of 16-60(for male) or 16-55(for female), total payment amount shall be calculated respectively at 2.33 and 3.11 times the local average wage of staff under employment in the previous year. Resettlement subsidies can offset the individual payment funds. If land-requisitioned people reach the age of 60 (for male) or 55 (for female), one-time payment shall be made; if other insured people under the aforesaid age are difficult to make one-time payment, they may sign an agreement after verification of basic pension insurance agency, make payment at several times, and cover the corresponding value-added benefits according to the benchmark one-year deposit rate; if agreement cannot be performed timely, the principal and interest paid will be refunded to the individuals, and basic pension insurance relationship of land-requisition farmers will be terminated.

### **Payment Proportion:**

The basic security pension of land-requisitioned farmers shall be assumed by individual farmers, the village collective and the government in proportion which shall be 3:4:3.

The basic pension insurance fund of land-requisitioned farmers shall be composed of personal accounts and social pooling accounts. Personal accounts will include individual payment and collective subsidies, and the social pooling accounts will include payment assumed by government. Collection proportion of the basic pension funds enjoyed by land-requisitioned farmers shall be paid from the personal accounts and social pooling accounts. With respect to people reaching the age of 60 (for male) or 55 (for female), funds assumed by government shall be transferred to the social pooling funds at one time, and funds assumed for the other people shall be transferred within a certain period.

## **3. Receiving Condition and Treatment of Security Pension**

(1) The actual pension of insured farmers involved in land acquisition shall be calculated according to the following formula:

Actual monthly pension of male= ( full amount of principal and interest of personal account + pooling funds) ÷180 months

Actual monthly pension of female= ( full amount of principal and interest of personal account + pooling funds) ÷240 months

(2) Reviewed by local basic pension insurance agency and approved by department of Human Resources and Social Security, land-requisitioned farmers will enjoy monthly pension insurance treatments from the next month after reaching the age of enjoy treatments if they make full payment of insurance fee in accordance with the provisions and reach age of 60(for male) or 55(for female). If insured people involved in land acquisition reach age of 60 (for male) or 55 (for female), they will enjoy monthly pension insurance treatments after one-time payment in full and going through insurance formalities.

(3) Land-requisitioned farmers can continue to participate in the original insurance system even if they have been involved in rural social pension insurance, and insurance treatments will be calculated and received according to different systems if they meet the conditions of receiving treatments.

(4) After the participation of basic pension insurance for land-requisitioned farmers, if the insured people are employed in urban area and participate in the basic pension insurance for enterprise employees, the original personal accounts of basic pension insurance for land-requisitioned farmers remain unchanged, and treatments will be calculated and received separately once the receiving conditions are met; insured people may also apply for quitting the pension insurance for land-requisitioned people so as to terminate the basic pension insurance relationship, and principal and interest of personal account will be refunded to individuals by one time.

(5) After the death of people involved in basic pension insurance for land-requisitioned farmers, principal and interest balance of individual accounts will be settled by one time and paid to the legal heirs or designated beneficiary, and funeral expenses will be paid from pooling funds based on the standards for urban enterprise workers.

(6) If people involved in basic pension insurance for land-requisitioned farmers moves out from the urban area, their basic pension insurance relationship will be remained, and they can receive monthly pension from basic pension insurance agency at original location once the age of receiving pension is reached; if people apply for quitting basic pension insurance for land-requisitioned farmers, principal and interest balance of personal and collective payment will be refunded by one time and the basic pension insurance relationship will be terminated.

(7) If people involved in basic pension insurance for land-requisitioned farmers are reemployed and meet the conditions of participating basic pension insurance for enterprise employees, upon their application, balances of personal accounts can be used to pay basic pension insurance for enterprise employees, and the original basic pension insurance for land-requisitioned farmers will be terminated.

**Appendix 6: Resettlement Information Booklet**

**Baicheng Urban Development Project**

**Resettlement Information Booklet**

**Baicheng Municipal Government**

**April 2014**

## 1. Project Background and Significance

Baicheng Municipal Government will implement Baicheng Urban Development Project according to the city master plan, and social and economic development. The project comprises: (i) construction of urban 9 roads with 32.47 km and ancillary facilities in west area of Baicheng city; (ii) improvement of urban solid waste management by construction of a garbage integrated treatment center and 12 garbage collection stations; and (iii) construction of sewage and stormwater pipe network and pump stations. The project construction will involve land acquisition and resettlement.

Implementation of the project will accelerate the urbanization process of Baicheng, promote the advantage of hub city in western Jilin Province, enhance radiation and aggregation effect and lay solid foundation for creating important traffic hub city in Northeast Asian region and building regional logistics center. Meanwhile, project construction will promote people's living standard and improve housing conditions for nearly 200,000 people. It plays a significant role in effectively implementing the twelve five-year plan outline of Baicheng, enhancing the ability of service radiation and overall carrying capacity of Baicheng, optimizing investment environment and accelerating the realization of goal raised in the fifth Municipal Party Congress to expand and strengthen special economic zone in western Jilin Province.

## 2. Project Overview

The project will be constructed in the western urban area of Baicheng City.

Construction funds of the project is RMB1.621 billion, of which loans financed by the ADB is \$ 100 million, with the remaining funds rose locally. The planned project construction period starts from June 2014 to November 2018.

## 3. Resettlement and Land Acquisition and House Demolition Progress Plan

Plan for resettlement and land acquisition and house demolition starts from July 2014 and ends in August 2015. See Table 1 for specific progress plan.

**Table 1: Land Acquisition and House Demolition Plan for the Project**

No.	Task	Objective	Responsible Unit	Time	Remark
<b>1</b>	<b>Information Disclosure</b>				
1.1	Resettlement Information Booklet	7 villages 1 subdistrict 661 households	EDZPMO Resettlement Office / Subdistrict Office	May 2014	
1.2	Posting the RP on ADB's website	/	EDZPMO and BPMO, ADB	May 2014	
<b>2</b>	<b>RP and its updates</b>				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	Resettlement Office	November 2013	
<b>3</b>	<b>Signing Compensation Agreement and Disbursing Compensation</b>				
3.1	Signing land compensation agreement with villages and making payment	7 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	395 AHs	Resettlement Office / AHs	August 2014	
3.3	Signing house compensation agreement and making payment	304 households	Resettlement Office / AHs	August 2014	
<b>4</b>	<b>Rehousing</b>				
4.1	House demolition	304 households	Resettlement Office / AHs	October 2014	

No.	Task	Objective	Responsible Unit	Time	Remark
4.2	New house construction	304 households	Village committees or AHs	November 2014 - July 2015	
4.3	Moving to new houses	304 AHs	AHs	August 2015	
<b>5</b>	<b>Livelihood Restoration</b>				
5.1	Skill training	780 APs	EDZPMO and Baicheng Government	December 2014	
5.2	Agricultural production Improvement	395 AHs	EDZPMO and Baicheng Government	March – June 2015	
5.3	Employment assistance	395 AHs	EDZPMO and Baicheng Government	August 2014 to December 2016	
5.4	Pension insurance of farmers who Lost farmland	395 AHs	EDZPMO and Baicheng Government	December 2014	
<b>6</b>	<b>Monitoring and Evaluation</b>				
6.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
6.2	Establishing an internal monitoring agency	According to the RP	BPMO and EDZPMO	July 2014	
6.3	Signing an agreement with an external monitoring agency	One	BPMO	July 2014	
<b>7</b>	<b>Civil Works Commencement</b>				
7.1	Baicheng Urban Development Project		Project construction bid winner	September 2014	

#### 4. Project Impact Situation

The Project includes Land acquisition and house demolition of one street and seven (7) villages governed by Baicheng Economic Development Zone, and seven (6) institutions or enterprises: (i) Baicheng Academy of Agricultural Sciences, (ii) Baicheng Meteorology Bureau, (iii) Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd., (iv) Baicheng Technician College, (v) the First Middle School of Baicheng and (vi) Taobei District Fruit Farm, and two shops: (i) Baicheng Baoku Grocery Store of Taobei District and (ii) Baicheng Fruit Production Materials Sales Agency of Taobei District.

Baicheng infrastructure project of western urban area requires permanent acquisition of various types of land of 2271mu, of which cultivated land is 1036.85mu, orchard is 160.91mu, woodland is 13.40mu, homestead is 550.53mu, construction land is 504.26mu and nature reserves is 5.07mu. Demolition of various types of buildings is 53,093.12 m<sup>2</sup>.

#### 5. Legal Frameworks and Policies

##### 5.1 Basis of Laws and Regulations and Related Policies for Resettlement

Resettlement policies of this project are mainly based on the ADB policies, laws and regulations of the People's Republic of China and relevant policies of Jilin Province and Baicheng City.

##### 5.1.1 ADB policies

1. *Safeguard Policy Statement, June 2009*

2. *Gender and Resettlement issued in February 2003*

### **5.1.2 Laws and regulations of the People's Republic of China**

1. *Land Administration Law of the People's Republic of China ( No.8 Order of the President of the People's Republic of China on August 29, 1998, took effect on January 1st, 1999)*
2. *Implementing Regulations of Land Administration Law of the People's Republic of China ( No. 256 Decree of the State Council of the People's Republic of China on December 27, 1998, took effect on January 1st, 1999)*
3. *Basic Farmland Protection Regulations (No. 257 Decree of the State Council of the People's Republic of China on December 27, 1998, took effect on January 1st, 1999)*
4. *Forest Law of the People's Republic of China ( revised in 1998)*

### **5.1.3 Relevant policies of Jilin Province**

1. *Woodland Management Measures of Jilin Province ( No.43 document issued in 1997)*
2. *Land Management Regulations of Jilin Province ( developed in September 1999 and took effect on January 1st, 2000)*
3. *Unified Standard for Annual Output Value and Compensation Standard for Integrated Land Value of Land-Requisitioned Area of Jilin Province (trial implementation) ( developed in May 2009 and took effect on January 1<sup>st</sup> 2009)*

### **5.1.4 Relevant policies of Baicheng City**

1. Circular of Baicheng People's Government on Issuing "Trial Measures of Baicheng on Urban Planning Administration" (BZF [2002] No. 33)
2. Temporary Measures for Demolition of and Compensation for Houses on State-Owned Land of Baicheng (BZF [2011] No. 13)
3. Letter of Baicheng People's Government on Starting the Land Acquisition Compensation Scheme for New Urban Area (BZH [2012] No. 55)
4. Circular of Baicheng Municipal Government on Publishing the Annual Output of Arable Land of the Whole City (BZF [2010] No. 15)
5. Circular of Baicheng People's Government on Issuing "Measures of Baicheng on the Implementation of Endowment Insurance for Landless Farmers (Trial)" (BZF [2011] No. 20)
6. Correspondence of Baicheng People's Government on Land Acquisition Compensation Plan of Baicheng Urban development project (BZH [2014] No. 23)

## **6. Major Compensation Standards**

### **6.1 Compensation Standards for Major Land Types**

In accordance with Baicheng Municipal People's Government's Notice on Publishing City Standards of Cultivated Land Annual Output Value and Baicheng Municipal People's Government's Letter on Land Acquisition Compensation Plan of Starting Area in New Urban Area and Compensation Standards for Forest Occupation and Deforestation of Jilin Province, the compensation standards for major land types are included into Table 2.

**Table 2: Compensation Standards for Major Land Types of the Project**

No.	Project	Compensation Standard
1	Land compensation	RMB 32,000/mu
2	Resettlement subsidy	RMB 48,000/mu
3	Young crops compensation	Chinese chives : RMB3,333/mu others: RMB 2,333/mu
4	Vegetable greenhouse	Plastic greenhouse: RMB 10,853/mu, greenhouse : RMB 39,580/mu
5	Woodland	Compensation standard for economic forest and fuelwood forest shall be 4-6 times the average annual output value of local gainful forest with the same type, calculated on the basis of three years preceding such disafforestation. If the average forest age is under two years, the compensation will be halved. The compensation standard for scattered trees shall be carried out according to the compensation standard for forest with the same cultivation purposes.

The aforesaid woodland compensation standards have included land compensation and forest compensation, and woodland resettlement subsidy shall comply with Article 5 of Compensation Standards for Forest Occupation and Deforestation of Jilin Province: Woodland of shelterbelt, economic forest and forest for special purpose: If the occupation period is less than three year, subsidy shall be 0.8-1.0 time average annual output value of local farmland, calculated on the basis of three years preceding such occupation. If occupation period is more than three years, subsidy shall be 3-4 time average annual output value of local farmland, calculated on the basis of three years preceding such occupation.

### 6.3 Social Security For Land-Requisitioned Farmers

According to Baicheng Municipal People's Government's Notice on the Issuance of Baicheng Pension Implementation Measures (for Trial Implementation) of Land-acquired Farmers, based on the principle of fixed income support with slight surplus, the individual, collective and government raise funds jointly, and the total funding amount is determined as basic pension of insured people with qualified pensionable age no less than the minimum living standard of local urban (or rural) residents. The funding ratio of land-requisitioned farmer's payment, village collective payment and government subsidy is 3:4:3.

### 6.4 Compensation Standard for House Demolition and Other Facilities

According to Baicheng Municipal People's Government's Letter on Land Acquisition Compensation Plan of Starting Area in New Urban Area and Baicheng Interim Procedures of House Acquisition on State-owned Land and Compensation, the compensation standard for house demolition shall be unified entirely. See Table 3 for detailed standard.

**Table 3: Compensation Standard for House Demolition and Other Facilities of the Project**

Nature of housing	Compensation category	Unit	RMB	Remark	
Rural / Urban House Demolition	Residential housing	Brick concrete	RMB /m <sup>2</sup>	1,400	The actual rates are determined on the basis of market valuation (depreciation not considered)
		Brick timber	RMB /m <sup>2</sup>	1,200	
		Earth timber	RMB /m <sup>2</sup>	900	
		Attached house	RMB /m <sup>2</sup>	470	
		Simple structure	RMB / m <sup>2</sup>	360	
	Other compensation	Relocation subsidies	RMB / HH	1,000	
		Transition	RMB	6	24 months in general



		subsidies	/m <sup>2</sup> · month		
		Heating subsidies	RMB /m <sup>2</sup> · mont	2	On the basis of main house area of the houses to be demolished
		award for moving out prio date required	RMB /HH	5,000	The award will be provided for households that relocate early within the prescribed resettlement period.

Item	Unit	Compensation rate
Simple structure (including stone-footed earth wall, brick-walled asbestos house and barn)	RMB /m <sup>2</sup>	360
Brick wall	RMB /m <sup>2</sup>	For walls equal to or higher than 2 meters, compensation of RMB100 is provided for each meter in length; for walls of lower than 2 meters, compensation of RMB50 will be provided for each meter in length.
Hand-operated well	RMB/well	500
Well with a 3-inch submersible pump or below	RMB/well	2,000
Well with a submersible pump of above 3 inches	RMB/well	Compensation of RMB2,000 is provided for every inch added
Plastic greenhouse (cold canopy)	RMB /m <sup>2</sup>	16.28
Plastic greenhouse (warm canopy)	RMB /m <sup>2</sup>	59.37

## 6.5 Compensation Standard for Scattered Trees

According to Baicheng Municipal People's Government's Letter on Land Acquisition Compensation Plan of Starting Area in New Urban Area, the compensation standard for scattered trees shall be unified entirely. See Table 4 for detailed standard.

**Table 4: Compensation Standard for Scattered Trees of the Project** Unit: RMB

Type	Unit		Type of trees	Compensation rate (RMB)
Fruit tree	Fruit trees bearing no fruits (grewed 1 to 3 years)	tree	Grape	20
		tree	Anli pear	50
		tree	Other fruit trees	30
	Fruit trees bearing no fruits (grewed less than 1 year)	tree	Grape	3
		tree	Anli pear	5
		tree	Other fruit trees	3
	Fruit trees bearing fruits	tree	Grape	100
		tree	Anli pear	500
		tree	Other fruit trees	100

Timber stands	Timber tree	tree	Poplar	350
	Timber tree	tree	Willow	350
	Sapling	tree	Poplar	1.5

## 6.6 Compensation for Vulnerable Groups

Under the requirement of the ADB, the total compensation amount is RMB 292,000 in reserve, which is specially used for living compensation of vulnerable groups.

## 6.7 Other Policy Fees Standard

Other policy fees standard shall be performed under relevant regulations of the State and Jilin Province.

## 7. Entitlement Matrix

**Table 5: Entitlement Matrix**

Type of impact	Degree of impact	Obligee	Compensation and resettlement policy
Permanent LA	2271mu, including 1036.85mu arable land	(1) 1,129 persons from 395 households in 7 villages and 1 subdistrict in Baicheng, (2) Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd., (3) Baicheng Housing Construction Company, (4) Taobei District Fruit Farm, (5) Baicheng No. 1 Middle School, (6) Baicheng Academy of Agricultural Sciences and (7) Baicheng Meteorological Bureau	(1) Monetary compensation: For Baoping Village, 1% of the land compensation and resettlement subsidy will go to the village collective, mainly for public welfare (such as infrastructure construction, issuing public welfare and relief of disadvantaged groups, etc.); the rest 99% will go to the households directly affected by LA; for other villages, 100% of the compensation and resettlement subsidy will go to the households directly affected by LA; compensation for ground attachments and young crops (RMB3333/mu for leek and RMB2333/mu for other crops, such as cucumber, eggplant, pepper, rape and cabbage, etc.) will be paid to their owners. For collective land, land compensation is RMB32000/mu and resettlement subsidy is RMB48000/mu; for state-owned farmland, it is RMB48000/mu) (2) Agricultural resettlement, including land adjustment, planting improvement and breeding upgrading. (3) Job placement: Promote employment of the landless farmers through the labor demand of industries and enterprises in the project area and Baicheng city. (4) Measures of small secured loan: Give support to landless farmers according to the relevant regulations. (5) Measures of skill training: The Project plans to provide skill training opportunities of 720 person time for the affected farmers and households with basic cultural quality. (6) Social security measures: Provide the relevant security measures according to the relevant policies on social endowment insurance for landless farmers and new rural/urban endowment insurance.

HD	A total of 53,093.12m <sup>2</sup> of houses will be demolished, including 8,694.69m <sup>2</sup> in brick concrete structure, 36,453.90m <sup>2</sup> in brick timber structure, 3,452.24m <sup>2</sup> in earth timber structure, 2,467.03m <sup>2</sup> of attached houses and 2,025.26m <sup>2</sup> in simple structure.	(1) 757 persons from 304 households in 7 villages, 1 subdistrict and 1 state-owned enterprise in Baicheng; (2) Baicheng Housing Construction Company, (3) Taobei District Wood and Fruit Production Material Distribution Department, (4) Taobei District Baoku Grocery and (5) Baicheng Meteorological Bureau	(1) Compensation for houses shall be determined on the basis of the value of houses determined through evaluation, but the evaluation results shall not be lower than the following compensation rates: RMB1,400/m <sup>2</sup> for brick concrete structure, RMB1,200/m <sup>2</sup> for brick timber structure, RMB900/m <sup>2</sup> for earth timber structure, RMB470/m <sup>2</sup> for attached houses and RMB360/m <sup>2</sup> for simple structure. (2) Moving subsidies of RMB1,000, transition subsidies of RMB6/m <sup>2</sup> ·month and award of RMB5,000 per household for moving out prior to date required, etc. (3) Two options of compensation: (a) monetary compensation and (b) property swap-based compensation. Property swap is on the basis of 1:1 (one resettlement apartment for one demolished house); for title-free houses (attached houses) and simple structures, compensation will be provided on the basis of 100% of full replacement cost.
Women	\	257 women	(1) Provide priority employment opportunities and ensure 100% of affected women receive non-skilled employment opportunities. (2) Provide priority access to free technical training. Provide training for 720 person time, of which women shall not be lower than 360 person time (accounting for 50%). (3) Ensure APs can obtain relevant information in the process of resettlement and participate in the resettlement consultation. During resettlement implementation, hold a special symposium of women to introduce the relevant policies of resettlement to improve their awareness.
Vulnerable groups	Disabled persons, households enjoying minimum living guarantee, household enjoying the five guarantees and female household heads	They are respectively 13 people, 146 people from 110 households, 1 household and 22 people. Totally 146 households and 182 people.	(1) Provide the labor of vulnerable households with priority access to training and employment opportunities. (2) Provide technical training opportunities for two members of each households, one of which shall be a woman; provide priority access to employment, such as outdoor work in project construction. (3) Each affected vulnerable household will receive economic subsidies of RMB2,000.
Specialized projects and ground attachments	Trees, motor-operated well, warm greenhouse, cold canopy, walls, storehouse, toilet, barn and bike shed	Owners	(1) The project unit shall provide the owners with compensation for the affected specialized projects and the owners are responsible for the reconstruction; or the project unit shall reconstruct the affected projects according to the original scale and standards. (2) Compensation for ground attachments shall be provided to the owners according to the regulations specified in Table 4-5 and 4-6.
Grievance	\	All APs	Free of charge; all costs caused in the process will be

and Appeals			paid from the contingencies.
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## 8. Resettlement Organization

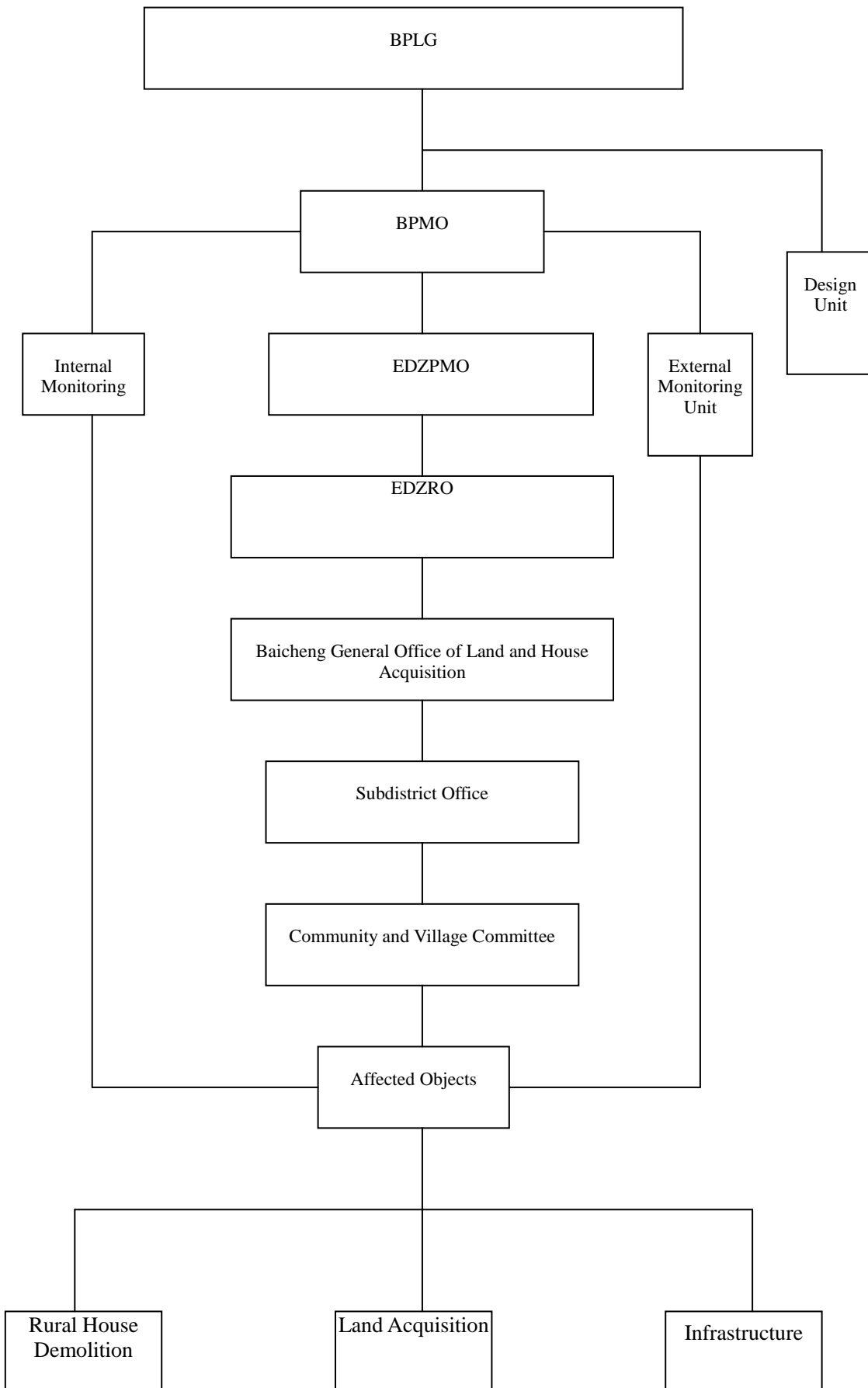
With the aim to facilitate the construction of Baicheng infrastructure project of western urban area, the People's Government of Jilin Province, construction units and relevant municipal governments will establish necessary organizations, so as to plan, coordinate and monitor resettlement activities. The organizations established for land acquisition, house demolition and resettlement of infrastructure project of western urban area include:

### Baicheng ADB-Financed Infrastructural Construction Project Leading Group

- Baicheng ADB-Financed Infrastructural Construction Project Leading Group (BPLG)
- Baicheng ADB-Financed Infrastructural Construction Project Leading Group Office(BPMO)
- ADB-Financed Infrastructural Construction Project Leading Group of Baicheng Economic Development Zone (EDZPLG)
- ADB-Financed Infrastructural Construction Project Leading Group Office of Baicheng Economic Development Zone (EDZPMO)
- ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone (EDZRO)
- Baicheng General Office of Land and House Acquisition
- Subdistrict Office
- Village Committee (Neighborhood Committee)
  - External Independent M&E Agency

Resettlement organizations of Baicheng infrastructure project of western urban area are as shown below.

**Resettlement Organization Chart of Baicheng Infrastructure Project of Western Urban Area**



## 9. Appeal Mechanisms and Channels

In order to timely and effectively solve problems arising in practical work and facilitate project construction, land acquisition and house demolition, transparent and effective appeal channels have been set up for rural migrants except for the existing petition appeal channels set up by local governments. The specific procedures are as follows:

Step 1: If the APs suffer from any right violation in respect of LAR and project construction, they can report to Village Committee, and the Village Committee and APs can settle problems through consultation with Subdistrict Office. After receiving the appeal, Subdistrict Office will keep record and discuss with the Village Committee and APs for settlement within two weeks.

Step 2: If complainants are dissatisfied with decision made in Phase 1, they may appeal to EDZRO after receiving the decision. EDZRO will give response to them within two weeks.

Step 3: If complainants are dissatisfied with decision made in Phase 2, they may appeal to EDZPMO after receiving the decision. EDZPMO will give response to them within two weeks.

Step 4: If the APs are still dissatisfied with the decision made by EDZPMO, they may appeal to BPLG or Baicheng Municipal Government after receiving decision.

167. The APs may file lawsuit to the civil court at any time under Civil Procedure Law.

168. The APs may report their dissatisfaction to the resettlement external M&E agency at any time. If they don't get any response for their actions or their interests have been violated by some conducts breaking the ADB's Safeguard Policy Statement, they can report problems to ADB according to ADB Accountability Mechanism (2012)<sup>12</sup>.

Various organizations will receive APs' appeal for free, reasonable expense thus incurred will be paid from contingency in the resettlement budget of the project. The procedures will keep valid during the project construction, which enable the APs to deal with problems with those procedures.

### Contact Information of Appeal Organization

#### (i) Resettlement Organization of Subdistrict Office of the Project

Street Name	Person in Charge of Resettlement Office	Office Location	Contact
Subdistrict Office of Xijie Street	Cui Xiaoyan	Baicheng Private Economic Development Zone	0436-3368039
Subdistrict Office of Baoping Street	Li Haiyan	No.40, Mianfang Road, Baicheng	0436-5082123

#### (ii) Resettlement Organization of Baicheng Economic Development Zone

Name	Person in Charge of Resettlement Office	Office Location	Contact
Baicheng Economic Development Zone	Xu Zhongmin	Room 1309, Kaifa Building, Baicheng	0436-3561092

#### (iii) ADB-Financed Infrastructural Construction Project Office of Baicheng Economic Development Zone

Name	Person in Charge of Resettlement Office	Office Location	Contact
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<sup>12</sup> Before reporting problems to departments related to accountability mechanism, the APs shall solve problems effectively via the executive departments of ADB. If dissatisfaction is still unsolved, they can report to departments related to accountability mechanism. For more details, please refer to <http://compliance.adb.org/>

the EDZPLGO	Pang Chunyu	Room 1103, Kaifa Building, Baicheng	0436-3561006
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# Appendix 7: Resettlement M&E Outline

## 1. Purpose for Resettlement M&E

According to the requirement of the ADB resettlement policy, conduct external monitoring and evaluation on resettlement of Baicheng Urban Development Project, review progress, capital and management of land acquisition, demolition and resettlement, analyze and compare production and living standards change and recovery of people affected by land acquisition, and conduct tracking evaluation on land acquisition and resettlement of the project. Submit report to the ADB and the PLGO on a regular basis (twice a year during implementation), and provide information and suggestions for decision reference. With the external monitoring and evaluation, the executing agency of ADB can fully know whether land acquisition and resettlement work achieve the desired goals with prescribed time and quality, point out problems and put forward recommendations for improving the work.

## 2. Scope of Resettlement Monitoring and Evaluation

(1) Monitoring and evaluation on implementation progress of land acquisition and demolition includes:

- (i) Land acquisition progress;
- (ii) progress of temporary land occupation;
- (iii) progress of rural house demolition and reconstruction; and
- (iv) infrastructure recovery.

(2) Monitoring and evaluation on fund implementation and usage includes:

- (i) Fund appropriation; and
- (ii) use of fund (planned and actual).

(3) Monitoring and evaluation on living standard of APs includes:

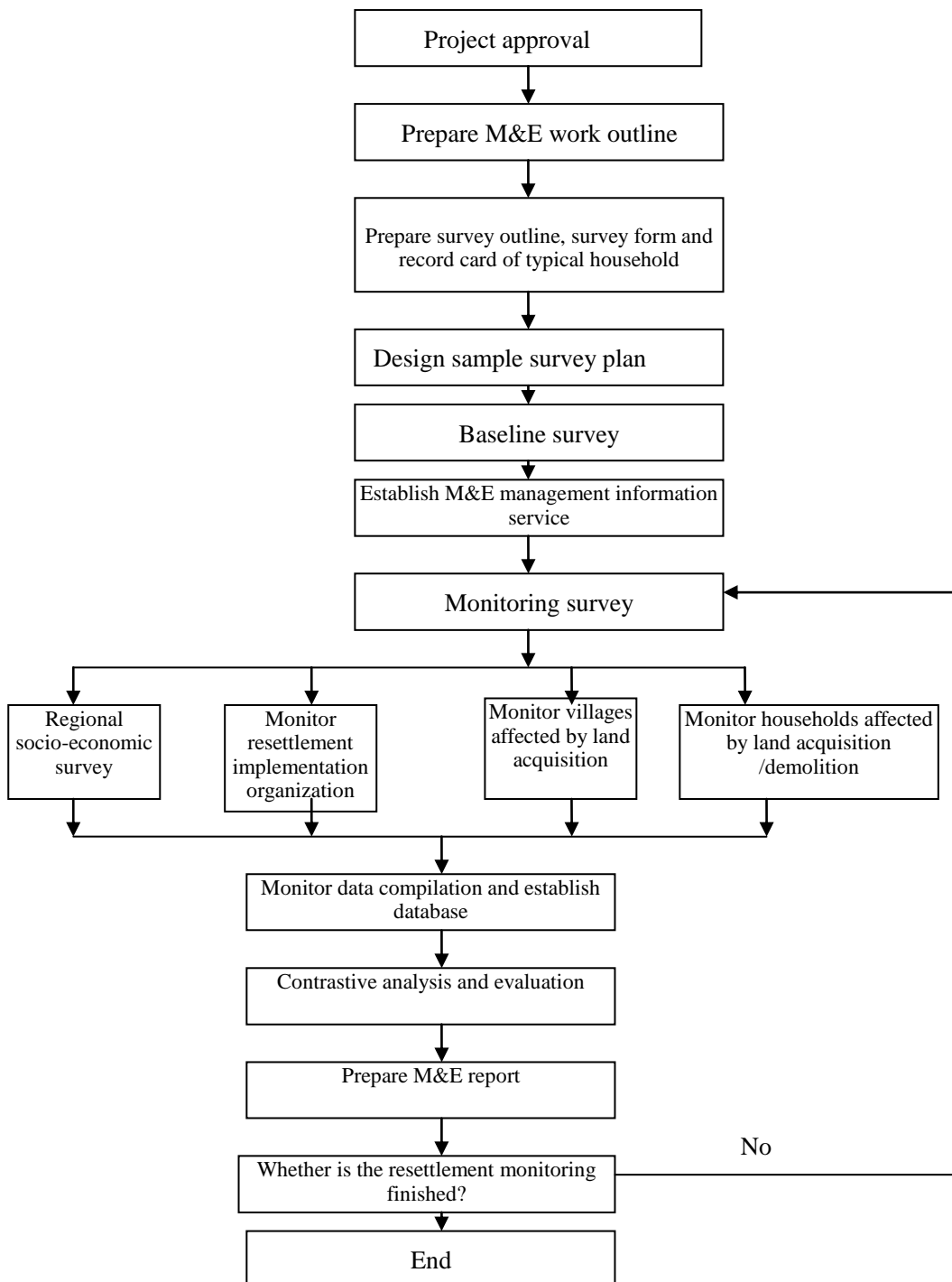
- (i) Production and living standards of APs before relocation;
- (ii) production and living standards of APs after relocation; and
- (iii) comparative analysis and evaluation on production and living standards of APs before and after the relocation.

(4) Capability evaluation of implementation organization, public participation and complaint and appeal

## 3. Technical Route

Technical route of external M&E is shown as follow:





## External Monitoring Technology Roadmap

### 4. External Monitoring Organization

External M&E on resettlement will be borne by external monitoring organization authorized by ADB-Financed Infrastructural Construction Project Resettlement Office of Baicheng Economic Development Zone and approved by the ADB.

### 5. Organization and Division of Resettlement M&E

(1) The Project Resettlement Office authorize external monitoring organization to conduct survey, collect data, carry out calculation and analysis, and review results;

(2) the external monitoring organization will form “ Resettlement M&E Group of Baicheng Infrastructure Project of Western Urban Area”, responsible for: based on the ADB involuntary resettlement policy, conducting resettlement monitoring and evaluation, preparing M&E work outline, setting up monitoring point, carrying out site survey and monitoring and internal analysis as well as preparing resettlement M&E report.

(3) During on-site monitoring and survey, Project Resettlement Office will provide assistance to Resettlement M&E Group in terms of personnel and transportation, etc.

## **6. Resettlement M&E Methods**

(1) Methods combining on-site survey, calculation and analysis and expert comprehensive evaluation will be adopted in the M&E;

(2) survey will be conducted by integrating point and sphere. Complete survey shall be conducted on resettlement implementation progress, funds, organizations and management. Sampling survey shall be conducted to resettlement households;

(3) adopt random sampling by classification when conducting sampling survey, and conduct fixed follow-up survey to typical sample resettlement households. The Sampling ratio shall be: 10~20% of seriously affected households and others vulnerable groups, and 50% of affected villages;

(4) adopt survey form, discussion and files and documents inquiry when conducting complete survey; and

(5) collect photos, audio, video and material object, etc., except for literal data.

## **7. Resettlement External M&E Report**

External monitoring organization shall submit resettlement monitoring report to The BPMO and ADB semiannually.

	Report	日期
1	Socioeconomy baseline survey	2014.9
2	The first stage monitoring report	2014.9
3	The second stage monitoring report	2015.3
4	The third stage monitoring report	2016.3
5	The fourth stage monitoring report	2017.3
6	Complete report	2017.3



# **Appendix 8: Due Diligence Report on Existing Landfill**

## **Baicheng Urban Development Project**

### **Due Diligence Report on Existing Landfill**

**Baicheng ADB-Financed Project Management Office**

**April 2014**

## 1. Project Background

Baicheng Urban Development Project (Project) is one of components of ADB-Financed Jilin Urban Development Project. The project comprises: (i) construction of urban 9 roads with 32.47 km and ancillary facilities in west area of Baicheng city; (ii) improvement of urban solid waste management by construction of a garbage integrated treatment center and 9 garbage collection stations; and (iii) construction of sewage and stormwater pipe network and pump stations. The project construction will involve land acquisition and resettlement, which is described in the Resettlement Plan of the Project. In addition, the Project will involve to use an existing landfill. According to ADB's relevant policy, land of the existing landfill shall be identified and examined in order to ensure the project implementation successfully.

The Project (ii), urban solid waste management, includes: (i) construction of a garbage integrated treatment center; (ii) construction of 9 garbage collection stations; and (iii) improvement urban solid mangament by procurement of trucks and equipments, sorting garbage at resources, and installation garbage trashes in urban area.

Baicheng has constructed two (2) landfills to treat urban garbage. The old landfill almost is filled fully, and planned to close in 2014 or 2015. A new landfill was constructed in 2013 and is ready to use when the old landfill is closed. The garbage after sorting in the garbage integrated treatment center, which will be constructed by this Project, will be disposed into the new landfill. Therefore, the due diligence was conducted for the land acquisition and resettlement of the new landfill.

This Due Diligence Report is one of appendixes of the Resettlement Plan of Baicheng Urban Development Project.

## 2. Preparation and Construction of Landfills

In 1998, Baicheng Municipal Government (BMG) instructed Construction Bureau of Taobei District to start site selection and preliminary work for landfill construction preparation. In 2004, the landfill project was listed as one of Baicheng key infrastructure construction projects. Based on the national solid waste industrial policy and previous work, Feasibility Study Report on Baicheng Solid Waste Disposal Project was prepared, which was approved in 2005.

Considering Baicheng master planning and various factors, the landfill was planned to be located in southeastern Baicheng, 10 kilometers away from urban area, and one kilometer away from Daqintala Village in the southeast (the present site). Adopting sanitary landfill technology, Baicheng landfill has the disposal capacity of 500 tons/day.

The landfill covered a total area of 42.14 hectares, of which 30.4 hectares land is for sanitary landfill with depth of 11—11.5m, 1.37 hectares land is for wastewater treatment and 1.14 hectares land is for management area. Calculated at daily disposal of 500 tons, the landfill has usable capacity of 1.17 million m<sup>3</sup> for phase I (the old landfill) and 2.22 million m<sup>3</sup> for phase II (the new landfill). The whole service life of the landfill is 20 years, with seven (7) years for phase I and 13 years for phase II.

Documents for preparation, construction and approval of the landfill project includes:

(i) Feasibility Study Report on Baicheng Solid Waste Disposal Project was approved by Development and Reform Commission of Jilin Province in 2005 ( JFGTZZ[2005]No.955);

(ii) Environmental Assessment Report was approved by Department of Environmental Protection of Jilin Province (JHJZ [2005] No.86);

(iii) Permission Notes for Construction Project Location was issued by Department of Construction of Jilin Province (JGXZ [2005] No.001). State-owned Land Use Certificate was obtained in 2004 (refer to Appendix 1).

After the approval, the landfill project was commenced on May 15, 2006 and completed on October 12, 2006. On October 20, 2006, the phase I of the landfill was put into operation. The phase II was commenced in May 2007, and completed in October 2007. The leachate treatment project was commenced in May, 2011 and completed on December 10, 2012.

Phase I of the landfill has come to the end of design life and almost was filled fully. It is planned to close in 2014 or 2015. At the same time, phase II will be put operation.

### **3. Land Acquisition and Resettlement for the Landfill**

The landfill occupied an area of 42.14 hectares land. The land belonged to Baicheng Huachengmu Industrial and Commercial Joint Company originally. Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. ("Party A" ) concluded a contract with Baicheng Huachengmu Industrial and Commercial Joint Company (" Party B" ) on November 30, 2004, and Party A acquired the land use right by paying RMB980,000 to Party B. Refer to Agreement on Company Asset Ownership and Transfer Letter of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. and Baicheng Huachengmu Industrial and Commercial Joint Company for details (Annexes 2 and 3).

The land for for the landfill is state-owned wasteland without any production activities and forests planted before it was acquired for the landfill. Therefore, there was no group whose livelihood activities were affected after the LA.

There were no permanent or temporary buildings within the land, and no house demolition and compensation were involved during the land acquisition.

#### **Annexes of Diligence Report:**

Annex 1: Land Certificate of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. (BTGY (2004) No. 080210104)

Annex 2: Agreement on Company Asset Ownership of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. and Baicheng Huachengmu Industrial and Commercial Joint Company

Annex 3: Transfer letter of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. and Baicheng Huachengmu Industrial and Commercial Joint Company

Annex 1: Land Certificate of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. (BTGY (2004) No. 080210104)

Bai Tao 2004 080210104

Guo Yong ( ) No.

Land user	Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd		
Location	Interchange of Changbai Road and Tuwu Road, Taobei District, south of Baicheng City		
Land No.	90220802106	Figure No.	L-51 90-23
Land Nature(Purpose)	Dry Land	Acquired Price	0.00
Type of Use Right	Lease	Date of Termination	June 21, 2009
Area of Use Right	1312811.48m <sup>2</sup>	Of Which	Solely Possessed Area
			Shared Public Area
			1312811.48m <sup>2</sup>

In accordance with the laws & regulations of *Constitution of the People's Republic of China*, *Law of Land Administration of the People's Republic of China* and *the Administrative Urban Real Property Laws of the People's Republic of China*, in order to protect the legal rights and interests of the house-owners, the Real Estate listed on this Certificate, which was applied by the house-owner, is confirmed to be authentic, and it is hereby to issue this Certificate.

Taobei District People's Government (Seal)

June 23, 2004

**Record of Events**

June 23, 2004

This certificate shall go through the procedures on June 23, 2005. Anyone who fails to do so shall lose their legal effect.

Registration Authority

Under the Supervision of

Ministry of Land and Resources of the People's Republic of China  
(Special Seal for Land Administration) (Seal)

N0.001706502

June 23, 2004

Plot Plan

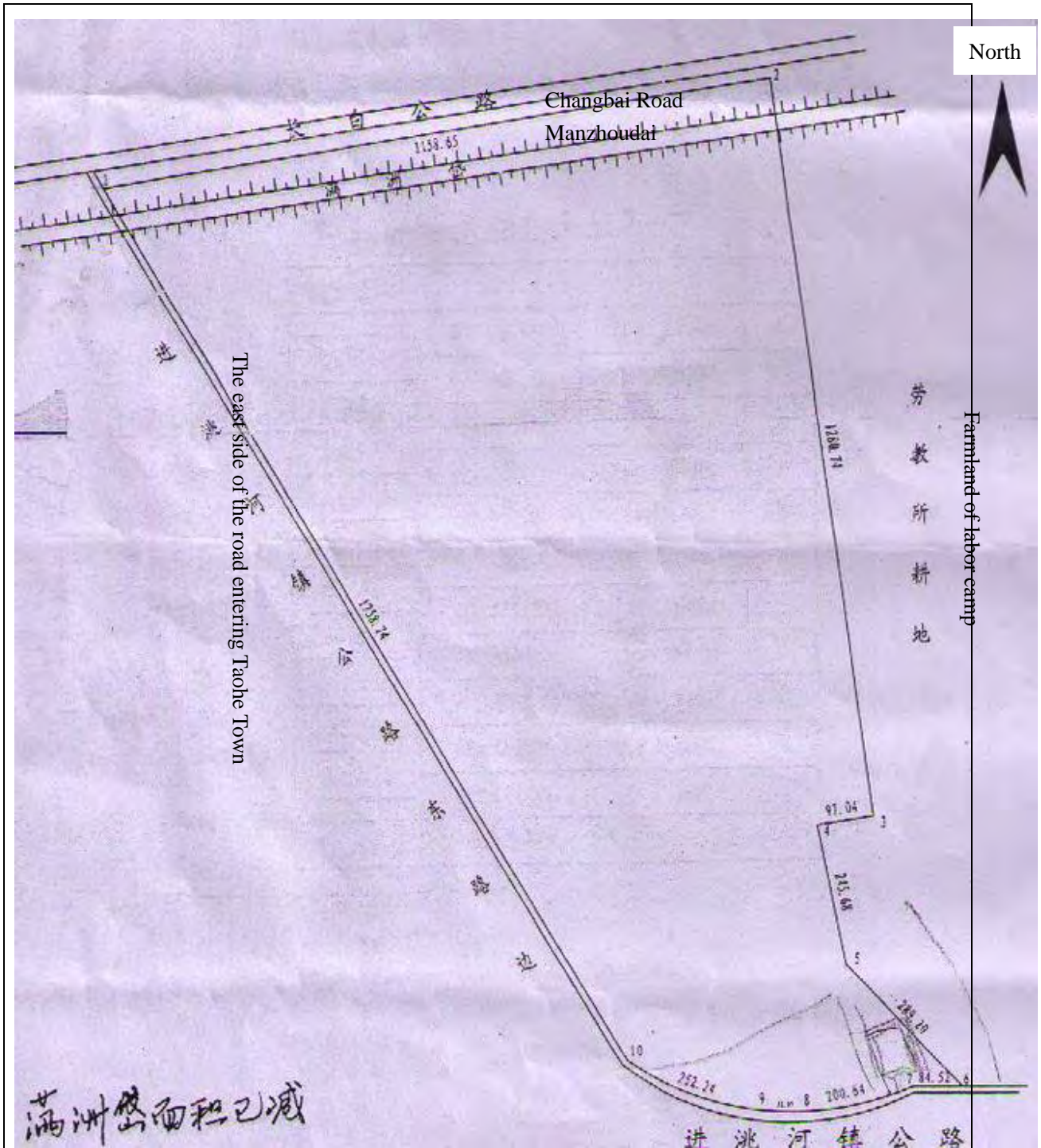
Plot No.: 04-054

Property Owner: Baicheng Huacheng Animal,

Cadastral Figure No.:

Industry Trade Company





Manzhoudai area has been reduced.

Road to Taohetown

Drawing Date: May 27, 2004

1: 10000

Draftsman:

Audit Date:

Auditor:

Annex 2: Agreement on Company Asset Ownership of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. and Baicheng Huachengmu Industrial and Commercial Joint Company

Instruction of Asset Transfer

Party A: Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd

Party B: Baicheng Huacheng Animal, Industry Trade Company

According to *Decision of Baicheng City Construction Committee on Combination of Rear Office of Baicheng City Huacheng Company and its Subordinate*, the accounts of rear offices of three companies including the China Beef Cattle Supply Co., Ltd Baicheng Branch, Baicheng Huacheng Food Processing Factory and Baicheng Huacheng Breeding Factory will be consolidated to Baicheng Huacheng Animal, Industry Trade Company. Party A has invested 980,000 Yuan in cash to China Great Wall Asset Management Corporation Changchun Division to compensate all loan principal and interest owed by Party B in China Great Wall Asset Management Corporation Changchun Division according to the *Civil Ruling Paper of Baicheng City Intermediate People's Court of Jilin Province and Settlement Agreement* (signed by Party B with China Great Wall Asset Management Corporation Changchun Division. The original value of fixed assets of Party B for 26, 997, 131, 84 Yuan, net value of fixed assets of Party B for 21937 344.31 Yuan shall be vested in Party A, see the Attachment.

Attachment 1: *Civil Ruling Paper of Baicheng City Intermediate People's Court of Jilin Province* (3 pages)

Attachment 2: *Settlement Agreement* (4 pages)

Attachment 1: *Statement of Asset Transfer* (11 pages)

Party A (Financial Seal): Special Financial Seal of Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd	Party B (Financial Seal): Baicheng Huacheng Animal, Industry Trade Company
Legal Representative:	Legal Representative:
Responsible Person:	Responsible Person:
	2004

Annex 3: Transfer letter of Baicheng Zhongxing Urban Infrastructure Construction Co., Ltd. and Baicheng Huachengmu Industrial and Commercial Joint Company

The Delivery Party: Baicheng Huacheng Animal, Industry Trade Company

The Receiving Party: Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd

Supervisor: Baicheng City Construction Committee

Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd shall purchase the original value of fixed assets of Baicheng Hucheng Animal, Industry Trade Company for 26,997,131.84 Yuan, net value for fixed assets for 21,937,344.31 Yuan from China Great Wall Asset Management Corporation Changchun Division according to the legal procedures, and handle the transfer procedures on November 30, 2004 after the two parties conducting physical inventory for assets sold for repurchase.( A total of 10 pages of Statement of Asset Transfer see table)

The Delivery Party (Seal):

Baicheng Huacheng Animal, Industry Trade Company

Legal Representative (Signature):

Responsible Person: Sun Hui

The Receiving Party (Seal):

Baicheng City Zhongxing Urban Infrastructure Construction Co., Ltd

Legal Representative (Signature):

Responsible Person:

Supervisor: (Seal):

Baicheng City Construction Committee

Legal Representative (Signature):

Responsible Person(Signature):

November 30, 2004

# Appendix 9: Due Diligence Report on Eco-home Resettlement Community

1. In a bid to monitor and inspect resettlement implementation program and follow-up resettlement status ,as well to ensure the legitimate rights and interests of resettlement to be protected properly, BaiCheng Economic Development Zone Investment and Development Limited Corporation mapped out the resettlement duty diligence survey for LA process of Eco-home resettlement community.

## Chapter 1: Summary

2. Eco-home is a subproject of Ecological New Region Project. Eco-Home is an integrated service area with the combination of administrative office, business services, and resettlement residence, covering an area of 38,000m<sup>2</sup>. The total area of urban construction is 35,000 m<sup>2</sup> and that of non-urban construction is 3,000 m<sup>2</sup>; the resident population is 1,200. Eco-home is located in the west of Changqing Street and has 230 houses demolition in moving back home area. The total area of housings demolition is 38000 m<sup>2</sup>. There are 360 newly-built resettlement households with 1200 people. The new floor area is 36900 m<sup>2</sup> among of which building area of resettlement housings covers 25239.60 m<sup>2</sup> and area of matching commercial buildings occupies 11660.40 m<sup>2</sup>.
3. There are 230 residential households involved in and mainly distributed in Dongxing village. The building structures are brick-concrete and brick-timber. The building nature is collective. The aboveground attachments include populus, Anli pear tree, vineyard, seasonal greenhouse and year-round greenhouse etc.

## Chapter 2: Project Description

### 2.1 Overview

4. There are 230 relocated households in the area of moving back home. The demolition area is 38000 m<sup>2</sup>. The new-built resettlement housings are 120 households that of 1000 people. New building area is 36900 m<sup>2</sup> among of which including 25,240 m<sup>2</sup> construction area for resettlement house and 11,660 m<sup>2</sup> for matching commercial buildings.
5. The area of moving back home of ecological new area construction components

No.	Name	Unit	Quantity	Remark
1	Relocation households	HH	230	\
2	Demolition area	m <sup>2</sup>	36900	\
3	New-built resettlement housing	household	360	\
4	Number of people live in new resttlement housing	person	1200	\
5	New-built overall floor area	m <sup>2</sup>	36900	\
5.1	Gross construction area of resettlement housing	m <sup>2</sup>	25239.60	\
5.2	Floor area of Matching commercial buildings	m <sup>2</sup>	11480.60	\

6. Eco-home is a subproject of Ecological New Area. The total amount of investment of

that did not be calculated separately because that of had been counted in Ecological New Area. The amount of investment of Ecological New Area for moving back home is RMB 2.033 billion, including expenditures of RMB 435.61 million for LA &HD, and RMB 1.12551 billion for cost of construction and erection works, RMB 174.33 million for other engineering construction cost , RMB 138.82 million for basic reserve funds, RMB158.73 million for interest incurred during construction .

### Major technical and economical indicator

No.	Name	Unit	Quantity	remark
1	Scale of construction			
1.1	Land for resettlement housing	m <sup>2</sup>	349900	\
1.2	Total floor area	m <sup>2</sup>	559400	\
1.2.1	Building area of resettlement housing	m <sup>2</sup>	508300	\
1.2.2	Gross floor area of matching commercial building	m <sup>2</sup>	51100	\
1.3	The number of new-built resettlement housing	household	7812	\
1.4	People live in	person	24998	\
2	Gross investment	million CNY	2033	\
2.1	LA&HD expense	million CNY	435.61	
2.2	cost of construction and erection works	million CNY	1125.51	
2.3	Other cost of engineering construction	million CNY	174.33	
2.4	basic reserve funds	million CNY	138.82	
2.5	interest incurred during construction	million CNY	158.73	
3	Construction period	month	36	

## 2.2 The purpose and necessity of DD investigation

Evaluate project related to LA and resettlement is in accordance with the demand of Land Administration Law of the PRC as well as Jilin provincial &Baicheng municipal resettlement laws and regulations, compensation and settlement policies by comprehensive review of the process of LA and resettlement.

To check the working process flow, implementation scheduling, capital management, resettlement effects. To assess production and living status of resettlement people and degree of satisfaction.

To identify the remaining problems in the process of LA and HD in China and propose feasible suggestions.

- Ecological New Area is a community of resettlement for Baicheng urban development project. Its construction status is directly associated with progress of resettlement plan. Its scale and other ancillary facilities impact directly the Aps living level down the road. Hence roll out this DD survey report.

## Chapter 3: The scope of LA and resettlement

- Eco-home is located in the west of Changqing street that involved 230 residential households which mostly distribute in Dongxing village. The housing structures are

brick concrete and brick timber. The nature of housings is collective. The aboveground attachments consist of populus, Anli pear tree, vineyard, seasonal greenhouse and year-round greenhouse etc. For details view as following:

**Table 3-1: Range of Influence of permanent LA**

Village	Permanent LA(mu)				
	farmland	woodland	Orchard	Collective land	Total
Dongxing	42.86	1.82	2.15	41.88	88.71

**Table 3-2: AHs information**

Village	AHs	APs	Living Houses				Untitled Houses		
	Subtotal (HH)	Subtotal (Aps)	Area Subtotal (m <sup>2</sup> )	Brick concrete structure (m <sup>2</sup> )	Brick timber structure (m <sup>2</sup> )	Earth timber structure (m <sup>2</sup> )	Area Subtotal (m <sup>2</sup> )	Attached House (m <sup>2</sup> )	Simple structure (m <sup>2</sup> )
Dongxing village	230	962	28003.44	17625.47	9169.22	1208.75	6613.20	4375.09	2238.11
Total	230	962	28003.44	17625.47	9169.22	1208.75	6613.20	4375.09	2238.11

**Table 3-2: Affected attachments by project**

Village	Sapling (pcs)	Trees (pcs)			Motor-operated well	Greenhouse (m <sup>2</sup> )		Simple structures (m <sup>2</sup> )		
		Fruit trees	Pine trees	Poplar trees		Warm greenhouse	Cold mayopy	Storehouse/Bike shed	Toilet	Barn
Dongxing	180653	110		50	56		4063.80	209.84	107.25	510.78
Total	180653	160			56	4063.80		827.87		

#### Chapter 4: The progress of LA and resettlement

9. The LA public notice was issued on April 1, 2013 and commenced to acquire on May 30. At the moment, the acquisition of 88.71 mu land and 230 households had been accomplished, the land compensation rates is RMB 3 million/hectare.
10. The details for compensation standard and agreement show as Table 4-1.

**Table 4-1: Compensation Rates for HD**

Nature of housing	Compensation category		Unit	RMB	Remark
Rural / Urban House Demolition	Residential housing	Brick concrete	RMB /m <sup>2</sup>	1000	The actual rates are determined on the basis of market valuation (depreciation not considered)
		Brick timber	RMB /m <sup>2</sup>	860	
		Earth timber	RMB /m <sup>2</sup>	680	
	Untitled housing	Attached house	RMB /m <sup>2</sup>	1200	
		Simple structure	RMB / m <sup>2</sup>	1350	
	Other compensation	Relocation subsidies	RMB / HH	1000	
Transition subsidies		RMB /m <sup>2</sup> · month	6	24 months in general	

		Heating subsidies	RMB /m <sup>2</sup> · month	2	On the basis of main house area of the houses to be demolished
		Award for moving out prior to date required	RMB /HH	5000	The award will be provided for households that relocate early within the prescribed resettlement period.

**Table 4-2: Compensation Rates Fruit Trees and Woods**

Type		Unit	Type of trees	Compensation rate (RMB/tree)
Fruit tree	Fruit trees bearing no fruits (grew less than 1 year)	tree	Others	30
		tree		
		tree		
	Fruit trees bearing fruits	tree	Anli pear	300
		tree	Grape	70
		tree	Other fruit trees	100
	Lumber	tree	Populus	350
		tree	Willow	350
	Sapling	tree	Young tree	30

**Table 4-3: Compensation Rates for Attachments and Infrastructure**

Item	Unit	Compensation rate
Simple structure (including stone-footed earth wall, brick-walled asbestos house and barn)	RMB /m <sup>2</sup>	200
Brick wall	RMB /m <sup>2</sup>	50
Hand-operated well	RMB/well	500
Well with a 3-inch submersible pump or below	RMB/well	2000
Well with a submersible pump of above 3 inches	RMB/well	5000
Plastic greenhouse (seasonal greenhouse)	RMB /m <sup>2</sup>	16.28
Plastic greenhouse (year-roundgreen house)	RMB /m <sup>2</sup>	59.37

Figure 4-1: LA and compensation agreement

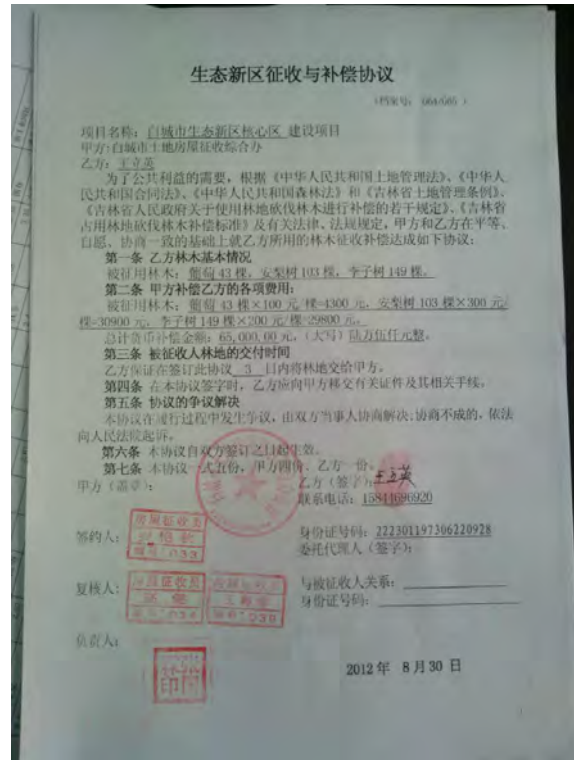
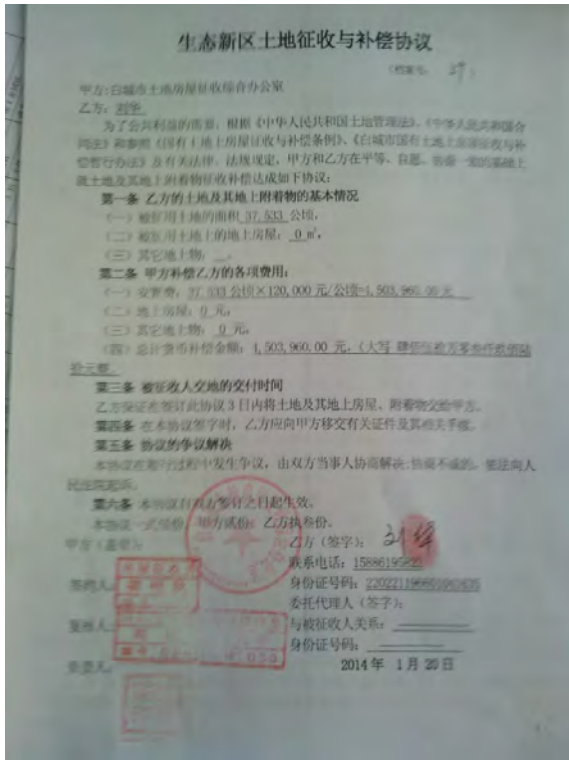
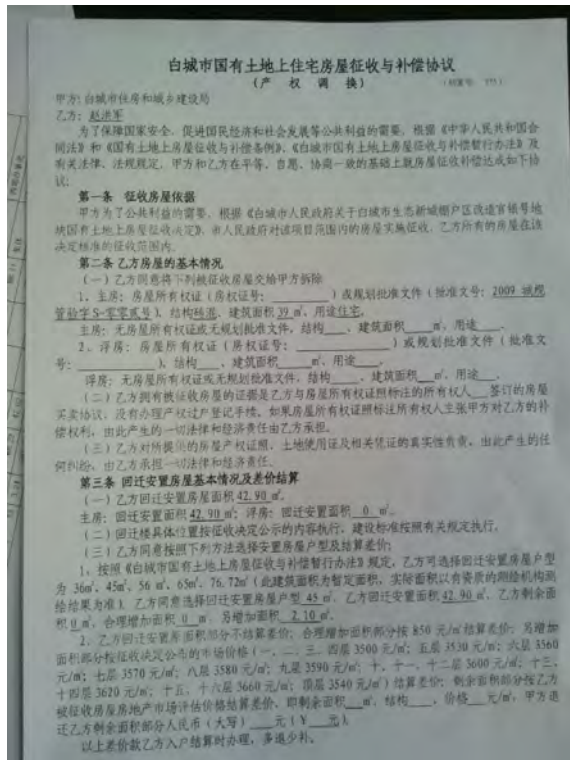


Figure 4-2: Demolition property right exchange compensation agreement





## Chapter 5: Complaint and existing problems

11. The Ahs shall be entitled to appeal to relevant institutes if the process of LA incurs disputes. The means of appeal as following:
  - Approach 1: If Ahs suffer from doubts for LA action, they may report to BPMO, BMG and Village Committee. The survey team shall explain and solve problems face to face. As well as negotiate solving measures together with Ahs.
  - Approach 2: Ahs may appeal to municipal special Complaint Office directly.
  - Approach 3: Ahs may complain to jurisdictional administration step by step for arbitration in accordance with The Administrative Procedure Law of the People's Republic of China. If the migrants are still dissatisfied with the arbitration, they may file lawsuit to the civil court under Civil Procedure Law after receiving the arbitration.
12. AHs may appeal in any involved affected aspects. Above appeal measures are informed to AHs through meeting and other ways that make AHs fully understand their own have the rights of appeal. Meanwhile use the media to strengthen publicity and coverage. And summarize all parts of opinions and suggestions to LA&HD organization of all levels to address in time. Various organizations will receive APs' and appeal for free.

## Chapter 6: Ledgal frameworks

13. We worked out implementing plan combining LA actual local status with following stipulations, laws and regulations:
  - Property Law of People's Republic of China*
  - Land Administration Law of the People's Republic of China*
  - House Acquisition from State-owned Land and Compensation Ordinance(No.590 decree of state council)*
  - House Acquisition from State-owned Land and Compensation Ordinance (with The Implementing guideline by General office of Jilin provincial government,JZF[2011] No. 8)*
  - Temporary Measures for Demolition of and Compensation for Houses on State-Owned Land of Baicheng*
  - Baicheng Shantytown Renovation of Ecological New Town On GuanYinHao Land for House Acquisition from State-owned Land and Compensation Scenario*
  - Aboveground crops on Cultivated land compensation rate meeting minutes*
14. The compensation and resettlement of residential housings demolition belonging to shantytown renovation project approved by municipal government should comply with this stipulation.
15. In responding to demolition of residential housing on shantytown, the households to be resettled may choose (1) monetary compensation, (2) relocated houses. The inhabitants involved in house demolition may choose moving back home if the planning conditions allow to build up the housings for moving back.
16. With regard to monetary compensation, that of amount equal to assessment valuation of demolition housing plus price subsidies of shantytown housings demolition, area of

subsidies, relocation subsidies and transition subsidies.

17. The amount of assessment of demolished housings means that demolished housings valuation unit prices multiply its gross floor area.
18. The price subsidies of shantytown housings demolition are defined as the demolished housings valuation price multiplying growth ratio which is determined by floor area of housing demolition.
  - The floor area less than 25 m<sup>2</sup>, growth ratio is 40%.
  - The floor area more than 25 m<sup>2</sup> including 25 m<sup>2</sup> while less than 33 m<sup>2</sup>, growth ratio is 35%.
  - The floor area more than 33 m<sup>2</sup> including 33 m<sup>2</sup> while less than 41 m<sup>2</sup>, growth ratio is 30%.
  - The floor area more than 41 m<sup>2</sup> including 41 m<sup>2</sup> while less than 49 m<sup>2</sup>, growth ratio is 25%.
  - The floor area more than 49m<sup>2</sup> including 49 m<sup>2</sup> , growth ratio is 20%.
19. The definition of area of subsidies is that the construction cost of brick-concrete structure residential housing in previous year multiply added floor area from demolished housing with construction area less than 49m<sup>2</sup> making up to 49m<sup>2</sup>. The gross floor areas of housing demolition shall be subjected to Building Ownership Certification before July 31, 2004 and primary registration of estate title after August 1,2004.
20. The relocation allowance and temporary resettlement subsidies shall be paid according to *Baicheng urban housings demolition management regulations* .
21. The demolished households choosing to be resettled shall be relocated being subjected to upper limit of floor area of standard house type. The same floor area between HD and resettlement house carries out “one new house for one demolished house” without different price been counted. The added floor areas that derive from area of resettlement house beyond that of demolition house shall pay added area according to construction cost of resettlement house and the building property right belongs to demolished households. If dismantles require areas of resettlement house that exceeds area of standard house type, the parts that out of standard house type shall be paid according to sale price of commercial houses of this project. The floor area of demolished house go beyond area of the biggest standard house type that may opt for 1)separate resettlement house 2)monetary compensation for out of areas. With respect to consolidated floor area to separate resettlement house in excess of demolished house shall pay the over area on the basis of sale price of commercial house of the project.
22. The relocation households transit by themselves that relocation subsidies and temporary resettlement fees shall be subjected to subsidies level of property right exchange in accordance with *Baicheng urban housings demolition management regulations* .
23. Removing all illegal buildings and temporary constructions with in excess of approval deadline should have no resettlement compensation in principle. But in responding to independent houses which had been set up and lived in by themselves before *Urban planning laws of the People's Republic of China* issued in April 1,1990 , which obligee processes the formal HuKou in range of demolition area and has no other residential house, which may be given compensation according to different construction cost of demolished house structure. The amount of compensation will be calculated by

- appraisal agency. The situation of compensated object and compensation amount etc shall be publicized within 5 days on demolition site.
24. Demolish the public residential houses which implement government stipulated rent that should be carried out housing reform in first step in principle. Remover should compensate and resettle housing lessee as housing owner when the housing lessee pay full expenditures of housing reform.
  25. Relocation household opts for cash compensation, then purchase ordinary housing(including second-hand housing) that may be exempt from deed tax and apply for buying fixing the quotas commercial residential building to municipal real estate administrative department with *Agreement of Shantytown Demolition Compensation and Resettlement* and relevant documents.
  26. The floor area of resettlement standard types of housing in shantytown shall be not lower than following level:
  27. 1.5 bedrooms in 49m<sup>2</sup>, 2 bedrooms in 54 m<sup>2</sup>, 2.5 bedrooms in 64 m<sup>2</sup>. The master bedroom space of all type of houses shall be not lower than 3 meters, living space shall be not lower than 13 m<sup>2</sup>, living room (including corridor) shall be not lower than 4.8 m<sup>2</sup>, kitchen area shall be not lower than 4 m<sup>2</sup>, toilet area shall be not lower than 1.8 m<sup>2</sup>. The difference of plus-minus 1 m<sup>2</sup> for construction area between the resettled house and the standard type of house shall be regarded as rational design.
  28. The resettled household shall pay the added areas according to construction cost if the floor area of resettled house exceeds standard model of house.
  29. The remover shall return payment of insufficient areas in accordance with sale price of commercial house of the project if the floor area of resettled house is less than that of standard house type. The design criteria of resettled houses shall be audited by qualified drawing review department and unaudited& unapproved project cannot kick off. The municipal construction administrative department should inspect and monitor engineering construction of resettled houses. For noncompliant construction shall be tackled according to corresponding laws and regulations.
  30. The resettlement of moving back home shall be sequenced in moving time order in public and resettled households may choose among the corresponding house types independently and in turns.

### **Chapter 7 :Participating organization**

31. During the implementation of LA&HD action, we set up a working team consisted of Xincheng region, Auditing Bereau, Finance Bureau, LA office, village committee and affected migrants that can ensure LA&HD effectively operate and obtain villagers' opinions in time. It is convenient to communicate with Aps in time due to the team involves all parts of stakeholders. In this way we solved problems in process of LA&HD actions and minimized the influence of all stakeholders. This method produced the fruitful effects.
32. The main duties of Xincheng region: Consist of overall plan on project resettlement and coordination and solution of major problems related to resettlement. According to the project progress, personnel can be dispatched from members of leading group.
33. The main duties of Audit Bereau: Audit the capital source, capital usage and economic benefit in the whole process prior to commence, under construction and complete project.

34. The main duties of Finance Bureau:
- Propose and audit rolling capital budget of special fund.
  - Come up with the financial management order for the use of special fund.
  - Follow-up the implementing effect of special capital and monitor the project cash management and allocation.
  - Take responsible for payment, usage and controlling of project expenditures.
  - Inspect enforcement of farmland occupation tax and deed tax.
  - Business train and management of special staff of LA.
35. The main duties of resettlement are to delegate to undertake specific work related to land and house acquisition compensation, and supervise the acts of land and house acquisition compensation performed by acquisition units. Prepare acquisition compensation plan and submit to municipal government for approval. On behalf of the municipal government, notify the Land and Resources Administration in writing to submit the land status change report for approval and prepare the compensation standards of above-ground buildings and crops within acquisition scope on schedule. Organize to investigate and register ownership, location, purpose and floor area of houses within acquisition scope, and publish the investigation results. Notify relevant departments in writing to suspend procedures of new construction, expansion and reconstruction within acquisition scope. Conclude compensation agreement with people involved in the acquisition. During the contract period when acquisition compensation plan is confirmed, if no compensation agreement is reached with people involved in the acquisition or owner of the house involved in the acquisition is undefined, submit to the municipal government for compensation. File the house acquisition compensation according to law, and disclose the household compensation to house-requisitioned people within house acquisition scope. Collect and summarize rural collective economic organization and opinions of peasants involved in the LA, put forward compensation plan of LA. Propagate LA-related laws and regulations to land-use units, rural collective economic organization involved in the acquisition and peasants, provide technical consulting service of LA.
36. The main duties of Village Committee (Neighborhood Committee) include:
- Work on survey of social economy and project impact;
  - Discuss with the public and propaganda policies of the LA and HD;
  - Organize to arrange agricultural and non-agricultural production;
  - Convey the migrants' opinions and suggestions to superior departments;
  - Provide help for needy households in the demolition.

### **Chapter 8: Conclusion**

37. Strictly implement LA compensation rates. Whereas the project has a significant influence to Aps' livelihood, the construction of economic zone has offered enormous job opportunities.
38. The clear duties of relevant organization and high personnel quality ensure the resettlement business to be accomplished well.
39. The project undertaker organized public participation actions many times in terms of

Ahs' concerning problems such as physical quantity measure, compensation rates and payment etc. during the preparation and implementation of project. But parts of villagers still have no very clear picture of LA policies and compensation rates so that the public participation are going to be strengthened

40. Grievances and appeals: With aim to form an open communication and information transmission channel for complaint and filing, we introduce professional coordinator system that make sure resettled people know the appeal pathway if migrants incur right violation.

# Appendix 10: Due Diligence Report on Siji Huacheng Resettlement Community

1. In a bid to monitor and inspect resettlement implementation program and follow-up resettlement status ,as well to ensure the legitimate rights and interests of resettlement to be protected properly, BaiCheng Economic Development Zone Investment and Development Limited Corporation mapped out the resettlement duty diligence survey for LA process of Siji Huacheng resettlement community.

## Chapter 1: Summary

2. Siji Huacheng is an integrated sevice community with the combination of commercial & trade service and resettlement residence of LA&HD, covering an area of 203,900 m<sup>2</sup>. The total area of urban construction is 200,000m<sup>2</sup> and that of non-urban construction is 3,900 m<sup>2</sup>; the resident population is 8,931. Siji Huacheng is located in the west of South Guangming street. The total area of housings demolition is 320000 m<sup>2</sup> where established 120 newly-built resettlement households with 1000 persons. The new floor area is 324817.24 m<sup>2</sup> among of which building area of resettlement housings covers 247504.36 m<sup>2</sup> and area of matching commercial buildings occupies 30000 m<sup>2</sup>.
3. There are 120 residential households involved in and mainly distributed in Dongxing village and Baoping village. The building structure is brick-concrete and building nature is collective. The ground attachments include populus, Anli pear tree, vineyard, seasonal greenhouse and year-round greenhouse etc.

## Chapter 2: Project Description

### 2.1 Overview

4. There are 2791 relocation households in Siji Huacheng which involved 170000 m<sup>2</sup> farmland, 33000 m<sup>2</sup> state-own land .The demolition area is 320000 m<sup>2</sup>. The newly-built resettlement housings are 120 households that of 1000 people. New building area is 324817.24 m<sup>2</sup> among of which including 247504.36 m<sup>2</sup> construction area for resettlement house and 30000 m<sup>2</sup> for matching commercial buildings.

Siji Huacheng construction components

No.	Name	Unit	Quantity	Remark
1	Relocation households	HH	120	\
2	Demolition area	m <sup>2</sup>	320000	\
3	New-built resettlement housing	household	120	\
4	Number of people live in new resttlement housing	person	1000	\
5	New-built overall floor area	m <sup>2</sup>	324817.24	\
5.1	Gross construction area of resettlement housing	m <sup>2</sup>	247504.36	\
5.2	Floor area of Matching commercial buildings	m <sup>2</sup>	30000	\

5. The amount of investment of Siji Huacheng is 800 million RMB, including expense of RMB 60.90 million for LA and RMB 30.90 million for HD.

### Major technical and economical indicators

No.	Name	Unit	Quantity	remark
1	Scale of construction			
1.1	Land for resettlement housing	m <sup>2</sup>	203872	\
1.2	Total floor area	m <sup>2</sup>	324817.24	\
1.2.1	Building area of resettlement housing	m <sup>2</sup>	247504.26	\
1.2.2	Gross floor area of matching commercial building	m <sup>2</sup>	30000	\
1.3	The number of new-built resettlement housing	household	120	\
1.4	People live in	person	1000	\
2	Gross investment	Million RMB	800	\
2.1	LA expense	Million RMB	60.90	
2.2	HD cost	Million RMB	30.90	
3	Construction period	Million RMB	24	

## 2.2 The purpose and necessity of DD investigation

Evaluate project related to LA and resettlement is in accordance with the demand of **Land Administration Law of the PRC** as well as **Jilin provincial & Baicheng municipal resettlement laws and regulations**, compensation and settlement policies by comprehensive review of the process of LA and resettlement.

To check the working process flow, implementation scheduling, capital management, resettlement effects. To assess production and living status of resettlement people and degree of satisfaction.

To identify the remaining problems in the process of LA and HD in China and propose feasible suggestions.

- Siji Huacheng is a community of resettlement for Baicheng urban development project. Its construction status is directly associated with progress of resettlement plan. Its scale and other ancillary facilities impact directly the Aps living level down the road. Hence roll out this DD survey report.

### Chapter 3: The scope of LA and resettlement

- Siji Huacheng is located in the west of south Guangming street that involved 120 households which mostly distribute in Dongxing village and Baoping village. The housing structure is brick concrete and the nature of housings is collective. The aboveground attachments consist of populus, Anli pear tree, vineyard, seasonal greenhouse and year-round greenhouse etc. For details view as following:

**Table 3-1: Range of Influence of permanent LA**

Village	Permanent LA(mu)			
	farmland	woodland	homestead	State-owned land
BaoPing	170	0	0	16

Dongxing	0	0	0	17
Total	170	0	0	33

**Table 3-2: AHs information**

Village	AHs	APs	Living Houses			Untitled Houses			
	Subtotal (HH)	Subtotal (Aps)	Area Subtotal (m <sup>2</sup> )	Brick concrete structure (m <sup>2</sup> )	Brick timber structure (m <sup>2</sup> )	Earth timber structure (m <sup>2</sup> )	Area Subtotal (m <sup>2</sup> )	Attached House (m <sup>2</sup> )	Simple structure (m <sup>2</sup> )
Dongxing village	120	331	21524.17	13519.39	6613.2	1391.58	2492.94	1999.44	493.5
Total	120	331	21524.17	13519.39	6613.2	1391.58	2492.94	1999.44	493.5

**Table 3-2: Affected attachments by project**

Village	Sapling (pcs)	Trees (pcs)			Motor-operated well	Greenhouse (m <sup>2</sup> )		Simple structures (m <sup>2</sup> )		
		Fruit trees	Pine trees	Poplar trees		Warm greenhouse	Cold mayopy	Storehouse/Bike shed	Toilet	Barn
Baoping	151934				47		2263.72			
Dongxing	110	22372			78	9210		134		359.5
Total	152044	22372			191	11473.72		493.5		

#### Chapter 4: The progress of LA and resettlement

- Siji huacheng LA started in June 2011 and completed in December 2012 with compensation RMB 300/ m<sup>2</sup> for 150 households. The land compensation fees for land are RMB 60.90 million.
- Siji huacheng HD initiated in September 2010 and completed 120 households acquisition in December 2012 with compensation way of "Demolish one house, compensate the same one". The monetary offset is total RMB 30.90 million. The compensation fees of aboveground attachments are RMB 11.27 million. The details for compensation standard and agreement show as Table 4-1.

Table 4-1: Compensation Rates for HD

Nature of housing	Compensation category		Unit	RMB	Remark
Rural / Urban House Demolition	Residential housing	Brick concrete	RMB /m <sup>2</sup>	1000	The actual rates are determined on the basis of market valuation (depreciation not considered)
		Brick timber	RMB /m <sup>2</sup>	860	
		Earth timber	RMB /m <sup>2</sup>	680	
	Untitled housing	Attached house	RMB /m <sup>2</sup>	1200	
		Simple structure	RMB / m <sup>2</sup>	1350	
Other compensation	Relocation subsidies	RMB / HH	500		



		Transition subsidies	RMB /m <sup>2</sup> · month	4	24 months in general
		Heating subsidies	RMB /m <sup>2</sup> · month	2	On the basis of main house area of the houses to be demolished
		Award for moving out prior to date required	RMB /HH	2500	The award will be provided for households that relocate early within the prescribed resettlement period.

**Table 4-2: Compensation Rates Fruit Trees and Woods**

Type		Unit	Type of trees	Compensation rate (RMB/tree)
Fruit tree		tree	Anli pear	300
		tree	Grape	70
		tree	Other fruit trees	100
	Fruit trees bearing no fruits (grew less than 1 year)	tree		
		tree		
		tree		
	Fruit trees bearing fruits	tree		
		tree		
		tree		
Timber stands		tree		
		tree	Camphor	3
	Sapling	tree	Little tree	30

**Table 4-3: Compensation Rates for Attachments and Infrastructure**

Item	Unit	Compensation rate
Simple structure (including stone-footed earth wall, brick-walled asbestos house and barn)	RMB /m <sup>2</sup>	200
Brick wall	RMB /m <sup>2</sup>	50
Hand-operated well	RMB/well	2000
Well with a 3-inch submersible pump or below	RMB/well	5000
Well with a submersible pump of above 3 inches	RMB/well	5000
Plastic greenhouse (seasonal greenhouse)	RMB /m <sup>2</sup>	16.28
Plastic greenhouse (year-round green house)	RMB /m <sup>2</sup>	59.37

Figure 4-1: Demolition property right exchange compensation agreement

**白城市市区棚户区改造住宅房屋拆迁补偿安置协议书**  
(产权调换) 档案号 60

拆迁地点: 北至纯阳路、西至光明街、南至新华路、东至体育场街  
开发项目名称: 白城市钻石四季华庭一期棚户区改造工程  
拆迁许可证编号: 拆许字(2010)第8号  
甲方(拆迁人): 吉林省钻石房地产开发有限公司  
乙方(被拆迁人): 郭勇  
丙方(拆迁公司): 白城市恒达房屋拆迁有限责任公司

甲方经政府批准进行棚户区改造项目建设, 拆迁补偿安置工作委托乙方实施, 乙方房屋在拆迁许可范围内。依据《合同法》、《房地产法》、《城市房屋拆迁管理条例》及其他有关法律、法规之规定, 甲乙双方在平等、自愿、协商一致的基础上, 就乙方房屋拆迁补偿安置问题达成如下协议:

**一、乙方被拆迁房屋状况:**

- 1、主房: 有证(件), 结构 砖混、建筑面积 75 m<sup>2</sup>;
- 2、浮房: 无证, 结构 0、建筑面积 0 m<sup>2</sup>。
- 3、乙方与 孙景祥 (房屋产权证照标注所有权人) 通过民间房屋买卖协议形式进行了房屋交易, 没有办理产权过户登记手续。如乙方与房屋所有权证照标注所有权人发生任何纠纷, 由乙方承担一切法律和经济责任。
- 4、乙方对所提供的房屋产权证照、土地使用证及相关凭证的真实性负有法律责任。如发生任何纠纷, 由乙方承担一切法律和经济责任。
- 5、其它:

**二、乙方应回迁安置房屋面积:**

回迁房屋面积计算方法: 主房按拆一还一原则计算回迁安置房屋面积; 有证(件)浮房和无证浮房符合条件的, 按《白城市市区棚户区改造房屋拆迁补偿安置规定》第七条第(二)项方法计算回迁安置面积。




- 1、有证(件)主房, 应回迁 75 m<sup>2</sup>;
- 2、无证浮房, 应回迁 0 m<sup>2</sup>。
- 3、乙方应回迁安置房屋面积共计 75 m<sup>2</sup>。




**三、乙方选择安置房屋户型及结算方法:**


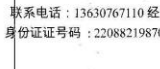



- 1、甲方同意乙方选择安置房屋户型为 75 m<sup>2</sup> (此建筑面积为暂定面积, 实际面积以测绘资质的权威部门认定)。乙方应回迁安置房屋面积 75 m<sup>2</sup>, 剩余面积 0 m<sup>2</sup>, 合理增加面积 0 m<sup>2</sup>, 另增加面积 0 m<sup>2</sup>。
- 2、结算方法:  
乙方应回迁安置房屋面积只结算楼层差价; 合理增加面积按 700 元/m<sup>2</sup> 结算, 并结算楼层差价; 另增加面积按甲方公示的市场价格结算(一层 2,400 元/m<sup>2</sup>; 二、五层 2,500 元/m<sup>2</sup>; 三、四层 2,600 元/m<sup>2</sup>; 六层 2,100 元/m<sup>2</sup>); 剩余面积部分按乙方被拆迁房屋房地产市场评估指导价格上限结算, 即剩余面积 0 m<sup>2</sup>, 结构 0、价格 0 元/m<sup>2</sup>, 甲方退还乙方剩余面积部分人民币(大写) 0 (¥ 0)。

以上差价乙方入户结算时办理, 多退少补。

- 四、甲乙双方同意按以下原则处理 3% 建筑误差面积: 乙方回迁房屋建筑面积与协议约定面积误差在 3% 以内(含 3%) 的按建筑成本价格结算; 误差超出 3% 的, 超过 3% 部分房价款由甲方承担。回迁房屋面积小于协议面积超过 3% 部分房价款由拆迁人按商品楼房的销售价格双倍返还被拆迁人。
- 五、搬迁期限: 乙方于本协议签定之日起 5 日内搬迁完毕, 并将电表结算清单交给丙方。
- 六、回迁入户时间: 2013 年 12 月 31 日前。
- 七、回迁楼建设标准按有关规定执行。
- 八、签定本协议序号: 第 00 号。
- 九、甲方应付给乙方过渡期间临时安置补助费: 乙方应享受补助费面积为 75 m<sup>2</sup>, 每月 4 元/m<sup>2</sup>, 每月可享受补助费 300 元(不足半月按半月计算, 超过半月按一个月计算); 搬迁补偿费 500 元/户, 此款乙方入户结算时办理。
- 十、回迁分配工作在回迁安置房屋具备入户条件前进行, 具体时间另行通知乙方。因乙方责任未能参加回迁分配会议, 造成一切后果由乙方自负。
- 十一、本协议没有给予补偿安置的建筑物由乙方自行拆除。
- 十二、本协议未尽事项, 可由甲乙双方约定后签定补充协议。
- 十三、本协议一式四份。甲方、乙方、丙方、拆迁主管部门各执一份, 甲乙双方签字盖章后生效。
- 十四、本协议履行过程中发生争议, 通过司法诉讼途径解决。

甲方:  乙方:  丙方: 

负责人:  委托代理人:  负责人: 

经办人:  联系电话: 13630767110 经办人:  身份证号码: 220882198703062714  
  

二〇一〇年九月二十六日

Figure 4-2: Demolition monetary compensation agreement

**白城市市区棚户区改造住宅房屋拆迁补偿安置协议书**  
(货币补偿) 档案号 102

拆迁地点: 北至纯阳路、西至光明街、南至新华路、东至体育场街  
开发项目名称: 白城市钻石四季华庭一期棚户区改造工程  
拆迁许可证编号: 拆许字(2010)第8号  
甲方(拆迁人): 吉林省钻石房地产开发有限公司  
乙方(被拆迁人): 郭玉满

甲方经政府批准进行棚户区改造项目建设, 拆迁补偿安置工作委托丙方实施, 乙方房屋在拆迁许可范围内。依据《合同法》、《房地产法》、《城市房屋拆迁管理条例》及其他有关法律、法规之规定, 甲乙双方在平等、自愿、协商一致的基础上, 就乙方房屋拆迁补偿安置问题达成如下协议:

**一、乙方被拆迁房屋状况:**

- 1、主房: 有证(件), 结构 砖混、建筑面积 0 m<sup>2</sup>; 无证, 结构 混合、建筑面积 0 m<sup>2</sup>。
- 2、浮房: 有证(件), 结构 砖木、建筑面积 0 m<sup>2</sup>;
- 3、乙方与 \_\_\_\_\_ (房屋产权证照标注所有权人) 通过民间房屋买卖协议形式进行了房屋交易, 没有办理产权过户登记手续。如乙方与房屋所有权证照标注所有权人发生任何纠纷, 由乙方承担一切法律和经济责任。
- 4、附属设施: 下水井、潜水泵、铁门。

**二、拆迁补偿金额:**

- 1、有证(件)主房 0 m<sup>2</sup>, 每平方米 0 元, 计 0 元。
- 2、有证(件)浮房 0 m<sup>2</sup>, 每平方米 0 元, 计 0 元。
- 3、附属设施:  
(1)、下水井 1 口, 每个设施 1000 元, 计 1,000.00 元。  
(2)、潜水泵 1 个, 每个设施 2000 元, 计 2,000.00 元。
- (3)、铁门 1 套, 每个设施 1000 元, 计 1,000.00 元。

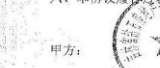

4、搬家费: 甲方给予乙方一次性搬家费 1,000.00 元。  
以上拆迁补偿金额合计(大写) 伍仟元整 (小写) ¥5,000.00

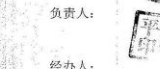

三、乙方于本协议签定之日起 5 日内搬迁完毕, 并将电表结算清单交给拆迁部门。在搬迁过程中不得损坏、拆除房屋附属设施(已给补偿的) 应交给甲方。乙方逾期不搬迁完毕, 每拖延一日, 甲方扣除拆迁补偿金额的 5%; 乙方在搬迁过程中, 损坏或拆除甲方已给补偿的房屋附属设施的, 乙方按损坏或拆除附属设施的实际价值赔偿; 或甲方按损坏或拆除附属设施的实际价值在拆迁补偿金额中扣除。


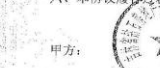

四、甲方于乙方搬迁完毕后 10 日内付清全部拆迁补偿金额。

五、本协议一式叁份, 甲方两份、乙方一份, 甲乙双方签字盖章后生效。

六、本协议履行过程中发生争议, 通过司法诉讼途径解决。

甲方:  乙方: 

负责人:  身份证号: 222301196209213019  
委托代理人: 

经办人:  联系电话: 13843697767  
 

2011 年 11 月 3 日

## Chapter 5: Complaint and existing problems

10. The Ahs shall be entitled to appeal to relevant institutes if the process of LA incurs disputes. The means of appeal as following:
- Approach 1: If Ahs suffer from doubts for LA action, they may report to BPMD, BMG and Village Committee. The survey team shall explain and solve problems face to face. As well as negotiate solving measures together with Ahs.
- Approach 2: Ahs may appeal to municipal special Complaint Office directly.
- Approach 3: Ahs may complain to jurisdictional administration step by step for arbitration in accordance with **The Administrative Procedure Law Of The People's Republic of China**. If the migrants are still dissatisfied with the arbitration, they may file lawsuit to the civil court under **Civil Procedure Law** after receiving the arbitration.
11. Ahs may appeal in any involved affected aspects. Above appeal measures are informed to Ahs through meeting and other ways that make Ahs fully understand their own have the rights of appeal. Meanwhile use the media to strengthen publicity and coverage. And summarize all parts of opinions and suggestions to LA&HD organization of all levels to address in time. Various organizations will receive APs' and appeal for free. All Ahs has been satisfied with compensation via negotiation.

## Chapter 6: Legal frameworks

12. We worked out implementing plan combining LA actual local status with following stipulations, laws and regulations:
- Property Law of People's Republic of China*
- Land Administration Law of the People's Republic of China*
- House Acquisition from State-owned Land and Compensation (Ordinance(No.590 decree of state council)*
- House Acquisition from State-owned Land and Compensation Ordinance with The Implementing guideline by General office of Jilin provincial government, JZF[2011] No. 8)*
- Temporary Measures for Demolition of and Compensation for Houses on State-Owned Land of Baicheng*
- Aboveground crops on Cultivated land compensation rate meeting minutes*

**The figure for the land approval documents enacted by land management department:**

**国有土地使用权出让  
审批表**

申报用地单位(个人): 吉林省钻石房地产开发有限公司  
白城分公司

法人代表: 宋保平  
承办人: 杨云波  
地址: 白城经济开发区富裕路99号  
邮政编码: 137000  
电话: 0436-6187002  
开户银行: 建行开发区支行  
帐号: 22001666338055003842

用地单位	吉林省钻石房地产开发有限公司白城分公司				
土地座落	开发区光明街以西, 纯阳路以北, 体育场街以东, 新华路以南				
土地 利用 要求	规划用途	商业住宅			
	基础设施完成年限				
	建设项目完成年限	2012年4月—2014年3月			
	建筑密度	<29%	容积率	<1.5	
建设项 目计划	批准机关及文号	白经开字[2012]29号			
	建设性质	新建			
	建设规模	190003.07平方米			
投资 计划	计划总投资(万元)	国家	自筹	贷款	集资
	80000		80000		
	年度投资(万元)	国家	自筹	贷款	集资

## Chapter 7 : Participating organization

13. During the implementation of LA&HD action, we set up a working team consisted of Xincheng region, Auditing Bureau, Finance Bureau, LA office, village committee and affected migrants that can ensure LA&HD effectively operate and obtain villagers' opinions in time. It is convenient to communicate with Aps in time due to the team involves all parts of stakeholders. In this way we solved problems in process of LA&HD actions and minimized the influence of all stakeholders. This method produce the fruitful effects.
14. The main duties of BPMO: Consist of overall plan on project resettlement and coordination and solution of major problems related to resettlement. According to the project progress, personnel can be dispatched from members of leading group.
15. The main duties of Audit Bureau: Audit the capital source, capital usage and economic benefit in the whole process prior to commence, under construction and complete project.
16. The main duties of Finance Bureau:
  - Propose and audit rolling capital budget of special fund.
  - Come up with the financial management order for the use of sepcial fund.
  - Follow-up the implementing effect of special capital and minitor the project cash management and allocation.
  - Take responsible for payment ,usage and controlling of project expenditures.

Inspect enforcement of farmland occupation tax and deed tax.

Business train and management of special staff of LA.

17. The main duties of resettlement are to delegate to undertake specific work related to land and house acquisition compensation, and supervise the acts of land and house acquisition compensation performed by acquisition units. Prepare acquisition compensation plan and submit to municipal government for approval. On behalf of the municipal government, notify the Land and Resources Administration in writing to submit the land status change report for approval and prepare the compensation standards of above-ground buildings and crops within acquisition scope on schedule. Organize to investigate and register ownership, location, purpose and floor area of houses within acquisition scope, and publish the investigation results. Notify relevant departments in writing to suspend procedures of new construction, expansion and reconstruction within acquisition scope. Conclude compensation agreement with people involved in the acquisition. During the contract period when acquisition compensation plan is confirmed, if no compensation agreement is reached with people involved in the acquisition or owner of the house involved in the acquisition is undefined, submit to the municipal government for compensation. File the house acquisition compensation according to law, and disclose the household compensation to house-requisitioned people within house acquisition scope. Collect and summarize rural collective economic organization and opinions of peasants involved in the LA, put forward compensation plan of LA. Propagate LA-related laws and regulations to land-use units, rural collective economic organization involved in the acquisition and peasants, provide technical consulting service of LA.
18. The main duties of Village Committee (Neighborhood Committee) include:
  - Work on survey of social economy and project impact;
  - Discuss with the public and propaganda policies of the LA and HD;
  - Organize to arrange agricultural and non-agricultural production;
  - Convey the migrants' opinions and suggestions to superior departments;
  - Provide help for needy households in the demolition.

## **Chapter 8: Conclusion**

19. Strictly implement LA compensation rates . Whereas the project has a significant influence to Aps's livelihood, the construction of economic zone has offered enormous job opportunities.
20. The clear duties of relevant organization and high personnel quality ensure the resettlement business to be accomplished well.
21. The project undertaker organized public participation actions many times in terms of Ahs's concerning problems such as physical quantity measure, compensation rates and payment etc. during the preparation and implementation of project. But parts of villagers still have no very clear picture of LA policies and compensation rates so that the public participation are going to be strengthened
22. Grievances and appeals: With aim to form an open communication and information transmission channel for complaint and filing, we introduce professional coordinator system that make sure resettled people know the appeal pathway if migrants incur right violation.

