

Resettlement Plan

May 2014

People's Republic of China: Jilin Urban Development Project

Prepared by People's Government of Baishan City 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	–	Baishan Municipal Government
BPMO	–	Baishan ADB-Financed Infrastructural Construction Project Leading Group
BQHC	–	Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City
DDR	–	due diligence report
DI	–	design institute
HD	–	house demolition
LA	–	land acquisition
M&E	–	monitoring and evaluation
mu	–	Chinese land area unit of measure, 1 mu = 666.67 m ²
PRC	–	People's Republic of China
RIB	–	resettlement information booklet
RMB	–	abbreviation for Yuan, PRC's currency
RP	–	resettlement plan
SES	–	socioeconomic survey

NOTE

In this report, "\$" refers to US dollars.

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PRC (46048): Jilin Urban Development Project

Resettlement Plan for the Baishan Urban Development Project Urban Water Supply Subproject

April 2014

Commitment Letter

The People's Government of Baishan City applies for a loan from Asian Development Bank (ADB) via Ministry of Finance of the People's Republic of China, which serves as part of the funds for Baishan Urban Water Supply Project. Therefore, the implementation of the project should abide by the safeguard policy of ADB. This *Resettlement Plan* (RP) represents a key requirement of ADB for the implementation of the project and constitutes the basis for land acquisition and house demolition as well as resettlement of affected persons in the project. This RP complies with relevant laws and regulations of the People's Republic of China, those of Jilin Province and Baishan City, and conforms to ADB's *Safeguard Policy Statement* (June 2009).

Baishan Municipal Finance Bureau has understood the compensation standards and total cost for resettlement in this RP for Baishan Urban Water Supply Project, and the budgeted cost for resettlement in the project totals RMB 16.4043 million Yuan. This bureau guarantees to make the funds for resettlement in the project available and distribute such funds in a timely manner.
Attachment: Budget of Resettlement for Baishan Urban Water Supply Project

Baishan Municipal Finance Bureau

Date: April 2014

承诺函

白山市人民政府通过国家财政部，申请亚洲开发银行（亚行）贷款用于资助白山市城区供水工程的部分费用。因此，项目的实施必须满足亚行的非自愿移民政策。本《移民安置计划》代表了亚行对实施本项目的关键要求并成为本项目涉及征地移民安置的依据。本计划遵守中华人民共和国、吉林省和白山市的相关法律和规定，并符合亚行的《保障政策声明》（2009年6月）。

白山市财政局已经了解兹白山市城区供水工程的移民安置计划中的补偿标准和移民安置总费用，白山市城区供水工程移民安置预算费用总计：1640.43万元。我们保证及时准备项目移民安置资金和及时发放。

附：白山市城区供水项目移民安置预算



日期：2014年4月

承诺函

白山市人民政府通过国家财政部，申请亚洲开发银行（亚行）贷款用于资助白山市城区供水工程的部分费用。因此，项目的实施必须满足亚行的非自愿移民政策。本《移民安置计划》代表了亚行对实施本项目的一个关键要求并成为本项目涉及征地移民安置的依据。本计划遵守中华人民共和国、吉林省和白山市的相关法律和规定，并符合亚行的《保障政策声明》（2009年6月）。

白山市人民政府兹确认本《移民安置计划》及其附件的内容，承诺《移民安置计划》中的预算资金列入项目总预算中，并及时到位。同时承诺在项目实施过程中，严格按照本《移民安置计划》进行征地和移民安置工作。白山市人民政府与相关行政管理部门讨论了本《移民安置计划》并得到了他们的确认；同时，授权白山市亚行贷款项目管理办公室总体负责本项目的实施与相应的移民安置工作，项目区政府具体负责其辖区内的项目实施与相应的移民安置工作。



EXECUTIVE SUMMARY

A. Overview of the Project

ES1. Baishan Water Supply Project (Project) is one of subprojects of Baishan Urban Development Project, which is one of components of Jilin Urban Development Project financed by ADB. The Project consists of four (4) components: (1): installing 21.14km of a new water transmission pipeline in Jianguan and Hunjiang districts of Baishan City; (2) constructing 50,000 m³/d of a new water supply plant in Shangdianzi Village of Hunjiang District; (3) installing 55.38km of a new water distribution system in Hunjiang District; and (4) constructing four (4) new pump stations for increasing water pressure. Components (1) and (3) will involve temporary land occupation, while Components (2) and (4) will involve permanent land acquisition (LA), but not involve any house demolition. In addition, a due diligence report was prepared for LAR of a reservoir, the water source of this Project under construction. The Project will be implemented in Baishan City, Jilin Province of PRC.

B. Scope of Land Acquisition and Resettlement

ES2. The Project will acquire permanently a total land of 72 mu (4.8 ha), including (1) 67.5 mu of rural collective land for constructing a new water supply plant; and (2) 4.5 mu of urban construction land for constructing four water pump stations. The collective land consists of 65 mu of forestry land, accounting for 90.28% of total acquired land, and 2.5 mu of dry land, accounting for 3.47%; and 4.5 mu of the urban construction land is unused waste land, accounting for 6.25%. The Project will occupy temporarily a total land of 439.12mu for installing water transmission and distribution pipelines, including state-owned river channel land of 27.19mu and 368.17mu of road land, and 43.76mu of collective land, which includes 11.79mu of forestry land, 28.08mu of farmland and 3.9mu of waste land. The Project will affect total 103 rural people from 30 households, including 17 people from 4 households affected by permanent LA, and 86 people from 26 households affected by temporary land occupation. The Project will affect two villages in one subdistrict of Hunjiang District. The Project will not involve any house demolition.

ES3. The project construction is scheduled to commence in August 2014 and complete in August 2018. The program of the LA and resettlement (LAR) is planned to start from July 2014 and complete in June 2016. The LAR budget is estimated to be RMB16.4291 million.

C. Policy Framework and Entitlements

ES4. This resettlement plan (RP) is formulated in accordance with The Land Administration Law of the People's Republic of China (2004), Forest Law of People's Republic of China (revised on April 29, 1998), The Decision of the State Council on Intensifying the Reform and Tightening the Land Administration (Guo Fa [2004] No. 28), Circular of the Ministry of Land and Resources on the Working Paper concerning Developing the Unified Annual Output Value Standard of Land Expropriation and the Integrated Section Price of Land Expropriation (Guo Tu Zi Fa [2005] No. 144), Regulations of Jilin Province on Land Administration (Announcement No. 31 of the Standing Committee of the Ninth People's Congress of Jilin Province in September, 1999), Regulations of Jilin Province on Forest Management (passed on the 20th Session of the 6th Standing Committee of Jilin's People Congress on July 24, 1986), The People's Government of Baishan City on Printing and Issuing Unified Annual Output Value Standard of Land Expropriation in Baishan City (Bai Shan Zheng Han [2010] No. 111) and Safeguard Policy Statement of Asian Development Bank (June, 2009).

ES5. All the affected people will be compensated for the LAR according to the policies and regulations. The compensation for LA includes land compensation, resettlement subsidy, forest and timber fee, and young crops fee. For permanent LA, the compensation standards are (1) RMB 60,000 per mu (including land compensation of RMB 24,000 per mu and resettlement subsidy of RMB 36,000 per mu) for collective farmland and waste land; and (2) RMB 6,162.5 per mu for collective forestry land, and (3) RMB 865 per mu for young crops. For temporary land occupation, the compensation standards are (1) RMB 865 per mu for farmland occupation, (2) RMB 6,000 per mu for farmland recovery; (3) RMB 432.5 per mu for forestry land occupation, (4) RMB 4,000 per mu for forestry land re-vegetation, and (5) RMB 40 per meter for road recovery.

ES6. 80% of LA compensation (land compensation and resettlement subsidy) for farmland will be paid to APs directly, and remaining 20% will be used for village infrastructure construction, villagers' welfare, alleviation of poor by collective economy organization of affected villages, and its use will be decided by villagers, representative conference. Young crops compensation will be paid APs in 100%. No farmland will be adjusted again. All compensation for forestry land will be paid to the affected village committee, while the compensation for trees will be paid to affected households (AHs) who are renting the forestry land. The compensation for re-vegetation of affected forestry land will be paid to municipal forestry bureau.

D. Resettlement and Restoration

ES7. The affected persons (APs) are mainly living in the suburb of Baishan City. Main income source of APs is from non-farm work as migrant workers or individual businesses, while the agricultural income accounts for about 2-20% only in their total income.

ES8. The compensation fee will be used mainly to invest in small businesses or processing industry, to work as migrant workers, to buy insurance or for other activities of livelihood. A training fund is included in the RP to provide technical and skill training to APs. Meanwhile, a special fund in RMB 2,000 per household is included in the RP to give aid to the affected vulnerable groups. Baishan project management office (BPMP) and municipal civil affairs bureau will prepare a detail plan for use of the fund.

E. Public Participation and Information Disclosure

ES9. During preparation of the Project, extensive public participation and consultation was conducted in various ways. A community discussion with 12 affected households and a sampling survey with 8 affected households were conducted. 67% of all affected households participated in the public consultation. In addition, all affected village groups and APs have been informed of the main contents of the RP, compensation standards, and resettlement and restoration measures. The main results of the discussions and the reasonable requests of the APs were incorporated into the RP.

ES10. Resettlement Information Booklet (RIB) will be distributed to the APs by the end of January 2014. The approved RP will also be distributed to the affected village groups, and are available for free to the APs at any time from the village committee/community and resettlement offices. The RP will be published on the website of Asian Development Bank by the end of May 2014.

F. Grievances and Appeals

ES11. The APs can complain any problems related to the LAR in following procedures to (i) village committees/sub-district office; then (ii) Hunjiang District project resettlement office; and then (iii) BPMO. The APs may file lawsuit to the civil court at any time under Civil Procedure Law or report problems to the ADB in accordance with its Accountability Mechanism (2012). The APs may file appeals about any aspect of the LAR.

G. Organizational Structure

ES12. Baishan Municipal Government (BMG) is the executing agency of the Project, and BPMO will manage general project implementation and supervise the RP implementation on behalf of BMG. Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City (BQHC) is the implementing agency of the Project. Hunjiang District Government, the affected subdistrict government and village /community committees will be in charge of practical implementation of the RP. Resettlement offices in BPMO and BQHC are established.

H. Implementation of Resettlement Plan

ES13. This RP will be updated in accordance with the detailed design of the Project and detailed physical measurement results. 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	Note
1	Information Disclosure				
1.1	Resettlement Information Booklet	1 village	BPMO Resettlement Office / Shangdianzi Village	May 2014	
1.2	Posting the RP on ADB's website	/	BPMO, ADB	May 2014	
2	RP and its updates				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	BQHC	June 2014	
2.2	Updating the RP	/	BQHC and BPMO	July 2014	If needed
3	Signing Compensation Agreement and Disbursing Compensation				
3.1	Signing land compensation agreement with villages and making payment	2 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	30 AHs	Resettlement Office / AHs	August 2014	
4	Monitoring and Evaluation				
4.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
4.2	Establishing an internal monitoring agency	According to the RP	BPMO and BQHC	July 2014	
4.3	Signing an agreement with an external monitoring agency	1 Agency	BPMO	July 2014	
4.4	Internal monitoring report	Project Progress Report	BPMO and BQHC	August 2014 and on going	
4.5	External monitoring report	Semi-annually	External monitoring unit	September 2014	1 st report
				March 2015	2 nd Report

No.	Task	Objective	Responsible Unit	Time	Note
4.6	External monitoring report	Annually	External monitoring unit	March 2016	3 rd Report
				March 2017	4 th Report
4.7	Completion report	1 Report	BPMO and BQHC	March 2018	
5	Civil Works Commencement				
5.1	Baishan Water Supply Project		Project construction bid winner	November 2014	

I. Monitoring and Evaluation

ES14. Internal and external monitoring on implementation of the resettlement plan will be conducted. The internal monitoring is carried out by the BPMO, and a monitoring report, as one of key contents of project progress reports, will be submitted to ADB quarterly. The BPMO will entrust an independent monitoring agency to conduct external monitoring and evaluation every six months during implementation of the resettlement plan. Within two years after completion of the resettlement, an external monitoring report will be submitted to ADB annually. The monitoring and evaluation fees are included in the total budget of the resettlement plan.

J. Resettlement Budget

ES15. Costs for the LAR are included in the general investment budget of the project construction. Calculated at the price of June 2013, the total cost for the LAR is RMB 16.4043 million, including (1) rural permanent LA of RMB 1.1101 million, accounting for 6.77% of the total cost; (2) rural temporary land occupation of RMB 10.1613 million, accounting for 61.94%; (3) RP preparation and monitoring of RMB 0.22 million, accounting for 1.34%; (5) taxes and fees of RMB 2.9697 million, accounting for 18.10%; and (6) contingency in 10% of the total cost.

K. Objectives and Glossary of the Resettlement Plan

ES16. 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 the people's government of Jilin Province, Baishan Municipal Government will organize relevant governmental departments and agencies to work closely to guarantee a sufficient fund for compensations and smooth implementation of and the resettlement.

ES17. 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; and

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

ES18. "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".

ES19. "APs" can be individuals or legal persons, such as enterprises and public institutions.

ES20. The definition of APs does not set a limit to neither their legal registration, living permission nor 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.

ES21. Therefore, all APs will be taken into account and recorded regardless of their legal relationship with their property, land or location of residence.

ES22. 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).

ES23. 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.

ES24. "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%.

ES25. 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.

ES26. "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.

ES27. 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	Baishan Municipal Government
BPMO	Baishan ADB-loan Project Leader Group or Project Management Office
BQHC	Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City
DDR	Due diligence report
DI	Design Institute
HD	House demolition
LA	Land acquisition
M&E	Monitoring and Evaluation
mu	Chinese land area unit of measure, 1 mu = 666.67 m ²
PRC	People's Republic of China
RIB	Resettlement Information Booklet
RMB	Abbreviation for Yuan, PRC's currency
RP	Resettlement Plan
SES	Socioeconomic Survey

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I. PROJECT OVERVIEW

A. Project Profile

1. Baishan City is located to the west of Changbai Mountain in Jilin Province. It is bordered to Yanbian Korean Autonomous Prefecture on the east, Tonghua City on the west, Jilin City on the north and faces the Democratic People's Republic of Korea across the Yalu River. Its urban area is 1,388 square kilometers. Baishan City has six districts and counties, including Hunjiang District, Jiangyuan District, Linjiang City, Fusong county, Jingyu county and Changbai Korean Autonomous County. Baishan Water Supply Project (Project) will be implemented in Hunjiang and Jiangyuan districts.

2. The project consists of four components: (1): installing 21.14km of a new water transmission pipeline in Jiangyuan and Hunjiang districts of Baishan City; (2) constructing 50,000 m³/d of a new water supply plant in Shangdianzi Village of Hunjiang District; (3) installing 55.38km of a new water distribution system in Hunjiang District; and (4) constructing four (4) new pump stations for increasing pressure.

3. Components (1) and (3) of the Project will involve temporary land occupation (LO), while Components (2) and (4) will involve permanent land acquisition (LA), but not involve any house demolition (HD). Table 1-1 presented project contents and involved LA or LO, while Figure 1-1 showed the project location.

Table I-1: Project Construction Content and Impact on LA or LO

No.	Project construction	Construction content	Impact
1	Water-transmission pipeline	Total length of 21.14km	Temporary land occupation
2	A water supply plant	Capacity of 50,000m ³ /day	67.5mu permanent land acquisition
3	Water distribution system	Total length of 55.38km	Temporary land occupation
4	4 water pressure pump station	4 stations, 750m ² per station	4.5 mu permanent land acquisition

Source: Feasibility study report of the Project.

B. Resettlement Plan

4. This RP is compiled based on the feasibility study report of the project and in accordance with laws and regulations of the People's Republic of China, relevant policies of Jilin Province and Baishan City, the involuntary resettlement requirements in Safeguard Policy Statement (June, 2009) of ADB. It aims to ensure that that all APs are adequately compensated by the Project and their life should be improved or at least shall be restored to present conditions.



Figure I-1: Water Supply Project Location

5. The relevant data and information in the RP are mainly from: (1) documents provided by the Baishan Municipal 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 will be updated in July 2014 after the completion of the construction drawing design and detailed physical survey; and will be approved by ADB prior to start of land acquisition and before project construction contracts are awarded.

C. Measures to Reduce Adverse Impacts of the Project

7. During planning and design stages of the Project, the following effective measures are taken by the design institute (DI) and Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City (BQHC), the implementing agency of the Project, to reduce its impact scope as presented in Table 1-2.

Table I-2: Process and Measures to Mitigate Resettlement Impact

Subcomponent	Option 1		Option 2		Preferred Option and Effect of Resettlement Impact Mitigation	
	Design	Resettlement Impact	Design	Resettlement Impact	Preferred Option	Resettlement Impact Mitigation Effect
Water supply plant	The plant is located on south of Xibeicha water-	Need to demolish houses of 50 households	The plant is located in a slip area of Shangdianzi village	No house demolition	2	Reduction of house demolition of 50 households

Subcomponent	Option 1		Option 2		Preferred Option and Effect of Resettlement Impact Mitigation	
	Design	Resettlement Impact	Design	Resettlement Impact	Preferred Option	Resettlement Impact Mitigation Effect
	control project					

II. PROJECT INFLUENCE

A. Scope of Impacts

1. The Project will acquire permanently a total land of 72 mu (4.8 ha), including (1) 67.5 mu of rural collective land for constructing a new water supply plant; and (2) 4.5 mu of urban construction land for constructing four water pump stations. The collective land consists of 65 mu of forestry land, and 2.5 mu of dry land; and 4.5 mu of the urban construction land is an unused waste land. The Project will occupy temporarily a total of collective land of 439.12mu for installing water transmission and distribution pipelines, including 27.19mu of watercourse land, 368.17mu of road land, 11.79mu of forestry land, 28.08mu of farmland and 3.9mu of waste land.

2. The Project will affect 103 rural people from 30 households, including 17 people from 4 households affected by permanent LA in Shangdianzi village of Hekou subdistrict of Hunjiang District, and 86 people from 26 households affected by temporary land occupation in Shangdianzi Village and Wengquan Village of Hekou subdistrict. Therefore, the Project will affect two villages in one subdistrict of Hunjiang District. The Project will not involve any HD.

B. Land Acquisition

3. The project construction will involve (1) permanent land acquisition (LA); and (2) temporary land occupation.

1. Permanent Land Acquisition

4. The Project will acquire permanently a total of land of 72 mu, including (1) 67.5 mu of rural collective land for constructing a new water supply plant; and (2) 4.5 mu of urban construction land for constructing four water pump stations. The collective land consists of 65 mu of forestry land, accounting for 90.28% of total acquired land, and 2.5 mu of dry land, accounting for 3.47%; and 4.5 mu of the urban construction land is unused waste land, accounting for 6.25%.

5. The LA of the collective land will affect 17 people from 4 households affected by permanent LA in Shangdianzi village of Hekou subdistrict of Hunjiang District, while the LA of the urban construction land will not involve any people.

Table 2-1: Impacts of Permanent Land Acquisition of the Project

District/subdistrict	Village	Acquired Land Area (mu)	Affected Household (HH)	Affected People (person)
Hunjiang/Hekouet	Shangdianzi	67.5	4	17
Hunjiang	-	4.4	-	-

Source: Survey and Statistic by the resettlement survey team.

6. Among the 4 affected households (AHs), one will lose 44% of dry land, others will lose forestry land in 100, 80 and 27.8%, respectively, as presented in Table 2-2.

Table 2-2: Land loss of Affected Households

No. of Household	Land Area before Acquisition (mu)		Land Area Acquired (mu)				
	Dry land	Forestry land	Total	Dry land	%	Forestry land	%
1	5.6	0	2.5	2.5	44.6	0	0
2	4	6	6	0	0	6	100

3	7	40	32	0	0	32	80.0
4	18	97	27	0	0	27	27.8
Total	34.6	142	67.5	2.5	7.2	65	45.8

Source: Survey and Statistic by the resettlement survey team.

2. Temporary Land Occupation

7. The Project will occupy temporarily a total of land of 439.12mu for installing water transmission and distribution pipelines, including 395.36mu of state land and 43.76mu of collective land. The state-owned land includes (1) 27.19mu of watercourse land, and (2) 368.17mu of road land, while the collective land includes (1) 11.79mu of forestry land, (2) 28.08mu of farmland and (3) 3.9mu of waste land. The installation of the water pipeline on the state land will be conducted in a watercourse along a river or under existing roads and no houses or buildings are affected, and no people are affected either. The collective land occupation will affect 86 people from 26 households, as presented on Table 2-3.

8. After installation of the water pipelines, the watercourse will not be affected because the pipelines are supported by pillars along the river embankment. The affected roads will be paved again. The function and value of both the river and roads will not be changed. The affected farmland and forestry land will be compensated for young crops, and recovered by APs. As the construction period of installation of the pipelines is short, the function and value of both the river and roads will remain unchanged.

Table II-3: Impacts of Temporarily Occupation on Collective Land

Village	Area Occupied Land	Affected Population		Planned Occupation Time (month)	Occupation Purpose
	(mu)	Household	Person		
Shangdianzi	14.74	6	20	8	Water-transmission pipeline, and water distribution system
Wengquan	29.02	20	66	8	Water-transmission pipeline
Total	43.76	26	86	-	-

Source: Survey and Statistic by the resettlement survey team.

3. Affected Population

a. Summary of Affected Population

9. The Project will affect a total of 103 rural people from 30 households, including 17 people from 4 households affected by permanent LA, and 86 people from 26 households affected by temporary land occupation. All APs are rural residents.

b. Vulnerable Groups

10. One vulnerable household with one vulnerable person will be affected by permanent LA. The household has a total of four members with one laborer. The vulnerable person has a long-term health problem. The household already receives the government subsidy under the minimum level guarantee scheme and receives about RMB 55 per capita per month. The annual net income of the household is RMB 3000. Thus the project will ensure priority access is provided to employment programs, additional assistance of RMB 2000 will also be provided.

11. No ethnic minority people are affected by LA and resettlement (LAR) of the Project.

III. SOCIAL AND ECONOMIC CHARACTERISTICS

1. From July to December 2013, a resettlement survey team from the BPMO conducted a resettlement impact survey according to the designed project. The team carried out a social and economic survey on the village affected by LAR of the Project, interviewed relevant governmental agencies, discussed the resettlement compensation policy. They hold meeting with APs and village committee for the project scope, and discussed possible resettlement measures.

2. The survey sampled 12 AHs, accounting for 40% of the total AHs, including all four (4) households affected by permanent LA, and 31% of households affected by temporary LO. A community discussion was held, and 8 AHs participated in the discussion, accounting for 26.7% of the total AHs.

A. Socioeconomic Status of the Affected Regions

1. Social and Economic Overview of Baishan City

3. Table 3-1 showed Baishan City's basic social and economic status in 2012.

Table III-1: Baishan City's Social and Economic Profile in 2012

No.	Item	Unit	Amount
1	Land area	ha.	1,744,982
2	Population	10,000 people	129.65
3	GDP	RMB100 million	600.6
3.1	Primary industry	RMB100 million	53.6
3.2	Secondary industry	RMB100 million	357.8
3.3	Tertiary industry	RMB100 million	189.3
4	GDP per capita	RMB per person	46,853

Source: Statistical Bulletin of Baishan City on the 2012 National Economy and Social Development

2. Social and Economic Overview of the Affected Districts

4. Hunjiang District is the seat of the municipal government of Baishan City, whose basic social and economic conditions are shown in Table 3-2.

Table III-2: Social and Economic Conditions of Hunjiang District

No. of household (HH)	Population (person)	Of which: agricultural population (person)	Area of arable land (mu)	Persons per household (person)	Per capita arable land (mu per person)	Per capita rural net income (RMB per person)
155,347	348,900	63,860	92,745	2.25	1.45	9,585

Source: 2011 statistical statements provided by Hunjiang District, Baishan City.

5. Jianguan District is another of two districts of the municipal government of Baishan City, whose basic social and economic conditions are shown in Table 3-3.

Table III-3: Social and Economic Conditions of Jianguan District

No. of household (HH)	Population (person)	Of which: agricultural population (person)	Area of arable land (mu)	Persons per household (person)	Per capita arable land (mu per person)	Per capita rural net income (RMB per person)
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						person)
93,902	268,466	64,788	72,106	2.86	1.11	8,588

Source: 2011 statistical statements provided by Jiangyuan District, Baishan City

3. Social and Economic Conditions of the Affected Town/Village

6. The LA and land occupation will affect Shangdianzi Village and Wengquan village of Hekou subdistrict (street administration office). Hekou street office administrates three (3) communities and five (5) villages. Its total population is 9,538. It covers 73.5 square kilometers with length of 15km in north-south, and width of 8km in west-east.

7. The net income of villagers of the two affected villages is about CNY7,000 to 7,500, and agricultural income accounts for about one third of the total net income. This is mainly because that it is located in the rural-urban continuum, arable farmland of AHs is few, and the major income source of its villagers is from non-farm work, as presented in Table 3-4 for details.

Table III-4: Social and Economic Conditions of the Affected Villages

Village	No. of Households (HH)	Population (person)	Of which, Agricultural Population (person)	Labor Force (person)	Area of Arable Land (mu)	Persons per Household (person)	Per Capita Arable Land (mu per person)	Total Income of Rural Economy (RMB)	Proportion of Agricultural income (%)
Shangdianzi	630	1,950	1,763	765	1,894	3.1	0.97	7,000	31
Wengquan	376	1,243	1,086	537	1,267	3.3	1.02	7,500	36

Source: Survey and Statistic by the resettlement survey team.

8. The Project will affect 10 households of Shangdianzi Village, including four (4) households affected by permanent LA and six (6) households affected by temporary land occupation. 20 households of Wengquan Village will be affected by temporary land occupation.

B. Social and Economic Characteristics of the Affected Households

4. Basic Economic Conditions of the Affected Population

9. The per capita agricultural income of the affected people accounts for 38.53% of the per capita total income, and they are engaged in non-agricultural work or have sideline income. The characteristics of the surveyed people affected by land expropriation and demolition are detailed in Table 3-5.

Table 3-5: Statistical characteristics of the APs

Age	Male		Female		Total	
	Quantity	%	Quantity	%	Quantity	%
≤6	1	4	1	5	2	4.44
6-16	2	8	1	5	3	6.67
16-60	18	72	16	80	34	75.56
≥60	4	16	2	10	6	13.33
subtotal	25	100	20	100	45	100
Educational background						
Primary school and below	7	28	6	30	13	28.89
Junior high school	10	40	8	40	18	40.00
Senior high school and above	8	32	6	30	14	31.11
subtotal	25	100	20	100	45	100
Labor force	20	80	14	70	34	75.56

Source: Survey and Statistic by the resettlement survey team.

5. Population Age Distribution

10. Of the surveyed 45 people from 12 households, 34 APs are in 16 to 60 years old, accounting for 75.56% of the population.

6. Educational Level

11. Of the surveyed 45 people from 12 households, 13 went to primary school and below, accounting for 28.89%; 18 went to junior high school, accounting for 40%, and 14 went to senior high school and above, accounting for 31.11%.

7. Farmland and Production

12. Of all four (4) households affected by permanent LA, the total cultivated land area is 34.6 mu, per capita cultivated land is 2.03 mu, and per capita household cultivated land is 8.65 mu (including the land reclaimed by the farmers self) with corn and soybean as the major crop. In addition, their forest land area is 142 mu and per capita forest land is 8.35 mu with pine trees as the major plant.

8. Annual Household Income and Expenditure

13. The per capita annual income of the four (4) households is RMB10,706 in average. Table 3-6 showed composition of their income sources. The per capita annual expenditure of the households is RMB8,706, of which RMB5,588 is daily expenditure, accounting for 64.2%, and RMB 3,118 is other expenditure, accounting for 35.8%.

14. Eight (8) households of 28 people are sampled from the 26 households of 86 people who are affected by both the temporary land occupation. The per capita annual income is RMB8,787. Table 3-6 showed composition of their income sources. The per capita annual expenditure is RMB7,709, of which RMB4,478 is daily expenditure, accounting for 58.09%, RMB3,231 is other expenditure, accounting for 41.91%.

Table 3-6: Composition of Income and Expenditure of Affected Households

Item		Affected by Land Acquisition		Affected by Land Occupation	
		Per capita (RMB per person)	Proportion (%)	Per capita (RMB per person)	Proportion (%)
Annual household income	Crop farming	1,588.24	14.84	1,766.24	20.10
	Forestry and fruit industry	0.00	0.00	0	0.00
	Animal husbandry	2,647.06	24.73	1,573.77	17.91
	Salary as a migrant worker	2,647.06	24.73	3,678.74	41.87
	Others (including transportation, doing business, etc.)	3,823.53	35.71	1,768.24	20.12
	Total	10,705.88	100.00	8,786.99	100.00
Annual household expenditure	Daily expenditure (food, clothing, water and electricity, etc.)	5,588.24	64.20	4,478.29	58.09
	education	941.18	10.81	1,076.34	13.96
	Medical treatment	323.53	3.72	443.76	5.76
	transportation	294.12	3.38	376.84	4.89
	communication	264.71	3.04	229.17	2.97
	gifts	1,294.12	14.86	1,104.87	14.33
	Total	8,705.88	100.00	7,709.27	100.00

Source: Survey and Statistic by the resettlement survey team.

9. Resettlement willingness Survey

15. For the resettlement willingness survey, all four (4) households affected by permanent LA were surveyed, and eight (8) households affected by temporary land occupation were surveyed, accounting for 30.7% of the total 26 households affected by temporary land occupation.

Table III-7: Sampling proportion of the affected households for resettlement willingness

Village	Households affected by LA			Households affected temporarily		
	Total number of HHs	Sampled HHs	Ratio (%)	Total number of HHs	Sampled HHs	Ratio (%)
Shangdianzi	4	4	100%	26	8	30.7%

Source: Survey and Statistic by the resettlement survey team.

16. A survey is conducted on the willingness of migration for the villagers affected by land

expropriation and temporary land occupation and the results are as follows and presented in Table 3-8:

- (i) Knowledge of the Project: 91.67% of the households affected by LA and LO do not know that the Project clearly; about the compensation policy for LA and LO of the Project, 25% of the surveyed households know this compensation policy, while the rest do not.
- (ii) Support attitudes: 100% of the surveyed households expressed their support to the project construction. 100% of the surveyed households believe that the Project can improve the local urban environment.
- (iii) Use of the compensation for LA and LO:
 - a) 25% of the surveyed households plan to invest it in small business or processing industry;
 - b) 41.67% of them plan to use it to improve farmland or build greenhouses;
 - c) 75% of them plan to spend it replanting (planting experimentally) high-input, high-value crops; and
 - d) 50% of them intend to use it advance capital for going out for non-farming work.

Table 3-8: Summary of public opinions of households affected by LA and LO

No.	Question	Answer	Proportion of the affected households' opinions (%)								Total
			1	2	3	4	5	6	7	8	
1	Do you know the Project to be constructed?	(1) Yes (2) Heard of (3) Unknown	8.33	0	91.67	\	\	\	\	\	100
2	Do you support the Project?	(1) Yes (2) No (3) Do not care (4) Unknown	100	0	0	0	\	\	\	\	100
3	Do you think that the Project will increase employment opportunities of local villagers?	(1) Yes (2) No (3) Unknown	75	0	25	\	\	\	\	\	100
4	Do you think that the Project will improve the local drinking water?	(1)Yes (2) No (3) Unknown	100	0	0	\	\	\	\	\	100
5	Do you think that this Project will improve the local urban environment?	(1) Yes (2) No (3) Unknown	83.33	0	16.67	\	\	\	\	\	100
6	Do you think that this Project will promote the overall local economic development?	(1) Yes (2) No (3) Unknown	83.33	0	16.67	\	\	\	\	\	100
7	Will this Project affect your family positive or negative?	(1) More positive (2) More negative (3) no effect (4) Unknown	100	0	0	0	\	\	\	\	100

No.	Question	Answer	Proportion of the affected households' opinions (%)								Total
			1	2	3	4	5	6	7	8	
8	Do you know the compensation standards for LA and LO?	(1) Yes (2) Yes, a little (3) No	0	25	75	\	\	\	\	\	100
9	Do you think that your loss will be compensated fairly?	(1)Yes (2) No (3) Hard to say	91.67	0	16.67	\	\	\	\	\	100
10	Do you know the complaint channels (who you can contact to solve problems on LA and LO)?	(1)Yes (2) No	8.33	91.67	\	\	\	\	\	\	100
11	For LA, what do you pay most attention to? (card: to choose 1 to 3 items)	(1) Fair and reasonable compensation (2) Timely compensation (3) Open compensation standard (4) The proportion of the compensation for land expropriation per household (5) Provision of job opportunities (6) Future life (old-age pension) (7) Relocation of the ancestral tomb (8) Others (List in specific)	100	100	41.67	0	83.3	0	\	\	\
12	How will you use the compensation after you received it (card: to choose 1 to 3 items)?	(1) To invest in small business or processing industry (2) To buy vehicle for transportation business (3) To improve farmland or build greenhouses (4) To replant	25	0	41.67	75	50	0	0	0	\

No.	Question	Answer	Proportion of the affected households' opinions (%)								Total
			1	2	3	4	5	6	7	8	
		(plant experimentally) high-input, high-value crops (5) To advance capital for going out for non-farming job (6) To buy a house/renovate the old house/decorate the house (7) To deposit it or lend it out for interest (8) To buy insurance (9) Others (Please write them out)									
13	If government provides free training, what training do you most want to have (card: to choose 1 to 3 items)?	(1) Small business or processing industry (2) Housekeeping services (such as confinement nurse, housekeeping, etc.) (3) Factory techniques (4) Planting techniques (5) Cultivation techniques (6) Construction techniques (7) Skills of catering services (8) Others	16.67	8.33	25	83.33	58.33	0	0	0	\
14	If government provides employment information, what information do you most want to know?	(1) Job information of non-local enterprises (2) Job information of local enterprises (3) Job information of	8.33	0	91.67	\	\	\	\	\	100

No.	Question	Answer	Proportion of the affected households' opinions (%)								
			1	2	3	4	5	6	7	8	Total
		housekeeping services (4) Job information of restaurants and other stores (5) Information of governmental public-service jobs (6) Information of job recruitment agencies (7) Others									

Source: Survey and Statistic by the resettlement survey team.

IV. LEGAL FRAMEWORK AND POLICIES

1. The resettlement plan is prepared in accordance with relevant laws and regulations of the PRC, and ADB's policy.

A. Laws, Regulations, and Policies Applicable to Resettlement

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

1. Policies of Asian Development Bank

- Safeguard Policy Statement (SPS), June 2009
- Gender Checklist, February 2003.

2. Laws, Regulation and Policies of the PRC

- The Law of Land Administration of the People's Republic of China (Amended on August, 28, 2004)
- Forest Law of the People's Republic of China (Revised on April 29, 1998)
- The Circular on Further Improving the Management System of Rural Homestead and Effectively Safeguard Peasants' Rights and Interests (March 2, 2011)
- Emergency Notice of the General Office of the Ministry of Land and Resources on Effectively Administering Land Expropriation and Demolition (Guo Tu Zi Dian Fa [2011] No. 72)
- The State Council Regarding the Development of New Rural Social Pension Insurance Pilot Guidance (Guo Fa [2009] No. 32)
- Circular of the Ministry of Land and Resources on the Working Paper concerning Developing the Unified Annual Output Value Standard of Land Expropriation and the Integrated Section Price of Land Expropriation (Guo Tu Zi Dian Fa [2005] No. 144)

3. Regulations and Policies of Jilin Province

- Regulations of Jilin Province on Land Administration (Amended at the 20th session of the Standing Committee of the Tenth People's Congress of Jilin Province on June 2, 2005)
- Measures for the Implementation of Administration of Non-operational Construction Projects of Administrative Institutions under the Management of Jilin Province (Ji Zheng Ban Ming Dian (2010) No. 76)
- Jilin Province Forest Management Regulations (passed in the 20th Meeting of Standing Committee of the Sixth People's Congress of Jilin province on July 24th, 1986)
- Regulations of Jilin Province on the Protection of Basic Farmland (Revision adopted at the 33rd session of the Standing Committee of the eighth People's Congress of Jilin Province on September 26, 1997)
- Notice of Construction Department of Jilin province on Adjusting Standard of Urban Road Excavation and Recovery Expenses (Ji Jian Cheng [2005] No.12)

4. Regulations and Policies of Baishan City

- The Unified Annual Output Value Standard of Land Expropriation in Baishan City (Bai Shan Zheng Han [2010] No. 111)

- Measure on the Administration of Compensation and Resettlement for Expropriating Rural Collective Land for Downtown Construction in Baishan City (Shi Zheng Fu No. 24 in 2003)
- The Provisions concerning Compensation and Resettlement for Expropriating Rural Collective Land for Downtown Construction in Baishan City (Shi Zheng Fu No. 27 in 2004)
- Implementation Program of Pension Insurance of Urban Land-lost Peasants in Baishan City (Bai Shan Zheng Ban Fa [2004] No. 12)
- Notice of Interim Provisions on Pension Insurance of Land-lost Peasants (Bai Shan Zheng Ban Fa [2004] No. 12)

B. Summary of ADB's Policy

1. Involuntary Resettlement

3. ADB's Safeguard Policy Statement (June 2009) provides systematic guiding policies and operation instructions for the resettlement of its loan projects.
4. The objectives of involuntary resettlement by ADB are:
 - (i) If possible, involuntary resettlement should be avoided.
 - (ii) If resettlement is unavoidable, all feasible options should be explored and the scope of resettlement should be as small as possible.
 - (iii) Ensure that the displaced persons have the same economic and social conditions before and after the project.
 - (iv) Improve the living standard of displaced poor and other vulnerable groups.
5. The principles of involuntary resettlement by ADB consist of:
 - (i) 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.
 - (ii) 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.
 - (iii) 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.

- (iv) 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.
- (v) 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.
- (vi) 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.
- (vii) 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
- (viii) 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.
- (ix) 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.
- (x) 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.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation
- (xii) 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.

2. Gender and Development

6. ADB's gender and development policy is a key mainstreaming strategy in the promotion of gender equality. It mainly include the following points:

- (i) **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;
- (ii) **Gender analysis.** The impact of the Project on men and women should be systematically analyzed to obtain their economic and social links.

- (iii) **Gender planning.** Develop special strategies for men and women to enjoy equal opportunities.
- (iv) **Mainstreaming.** ADB considers gender in all aspects of the Project and it actively encourages women to participate in decision-making in the development process.

C. Key Laws, Regulations, Relevant Policies and Provisions of the PRC

3. Law of Land Administration of the PRC (Amended on August 28, 2004)

7. Article 2: The People's Republic of China resorts to a socialist public ownership, i.e. an ownership by the whole people and ownership by collectives, of land. The state may make expropriation or requisition on land according to law for public interests, but shall give compensations accordingly.

8. Article 47: In expropriating land, compensation should be made according to the original purposes of the land expropriated.

9. Compensation fees for land expropriated include land compensation fees, relocation allowance and compensation for attachments to or young crops on the land. The land compensation fees should be 6-10 times the average annual output value of the three years preceding the expropriation of the cultivated land. The relocation allowance shall be calculated according to the number of agricultural population to be resettled. The number of agricultural population to be resettled shall be calculated by dividing the amount of cultivated land expropriated by the land occupied per capita of the unit whose land is expropriated. The relocation allowance for each agricultural person to be resettled should be 4-6 times the average annual output value of the three years preceding the expropriation of the cultivated land. But the maximum relocation allowance per hectare of land expropriated shall not exceed 15 times of the average annual output value of the three years prior to the expropriation.

10. The standards for compensating for ground attachments and young crops on the land expropriated shall be determined by various provinces, autonomous regions and municipalities.

11. Whereas the land compensation fee and relocation allowance paid according to the provisions of the second paragraph of this article are not enough to maintain the original level of living, the relocation allowance may be increased with the approval of the people's governments of provinces, autonomous regions and municipalities. But the combined total of land compensation fee and relocation allowance shall not exceed 30 times the average output value of the three years prior to the expropriation.

4. Forest Law of People's Republic of China (revised on April 29th, 1998)

12. Article 18: Prospecting, mining and various construction projects shall not occupy or occupy as little as possible woodlands; in case of necessary occupancy or expropriation of woodlands, upon examination and approval of the competent forestry authorities under the people's government above the county level, the examination and approval formalities for land needed for construction shall be gone through in line with relevant land administrative regulations; and the land-use organization shall pay forest vegetation recovery expenses in line with the relevant provisions of the State Council. The forest vegetation recovery payments shall be used for designated purposes; the competent forestry authorities shall use them, according to relevant stipulations, for afforestation, recovery of forest vegetation; the area of afforestation shall not be smaller than the area of forest vegetation reduced as a result of woodlands occupied

or expropriated. The competent forestry authorities at a higher level shall periodically urge and inspect the competent forestry authorities at a lower level in the organization of afforestation and recovery of forest vegetation.

13. No organization and private individual shall divert the forest vegetation recovery payments. The competent auditing authorities of the people's government above the county level shall strengthen their supervision of the situation in connection with the use.

5. The Decision of the State Council on Intensifying the Reform and Tightening the land Administration (Guo Fa (2004) No.28)

14. Article 12: Better the measures for compensating for land expropriated. The local people's government at or above the county level shall take effective measures to avoid the decrease in the level of life of land-expropriated peasants.

15. Article 13: Resettle properly the land-expropriated peasants. The local people's government at or above the county level shall work out specific measures to guarantee the long-term livelihood of the land-expropriated peasants.

16. Article 14: Improve the procedures for land expropriation. The peasants' ownership of the collective land and the rights and interests of rural land contracted management right shall be safeguarded in land expropriation.

17. Article 15: Strengthen the supervision of the implementation process of land expropriation. The land expropriated shall not be used forcefully in case the compensation for land expropriation and resettlement are not put in place.

6. Guidance on Improving Compensation for Land Acquisition and Resettlement System (Guo Tu Zi Fa (2004) No. 238)

18. Formulate unified annual output value standards. The provincial department of land and resources shall formulate jointly with the departments concerned the minimum unified annual output value standards of cultivated land for each county (city) within the provincial jurisdiction, and shall announce and implement the standard after submitting it to the people's government at the provincial level for approval. The formulation of unified annual output value standards may take into consideration the types and quality of cultivated land expropriated, the peasants' input in it, the price of agricultural products, the grade of cultivated land, and other factors.

19. Determine the times of unified annual output value. The times of unified annual output value for land compensation fee and relocation allowance shall be determined within the limits as specified by law according to the principle of ensuring no decrease in the original level of life of the land-expropriated peasants; the compensation fee for land expropriation and resettlement shall be calculated according to the legal times of unified annual output value, and if it cannot maintain the original level of life of land-expropriated peasants, is not enough to pay the costs of social security of landless peasants due to land expropriation, the times shall be increased with the approval of the people's government at the provincial level; if the total of land compensation fee and relocation allowance calculated at the 30 times is still not enough to maintain the original level of life of land-expropriated peasants, the local people's government shall make overall arrangements and subsidize the peasants with a proportion of the payments from state owned land use. The compensation for the basic farmland occupied with the approval by law shall be made according to the highest compensation standard announced by the local people's government.

7. Regulations of Jilin Province on Land Administration (Amended on August 2, 2002)

20. Article 22: The land occupied by new projects, reconstruction projects, extension projects shall be examined and approved according to law by the people's government at or above the county (city) level. The construction unit or individual shall use the land according to the purposes approved. Where the change of land use is actually needed, it should be submitted to the authority that originally gives the approval for another approval, and shall pay the corresponding land tax in arrears. 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.

21. Article 25: In expropriating land, land compensation fee shall be made according to the following standards:

- (i) for vegetable fields in cities and towns and their suburbs, in industrial and mining areas, and intensive fishponds, 9-10 times the average annual output value of the three years prior to the expropriation;
- (ii) for paddy field, garden plot and vegetable fields other than those specified by Paragraph (i), 8-9 times the average annual output value of the three years prior to the expropriation;
- (iii) for dry land, artificially sown pastures, 6-8 times the average annual output value of the three years prior to the expropriation;
- (iv) for forest land, reed pond, grassland other than artificially sown pastures, 4-6 times the average annual output value of the first three years of the nearby dry land; and
- (v) for other land, 2-4 times the average annual output value of the first three years of the nearby dry land.

22. Article 26: The relocation allowance for the land other than cultivated land and with earnings shall be made 4-6 times the average annual output value of the first three years of the land expropriated and paid in lump sum.

23. Article 27: The compensation for young crops on the expropriated land shall be calculated according the output value of a cultivation period; there is no compensation for crops that can be harvested as scheduled. For nursery stock, flowers and plants as well as perennial trees of economic values, replantation fee is given to those that can be replanted; otherwise, reasonable compensation or purchase after pricing is made.

8. Jilin province Forest Management Regulations (revised on November 28th, 2002)

24. Article 17: Surveying, designing, mining and various construction projects shall not occupy or occupy as little as possible woodlands; in case of cutting down trees, necessary appropriation or expropriation of woodlands, implement according to article 9 of Rules for Implementing Forest Law of People's Republic of China. The standard for compensation for loss or damage of forest land occupation should be regulated by provincial people's government.

D. Main Differences between Asian Development Bank Policies and Chinese Laws

1. Resettlement Compensation for Houses

- Difference: resettlement compensation. ADB policies specify the compensation standard at full replacement prices, even for houses constructed before the cut-off date without formal approval procedures. The PRC regulations deem that depreciation is reasonable and the compensation standard for old houses is lower than that for new houses of the same structure.
- Solution: The compensation standard for all projects with loan from ADB is based on the full replacement prices.

2. Resettlement Compensation for Land

- Difference: ADB policies specify that the compensation shall be enough to offset the any loss of income and restore the potential for creating long-term income. The Chinese standard is based on the average annual output value, and may be irrelevant to the cost to restore income.
- Solution: Cash compensation is the first choice of most people, though they cannot ensure rational use of the compensation. 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.

3. Resettlement Compensation for the Vulnerable Groups

- Difference: ADB policies specify special support or compensation for the vulnerable groups, especially those severely affected by the project. The Chinese provisions do not require social analysis, and hence compensation is merely based on the scope of loss of land of property.
- Solution: Special fund is provided to help the vulnerable groups, who will be determined during the period when detailed measurement and survey will be made. Various measures have been specified in Resettlement Plan.

4. Negotiation and Announcement

- Difference: ADB policies require the APs to be fully informed and early negotiation with them. The Chinese provisions have already improved the transparency of notice and compensation. However, the APs play a weak role in project decision, the announcement period is usually too short.
- Solution: Full public participation and consultation shall be conducted by local governments during the project preparation. The consultation has started at early stage (before and during the technical assistance). The BPMO agrees to disclose the RP to APs as required by ADB.

5. Lack of Legal Rights

- Difference: ADB policies specify that all demolished houses, whether lawful or not, should be compensated for at the same rates. In contrast, the people who have no local registered permanent residence may not have the same right to compensation as the local people according to the Chinese laws. In addition, the current Chinese laws specify that the illegal owners of expropriated land and houses are not compensated.
- Solution: For an ADB financed project, all APs whose for 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.

6. Resettlement Monitoring, Evaluation and Report

- Difference: ADB policies require internal and external monitoring of the resettlement during implementation, but the Chinese laws do not have such requirements, 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.

E. Cut-off Date of Compensation

25. The cut-off date for the eligibility for compensation is August 1 2013, which was announced after the feasibility study was approved. The announcement was posted in the village and noticed to each affected household. 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.

1. Compensation Standards

1. Permanent Land Acquisition

(1) Compensation standards for farmland

26. According to *The Unified Annual Output Value Standard of Land Acquisition in Baishan City*, the compensation standards for permanent LA of the Project are shown in Table 4-2, where the land compensation fee is 10 times the local annual average output value per mu of the past three years, the resettlement subsidy fee is 15 times the local output value per mu of the past three years. 80% land compensation (land compensation and resettlement subsidy) will be paid AHs directly, while remaining 20% will be managed by the village committee for village infrastructure and welfare development and alleviation of poor households. The compensation for collective waste land will be paid to collective economy organization for social and economic development of affected villages. Actual compensation standards will be based on market assessment, but can't be lower than current standards presented in Table 4-2.

Table 4-2: Compensation Standards for for Permanent Land Acquisition of Farmland

Type of Land	Land Compensation (RMB/mu)	Resettlement Subsidy (RMB/mu)	Total (RMB/mu)
Collective land	24,000	36,000	60,000

Source: The Unified Annual Output Value Standard of Land Expropriation in Baishan City and Regulations on Land Administration of Jilin Province

(2) Compensation standard for young crops

27. According to *Regulation of Jilin Province on Land Administration*, the compensation for young crops on the farmland is calculated at the output value of a cultivation period. Given the actual situation of Baishan City, the compensation standard of young crops is shown in Table 4-3. Actual compensation standards will be based on crop assessment, but can't be lower than current standard presented in Table 4-3. All compensation for young crops will be paid to AHs directly.

Table 4-1: Compensation standard for young crops

Type	Compensation Standard (RMB/mu)
Collective farmland	865

(3) Compensation standards for forestry land

28. According to *Compensation Standard for Forestry Land Acquisition and Cutting Forest (trees) in Jilin Province* (Ji Lin Zi [1991] No. 876) and *Notice on Instruction for Further Strengthening Forestry Land Protection and Management* of General Office of the State Council (Guo Fa Hao [1992] No.32), the compensation standard for permanent forestry LA including land compensation and resettlement subsidy is shown in Table 4-4. The land compensation will be paid to affected villages while resettlement subsidy will be paid to both the affected villages and AHs.

Table IV-4: Compensation Standard for Permanent Land Acquisition of Forestry Land

Type	Land Compensation (RMB/mu)	Resettlement Subsidy (RMB/mu)	Total (RMB/mu)
Collective Forestry Land	2162.5	5190	7352.5

Data source: *Compensation Standard for Forestry Land Acquisition and Deforestation in Jilin Province*

(4) Compensation standards for trees on forestry

29. The compensation for trees on the land shall be determined according to evaluation.

2. Temporary Land Occupation

(5) Farmland Compensation

30. The compensation for temporary farmland occupation includes (1) a compensation for land occupation and (2) compensation for land reclamation. Both compensations shall be paid to the contracted AHs or owners of the farmland according to actual occupation years, as presented Table IV Maximum period of temporary land occupation is two (2) years.

Table IV-5: Compensation Standard for Temporary Farmland Occupation

Item		Unit	Standard
Land Occupation Compensation	Farmland	RMB/mu	865
Land Reclamation Compensation	Farmland	RMB/mu	6,000

(6) Forestry Land Compensation

31. The compensation for temporary farmland occupation includes (1) a compensation for land occupation and (2) compensation for vegetation recovery, as presented Table IV.

Table IV-6: Compensation Standard for Temporarily Forestry Land Occupation

Item		Unit	Compensation Standard
Land Occupation Compensation	Forestry land	RMB/mu	432.5
Land Vegetation Recovery Compensation	Forestry land	RMB/mu	4,000

Data source: *Notice on Instruction for Further Strengthening Forest Land Protection and Management* (Guo Ban Fa [1992] No. 32)

(7) Compensation for Watercourse and Urban Roads

32. According to regulations in the *Notice on Rectifying Compensation Standards for Occupation of Urban Roads and Cutting Urban Trees (landscape)* (Ji Sheng Jia Shou Zi [1997] No. 12), municipal construction and maintenance operation, and private roads within area of enterprises do not belong to the scope that relevant compensation shall be paid. Therefore, the river watercourse occupation for pipeline installation in the Project should not be paid by any

compensation because the watercourse belongs to the implementing agency of the project.

33. The project will involve excavation of urban gravels, earth roads and road shoulders. According to the *Notice of Adjusting Cost Standards of Urban Road Excavation of Jilin Provincial Construction Department* (Ji Jian Cheng [2005] No.12), the recovery cost standard for the road excavation is 40RMB/m². The cost will be paid municipal management bureau.

Table IV-7: Cost Standard for Recovery of Road Excavation

Item		Unit	Compensation Standard
Road Recovery Cost	Urban Road	RMB/m ²	40

Source: Notice of Adjusting Cost Standards of Urban Road Excavation of Jilin Provincial Construction Department.

3. Taxes and Fees

The rates of relevant taxes and fees for the LAR are detailed in Table

Table 4-8: Relevant taxes and fees

No.	Item	Rate (RMB/mu)	Reference
1	Farmland cultivation fee	4,325	<i>Provisions of Jilin Province on the Collection and Use of Farmland Cultivation Fee and land Reclamation Fee</i> (Zheng Fa Ban [2009]No. 34)
2	Fee paid for new construction land use	18,648	<i>The Circular of the Ministry of Finance, the Ministry of Land and Resources and the People's Bank of China on the Policy of Adjusting the Fee Paid to Use New Construction Land</i> (Cai Zong [2006] No. 48) <i>The Circular of the Ministry of Finance, the Ministry of Land and Resources on Adjusting the Collection Grades of Fee Paid to Use New Construction Land in Some Regions</i> (Cai Zong [2009] No. 24)
3	Tax on the occupancy of cultivated land	14,985	<i>Measures of Jilin Province for the Implement of Tax on the Occupancy of Cultivated Land</i> (Ji Lin Sheng Ren Min Zheng Fu Ling, No. 149, October 30, 2008)

2. Entitlement Matrix

34. An entitlement matrix is established based on the relevant policies described in previous sections of this Chapter and is presented in Table 4-9.

Table IV-9: Entitlement Matrix

Type of impact	Degree of impact	Obligee	Compensation and resettlement policy
Permanent Land Aquisition	72 mu land, including dry land of 2.5 mu, forestry land of 65 mu, and wasteland of 4.5 mu	Shangdianzi Village, 4 households of 17 people	(1) Monetary compensation: 60,000 RMB/mu for collective land, and 6,162.5 RMB/mu for collective forestry land; (2) For compensation for dry land, 80% land compensation (land compensation and resettlement subsidy at 60,000 RMB/mu) will be paid to AHs directly, while remaining 20% will be kept as a collective fund by the collective economic organization of the village and managed by the village committee for village infrastructure and public welfare development and alleviation of poor households, etc. The use of the fund will be approved by the conference of all villagers or villagers' representatives. The village farmland will not be adjusted again. (3) 100% compensation for young crops at 865 RMB/mu will be paid to AHs. (4) For compensation for forestry land, the land compensation at 2,162.5 RMB/mu will be paid to

Type of impact	Degree of impact	Obligee	Compensation and resettlement policy
			<p>affected villages, while resettlement subsidy at 5,184RMB/mu will be paid to both the affected villages and AHs.</p> <p>(5) 100% compensation for forest (trees) at market assessment prices will be paid to AHs or owners.</p> <p>(6) Agricultural resettlement: including land transfer plan, crop farming plan.</p> <p>(7) Employment: to promote APs employment in local enterprises with support by local government and the Project itself.</p> <p>(8) Small-sum guaranteed loan measure: to support the APs according to the relevant provisions.</p> <p>(9) Skill training: the Project will provide skill training for at least 100 APs.</p> <p>(10) Social security: to provide relevant security measures according to the APs' social pension insurance and new rural/urban pension insurance and other related policies.</p>
Temporary Land Occupation	439.12mu, including 395.36mu of state land (27.19mu of watercourse land and 368.17mu of road land), and 43.76mu of collective land (11.79mu of forestry land, 28.08mu of farmland and 3.9mu of waste land).	Shangdianzi and Wengquan villages, 86 people from 26 households	<p>(1) For farmland, 100% both compensations for (a) land occupation at 865 RMB/mu and (b) land reclamation at 6,000RMB/mu for farmland will be paid to AHs.</p> <p>(2) For forestry land, 100% compensations for land occupation at 432.5 RMB/mu will be paid to AHs, while 100% compensation for vegetation recovery at 4,000RMB/mu will be paid to municipal forest bureau.</p> <p>(3) 100% compensation for recovery of road excavation will be paid to municipal management bureau.</p> <p>(4) Skill training: the Project will provide skill training for at least 100 APs.</p>
Women	\	45 affected women	<p>(1) Provide priority in employment opportunities. 30% of affected women are ensured to have the non-technical employment opportunities.</p> <p>(2) Provide priority in free technical training. At least 50 person-time of affected women shall receive the training planned for 100 person-time of APs in total (accounting for 50%).</p> <p>(3) Ensure the access to relevant information during the resettlement process and able to participate in public consultation. A special female discussion will be conducted to introduce the relevant policies so as to improve the awareness.</p>
Vulnerable groups	A family with a chronic patient	1 AP from 1 AH	<p>(1) Labor force of the household is preferentially given training and employment opportunities.</p> <p>(2) 2,000RMB per household will be provided by the Project to improve their living conditions.</p>
Complaints and appeals	\	All the affected people	Free of charge; all costs caused in the process will be paid from the contingencies of the Project.

V. RESETTLEMENT AND RESTORATION

A. Permanent Land Acquisition Analysis and Resettlement Plan

1. Permanent LA of the project will affect 14 people from four (4) households of in Shangdianzi Village, and temporary land occupation will affect 86 people from 26 households of in Shangdianzi and Wengquan villages, Hunjiang District, Baishan City.

1. Impact Analysis of Permanent Land Acquisition

2. According to the survey, measurement and calculation, Table 5-1 details the loss of cultivated land and income impact of the 4 households of Shangdianzi Village affected by the LA. One household will lose 44.6% dry land, which will cause 2,160RMB agricultural income and about 4.2% total income per capita. Other three (3) households will lose forestry land from 23.4 to 80%. However, they will not lose their income because the contracted forestry land has not produced any income.

Table V-1: Project Impacts of Permanent Land Acquisition on Loss of Cultivated and Forestry Lands and Incomes

HH No.	Before land acquisition			Acquired land			Income loss		
	Persons (person)	Dry land (mu)	Forestry land (mu)	Dry land (mu)	Forestry land (mu)	(%)	Annual loss (RMB)	Per capita loss (RMB)	In the total per capita income (%)
1	5	5.6	0	2.5	0	44.6	2,160	432	4.2
2	4	4	6	0	6	60	-	-	-
3	5	7	40	0	32	80	-	-	-
4	3	18	97	0	27	23.4	-	-	-
Total	17	34.6	142	2.5	65	38.2	-	-	-

Source: the feasibility study and the survey on the sample village

3. For the affected Shangdianzi Village, the main crops are soybean and corn. Due to low land quality and the relatively steep slope of cultivated land, the agricultural production efficiency is very low. In addition, Shangdianzi Village is close to Baishan City, farmers can find non-farm work in the city to earn more income. More than 70% of total income of the villagers is from work in enterprises. Therefore, the LA impacts on the income of AHs are small.

2. Resettlement and Income Restoration Measures of Affected Farmers

4. A resettlement and income restoration plan for the AHs is formulated based on the impact degree and expected resettlement modes of the APs. For details, please refer to Table 5-2.

Table 5-2: Expected Resettlement Modes of Rural Households Affected by LA

Village	AHs (HH)	AP (person)	Expected resettlement mode (HH)				
			Monetary compensation	Land transfer	Crop farming	Employment	Social security
Shangdianzi	4	17	4	1	1	4	4
Proportion (%)			100	25	25	100	100

Source: the survey on the sample village.

5. Based on the above resettlement expectation, different resettlement, and income

restoration measures are planned follows.

a. Monetary Compensatory and Allocation

6. All 4 AHs expected to receive monetary compensation. For the compensation for affected farmland (dry land), the AH can receive 80% of the land compensation (land compensation and resettlement subsidy at 21,625 RMB per mu). In addition, the AHs can receive 100% compensation for young crops and other ground attachment owned by the AHs.

7. The remaining 20% of the land compensation will be kept by the collective economic organization of Shangdianzi village and managed as a fund by the village committee to be used for village industry, infrastructure, and public welfare development, and support the poor. The use of the fund will be approved by all villagers' conference and supervised by the local township government.

8. For the compensation for affected forestry land, it is composed of (1) land compensation; (2) resettlement subsidy; (3) timber (tree) compensation; and (4) vegetation recovery compensation. The land compensation will be paid to affected village. The resettlement subsidy will be paid to both AHs and affected village. Its proportion is decided by agreements signed between households and village committees before. The timber (tree) compensation will be paid to AHs. The compensation for vegetation recovery (temporary land occupation) will be paid to municipal forest bureau.

9. The land compensation and resettlement subsidy will be paid to affected villages because the forestry land is owned by village collective and the timber forest was planted by village collective before the land was contracted to villagers (AHs in the Project).

10. After received the compensation, the AHs can, on their own and with the help of the government, take the following livelihood restoration measures such as agricultural development and non-agricultural economic activities, etc.

b. Agricultural Resettlement Measures

11. The area of per capita cultivated land of the AH before the LA is 1.2 mu, and it is 0.5 mu per person after the LA. The AH will be affected largely by the LA. Annual income of the AH is about 51,000RMB, including 5,000RMB of agricultural income. The LA will cause 2,160RMB loss of agricultural production, accounting for 4.2% of their total income. They still have some land to cultivate and continue agricultural production. The BPMO has prepared the following agricultural resettlement measures after taking the opinions of the local village committee.

B. Land Transfer

12. Although the farmland of the affected village can't be adjusted after the LA, the AH still hopes to get more farmland to conduct agricultural production. Based on current national policies, farmers can transfer their contracted farmland to other farmers. Therefore, the AH will have opportunity to rent some farmland for agricultural production on a voluntary basis within their village groups or neighbor villages or even within the city. The BPMO will provide more land transfer information to the AH and help them to establish with other farmers who like to transfer their out.

C. Agricultural Production Improvement Measure

13. According to *The 12th Five-year Plan for National Economy and Social Development of Baishan City*, *The Plan for Modernization of Chinese Traditional Medicine of Baishan City*, and *The Master Plan for Land Utilization in Badaojiang District of Baishan City*, and local environmental conditions, Baishan City have been vigorously introducing and planting ginseng, American ginseng, fructus schisandrae and other medicinal plants, and breeding and domesticating wood frogs, sika deers and other medicinal animals for many years, and thus have established many bases of genuine medicinal materials and the important Northern Medicine Base of China.

14. The AH has experience in planting corn but the productivity is low. The average output value per mu for corn is about RMB700. With support of the Project, the AH can learn to planting Chinese medicine herbs, and plant more value products of Chinese medicine herbs, such as the output value per mu for codonopsis pilosula is RMB1,200 to 1,800, and that of fritillaria is RMB6,000. Therefore, after improving planting technology and management, outputs of the AH can be increased largely and earn more income.

D. Employment Resettlement Measures

15. Governments of Baishan, Hunjiang district, Hekou Street Office and Shangdianzi village have established a labor employment and social security system. Villagers can be informed timely and efficiently about the recruitment information of enterprises/public institutions, private companies.

1. Employment Opportunity in the Project

16. The Project can provide about 1,000 direct job positions during the construction and 75 full job positions during the operation. The BPMO and BQHC will request civil contractors to hire local people to construct the project, especially the APs. The BQHC will recruit the APs for the project operation, and provide job for them after some position training. All AHs expressed their expectation to have employment in the Project. The BPMO and BQHC will provide job information to the APs in advance.

2. Governmental Public-Service Jobs

17. The AHs will be preferred for the public service positions, including landscape workers, sanitary workers and coordinators in resident communities.

3. Employment in Enterprises

18. Hunjiang District Employment Service Bureau is responsible for employment of farmers who lost farmland during urban expansion, and its subordinate unit – Hekou Street Office Labor and Social Security Office executes directly. The latter has full knowledge of basic information on employment of local enterprises, and carries out vocational training, vocational guidance, and vocation introduction and reemployment assistance in its jurisdiction. The APs who have some skills or have passed relevant skill training will be recommended by Hekou Street Office Labor and Social Security Office and employed preferentially.

a. Measures of “Microcredit, Four Reductions or Exemptions, One Package Support and Entrepreneurship Subsidy” to Facilitate Entrepreneurship and Employment

19. In order to implement more positive employment policy, encourage and promote laborers to actively start a business so as to promote employment by entrepreneurship and promote sound and rapid social and economic development of Jilin Province, Jilin Province formulated the Measures for the Implementation of “Microcredit, Four Reductions or Exemptions, One Package Support and Entrepreneurship Subsidy” to Encourage Entrepreneurship (Provisional), in combination with the actual situation and according to the relevant policies and provisions of *Notice of the People’s Bank of China, the Ministry of Finance and the Ministry of Human Resources and Social Security on Further Improving the Administration of Small-sum Secured Loans and Boosting the Promotion of Employment by Entrepreneurship* (Yin Fa (2008) No. 238) and *Several Opinions on the Encouragement of Doing Pioneer Work and the Promotion of Employment of the People’s Government of Jilin Province*(Yun Zheng Fa (2009) No. 1, hereinafter referred to as *Opinions*).

20. Some main points of the policy include (i) rural laborers who like to open business in urban area will enjoy the same policies to urban unemployed laborers, including taxes reduction or exemption, guaranteed micro financing, subsidy of social insurance, and priority in commerce registration, business training and guidance, and information provision; (ii) rural laborers who returned from urban as migrant workers to live again in rural area and prefer to open businesses can enjoy the same policies to urban unemployed laborers.

4. Skill Training Measure

21. The Project will conduct 2 training courses to 100 APs in total, which cover all households affected by the LAR when they need the training, in order to restore APs’ life and income effectively.

a. Training Content

22. According to the industrial structure and market requirements in Baishan City and surrounding area, vocational training are conducted with the focus on crop farming, breeding industry, service industry and construction industry. The types of work in which there is training include: Skilled worker for planting traditional Chinese medicine, vegetable worker, worker for fruit trees, poultry feeder, livestock feeder, breeding worker for livestock and poultry, reproduction worker for livestock and poultry, tiler, operator of agricultural machinery, repairman of agricultural machinery, motorcycle repairman, stonecutter, building painter, electric welding, tailoring, concrete worker, waterproof worker, bricklayer, etc.

E. Organizing Agency

1. Baishan Municipal Human Resources and Social Security Bureau

23. Baishan Municipal Human Resources and Social Security Bureau is responsible for providing relevant skill training for labor force who are registered residents in Baishan City, affected by LA and HD, more than 18 years old and have some degrees of education. The trainees will receive certificates of relevant skill trainings from Baishan Municipal Personnel Labor and Social Security Bureau as a proof their training.

2. Hunjiang District Employment Service Bureau

24. The bureau is responsible for organizing job exchanges in human resources market; guiding and helping the employment and reemployment of the unemployed; organizing the

transfer and export of the surplus labor in towns, streets and villages; organizing and implementing the development of human resources market in the District and information distribution; and guiding and helping the towns and streets to implement the dynamic management of real-name system on all urban and rural laborers according to the real name system.

3. Hekou Street Labor and Social Security Office

25. The office is responsible for collecting the basic information of the human resources and employing units in the jurisdiction of Hekou Street Office, establishing records and conducting dynamic management; classifying and carrying out statistical management on the employment, labor relation and social security in its jurisdiction, and establishing machine account and basic database; registering the laid-off and unemployed in its jurisdiction and their employment; carrying out vocational training, vocational guidance, vocational introduction and reemployment assistance in its jurisdiction.

4. The Village Committee of Shangdianzi Village

26. The village committee is responsible for supporting and assisting the 4 AHs in employment, ensuring that the labor force in the 4 AHs all have the opportunity to attend the training.

F. Expense Guarantee

27. Baishan Municipal Human Resources and Social Security Bureau is responsible for all training cost during the training. All APs will receive the training free. The skill training for APs is shown in Table 5-3.

Table 5-3: Training plan for the area affected the Project

Village	Time	No. of trainees (person.time)	Training content	Responsible unit	Expense budget	Source of budget
Minhua	2014.5-2014.7	50	Vegetable worker, nursery garden worker, poultry feeder, livestock feeder, breeding worker for livestock and poultry, reproduction worker for livestock and poultry, tiler, operator of agricultural machinery, repairman of agricultural machinery, motorcycle repairman, stonecutter, building painter, electric welding, tailoring, concrete worker, waterproof worker, bricklayer, quarantine inspector of animals, prevention and cure of animal epidemic diseases, etc.	Baishan Human Resources and Social Security Bureau	30,000	Special financial expense input
Shangdianzi	2014.10-2014.12	50				

G. Social Security Measure

1. Pension Insurance of Farmers who Lost Farmland

28. All farmers who lost farmland can participate in the pension insurance according the

policy issued by Baishan Municipal Government. They will pay the insurance in different expenses according to extend of their farmland loss (more than 80%, and 20 to 80%. For land loss is less than 20%, APs can participate in New Rural/urban Pension Insurance Program, see next section). The insurance expenses are RMB 10,000 each AP, and are shared by the state, the collective and the individuals in 20%, 50% and 30%, respectively. The land compensation received by the 9 AHs, and the number of family members that the compensation can afford for the insurance are shown in Table 5-5. Detail policy on the pension insurance is attached on Appendix 4.

1. New Rural/Urban Social Pension Insurance Program

29. According to *Notice on the Publicity Outline for Urban Social Pension Insurance and New Rural Social Pension Insurance Pilot Projects in Jilin Province*, the AHs who lose partial land (less than 20% of all farmland) can participate in the new rural social pension insurance.

30. Farmers pay some annual fee in 5 classes for the insurance. Collective economy organization can support financially for insurance payment. Central government will provide subsidy to add the insurance. The subsidy is different based on the 5 classes. Currently, the subsidy standards in Jilin Province are: RMB30 subsidy for RMB100 insurance payment, 35 for 200, 40 for 300, 45 for 400, and 50 for 500.

31. When 60 years old, they can receive basic pension monthly. One part will be from central governmental account at RMB55 per month, while another part will be from farmers' owned account. It amount will be based on how much they have paid and which class they selected. The details are attached in Appendix 4.

H. Woman Development Measure

32. The specific measures to promote women development of 32 female labors affected by the Project include:

1. Help Women Start a Business and Get Employed

33. First, develop hand-knitting program for the poor single mother family. 9 training courses of hand knitting for poor single mothers have been conducted, and more than 260 poor mothers have been trained. Secondly, make "Qianshou Housekeeping" a better and more distinguished service brand. With the experience of the operational mode of "Qianshou Housekeeping" Service Company of the provincial Women's Federation, the first "Qianshou Housekeeping" service company is established in Baishan City. Thirdly, make solid efforts to do "Chunlei" vocational education project well. Fourth, make solid progress in small loans for woman entrepreneurs. The annual small loan in total is RMB575,000, which have helped and mobilized 180 women to start a business or get employed.

2. Guide Women to Participate in the Development of Modern Agriculture

34. Further the "Pair Learning and Pair Competition" activity, work around the objective of "Replacement of Food Crops by Special Economic Crops" set by the municipal Party committee and the municipal government, vigorously implement the "5511" Project, provide more support for woman agents, woman leaders in getting rich by applying science and technology and specialized cooperative economic organization of women, and guide rural women to embark on the development road of industrialization, specialization and systematization. Currently, the City

has 115 specialized cooperatives of rural women, which have registered in the industrial and commercial administrative department.

3. Small-sum Guaranteed Loan Projects for Women and the Activity “Promoting Income Crease by Microcredit”

35. The activity of “promoting income increase by microcredit”, and the finance discount of small-sum guaranteed loan for women have provided 2,286 rural women with microcredit of RMB 53.66million. Small loans effectively solve such bottleneck problems as the difficulty in fund raising encountered by those women who have entrepreneurial skills and intentions, and really make the woman entrepreneurs benefit. The benefited projects cover crop farming, breeding industry, processing industry, commercial service and other industries.

4. Women Enjoying the Equal Rights to Speak and Make Decision in the Resettlement Program

36. To guarantee that women enjoy equal rights and interests, and play an important role in the resettlement activities, women will be given equal rights to speak and make decision in public consultation, and in villager conferences and villager group conferences related to the discussion of the migration and resettlement program, and their proportion in these conferences will be no less than 30%. There should be female worker in the migration and resettlement office.

5. Compensation Agreement Signed by Both Husband and Wife

37. To guarantee that the male and the female in the affected family have equal right to be informed about the compensation standards of the Project, and have equal right to dispose of the compensation fee, based on the informal discussion and interview with the villager, the families affected by the Project agree to get the compensation fee after the signature of both husband and wife.

38. The women affected by the Project are doing some farm work but also have lot of time available to spend at home. Most of them stay at home unemployed, and make little income contribution to their households. With the help of the project unit, the implementation of the Project can make the women affected by demolition and land expropriation participate, enjoy various policies, and thus forms a linkage mechanism among the Project Office, the community, the Women’s Federation and other departments to promote the development and entrepreneurship of women.

I. Income Recovery Analysis

39. The household that will lose farmland will lose 4.2% of their total income. They can restore their income by skill training, improvement of agricultural production and planting Chinese medicine herds. Other three (3) households to lose forestry land will not lose their income because the timber forest on the land has not grown up and can’t produce income contribution now. However, the AHs can receive skill training through the Project and improve their living standard with the compensation.

J. Assistance Measures for the Vulnerable Groups

40. During the LAR, the BPMO, the BQHC, and local governments have paid special attention to the resettlement of the vulnerable groups. In the Project, an assistance budget of

RMB2,000 is established for the affected vulnerable household. In addition, some help will be provided to improve their production and living conditions. The main measures are as follows:

41. During the implementation, the family will enjoy the following preferential rights:
 - (i) Preferentially provide the AH with land transfer information, assist in obtaining the land required by production development;
 - (ii) Preferentially arrange the AH with labor force to attend skill training, ensure them obtain governmental public-service jobs and the reserved jobs in the enterprises who use the land, and grant small-sum loan for the qualified families;
 - (iii) Preferentially cover the pension insurance and the new rural pension insurance of farmers who lost farmland.

VI. ORGANIZING INSTITUTIONS

B. Administration Institutions of Resettlement Implementation

1. Institutional Setup

1. Since the LAR covers a wide range of work and requires the assistance and cooperation of many departments, transportation departments, the Land and Resources department, the finance department and other concerned departments will participate and assist in the migration and resettlement implementation. The affected districts and villages are provided one or two major leaders to assist in the migration and resettlement. The institutions responsible for the LAR.

- (i) Baishan Municipal ADB Loan Project Leading Group (BPMO)
- (ii) Hunjiang District Government
- (iii) Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City (BQHC)
- (iv) Village Committee (Neighborhood Committee)
- (v) External, Independent Monitoring and Evaluation Agency
- (vi) Other institutions: Land and Resources Bureau, Demolition Office, Women's Federation, Labor and Social Security Bureau

2. Institution Responsibilities

a. Baishan Municipal ADB Loan Project Leading Group (BPMO)

2. The group is responsible for providing general guidance for the Project and coordination of relevant departments. It is led by executive vice mayor of Baishan City, and its members are two vice mayors of Baishan City, and leaders of Baishan Water Authority, Housing and Construction Bureau and Finance Bureau, responsible for the preparation and implementation of the Project, and the internal monitoring of the implementation of the RP. The group members will coordinate the implementation of the water supply subproject and the solid waste subproject respectively. After the completion of the Project, the solid waste facilities will be handed over to Baishan Environmental Sanitation and Administration Agency for operation and maintenance.

b. Hunjiang District Government

3. It is led by District Director, and its members are Land and Resources Agency, Police Station, Agency of Civil Affairs and major cadres of each villager. Their main responsibilities:

- (i) Participate in the project surveys and assist in the compilation of the RP;
- (ii) Organize public participation and publicize the resettlement policy;
- (iii) Carry out, check, monitor and record all resettlement activities within the District;
- (iv) Responsible for the payment and management of the land compensation funds;
- (v) Monitor LA, HD and the ancillary structures and housing reconstruction and relocation;
- (vi) Report to the BPMO the LAR; and
- (vii) Coordinate and handle the conflicts and problems in the work.

c. Village Committee (Neighborhood Committee) of Shangdianzi Village

4. The resettlement work for the village committee and villager groups are assumed by their main leaders. Their responsibilities:

- (i) Participate in the surveys on social and economic impacts and project impacts;
- (ii) Organize public consultation and publicize the policies of land expropriation and demolition;
- (iii) Organize and carry out the resettlement activities for agricultural and non-agricultural production;
- (iv) Report to the concerned superior departments the migrants' opinions and suggestions;
- (v) Help the households who having difficulty in demolition.

d. External Monitoring and Evaluation Agency

5. The Owner will employ a qualified monitoring and assessment agency to serve as the migration external monitoring and assessment agency. Its responsibilities:

- (i) As an independent monitoring and evaluation agency, monitor every aspects of the implementation of the RP, monitor and evaluate the resettlement work and its implementation results, and APs' social adaptability, and provide resettlement monitoring and evaluation reports to ADB via the BPMO.
- (ii) Provide technical consultation and relevant training for the staff of the project resettlement office.

C. Personnel and Facilities Allocation

1. Personnel Allocation

6. In order to ensure the smooth progress of resettlement implementation, the project resettlement agencies at each level are equipped with professionals to form a smooth information transmission channel. The resettlement agencies at each level are composed of administrators and professionals, ranging from 3 to 6 people, who have a professional level and management quality, and rich experience in LAR. Table 6-1 showed the personnel allocation of the resettlement agencies involved in the Project.

Table VI-1: Personnel allocation of the resettlement agencies at all levels

Agency name	Personnel allocation (person)	Staff composition
Baishan Municipal ADB Loan Project Leading Group	9	Civil servant, professionals
Hunjiang District Government	10	Civil servant, professionals
Village Committee (Neighborhood Committee)	15	Village cadres and representative of the relocated
Resettlement External Monitoring and Evaluation Agency	TBD	Experts or Firms

2. Facilities Allocation

7. The project resettlement agencies at all levels can utilize the existing resources, and are already equipped with basic office facilities, transportation facilities and communication equipment, including office desks and chairs, computers, printers, telephones, fax machines, vehicle, etc.

3. Training Plan for the Agencies

8. To ensure the smooth implementation of and the resettlement, the staff must be trained,

and a training plan is formulated and organized by the BPMP.

9. The training will be take place in various forms such as expert lectures, technical training courses for each agency, visit to learn from other projects and on-the-job training for administrators. Please see Table 6-2 for the training plan.

Table VI-2: Training schedule of the resettlement agencies

No.	Training agency	Content	Participant	Time	No. Of trainee	Budget (RMB10,000)
	A	B	C	D	E	
1	Baishan Municipal ADB Loan Project Leading Group	Resettlement experience on ADB projects in other provinces	Staff of subproject resettlement offices	2013–2014	25	8
2	External monitoring agency	Resettlement policies of ADB	Staff of subproject resettlement offices	May 2014	20	5
3	External monitoring agency	Recent changes in the national policies of LA and HD	Staff of subproject resettlement offices	July 2014	20	5
4	Baishan Municipal ADB Loan Project Leading Group	Resettlement experience and cession of other places	Staff of subproject resettlement offices	April 2014	15	4
5	Baishan Municipal ADB Loan Project Leading Group	Computer operation and data processing	Staff of subproject resettlement offices	May to June, 2014	22	4
6	Baishan Municipal ADB Loan Project Leading Group	Resettlement procedures, policies of ADB loan projects	District migration and resettlement office, village resettlement group	July 2014	30	4
7	Baishan Municipal ADB Loan Project Leading Group	Resettlement policies and practices	District migration and resettlement office, village resettlement group	October 2014	30	2
8	Baishan Municipal ADB Loan Project Leading Group	International resettlement experience review	Staff of the migration and resettlement department of all foreign investment offices	2014-2014	34	10
Total						42

10. In addition, the following measures are also taken to improve the ability of the resettlement agencies:

- (i) Specify the responsibilities and duty scope of the resettlement agencies at all levels, and strengthen their supervision and management;

- (ii) Enhance gradually the strength of the resettlement agencies at all levels, especially their professional strength, and ensure that the staff have certain professional level and management quality, and improve their technical equipment, such as computers, monitoring facilities, vehicles, etc;
- (iii) Select workers strictly, intensify professional training and the training of the administrators and professionals in the migration agencies at all levels to improve their professional ability and management level;
- (iv) Equipped with a proper number of woman cadres to make them play their role in the resettlement implementation;
- (v) Establish a database and strengthen information feedback to ensure unimpeded access to information from top to bottom or vice versa, and major problems are solved by the leading group of resettlement;
- (vi) Strengthen the reporting system, intensify internal monitoring, and solve problems in time; and
- (vii) Establish an assessment mechanism for external monitoring and an early warning system.

VII. PUBLIC PARTICIPATION, COMPLAINTS, AND APPEALS

D. Public Participation

1. According to the policies, laws and regulations related to LAR of ADB, the PRC, Jilin Province, and Baishan City, a public participation in the preparation and implementation of the Project is essential to compiling the RP, ensure the legal rights and interests of the APs, reducing discontent and disputes, hearing the opinions and suggestions of the relocated, further formulating the policies related to the project LAR and the rules for implementing them, organizing the implementation well and the proper resettlement.

1. Participation during the preparation of the Project

2. Since October 2012, the survey team of the design institute (DI) has conducted a series of social and economic surveys and public opinion (in which 30% women have participated) under the guidance of consulting expert of the technical assistance. During the preparation of the Project, the BPMO, the implementation agencies and the DI have engaged in extensive consultation about the LAR. The activities are detailed in Table 7-1.

Table 7-1: Public participation and consultation during the preparation of the Project

Date	Organizer	Participant	No. of people	Affected Persons		Purpose	Main opinions/content
				Male	Female		
2012.8-2012.12	Design institute	The affected people, village cadres, engineers and technicians	20	3	2	The feasibility of the Project, field survey, preliminary survey on the project impacts	Introduction the project background and objectives The project site should minimize the occupation of cultivated land. The road selection should minimize the migration effect.
2013.1-2013.2	Design institute	The concerned governmental sectors and the villagers' representatives	45	21	13	To Prepare the migration program, and conduct survey on the resettlement impact on society and economy	Assistance in the surveys on the project impacts The necessity of the Project, strongly expressed by the villagers' representatives Social and economic surveys and survey on the relocated households
2013.3	Design institute	The concerned governmental sectors and the villagers' representatives	15	4	3	To prepare income restoration program	◆ Consultation of compensation program ◆ Formulation of development restoration program
2013.4.-2013.10	Baishan Municipal ADB Loan Project	The cadres of the affected village groups and the	22	10	6	Public consultation	◆ Distribution and allocation of the compensation fee for

Date	Organizer	Participant	No. of people	Affected Persons		Purpose	Main opinions/content
				Male	Female		
	Leader Group	representatives of the resettled people					<p>land acquisition</p> <ul style="list-style-type: none"> ◆ Allocation and use of returning land usufruct ◆ Impact of land acquisition and demolition on the affected households' income ◆ Development planning of the affected village groups ◆ Employment status and employment intentions of the affected households ◆ Training needs of the affected households ◆ Status of the affected households' participation in pension insurance and their intention ◆ Selection of resettlement ways of the households affected by demolition ◆ Selection of resettlement places of the households affected by demolition ◆ Suggestions of the households affected by demolition on housing construction form and infrastructure construction ◆ Special role women play in the resettlement process, etc.
2014.1	Baishan Municipal ADB Loan Project Leading Group	The affected people, village groups	\			To publish the migration program and the information booklet	◆ Announcement of compensation standards, complaint channels, etc.

2. Participation plan during the implementation

3. With the progress of the implementation of the Project, the implementation agencies will conduct further public participation. The public participation arrangements are detailed in Table

VII-2.

Table VII-2: Public participation plan of the Project

Purpose	Way	Date	Unit	Participant	Issue
Announcement of LA	Village bulletin board and villager meeting	May 2014	Baishan Municipal ADB Project Leader Group, Development and Reform Bureau, Land and Resources Bureau, Forest Bureau, cadres of the affected village	All the affected people	To announce the LA, compensation standards, resettlement measures, etc.
Announcement of compensation for LA and RP	Village bulletin board and villager meeting	May 2014	Baishan Municipal ADB Project Leader Group, Development and Reform Bureau, Land and Resources Bureau, Forest Bureau, cadres of the affected village	All the affected people	Compensation fee and options
Review of quantity in kind	Detail measure survey	June 2014	Baishan Municipal ADB Project Leader Group, Development and Reform Bureau, Land and Resources Bureau, Forest Bureau, cadres of the affected village	All the affected people	To recheck and confirm the final impact scope
					List of the APs' land and loss of assets
					To prepare the basic compensation agreement
Determination of the income restoration program and its implementation	Villager meeting (more than once)	Prior to implementation	Baishan Municipal ADB Project Leader Group, Development and Reform Bureau, Land and Resources Bureau, Forest Bureau, cadres of the affected village	All the affected people	To discuss the final income restoration plan and use of compensation fee
Training plan	Villager conference	September to December 2014	Labor and Social Security Bureau, village cadres	All the affected people	To discuss training needs
Monitoring	Meeting with villagers' participation	November 2013 to July 2015	Village cadres	All the affected people	1) progress and impact of resettlement 2) payment of compensation fee 3) information disclosure 4) restoration of production and life, resettlement and restoration of demolished houses

E. Complaints and Appeals

4. Some unexpected problems may occur in the implementation of the LAR. In order to effectively solve these problems and ensure the successful implementation of the project construction and LAR, a transparent and effective complaint and appeal channel is established for the Project. Its basic working procedures are as follows:

- (i) 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.
- (ii) Step 2: If complainants are dissatisfied with decision made in Phase 1, they may appeal to Hunjiang District Project Resettlement Office after receiving the decision. The office will give response to the within two weeks.
- (iii) Step 3: If the APs are still dissatisfied with the decision made by Hunjiang District Project Resettlement Office, they may appeal to the BPMO after receiving decision.

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

6. 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)¹

¹ 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/>

VIII. RESETTLEMENT BUDGET

F. Resettlement Budget

1. Total cost for the LA and resettlement shall be included into the general budget of the project construction. According to the price in June 2013, the total cost of the resettlement is RMB16.4043 million, including land acquisition of RMB1.1101 million, accounting for 6.77% of the total cost; temporary land occupation of RMB10.1613 million, accounting for 61.94%; RP preparation and monitoring of RMB0.22 million, accounting for 1.34%; total taxation of RMB2.9697 million, accounting for 18.1%. In addition, contingency accounts for 10% of the total cost. See Table 8-1 for the total resettlement expense.

Table 8-1: Resettlement Budget

No.	Category	Unit	Compensation Standard (RMB per unit)	Quantity	Cost (RMB10,000)	Ratio (%)
1	Basic Resettlement	RMB	\		1127.14	68.71
1.1	Compensation for LA				111.01	6.77
1.1.1	Cultivated land	mu	60000	2.5	15.00	0.91
1.1.2	Forestry land	mu	2162.5	65	14.06	0.86
1.1.3	Young crops compensation	mu	865	2.5	0.22	0.01
1.1.4	Timber trees	mu		65	22.00	1.34
1.1.5	Vegetation recovery of forestry land	mu	4000	65	26.00	1.58
1.1.6	Resettlement subsidy	mu	5190	65	33.74	2.06
1.2	Compensation for LO				1016.13	61.94
1.2.1	Cultivated land	mu	865	28.07	2.43	0.15
1.2.2	Recovery of cultivated land	mu	6000	28.07	16.84	1.03
1.2.3	Young crops compensation		865	28.07	2.43	0.15
1.2.4	Forestry land	mu	432.5	11.79	0.51	0.03
1.2.5	Vegetation recovery of forestry land	mu	4000	11.79	4.72	0.29
1.2.6	Timber trees	mu		11.79	8.40	0.51
1.2.7	Recovery of urban roads	mu	26640	368.17	980.80	59.79
2	Vulnerable group subsidy	HH	2000		0.20	0.01
3	Monitoring & Evaluation expense	RMB	\		22.00	1.34
3.1	Resettlement planning expense	RMB	\		10.00	0.61
3.2	Resettlement monitoring and evaluation expense	RMB	\		12.00	0.73
4	Training expense	RMB	\		45.00	2.74
4.1	Resettlement training expense	RMB			42.00	2.56
4.2	Land-lost farmers training expense	RMB			3.00	0.18

No.	Category	Unit	Compensation Standard (RMB per unit)	Quantity	Cost (RMB10,000)	Ratio (%)
5	Taxes and Fees	RMB	\		296.97	18.10
5.1	Land expropriation management cost (2.1% of essential expense)	RMB	\		23.67	1.44
5.2	Cultivated land occupation tax	mu	14985	72	107.89	6.58
5.3	Cultivated land reclamation fee	mu	4325	72	31.14	1.90
5.4	Compensated use expense for new construction land	mu	18648	72	134.27	8.18
6	Contingency (10% of total expense)	RMB	\		149.13	9.09
Sub-total of item 2 to item 6		RMB	\		1640.43	100.00
7	Total	RMB	\		1640.43	100.00

G. Resettlement Investment Plan and Capital Source

2. All capital sources of the resettlement are from local public finance supporting funds. Before the project construction, the investment plan shall be prepared in order not to affect the production and living conditions of the AHs, which is shown in Table VIII-1: Resettlement Investment Plan of the Project.

Table VIII-1: Resettlement Investment Plan of the Project

Year	2014	2015	Total
Investment Volume (RMB10,000)	1476.387	164.043	1640.43
Ratio	90%	10%	100%

H. Resettlement Fund Management and Disbursement

3. 80% land compensation (land compensation and resettlement subsidy) for cultivated land acquisition shall be paid to the AHs directly, while remaining 20% will be paid to affected village collective economy organization. The young crops compensation shall be paid to the AHs directly.

4. Land compensation for forestry land acquisition shall be paid to village collective economy organization, while resettlement subsidy shall be shared by AHs and village collective economy organization according to their agreement. Compensation for timber trees shall be paid to AHs directly.

5. 100% both compensations for (a) temporary cultivated land occupation and (b) land reclamation for farmland shall be paid to AHs.

6. 100% compensations for temporary forestry land occupation shall be paid to AHs, while 100% compensation for vegetation recovery shall be paid to municipal forest bureau.

7. 100% compensation for recovery of road excavation shall be paid to municipal management bureau.

8. In order to guarantee that the APs can receive the compensation fully and in time for restoration of their production and living condition and income, the following measures will be taken:

- (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) 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.

9. The budget is cost estimation for resettlement. Due to the actual change on project scope, considering such influences as detailed measurement survey (DMS), 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 updated resettlement plan.

IX. RESETTLEMENT IMPLEMENTATION PLAN

I. Resettlement Implementation Principles

1. According to the project implementation schedule, the project will be commenced in 2014 and completed in 2018. For the purpose of connecting the resettlement schedule with project construction schedule, the LA activities will commence in May 2014 and be completed in March 2017. The basic resettlement implementation principles are as follows:

- (i) The LA completion time shall be three months prior to the commencement of project construction, with specific commencement time determined according to the LAR.
- (ii) The APs shall be involved in the project during resettlement. The RIB will be issued to AHs in May 2014, while the RP will be issued to AHs in July after the DMS. Before the commencement of project construction, public participation work will be conducted to all AHs.
- (iii) 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.

J. Implementation Schedule of Resettlement

2. 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 IX-1: Resettlement Implementation Schedule

No.	Task	Objective	Responsible Unit	Time	Note
1	Information Disclosure				
1.1	Resettlement Information Booklet	1 village	BPMO Resettlement Office / Shangdianzi Village	May 2014	
1.2	Posting the RP on ADB's website	/	BPMO, ADB	May 2014	
2	RP and its updates				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	BQHC	June 2014	
2.2	Updating the RP	/	BQHC and BPMO	July 2014	If needed
3	Signing Compensation Agreement and Disbursing Compensation				
3.1	Signing land compensation agreement with villages and making payment	2 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	30 AHs	Resettlement Office / AHs	August 2014	
4	Monitoring and Evaluation				
4.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
4.2	Establishing an internal monitoring agency	According to the RP	BPMO and BQHC	July 2014	
4.3	Signing an agreement with an external monitoring agency	1 Agency	BPMO	July 2014	
4.4	Internal monitoring report	Project Progress	BPMO and BQHC	August 2014 and	

No.	Task	Objective	Responsible Unit	Time	Note
		Report		on going	
4.5	External monitoring report	Semi-annually	External monitoring unit	September 2014	1 st report
				March 2015	2 nd Report
4.6	External monitoring report	Annually	External monitoring unit	March 2016	3 rd Report
				March 2017	4 th Report
4.7	Completion report	1 Report	BPMO and BQHC	March 2018	
5	Civil Works Commencement				
5.1	Baishan Water Supply Project		Project construction bid winner	April 2015	

X. MONITORING AND EVALUATION

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

K. Internal Monitoring

2. 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) arrangement and recovery condition of vulnerable groups among the affected population;
- (v) payment, usage and funded condition of LA compensation;
- (vi) the affected farmers' participation and consultation during the implementation;
- (vii) training provided to APs and its effects; and
- (viii) training and work efficiency of resettlement implementation and administrative organizations and personnel in the project area.

3. 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.

L. External Monitoring

4. 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.

5. 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.

M. External Monitoring Contents and Methods

1. Baseline Survey

6. 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, and 100% 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 Monitoring and Evaluation

7. 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:

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

3. Public Consultation

8. 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. Complaining Problem

9. 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.

5. External Monitoring Report

10. External M&E agency will submit monitoring report and evaluation report to the the BPMP 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.

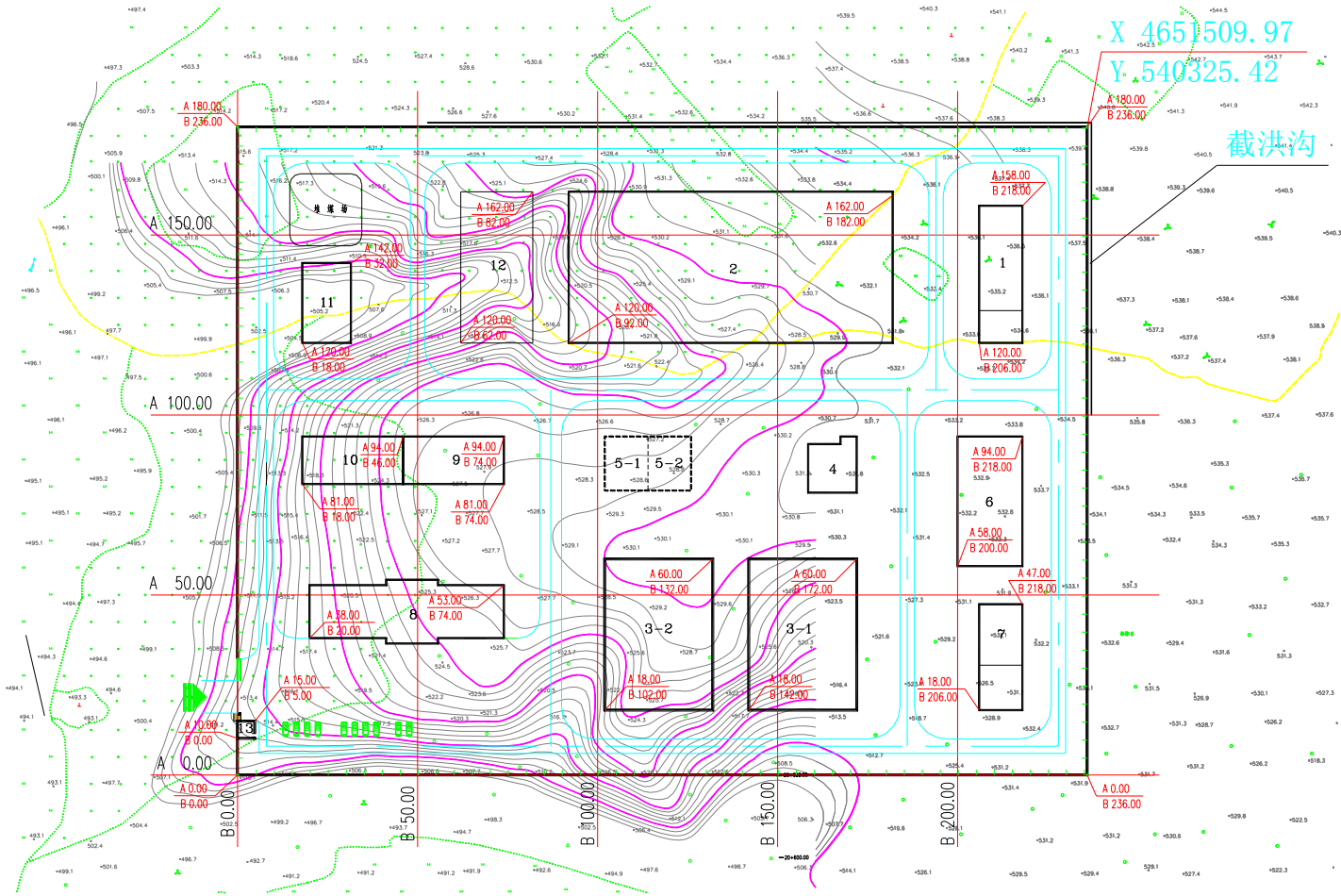
Table 10-1: Resettlement Monitoring and Evaluation Schedule

	Report	Date
1	Baseline survey on social economy	September 2014
2	The 1 st monitoring report	September 2014
3	The 2 nd monitoring report	March 2015
4	The 3 rd monitoring report	March 2016
5	The 4 th monitoring report	March 2017
6	Completion report	March 2018

N. Resettlement Completion Evaluation

11. 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: Schematic Diagram of Redline of Water Supply Plant Construction



Appendix 2: Summary of Chinese Laws and Regulations and Policies

A. Land Management Law of People's Republic of China

1. Article 2 The People's Republic of China resorts to a socialist public ownership, i.e. an ownership by the whole people and ownership by collectives, of land.
2. In ownership by the whole people, the State Council is empowered to be on behalf of the State to administer the land owned by the State.
3. No unit or individual is allowed to occupy, trade or illegally transfer land by other means. Land use right may be transferred by law.
4. The state may make expropriation or requisition on land according to law for public interests, but shall give compensations accordingly.
5. The State introduces the system of compensated use of land owned by the State except the land has been allocated for use by the State according to law.
6. Article 43 Any unit or individual that need land for construction purposes should apply for the use of land owned by the State according to law, except land owned by peasant collectives used by collective economic organizations for building township enterprises or building houses for villagers or land owned by peasant collectives approved according to law for use in building public facilities or public welfare facilities of townships (towns).
7. The term "apply for the use of land owned by the State according to law" used in the preceding paragraph refers to land owned by the State and also land originally owned by peasant collectives but having been expropriated by the State.
8. Article 44 Whereas occupation of land for construction purposes involves the conversion of agricultural land into land for construction purposes, the examination and approval procedures in this regard shall be required.
9. For projects of roads, pipelines and large infrastructure approved by the people's governments of provinces, autonomous regions and municipalities, land for construction has to be approved by the State Council whereas conversion of agricultural land is involved.
10. Whereas agricultural land is converted into construction purposes as part of the efforts to implement the general plans for the utilization of land within the amount of land used for construction purposes as defined in the general plans for cities, village and market towns, it shall be approved batch by batch according to the annual plan for the use of land by the organs that approved the original general plans for the utilization of land. The specific projects within the scope of land approved for conversion shall be approved by the people's governments of cities or counties.
11. Land to be occupied for construction purposes other than those provided for in the second and third paragraphs of this article shall be approved by the people's governments of provinces, autonomous region and municipalities whereas conversion of agricultural land into construction land is involved.

12. Article 45 The expropriation of the following land shall be approved by the State Council:
 - (i) basic farmland;
 - (ii) land exceeding 35 hectares outside the basic farmland; and
 - (iii) other land exceeding 70 hectares.
13. Expropriation of land other than prescribed in the preceding paragraph shall be approved by the people's governments of provinces, autonomous regions and municipalities and submitted to the State Council for the record.
14. Expropriation of agricultural land should first of all go through the examination and approval procedure for converting agricultural land into land for construction purposes according to the provisions of Article 44 of this law. Whereas conversion of land is approved by the State Council, the land expropriation examination and approval procedures should be completed concurrently with the procedures for converting agricultural land to construction uses and no separate procedures are required. Whereas the conversion of land is approved by people's governments of provinces, autonomous regions and municipalities within their terms of reference, land expropriation examination and approval procedures should be completed at the same time and no separate procedures are required. Whereas the term of reference has been exceeded, separate land expropriation examination and approval procedures should be completed according to the provisions of the first paragraph of this article.
15. Article 46 For expropriation 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.
16. Owners or users of the land expropriated should, within the time limit specified in the announcement, go through the compensation registration for expropriated land with the land administrative departments of the local people's governments on the strength of the land certificate.
17. Article 47 In expropriating land, compensation should be made according to the original purposes of the land expropriated.
18. Compensation fees for land expropriated include land compensation fees, relocation allowance and compensation for attachments to or young crops on the land. The land compensation fees should be 6-10 times the average annual output value of the three years preceding the expropriation of the cultivated land. The relocation allowance shall be calculated according to the number of agricultural population to be resettled. The number of agricultural population to be resettled shall be calculated by dividing the amount of cultivated land expropriated by the land occupied per capita of the unit whose land is expropriated. The relocation allowance for each agricultural person to be resettled should be 4-6 times the average annual output value of the three years preceding the expropriation of the cultivated land. But the maximum relocation allowance per hectare of land expropriated shall not exceed 15 times of the average annual output value of the three years prior to the expropriation.
19. The standards for land compensation and resettlement fees for land expropriated shall be determined by various provinces, autonomous regions and municipalities in reference to the land compensation fees and resettlement fees for cultivated land expropriated.

20. The standards for compensating for ground attachments and young crops on the land expropriated shall be determined by various provinces, autonomous regions and municipalities. In expropriating vegetable fields in suburban areas, the units using the land should pay new vegetable field development and construction fund.

21. Whereas the land compensation fee and relocation allowance paid according to the provisions of the second paragraph of this article are not enough to maintain the original level of living, the relocation allowance may be increased with the approval of the people's governments of provinces, autonomous regions and municipalities. But the combined total of land compensation fee and relocation allowance shall not exceed 30 times the average output value of the three years prior to the expropriation.

22. In special circumstances, the State Council may raise the standards for land compensation and resettlement fees for land expropriated according to the social and economic development level.

23. Article 48 After the plan for land compensation and resettlement fees is finalized, related local people's governments shall make an announcement and hear the opinions of the rural collective economic organizations and peasants whose land has been expropriated.
Article 49 Rural collective economic organizations shall make public to its members the receipts and expenditures of the land compensation fees for land expropriated and accept their supervision.

24. It is forbidden to embezzle or divert the land compensation fees and other related expenses.

25. Article 57 In the case of temporary using State-owned land or land owned by peasant collectives by construction projects or geological survey teams, approval should be obtained from the land administrative departments of local people's governments at and above the county level. Whereas the land to be temporarily used is within the urban planned areas, the consent of the urban planning departments should be obtained before being submitted for approval. Land users should sign contracts for temporary use of land with related land administrative departments or rural collective organizations or villagers committees depending on the ownership of the land and pay land compensation fees for the temporary use of the land according to the standard specified in the contracts.

26. Users who use the land temporarily should use the land according to the purposes agreed upon in the contract for the temporary use of land and should not build permanent structures.

27. The term for the temporary use of land shall not usually exceed two years.

B. Forest Law of People's Republic of China

28. Article 18 Prospecting, mining and various construction projects shall not occupy or occupy as little as possible woodlands; in case of necessary occupancy or expropriation of woodlands, upon examination and approval of the competent forestry authorities under the people's government above the county level, the examination and approval formalities for land needed for construction shall be gone through in line with relevant land administrative regulations; and the land-use organization shall pay forest vegetation recovery expenses in line

with the relevant provisions of the State Council. The forest vegetation recovery payments shall be used for designated purposes; the competent forestry authorities shall use them, according to relevant stipulations, for afforestation, recovery of forest vegetation; the area of afforestation shall not be smaller than the area of forest vegetation reduced as a result of woodlands occupied or expropriated. The competent forestry authorities at a higher level shall periodically urge and inspect the competent forestry authorities at a lower level in the organization of afforestation and recovery of forest vegetation.

29. No organization and private individual shall divert the forest vegetation recovery payments. The competent auditing authorities of the people's government above the county level shall strengthen their supervision of the situation in connection with the use.

C. Decision of the State Council on Deepening the Reform of Strict Land Management

30. Article 12 Perfect land requisition compensation method. The Local People's Government above the county level should take practical measures to ensure that the living standard of peasants whose lands are expropriated will not reduce due to land requisition. Make sure that the land compensation fee, relocation allowance and aboveground attachment and young crops compensations are paid fully and timely in accordance with the laws. Pay the land compensation fee and relocation allowance according to the existing law and the provincial, autonomous district and municipality governments should approve to add relocation allowances if the original living standard of land requisition peasants cannot be remained or the social security charges of the peasants caused by land requisition cannot be paid. The local people's government can use the income of paid state land use for subsidy if the original living standard of land requisition peasants cannot be remained even though the total land compensation fee and relocation allowance have reached the upper limit. The provincial, autonomous district and municipality governments should formulate and publish the standard of unified annual production of land requisition of the cities and counties or the comprehensive land prices of blocks; the land requisition compensation of the same land should be paid in the same price and the key national construction projects should include the land requisition expense in the budget estimate. The compensation standard and relocation methods for the land requisition of medium and large water conservancy and water-power engineering constructions should be determined by the State Council.

31. Article 13 Resettle the farmers whose lands have been expropriated. The Local People's Government above the county level should formulate specific methods to guarantee the long-term livelihood of the farmers whose lands have been expropriated. For the projects with stable earnings, the farmers can become a shareholder for land use rights of the construction land approved legally. In the urban planning area, the Local People's Government should bring the peasants whose lands have been expropriated into urban employment system and establish social security system; when expropriating peasant collective owned land outside urban planning area, the Local People's Government should leave necessary farming land for the farmers whose lands have been expropriated in the administrative region or arrange corresponding operating posts; for the landless peasants without basic production and living conditions, relocate them in the places other than their own hometown. Labor and Social Protection Department should propose to establish the instructive opinions for the career training and social security system of the farmers whose lands have been expropriated with the related departments.

32. Article 14 Perfect land requisition procedure. During the land requisition process, preserve the collective ownership of land and contractual right of land. Before submitting the land requisition to a higher authority for approval, announce the land requisition purpose, position, compensation standard and resettlement ways to the farmers whose lands have been expropriated; the survey results for the land to be expropriated should be affirmed by the rural collective economic organization and peasants whose lands have been expropriated; if necessary, Ministry of Land and Resources should organize hearing of witnesses according to the related regulations. The related materials acknowledged and confirmed by the farmers whose lands have been expropriated should be used as the necessary materials for land requisition approval. Accelerate the establishment and perfection of the coordination and ruling mechanism of the land requisition compensation and resettlement disputes and safeguard the legitimate interest of farmers whose lands have been expropriated and land users. The approved land requisition matters should be published except for special circumstances.

33. Article 15 Strengthen the supervision on the implementation process of land requisition. If the land requisition compensation and resettlement are not implemented, the expropriated lands should not be used forcibly. The provincial, autonomous district and municipality governments should formulate the internal allocation system of land compensation fee in the rural collective economic organization according to the principle that the land compensation fees should be used for households whose lands have been expropriated. The rural collective economic organization whose lands have been expropriated should announce the income and expenses and allocation condition of land requisition compensation expenses to its members and accept supervision. Department of Agriculture and Ministry of Civil Affairs should reinforce the supervision on allocation and use of internal land requisition compensation expenses in rural collective economic organization.

D. Guidance on Improving Compensation for Land Expropriation and Resettlement System

- (i) Formulate unified annual output value standards. The provincial department of land and resources shall formulate jointly with the departments concerned the minimum unified annual output value standards of cultivated land for each county (city) within the provincial jurisdiction, and shall announce and implement the standard after submitting it to the people's government at the provincial level for approval. The formulation of unified annual output value standards may take into consideration the types and quality of cultivated land expropriated, the peasants' input in it, the price of agricultural products, the grade of cultivated land, and other factors.
- (ii) Determine the times of unified annual output value. The times of unified annual output value for land compensation fee and relocation allowance shall be determined within the limits as specified by law according to the principle of ensuring no decrease in the original level of life of the land-expropriated peasants; the compensation fee for land expropriation and resettlement shall be calculated according to the legal times of unified annual output value, and if it cannot maintain the original level of life of land-expropriated peasants, is not enough to pay the costs of social security of landless peasants due to land expropriation, the times shall be increased with the approval of the people's government at the provincial level; if the total of land compensation fee and relocation allowance

calculated at the 30 times is still not enough to maintain the original level of life of land-expropriated peasants, the local people's government shall make overall arrangements and subsidize the peasants with a proportion of the payments from state owned land use. The compensation for the basic farmland occupied with the approval by law shall be made according to the highest compensation standard announced by the local people's government.

- (iii) Formulation of comprehensive land price of land requisition blocks. If conditional, the regional and provincial Ministry of Land and Resources can formulate the comprehensive land prices of land requisition blocks of the counties (cities) within the province with the related departments, publish and implement it after approved by provincial people's government and carry out land requisition compensation. When formulating the comprehensive land prices of the blocks, land type, production value, land location, farmland grade, per capita cultivated land amount, supply-demand relationship of land, local economic development level and minimum standard of living for city residents should be taken into consideration.
- (iv) Allocation of land compensation fee. The land compensation fee should be allocated reasonably in the rural collective economic organization according to the principle that the land compensation fees should be used for households whose lands have been expropriated. The specific allocation method should be determined by provincial people's government. If the lands are all expropriated or the organizational system of rural collective economic organization is repealed, the land compensation fees should be used for production and living resettlement of the farmers whose lands have been expropriated.

E. Resettlement Methods for Farmers whose Lands have been Expropriated

- (i) Agricultural production resettlement. When expropriating collective lands outside the rural planning areas, the rural collective flexible lands, the contracted land handed over by the contracted farmers voluntarily, the newly-added cultivated lands through contracted land circulation and land consolidation and rehabilitation and the it should be ensured that the farmers whose lands have been expropriated have necessary cultivated lands and can continue to work on agricultural productions.
- (ii) Job Selection Resettlement. Create conditions and offer free labor skills training to the farmers whose lands have been expropriated and arrange corresponding operating posts. The units that have used the land should give preference to the farmers whose lands have been expropriated on an equal footing. When expropriating collective lands within the urban planning areas, bring the landless farmers whose lands have been expropriated into urban employment system and establish social security system.
- (iii) Benefit-sharing compensation resettlement. For the projects with stable earnings, the rural collective economic organizations can turn the land requisition compensation and resettlement expenses into stocks or evaluate and turn the approved construction land use rights into stocks after negotiating with the units that have used the lands on the premise that the farmers agree. The rural

collective economic organization and peasants can acquire the earnings through preferred stock by contract promise.

- (iv) Relocation in the places other than their own hometown. If the region can not offer the fundamental production and living conditions for the landless farmers, the government can organize to relocate them in the places other than their own hometown after listening to the suggestions of rural collective economic organization and peasants whose lands have been expropriated.

F. Working Procedure for Land Requisition

- (i) Announce the land requisition situation. Before submitting the land requisition to a higher authority for approval, the Local Ministry of Land and Resources should inform the rural collective economic organization and peasants whose lands have been expropriated about the land requisition purpose, location, compensation standard and resettlement methods in written form. After being informed, aboveground attachment, young crops and land requisition planted or built on the lands to be expropriated by the rural collective economic organization and peasants will not be compensated.
- (ii) Affirm the survey result of land requisition. The Local Ministry of Land and Resources should investigate the ownership, land type and area of the land to be expropriated and aboveground attachment ownership, type and amount and then the survey results should be affirmed by the rural collective economic organization, peasants and aboveground attachment property owner.
- (iii) Organize hearing of witnesses on land requisition. Before submitting the land requisition to a higher authority for approval, the Local Ministry of Land and Resources should inform the rural collective economic organization and peasants whose lands have been expropriated that they have the right to apply for hearing of witnesses on compensation standard and resettlement ways of the land to be expropriated. If the party applies for hearing of witnesses, organize according to the regulated procedure of Hearing Rules of Land Resources and related requirements.

G. Implementation and Supervision on Land Requisition

- (i) Announce the approval matters of land requisition. For the expropriated lands approved according to law, Ministry of Land and Resources and provincial Ministry of Land and Resources should announce the approval matters of land requisition through media, otherwise the state security stipulations or other special circumstances are involved; the county (multiple) Ministry of Land and Resources should announce the approval matters of land requisition in the villages and groups according to Announcement Methods for Land Requisition.
- (ii) Pay for the land requisition compensation and resettlement expenses. After the land requisition compensation and resettlement projects are approved by the People's Government of the city or the county, appropriate the land requisition compensation and resettlement expenses to the rural collective economic organizations whose lands have been expropriated according to the time limit regulated by law. The local Ministry of Land and Resources should cooperate with

the Department of Agriculture and Civil Administration Department to supervise the allocation and using condition of internal land requisition compensation and resettlement expense of the collective economic organization.

- (iii) Supervision and inspection after approval of land requisition. Ministry of Land and Resources of all or different levels should supervise and inspect the implementation of land requisition plan approved by law. If the original living standard of the farmers whose lands have been expropriated decrease due to land requisition, the local Ministry of Land and Resources should take effective measures, solve the production and living problems of the farmers whose lands have been expropriated through multiple channels and maintain social stability with the relevant government departments.

Appendix 3: Summary of Regulations and Policies in Jilin Province and Baishan City

Jilin Province Land Management Regulations

Article 22 The land occupied by new projects, reconstruction projects, extension projects shall be examined and approved according to law by the people's government at or above the county (city) level. The construction unit or individual shall use the land according to the purposes approved. Where the change of land use is actually needed, it should be submitted to the authority that originally gives the approval for another approval, and shall pay the corresponding land tax in arrears. 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 the use of state-owned construction land within the urban construction land in the construction project determined through overall plan should be approved by the multiple (prefecture) or county (multiple) people's government. However, the use of state lands in the following construction projects should be approved by the provincial people's government:

- (I) the land of key construction project implemented by provincial people's government except for the one needs the approval of the State Council;
- (II) the land of construction project in the Directory for Land Limited Project of national regulation.
- (III) the land of construction projects within national scenic area, natural conservation area and forest park.

Article 24 During the feasibility research argument stage of construction project, the construction unit should apply to the multiple (prefecture) or county (multiple) people's government of the project location for construction land.

The land administration department of multiple (prefecture) or county (multiple) people's government should examine the project site selection and land utilization, propose preliminary hearing opinions and report to the land administration department of people's government with the construction land examination and approval authority of the project step-by-step.

When submitting feasibility research report of construction project and conducting approval process for construction land, the pre-examination report of construction project land of land administration department should be attached. For the one that has not passed pre-examination of construction project land, the project examining and approving department should not approve the feasibility research report.

Article 25 In expropriating land, land compensation fee shall be made according to the following standards:

- (I) for vegetable fields in cities and towns and their suburbs, in industrial and mining areas, and intensive fishponds, 9-10 times the average annual output value of the three years prior to the expropriation;
- (II) for paddy field, garden plot and vegetable fields other than those specified by Paragraph (I), 8-9 times the average annual output value of the three years prior to the expropriation;
- (III) for dry land, artificially sown pastures, 6-8 times the average annual output value of the three years prior to the expropriation;
- (IV) for forest land, reed pond, grassland other than artificially sown pastures, 4-6 times the

average annual output value of the first three years of the nearby dry land;

(V) For other land, 2-4 times the average annual output value of the first three years of the nearby dry land.

Article 26 The relocation allowance for the land other than cultivated land and with earnings shall be made 4-6 times the average annual output value of the first three years of the land expropriated and paid in lump sum.

Article 27 The compensation for young crops on the expropriated land shall be calculated according to the output value of a cultivation period; there is no compensation for crops that can be harvested as scheduled. For nursery stock, flowers and plants as well as perennial trees of economic values, replantation fee is given to those that can be replanted; otherwise, reasonable compensation or purchase after pricing is made.

The compensation standard for aboveground attachment on the expropriated lands should be appointed by the two parties; if not appointed, it should be assessed and determined by assessment institution approved by the two parties or the one appointed by multiple (prefecture), county (multiple) people's government.

Before land requisition, the multiple (prefecture) or county (multiple) people's government should send the notification of planned land requisition to the unit whose lands have been expropriated. After delivering the notification of planned land requisition, the newly-planted crops and trees and the newly-built facilities on the land to be expropriated will not be compensated; for the damage of land owner or user caused by unscheduled land requisition, the multiple (prefecture), county (multiple) people's government should compensate.

For the expropriated vegetable field in suburban areas, pay the vegetable field exploitation and construction fund and do not pay the cultivated land reclamation expenses.

The new vegetable field exploitation and construction fund should be used for new vegetable field exploitation and construction of the city.

The charging standard for new vegetable field exploitation and construction fund should be calculated according to the annual production value in the first three years: that of Changchun City and Jilin City is twelvefold to fifteenfold; that of Siping City, Liaoyuan City, Tonghua City, Baishan City, Baicheng City, Songyuan City and Yanji City is eightfold to twelvefold; that of other counties (multiples) and industrial and mining areas is sixfold to eightfold.

Land compensation fee for state-owned farmland that occupies farm, forestry, animal husbandry and fishery and the aboveground attachment and young crops compensation can be determined according to the compensation standard for land requisition.

Article 28 Procedure for Examination and Approval of Land Requisition:

(I) units using the land and individual who holds the annual capital construction plan or final document of approval should apply to the land administration department of multiple (prefecture) or county (multiple) people's government for construction land and report the related data;

(II) Land administration department of multiple (prefecture) people's government should organize the related data and apply to the land administration department of provincial people's government for land requisition;

(III) Land administration department of provincial people's government should check land requisition application in time; for the one that confirms to land requisition conditions, organize on site investigation and determine the land requisition position and area.

(IV) After the land compensation program and resettlement program is determined, land administration department of people's government above the county level should entrust the land

requisition institution to organize materials and report to the land administration department of people's government with approval authority step-by-step for audit.

(V) After the construction land requisition is approved according to law, the multiple (prefecture) or county (multiple) people's government should issue the ratification instrument of construction land to the construction unit. For the paid use of state-owned land, the land administration department of multiple (prefecture) or county (multiple) people's government should sign paid state-owned land use contract with the land user; when appropriating land, the land administration department of multiple (prefecture) or county (multiple) people's government should approve and issue state-owned land allocation decision to the land user. For the one that is not paid timely and fully, land administration department of multiple (prefecture) or county (multiple) people's government should not offer land.

(VI) Within 30 days after the construction project is completed, the units using the land and individual should apply to the land administration department of multiple (prefecture) or county (multiple) people's government for land registration; for the one that confirms to the register conditions, conduct the land registration according to law and approve and issue the state-owned land use certificate.

Article 29 the land requisition procedure and resettlement compensation program of land requisition of multiple (prefecture) or county (multiple) people's government should confirm to provisions by laws and regulations; the unit or individual whose lands have been expropriated should obey; for the one who refuses, obstructs or protracts, do according to the regulations of article 37 and 45 of Enforcement Regulations.

Article 30 when the people's government with approval authority approves the farmland diversion and requisition, he should charge the multiple (prefecture) or county (multiple) people's government that has acquired the new construction land through transferring and other paid use modes for compensated use expense for new construction land and the fund should be used for cultivated land development and the charging standard should be determined according to the national regulations.

Article 31 for the construction project and geological survey that needs temporary land occupation, the cultivated lands should be approved by the land administration department of provincial people's government;

The uncultivated land should be approved by the land administration department of multiple (prefecture) or county (multiple) people's government; for the cross-administrative region, it should be approved by the land administration department of superior people's government of the cross-administrative region. Thereinto, the temporary land occupation within the urban planning region should be agreed by urban planning and competent administrative department before submitting.

Article 32 for the use of temporary state-owned construction land occupation, the compensation standard should be determined according to the rent standard of local state-owned land; for the use of temporary collective construction land and unutilized land, the compensation standard should be determined according to 50% to 70% of the rent standard of local state-owned land; for the use of temporary state-owned and collective farmland, the compensation standard should be determined according to the annual production value in the first three years.

If the compensation in the above article can not remedy the losses caused by temporary farmland occupation, increase the compensation properly, however, the increase in amounts should not surpass the total out-put value.

Article 33 the user of temporary land occupation should use the land according to the appointed and approved applications in the temporary land occupation contract and should not build permanent construction. The user should reclaim the damages on the land; if reclamation is not possible or reclamation does not conform to requirements, pay the land reclamation expense and the land administration department should organize reclamation.

The time limit of temporary land use is generally no more than two years; for the project that needs more than two years, report to the superior land administration department for approval.

Article 34 if the rural collective economic organization uses collective construction land and unused land to set up enterprise and build communal facilities and public welfare establishments, apply to the land administration department of people's government above county (multiple) level with the related document of approval; for the one less than 1 hectare (including 1 hectare), it should be approved by county (multiple) people's government; for the one between 1 hectare and 2 hectare (including 2 hectare), it should be approved by multiple (prefecture) people's government; for the one more than 2 hectare, it should be approved by provincial people's government. For the use of farmland, the farmland diversion procedure should be conducted according to the regulations of article 44 in Land Management Law.

(2)Jilin Province Urban Housing Demolition Management Regulations

Article 2 for the housing demolition on the state land within the urban planning area of the administrative region of the province with the need for compensation and resettlement, the article is applicable.

Article 10 The amount of deposit of demolition compensation and resettlement fund shall be no less than the multiplying of the total gross area of the house to be demolished by the guide price determined last year by the real estate market evaluation for the houses in the same section and of the similar nature. The houses used by the demolishing party for property right exchange may be calculated at the reduced price.

Article 11 The compensation and resettlement fund for demolishing the houses by the demolishing party shall be totally used for the compensation and resettlement of housing demolition, and shall not be used for any other purposes.

The housing demolition management department of people's government above the county level should strengthen the supervision on the using condition of demolition compensation and resettlement funds.

Article 12 The local housing demolition management department should approve and issue House Demolition Licence to eligible one in 30 days after receiving the house demolition application; for the incompetent one, do not approve and issue, inform the applicant in written form and give the reasons.

Appendix 4: Social Endowment Insurance Plan for Farmers who Lost Farmland

Endowment insurance implementation plan for land-lost farmers in the center of Baishan City

In order to meet the requirements of high-speed economic development in Baishan City, fulfill the desire of peasants for making old people useful and solve the fear of attacks from behind of the land-lost farmers, the plan is formulated according to Land Management Law of People's Republic of China, Jilin Province Land Management Regulations, 24th Decree of Baishan People's Government on January 8th, 2003 and the Spirit of 27th Decree of Baishan People's Government on March 16th, 2004 through combing with the actual condition of Baishan City.

I Guiding Ideology

With Deng Xiaoping Theory and important thought of Three Represents as the guidance, following a strategy of product excellence, expanding rural insurance market, establishing first-rate service system and constructing rural endowment platform as the operation principle and serving fundamental interests of the peasants as purpose, implement rural endowment insurance measures and explore the new ways for resettlement of land-lost farmers so as to provide convenient, efficient, safe and relieved endowment insurance service for the land-lost farmers.

II Insurance Coverage And Scope

Insurance coverage: scope regulated in Management Method for Compensation and Settlement of Expropriated Rural Collective Land of Urban Construction of Baishan City (24th Decree of Municipal Government) and Provisions on Compensation and Settlement of Expropriated Rural Collective Land of Urban Construction of Baishan City (27th Decree of Municipal Government).

Insurance object: farmers whose lands have been expropriated that should be resettled according to law.

III Main Contents

((I) establish endowment insurance system for land-lost farmers and national, collective and individual endowment insurance accounts and assign specialized institution to manage and supervise embarked tax.

(II) after deducting 3% of management cost, Branch Office of China Life Insurance Company Ltd in Baishan City will manage the insurance premium balances of the endowment insurance premiums paid by the government, village committee and land-lost farmers intensively, invest uniformly and account independently; the insurance company should ensure that the promised yield of more than 70% of distributable surplus and 2.5% annual interest rate should be credited in the individual accounts of the land-lost farmers to solve the problem of supporting old people of the land-lost farmers.

IV Safeguard Measures

((I) Reinforce organizational leadership. Set up leading groups to organize and coordinate current undertakings; organize and construct specialized business management institution to conduct account management, security deposit payment and assets accretion.

(II) cooperate with the related departments to propagandize laws, regulations and rules on land expropriation and significance for land-lost farmers to participate in endowment insurance, insurance methods, payment methods and the regulations for getting living expenses after 60. Through conversazione of village cadres, conversazione of peasant representatives and conversazione of all the peasants, the peasants can know the concern of government on them so that they can be mobilized to participate in endowment insurance.

(III) Establish and implement pension insurance fund management of land-lost farmers, responsibility system of fund raising and increasing and allocate the responsibilities to the departments and personnel concerned. At the same time, strengthen internal management and supervision, enhance consciousness of responsibility and investigate and affix the responsibility of the person in charge for damaging endowment insurance benefit of land-lost farmers and dampen their enthusiasm for endowment insurance seriously.

(IV) Launch service for the convenience of the customers, service for the benefits of the customers and “four door” activity which includes on-the-spot publicity, on-the-spot charging, on-the-spot acceptance and on-the-spot service and serve the masses and society with first class service and reputation.

Appendix 5: Resettlement Information Booklet

Baishan Water Supply Project

Resettlement Information Booklet

**Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City
May 2014**

No.	Task	Objective	Responsible Unit	Time	Note
1	Information Disclosure				
1.1	Resettlement Information Booklet	1 village	BPMO Resettlement Office / Shangdianzi Village	May 2014	
1.2	Posting the RP on ADB's website	/	BPMO, ADB	May 2014	
2	RP and its updates				
2.1	Measuring the impacts of LA and HD in detail after a detailed design	/	BQHC	June 2014	
2.2	Updating the RP	/	BQHC and BPMO	July 2014	If needed
3	Signing Compensation Agreement and Disbursing Compensation				
3.1	Signing land compensation agreement with villages and making payment	2 affected villages	Resettlement Office / affected villages	August 2014	
3.2	Signing land compensation agreement with households and making payment	30 AHs	Resettlement Office / AHs	August 2014	
4	Monitoring and Evaluation				
4.1	Baseline Survey	1 Report	External monitoring agency	September 2014	
4.2	Establishing an internal monitoring agency	According to the RP	BPMO and BQHC	July 2014	
4.3	Signing an agreement with an external monitoring agency	1 Agency	BPMO	July 2014	
4.4	Internal monitoring report	Project Progress Report	BPMO and BQHC	August 2014 and on going	
4.5	External monitoring report	Semi-annually	External monitoring unit	September 2014	1 st report
				March 2015	2 nd Report
4.6	External monitoring report	Annually	External monitoring unit	March 2016	3 rd Report
				March 2017	4 th Report
4.7	Completion report	1 Report	BPMO and BQHC	March 2018	
5	Civil Works Commencement				
5.1	Baishan Water Supply Project		Project construction bid winner	April 2015	

4. Project Impacts

Urban Water Supply Project occupation in Baishan City includes permanent occupation and temporary occupation; the permanent occupation influences Shangdianzi Village of Hekou Street in Hunjiang District and temporary occupation influences Jiangyuan District of Baishan City, Hunjiang District and Wengquan village of Hekou Street of Hunjiang District. The project needs to land expropriation of 67.5 mu (4.5hectare). The expropriated lands are all collective lands, including forest lands of 65 mu, accounting for 96.3% and dry land of 2.5 mu, accounting for 3.7%. The temporary occupation in the project includes land for river of 27.19 mu, land for roads

of 368.17 mu, forest land of 11.79 mu, cultivated land of 28.08 mu and wasteland of 3.9 mu. The project will affect 103 villagers from 30 households of two villages in one town of Hunjiang District, including 17 villagers from 4 households affected by permanent LA and 86 villagers from 26 households by temporary land occupation.

5. Legal Framework and Policy

5.1 Laws and regulations and policies for relocation

The major bases for the relocation policies of the project are policies of Asian Development Bank and the laws and regulations of the People's Republic of China and the relevant policies in Jilin Province.

5.1.1 Asian Development Bank Policies

1. *Safeguard Policy Statement, June 2009* ;
2. *Gender Checklist, February 2003*;

5.1.2 Laws and regulations of People's Republic of China

1. *Land Management Law of People's Republic of China* (revised on Aug. 28th, 2004)
2. *Forest Law of People's Republic of China* (revised on April 29th, 1998)
3. *Notice on Further Improving Rural Residence Land Management System and Protecting Peasant's Rights and Interests* (March 2nd, 2011)
4. *Emergency Notice of General Office of Ministry of Land and Resources on Completing Land Requisition and Demolition Management* (Guo Tu Zi Dian Fa [2011] No. 72)
5. *Instructions of the State Council on Developing New Pilot of Rural Social Endowment Insurance* (Guo Fa [2009] No.32)
6. *Notice of Ministry of Land and Resources on Formulating Working Documents on Standard of Unified Annual Production of Requisition and Comprehensive Land Price of Expropriated Blocks* (Guo Tu Zi Fa [2005] No.144)
7. *Urban Road Management Regulations* (Decree of the State Council, No.198)

5.1.3 Relevant Policies of Jilin Province

1. *Land Management Regulations in Jilin province* (revised in the 20th Meeting of Standing Committee of the Tenth People's Congress of Jilin Province on June 2nd, 2005)
2. *Management and Implementation Measures for Non-operational Construction Project of Provincial Administrative Institution of Jilin province* with the number Ji Zheng Ban Ming Dian (2010) No.76
3. *Jilin Province Forest Management Regulations* (passed in the 20th Meeting of Standing Committee of the Sixth People's Congress of Jilin Province on July 24th, 1986)
4. *Basic Farmland Conservation Regulation in Jilin province* (revised in the 33rd Meeting of Standing Committee of the Eighth People's Congress of Jilin Province on September 26th, 1997)
5. *Notice of Construction Department of Jilin province on Adjusting Standard of Urban Road Excavation and Recovery Expenses* (Ji Jian Cheng [2005] No.12)

6. Major Compensation Standard

6.1 Major Land Compensation Standards

The cut-off date for compensation qualification demarcation is on July 31st, 2013. The newly cultivated lands and houses of the affected people or settlement in the affected region do not belong to compensation or subsidy scope after the expiration date. Any building or trees for extra compensation are not included.

(1) Land Compensation Standard

According to *Table of Annual Unified Production Value Standard of Land Requisition in Baishan City*, the compensation standard for permanent land requisition of the project is shown in the following table.

Compensation Standard for Permanent Collective Land Requisition

Type of land	Land compensation (RMB/mu)	Resettlement subsidy (RMB/mu)	Total (RMB/mu)
Collective land	24,000	36,000	60,000

Data source: *Table of Annual Unified Production Value Standard of Land Requisition in Baishan City*

(2) Young crops compensation standard

According to *Jilin Province Land Management Regulations*, the young crops compensation for expropriated lands should be calculated based on the production value of one cultivation period. Combing with the actual condition of Baishan, the young crops compensation standard is shown in the following table.

Young Crops Compensation Standard

Land type	Type	Compensation standard (yuan per mu)
Cultivated land	Collective farmland	865

(3) Forest Land Compensation Standard

According to *Compensation Standard for Forest Land Occupation and Deforestation in Jilin Province* (Ji Lin Zi [1991] No. 876), and *Notice on Instruction for Further Strengthening Forest Land Protection and Management* of General Office of the State Council (Guo Fa Hao [1992] No.32), the compensation standard for permanent forest land requisition is shown in following table, and the forest tree compensation should be determined according to evaluation.

Compensation Standard for Forest Land

Type	Land compensation (RMB/mu)	Resettlement subsidy (RMB/mu)	Total (RMB/mu)
Collective Forestry Land	2162.5	5190	7352.5

Data source: *Notice on Instruction for Further Strengthening Forest Land Protection and Management*

(5) Compensation Standard for Temporary Occupation Cultivated land

Temporary land compensation includes temporary land occupation expenses and temporary land reclamation expenses and the expenses should be paid to the owner according to the actual occupation term. The standard is shown in the following table.

Compensation Standard for Temporarily Occupied Cultivated Land

Item	Unit	Indemnification standard
Temporary Land Occupation	Cultivated Land	Yuan per mu· per year
		865

Temporary Land Reclamation	Cultivated Land	Yuan per mu	6000
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Temporary forest land compensation includes temporary land occupation expenses and reclamation expenses and the standard is shown in the following table.

Compensation Standard for Temporarily Occupied Forest Land

Item		Unit	Indemnification standard
Temporary Land Occupation Expenses	Cultivated Land	Yuan per mu· per year	432.5
Temporary Land Reclamation Expenses	Cultivated Land	Yuan per mu	4000

Data source: *Notice on Instruction for Further Strengthening Forest Land Protection and Management* (Guo Ban Fa [1992] No. 32)

According to the regulations of *Notice on Reorganizing Compensation Standard for Urban Land Occupation Expenses and Disforestation (Afforestation)* (Ji Sheng Jia Shou Zi [1997] No. 12), municipal engineering and maintenance and private road in the plants of enterprises do not belong to the scope of land occupation expenses. The riverways occupied in the project belong to exploiting entity of the project and thus occupation compensation fee is not involved.

According to *Notice of Construction Department of Jilin province on Adjusting Standard of Urban Road Excavation and Recovery Expenses* (Ji Jian Cheng [2005] No.12), the urban road excavated in the project is to excavate gravels, unsurfaced roads and road shoulders and the road restoration expense standard is 40Yuan/m².

Compensation Standard for Temporarily Occupied Cultivated Land

Project		Unit	Compensation Standard
Road Restoration Expenses	Urban Road	Yuan/m ²	40

(6) Standards of Other Costs

The standards of other costs are detailed in the following table..

Tax standards of migration and resettlement with respect to the Project

No.	Item	Tax standard (yuan/mu)	Policy basis
1	Farmland cultivation fee	4325	<i>Provisions of Jilin Province on the Collection and Use of Farmland Cultivation Fee and land Reclamation Fee</i> (Zheng Fa Ban [2009]No. 34)
2	Fee paid for new construction land use	18648	<i>The Circular of the Ministry of Finance, the Ministry of Land and Resources and the People's Bank of China on the Policy of Adjusting the Fee Paid to Use New Construction Land</i> (Cai Zong [2006] No. 48) <i>The Circular of the Ministry of Finance, the Ministry of Land and Resources on Adjusting the Collection Grades of Fee Paid to Use New Construction Land in Some Regions</i> (Cai Zong [2009] No. 24)
4	Tax on the occupancy of cultivated land	14985	<i>Measures of Jilin Province for the Implement of Tax on the Occupancy of Cultivated Land</i> (Ji Lin Sheng Ren Min

(6) Entitlement Matrix

The rights and interests matrix is established based on the relevant policies of this Chapter and is detailed in the following table.

Entitlement Matrix

			(11)
			(5)
			(4)
			(3)

Type of impact	Degree of impact	Obligee	Compensation and resettlement policy
Permanent Land Acquisition	72 mu land, including dry land of 2.5 mu, forestry land of 65 mu, and wasteland of 4.5 mu	Shangdianzi Village, 4 households of 17 people	<p>(12) Monetary compensation: 60,000 RMB/mu for collective land, and 6,162.5 RMB/mu for collective forestry land;</p> <p>(13) For compensation for dry land, 80% land compensation (land compensation and resettlement subsidy at 60,000 RMB/mu) will be paid to AHs directly, while remaining 20% will be kept as a collective fund by the collective economic organization of the village and managed by the village committee for village infrastructure and public welfare development and alleviation of poor households, etc. The use of the fund will be approved by the conference of all villagers or villagers' representatives. The village farmland will not be adjusted again.</p> <p>(14) 100% compensation for young crops at 865 RMB/mu will be paid to AHs.</p> <p>(15) For compensation for forestry land, the land compensation at 2,162.5 RMB/mu will be paid to affected villages, while resettlement subsidy at 5,184RMB/mu will be paid to both the affected villages and AHs.</p> <p>(16) 100% compensation for forest (trees) at market assessment prices will be paid to AHs or owners.</p> <p>(17) Agricultural resettlement: including land transfer plan, crop farming plan.</p> <p>(18) Employment: to promote APs employment in local enterprises with support by local government and the Project itself.</p> <p>(19) Small-sum guaranteed loan measure: to support the APs according to the relevant provisions.</p> <p>(20) Skill training: the Project will provide skill training for at least 100 APs.</p> <p>(21) Social security: to provide relevant security measures according to the APs' social pension insurance and new rural/urban pension insurance and other related policies.</p>

Temporary Land Occupation	439.12mu, including 395.36mu of state land (27.19mu of watercourse land and 368.17mu of road land), and 43.76mu of collective land (11.79mu of forestry land, 28.08mu of farmland and 3.9mu of waste land).	Shangdianzi and Wengquan villages, 86 people from 26 households	(6) For farmland, 100% both compensations for (a) land occupation at 865 RMB/mu and (b) land reclamation at 6,000RMB/mu for farmland will be paid to AHs. (7) For forestry land, 100% compensations for land occupation at 432.5 RMB/mu will be paid to AHs, while 100% compensation for vegetation recovery at 4,000RMB/mu will be paid to municipal forest bureau. (8) 100% compensation for recovery of road excavation will be paid to municipal management bureau. (9) Skill training: the Project will provide skill training for at least 100 APs.
Women	\	45 affected women	(5) Provide priority in employment opportunities. 30% of affected women are ensured to have the non-technical employment opportunities. (6) Provide priority in free technical training. At least 50 person-time of affected women shall receive the training planned for 100 person-time of APs in total (accounting for 50%). (7) Ensure the access to relevant information during the resettlement process and able to participate in public consultation. A special female discussion will be conducted to introduce the relevant policies so as to improve the awareness.
Vulnerable groups	A family with a chronic patient	1 AP from 1 AH	(4) Labor force of the household is preferentially given training and employment opportunities. (5) 2,000RMB per household will be provided by the Project to improve their living conditions.
Complaints and appeals	\	All the affected people	Free of charge; all costs caused in the process will be paid from the contingencies of the Project.

7. Resettlement Institutions

Since immigration has wide coverage area and needs the assistance and cooperation of all departments, Traffic Department, Ministry of Land and Ministry of Finance will participate in and assist the implementation of relocation. All the affected districts and villages will be equipped with 1 to 2 leaders to assist relocation; the institutions responsible for land requisition demolition of the project include:

- Loan project leading group of Asian Development Bank in Jilin province
- Loan leading group of Asian Development Bank in Baishan
- People's Government of Hunjiang District
- village committee (neighborhood committee)
- project design institution
- external independent monitoring and assessment institution

- other institutions: Land and Resources Bureau, Demolition Office, Women's Federation, Labor and Social Security Bureau

9. Complaint Mechanisms and Channels

Some unexpected problems may occur in the implementation of the LAR. In order to effectively solve these problems and ensure the successful implementation of the project construction and LAR, a transparent and effective complaint and appeal channel is established for the Project. Its basic working 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 Hunjiang District Project Resettlement Office after receiving the decision. The office will give response to the within two weeks.

Step 3: If the APs are still dissatisfied with the decision made by Hunjiang District Project Resettlement Office, they may appeal to the BPMO after receiving decision.

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

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)².

Various organizations will receive APs' and appeal for free, and 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.

Attached list: Contact Way of Complaint Institution

Department	Person in Charge	Office Location	Contact Number
Jilin Province Project Management Office	Zhao Sihai	Changchun	18704308777
Baishan ADB Project Management Office	Gao Jingyi	Baishan	13604498217
Northwest Branch Qiyuan Hydroelectricity Limited Company of Baishan City	Feng Liming	Baishan	13604498516
External M&E Agency	TBD		

² 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/>

Appendix 6: Terms of Reference for External Monitoring and Evaluation

1. Purpose for Resettlement Monitoring and Evaluation

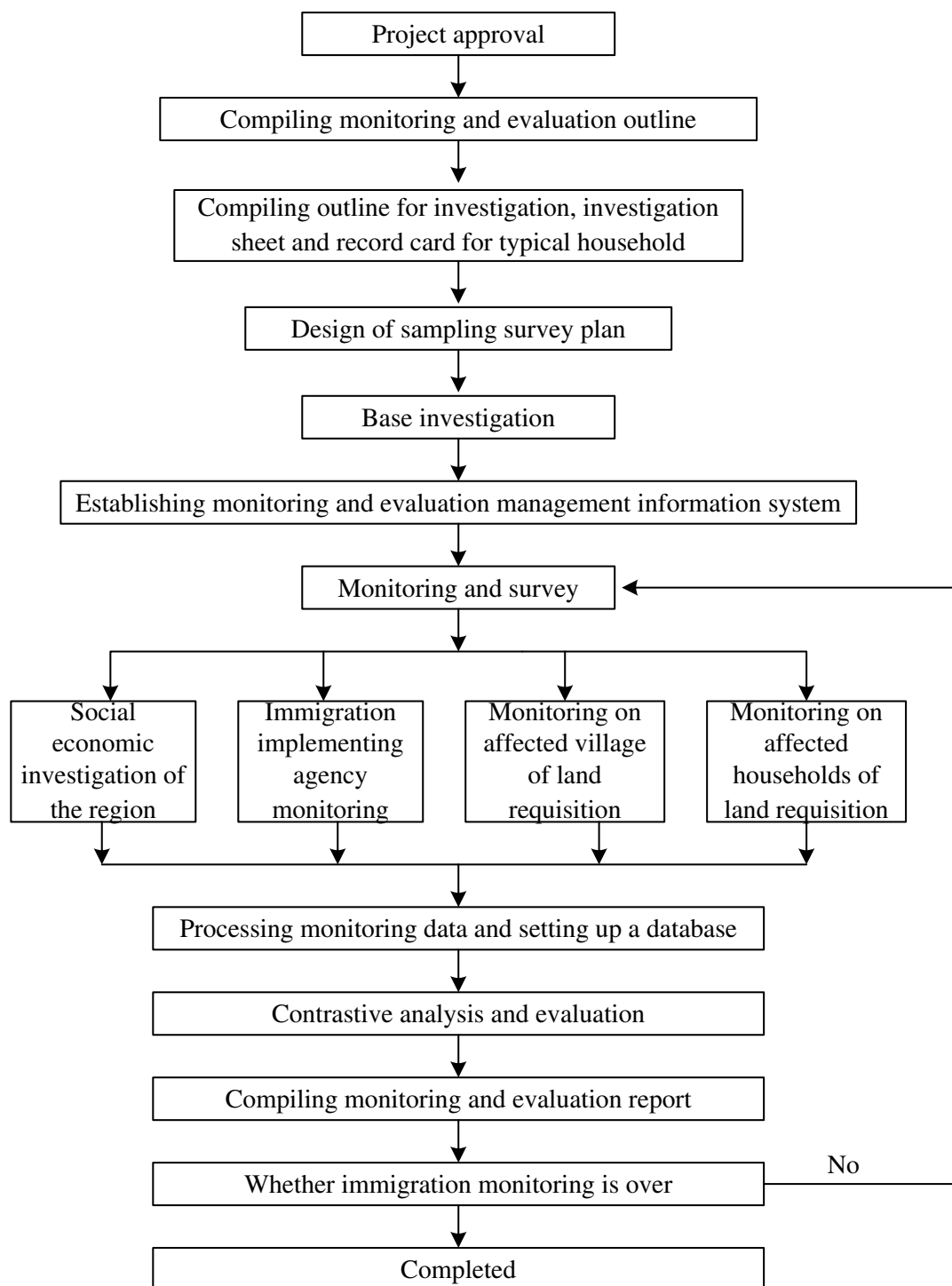
According to the requirements of ADB resettlement policy, external monitoring and evaluation for implementation of the RP shall be conducted during implementation of the Baishan Water Supply Project. Changes in production and living standard of the people affected by land acquisition shall be analyzed and compared through inspecting the rate of progress, fund and management of land acquisition demolition and relocation and tracking assessment should be conducted on the land requisition and relocation of the project. Through the external monitoring and evaluation, ADB can know whether the land acquisition and resettlement of implementation institution is in time and the expected aim has been reached and point out the problems and propose recommendations for improvement.

2. Monitoring and Evaluation Scope

- (1) Implementation schedule of land acquisition and resettlement include:
 - 1) Rate of progress for land acquisition;
 - 2) Rate of progress for temporary land requisition;
 - 3) Recovery of infrastructure.
- (2) Capital implementation and utilization include:
 - 1) Capital appropriation
 - 2) Use of funds (planned and practical).
- (3) Living standard of affected people include:
 - 1) Production and living standard of affected people before land acquisition;
 - 2) Production and living standard of affected people after land acquisition;
 - 3) Contrastive analysis and evaluation on the production and living standard of affected people before and after land acquisition.
- (4) Capacity assessment of resettlement offices in different levels and public participation and complaint.

3. Technical Route

Technical route of external monitoring and evaluation is shown in the following table.



Technical Route Map of External Monitoring

4. External monitoring institution

The external monitoring and evaluation on resettlement is conducted by the external monitoring institution entrusted by Baishan ADB Project Management Office.

5. Organization assessment

The relocation office of the project entrusts external monitoring institution to take charge of specific investigation, data collection, computational analysis and review on achievements.

The external monitoring institutions constitute “resettlement monitoring and assessment group of Baishan Hydroelectricity Limited Company”. Its tasks are: monitoring and evaluating relocation of the project, compiling work outline for monitoring and assessment, setting up monitoring point, investigating monitoring and interior work analysis on site and compiling immigration monitoring and assessment report according to the Involuntary Resettlement Policy of ADB.

The project relocation office should coordinate in the aspects of staff and traffic during the field monitoring and investigation process of immigration monitoring and assessment group.

6. Monitoring and Evaluation Methods

Field investigation, computational analysis and comprehensive assessment of experts are used for monitoring and evaluation;

The investigation work is conducted through integrating point and sphere. The rate of progress, funds, institution and management should be investigated completely. Sampling survey should be conducted on immigration households.

Random sampling by classification is applied for sampling survey and fixed follow-up survey is conducted on typical sample of immigration households. Sampling rate: 10~20% of severely affected households and other ones such as disadvantaged groups and 50% of the affected villages.

Sheet investigation, informal discussion and file document inquiry are applied for complete investigation;

Collect photos, records, videotapes and material objects besides literal data.

7. External Monitoring and Evaluation Report

The external monitoring unit shall submit resettlement monitoring report to Baishan ADB Project Management Office and ADB semiannually.

Baishan Urban Development Project
Baishan Water Supply Project

Due Diligence Report
On Land Acquisition and Resettlement

Northwest Branch Qiquan Hydroelectricity Limited Company of Baishan City
April 2014

Chapter 1 Project Background

Baishan Water Supply Project consists of four (4) components: (1): installing 21.14km of a new water transmission pipeline in Jiangyuan and Hunjiang districts of Baishan City; (2) constructing 50,000 m³/d of a new water supply plant in Shangdianzi Village of Hunjiang District; (3) installing 55.38km of a new water distribution system in Hunjiang District; and (4) constructing four (4) new pump stations for increasing pressure. The Project will use a water source from a reservoir that is being constructed by Qujiaying Water Source Project. The due diligence report is about land acquisition and resettlement of Qujiaying Water Source Project.

The current water supply of Baishan City cannot meet the requirements of the future development both in the water yield and water quality; the raw water supply quantity of water source is severely insufficient, the handling ability of water plant is scarce or the treatment degree is insufficient and the water quality cannot be guaranteed, the imbalance between supply and demand of urban water in Baishan City is increasingly prominent. It has become the key aspects for the development of Baishan City to solve urban water supply, develop the new water supply project, build water treatment plant project and perfect water distribution pipeline engineering; give the matter further thought and make the water supply engineering planning and construction and solve domestic water problem.

In the water supply project through the loan of Asian Development Bank (ADB), land requisition is involved; therefore, the project implementing entity compiles Urban Water Supply Project in Baishan City Resettlement Plan according to the Safeguard Policy Statement of ADB and the relevant regulations of the state, Jilin province, Baishan City and Hunjiang District.

In September 2008, Baishan Municipal Government decided to build the Xibeicha Reservoir as the second water source of Baishan city. The reservoir is located in Hunjiang district of Baishan. The project will develop Class I branch of the Hun River as the water source. Total capacity of the reservoir will be 16.62 million m³ with dam height of 62.05 m, water diversion culvert length of 5,023 m. Total power unit capacity will be 3,260 kW and can generate power of 9.57 million kWh per year. The reservoir can provide 80,000 m³ water per day. The reservoir project is planned to construction in 4.5 years from May 2009. It is under construction now.

Although the construction of this Reservoir did not use investment of ADB, it is an associated project of integrated water supply engineering constructed by loan of ADB; therefore, investigation should be conducted on the land requisition and demolition of the existing Reservoir construction according to Safeguard Policy Statement of Asian Development Bank to ensure there are no remaining (legacy) issues.

The investigation objects are: land requisition and demolition of the existing Reservoir and it is the attachment of the development project with the resettlement and relocation program in urban development project in Baishan City.

Chapter 2 Influence Scope

1331.51 mu (4.83 hectare) of permanently occupied collective lands were involved in the reservoir project, including 8.87 mu of cultivated lands and 1322.64 mu of forest lands. The LA process was from May 2009.

Permanent occupation influenced 14 people in 3 households. In the reservoir project, the total area of demolition is 462.65 m², including wood and brick housing area of 384.16 m², unregistered house area of 78.49 m² (including wood and brick of 57.49 m² and makeshift of 21 m²), vegetable cellar of 56 m², livestock enclosure of 206.11 m² and three hand-pressed well. The houses to be demolished are all the houses of rural residents with 20 people in 5 households affected. In addition, some house facilities and infrastructure are also affected by the project, such as trees, closed circuits and telephones. Project land acquisition, demolition and relocation includes Ailin Village in Jiangyuan District of Baishan City and the demolition compensation way is monetary compensatory.

The specific influence scopes of project are shown in Table 1, Table 2, Table 3 and Table 4.

Table 1: Permanent Occupation Influence Scope

District or Town	Village	Permanent Occupation(mu)			
		Cultivated Land	Forest Land	Homestead	Wasteland
Jiangyuan District/Sanchazi Town	Ailin Village	8.87	0	0	0
Jiangyuan District/Sanchazi Town	Sancha Forestry Bureau	1322.64	0	0	0

Table 2: Demolition Influence Scope

District or Town	Village	Residential Building (square meters)	Other Construction (square meters)		Other (square meters)	
		Wood and Brick	Wood and Brick	Simple	Vegetable Cellar	Livestock Enclosure
Jiangyuan District/Sanchazi Town	Ailin Village	384.16	57.49	21	56	206.11

Table 3: Affected People

District or Town	Village	Influenced by Land Acquisition		Influenced by Demolition		Influenced by Land Acquisition and Demolition	
		Households	Population	Households	Population	Households	Population
Jiangyuan District/Sanchazi Town	Ailin Village	3	14	5	20	0	0

Table 4: Affected House Facilities

District or Town	Village	House Facilities			
		Trees(tree)	Fence(m)	Well (piece)	Closed Circuit (piece)
Jiangyuan District/Sanchazi Town	Ailin Village	865	42.6	3	4

Chapter 3 Legal Provisions and Compensation Standard

Land requisition and demolition in the project should abide by the related laws and regulations of the State, Jilin Province, Baishan City and Hunjiang District. These laws and regulations have been listed in the Resettlement Plan of Water Supply Project in Baishan City of urban development project of Jilin Province. Land acquisition compensation standard is shown in table 6, table 7 and table 8, demolition compensation standard is shown in table 9 and the compensation standard of attached objects on the ground is shown in table 10 and 11.

Table 6 Compensation standards for permanent expropriation farmland

No.	Type of land	land compensation fee standard (Yuan per square meter)	Resettlement compensation standard (Yuan per square meter)	Total (Yuan per square meter)
1	Collective farmland	45.05	90.1	135.15
2	Forest land			7.8

Table 7 Compensation standard of young crops

Type of land	Type	Compensation standard (Yuan per square meter)
Cultivated land	Collective farmland	5

Table 8 Compensation standards of housing demolition

House nature	Compensation type		Unit	Base price (Yuan)	Remarks
Rural housing demolition	Residential house	Brick-concret of homestead	Yuan per m ²	850	The actual standard is subject to the evaluated market value (without regard to depreciation), and will not be lower than the base price.
		Masonry-concrete	Yuan per m ²	400	
		Masonry-wood	Yuan per m ²	100	
		simple	Yuan per m ²	100	
	Other compensation fees	House-moving subsidy	Yuan per household	500	Provided in lump sum, enough for the costs of 2 moving.
		Reward for relocation ahead of schedule	Yuan per household	1000	The relocated households will be given reward if they move ahead of schedule and complete demolition by themselves.

Table 10 Compensation standards for fruit trees and forests in the Project

Variety of Trees	Unit	Tree Specification (Diameter at breast height, cm)	Compensation Standard (Yuan)
Fruit trees	Tree	At the fruit-bearing age	50
	Tree	Not at the fruit-bearing age	10
Timber forest	Tree	Diameter at breast height <3cm	2
	Tree	3cm < Diameter at breast height < 5cm	10
	Tree	5cm < Diameter at breast height < 10cm	20

Variety of Trees	Unit	Tree Specification (Diameter at breast height, cm)	Compensation Standard (Yuan)
	Tree	10cm<Diameter at breast height <20cm	30
	Tree	20cm<Diameter at breast height <30cm	40
	Tree	Diameter at breast height >30cm	50

Table 11 Compensation standards for the ancillary structures and infrastructure

Items	Unit	Compensation Standard
Brick wall fence	Yuan/m	20
Hand pressed well	Well	200
Closed circuit	Yuan per one	500
Vegetable cellar	Yuan/m ²	50
Cell phone	Yuan per one	100

Chapter 4 Implementation Schedule

The project implementation unit conducted public participation and consultation work on the affected village groups and villages and introduced the project and implementation plan and compensation standard in May 2009.

Project implementation plan includes:

- 1 Finish measurement and inventory for the land occupation and attached objects from June to July 2009;
- 2 Finish payment of compensation expense of land requisition and demolition and land clearing from August 26, 2009 to January 2010;
- 3 Finish the follow-up works of land requisition from February 26, 2010 to April 2010;
- 4 Finish engineering construction from July 1, 2010 to November 2014;
- 5 Finish project acceptance inspection in February 2015.

Chapter 5 Conclusion

1331.51 mu (4.83 hectare) of permanently occupied collective lands were involved in the reservoir project, including 8.87 mu of cultivated lands and 1322.64 mu of forest lands. 34 people in 8 households were affected.

Monetary compensatory is applied for all the housing demolitions and the demolished families have all purchased estates in different places and the incomes of the expropriated households have not affected and all resettled in the same village according to the introduction of the village committee.

Through actual surveys and reviews on part of the demolished households, the land requisition and demolition process and methods accord with the related regulations of the State and Jilin Province, which were generally consistent with the involuntary resettlement policy requirements of ADB.

Annex 1: Demolition Agreement
Monetary Compensation Agreement

Party A: Administration Division of Baishan City Xibeicha Hydraulic Project

Party B: He xx

According to the construction master plan of Jiangyuan District, and regulations of the document of Baishan Zhenfa [2008] No.6, Group 3 of Ailin Village is included in construction scope of Xibeicha Hydraulic Project. Therefore, your house and attachments need to be demolished. Party A and Party B hereby agree the following resettlement based on equality, voluntary and consultation.

1. Party B shall meet requirement of Xibeicha Hydraulic Project, and agree to transfer the house, located at Community 7 of Shen Yi Street, brick-wood structure and 81 m² area, to Party A for demolition.
2. Party A shall pay the compensation in 850yuan/m² x 81 m² = 68,850 yuan.
3. The compensation for attachments of Party B shall be paid according to the Term 18 of the document of Baishan Zhenfa [2008] No.6 in a total of 23,415 yuan.
4. Party B shall be paid the compensation in total of 92,265 yuan.
5. Party B shall empty the house before November 11, 2011. Otherwise, the moving subsidy will be reduced 50%. Party B is not allowed to damage main structure of the house. Otherwise, the compensation will be reduced according to the damage extend.
6. After Party A check and accept the house when Party B move out, Party A shall pay all compensation to Party B at one time.
7. The agreement is activated a the day when both Party A and Party B sign the agreement. Any party who break the agreement shall be responsible for all damage. The agreement is prepared in three copies, which is held by Party A, Party B and house demolition office, respectively.

Party A: Administration Division of Baishan City Xibeicha Hydraulic Project (seal)

Party B: (finger print)

Third Party: Baishan Jiangyuan Fangzheng House Demolition Ltd. Co. (seal)

Appendix:

House Demolition (Cash, property exchange) Compensation Detail List (not translated)

货币补偿协议书

甲方：白山市西北岔水利枢纽管理处

乙方：贺永志

根据江源区建设总体规划，参照结合白山政发[2008]6号文件规定，对爱林村三社列入西北岔水利工程建设范围内，需拆迁你的房屋及附属物，经甲、乙双方在平等、自愿、协商一致的基础上达成以下安置协议。

一、乙方服从西北岔水利工程建设需要，同意将座落在爱林村三社，砖木结构，132房屋交给甲方拆除，面积为：21平方米。

二、甲方给予乙方2600元/m² × 21 m² = 12260元予以补偿。

三、乙方附属物补偿参照结合白山政发【2008】6号文件第十八条标准给予补偿(详见附属物补偿明细表)，乙方附属物及各项补助为¥：23114.0元。

四、乙方总计应得补偿金额人民币大写：39万2仟1佰6拾4元5角4分，¥：392164.0元。

五、限乙方在2016年11月11日前腾空被拆迁房屋，逾期搬迁的减发50%搬迁补助费，乙方不得损坏被拆迁房屋主体结构，违者按损坏程度在补偿款中扣赔。

六、乙方搬出后，交拆迁人验收合格，甲方一次性将补偿款全部支付给乙方。

七、本协议自双方签字之日起生效，如有违约责任由违约方自负，此协议一式三份。甲方、乙方、拆迁办各一份。

甲方：

经办人：



方：



年 月

房屋拆迁（货币、产权调换）补偿费用表


产权人姓名	贺荣金	有照房屋面积	21 m ²
房照产权号	0020919	结 构	砖 木
房屋性质	住宅	地 址	新2街7号

有照房屋按房屋评估价格补偿： $21 m^2 \times 2500 \text{元}/m^2 = 52500 \text{元}$

附属物种类	数 量	单 价	补 偿 金 额
闭 路	1	500.00	500.00
花 墙	14.5 m	10.00	145.00
木板气窗	2	100.00	200.00
院内硬铺装	50 m ²	10.00	500.00
手压水井	1	200.00	200.00
猪 圈	43 m ²	100.00	4300.00
菜 窖	9 m ²	50.00	450.00
1亩田地	0.55 亩	26400.00	14520.00
搬迁补助费	1户	500.00	500.00
搬迁过渡费	1户	1000.00	1000.00

合计：玖 万 贰 仟 壹 佰 陆 拾 伍 元 零 角 零 分 (¥: 92,265.00)

备注：

拆迁员签章  2010年3月14日	拆迁单位签章 米学栋 2010年3月14日	被拆迁户签章 贺荣金 2010年3月14日
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Annex 2: Demolition detail for the reservoir project

No.	Name	House Nature	Building Area (m ²)	Appurtenant Name	Quantity	Compensation (Yuan)	Other Compensation	Compensation (Yuan)	Total Compensation (Yuan)
1	He Lianfen	Residence	101.3	Telephone	1	150	Relocation compensation	1000	101299
				Closed circuit	1	500	Reward for removal in advance	2000	
				Hog house	44.52m ²	4452			
				Fence	15m	300			
				Cowshed	52.27 m ²	5227			
				Wood and brick warehouse	29.95	2995			

2	Zhang Yuxin	Residence	78	Closed circuit	1	500	Relocation compensation	500	103951
				Telephone	1	150	Reward removal advance for in	1000	
				Hand-pressed well	1	200			
				Wooden Warehouse	5 m ²	500			
				Wooden Makeshift house	1 m ²	50			
				Vegetable cellar	17 m ²	850			
				Fruit tree	20trees	1000			
				Garden and field	2.269 mu	59901			
3	He Rongquan	Residence	81	Closed circuit	1	500	Relocation compensation	500	92265
				Tracery wall	14.5m	145	Reward removal advance for in	1000	
				Wooden warehouse	8 m ²	800			
				Hardstand in the courtyard	50 m ²	500			
				Hand-pressed well	1	200			
				Hog house	48 m ²	4800			
				Vegetable cellar	9 m ²	450			
				Garden and field	0.55 mu	14520			
4	Qi Xingjun	Residence	60	Hand-pressed well	1	200			187903
				Fruit tree	4trees	200			
				Poplar	141trees	2820			
				Poplar saplings	700trees	1400			
				Hardstand in the courtyard	50 m ²	500			
				Young crops	535 m ²	2675			
				Vegetable cellar	30 m ²	1500			
				Cow	5 heads	5000			
		Garden and field	4.97 mu	131200					

5	Liu Naigang	Residence	63.86	Masonry-concrete warehouse	27.45 m ²	9607	Relocation compensation	500	81202
				Closed circuit	1	500	Reward for removal in advance	1000	
				Fence	13.1m	262			
				Hog house	61.32 m ²	6132			
				Wooden warehouse	8 m ²	800			
		The bulb of fritillary	232 m ²	8120					

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